

January 2, 2003

St. Lawrence County
Board of Legislators
Board Room

Board Meeting
Thursday, January 2, 2003
7:00 p.m.

The Deputy Clerk called the meeting to order at 7:00 p.m.

The Deputy Clerk asked for nominations for Temporary Chair.

Mr. Lacy nominated Mr. Gray for Temporary Chair, seconded by Mr. Nichols, and carried unanimously by a voice vote.

Temporary Chair Gray came to the dais to conduct this portion of the meeting.

ROLL CALL: All 15 Legislators were present.

DISTRICT	LEGISLATOR
District 1	Richard P. Wilson
District 2	Stephen E. Teele
District 3	Thomas A. Nichols
District 4	Alex A. MacKinnon
District 5	William E. Lacy
District 6	Stanley A. Morrill
District 7	Lloyd E. Moore
District 8	Tedra L. Cobb
District 9	Peter W. FitzRandolph left at 8:40 p.m.
District 10	J. Patrick Turbett
District 11	Walter W. Cook
District 12	Sallie A. Brothers
District 13	Thomas R. Grow
District 14	R. Shawn Gray
District 15	Charles B. Romigh

Mr. Wilson led everyone in prayer, followed by the Pledge of Allegiance.

NOMINATIONS FOR CHAIR: Mr. Nichols nominated Mr. MacKinnon as the Chair of the Board of Legislators, seconded by Mr. Teele.

Mr. Turbett nominated Mr. Morrill as Chair of the Board of Legislators, seconded by Ms. Cobb.

Mr. Nichols moved to close the polls, seconded by Mr. FitzRandolph, and carried by a voice vote.

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By a roll call vote, Mr. MacKinnon was elected as the Chair of the Board of Legislators with ten (10) votes and Mr. Morrill had five (5) votes (Brothers, Cobb, FitzRandolph, Morrill, and Turbett).

Temporary Chair asked Mr. Nichols and Mr. Lacy to escort the Chair to the dais.

COMMENTS BY CHAIR: Chair MacKinnon said thank you to the Board members for their confidence. He has known, and has been friends with several of the Board members for years. He welcomed all of the new Legislators. He mentioned that this is Mr. Romigh's second time around, as he was a Legislator previously. He mentioned the dedication of Mr. McNeil as Treasurer; Mr. Richards as D.A.; and Mr. Jarvis as Sheriff, to St. Lawrence County. He said that he has appreciated the County Administrator and County Attorney for past experiences, and looks forward to working together in the future. He thanked the following people for supporting him: his wife Nancy, his son Scott, and his daughter Heather. He said that the result of restructuring the Committee structure has given the County Administrator a little more power. This has worked well over the last ten years. He listed many accomplishments from the past ten years including the maintenance of bridges and the new Human Services Center. He said that he feels changes are coming, perhaps we may be entering a challenging time in County Government. He said there are some things we can do to prevent problems and to address that issue he is going to create a Financial Priorities Committee to start meeting promptly. They will be directed to develop a priority. The team will consist of: Mr. Teele as Chair, and as members: Mr. FitzRandolph, Mr. Gray, and Ms. Brothers. Another issue is the County Correctional Facility. He quipped saying that it does work, there are no escapes. He said that it is 100 years old. He mentioned that the Commission on Corrections reduced the facility capacity by eight. He said in cases like domestic violence problems someone must be arrested. He said we are going further and further away from St. Lawrence County to get a place to house our prisoners. We have had plumbing problems, and with that, we needed to close off blocks of cells to fix those problems. He said that the ventilation system can not be brought up to today's expectation. He said that the cell block design is difficult to staff. He said that the increase of the Drug Task Force has increased arrests. He suggests looking seriously at this problem. He said it may not mean building a new prison. He said the third issue is the economy of St. Lawrence County. We are dependent on a few areas: mills, tourism, etc. He wonders "out loud", why St. Lawrence County is the largest milk shed in New York State, why a new hard cheese plant isn't built close by. Why our local milk is being shipped outside to be made into cheese. St. Lawrence County government cannot get involved in owning something like that, but we do have the Department of Economic Development and IDA to bond for many types of economic developments just like this. We have empty buildings to use, that is one of many ways that government can contribute to a project like that. He would like to review these areas this coming year. He appreciates the challenge. He stated that the elections are over, and that the problems of St. Lawrence County are not political. He thanked everyone for supporting him.

NOMINATIONS FOR VICE CHAIR: Mr. Morrill nominated Mr. Wilson as the Vice Chair of the Board of Legislators, seconded by Ms. Brothers.

Mr. Grow nominated Mr. Nichols as the Vice Chair of the Board of Legislators, seconded by Mr. Cook and Mr. Lacy.

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Mr. Cook moved to close the polls, seconded by Mr. Gray, and carried by a voice vote

By a roll call vote, Mr. Nichols was elected as the Vice-Chair of the Board of Legislators with eight (8) votes, and Mr. Wilson had seven (7) votes (Brothers, Cobb, FitzRandolph, Moore, Morrill, Turbett, and Wilson).

Mr. Wilson requested to speak. He thanked Mr. Morrill and Ms. Brothers for the nomination. He welcomed all new members. He stated why would the Democrats nominate a Republican, is it because he supports Democratic causes. He and Mr. Morrill share open government as an issue. They do not always agree. They do not have to whisper at dinner and they feel comfortable with each other. They disagree openly and honestly. They all feel responsible to their perspective constituents. They appreciate the other person's problem. They are all Legislators for four years. There are four that have been Chairs. He went over the variety of people on the Board. He mentioned that there are two PHD's on this Board. We have these riches. He requests unfiltered access to the Board. Secrecy undermines accountability in Government. We had six meetings over Perch. That number is being conservative, it was too much. When we closed the Boys and Girls Homes it was not reported. There should be no attacks on people that speak. We need to adjust relationships between the Board, the Administrator, and the Department Heads. They should be given complete freedom to carry out their obligations. He takes Mr. MacKinnon at his word. He hopes he is wrong about the lack of openness. If he is right that there are those who are secretive, we better rectify that. The conclusion is he would like a secret ballot. He knows it cannot happen, but feels he would have won Vice Chair if it were done in that way.

Chair MacKinnon called for a five-minute recess at 7:35 p.m. Chair reconvened at 7:40 p.m.

COMMUNICATIONS:

A letter from Senator Wright to the Chair of the Board of Legislators regarding a meeting at the New York State Department of State Code Council on December the 11th. He states that the meeting was a success in that the Code Council voted unanimously to amend the structural lumber section of the code; reverting back to the previous requirements. He went on to say that this was a victory for St. Lawrence County, as well as the North Country.

A Resolution from Allegany County entitled "Encouraging Support of the Upstate Dairy Industry".

A letter from the Epilepsy Foundation expressing their thanks for the Proclamation designating November as "Epilepsy Awareness Month" in St. Lawrence County.

CITIZEN PARTICIPATION

No one wished to speak.

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PRESENTATION OF RESOLUTIONS:

Finance Committee: 12-16-2002

RESOLUTION NO. 1-2003

ADOPTION OF RULES OF PROCEDURE

By Mr. Nichols, Chair, Finance Committee

WHEREAS, each Board must establish its RULES OF PROCEDURE at the Organizational Meeting,

NOW, THEREFORE, BE IT RESOLVED that the enclosed St. Lawrence County Board of Legislators RULES OF PROCEDURE as mailed in the Organizational Meeting packet and dated January 2, 2003, are hereby adopted, and

BE IT FURTHER RESOLVED that the Board meeting dates in the attached calendar be set, and

BE IT FURTHER RESOLVED that Committee meeting dates be tentatively set as in the attached calendar.

Mr. Nichols moved to adopt Resolution No. 1-2003, seconded by Mr. Grow. Mr. Wilson said a list of considerations were sent to all Legislators as well as Mr. Brining and Mr. Maginn. He thought these issues could be discussed tonight, but has since been told that it will be sent to Committee. He would like to see a standing committee for the Rules of Procedure to meet at least twice a year to assess what is going on, he suggested that they meet in March and September. The last change to the Rules of Procedure was the one man/one vote rule. He said when we were talking about this issue he made it clear that he wanted to discuss it at this meeting. That was his mistake, and he would like to bring forth how many times there have been items that came through the County Administrator's report and were acted upon at the time. He remembers once when Mr. FitzRandolph adjourned a meeting and then came back from dinner to reconvene. He feels if we are to go by the "letter of the law" than that is what we adhere to always. Motion carried unanimously by a voice vote.

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St. Lawrence County

BOARD OF LEGISLATORS

* * *

RULES OF PROCEDURE

Adopted January 2, 2003

Resolution No. 1-2003

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ARTICLE I
Quorum

A majority of the duly constituted membership of the Legislature shall constitute a quorum.

ARTICLE II
Meetings

- A. The Organizational Meeting shall be called pursuant to Section 151 of the County Law. At such Organizational Meeting, the Board will elect a Chair and a Vice Chair.
- B. The Regular Meetings of the Legislature shall be held as identified in Attachment A, or by resolution during a regular meeting or special meeting, the Legislature may determine a date and time for the next meeting.
- C. Special Meetings shall be held at the call of the Clerk upon direction of the Chair or upon written request signed by a majority of the members of the Legislature.

ARTICLE III
Order of Business

The Order of Business at each session, except as may be set apart for the consideration of matters for which a Special Meeting has been called, shall be as follows:

- 1. Roll Call
- 2. Prayer
- 3. Pledge to the Flag
- 4. Approval of previous meeting minutes
- 5. Reading of Communications
- 6. Citizen Participation
- 7. Presentation of Resolutions
- 8. Reports of County Officers [if Chair deems necessary]
- 9. Old Business
- 10. New Business
- 11. Adjournment

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**ARTICLE IV
Members**

- A. All members of the County Legislature shall attend all regular and specially scheduled meetings of the Legislature, all duly called meetings of any special or standing committees of which any of the said Legislators are members, unless they are absent by reason of sickness, or excused by the Chair of the appropriate body.
- B. No member shall speak or debate until he/she has received recognition from the Chair.
- C. No member shall speak a second time to a question, as long as any member desires to speak who has not spoken to the question.

**ARTICLE V
Non-members**

Citizens may speak before the Legislature in one of the following ways:

- A. During Citizen Participation period, upon recognition by the Chair. The Speaker will state his/her name and is limited to five minutes. The total Citizen Participation time period shall not exceed thirty [30] minutes, unless extended at the discretion of the Chair.
- B. During the "Presentation of Resolutions" by being granted the floor by the Chair upon request of a Legislator. The citizen may speak on the current agenda item only.

**ARTICLE VI
Resolutions**

- A. The term "resolution" as herein used, shall mean a formal proposed action in writing, by one or more of the Legislators, and/or a Committee of the Legislature. Upon introduction, the resolution shall be read by the Clerk upon request. The motion for adoption shall be properly seconded immediately preceding any debate on the main question.
- B. A member sponsoring a resolution shall file with the Clerk of the Legislature a copy of said resolution one week prior to the Regular Meeting, at which it is to be introduced. Copies of it, and the entire agenda, shall be mailed to each Legislator to arrive no later than three days preceding the Regular Meeting.
- C. Any resolution approved by a committee and forwarded to the Board for consideration may only be withdrawn upon the approval of the Board.

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ARTICLE VII
Committees

- A. The Chair and Vice-Chair of the Board of Legislators shall be ex-officio members of all standing and special committees with all the rights & privileges thereof. Except that if both the Chair of the Board and Vice-Chair of the Board are present at a committee meeting, ONLY the Chair will have voting privilege unless the Vice-Chair is a designated member of the Standing Committee, then both would have voting privilege.
- B. The Chair of the Board shall appoint the members and designate the Chair of all standing committees within ten days following his/her election. He/she shall also appoint the members and designate the Chair of all special committees or subsequently created standing committees within ten days following creation thereof.
- C. Any vacancy occurring on any standing or special committee shall be filled by the Chair of the Board within thirty days after such vacancy occurs. In the event that such vacancy occurs in the position of Committee Chair, the Board Chair shall designate a new Committee Chair.
- D. All committee appointments serve until new appointments are made by the Chair.
- E. No member shall be Chair of more than one standing committee.
- F. Each Standing or Special Committee shall perform the duties, so designated by the RULES of this board, or as assigned by the Chair of the Board.
- G. The Chair of each Standing or Special Committee shall be the presiding officer and shall cause the members thereof to be notified in advance of each meeting. The Committee Chair shall call all necessary meetings. Upon his/her refusal or neglect to call any meetings, the Clerk of the Board, upon written request signed by the Chair of the Board or by a majority of the Committee, shall call such meeting.
- H. A quorum for all committees shall be a majority of the membership of the committee. Once a quorum has been established, a majority of the committee members present is sufficient to approve or disapprove a proposed action.
- I. There shall be the following Standing Committees and their duties shall be those required by law, as directed by the Chair of the Board, or as so designated herein.

OPERATIONS COMMITTEE: Issues within the jurisdiction of this committee would be those arising out of the following departments: Board of Elections, Central Services, County Clerk, District Attorney, Emergency Services, Governmental Services, Planning, Probation, Public Defender and Sheriff.

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SERVICES COMMITTEE: Issues within the jurisdiction of this committee would be those arising out of the following departments: Community Services, Consumer Affairs, Economic Development, Forestry, Office For Aging, Public Health, Social Services, Veterans Service and Youth.

FINANCE COMMITTEE: Within the jurisdiction of this committee would be issues which would incur the expenditure of money not already appropriated; the issuance of bonds and payments thereon and the transfer of funds. Issues arising from the Board of Legislators, Office of the County Attorney, Office of the County Treasurer, Office of Real Property Tax Service, the Highway Department and the Solid Waste Department shall be under the jurisdiction of this committee, as well as issues involving any outside agencies that are not currently funded within some other departmental budget, such as the Community Development Programs, Cooperative Extension, County Historian and Soil and Water Conservation District.

Special Committees may be created as needed. Any resolution or action by the Chair establishing a Special Committee shall specify powers, duties, and duration. Special Committees shall include the Labor-Management Committee.

J. The Deputy Clerk of the Board shall arrange for the taking of minutes at all committee meetings and be responsible for their safe keeping. The minutes of each committee shall be kept in a separate minute book provided by the Clerk of the Board of Legislators. The minutes shall contain the time and place and persons present at the meeting; a record of all committee votes and a brief summary of the discussion and other actions. Written statements by members or non-members may be submitted and shall become a part of the record of the committee. Written summaries may be required by the Committee Chair. The minute book shall be filed in the office of the Clerk of the Board of Legislators and open to the public. Written Committee minutes and agendas will be placed in the Legislators' mailboxes.

K. Committee Procedures

1. Committees shall meet in accordance with the 2003 Meetings Schedule. When the Chair of a committee calls special meetings it shall be the intent of this Board that public announcement thereof will be done as soon as possible.
2. County Departments must submit any resolution for Committee consideration with the Clerk of the Board by the submission deadline as indicated on the Meeting Schedule.
3. Within three days of its introduction, any and every resolution which has not been acted upon by the Board shall be referred by the Chair to the appropriate committee.
4. Every resolution referred to any committee shall be placed on the regular agenda of that committee in chronological order of receipt in committee.

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5. Within six weeks of its referral to committee, every resolution shall be reported back to the Board of Legislators with the committee's recommendation either favorable or unfavorable, and with minority reports, if any.
6. When any resolution is being considered by a committee, its proponent or any other legislator may come before the committee and speak for or against the resolution. Any member of the public wishing to address the committee on an agenda item may, upon nomination by a legislator and recognition by the chair, speak for or against the measure. The committee may set a time limit of not more than five minutes on how long each individual may speak.
7. A member of the public who wishes to be on the agenda, shall contact the Board Office eleven (11) days in advance of a committee meeting, and request to be put on the agenda. The Board Office will discuss the matter to be put on the agenda with the chair of the committee, and at the chair's discretion, may or may not add the matter to the agenda for the next committee meeting, or a future committee meeting.
8. In accordance with County Law Article 4, Section 154, committees have no power to do anything by which the county may become obligated and all of their actions must be reported to and sanctioned by the Board.

ARTICLE VIII
Limitations and Amendment

- A. Notwithstanding any provisions herein contained, any decision of any committee or Chair thereof, or of the Chair of the Legislature, may be overruled by a majority vote of the Legislature.
- B. These rules may be suspended by a two-thirds vote of the total membership of the Legislature at any meeting of the Legislature upon the following conditions:
 1. The Legislator requesting the Suspension of the Rules shall provide an explanation of the necessity for the Suspension of the Rules.
 2. A copy of the resolution to be offered under Suspension of the Rules shall be on the desk of each Legislator at the beginning of the meeting or placed there before a vote is taken.
- C. These rules may be rescinded or changed by a majority vote of the total membership of the Legislature at any meeting of the Legislature, provided each member has had ten days written notice of the proposed change.
- D. Questions of Order and procedure not governed by these rules, or the laws of the State of New York, shall be decided according to Robert's Rules of Order Revised. The

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Legislature shall provide a desk copy of a current edition of Robert's Rules of Order Revised for each member.

- E. For purposes of a reconsideration vote, the next monthly meeting is considered to be the "next succeeding day" to our previous session. (rf. Roberts Rules of Order Revised, Section 36, page 156).
- F. A Legislator will be permitted to abstain from voting if he/she declares a conflict of interest.
- G. At each meeting of the Board the roll call votes will be on a rotation basis with the first roll call of the year starting with District One. Thereafter, the first roll call of each Board Meeting shall start with the next person in the rotation as determined by the rotation of the Board.

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ATTACHMENT A

**BOARD OF LEGISLATORS
MEETING SCHEDULE**

January

2	Board	7:00 p.m.
6	Open	
13	Operations/Services	4:00 p.m.
20	MLK Holiday	
27	Finance	4:00 p.m.

July

7	Board	7:00 p.m.
14	Operations	4:00 p.m.
21	Services	4:00 p.m.
28	Finance	4:00 p.m.

February

3	NYSAC	
10	Board	7:00 p.m.
17	President's Day	
18	Operations	4:00 p.m.
24	Services & Finance	4:00 p.m.

August

4	Board (Picnic)	1:00 p.m.
11	Operations	4:00 p.m.
18	Services	4:00 p.m.
25	Finance	4:00 p.m.

March

3	Board	7:00 p.m.
10	Open	
17	Operations	4:00 p.m.
24	Services	4:00 p.m.
31	Finance	4:00 p.m.

September

1	Labor Day	
8	Board	7:00 p.m.
15	NYSAC	
22	Operations	4:00 p.m.
29	Services & Finance	4:00 p.m.

April

7	Board	7:00 p.m.
14	Operations	4:00 p.m.
21	Services	4:00 p.m.
28	Finance	4:00 p.m.

October

6	Board	7:00 p.m.
13	Columbus Day	
20	Operations	4:00 p.m.
27	Services & Finance	4:00 p.m.

May

5	Board	7:00 p.m.
12	Operations	4:00 p.m.
19	Services & Finance	4:00 p.m.
26	Memorial Day	

November

3	Board	7:00 p.m.
10	Operations	4:00 p.m.
17	Services	4:00 p.m.
	Special Board	7:00 p.m.
24	Finance	4:00 p.m.
	Public Hrg/Spec Bd	7:00 p.m.

June

2	Board	7:00 p.m.
9	Open	
16	Operations	4:00 p.m.
23	Services	4:00 p.m.
30	Finance	4:00 p.m.

December

1	Board	7:00 p.m.
8	Operations	4:00 p.m.
15	Services	4:00 p.m.
22	Finance	4:00 p.m.
29	OPEN	

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Finance Committee: 12-16-2002

RESOLUTION NO. 2-2003

NEWSPAPER DESIGNATION

By Mr. Nichols, Chair, Finance Committee

WHEREAS, Section 214, Subdivision 2, of the New York State County Law, requires that the Board of Legislators annually designate at least two (2) newspapers published within the County as official newspapers for the publication of all local law notices and other matters required by law to be published, and

WHEREAS, said section requires that the designation take into consideration two major political parties, and

WHEREAS, Resolution No. 30-95 is the current newspaper rotation schedule and carries through until the year 2005,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby designates the following newspapers for various publication purposes for the year 2003:

LOCAL LAWS AND OTHER MATTERS REQUIRED BY LAW TO BE PUBLISHED

Ogdensburg Journal

Advance News

Mr. Nichols moved to adopt Resolution No. 2-2003, seconded by Mr. Cook, and carried unanimously by a voice vote.

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Finance Committee: 12-16-2002

RESOLUTION NO. 3-2003

AUTHORIZING CHAIR TO REQUEST A DOG QUARANTINE

By Mr. Nichols, Chair, Finance Committee

BE IT RESOLVED that the Chair of the St. Lawrence County Board of Legislators be, and hereby is, empowered, when deemed necessary by the Chair during the 2003 winter period, to issue an order that all dogs in the County of St. Lawrence be securely confined. Such confinement is to take effect 24 hours after notice is published in a County newspaper having general circulation.

Mr. Nichols moved to adopt Resolution No. 3-2003, seconded by Mr. Teele, and carried with fourteen (14) yes votes, and one (1) no vote (Nichols).

Finance Committee: 12-16-2002

RESOLUTION NO. 4-2003

CORRECTING AND REFUNDING ERRONEOUS TAXES

By Mr. Nichols, Chair, Finance Committee

WHEREAS, Chapter 515 of the Laws of 1997 provides a local option for erroneously levied taxes in the amount of \$2500 or less to be corrected or refunded upon application according to Section 554 and 556, respectively, of the Real Property Tax Law upon approval of the County Director of Real Property Tax Services as well as the Chief Fiscal Officer of the County, and

WHEREAS, the County Treasurer and the Director of Real Property Tax Services recommend that this option be adopted in order to make these corrections and/or refunds to the taxpayer erroneously assessed in a more timely and efficient fashion,

NOW, THEREFORE, BE IT RESOLVED that this County Legislature adopt the provisions set forth in Chapter 515 of the Laws of 1997 allowing the County Treasurer to correct tax bills or issue a check for the refund where taxes have been paid upon the approval of the Director of Real Property Tax Services and the Chief Fiscal Officer for the calendar year 2003, and

BE IT FURTHER RESOLVED that on or before the 15th day of each month, the County Treasurer shall submit a report to the County Board of Legislators of the corrections or refunds processed by him/her during the preceding month indicating the name of each recipient, the location of the property and the amount of the correction or refund.

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Mr. Nichols moved to adopt Resolution No. 4-2003, seconded by Mr. Grow, and carried unanimously by a voice vote.

Finance Committee: 12-16-2002

RESOLUTION NO. 5-2003

**AUTHORIZATION OF PETTY CASH ACCOUNTS
AND DEPARTMENTAL CASH DRAWERS**

By Mr. Nichols, Chair, Finance Committee

WHEREAS, several County Departments utilize petty cash accounts and/or cash drawers in their daily operations,

NOW, THEREFORE, BE IT RESOLVED that the following petty cash accounts and departmental cash drawers are established:

Petty Cash Accounts

Public Health	\$ 250
Youth	50
Probation	400
Sheriff	1,000
County Clerk	75
Highway	150
Office for the Aging	50
Planning	100
Community Services	250
Social Services	1,500
Social Serv. PFC Home	200
Real Property	100
Community Services, CCSI	<u>200</u>

Departmental Cash Drawers

Sheriff Civil Department	\$ 50
Mental Health	50
Chemical Dependency, Ogdensburg	50
Chemical Dependency, Canton	100
Exp. Children's Serv.	50
Treasurer	200
County Clerk	450
County Clerk DMV Canton	325
County Clerk DMV Massena	100
County Clerk DMV Ogdensburg	50
County Clerk DMV Gouverneur	<u>50</u>

Total: \$4,325

\$ 1,475

BE IT FURTHER RESOLVED that Departments will submit an annual reconciliation of each petty cash account and cash drawer to the Treasurer at the end of each year.

Mr. Nichols moved to adopt Resolution No. 5-2003, seconded by Mr. Grow, and carried unanimously by a voice vote.

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Finance Committee: 12-16-2002

RESOLUTION NO. 6-2003

BANK DEPOSITORIES AND INVESTMENT OF COUNTY'S FUNDS

By Mr. Nichols, Chair, Finance Committee

NOW, THEREFORE, BE IT RESOLVED that in accordance with County Law and General Municipal Law the following banks be and hereby are designated as depositories for County funds received by the County Treasurer with permitted maximum deposits at any one time of \$15,000,000:

Community Bank N.A.
Fleet Bank
Chase Manhattan
Key Bank N.A.
HSBC
NBT
Upstate National Bank
Citizens National Bank of Hammond
Municipal Investors Service Corporation

BE IT FURTHER RESOLVED that the County Treasurer be and hereby is authorized to deposit money in accordance with the St. Lawrence County Investment Policy. This policy authorizes the Treasurer to deposit funds, not needed temporarily, in certificates of deposit, United States Treasury Bills, repurchase agreements, and day-of-deposit to day-of-withdrawal savings account, at prevailing interest rates in any bank authorized for the deposit of County funds as per this resolution. The total deposits, excluding United States Treasury Bills, are not to exceed the amounts authorized by this resolution, and are to be secured as required by Article 10 of the General Municipal Law and as outlined by the County's Investment Policy.

INVESTMENT POLICY FOR ST. LAWRENCE COUNTY

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment by the County or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the County's investment activities are, in priority order:

- * to conform with all applicable federal, state and other legal requirements;
- * to adequately safeguard principal;
- * to provide sufficient liquidity to meet all operating requirements;
- * to obtain a reasonable rate of return.

III. DELEGATION OF AUTHORITY

The County Legislature's responsibility for administration of the investment program is delegated to the County Treasurer, who shall maintain written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amount of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the St. Lawrence County Legislature to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the County to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

It is the policy of the County for all moneys collected by any officer or employee of the government to transfer those funds to the Treasurer within 5 days of deposit, or within the time period specified in law, whichever is shorter.

The Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORIES

The County Legislature, at its annual organizational meeting each January, shall designate the banks authorized for the deposit of moneys and the maximum amount which can be deposited at each bank.

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, all deposits of St. Lawrence County, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of eligible securities with an aggregate market value as provided by General Municipal Law, equal to aggregate amount of deposits.

2. By an eligible irrevocable letter of credit issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEGUARDING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure County deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection or such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the County to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the County, such securities shall be delivered in a form suitable for transfer or with an assignment to the County or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the County a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, the County Legislature authorizes the County Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- * Special time deposit accounts
- * Certificates of deposits
- * Obligations of the United States of America
- * Obligations guaranteed by agencies of the United States
- * Obligations of the State of New York
- * Obligations issued by a municipality, school district or district corporation in New York State, other than the County
- * Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general state statutes governing such entities or whose specific enabling legislation authorizes such investments
- * Certificates of Participation (COPS)

All investment obligations shall be payable or redeemable at the option of the County within such times as the proceeds will be needed to meet expenditures for purposes for which the monies were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the County within two years of the date of purchase. When applying this requirement to repurchase agreements, the repurchase date and not the maturity of the underlying maturity, shall govern.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The County shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the County. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The Treasurer is authorized to contract for or place orders for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.

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3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

4. By utilizing an ongoing investment program with an authorized investment adviser provided that all investments are directed by authorized personnel of the County, all trading partners are authorized by the designated Bank and the investment advisory agreement is approved by the Treasurer.

All purchased obligations, unless registered or inscribed in the name of the County, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Treasurer by the bank or trust company. Any obligation held in custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the County a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- * All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- * Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- * Obligations shall be limited to obligations of the United States or guaranteed by agencies of the United States.
- * No substitution of securities will be allowed unless the substitute securities are delivered to an independent custodian for the account of the County before the previously purchased securities are released.
- * The custodian shall be a party other than the trading partner.

Mr. Nichols moved to adopt Resolution No. 6-2003, seconded by Mr. Teele, and carried unanimously by a voice vote.

January 2, 2003

Finance Committee: 12-16-2002

RESOLUTION NO. 7-2003

AUTHORIZING CHAIR TO SIGN CONTRACTS

By Mr. Nichols, Chair, Finance Committee

WHEREAS, the following organizations have appropriations in the 2003 St. Lawrence County Budget,

NOW, THEREFORE, BE IT RESOLVED that the Chair is hereby authorized to sign contracts with each of the organizations listed, upon approval of the County Attorney:

<u>ORGANIZATION</u>	<u>ACCOUNT NUMBER</u>	<u>AMOUNT</u>
Association for Neighborhood Rehab., Inc.	01-A4-4322-465-AN-5	\$ 65,038
Bus Operations	01-B1-5630-444-02-B	18,000
Can-Am Youth Services	01-A2-4230-465-00-1	480,986
Canton-Potsdam Hospital (Lifeline)	01-DM-6102-465-00-M	\$30 per month per case
Catholic Charities	01-A4-4322-465-CC-2	200,496
Catholic Charities (CSS)	01-A4-4322-465-CC-1	224,493
Catholic Charities (parenting)	01-DA-6010-430-PT-S	25,000
Citizens Against Violent Acts	01-DA-6010-430-CA-S	40,000
Community Development Program (CSS)	01-A4-4322-465-CD-1	144,467
Cornell Cooperative Extension (homemaker)	01-DM-6102-465-00-M	37,849
Family Counseling Services of Northern New York	Various Accounts	27,750
Hepburn Medical Center (Lifeline)	01-DM-6102-465-00-M	\$30 per month per case
Homemakers of Western NY(personal care)	01-DM-6102-465-00-M	determined by SDOH
Hospice of Jefferson County	01-PH-4189-465-HJ-0	3,612
Hospice of St. Lawrence County	01-PH-4189-465-HS-0	10,833
Jerry Leek (Office for the Aging)	01-OA-6772-430-02-0	4,500
Local Government Review Board	01-B1-8026-460-00-P	3,000
Massena Meals On Wheels	01-ON-6772-430-CA-0	34,550
Med-Link	01-OA-6772-430-MI-0	151,200
Med-Link (personal care)	01-DM-6102-465-00-M	determined by SDOH
Merwin Rural Services Institute	Various Accounts	18,640
North Country Freedom Homes (Madrid)	01-A2-4250-465-00-2	164,438
North Country Freedom Homes (Canton)	01-A2-4250-465-00-3	157,480
North Country Legal Services	01-OA-6772-430-02-0	4,500
North Country Library System	01-B1-7410-460-00-M	99,560
North Country Life Flight	01-X1-3410-460-00-R	3,000
North Country Transitional Living Services	01-A4-4322-465-TL-4	53,989
NYSARC, Inc.	01-A4-4322-465-AR-4	220,232
NYSARC, Inc. (Camp Program)	01-A6-4340-465-00-1	12,500
NYSARC, Inc. (CSS)	01-A4-4322-465-AR-1	249,260
NYSARC, Inc. (Records Management)	01-B1-1460-430-06-0	per imaged unit

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Office of Children/Family Services (registration & inspection activities)	01-DS-6055-465-00-D-CCBG	122,077
Planned Parenthood (CMCM)	01-DA-6010-430-07-S	41,521
Reachout, Inc.	01-A2-4320-465-00-5	51,444
Reachout, Inc.	01-A4-4322-465-RO-2	165,221
Renewal House	01-DP-6109-465-00-F-ADC	125,500
Resource Center	01-A4-4322-465-RC-1	20,929
Seaway Valley Council For Alcohol/ Substance Abuse Prevention, Inc.	01-OA-6772-430-SI-0	2,800
Seaway Valley Prevention Council	01-A2-4250-465-00-4	381,399
SL Child Care Council (registration activities)	01-DS-6055-465-00-D-CCBG	85,300
SL Child Care Council (legally exempt)	01-DS-6055-465-00-D-CCBG	74,470
SLC Association of Snowmobile Clubs	01-F1-8710-460-00-0-SNOW	60,000
SLC Chamber of Commerce	01-B1-6410-465-CC-0	133,150
SLC Community Development Program	01-B1-6310-460-00-C	14,000
SLC Community Development Program	01-OA-6772-430-C1-0	90,300
SLC Community Dev Prog (personal care)	01-DM-6102-465-00-M	determined by SDOH
SLC Cooperative Extension Service	01-B1-8750-460-00-A	408,450
SLC Historical Association	01-B1-7510-460-00-M	13,200
SLC Historical Association Museum	01-B1-7450-460-00-M	6,050
SLC Soil & Water Conservation District	01-B1-8730-460-00-S	60,306
SLC Well Child Clinics	01-PP-4010-465-NC-0	26,125
STAR	01-DA-6010-430-00-S-STAR	178,885
STEP-BY-STEP (CPP)	01-A4-4322-465-SS-3	230,855
STEP-BY-STEP (CSS)	01-A4-4322-465-SS-1	53,208
TANF (Prevention/Reunification)	01-DS-6109-465-YA-C-PRP	70,000
United Cerebral Palsy	01-A6-4340-465-00-2	10,000
United Helpers	01-A4-4322-465-UH-2	116,614
United Helpers/CCP	01-A4-4322-465-UH-3	471,289
Youth Advocacy Program (CORE)	01-DS-6119-465-YA-C	309,654
Youth Advocacy Program (Life Skills)	01-DS-6119-465-YA-C	7,000
Youth Advocacy Program (YES)	01-DS-6109-465-YA-C-PJDC	84,650

Mr. Nichols moved to adopt Resolution No. 7-2003, seconded by Mr. Morrill, and carried unanimously by a voice vote.

January 2, 2003

Finance Committee: 12-16-2002

RESOLUTION NO. 8-2003

AUTHORIZING FILLING OF VACANCIES

By Mr. Nichols, Chair, Finance Committee

WHEREAS, the St. Lawrence County Board of Legislators adopted Resolution No. 43-2000 on February 7, 2000, which created a policy for filling of vacancies, and

WHEREAS, the vacancies listed below have received the approval of being forwarded to the full Board by the appropriate Jurisdictional Committee,

NOW, THEREFORE, BE IT RESOLVED that the following vacancies are hereby authorized to be filled:

<u>Department</u>	<u>Title</u>	<u>Type</u>	<u>Duration of Position</u>
Central Services	Computer Technician	Full Time	Permanent
Highway	Sr. Motor Equipment Mechanic Grade 26	Full Time	Permanent
Highway	Highway Maintenance Supervisor Grade 26	Full Time	Permanent
Highway	Heavy Equipment Op Grade 23 (2)	Full Time	Permanent
Highway	Carpenter Grade 24	Full Time	Permanent
Highway	Assistant Civil Engineer Grade 22	Full Time	Permanent
Office for the Aging	Nutrition Services Aide	Part Time	Permanent
Public Health	Registered Professional Nurse	Full Time	Permanent
Public Health	Registered Professional Nurse	Full Time	Permanent
Real Property	Tax Map Technician	Full Time	Permanent
Sheriff's Department	Correction Officer	Full Time	Permanent

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Social Services	Caseworker	Full Time	Permanent
Youth Bureau	Secretary I	Full Time	Permanent

(Per issue raised at Services Committee the total cost to the County for this position is \$2267.68)

Mr. Nichols moved to adopt Resolution No. 8-2003, seconded by Mr. Grow, and carried unanimously by a voice vote.

Finance Committee: 12-16-2002

RESOLUTION NO. 9-2003

USE OF COUNTY-OWNED MACHINERY

By Mr. Nichols, Chair, Finance Committee

WHEREAS, the St. Lawrence County Superintendent of Highways recommends that the Board of Legislators permit the use of County-owned machinery, tools, and equipment by any municipal corporation or school district located partly or wholly within the state, under such terms as provided for in Section 133-A of the Highway Law,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Legislators approve such use when recommended, and

BE IT FURTHER RESOLVED that such usage is only approved when recommended by the St. Lawrence County Superintendent of Highways or his designated representative.

Mr. Nichols moved to adopt Resolution No. 9-2003, seconded by Mr. Cook, and carried unanimously by a voice vote.

January 2, 2003

Finance Committee: 12-16-2002

RESOLUTION NO. 10-2003

**APPROVING MARCHISELLI AID PROJECT SUPPLEMENTAL AGREEMENT #1
FOR THE REPLACEMENT OF KEARNEY & CHISHOLM ROADS OVER THE
OSWEGATCHIE RIVER, PIN 775244 FOR DESIGN & RIGHT-OF-WAY
INCIDENTALS**

By Mr. Nichols, Chair, Finance Committee

(Locally Administered Project)

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID-ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, TO FULLY FUND THE LOCAL SHARE OF FEDERAL-AID ELIGIBLE AND INELIGIBLE PROJECT COSTS, AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a project for the Replacement of Kearney & Chisholm Roads over the Oswegatchie River, PIN 775244 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that provide for 80% federal funds and 20% non-federal funds, subject to a cap amount for federal aid, and

WHEREAS, the St. Lawrence County Board of Legislators desires to advance the above project by making a commitment of 100% of the federal and non-federal share of the costs of the Design and Right-of-Way Incidentals,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators, duly convened does hereby approve the above-subject, and

BE IT FURTHER RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes the County Treasurer, with County Attorney approval, to pay in the first instance 100% of the federal and non-federal share of the cost of Design and Right-of-Way Incidentals work for the Project of portions thereof, and

BE IT FURTHER RESOLVED that the sum of \$355,000 is hereby appropriated pursuant to St. Lawrence County's 2002 budget and made available to cover the cost of participation in the above phase of the Project, and

BE IT FURTHER RESOLVED that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the St. Lawrence County Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and

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BE IT FURTHER RESOLVED that the Chair of the St. Lawrence County Board of Legislators be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for available Federal and State aid on behalf of the St. Lawrence County Board of Legislators with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid eligible projects costs and all project costs with appropriations therefor that are not so eligible, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

Mr. Nichols moved to adopt Resolution No. 10-2003, seconded by Mr. Lacy, and carried unanimously by a voice vote.

Finance Committee 12-16-2002

RESOLUTION NO. 11-2003

MODIFYING THE 2002 SOLID WASTE DEPARTMENT BUDGET

By Mr. Nichols, Chair, Finance Committee

WHEREAS, the Solid Waste Department budgeted to receive 24,750 tons of solid waste in 2002, and as of mid-November, the Department anticipates receiving more than 1,575 tons more than budgeted for 2002, and

WHEREAS, the Solid Waste Department budgeted to received 8,000 tons of contaminated soils in 2002 and at mid-November, the Department anticipates receiving more than 10,500 tons more than budgeted for 2002, and

WHEREAS, both revenues and expenses are generated due to the increased tonnage which require a modification of the Solid Waste Department's 2002 budget,

NOW, THEREFORE BE IT RESOLVED, that the County Treasurer is hereby authorized to make the following modifications to the Solid Waste Department's 2002 budget:

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INCREASE APPROPRIATIONS:

05-WH-8160-430-18-0-MSW	Tipping Fees	\$279,825
05-WO-8160-180-00-0	Overtime	8,950
05-WH-8160-422-00-0-MSW	Equip Repair & Maint.	10,000
05-WA-1710-497-00-0	Contingency Reserve	<u>74,275</u>
		\$373,050

INCREASE REVENUES:

05-W1-2130-550-CS-0	Contaminated Soil – Tip Fee	\$236,250
05-W1-2130-550-MW-0	MSW Tip Fee	<u>136,800</u>
		\$373,050

Mr. Nichols moved to adopt Resolution No. 11-2003, seconded by Mr. Teele, and carried unanimously by a roll call vote.

Finance Committee: 12-16-2002

RESOLUTION NO. 12-2003

**AUTHORIZE SIGNING A CONTRACT WITH UNUM LIFE INSURANCE COMPANY
FOR GROUP LIFE INSURANCE COVERAGE**

By Mr. Nichols, Chair, Finance Committee

WHEREAS, St. Lawrence County provides life insurance coverage to the active employees and to the retiree population and additional dependent coverage may be purchased by the enrollee, and

WHEREAS, for the past three years Hartford Insurance has been our carrier and in October they informed us the rate would increase considerable for next year and as a result we solicited bids for the coverage, and

WHEREAS, based on a current census of coverage lives the successful low bidder was UNUM Life Insurance Company at a rate of \$0.67 per \$1,000 per month,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby authorize the signing of a contract with UNUM Life Insurance Company as our Group Life Insurance carrier starting January 1, 2003 through December 31, 2005, upon approval of the County Attorney.

Mr. Nichols moved to adopt Resolution No. 12-2003, seconded by Mr. Grow, and carried unanimously by a voice vote.

January 2, 2003

Finance Committee: 12-16-2002

RESOLUTION NO. 13-2003

**OPPOSING THE GREAT LAKES NAVIGATION SYSTEM STUDY
AND REQUESTING MITIGATION STRATEGIES**

By Mr. Nichols, Chair, Finance Committee

WHEREAS, the U. S. Army Corps of Engineers has conducted a reconnaissance study concerning future expansion of the Great Lakes Navigation System (GLNS), including the St. Lawrence River and St. Lawrence Seaway, and publicly concluded that the GLNS study supports a major expansion of the Seaway system, and

WHEREAS, the GLNS reconnaissance study has been thoroughly reviewed by the NYS DEC, which concluded that “areas which include ... the St. Lawrence River, would be subject to the maximum negative impacts attributed to the [GLNS] proposal”, and

WHEREAS, the next phase in the study process is a \$ 30 million feasibility study to further assess potential improvements to the Great Lakes navigation system, and

WHEREAS, the St. Lawrence County Board of Legislators is committed to balancing the preservation and improvement of the quality of the natural and man-made environment within the County with the need for beneficial development with its accompanying demands on natural resources, thereby improving or preserving the general health, welfare, and economic well-being of the present and future inhabitants of this county,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators opposes the continuation of the Great Lakes Navigation System Review in the form of the feasibility study, as currently proposed in the reconnaissance study recently completed by the U.S. Army Corps of Engineers unless it is amended, and

BE IT FURTHER RESOLVED that the St. Lawrence County Board of Legislators requests that the Corps of Engineers include an analysis of positive and negative environmental and economic impacts on residents and communities along the St. Lawrence River and, specifically, improvements within and along the St. Lawrence Seaway, and also include proposed strategies for mitigation of any reported negative impacts and calls upon the Corps of Engineers to also include mitigation measures designed to provide and/or enhance the positive economic impacts of the improvements across all segments of the system, and

BE IT FURTHER RESOLVED that the St. Lawrence County Board of Legislators requests that the Corps of Engineers include proposed strategies for mitigation of any reported negative impacts on residents and communities along the St. Lawrence River in any future studies associated with the Great Lakes Navigation System Review, and

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BE IT FURTHER RESOLVED that the Clerk of the St. Lawrence County Board of Legislators shall transmit certified copies of this resolution to Governor George E. Pataki, U.S. Senators Charles B. Schumer and Hillary R. Clinton, U.S. Congressman John M. McHugh, and also to NYS Senators Raymond Meier and James Wright, NYS Assemblypersons Deirdre Scozzafava and Darryl Aubertine, and to Erin Crotty, Commissioner of the Department of Environmental Conservation.

Mr. Nichols moved to adopt Resolution No. 13-2003, seconded by Mr. Romigh, and carried unanimously by a voice vote.

Finance Committee: 12-16-2002

RESOLUTION NO. 14-2003

SUPPORTING ESSENTIAL AIR SERVICE

By Mr. Nichols, Chair, Finance Committee

WHEREAS, Upstate New York has lobbied for essential air service to Albany, and

WHEREAS, the proposals for this essential air service have been evaluated, and

WHEREAS, Mesa Airlines proposal #2 package would provide essential air service to Upstate New York to include Massena, Ogdensburg, and Watertown airports at a cost of \$1.7 million from the essential air service subsidy,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby support the Mesa Airlines proposal #2 package to provide essential air service to the North Country, and

BE IT FURTHER RESOLVED that the Clerk of the St. Lawrence County Board of Legislators shall transmit certified copies of this resolution to Governor George E. Pataki, U.S. Senators Charles B. Schumer and Hillary R. Clinton, U.S. Congressman John M. McHugh, Ogdensburg Bridge and Port Authority, and the Town of Massena.

Mr. Nichols moved to adopt Resolution No. 14-2003, seconded by Mr. Gray, and carried unanimously by a voice vote.

January 2, 2003

Operations Committee: 12-09-2002

RESOLUTION NO. 15-2003

**PERMISSION TO ABOLISH AND CREATE POSITIONS WITHIN
THE CENTRAL SERVICES DEPARTMENT DATA PROCESSING OFFICE**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the Central Services Department will have a vacant Data Processing Control Clerk position due to a retirement and due to the mainframe being replaced in 2003 with a server solution the department is taking this opportunity to restructure, and

WHEREAS, a classification questionnaire was completed based on the need for a position to perform clerical support, help desk support and office billing support functions, and

WHEREAS, the department is requesting that the Data Processing Control Clerk, grade 20, position be abolished and a Microcomputer Operator, grade 19, position be created,

NOW, THEREFORE, BE IT RESOLVED that the following positions be abolished and created in the St. Lawrence County Central Services Department:

ABOLISH:

(1) Data Processing Control Clerk, Grade 20

CREATE:

(1) Microcomputer Operator, Grade 19

BE IT FURTHER RESOLVED that the Director of Central Services is authorized to fill the Microcomputer Operator position once the Data Processing Control Clerk position is vacant.

Mr. Grow moved to adopt Resolution No. 15-2003, seconded by Mr. Morrill, and carried unanimously by a voice vote.

January 2, 2003

Operations Committee: 12-09-2002

RESOLUTION NO. 16-2003

CENTRAL SERVICES DEPARTMENT YEAR 2002 BUDGET ADJUSTMENTS

By Mr. Grow, Chair, Operations Committee

WHEREAS, the Personnel Office has had an increase in the examinations held over last year of 32% and an increase in candidates taking the examinations of 65%, and

WHEREAS, as a result of the increase we have exhausted the Temporary and Part time line item to pay the salaries of the examination monitors, and

WHEREAS, one of our examinations is requiring us to rent three classrooms at Canton College at a cost of \$200.00, and

WHEREAS, a recent budget modification to the Shared Services – Telephone personnel line item to increase overtime to cover the shift of one of the operators will not be fully expended and will allow a intradepartmental transfer to the Personnel Office Budget,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Treasurer is hereby authorized to modify the 2002 St. Lawrence County Budget as follows:

DECREASE APPROPRIATIONS:

01-CS-1610-180-00-0	C SS Overtime	\$1,200
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INCREASE APPROPRIATIONS:

01-CP-1430-190-00-0	C PERS Temporary and Part Time	\$1,000
01-CP-1430-407-00-0	C PERS Building and Property Rent	<u>200</u>
		\$1,200

Mr. Grow moved to adopt Resolution No. 16-2003, seconded by Mr. Cook, and carried unanimously by a roll call vote.

January 2, 2003

Operations Committee: 12-9-2002

RESOLUTION NO. 17-2003

TRANSFER OF FUNDS, MICROFILMING

By Mr. Grow, Chair, Operations Committee

BE IT RESOLVED that the St. Lawrence County Treasurer is hereby authorized to transfer the following amounts for microfilming of St. Lawrence County records by the St. Lawrence County Association for Retarded Children:

TRANSFER FROM:

01-B1-1460-430-06-0	St. Lawrence County ARC Microfilming	\$16,173
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TRANSFER TO:

01-T1-1325-430-06-0	Treasurer, Microfilming	\$9,880
01-Q1-3140-430-06-0	Probation, Microfilming	6,283
01-J1-1165-430-06-0	District Attorney, Microfilming	<u>10</u>
		\$16,173

NOTE: This is for the 2002 Budget.

Mr. Grow moved to adopt Resolution No. 17-2003, seconded by Mr. Romigh, and carried unanimously by a roll call vote.

Operations Committee: 12-09-2002

RESOLUTION NO. 18-2003

AUTHORIZING THE CHAIR TO SIGN THE DRUG ENFORCEMENT GRANT CONTRACT WITH THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES

By Mr. Grow, Chair, Operations Committee

WHEREAS, the St. Lawrence County has been notified that funding for our Drug Enforcement Grant Contract with NYS Division of Criminal Justice Services has been approved in the amount of \$25,000 and

WHEREAS, the grant period is from October 1, 2001 through June 30, 2003, and this funding is for partial reimbursement for the St. Lawrence County Drug Task Force operations,

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NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorize the Chair to execute such documents as may be necessary, upon approval of the County Attorney

Mr. Grow moved to adopt Resolution No. 18-2003, seconded by Mr. Wilson, and carried unanimously by a voice vote.

Operations Committee: 12-09-2002

RESOLUTION NO. 19-2003

MODIFY THE 2003 ST. LAWRENCE COUNTY SHERIFF'S DEPARTMENT OFFICE EQUIPMENT BUDGET FOR THE CRIMINAL DIVISION

By Mr. Grow, Chair, Operations Committee

WHEREAS, the St. Lawrence County Sheriff's Department is requesting authorization to purchase seven (7) Computers and four (4) Printers for replacement purposes to operate the State of New York's Spectrum Justice System, and

WHEREAS, this resources from the Equitable Sharing Reserve will provide the funding, and

NOW, THEREFORE, BE IT RESOLVED that the following transfer of funds is hereby authorized:

DECREASE RESERVE:

01-TG-0889-503-00-0	Sheriff's Equitable Sharing Reserve	\$15,500
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INCREASE APPROPRIATIONS:

01-S1-3110-220-00-0	Criminal Office Equipment	\$15,500
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INCREASE REVENUE:

01-S1-1589-550-00-0	Equitable Sharing Reserve	\$15,500
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Mr. Grow moved to adopt Resolution No. 19-2003, seconded by Mr. Nichols, and carried unanimously by a roll call vote. Mr. Nichols mentioned that there is a change in the dollar amounts on this Resolution. Ms. Aldrich researched this and these figures reflect a more accurate dollar amount.

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Operations Committee: 12-09-2002

RESOLUTION NO. 20-2003

**MODIFY THE 2003 ST. LAWRENCE COUNTY SHERIFF'S DEPARTMENT
VEHICLE EQUIPMENT BUDGET FOR THE CRIMINAL DIVISION**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the St. Lawrence County Sheriff's Department is requesting authorization to purchase one (1) F-W Drive Pick-up Truck to replace an aging Pick-up Truck to transport the department's boat, snowmobiles, and ATVs, and

WHEREAS, the resources from the Equitable Sharing Reserve will provide the funding,

NOW, THEREFORE, BE IT RESOLVED that the following transfer of funds is hereby authorized:

DECREASE RESERVE:

01-TG-0889-503-00-0	Sheriff's Equitable Sharing Reserve	\$20,796
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INCREASE APPROPRIATIONS:

01-S1-3110-230-00-0	Criminal Automotive Equipment	\$20,796
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INCREASE REVENUE:

01-S1-1589-550-00-0	Equitable Sharing Reserve	\$20,796
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Mr. Grow moved to adopt Resolution No. 20-2003, seconded by Mr. Lacy, and carried unanimously by a roll call vote.

January 2, 2003

Operations Committee: 12-09-2002

RESOLUTION NO. 21-2003

MODIFY THE 2003 ST. LAWRENCE COUNTY SHERIFF'S DEPARTMENT VEHICLE EQUIPMENT BUDGET FOR THE CRIMINAL DIVISION

By Mr. Grow, Chair, Operations Committee

WHEREAS, the St. Lawrence County Sheriff's Department is requesting authorization to purchase one (1) fifteen (15) passenger Van from State Contract to transport Correctional Facility Inmates, and

WHEREAS, this Van will be replacing a 1993 Ford Van with over 115,000 miles, and

WHEREAS, resources from the Commissary Revenue will provide the funding, and

NOW, THEREFORE, BE IT RESOLVED that the following transfer of funds is hereby authorized:

INCREASE APPROPRIATIONS:

01-S1-3110-230-00-0	Criminal Automotive Equipment	\$20,523
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INCREASE REVENUE:

01-S1-2705-550-00-0	Sheriff Donations	\$20,523
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Mr. Grow moved to adopt Resolution No. 21-2003, seconded by Mr. Wilson, and carried unanimously by a roll call vote.

Services Committee: 12-16-2002

RESOLUTION NO. 22-2003

AUTHORIZING CHAIR OF THE BOARD OF LEGISLATORS TO SIGN AN AGREEMENT FOR REGISTERED DIETITIAN SERVICES FOR THE ELDERLY NUTRITION PROGRAM FOR 2003

By Ms. Baxter, Chair, Services Committee

WHEREAS, Registered Dietitian services are a requirement of the Office for the Aging's Elderly Nutrition Program, and

January 2, 2003

WHEREAS, Registered Dietitian services at 3 hours per week at \$25.00 an hour have been negotiated,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the St. Lawrence County Board of Legislators is hereby authorized to sign the Agreement for Registered Dietitian services for the Office for the Aging's Elderly Nutrition Program, upon review and approval of the County Attorney.

Mr. Cook moved to adopt Resolution No. 22-2003, seconded by Mr. Morrill, and carried unanimously by a voice vote.

Services Committee: 12-16-2002

RESOLUTION NO. 23-2003

**CREATING A POSITION AND MODIFYING THE 2003
PUBLIC HEALTH DEPARTMENT BUDGET**

By Ms. Baxter, Chair, Services Committee

WHEREAS, the Public Health Department provides Sexually Transmitted Disease clinics, and

WHEREAS, the clinic needs to be staffed by a Physician's Assistant (P.A.), and

WHEREAS, in the past the Public Health Department has contracted out these services, and

WHEREAS, due to liability issues it is now recommended that we make the Physician's Assistant a casual employee under the terms of the CSEA contract,

NOW, THEREFORE, BE IT RESOLVED that the following position is created in the Public Health Department:

CREATE:

01-PS-4010-190-00-0	One (1) Physician's Assistant	\$7,000
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BE IT FURTHER RESOLVED that the 2003 Public Health Department Budget is modified as follows:

January 2, 2003

DECREASE APPROPRIATIONS:

01-PP-4010-180-00-0	Prevent Overtime	\$2,000
01-PP-4010-430-07-0	Prevent Other Fees & Services	2,000
01-PP-4010-443-00-0	Prevent Mileage	<u>3,000</u>
		\$7,000

INCREASE APPROPRIATIONS:

01-PS-4010-190-00-0	STD Temporary Part-time	\$7,000
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Mr. Cook moved to adopt Resolution No. 23-2003, seconded by Mr. Grow, and carried unanimously by a roll call vote.

Services Committee: 12-16-2002

RESOLUTION NO. 24-2003

**AUTHORIZING THE CHAIR OF THE BOARD OF LEGISLATORS TO
SIGN AGREEMENT WITH TOWN OF DEKALB FOR
LOCAL HEALTH OFFICER PROJECT**

By Ms. Baxter, Chair, Services Committee

WHEREAS, the DeKalb Town Board has requested that the St. Lawrence County Public Health Department act as the local health officer for the Town of DeKalb, and

WHEREAS, the DeKalb Town Board will appoint the Public Health Director as the local health officer for the town for the period January 1 through December 31, 2003, and

WHEREAS, the Public Health Director, or his designee, will investigate complaints of public health nuisances arising within the town, and

WHEREAS, when necessary to resolve public health nuisances within the town, the Public Health Director or his designee will present facts and recommendations to the town's board of health for its enforcement, and

WHEREAS, the town board of health consists of the town board, and

WHEREAS, the local health officer is chief executive officer of the town board of health, and

WHEREAS, the payment of costs to abate a public health nuisance when necessary shall be a town cost, and

January 2, 2003

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes its chair to sign a written agreement prepared by the County Attorney delineating the specifics as indicated above.

Mr. Cook moved to adopt Resolution No. 24-2003, seconded by Mr. Morrill, and carried unanimously by a voice vote.

Services Committee: 12-16-2002

RESOLUTION NO. 25-2003

**AUTHORIZING CHAIR OF THE BOARD OF LEGISLATORS TO SIGN
AGREEMENT WITH TOWN OF GOUVERNEUR FOR LOCAL
HEALTH OFFICER PROJECT**

By Ms. Baxter, Chair, Services Committee

WHEREAS, the Gouverneur Town Board has requested that the St. Lawrence County Public Health Department continue to act as the local health officer for the Town of Gouverneur, and

WHEREAS, the Gouverneur Town Board will appoint the Public Health Director as the local health officer for the town for the period January 1 through December 31, 2003, and

WHEREAS, the Public Health Director, or his designee, will investigate complaints of public health nuisances arising within the town, and

WHEREAS, when necessary to resolve public health nuisances within the town, the Public Health Director or his designee will present facts and recommendations to the town's board of health for its enforcement, and

WHEREAS, the town board of health consists of the town board, and

WHEREAS, the local health officer is chief executive officer of the town board of health, and

WHEREAS, the payment of costs to abate a public health nuisance when necessary shall be a town cost,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes its Chair to sign a written agreement prepared by the County Attorney delineating the specifics as indicated above.

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Mr. Cook moved to adopt Resolution No. 25-2003, seconded by Mr. Lacy, and carried unanimously by a voice vote.

Services Committee: 12-16-2002

RESOLUTION NO. 26-2003

**AUTHORIZING CHAIR OF THE BOARD OF LEGISLATORS TO SIGN
AGREEMENT WITH VILLAGE OF GOUVERNEUR FOR LOCAL
HEALTH OFFICER PROJECT**

By Ms. Baxter, Chair, Services Committee

WHEREAS, the Gouverneur Village Board has requested that the St. Lawrence County Public Health Department continue to act as the local health officer for the Village of Gouverneur, and

WHEREAS, the Gouverneur Village Board will appoint the Public Health Director as the local health officer for the village for the period January 1 through December 31, 2003, and

WHEREAS, the Public Health Director, or his designee, will investigate complaints of public health nuisances arising within the village, and

WHEREAS, when necessary to resolve public health nuisances within the village, the Public Health Director or his designee will present facts and recommendations to the village's board of health for its enforcement, and

WHEREAS, the village board of health consists of the village board, and

WHEREAS, the local health officer is chief executive officer of the village board of health, and

WHEREAS, the payment of costs to abate a public health nuisance when necessary shall be a village cost,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes its Chair to sign a written agreement prepared by the County Attorney delineating the specifics as indicated above.

Mr. Cook moved to adopt Resolution No. 26-2003, seconded by Mr. Lacy, and carried unanimously by a voice vote.

January 2, 2003

Services Committee: 12-16-2002

RESOLUTION NO. 27-2003

**AUTHORIZING THE CHAIR OF THE BOARD OF LEGISLATORS TO
SIGN AGREEMENT WITH VILLAGE OF RICHVILLE FOR
LOCAL HEALTH OFFICER PROJECT**

By Ms. Baxter, Chair, Services Committee

WHEREAS, the Richville Village Board has requested that the St. Lawrence County Public Health Department act as the local health officer for the Village of Richville, and

WHEREAS, the Richville Village Board will appoint the Public Health Director as the local health officer for the village for the period January 1 through December 31, 2003, and

WHEREAS, the Public Health Director, or his designee, will investigate complaints of public health nuisances arising within the village, and

WHEREAS, when necessary to resolve public health nuisances within the village, the Public Health Director or his designee will present facts and recommendations to the village's board of health for its enforcement, and

WHEREAS, the village board of health consists of the village board, and

WHEREAS, the local health officer is chief executive officer of the village board of health, and

WHEREAS, the payment of costs to abate a public health nuisance when necessary shall be a village cost, and

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes its chair to sign a written agreement prepared by the County Attorney delineating the specifics as indicated above.

* * *

Mr. Cook moved to adopt Resolution No. 27-2003, seconded by Mr. Morrill, and carried unanimously by a voice vote.

January 2, 2003

Services Committee: 12-16-2002

RESOLUTION NO. 28-2003

RECOGNIZING LONG TERM HOME HEALTH CARE PROGRAM FOR 25 YEARS

By Ms. Baxter, Chair, Services Committee

WHEREAS, the Long Term Home Health Care program is a part of the health care system that provides long term home care for eligible patients, and

WHEREAS, such a health care program allows hundreds of individuals to remain living in their homes, and

WHEREAS, the St. Lawrence County Public Health Department provides a Long Term Home Health Care program under the supervision of Sandra Worden, supervising CHN, and

WHEREAS, the St. Lawrence County Board of Legislators wishes to acknowledge the 25th anniversary of the Long Term Home Health Care program,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators recognizes the 25th anniversary of Long Term Home Health Care in New York State and congratulates all health care professions in their provision of Long Term Home Health Care services.

Mr. Cook moved to adopt Resolution No. 28-2003, seconded by Mr. Nichols, and carried unanimously by a voice vote.

Services Committee: 12-16-2002

RESOLUTION NO. 29-2003

ABOLISHING A CASEWORKER POSITION WITHIN THE DEPARTMENT OF SOCIAL SERVICES

By Ms. Baxter, Chair, Services Committee

WHEREAS, a Caseworker in the Day Care Unit is retiring, and

WHEREAS, the duties performed by this Caseworker are being taken over by the St. Lawrence Child Care Council,

NOW, THEREFORE, BE IT RESOLVED that one (1) Caseworker, Grade 24 be abolished, and

January 2, 2003

BE IT FURTHER RESOLVED that the County Treasurer is hereby authorized to make the following transfers in the 2003 St. Lawrence County Department of Social Services budget:

DECREASE APPROPRIATIONS:

01-DA-6010-110-00-S	D SG Direct Service Workers	\$30,692
01-DA-6010-810-00-S	D Retirement	1,283
01-DA-6010-830-00-S	D Social Security	2,016
01-DA-6010-840-00-S	D Workmen's Compensation	939
01-DA-6010-845-00-S	D Group Life Insurance	52
01-DA-6010-860-00-S	D Hospital & Medical Insurance	5,015
01-DA-6010-865-00-S	D Dental Insurance	<u>166</u>
		\$40,163

INCREASE APPROPRIATIONS:

01-DA-6010-430-07-S	D Other Fees	\$40,163
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Mr. Cook moved to withdraw Resolution No. 29-2003, seconded by Mr. Nichols. Mr. FitzRandolph asked why this Resolution is being withdrawn. Mr. MacKinnon said there was a problem with the Union, in how this was handled. Motion was carried unanimously by a voice vote.

Services Committee: 12-16-2002

RESOLUTION NO. 30-2003

AUTHORIZING CHAIR TO SIGN AN AGREEMENT FOR COUNSELING SERVICES

By Ms. Baxter, Chair, Services Committee

WHEREAS, there continues to be a need to provide clinical services to adolescents and females who are perpetrators of sexual abuse, and

WHEREAS, only one program provides such a service in St. Lawrence County,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the Board is hereby authorized to sign an agreement with Jackie Evans, upon approval of the County Attorney.

Mr. Cook moved to adopt Resolution No. 30-2003, seconded by Mr. Nichols. Ms. Cobb asked who benefits from this service. Ms. Wilby said it is for the perpetrators, not the victims. Motion carried unanimously by a voice vote.

January 2, 2003

Services Committee: 12-16-2002

RESOLUTION NO. 31-2003

COMMUNITY SERVICES – 2003 BUDGET AMENDMENT

By Ms. Baxter, Chair, Services Committee

WHEREAS, the New York State Office of Mental Health has notified us that a 3% Cost of Living Adjustment (COLA) will be added to 2003 funding for various contract agencies, and

WHEREAS, this information was unavailable at the time our 2003 Budget was prepared,

NOW, THEREFORE, BE IT RESOLVED that the 2003 Budget be amended as follows:

INCREASE APPROPRIATIONS:

01-A4-4322-465-AN-5	A SR ANR PAYMENTS	\$1,895
01-A4-4322-465-AR-1	A CSS ARC	7,260
01-A4-4322-465-AR-4	A OFS ARC ADVANCES	15,530
01-A4-4322-465-CC-2	A CRV CATHOLIC CHARITIES	14,691
01-A4-4322-465-CD-1	A CSS COMM DEV PROGRAM	4,208
01-A4-4322-465-RC-1	A CSS RESOURCE CENTER	610
01-A4-4322-465-RO-2	A CRV REACHOUT ADVANCES	4,813
01-A4-4322-465-SS-1	A CSS STEP BY STEP ADVANCES	1,550
01-A4-4322-465-SS-3	A CPP STEP BY STEP ADVANCES	6,732
01-A4-4322-465-TL-4	A OFS NCTLS ADVANCES	1,574
01-A4-4322-465-UH-2	A CRV UNITED HELPERS ADVANCES	3,397
01-A4-4322-465-UH-3	A CPP UNITED HELPERS	<u>13,731</u>
		\$75,991

DECREASE APPROPRIATIONS:

01-A4-4322-465-CC-1	A CSS CATHOLIC CHARITIES	<u>2,312</u>
		\$2,312

INCREASE REVENUE:

01-A4-3490-560-00-1	A SA CSS MENTAL HEALTH	17,674
01-A4-3490-560-00-2	A SA CR OTHER MENTAL HEALTH PROGRAMS	17,162
01-A4-3490-560-00-3	A SA CPP OTHER MENTAL HEALTH PROGRAMS	12,937
01-A4-3490-560-00-4	A SA OFS OTHER MENTAL HEALTH PROGRAMS	<u>25,906</u>
		\$73,679

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Mr. Cook moved to adopt Resolution No. 31-2003, seconded by Mr. Morrill, and carried unanimously by a roll call vote.

Services Committee: 12-16-2002

RESOLUTION NO. 32-2003

**SUPPORTING THE RESTORATION OF
HOME ENERGY ASSISTANCE PROGRAM FUNDS**

By Ms. Baxter, Chair, Services Committee

WHEREAS, the current federal allocation for the Home Energy Assistance Program (HEAP) has been reduced by \$300 million, which is a reduction of about 20% of the program funds, and

WHEREAS, HEAP is a program which is critical to areas such as St. Lawrence County where many families need financial assistance to help them with their heating needs, and

WHEREAS, in the last HEAP program year, St. Lawrence County spent over \$2.5 million in federal funds for HEAP and served over 6000 within the county, including many elderly people on fixed incomes, and

WHEREAS, the cut in HEAP funds will mean that hundreds of local families will not receive HEAP assistance and some will have to rely upon Public Assistance for help,

NOW, THEREFORE BE IT RESOLVED that the St. Lawrence County Board of Legislators strongly supports the restoration of full HEAP funding and requests its elected officials to pass legislation with the additional \$300 million, and

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to President George W. Bush, Congressman John McHugh, Senators Charles Schumer and Hillary Clinton.

Mr. Cook moved to adopt Resolution No. 32-2003, seconded by Mr. Lacy. Mr. Nichols asked for permission to speak directly to Ms. Wilby. Chair agreed. He asked Ms. Wilby if they had received the information pertaining to the HEAP program. Ms. Wilby said that they are currently working on that. Mr. Wilson asked if we know how they formulate the funding. Ms. Wilby said there is a formula, but she is unsure of what the formula is.

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Mr. Brining said in the fiscal year 1999 there was a small amount of these funds not completely utilized by the State. That money was less than ten percent of the total. If the state has more than 10 percent not utilized it goes back to the Federal level. He suggested that if 1999 is the "norm" then it is likely that the funds are being used.

Motion carried unanimously by a voice vote.

COUNTY ADMINISTRATOR: Mr. Brining asked Mr. Fountain to give an update on Reynolds Plant and McCadam Cheese.

Mr. Fountain spoke with McCadam. They will be trying to market this. The likelihood of the market will be the structure. We have a staff meeting next Wednesday, and Thursday to go over options with the workers. We will be doing this right in the plant, so the displaced workers can utilize the service. He said as for Alcoa, we are dealing with Empire Development. We are trying to set up a work group in January 2003 to see what we can do to assist. We are working with the unions to set up meetings to work with workers that are being displaced, either on their grounds or at the union hall.

Mr. Brining said that the NYSAC Legislative Conference will be February 2-4, 2003, and that the agenda should be available next week.

Mr. Brining gave an update on the snowmobile trail insurance issue. He spoke with Hank Ford who said that the St. Lawrence County Snowmobile Association will not be able to get insurance on the trails. He is planning to have Mr. Ford or a representative from the Snowmobile Association attend a Committee to address the Board. He said they may ask us to provide them with insurance through our self insurance plan. He added that there are limited carriers for this type of insurance.

Mr. Nichols mentioned the issue of the Medicaid line on real property tax bills. We have discussed this at previous meetings. He feels the media could be helpful in distributing the reason that we broke out the Medicaid line to make the public aware of how much is being paid to fund Medicaid. He spoke with a person who questioned the Medicaid line on the tax bill and when this person began to understand, she began to understand all of the lines on her tax bill. He told her that if this Medicaid trend continues in that way we will lose vital services. This is not an election year, this is not a gimmick, but a real issue.

Mr. FitzRandolph received two calls. Both callers were shocked to see this line item, and asked him why he did not do something about it. He feels it is important to make the public aware that this is a state issue.

Ms. Cobb said many people are confused about why Medicaid is going up. One reason is the Family Health Plus Program. This is available as a result of the Welfare to Work Program. The State made this available to the public because people are getting off of public assistance. There is something we can do with the Office of Economic Development. If we bring business here to get these people good jobs then they will have insurance through their place of business. We need to keep in mind that as people go off of Public Assistance they are contributing to society.

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Mr. Gray said that Family Health Plus has encouraged businesses not to carry insurance, but for employers to seek this type of coverage for their employees, because the income thresholds are so high. This is what is wreaking havoc.

Mr. Nichols moved to go into executive session to discuss appointments at 8:40 p.m., seconded by Mr. Morrill, and carried unanimously by a voice vote. Mr. FitzRandolph left at this time. Mr. Grow moved to go into open session at 9:30 p.m., seconded by Mr. Nichols, and carried by a voice vote with one (1) Legislator absent (FitzRandolph).

APPOINTMENTS

Mr. Nichols moved to reappoint the following person to the **Soil and Water Conservation District Board of Directors**, seconded by Mr. Morrill, and carried unanimously by a voice vote. (Term will expire 12/31/05)

Robert G. Andrews, Jr., 258 Hull Road, Gouverneur, NY 13642

Mr. Cook moved to appoint the following person to the **Community Services Board**, seconded by Mr. Grow, and carried unanimously by a voice vote. (Term will expire 12/31/03)

Rev. Stephen Gratto, P.O. Box 208, 8368 SH 11C, Brasher Falls

Mr. Cook moved to reappoint the following person to the **Community Services Board**, seconded by Mr. Grow, and carried unanimously by a voice vote. (Term will expire 12/31/2006)

David Austin, Step-By-Step Bldg., 3E Ford St., Ogdensburg, NY

Mr. Cook moved to reappoint the following people to **Alcohol/Substance Abuse Subcommittee**, seconded by Mr. Wilson, and carried unanimously by a voice vote. (Terms will expire 12/31/2006)

Ann Charlebois, 2121 SH 68, Canton, NY
Neil Tooley, 200 Paterson St., Ogdensburg, NY
Richard Platt, 321 Canton St., Ogdensburg, NY
Katherine Weegar, 417 Pleasant St., Ogdensburg, NY

Mr. Cook moved to reappoint the following people to **MRDD Subcommittee**, seconded by Mr. Teele, and carried unanimously by a voice vote. (Terms will expire 12/31/2006)

Ellen Reynolds, LEAP Inc. 230 Pleasant Valley Rd., Norwood, NY
Ted Kinnen, BOCES, Outer State Street, Canton, NY
Lynette Collins, 5158 SH 56, Colton, NY

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Mr. Cook moved to reappoint the following people to **Mental Health Subcommittee**, seconded by Mr. Romigh, and carried unanimously by a voice vote. (Terms will expire 12/31/2006)

Vicki Perrine, Claxton-Hepburn Medical Center, Ogdensburg, NY
Bernard Musselman, 603 Franklin St., Ogdensburg, NY
David Bayne, Step-By-Step, Inc. Bldg 3E, Ford St., Ogdensburg, NY

Mr. Nichols moved to suspend the Rules of Procedure for presentation of five (5) resolutions, seconded by Mr. Grow and Mr. Cook, and carried by a voice vote with ten (10) yes votes, four (4) no votes (Brothers, Cobb, Turbett, and Wilson), and one (1) Legislator absent (Mr. FitzRandolph)

PRESENTED UNDER SUSPENSION OF THE RULES

RESOLUTION NO. 33-2003

APPOINTING AN INTERIM COMMISSIONER OF SOCIAL SERVICES

By Mr. Nichols

WHEREAS, the retirement of the Commissioner of Social Services will leave the County without a Commissioner for a period of time, and

WHEREAS, the St. Lawrence County Board of Legislators deems it in the best interest of the County to fill the Commissioner of Social Services position on an interim basis pending a permanent appointment,

NOW, THEREFORE, BE IT RESOLVED that Diane Wilby be appointed to the position of Interim St. Lawrence County Commissioner of Social Services with a salary of \$68,554, effective January 3, 2003, and

BE IT FURTHER RESOLVED that this appointment shall be effective until a permanent appointment is made.

Mr. Nichols moved to adopt Resolution No. 33-2003, seconded by Mr. Grow. Mr. Lacy requested that this be a roll call vote. Mr. Wilson stated that he intends to vote present on the upcoming resolutions, and that it has nothing to do with the people in the resolutions. Mr. Nichols said that he intends to vote for this Resolution, and that this was previously recommended to the Board members during executive session. Motion carried by a roll call vote with ten (10) yes votes, four (4) present votes (Brothers, Cobb, Turbett, and Wilson), and one (1) Legislator absent (Mr. FitzRandolph).

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PRESENTED UNDER SUSPENSION OF THE RULES

RESOLUTION NO. 34-2003

APPOINTING ST. LAWRENCE COUNTY ADMINISTRATOR

By Mr. Nichols

WHEREAS, Local Law No. 1 for the Year 1990 created the position of County Administrator for St. Lawrence County and calls for the periodic appointment of a County Administrator,

NOW, THEREFORE, BE IT RESOLVED that Donald R. Brining is hereby appointed County Administrator in accordance with Local Law No. 1 for the Year 1990 to serve until March 31, 2007.

Mr. Nichols moved to adopt Resolution No. 34-2003, seconded by Mr. Gray, and Mr. Lacy. Mr. Nichols said he will support this Resolution as Mr. Brining is an invaluable part of this government. He has been a key part to this County's successes. It is in our best interest to continue with Mr. Brining as County Administrator. Mr. Lacy said he has had the privilege of working with Mr. Brining this past year. He said that St. Lawrence County has the best Administrator in the Country. Mr. Grow stated that he supports this resolution. Ms. Cobb said she feels that she was not adequately prepared for this due to the fact that she did not see this resolution prior to this day. Mr. Gray stated that this Board is constrained to act upon this Resolution tonight. He added that there is a local law in place for this procedure.

Motion carried with ten (10) yes votes, four (4) present votes (Brothers, Cobb, Turbett, and Wilson), and one (1) Legislator absent (FitzRandolph).

PRESENTED UNDER SUSPENSION OF THE RULES

RESOLUTION NO. 35-2003

APPOINTING THE COUNTY ATTORNEY FOR ST. LAWRENCE COUNTY

By Mr. Nichols

WHEREAS, County Law Article II, Section 500 requires the appointment of a resident attorney-at-law as County Attorney, and

WHEREAS, said law provides that the County Attorney shall serve for the term of office for which the Board was elected,

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NOW, THEREFORE, BE IT RESOLVED that William F. Maginn is hereby appointed as St. Lawrence County Attorney to a four-year term commencing on January 1, 2003 and ending December 31, 2006.

Mr. Nichols moved to adopt Resolution No. 35-2003, seconded by Mr. Grow. Mr. Nichols said that he will support this resolution as Mr. Maginn has represented the County well. He said that Mr. Maginn is certainly worthy of four (4) more years. Motion carried by a roll call vote with ten (10) yes votes, four (4) present votes (Brothers, Cobb, Turbett, and Wilson), and one (1) Legislator absent (FitzRandolph).

PRESENTED UNDER SUSPENSION OF THE RULES

RESOLUTION NO. 36-2003

APPOINTING THE PUBLIC DEFENDER FOR ST. LAWRENCE COUNTY

By Mr. Nichols

WHEREAS, the St. Lawrence County Public Defender's term of office is the same as the Board of Legislators,

NOW, THEREFORE, BE IT RESOLVED that Betsy Iverson is hereby appointed as the St. Lawrence County Public Defender for a four year term beginning January 1, 2003 through December 31, 2006.

Mr. Nichols moved to adopt Resolution No. 36-2003, seconded by Mr. Teele, and carried by a roll call vote with ten (10) yes votes, four (4) present votes (Brothers, Cobb, Turbett, and Wilson), and one (1) Legislator absent (FitzRandolph).

PRESENTED UNDER SUSPENSION OF THE RULES

RESOLUTION NO. 37-2003

APPOINTING A DIRECTOR OF ECONOMIC DEVELOPMENT

By Mr. Nichols

WHEREAS, the St. Lawrence County Director of Economic Development retired on September 29, 2002, and

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WHEREAS, Local Law 4 for the year 1976, established the position to be a three year appointment,

NOW, THEREFORE, BE IT RESOLVED that Raymond H. Fountain is hereby appointed as the St. Lawrence County Director of Economic Development effective January 3, 2003, at a starting annual salary of \$72,032, and

BE IT FURTHER RESOLVED that the 2004 salary be \$76,142, and

BE IT FURTHER RESOLVED that the 2005 salary be the standard management cost of living allotment plus \$1,885.

Mr. Nichols moved to adopt Resolution No. 37-2003, seconded by Mr. Lacy. Mr. Grow said he has worked and talked with Mr. Fountain. He has served the County for 27 years. He has worked up to be the Department's Director. Mr. Grow said he has seen first hand how Mr. Fountain is a leader. Mr. Lacy said people are happy about this appointment in Gouverneur. Mr. Morrill said that he is for Mr. Fountain, but that he is voting against this because of the salary. He feels Mr. Fountain is the ideal man for this position but he has issue with the salary. Ms. Brothers is voting present. She feels that there are some flaws in the system. She voted present on the previous resolutions because to abstain is to vote in the affirmative. She feels there are flaws in the selection process. Mr. Gray said that Mr. Fountain is a quiet person with a lot of knowledge. He stated that he hopes this is not the tone of the Board for the next four years. Ms. Cobb said she would like to look over the process of hiring. She said this has nothing to do with Mr. Fountain it has to do with a procedural issue. Mr. Wilson said if it takes 8 votes to pass a Resolution. What would happen if it is 7 to 7 with 1 abstain. What would be the outcome. Mr. Maginn will look into this and get back to them. Mr. Nichols asked Mr. Brining to go through the process that brought us to this point in the search for the Director of the Office of Economic Development. Mr. Brining said that a search committee was established: Mr. Wilson, Mr. MacKinnon, and Mr. Morrill, the IDA had representatives on this Committee as well: Mr. Labaff and Mr. Staples, and there were representatives from the WIB: Mr. Hooper and Mr. Blevens. This Board selected that Committee. The Selection Committee met and directed him to follow through with an advertisement scheme for this position. They did not look at the resumes that were submitted until the deadline for resume submission. They looked at the resumes and rated them. They picked 6 individuals to interview. Following the interviews the Committee made their selection. Mr. Gray asked how many resumes were received. Mr. Brining said around 58 or 59. Mr. Nichols asked if there was any opposition to the choice. Chair MacKinnon said that the vote was unanimous. Mr. Nichols asked if Advisory Boards and Legislators have been put together to search for Department Heads in the past. Chair MacKinnon said there have been nine (9) times when we combined stake holder groups to search for Department Heads. Mr. Nichols feels that this process was followed well, and that it works. Ms. Cobb said that she has several suggestions on this issue. She feels that there is a better process. Chair MacKinnon said we could debate this in an upcoming Committee. He said that Ms. Cobb's concerns were noted and will be addressed. Mr. Turbett said that he has been involved in a number of searches. He feels that there is a number of places in the current process that can be improved. Mr. Wilson said he voted for Mr. Fountain during the Search Committee session, but now will vote present. He

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stated that he did vote enthusiastically for Mr. Fountain in Committee, but now he has to vote present. He said for those who think this is a contradiction, his vote at that committee was more important than his vote is tonight. Ms. Cobb said no matter who was brought forward she would vote present because she is not educated on this. Mr. Romigh moved to call the question, seconded by Mr. Gray, and carried unanimously by a voice vote with one (1) Legislator absent (FitzRandolph).

Motion to approve Resolution no. 37-2003 carried by a roll call vote with ten (10) yes votes, three (3) present votes (Brothers, Cobb, and Turbett), one (1) no vote (Morrill), and one (1) Legislator absent (FitzRandolph).

Mr. Wilson stated that he inadvertently voted in the affirmative, and has decided to let that stand.

CHAIR'S APPOINTMENTS

Chair MacKinnon made the following appointments:

- Adirondack Park Local Government Review Board** (Term of BOL) - Lloyd Moore
- Agricultural & Farmland Protection Board** (4 yr term expires 1/2007) - Steve Teele
- Alternatives To Incarceration Board** - (Terms Coincide with Titles) Chair of the Board
Alexander MacKinnon and Chair of Operations Thomas R. Grow
- Board of Trustees For Supreme Court Library** (Term Coincides with BOL) - Legislator R.
Shawn Gray
- Chamber of Commerce** (Term Coincides with BOL) - Legislator William E. Lacy
- Cooperative Extension Board Of Directors** (Term Coincides with BOL) - Legislator Lloyd E.
Moore
- Environmental Management Council** (Term Coincides with BOL) - Legislator Lloyd E.
Moore
- Fish And Wildlife Management Board, Region 6** (2 yr term) - Thomas R. Grow (Term expires
12/31/2005)
- Gouverneur Fair Board** (Annual Term) - Legislator Stanley A. Morrill
- Industrial Development Agency** (Term Coincides with BOL) - Legislator R. Shawn Gray
- Jury Board** (Term Coincides with BOL) - Legislator Peter W. FitzRandolph
- Labor Management Committee** (Term Coincides with BOL) - Legislator Thomas Nichols
- Off Track Betting Corporation** (Term Coincides with BOL) - Legislator R. Shawn Gray
- Office For The Aging Advisory Board** (3 yr term) - Chair MacKinnon asked for volunteers,
and suggested that if any Legislators are interested to approach him.
- Open Space Regional Advisory Committee** (Term Coincides with BOL) - Legislators Lloyd E.
Moore & Steve E. Teele
- Planning Board** (Term Coincides with BOL) - Legislator Thomas R. Grow
- Records Management Department Head Committee** - (Term runs as long as holding title)
Chair of the Board Alexander A. MacKinnon
- Senior Community Service Employment Program (SCSEP)** (2 Year Term) Chair MacKinnon
asked for volunteers, and suggested that if any Legislators are interested to approach him.
- Soil & Water Conservation District Board of Directors** (1 Year Term) - Legislators Stephen E. Teele
& Thomas A. Nichols

January 2, 2003

Chair MacKinnon appointed Legislator Thomas A. Nichols as Legislative Liaison.

Chair MacKinnon appointed Legislator William E. Lacy to the Negotiations Committee.

Committee Chairs: Chair MacKinnon appointed Legislator Peter W. FitzRandolph as Chair of the Finance Committee. Chair MacKinnon appointed Legislator Walter W. Cook as Chair of the Services Committee. Chair MacKinnon appointed Legislator Thomas R. Grow as Chair of the Operations Committee.

OLD BUSINESS/NEW BUSINESS: There was none.

Mr. Lacy moved to adjourn the meeting at 10:10 p.m., seconded by Mr. Morrill, and carried by a voice vote, with one (1) Legislator absent (FitzRandolph).

February 10, 2003

St. Lawrence County
Board of Legislators
Board Room

Board Meeting
Monday, February 10, 2003
7:00 p.m.

Chair MacKinnon called the meeting to order at 7:02 p.m.

ROLL CALL: All Legislators were present except Legislator FitzRandolph.

Mr. Nichols led everyone in Prayer, followed by the Pledge of Allegiance.

MINUTES: There were no minutes to approve.

COMMUNICATIONS: The Deputy Clerk read the following communications:

- 1) A thank you letter from David Duff for the Board's support of the resolution opposing the Great Lakes Navigation System Review.
- 2) A copy of two resolutions passed by Chautauqua County Legislature entitled "Request New York State Assistance Regarding Snowmobile Club Trail Insurance" and "Motion Encouraging Support of the Upstate Dairy Industry".
- 3) A letter from George E. Clark, NY State Code Enforcement and Administration, regarding the continuance of the unmarked structural lumber code.
- 4) A letter from Congressman John McHugh acknowledging receipt of the resolution opposing the Army Corps of Engineers Great Lakes Navigation System Review.
- 5) A letter from Erin Crotty, Commissioner, Dept. Environmental Conservation, acknowledging receipt of the resolution supporting the management of double crested cormorants, along with the Department's official comments.
- 6) A letter of thanks to the Board from Terry Martino and Carl Golas of Adirondack North Country Association for the efforts in resolving the building code problem.
- 7) A thank you card from the staff of the Gouverneur Public Health Department.
- 8) A copy of a resolution from Dutchess County Legislature entitled "Encouraging Support of the Upstate Dairy Industry".
- 9) A letter from Erin Crotty, Commissioner, Dept. Environmental Conservation, acknowledging receipt of the resolution entitled "Opposing the Great Lakes Navigation System Study and Requesting Mitigation Strategies", along with the Department's response to the U.S. Army Corps of Engineers.

February 10, 2003

CITIZEN PARTICIPATION:

Betsy Hodge from the Cornell Cooperative Extension Learning Farm addressed the Board and media. She spoke about local food producers, and the Learning Farm. She said that February 6th is Food Check Out Day.

PRESENTATION OF RESOLUTIONS:

Finance Committee: 1-27-2003

RESOLUTION NO. 38-2003

ESTABLISHING FINANCIAL PRIORITIES

By Mr. Teele
Ms. Brothers
Mr. FitzRandolph
Mr. Gray

WHEREAS, it is anticipated that the release of the New York State 2003-2004 Fiscal Year budget may have long-range financial impacts on St. Lawrence County government, and

WHEREAS, the St. Lawrence County Board of Legislators prefers to take a proactive approach and has established a Financial Prioritization Committee to address those issues, and

WHEREAS, the Board of Legislators hopes to avoid blanket hiring freezes, layoffs, and other disruptive types of financial actions by being proactive,

NOW, THEREFORE, BE IT RESOLVED that the hiring process be modified to include an in-depth review of each permission to fill request to be conducted by the County Administrator with the Management Committee. The County Administrator shall make a recommendation to the Finance Committee as soon as is practical (i.e. fill, delay filling, do not fill), and

BE IT FURTHER RESOLVED purchase orders shall be more carefully scrutinized by each department and any purchase orders deemed not immediately necessary shall be delayed based upon the determination of the County Administrator, and

BE IT FURTHER RESOLVED the County Administrator shall assign budget staff to review overtime utilization within the County and this information shall be provided to the Financial Prioritization Committee. All departments shall minimize utilization of overtime. Non-essential overtime shall not be used, and

February 10, 2003

BE IT FURTHER RESOLVED the County Administrator shall review and minimize travel of county employees to include, but not limited to: mileage, educational workshops, conferences, etc., and

BE IT FURTHER RESOLVED the County Administrator shall direct all departments to identify discretionary spending, to include but not limited to: purchase of equipment, personnel and/or any other items that may be delayed without impacting the critical daily operations of the department. These funds shall be reported to the Financial Priorities Committee and Board of Legislators and shall not be spent without Board approval, and

BE IT FURTHER RESOLVED that the hiring process identified in this resolution be reviewed after six months.

* * *

Mr. Teele moved to adopt Resolution No. 38-2003, seconded by Mr. Lacy, and carried by a voice vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

Finance Committee: 1-27-2003

RESOLUTION NO. 39-2003

AUTHORIZING FILLING OF VACANCIES

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the St. Lawrence County Board of Legislators adopted a policy for filling of vacancies, and

WHEREAS, the vacancies listed below have been reviewed using the policy approved by the Board of Legislators,

NOW, THEREFORE, BE IT RESOLVED that the following vacancies are hereby authorized to be filled:

<u>Department</u>	<u>Title</u>	<u>Type</u>	<u>Duration of Position</u>
County Clerk	Clerk (2)	Full Time	Temp (3 Mos)
Public Health	Coordinator of Special Health Programs	Part Time	Permanent
Public Health	Registered Prof. Nurse	Part Time	Permanent
Sheriff	Correctional Officer (2)	Part Time	Permanent

February 10, 2003

Social Services

Account Clerk

Full Time

Contingent

* * *

Mr. Teele moved to adopt Resolution No. 39-2003, seconded by Mr. Cook. Chair MacKinnon acknowledged Mr. Brining... Mr. Brining said that the positions that the Management Committee has recommended to fill are in this resolution. The Clerk's positions will be fully funded; the Public Health Coordinator is a part time position and will be responsible for bio-terrorism and small pox issues. He stated that this person retired from a full time position with Public Health and has been volunteering since then. The RN position is a weekend position to prevent over time for full time positions. The Sheriff's positions are to prevent over time as well. The Social Service's position is necessary to keep billing up to date and to keep revenue coming in. Mr. Brining also said that he had requested that departments volunteer to hold off filling positions, and that more will be reviewed by the Management Committee in February.

Ms. Brothers asked if minutes were kept for the Management Committee sessions, and if no minutes are kept she would like to see that happen. Mr. Brining said that starting this Finance Committee the Board members will see the Management Committee's written suggestions. Ms. Brothers agreed.

Mr. Wilson asked at what point did these vacancies come into the system. Mr. Brining said that these originated last month. Mr. Wilson asked if that is the entire list from January. Mr. Brining said yes. Mr. Wilson said that purchase orders are being scrutinized as well as over time, is there a rule of thumb to be used for non-essential and essential. Mr. Brining said we have been scrutinizing purchase orders, overtime, and travel requests. He said that they are providing information to the Financial Prioritization Committee and then the Board is advised. He said that they are trying to prevent spending so that down the road we will have options. If we have to make cuts we will have options other than personnel. The question that is used for each inquiry is "does this impact County Government today, or can we get by without it for now, or forever." Mr. Wilson said a written policy should be created, or is this done on a case-by-case basis. Mr. Brining said it would be difficult to create language, as each department is very different. Mr. Wilson asked about non-essential over time. Mr. Brining said that there is the option of comp time in lieu of over time. Motion carried by a voice vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

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Finance Committee: 1-27-2003

RESOLUTION NO. 40-2003

**MEMBERSHIP OF ST. LAWRENCE COUNTY IN THE FORT DRUM REGIONAL
LIAISON ORGANIZATION**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, Fort Drum is important to the North Country, and

WHEREAS, St. Lawrence County continues to support the efforts made on their behalf and membership in the Fort Drum Regional Liaison Organization (FDRLO) would demonstrate that support, and

WHEREAS, the function of the Fort Drum Regional Liaison Organization is to ensure a strong presence in the North Country, and

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes the County Administrator to join the FDRLO on behalf of St. Lawrence County and to pay the annual fees of one-hundred and fifty dollars.

* * *

Mr. Teele moved to adopt Resolution No. 40-2003, seconded by Mr. Nichols, Mr. Grow, and Mr. Romigh, and carried by a voice vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

Finance Committee: 01-27-2003

RESOLUTION NO. 41-2003

**AUTHORIZING THE ST. LAWRENCE COUNTY ATTORNEY TO COMMENCE
LITIGATION AGAINST VALARIE A. KLINKIEWICZ AND KRISTA J. BAIR**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, a St. Lawrence County tractor with mower attachment was struck head on by a vehicle being operated by Krista J. Bair and owned by Valarie A. Klinkiewicz on July 15, 2002, and

WHEREAS, this accident was caused totally through the negligence of Krista J. Bair, the operator, and considerable damage was done to the County tractor, and,

WHEREAS, the County Attorney has thus far been unsuccessful in attempts to settle this matter and secure payment from the proper insurance company, and

February 10, 2003

WHEREAS, this action on behalf of the insurance company is unreasonable in view of the absolute negligence of the driver,

NOW, THEREFORE, BE IT RESOLVED, that this Board hereby authorizes the St. Lawrence County Attorney to commence legal action against Valarie A. Klinkiewicz and Krista J. Bair to recover the damages sustained by the County of St. Lawrence.

* * *

Mr. Teele moved to adopt Resolution No. 41-2003, seconded by Mr. Romigh, and carried by a voice vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

Finance Committee 1-27-2003

RESOLUTION NO. 42-2003

MODIFYING THE 2002 SOLID WASTE DEPARTMENT BUDGET

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the Solid Waste Department exceeded the fringe benefits line item in the 2002 budget, and

WHEREAS, the Solid Waste Department is an enterprise fund and funded totally by tip fee revenue,

NOW, THEREFORE BE IT RESOLVED, that the County Treasurer is hereby authorized to make the following modifications to the Solid Waste Department's 2002 budget:

INCREASE APPROPRIATIONS:

05-WH-8160-800-00-0-LEAC	Employee Benefits	\$ 3,319
05-WO-8160-800-00-0	Employee Benefits	<u>\$15,707</u>
		\$19,026

DECREASE APPROPRIATIONS:

05-WH-8160-430-18-0-RECY	Recy Tipping Fees	\$3,319
05-WH-8160-441-00-0-LEAC	Leachate - Gasoline & Oil	\$13,000
05-WT-8160-416-00-0	TRS Electricity	<u>\$2,707</u>
		\$19,026

* * *

Mr. Teele moved to adopt Resolution No. 42-2003, seconded by Mr. Grow, and carried by a roll call vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

February 10, 2003

Finance Committee 1-27-2003

RESOLUTION NO. 43-2003

**AUTHORIZING THE FILING OF AN APPLICATION AND SIGNING OF A STATE
AID CONTRACT FOR SOLID WASTE DEPARTMENT**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the State of New York provides financial aid for resource recovery equipment, source separation equipment, or both, for the implementation of small-scale, low-technology approaches to resource recovery, and

WHEREAS, St. Lawrence County has examined and duly considered the applicable laws of the State of New York and the municipality deems it to be in the public interest and benefit to file an application under these laws, and

WHEREAS, it is necessary that a contract between the State of New York, and St. Lawrence County be executed for state Aid,

NOW, THEREFORE, BE IT RESOLVED that the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized, and

BE IT FURTHER RESOLVED that the Chair of the St. Lawrence County Board of Legislators is directed and authorized as the official representative of St. Lawrence County to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract, upon approval of the County Attorney, and if said application is approved by New York State, and

BE IT FURTHER RESOLVED that St. Lawrence County agrees that it will fund its portion of the cost of said Solid Waste Management Project, and

BE IT FURTHER RESOLVED that St. Lawrence County set forth their respective responsibilities by attached joint resolution relative to a joint Solid Waste Recovery and Management Project, and

BE IT FURTHER RESOLVED that five (5) Certified Copies of this Resolution be prepared and sent to the New York State Department Of Environmental Conservation, Albany, New York 12233-7253, together with a complete application, and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

* * *

February 10, 2003

Mr. Teele moved to adopt Resolution No. 43-2003, seconded by Mr. Wilson, and carried by a voice vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

Finance Committee: 1-27-2003

RESOLUTION NO. 44-2003

MODIFICATION OF ST. LAWRENCE COUNTY BOARD OF LEGISLATORS RULES OF PROCEDURE ADOPTED JANUARY 2, 2003, BY RESOLUTION 1-2003

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the St. Lawrence County Board of Legislators Rules of Procedure were adopted January 2, 2003, by Resolution No. 1-2003, and

WHEREAS, Article 8(c) provides that these rules may be rescinded or changed by a majority vote of the total membership of the Legislature at any meeting of the Legislature, provided each member has had ten (10) days written notice of the proposed changes, and

WHEREAS, this Board desires to modify the Rules of Procedure adopted by it on January 2, 2003, pursuant to the Rules of Procedure attached to this resolution, and

WHEREAS, each member has had ten days written notice of the proposed changes,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby adopts the modified Rules of Procedure attached hereto in place of the Rules of Procedure adopted by this Board on January 2, 2003.

* * *

Mr. Teele moved to adopt Resolution No. 44-2003, seconded by Mr. Gray and Mr. Wilson. Mr. Turbett referred to Article IV Section B, he said he is not getting a complete agenda. He would like the entire agenda available prior to the full Board meeting day. Mr. Gray asked if we are going to discuss this request. Chair MacKinnon said that this resolution addresses the changes to the Rules of Procedure only, and it would be up to the Legislators to address this at another time. Ms. Brothers asked when would this be discussed. Chair MacKinnon said it can be brought up at committee, or we can find an appropriate time to discuss this tonight. Mr. Teele suggested that the Old/new business section may be a good place to bring this up. Motion carried by a voice vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

February 10, 2003

St. Lawrence County

BOARD OF LEGISLATORS

* * *

RULES OF PROCEDURE

Adopted February 10, 2003

Resolution No. ____

* * *

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Note: The page numbers will change to correspond with the Proceedings.

February 10, 2003

ARTICLE I

Quorum

A majority of the duly constituted membership of the Legislature shall constitute a quorum.

ARTICLE II

Meetings

- A. The Organizational Meeting shall be called pursuant to Section 151 of the County Law. At such Organizational Meeting, the Board will elect a Chair and a Vice Chair.
- B. The Regular Meetings of the Legislature shall be held as identified in Attachment A, or by resolution during a regular meeting or special meeting, the Legislature may determine a date and time for the next meeting.
- C. Special Meetings shall be held at the call of the Clerk upon direction of the Chair or upon written request signed by a majority of the members of the Legislature.

ARTICLE III

Order of Business

The Order of Business at each session, except as may be set apart for the consideration of matters for which a Special Meeting has been called, shall be as follows:

- 1. Roll Call
- 2. Prayer
- 3. Pledge to the Flag
- 4. Approval of previous meeting minutes
- 5. Reading of Communications
- 6. Citizen Participation
- 7. Presentation of Resolutions
- 8. Reports of County Officers [if Chair deems necessary]
- 9. Old Business
- 10. New Business
- 11. Adjournment

February 10, 2003

ARTICLE IV
Members

- A. All members of the County Legislature shall attend all regular and specially scheduled meetings of the Legislature, all duly called meetings of any special or standing committees of which any of the said Legislators are members, unless they are absent by reason of sickness, or excused by the Chair of the appropriate body.
- B. No member shall speak or debate until he/she has received recognition from the Chair.
- C. No member shall speak a second time to a question, as long as any member desires to speak who has not spoken to the question.

ARTICLE V
Non-members

Citizens may speak before the Legislature in one of the following ways:

- A. During Citizen Participation period, upon recognition by the Chair. The Speaker will state his/her name and is limited to five minutes. The total Citizen Participation time period shall not exceed thirty [30] minutes, unless extended at the discretion of the Chair.
- B. During the "Presentation of Resolutions" by being granted the floor by the Chair upon request of a Legislator. The citizen may speak on the current agenda item only.

ARTICLE VI
Resolutions

- A. The term "resolution" as herein used, shall mean a formal proposed action in writing, by one or more of the Legislators, and/or a Committee of the Legislature. Upon introduction, the resolution shall be read by the Clerk upon request. The motion for adoption shall be properly seconded immediately preceding any debate on the main question.
- B. A member sponsoring a resolution shall file with the Clerk of the Legislature a copy of said resolution one week prior to the Regular Meeting, at which it is to be introduced. Copies of it, and the entire agenda, shall be mailed to each Legislator to arrive no later than three days preceding the Regular Meeting.
- C. Any resolution approved by a committee and forwarded to the Board for consideration may only be withdrawn upon the approval of the Board.
- D. **Individual Legislators who wish to have their names added, as co-sponsors, to resolutions approved by a Committee may do so at the Committee Meeting by notifying the Deputy Clerk of the Board.**

February 10, 2003

ARTICLE VII
Committees

- A. The Chair and Vice-Chair of the Board of Legislators shall be ex-officio members of all standing and special committees with all the rights & privileges thereof. Except that if both the Chair of the Board and Vice-Chair of the Board are present at a committee meeting, ONLY the Chair will have voting privilege unless the Vice-Chair is a designated member of the Standing Committee, then both would have voting privilege.
- B. The Chair of the Board shall appoint the members and designate the Chair of all standing committees within ten days following his/her election. He/she shall also appoint the members and designate the Chair of all special committees or subsequently created standing committees within ten days following creation thereof.
- C. Any vacancy occurring on any standing or special committee shall be filled by the Chair of the Board within thirty days after such vacancy occurs. In the event that such vacancy occurs in the position of Committee Chair, the Board Chair shall designate a new Committee Chair.
- D. All committee appointments serve until new appointments are made by the Chair.
- E. No member shall be Chair of more than one standing committee.
- F. Each Standing or Special Committee shall perform the duties, so designated by the RULES of this board, or as assigned by the Chair of the Board.
- G. The Chair of each Standing or Special Committee shall be the presiding officer and shall cause the members thereof to be notified in advance of each meeting. The Committee Chair shall call all necessary meetings. Upon his/her refusal or neglect to call any meetings, the Clerk of the Board, upon written request signed by the Chair of the Board or by a majority of the Committee, shall call such meeting.
- H. A quorum for all committees shall be a majority of the membership of the committee. Once a quorum has been established, a majority of the committee members present is sufficient to approve or disapprove a proposed action.
- I. There shall be the following Standing Committees and their duties shall be those required by law, as directed by the Chair of the Board, or as so designated herein.

OPERATIONS COMMITTEE: Issues within the jurisdiction of this committee would be those arising out of the following departments: Board of Elections, Central Services, County Clerk, District Attorney, Emergency Services, Governmental Services, Planning, Probation, Public Defender and Sheriff.

SERVICES COMMITTEE: Issues within the jurisdiction of this committee would be those arising out of the following departments: Community Services, Consumer Affairs, Economic Development, Forestry, Office For Aging, Public Health, Social Services, Veterans Service and Youth.

FINANCE COMMITTEE: Within the jurisdiction of this committee would be issues which would incur the expenditure of money not already appropriated; the issuance of bonds and payments thereon and the transfer of funds. Issues arising from the Board of Legislators, Office of the County Attorney, Office of the County Treasurer, Office of Real Property Tax Service, the Highway Department and the Solid Waste Department shall be under the jurisdiction of this committee, as well as issues involving any outside agencies that are not currently funded within some other departmental budget, such as the Community Development Programs, Cooperative Extension, County Historian and Soil and Water Conservation District.

Special Committees may be created as needed. Any resolution or action by the Chair establishing a Special Committee shall specify powers, duties, and duration. Special Committees shall include the Labor-Management Committee. **Each special committee shall report to the appropriate standing committee or full Board as directed by the Chair. These reports shall be at least quarterly, and more often if needed. When the Committee has completed its work, a final written report shall be made.**

J. The Deputy Clerk of the Board shall arrange for the taking of minutes at all committee meetings and be responsible for their safe keeping. The minutes of each committee shall be kept in a separate minute book provided by the Clerk of the Board of Legislators. The minutes shall contain the time and place and persons present at the meeting; a record of all committee votes and a brief summary of the discussion and other actions. Written statements by members or non-members may be submitted and shall become a part of the record of the committee. Written summaries may be required by the Committee Chair. The minute book shall be filed in the office of the Clerk of the Board of Legislators and open to the public. Written Committee minutes and agendas will be placed in the Legislators' mailboxes.

K. **Committee Procedures**

1. Committees shall meet in accordance with the 2003 Meetings Schedule. When the Chair of a committee calls special meetings it shall be the intent of this Board that public announcement thereof will be done as soon as possible.
2. County Departments must submit any resolution for Committee consideration with the Clerk of the Board by the submission deadline as indicated on the Meeting Schedule.
3. Within three days of its introduction, any and every resolution which has not been acted upon by the Board shall be referred by the Chair to the appropriate committee.

February 10, 2003

4. Every resolution referred to any committee shall be placed on the regular agenda of that committee in chronological order of receipt in committee.
5. Within six weeks of its referral to committee, every resolution shall be reported back to the Board of Legislators with the committee's recommendation either favorable or unfavorable, and with minority reports, if any.
6. When any resolution is being considered by a committee, its proponent or any other legislator may come before the committee and speak for or against the resolution. Any member of the public wishing to address the committee on an agenda item may, upon nomination by a legislator and recognition by the chair, speak for or against the measure. The committee may set a time limit of not more than five minutes on how long each individual may speak.
7. A member of the public who wishes to be on the agenda, shall contact the Board Office eleven (11) days in advance of a committee meeting, and request to be put on the agenda. The Board Office will discuss the matter to be put on the agenda with the chair of the committee, and at the chair's discretion, may or may not add the matter to the agenda for the next committee meeting, or a future committee meeting.
8. In accordance with County Law Article 4, Section 154, committees have no power to do anything by which the county may become obligated and all of their actions must be reported to and sanctioned by the Board.

ARTICLE VIII
Limitations and Amendment

- A. Notwithstanding any provisions herein contained, any decision of any committee or Chair thereof, or of the Chair of the Legislature, may be overruled by a majority vote of the Legislature.
- B. These rules may be suspended by a two-thirds vote of the total membership of the Legislature at any meeting of the Legislature upon the following conditions:
 1. The Legislator requesting the Suspension of the Rules shall provide an explanation of the necessity for the Suspension of the Rules.
 2. A copy of the resolution to be offered under Suspension of the Rules shall be on the desk of each Legislator at the beginning of the meeting or placed there before a vote is taken.
- C. These rules may be rescinded or changed by a majority vote of the total membership of the Legislature at any meeting of the Legislature, provided each member has had ten days written notice of the proposed change.

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- D. Questions of Order and procedure not governed by these rules, or the laws of the State of New York, shall be decided according to Robert's Rules of Order Revised. The Legislature shall provide a desk copy of a current edition of Robert's Rules of Order Revised for each member.
- E. For purposes of a reconsideration vote, the **next** monthly meeting is considered to be the "next succeeding day" to our previous session. (rf. Roberts Rules of Order Revised, Section 36, page 156).
- F. A Legislator will be permitted to abstain from voting if he/she declares a conflict of interest.
- G. At each meeting of the Board the roll call votes will be on a rotation basis with the first roll call of the year starting with District One. Thereafter, the first roll call of each Board Meeting shall start with the next person in the rotation as determined by the rotation of the Board.

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ATTACHMENT A

**BOARD OF LEGISLATORS
MEETING SCHEDULE**

January

2	Board	7:00 p.m.
6	Open	
13	Operations/Services	4:00 p.m.
20	MLK Holiday	
27	Finance	4:00 p.m.

July

7	Board	7:00 p.m.
14	Operations	4:00 p.m.
21	Services	4:00 p.m.
28	Finance	4:00 p.m.

February

3	NYSAC	
10	Board	7:00 p.m.
17	President's Day	
18	Operations	4:00 p.m.
24	Services & Finance	4:00 p.m.

August

4	Board (Picnic)	1:00 p.m.
11	Operations	4:00 p.m.
18	Services	4:00 p.m.
25	Finance	4:00 p.m.

March

3	Board	7:00 p.m.
10	Open	
17	Operations	4:00 p.m.
24	Services	4:00 p.m.
31	Finance	4:00 p.m.

September

1	Labor Day	
8	Board	7:00 p.m.
15	NYSAC	
22	Operations	4:00 p.m.
29	Services & Finance	4:00 p.m.

April

7	Board	7:00 p.m.
14	Operations	4:00 p.m.
21	Services	4:00 p.m.
28	Finance	4:00 p.m.

October

6	Board	7:00 p.m.
13	Columbus Day	
20	Operations	4:00 p.m.
27	Services & Finance	4:00 p.m.

May

5	Board	7:00 p.m.
12	Operations	4:00 p.m.
19	Services & Finance	4:00 p.m.
26	Memorial Day	

November

3	Board	7:00 p.m.
10	Operations	4:00 p.m.
17	Services	4:00 p.m.
	Special Board	7:00 p.m.
24	Finance	4:00 p.m.
	Public Hrg/Spec Bd	7:00 p.m.

June

2	Board	7:00 p.m.
9	Open	
16	Operations	4:00 p.m.
23	Services	4:00 p.m.
30	Finance	4:00 p.m.

December

1	Board	7:00 p.m.
8	Operations	4:00 p.m.
15	Services	4:00 p.m.
22	Finance	4:00 p.m.
29	OPEN	

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Finance Committee: 1-27-2003

RESOLUTION NO. 45-2003

**EXTENSION OF CONTRACT FOR SNOW AND ICE CONTROL
ON STATE HIGHWAYS**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, Resolution No. 133-82 authorized the Chairman of the St. Lawrence County Board of Legislators to sign a contract (Agreement No. D210577) with New York State Department of Transportation for snow and ice control and with certain municipalities as subcontractors, and

WHEREAS, the term of the three-year contract requires that at the expiration of each year, an extension must be formally made, and

WHEREAS, the present contract expires June 30, 2004,

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the St. Lawrence County Board of Legislators is authorized to sign a one-year extension of the snow and ice control contract for the 2004/2005 season with New York State and with the municipalities which perform the work of said control of snow and ice as subcontractors of St. Lawrence County, upon approval by the County Attorney.

* * *

Mr. Teele moved to adopt Resolution No. 45-2003, seconded by Mr. Romigh, and carried by a voice vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

RESOLUTION NO. 46-2003

**OPPOSING THE CURRENT RESTRICTION ON THE FEEDING OF DEER
IN NEW YORK STATE**

By Mr. Moore, District 7

WHEREAS, on January 9, 2003, New York State issued the fourth in a series of temporary regulations (6NYCRR Part 189) designed to mitigate the likelihood that “chronic wasting disease (CWD)” - an incurable and debilitating disease affecting deer and elk herds in western states and now spreading eastward - from becoming introduced into the State’s whitetail deer population, and

WHEREAS, the recent increase in the amount and manner of logging operations have both reduced the availability of wood lot forage materials and impeded access to more natural winter yarding areas, and

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WHEREAS, a portion of that regulation imposes a prohibition on a number of traditional wild deer feeding practices and this ban seems particularly cruel to many that have aided deer herds survive the harsh winter months through supplemental feeding, and

WHEREAS, there is a significant local business aspect associated with the production and sale of forage grasses and grains for sale to individuals and groups engaged in feeding local herds, and

WHEREAS, given that the State is not certain how the disease is spread and the fact that the nearest states in which the disease has been definitively identified are Illinois and Wisconsin, the prohibition on feeding, which is causing mass starvation in some deer wintering yards is certain to have an acute and profound impact upon the herds in the intervening period of time between now and the point at which the disease migrates to New York State,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators opposes the comprehensive ban on deer feeding practices as stipulated in 6NYCRR Part 189 § 3.b and requests an immediate re-issuance of Part 189 with § 3.b eliminated to minimize the acute and profound potential impact of starvation on deer herds throughout the State, and

BE IT FURTHER RESOLVED that County Board of Legislators recommends that the State evaluate whether a prohibition on the sale or use of wildlife feed mixes containing proteins derived from mammalian tissues throughout the state would suffice to minimize the risk of spreading CWD, allowing for feeding of locally grown plant materials and/or whole grains or grasses to deer herds to maintain herd health and vitality, and

BE IT FURTHER RESOLVED that the St. Lawrence County Board of Legislators forward this resolution to the Commissioner of the New York State Department of Environmental Conservation, Senator Meier, Senator Wright, Assemblyman Aubertine and Assemblywoman Scozzafava for their information and attention.

* * *

Mr. Moore moved to adopt Resolution No. 46-2003, seconded by Mr. Gray, Mr. Romigh, and Mr. Teele. Mr. Nichols said this goes to show how ridiculous some policies are, the DEC states that it is illegal for dogs to run deer down, but it is also illegal to feed deer. Ms. Brothers asked for suggestions on how this body can further support this. Mr. Moore said he has a petition signed by over a thousand people, stating it is their belief that it is cruel to let these deer starve to death. He stated that the forests have been logged off which effects the swamps where the deer usually spend a good deal of winter. He stated that feeding deer locally grown alfalfa, etc. will not bring the Chronic Wasting Disease. He also stated that being a pilot he is able to see what the dogs are doing to the deer. He mentioned that when a dog chases a deer onto ice the deer is unable to stand and therefore falls and the dogs are able to catch and kill the deer.

Mr. Grow said that the Chronic Wasting Disease is being spread by bringing feed from outside the area. He feels feeding the deer locally grown feed would not spread the disease. Mr. Nichols said that many people do not feed deer grain, but mostly put out hay which is locally grown. He

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said that the Chronic Wasting Disease is mainly in the Midwestern states, this is not a

local problem. He feels as long as people feed with locally grown crops there will be no threat of Chronic Wasting Disease. Mr. Cook mentioned that most feed distributors will not use animal wastes as part of the feed. Mr. Teele added that it is illegal to add animal parts to feed as protein. There are hearings coming up in February for this and someone from this body will provide the hearing with a copy of this resolution. He added that there aren't very good browsing grounds for the deer even with good logging practices. Mr. Grow said that the DEC is enforcing this with a fine. Motion carried by a voice vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

Services Committee: 1-13-2003

RESOLUTION NO. 47-2003

APPOINTMENT OF DIRECTOR OF WEIGHTS AND MEASURES

By Mr. Cook, Chair, Services Committee

WHEREAS, the current Director of Weights and Measures has chosen to retire under the early retirement incentive program,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby appoints Walter G. Reimer as the Director of Weights and Measures at a salary of \$40,000.

* * *

Mr. Cook moved to adopt Resolution No. 47-2003, seconded by Mr. Nichols, and carried by a voice vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

Services Committee: 1-13-2003

RESOLUTION NO. 48-2003

COMMUNITY SERVICES - 2003 BUDGET AMENDMENT

By Mr. Cook, Chair, Services Committee

WHEREAS, the Psychiatric Social Worker overseeing the Assisted Outpatient Program and the Adult Single Point of Entry has resigned, and

WHEREAS, the CCSI Coordinator has been assisting with some of these duties and is capable of performing the work involved, and

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WHEREAS, the consolidation of these two positions will assure that the 100% funding received will be able to cover Union negotiated raises for a few years to come, and

WHEREAS, the Personnel Office has approved a new title, Mental Health Services Coordinator, at a Grade 30,

NOW, THEREFORE, BE IT RESOLVED that the Title Mental Health Services Coordinator be established and that the CCSI Coordinator Title and the Part-Time Psychiatric Social Worker in the AOT budget be abolished, and

BE IT FURTHER RESOLVED that permission to fill the new Mental Health Services Coordinator position be granted, and

BE IT FURTHER RESOLVED that the 2003 Budget be amended as follows:

CREATE:

Mental Health Services Coordinator-Grade 30

ABOLISH:

Coordinator Of Children's Services Initiative-Grade 29
Psychiatric Social Worker-Grade 30

DECREASE APPROPRIATIONS:

01-A3-4320-170-00-4	A AOT Regular Part-Time	\$3,197
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INCREASE APPROPRIATIONS:

01-A3-4320-110-00-3	A CCSI Direct Service Workers	\$2,727
01-A3-4320-810-00-3	A Retirement	137
01-A3-4320-830-00-3	A Social Security	231
01-A3-4320-840-00-3	A Workmen's Compensation	<u>102</u>
		\$3,197

INCREASE REVENUE:

01-A3-3490-560-00-3A	SA CCS Other Mental Health Programs	\$3,197
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DECREASE REVENUE:

01-A3-3490-560-00-4	A Assisted Outpatient Treatment	\$3,197
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Mr. Cook moved to adopt Resolution No. 48-2003, seconded by Mr. Gray. Mr. Brining said this is one that needed to be reviewed by the Management Committee. They are recommending to approve filling this position. Mr. Romigh asked why Ms. Cobb voted for this and did not vote for another resolution that was to do with a grant written as a possible conflict. Mr. Wilson said it is the job of the person voting to decide if there is a conflict. Mr. Romigh suggested that

Ms. Cobb may want to approach her Board with this issue. Mr. Wilson said it is not the duty of a member of this body to question another member's ethics. Chair MacKinnon asked Mr. Maginn to look into this for an opinion. Mr. Maginn said he would check into this and advise the Board at a later time. Motion carried by a roll call vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

Services Committee: 1-13-2003

RESOLUTION NO. 49-2003

COMMUNITY SERVICES - 2003 BUDGET AMENDMENT

By Mr. Cook, Chair, Services Committee

WHEREAS, due to the resignation of the AOT Coordinator, the Forensic Mental Health Counselor serving inmates in the county jail will now oversee the Medication Grant Program (MGP), and

WHEREAS, upon release of individuals with serious mental illnesses, MGP provides for a method to pay for medication until Medicaid has been approved, and

WHEREAS, the Counselor will make referrals to Step-By-Step, Inc. for transitioning individuals with serious mental illness back into the community, and

WHEREAS, the additional funding for administering these services will cover 100% of the staff position in the near future,

NOW, THEREFORE, BE IT RESOLVED that the 2003 Budget be amended as follows:

TRANSFER FROM:

01-A3-4320-170-00-4	A AOT Regular Part-Time	\$6,686
01-A3-3490-560-00-4	A Assisted Outpatient Treatment	<u>\$2,487</u>
		\$10,173

TRANSFER TO:

01-A3-4320-430-07-7	A FMH Other Fees For Services	\$6,686
01-A4-3490-560-00-4	A SA OFS Other Mental Health Programs	<u>\$2,487</u>
		\$10,173

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* * *

Mr. Cook moved to adopt Resolution No. 49-2003, seconded by Mr. Grow. Ms. Brothers asked what is the purpose of this Resolution. Ms. Degone said that with the consolidation of AOT, we want to continue the medication grant under the Forensic Mental Health Counselor as it pertains in part to individuals with mental illness being released from jail and awaiting Medicaid

approval. Step by Step, Inc. will continue on a fee for service basis to help transition individuals from the jail into the community. Motion carried by a roll call vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

Services Committee: 1-13-2003

RESOLUTION NO. 50-2003

2002 BUDGET AMENDMENT - COMMUNITY SERVICES

By Mr. Cook, Chair, Services Committee

WHEREAS, insufficient funds were budgeted for fringe benefits in some programs and grants in 2002, and

WHEREAS, there are sufficient funds to cover the fringe benefits,

NOW, THEREFORE, BE IT RESOLVED that the 2002 Budget be amended as follows:

INCREASE APPROPRIATIONS:

01-A1-4250-800-00-4-DASG	A DASG Employee Benefits	\$3,090.62
01-A3-4320-800-00-7	A FMH Employee Benefits	3,847.98
01-A7-3315-800-00-2	A RTSP Employee Benefits	323.96
01-A7-3315-800-00-3	A DDP Employee Benefits	<u>426.29</u>
		\$7,688.85

DECREASE APPROPRIATIONS:

01-A7-3315-430-07-3	A DDP Other Fees & Services	\$ 426.29
01-A7-3315-443-00-2	A RTSP Mileage Reimbursement	<u>323.96</u>
		\$750.25

INCREASE REVENUE:

01-A1-1689-550-00-4-DASG	A LR DASG DSS Reimbursement	\$3,090.62
01-A4-3490-560-00-4	A SA OFS Other Mental Health	<u>3,847.98</u>
		\$6,938.60

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* * *

Mr. Cook moved to adopt Resolution No. 50-2003, seconded by Mr. Morrill, and carried by a roll call vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

Services Committee: 1-13-2003

RESOLUTION NO. 51-2003

**AUTHORIZING CHAIR TO SIGN AN AGREEMENT BETWEEN
DEPARTMENT OF SOCIAL SERVICES AND PROBATION DEPARTMENT
FOR THE PROVISION OF PREVENTIVE SERVICES**

By Mr. Cook, Chair, Services Committee

WHEREAS, the Commissioner of the St. Lawrence County Department of Social Services is an authorized social services official charged with the responsibility, insofar as funds are available for the purpose, to administer child welfare services in the County of St. Lawrence at public expense pursuant to Section 395 of the Social Services Law, and

WHEREAS, the Commissioner may provide such child welfare services including "Preventive Services" either directly or through purchase from an authorized agency pursuant to Social Services Law Chapter 5, Title 4, Section 409, 409a and 409b, and

WHEREAS, the County has determined that the compensation to be paid to the St. Lawrence County Probation Department is cost effective and necessary to assure quality for services, and

WHEREAS, it is economically and organizationally feasible for the County to contract with the St. Lawrence County Probation Department for the performance of said services,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the Board is hereby authorized to sign an agreement between the St. Lawrence County Department of Social Services and the St. Lawrence County Probation Department for the provision of preventive services, upon approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution No. 51-2003, seconded by Mr. Romigh, and carried by a voice vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

February 10, 2003

Services Committee: 1-13-2003

RESOLUTION NO. 52-2003

**APPROVING TEMPORARY POSITIONS FOR THE 2003
SUMMER YOUTH EMPLOYMENT AND TRAINING PROGRAM**

By Mr. Cook, Chair, Services Committee

WHEREAS, the Office of Economic Development staff currently projects a budget of \$700,000 for the summer component of the year-round Youth Program for the Workforce Investment Act program, and

WHEREAS, these funds would provide employment and training services to approximately 320 St. Lawrence County youth,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby approve the list of temporary Summer Youth Program positions attached hereto and made part hereof, and

BE IT FURTHER RESOLVED that the temporary positions be filled beginning March 17, 2003 and terminated on or before September 26, 2003.
Hire

**TEMPORARY POSITIONS FOR SUMMER YOUTH
EMPLOYMENT AND TRAINING PROGRAM**

<u>TITLE</u>	<u># OF POSITIONS</u>	<u>DATE OF HIRE</u>
<u>Economic Development:</u>		
Summer Youth Program Manager	1	March 17, 2003
Summer Youth Lead Tutor	1	June 23, 2003
Summer Program Tutor	4	March 17, 2003
	2	June 9, 2003
	5	June 23, 2003
Keyboard Specialist	1	March 17, 2003
Account Clerk	1	May 27, 2003
	1	June 23, 2003
Conservation Corps Crew Supervisor	4	June 23, 2003

* * *

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Mr. Cook moved to adopt Resolution No. 52-2003, seconded by Mr. Gray. Mr. Brining said that this is a situation where these positions are 100% federally funded. He mentioned that these are for the youth conservation teams as well. Motion carried by a voice vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

Services Committee: 1-13-2003

RESOLUTION NO. 53-2003

AUTHORIZING CHAIR OF THE BOARD OF LEGISLATORS TO SIGN CONTRACT WITH HEALTH RESEARCH, INC. (HRI)

By Mr. Cook, Chair, Services Committee

WHEREAS, St. Lawrence County Public Health Department has been notified that the Healthy Living Partnership Grant has received renewed funding from Health Research, Inc. for September 30, 2002 through June 29, 2003 in the amount of \$45,600, and

WHEREAS, these funds will be used for breast, cervical and colorectal cancer screenings and patient services,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the St. Lawrence County Board of Legislators is authorized to sign said contract upon approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution No. 53-2003, seconded by Mr. Teele, and carried by a voice vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

Services Committee: 1-13-2003

RESOLUTION NO. 54-2003

SETTING A DATE FOR A PUBLIC HEARING ON PROPOSED LOCAL LAW A (NO. ____) FOR THE YEAR 2003 "RESCINDING LOCAL LAW NO. 5 FOR THE YEAR 1997 ESTABLISHING COMPULSORY ANTI-RABIES VACCINATION OF ALL DOGS WITHIN ST. LAWRENCE COUNTY"

By Mr. Cook, Chair, Services Committee

WHEREAS, a new New York State Law requires initial vaccination of dogs, cats and domesticated ferrets administered no later than four months after birth, and

WHEREAS, every dog, cat and domesticated ferret shall have a second vaccination within one year of the first, and

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WHEREAS, the new law requires that said Local Law 5 for 1997 be rescinded,

NOW, THEREFORE, BE IT RESOLVED that a public hearing on rescinding Local Law established in 1997 will be held at 6:55 p.m. before the regular Board of Legislators meeting on March 3, 2003, in the Legislative Board Room.

**PROPOSED LOCAL LAW A (NO. ____) FOR THE YEAR 2003 A LOCAL LAW
RESCINDING LOCAL NO. 5 FOR THE YEAR 1997 ESTABLISHING COMPULSORY
ANTI-RABIES VACCINATION OF ALL DOGS
WITHIN ST. LAWRENCE COUNTY**

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

Section 1. LOCAL LAW NO. 5 FOR THE YEAR 1997 ESTABLISHING
COMPULSORY ANTI-RABIES VACCINATION OF ALL DOGS WITHIN ST.
LAWRENCE COUNTY IS HEREBY RESCINDED

Section 2. EFFECTIVE DATE.

This local law shall take effect on the date it is filed with the Secretary of State.

* * *

Mr. Cook moved to adopt Resolution No. 54-2003, seconded by Mr. Morrill, and carried by a voice vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

Services Committee: 1-13-2003

RESOLUTION NO. 55-2003

**MODIFYING THE 2003 ST. LAWRENCE COUNTY PUBLIC HEALTH
DEPARTMENT BUDGET IN REGARDS TO RHOP**

By Mr. Cook, Chair, Services Committee

WHEREAS, the Rural Health Outreach Program received a \$600,000 federal grant for three years from May 1, 2000 to April 3, 2003, and

WHEREAS, the initial year of funding was not totally expended and therefore has been carried over to 2003, and

WHEREAS, the funds are expended by the Public Health Department and the St. Lawrence County Health Initiative to provide various health related services,

NOW, THEREFORE, BE IT RESOLVED that the 2003 St. Lawrence County Public Health Department Budget is modified as follows:

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INCREASE APPROPRIATIONS:

01-PO-4010-430-07-0-RHOP	Fees for Services	\$255,723
01-PO-4010-443-00-0-RHOP	Mileage	<u>2,000</u>
		\$257,723

INCREASE REVENUE:

01-PO-4489-570-00-0-RHOP	RHOP Reimbursement	\$257,723
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Mr. Cook moved to adopt Resolution No. 55-2003, seconded by Mr. Turbett. Ms. Cobb said that she will abstain from voting on this resolution as she wrote the grant. Motion carried by a roll call vote with fourteen (13) yes votes, one (1) abstention (Cobb), and one (1) Legislator absent (FitzRandolph).

RESOLUTION NO. 56-2003

MODIFYING PUBLIC HEALTH DEPARTMENT’S INTERNAL AUDITING ISSUE

By Mr. Cook

WHEREAS, it is necessary to correct an internal auditing issue in the Public Health budget, and

WHEREAS, it is necessary to do it by Board resolution so the close of the books for 2002 are accurate,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes the St. Lawrence County Treasurer to make the following budget modification in the 2002 Budget:

DECREASE APPROPRIATIONS:

01-PE-4059-430-07-0	Other Fees for Services	\$66,655
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INCREASE APPROPRIATIONS:

01-PH-4189-430-07-0	Other Fees for Services	\$79,141
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INCREASE REVENUE:

01-PH-1610-550-HN-0	Home Health Charges	\$12,486
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* * *

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Mr. Cook moved to adopt Resolution No. 56-2003, seconded by Mr. Nichols. Mr. Turbett asked about this resolution. Mr. Brining said that this Resolution is necessary to close out the 2002 books. Motion carried by a roll call with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

COUNTY ADMINISTRATOR'S REPORT:

Mr. Brining said he would like to give a preliminary update on budget, we will have for you written information for the Finance Committee. He said a synopsis is: The Clerk's revenues will increase. The Office for the Aging will have a loss of revenue around \$14 thousand. The Public Defender's Assigned Council rates will change, roughly around \$163 thousand in additional costs. We put \$150 thousand in targeted contingency. Social Services for 2003 is not to bad. The numbers get worse through the years. Public Health will be down about \$560 thousand. We are in the whole about \$193 thousand dollars. That does not include \$1.4 million in revenue. Potsdam and Ogdensburg money will be lost for the empire zones. That will be no direct impact on the County but it will impact those communities. The empire zone will be 50% picked up by local government. The big change is Public Health which has 36% required services, 38% optional services, in the Governor's budget we will not get funding for optional services. We will get reimbursed for required services. There will be improvements in the Early Intervention program. As for Social Services there are unknowns. The impacts of Office for the Aging are mainly in pharmacy and the 25 -37% change may be an advantage to St. Lawrence County, and this will vary from county to county. It is not as good as it might look initially. The real concern is the over burden cap. Looking at that in the first year will be about a \$280 thousand loss in revenue. If overburden continues to grow at the same rate, over a ten year period would be a \$52 million dollar hit of about \$5 million a year. The out years are going to be greater in numbers. The budget in Albany is a work in progress. There are issues that will have to be watched. There may be items that do not appear on the agenda but he will give updates to the state budget as it changes.

Mr. Gray said one of the concerns at NYSAC was that the state would take over prescriptions. It will be a benefit for the first year or so but the number will decline and the Medicaid number will increase and cross and go the other way. Mr. Nichols said that he heard at NYSAC "in the Governor's budget, where are the accompanying descriptives", this is how each number is implemented. The numbers that have been shared tonight are not even reliable. There are real red flags with this. The descriptives are needed to counteract the budget. We do not know what changes will be made to the Governor's budget.

Mr. Brining said the CHIP's money, and Marchiselli Aid have not been approved. If the budget isn't past in a timely fashion, we will soon have to give the Highway Superintendent some guidance with an incomplete package of what the budget will be. We are going to come before the Board, assuming that the budget will not be passed yet, and ask if we should spend this funding with the possibility of this funding being deleted.

Mr. Nichols moved to suspend the rules of procedure, seconded by Mr. Grow. Mr. Morrill would like to vote on each resolution, motion carried by a voice vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

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PRESENTED UNDER SUSPENSION OF THE RULES

RESOLUTION NO. 57-2003

**ADVOCATING THAT NEW YORK STATE ENDORSE
THE PROPOSED TRANSPORTATION IMPROVEMENTS IDENTIFIED IN THE
NORTH COUNTRY TRANSPORTATION STUDY**

By Mr. Gray, District 14

WHEREAS, a five-county region comprises of Clinton, Franklin, Jefferson, Lewis and St. Lawrence counties, recently completed a multi-year North Country Transportation Study (NCTS), and

WHEREAS, the study identifies a number of transportation system enhancements that would increase the efficiency of existing transportation modes and intermodal opportunities, including construction of a limited-access east-west highway connection through the area, all of which would serve to increase the economic diversity and vitality of the region, one of the poorest in the State, and

WHEREAS, despite assurances that the State was willing to support the conclusions of the study and the recommendations contained therein, the State of New York remained silent in terms of publicly endorsing the study and/or including the recommendations on a state priorities plan, and

WHEREAS, while the regions federal representatives have all indicated that they would advocate for funding to begin being phased into federal highway appropriation bills for the development of the recommended improvements, all noted that failure of the State to endorse the proposed actions would severely undermine the effort to have such funds included in the pertinent appropriation bills, and

WHEREAS, on Tuesday, February 4, 2003, the first official state “word” on the project was issued by New York State Transportation Commissioner Joseph Boardman who was reported as saying that a “rooftop highway” linking Watertown and Plattsburgh is not on the foreseeable horizon, noting that such construction is “a long-way off,” and

WHEREAS, Commissioner Boardman further suggested that the Canadian Highway 401 essentially serves New York as its “rooftop highway,” ignoring the economic benefits that could accrue to the region,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators calls upon the State to formally support the conclusions of the NCTS and to include the recommendations on its priority list for statewide improvements, recognizing that the area affected is both underserved by transportation infrastructure and that the economic malaise that grips the region can be reduced by investment in this basic infrastructure improvement, and

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BE IT FURTHER RESOLVED that County Board of Legislators calls upon the State to advocate inclusion of the planning funds in the Federal TEA budget for further development of the recommendations of the NCTS, including the limited access highway, and

BE IT FURTHER RESOLVED that the St. Lawrence County Board of Legislators calls upon the State government to recognize that it has an obligation to correct this inequity in service and economic vitality, even knowing that such improvements represent a multi-decade, phased implementation commitment to fully achieve, and

BE IT FURTHER RESOLVED that the St. Lawrence County Board of Legislators forward this resolution to Commissioner Boardman of the New York State Department of Transportation, Senator Meier, Senator Wright, Assemblyman Aubertine and Assemblywoman Scozzafava, Congressman McHugh, Senator Clinton, Senator Schumer, and Governor Pataki for their information and attention.

* * *

Mr. Gray moved to adopt Resolution No. 57-2003, seconded by Mr. Turbett. Mr. Gray said that it has been understood, that this is a long term process. This corridor is to link 81 and 87. He feels that this part of the country is left behind. He stated that any new business considering locating here will have a questionnaire to fill out, as for transportation of a four lane highway we get big goose eggs. He said the colleges are concerned for parents and students. He feels it is important to reiterate this to federal representatives and state representatives to fight for legislation. Motion carried by a voice vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

PRESENTED UNDER SUSPENSION OF THE RULES

RESOLUTION NO. 58-2003

**OPPOSING THE DECISION OF THE DEPARTMENT OF TRANSPORTATION TO
AWARD THE CONTRACT FOR LOCAL AIR SERVICE TO MESA AIRLINES**

By: Mr. Gray, District 14
Mr. Grow, District 13
Mr. Nichols, District 3
Mr. Romigh, District 15
Mr. Teele, District 2
Mr. Wilson, District 1

WHEREAS, the recently expired Department of Transportation (DOT) Essential Air Service contract provides a substantial federal subsidy to a service provider to maintain commuter air service connecting the North Country region to the national air service system, and

WHEREAS, there was an assessment of service and travel needs of North Country commuters that indicated a strong preference for service between Ogdensburg and Massena with

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a the regional airport in Albany as opposed to the existing service connection in Pittsburgh, and

WHEREAS, this recommended change in connecting service locations was expected to increase utilization of air service in both Ogdensburg and Massena, making the service more attractive to potential riders and was strongly advocated by both local communities, and

WHEREAS, the DOT issued two separate requests for proposals for the Essential Air Service contract for the region, each resulting in proposals from two firms, one providing air service through Pittsburgh and the other through Albany, and

WHEREAS, the DOT opted to award the least-costly subsidy proposal that continued to provide commuter air service from the region through Pittsburgh although that proposal results in a local ticket price that is roughly 150% of the price of the Albany-based proposal.

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators encourages the Ogdensburg Bridge and Port Authority and the Town of Massena to appeal the decision of the DOT, and

BE IT FURTHER RESOLVED that the County Board of Legislators calls upon Congressman McHugh and Senators Clinton and Schumer to lobby the DOT to reconsider the award of the Essential Air Service contract to Air Midwest (Pittsburgh) and instead to award the contract to CommutAir (Albany), and

BE IT FURTHER RESOLVED that the County Board of Legislators calls upon Congressman McHugh and Senators Clinton and Schumer to oppose President Bush's budget proposal to eliminate funding to the Essential Air Service areas, and

BE IT FURTHER RESOLVED that the County Board of Legislators forward this resolution to: President Bush; Governor Pataki; U.S. Senators Schumer and Clinton; Congressman McHugh; NY State Senators Meier and Wright; and Assembly Members Scozzafava and Aubertine.

* * *

Mr. Gray moved to adopt Resolution No. 58-2003, seconded by Mr. Grow. Mr. Gray said that it is important that this be reconsidered as service to Albany is essential to this area. Motion carried by a voice vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

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PRESENTED UNDER SUSPENSION OF THE RULES

RESOLUTION NO. 59-2003

**CALLING FOR THE GOVERNOR AND STATE LEGISLATURE TO UNITE IN
MINIMIZING UNDUE BURDENS TO COUNTY GOVERNMENT**

By Mr. FitzRandolph, District 9

WHEREAS, since the announcement of the tentative 2003-2004 NYS Fiscal Year Budget, counties in New York State have been reviewing said budget, and

WHEREAS, counties have previously documented and gone on record as to the potential devastating impact of Medicaid increases, unfunded mandates, and cost shifts to the real property tax base, and

WHEREAS, the anticipated impact of these changes appear to: increase our Medicaid cost, grow our state mandated costs at an enormous disproportionate rate compared to the CPI index, and reduce state aid and further shift costs to counties, and

WHEREAS, such changes will have severe impacts on counties and communities ability to offer critical services for taxpayers,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators calls upon the Governor and the State Legislature to make fundamental structural reform of said budgetary propositions and to develop a NY statewide recovery plan which does not put undue burden on the real property taxpayer, and

BE IT FURTHER RESOLVED that this Budget be passed on or before the April 1, 2003 mandated deadline, and

BE IT FURTHER RESOLVED that copies of this resolution shall be sent to Governor George Pataki; Senators Joseph Bruno, David Paterson, Charles Schumer, Hillary Rodham Clinton, John McHugh, James Wright, and Ray Meier; Assembly Members Sheldon Silver, Paul Tokasz, Dierdre Scozzafava, Darrel Aubertine and Charles Nesbitt; and the New York State Association of Counties.

* * *

Mr. Teele moved to adopt Resolution No. 59-2003, seconded by Mr. Grow and carried by a voice vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

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COUNTY ADMINISTRATOR'S REPORT:

Mr. Brining said that he received a fax that he would like to share. He said that we sent a plan to the regional Department of Health in the middle of December. They promised a response in January. We have made numerous requests to get a response, we received one today. They have suggested (for what they believe are good reasons) that we do another search for a Director of Public Health. You will receive a copy of that fax, along with a copy of the original proposal, and a summary of what was given to the Board in August. Chair MacKinnon recommended that this issue be reconsidered at the next Services Committee.

Mr. Brining said he has one more item for open session. He said two (2) Deputies approached him about the military leave and insurance premiums. They would like to be able to keep the insurance rates as if they were still on the payroll. The way this usually works is if someone goes off the payroll they have to pay a higher rate for insurance. The difference is \$900 plus per month. Mr. Brining feels that this should be done across the board. He feels that people that serve their country should be supported. We can create a resolution and present it at Finance Committee. It will state that they can remain on the payroll to receive the same insurance premiums for one year if they are serving our country through the military.

Mr. Wilson requested that the Public Health Department provide statistics, on a monthly basis, regarding communicable diseases. He said that the way it is presented is up to the Department. He also said regarding Mr. Romigh's comments about abstention, he previously brought up a request to create a committee to review these types of issues. Chair MacKinnon asked if Mr. Wilson was referring to a committee on ethics. Mr. Wilson said he meant a committee to amend the Rules of Procedure. He said that this would be able to better define the Rules of Procedure. He added that the Rules of Procedure state that to abstain means that there is a conflict. He said we need to define conflict. Chair MacKinnon said that he is writing down what he believes is being asked for so they can be acted upon. Mr. Romigh said that he understands that we a committee already exists and that it consists of one person, the County Attorney.

Ms. Brothers stated that during the training session given at the NYSAC conference she received some information that she has not had a chance to review yet. She said it contains a video that explains what a conflict is. She also said that she heard a good speaker that could clear up some of this. She would like to bring this person up to address the Board. Mr. Teele said he attended the same seminar and he feels it would be a good idea to have them address the Board. He thinks there may be some house keeping that needs to be done, and it would be informative. Chair MacKinnon requested that Ms. Brothers relay the details of this along with the requests and thoughts on what they would like him to do.

OLD/NEW BUSINESS:

Mr. Turbett said he would like to receive a complete agenda, including the "Chair's Agenda" prior to the full Board meeting. Chair MacKinnon said that the resolutions packet was considered the agenda. He said at one time the Chairman had an agenda written out, for his use only. It was then requested that all of the Legislators get the "Chairs Agenda". Mr. Gray said that he originally requested that all Legislators receive a "Chairs Agenda" on their desk the night of the full Board meeting. He said that the reason they are given out on the night of the meeting

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is that there may be last minute changes that need to be made. Chair MacKinnon said it may be possible to mail out the “Chair’s Agenda” with the packet of resolutions. Mr. Lacy mentioned that the “Chairs Agenda” has appointments that will be made in Executive Session. His concern is that there is sensitive information on the “Chair’s Agenda”.

Mr. Brining said that if the Board would like the “Chair’s Agenda” sent out with the packet of resolutions we will only include it with the Legislator’s mailings. He said if there are last minute changes we will create a revised agenda to be distributed on the night of the meeting.

Mr. Nichols moved to go into executive session at 8:30 p.m. for personnel and negotiations, seconded by Mr. Morrill, and carried by a voice vote with fourteen (14) yes votes and one (1) Legislator absent (FitzRandolph). Chair called for five-minute recess, and reconvened at 8:35 p.m. Mr. Wilson moved to go into open session at 9:10 p.m., seconded by Mr. Grow, and carried by a voice vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

CHAIR’S APPOINTMENTS

Chair MacKinnon made the following appointments:

Office For The Aging Advisory Board (3 yr term) - Tedra Cobb

Senior Community Service Employment Program (SCSEP) (2 Year Term) - Pat Turbett

Chair MacKinnon adjourned the meeting at 9:15 p.m., as there was no further business.

March 3, 2003

St. Lawrence County
Board of Legislators
Board Room

Public Hearing
Monday, March 3, 2003
6:55 p.m.

**PROPOSED LOCAL LAW A (NO. ___) FOR THE YEAR 2003 A LOCAL LAW
RESCINDING LOCAL LAW NO. 5 FOR THE YEAR 1997 ESTABLISHING
COMPULSORY ANTI-RABIES VACCINATION OF ALL DOGS WITHIN ST.
LAWRENCE COUNTY**

Chair MacKinnon called the Public Hearing to Order at 6:54 p.m.

The Deputy Clerk read the call to the Public Hearing.

Chair MacKinnon asked if anyone wishes to comment. No one wished to comment.

Mr. Nichols moved to adjourn the Public Hearing at 6:57 p.m., seconded by Mr. Grow, and carried.

St. Lawrence County
Board of Legislators
Board Room

Board Meeting
Monday, March 3, 2003
7:00 p.m.

Chair MacKinnon calls the meeting to Order at 7:01 p.m.

ROLL CALL: All Legislators present.

Mr. Wilson led everyone in Prayer, followed by the Pledge of Allegiance.

There were no minutes to approve.

RECOGNITION CEREMONY:

Chair MacKinnon and Mr. Brining presented longevity certificates and pins to; Julie Degone, Comm Services Director for twenty (20) years of service, Steve Teele, Legislator, District 2 for fifteen (15) years of service, Peter FitzRandolph, Legislator, District. 9 for ten (10) years of service, Shawn Gray, Legislator, District 14 for ten (10) years of service, Tom Nichols, Legislator, District 3 for ten (10) years of service, Mike Cunningham, Governmental Services Director for ten (10) years of service, Barb McBurnie, Director of Office for the Aging for ten (10) years of service, and Legislator Nichols presented Chair MacKinnon, Legislator, District 4 for ten (10) years of service.

COMMUNICATIONS: The County Administrator read the following communications:

March 3, 2003

1. A letter from Darrel Aubertine to the Chair of the Board of Legislators was received regarding resolutions 46-2003, 57-2003, 58-2003, and 59-2003. Also, the letter outlined his position and the actions taken representative of his opinion.
2. A resolution was received from the Town of Clifton, the Village of Massena and many letters from other interested parties regarding opposition to cuts, which will affect the NYS Rural Preservation Program.
3. A resolution was received from Chautauqua County entitled "Motion in Opposition to Governor Pataki's Budget Proposals to Weaken the Empire Zone Program."
4. Letters of acknowledgement were received from Dierdre Scozzafava, Jim Wright and Charles Nesbitt regarding the resolutions forwarded from the February Board meeting.

CITIZEN PARTICIPATION:

1. Gary Bennett, a Veterinarian at Quality Milk from the Cooperative Extension invited all members of Board of Legislators and County Employees to SUNY Canton Friday, April 4th from 9 a.m. - 4 p.m. There will be an Open House & Tour (Lunch 1 p.m. RSVP). There will be a seminar on microplasma infections, etc. through the Division of Diagnostic Coop for Cornell. This will serve all upstate counties and is intended to increase awareness. Please join them – etc.
2. Donald Hassig addressed the Board of Legislators. He usually speaks to Board of Legislators regarding local issues but instead speaking to the threat of war. It looms near and he feels it necessary to bring this issue to the Board. He is speaking from the Green, it no longer exists, but speaking from the perspective, it seems necessary to bring it to this level because there is no ear on the federal level. He put together a letter and read it, regarding opposition to impending war – requested that this level of government take it to the next level for the constituents. He speaks to the need for the Green Party beliefs passed along to George W. Bush. His father in WWII (seventy-nine years old) has first hand perspective and opposes war. David Hassig has been before the Board of Legislators to speak to need for public representation in the area (Upstate New York) with lack of ability to have input into the decision to go to war. One can only approach their Board of Legislators and express an opinion of the need for public hearings, etc. to put the word out. He would like to leave a petition with the Board of Legislators to review and he read the petition to the Board. The United States of America has not considered the obvious humanitarian impacts, environmental impact, etc. He extended his opinion regarding the objectives of George W. Bush. He left a copy of petition with the Deputy Clerk.

Chair MacKinnon informed the Board that the search for a Public Health Director took place and a team was selected, interviews were conducted, offers were made, etc. The choice moved into the use of current employees to take over the position. Based on the New York State Department of Health recommendations, that will not be a sufficient resolution to the issue. He has selected Mr. Cook, Mr. Grow and Ms. Brothers to serve on the committee who will begin the search for another Public Health Director.

March 3, 2003

PRESENTATION OF RESOLUTIONS:

Finance Committee: 2-24-2003

RESOLUTION NO. 60-2003

AUTHORIZING FILLING OF VACANCIES

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the St. Lawrence County Board of Legislators adopted Resolution No. 38-2003 on February 10, 2003, which created a policy for filling of vacancies, and

WHEREAS, the vacancies listed below have received the approval of being forwarded to the full Board by the Finance Committee,

NOW, THEREFORE, BE IT RESOLVED that the following vacancies are hereby authorized to be filled:

<u>Department</u>	<u>Title</u>	<u>Type</u>	<u>Duration of Position</u>
Board of Elections	Election Clerk	Part-time	Permanent
Central Services	Personnel Technician	Full-time	Permanent
Economic Development	Administrative Assistant	Full-time	Permanent
Highway	Laborer	Full-time	Permanent
Highway	Motor Equipment Operator	Full-time	Permanent
Public Health	Administrative Services Manager	Full-time	Permanent
Public Health	Account Clerk	Full-time	Permanent
Social Services	Keyboard Specialist	Full-time	Permanent

Mr. FitzRandolph moved to adopt Resolution 60-2003, seconded by Mr. Nichols. Mr. FitzRandolph pointed out the option available to Legislators which is to separate any of the vacancies as they do not have to be forwarded together. The motion carried unanimously by a voice vote.

March 3, 2003

Finance Committee: 2-24-2003

RESOLUTION NO. 61-2003

GENDER NEUTRAL OFFICE TITLES

By Mr. FitzRandolph, Chair, Finance Committee
Co-Sponsored by Mr. Lacy, District 5

WHEREAS, The St. Lawrence County Board of Elections must list ballot designated offices with the titles as they had been created by the legislative body or agency creating that position, and

WHEREAS, The Town Law §20 (1)(a)(b) specifically creates the office of councilmen and councilman, and

WHEREAS, that title is clearly gender biased, and

WHEREAS, this Board recognizes that certain people may find it offensive, and

WHEREAS, this Board believes that it is in the best interest of the citizens of the County of St. Lawrence that it be changed to a gender neutral title,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby requests that the New York State Legislature change the title of Town Councilmen or Councilman to a gender neutral title, and that a copy of this Resolution be sent to Governor George Pataki; NYS Senators James Wright, and Raymond Meier; NYS Assembly Members Dierdre Scozzafava, Darrel Aubertine, New York State Association of Counties and all counties in New York.

Mr. FitzRandolph moved to adopt Resolution No. 61-2003, and deferred to Mr. Lacy who introduced the resolution, seconded by Mr. Nichols. Mr. Lacy pointed out the most important document in American History says “we hold these truths to be self evident,” and he fully supports this resolution. Mr. Gray said he will vote against the resolution, because in these tough fiscal times it is a waste of money to neuter all documents. The dollars associated, for example regarding a two million dollar hit for retirement causes something like this to fall off the priority list. He supports the spirit but cannot vote in favor of this resolution. The motion carried by a voice vote with fourteen (14) yes votes and one (1) no vote (Gray).

March 3, 2003

Finance Committee: 2-24-2003

RESOLUTION NO. 62-2003

**CREATING AND ABOLISHING POSITIONS IN THE
GOVERNMENTAL SERVICES DEPARTMENT**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the Governmental Services Department has a vacant Purchasing Clerk position, and

WHEREAS, the Personnel Office has reviewed the job duties for this position and determined that Senior Account Clerk is the appropriate classification for the position, and

WHEREAS, this change will give the County additional flexibility in our Civil Service process by replacing a unique Civil Service Title (Purchasing Clerk) with the more commonly used title of Senior Account Clerk, and

WHEREAS, the broader scope of duties assigned to a Senior Account Clerk will allow the person in this position to perform financial duties for both the Purchasing Office and the Buildings & Grounds Office, and

WHEREAS, this will give the department greater flexibility and make the position eligible for partial reimbursement in future budgets for the portion of work done for the Buildings and Grounds Office,

NOW, THEREFORE, BE IT RESOLVED that the following positions be created and abolished in the 2003 Governmental Services Department budget:

CREATE:

One (1)	Senior Account Clerk	Grade 19
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ABOLISH:

One (1)	Purchasing Clerk	Grade 18
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BE IT FURTHER RESOLVED that permission to fill the newly created Senior Account Clerk Position be granted.

Mr. FitzRandolph moved to adopt Resolution No. 62-2003, seconded by Mr. Cook, and carried unanimously by a voice vote.

March 3, 2003

Finance Committee: 2-24-2003

RESOLUTION NO. 63-2003

**ST. LAWRENCE COUNTY'S HEALTH INSURANCE COVERAGE POLICY FOR
THOSE EMPLOYEES ON ACTIVE DUTY MILITARY LEAVE**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the St. Lawrence County Board of Legislators realizes the commitment of its employees serving in military service and wishes to offer an extended health insurance coverage benefit to these employees when they are called into active service, and

WHEREAS, the policy will provide the employee who is called to active service the ability to continue the health insurance coverage benefit at active member rate up to 12 months from the date of activation, and

WHEREAS, while the employee is being paid either pursuant to Military Law or through the use of accruals the premium will be automatically deducted, and

WHEREAS, after the employee is no longer receiving a payroll check the employee will then be billed monthly at the active member rate up to 12 months from the activation date,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby authorize the Central Services Department, Personnel Office, to implement this extended health insurance coverage policy immediately upon approval.

Mr. FitzRandolph moved to adopt Resolution No. 63-2003, seconded by Mr. Grow, and carried unanimously by a voice vote.

Finance Committee: 2-24-2003

RESOLUTION NO. 64-2003

**AUTHORIZING CHAIR TO SIGN TERMS AND CONDITIONS AGREEMENT FOR
THE WIRELESS 911 GRANT PROGRAM**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the New York State Department of State, has provided St. Lawrence County an opportunity to apply for a grant to provide reimbursement of certain costs associated with the implementation of wireless 911, and

March 3, 2003

WHEREAS, the grant instructions dictate that the initial and current year claims be submitted no later than March 7, 2003, and

WHEREAS, the allocation provided may be utilized by the county for a 36-month period and can be combined with subsequent allocations during their respective periods of availability,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the Board of Legislators is authorized to sign the Terms and Conditions Agreement for the Wireless 911 Grant upon approval of the County Attorney.

Mr. FitzRandolph moved to adopt Resolution No. 64-2003, seconded by Mr. Morrill, and carried unanimously by a voice vote.

Finance Committee: 2-24-2003

RESOLUTION NO. 65-2003

AUTHORIZING CONTRACT FOR PROVIDING A COPY MANAGEMENT PROGRAM FOR ST. LAWRENCE COUNTY

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the St. Lawrence County Department of Governmental Services has solicited bids for providing a Copy Management Program for St. Lawrence County Offices, and

WHEREAS, four firms submitted proposals to supply all equipment, maintenance, and supplies (excluding paper and staples) necessary to produce eighteen million copies over four years, and

WHEREAS, the firm of Ikon Office Solutions has provided the lowest price bid which meets the specifications, and

WHEREAS, the cost per copy bid is \$.0189 for eighteen million copies over four years,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the St. Lawrence County Board of Legislators be authorized to sign a contract with Ikon Office Solutions to provide a Copy Management Program for St. Lawrence County, upon approval of the County Attorney.

Mr. FitzRandolph moved to adopt Resolution No. 65-2003, seconded by Mr. Teele, and motion carried unanimously by a voice vote.

March 3, 2003

Finance Committee: 2-24-2003

RESOLUTION NO. 66-2003

AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH WNPI FOR THE PURPOSE OF MAINTAINING AN ANTENNA ON THE TOWER IN SOUTH COLTON

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the St. Lawrence County Department of Highways has received a contract from WNPI in Watertown, New York, for an Antenna Agreement at the WNPI Tower, and

WHEREAS, the annual cost is \$6,000 per year for the years 2003, 2004, 2005, and

WHEREAS, the St. Lawrence County Department of Highways presently has their antenna on the WNPI Tower located in South Colton off the East Hill Road, and

WHEREAS, the new contract will have an effective date of January 1, 2003 and terminate December 31, 2005,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the Board of Legislators is authorized to sign the Antenna Agreement with WNPI effective January 1, 2003, upon approval of the County Attorney.

Mr. FitzRandolph moved to adopt Resolution No. 66-2003, seconded by Mr. Grow, and carried unanimously by a voice vote.

Finance Committee: 2-24-2003

RESOLUTION NO. 67-2003

MODIFYING THE 2003 ST. LAWRENCE COUNTY DEPARTMENT OF HIGHWAYS' BUDGET

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, in the effort to improve efficiency, the consolidation of the purchasing of parts & supplies for the Sheriff's Department has been combined with the Department of Highways, and

WHEREAS, funds are needed to purchase parts and supplies,

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer is hereby authorized and directed to make the following modifications to the 2003 St. Lawrence County Department of Highways' budget:

March 3, 2003

INCREASE APPROPRIATIONS

04-HD-5130-422-00-0	Equipment Repairs & Maintenance	\$50,000
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INCREASE REVENUES

04-HD-2770-550-OG-0	Services – Other Governments	\$50,000
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Mr. FitzRandolph moved to adopt Resolution No. 67-2003, seconded by Mr. Teele, and carried unanimously by a roll call vote.

Finance Committee: 2-24-2003

RESOLUTION NO. 68-2003

ESTABLISHING MASS TRANSIT OPERATION APPROPRIATION AND REVENUE ACCOUNTS WITHIN THE ST. LAWRENCE COUNTY BUDGET

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the County supported local bus service operating between Ogdensburg and Potsdam New York has received contract approval from the State of New York and began operations on Monday, February 24, 2003, and

WHEREAS, the 2003 budget needs to be modified to accommodate the pass-through of both state and federal operating assistance to the service provider,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the County Treasurer to establish the following accounts in the 2003 St. Lawrence County Budget:

INCREASE REVENUE:

01-B1-3594-560-03-B	Bus Operations Ogds/Pots	\$ 61,000
01-B1-4589-570-03-B	Bus Operations Ogds/Pots	\$ 20,000

INCREASE APPROPRIATIONS:

01-B1-5630-444-03-B	Bus Operations Ogds/Pots	\$ 81,000
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Mr. FitzRandolph moved to adopt Resolution No. 68-2003, seconded by Mr. Teele, and carried unanimously by a roll call vote.

March 3, 2003

Operations Committee: 2-18-2003

RESOLUTION NO. 69-2003

**SETTING A DATE FOR A PUBLIC HEARING ON LOCAL
LAW ENFORCEMENT BLOCK GRANT**

By Mr. Grow, Chair, Operations Committee

WHEREAS, St. Lawrence County has applied for and received a Local Law Enforcement Block Grant, and

WHEREAS, the grant requires that the County hold a public hearing,

NOW, THEREFORE, BE IT RESOLVED that a public hearing on the Local Law Enforcement Block Grant will be held on Monday, April 7, 2003, at 6:55 p.m., in the Legislative Board Room.

Mr. Grow moved to adopt Resolution No. 69-2003, seconded by Ms. Brothers, and carried unanimously by a voice vote.

Operations Committee: 2-18-2003

RESOLUTION NO. 70-2003

**ACCEPTING A FARMLAND VIABILITY GRANT AND ESTABLISHING
APPROPRIATION AND REVENUE ACCOUNTS WITHIN
THE ST. LAWRENCE COUNTY BUDGET**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the New York State Department of Agriculture and Markets has awarded \$20,000 in the form of a 2002 Farmland Viability Grant to St. Lawrence County, and

WHEREAS, these funds will be used to fund agricultural market improvement initiatives through existing staff/services at Cooperative Extension,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby accept this Farmland Viability Grant award, authorizes the Chair to sign the necessary documentation and contracts for administration, upon approval of the County Attorney and authorizes the County Planning Office to engage in requisite activities to secure, administer and close-out these grants as may be required, and

BE IT FURTHER RESOLVED that the County Treasurer is hereby authorized to establish the following accounts in the 2003 St. Lawrence County Budget:

March 3, 2003

INCREASE REVENUE:

01-N1-3902-570-00-0-AGMG Farmland Viability Grant \$ 20,000

INCREASE APPROPRIATIONS:

01-N1-8020-460-GP-0-AGMG Farmland Viability Grant \$ 20,000

Mr. Grow moved to adopt Resolution No. 70-2003, seconded by Mr. Romigh, and carried unanimously by a roll call vote.

Operations Committee: 2-18-2003

RESOLUTION NO. 71-2003

AUTHORIZE SIGNING A CONTRACT WITH GOVERNMENT e-MANAGEMENT SOLUTIONS, INC. (GEMS) FOR HARDWARE, SOFTWARE AND SUPPORT

By Mr. Grow, Chair, Operations Committee

WHEREAS, the migration from a mainframe environment to a server environment has been a goal of St. Lawrence County for the last five years and in August of this year the contracts on the hardware and the software will expire, and

WHEREAS, GEMS has presented a solution that will run the current Financial, Payroll and Tax Collection systems and will assist the County with data conversion and onsite support during the migration, and

WHEREAS, a capital project has been set up in this year's budget to finance this project for a total of \$250,000, and

WHEREAS, based on an implementation time line put together by the Data Processing staff and GEMS this project needs to start in March with the ordering of hardware in order to meet the August contract expiration deadlines,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby authorize the signing of a contract with Government e-Management Solutions, Inc. upon approval of the County Attorney.

Mr. Grow moved to adopt Resolution No. 71-2003, seconded by Ms. Brothers, and carried unanimously by a voice vote.

March 3, 2003

Operations Committee: 2-18-2003

RESOLUTION NO. 72-2003

**AUTHORIZING CONTINUATION OF CONTRACT WITH LOCEY & CAHILL, LLC
FOR HEALTH CARE CONSULTING**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the current contract with Locey & Cahill, LLC for health care consulting is approaching the third year, and

WHEREAS, it was agreed pursuant to resolution number 51-2000 that in order to continue this contract beyond the first year a resolution would be presented each additional year to the Board of Legislators for their approval, and

WHEREAS, the County may renew this contract up to four subsequent years at an annual rate of \$20,000 and if the County requests that a quality assurance audit be done an additional rate of \$11,000 would be required,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby authorize the continuation of the current contract for one year with Locey & Cahill, LLC for health care consulting services.

Mr. Grow moved to adopt Resolution No. 72-2003, seconded by Mr. Nichols, and carried unanimously by a voice vote.

Operations Committee: 2-18-2003

RESOLUTION NO. 73-2003

**AUTHORIZE SIGNING BUSINESS ASSOCIATE AGREEMENTS FOR EXISTING
CONTRACTS IN ACCORDANCE WITH THE HEALTH INSURANCE PORTABILITY
AND ACCOUNTABILITY ACT (HIPAA)**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the Health Insurance Portability and Accountability Act (HIPAA)'s Privacy Regulation requires covered entities to obtain satisfactory assurance that their Business Associates will "appropriately safeguard" protected health information and these assurances must be documented in a written contract or other written agreement with the Business Associates, and

March 3, 2003

WHEREAS, in working with Locey and Cahill, Inc. and the County Attorney's office an agreement will be implemented that will insure HIPAA compliance, and

~~**WHEREAS**, the Business Associates that will be required to sign an agreement will be APA Partners, Inc., ProAct Pharmacy Services, Inc., Locey and Cahill, LLC, Statewide Independent Preferred Provider Organization, Inc., North Country Physicians Organization, Inc., and Preferred Group Plans, Inc.,~~

WHEREAS, the Business Associate who will be required to sign an agreement with St. Lawrence County will be those contractors and businesses that carry out certain activities and functions dealing with Protected Health Information,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby authorize the signing of Business Associate Agreements with existing contractors identified above upon approval of the County Attorney.

Mr. Grow moved to adopt Resolution No. 73-2003, seconded by Mr. FitzRandolph. Mr. Nichols mentioned the strike outs and noted that the specificity was eliminated to allow for any contractor with St. Lawrence County to be covered by this Resolution. The motion carried unanimously by a voice vote.

Services Committee: 2-24-2003

RESOLUTION NO. 74-2003

**ADOPTING PROPOSED LOCAL LAW NO. 1 FOR THE YEAR 2003
A LOCAL LAW RESCINDING LOCAL LAW NO. 5 FOR THE YEAR 1997
ESTABLISHING COMPULSORY ANTI-RABIES VACCINATION OF ALL DOGS
WITHIN ST. LAWRENCE COUNTY**

By Mr. Cook, Chair, Services Committee
Co-Sponsored by Mr. Lacy, District 5

WHEREAS, a public hearing on proposed Local Law No. 1 for the Year 2003 has been held,

NOW, THEREFORE, BE IT RESOLVED that Local Law No. 1 for the Year 2003, A Local Law Rescinding Local Law No. 5 For The Year 1997 Establishing Compulsory Anti-Rabies Vaccination Of All Dogs Within St. Lawrence County, is hereby adopted.

**PROPOSED LOCAL LAW NO. 1 FOR THE YEAR 2003 A LOCAL LAW RESCINDING
LOCAL LAW NO. 5 FOR THE YEAR 1997 ESTABLISHING COMPULSORY ANTI-
RABIES VACCINATION OF ALL DOGS WITHIN ST. LAWRENCE COUNTY**

March 3, 2003

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

Section 1. LOCAL LAW NO. 5 FOR THE YEAR 1997 ESTABLISHING
COMPULSORY ANTI-RABIES VACCINATION OF ALL DOGS WITHIN ST.
LAWRENCE COUNTY IS HEREBY RESCINDED

Section 2. EFFECTIVE DATE.

This local law shall take effect on the date it is filed with the Secretary of State.

Mr. Cook moved to adopt Resolution No. 74-2003, and deferred to Mr. Lacy to read the title. It was seconded by Mr. Nichols. Mr. Lacy mentioned this issue came from the Gouverneur Town Board and clarified that it is not an attempt to vacate any regulations. By rescinding the local law in place, it will allow the New York State Law to be the only standing law. The motion carried unanimously by a roll call vote.

Services Committee: 2-24-2003

RESOLUTION NO. 75-2003

SETTING HOME HEALTH AGENCY RATES

By Mr. Cook, Chair, Services Committee

WHEREAS, it has been determined that the agency's costs for providing some services are higher than the current charge for those services, and

WHEREAS, this results in a lower cost or charge penalty to the Agency under third-party reimbursement programs, and

WHEREAS, annual review of rates with applicable costs is mandated by Medicaid and Medicare, recognizing Medicare and Medicaid will set their rates based on board resolution, and

WHEREAS, a timely revision in the charges for these services will eliminate any penalty while serving to maximize third-party reimbursement,

NOW, THEREFORE, BE IT RESOLVED that the current charges listed below be revised effective January 1, 2003 as follows:

March 3, 2003

CURRENT RATE:

Physical Therapy	\$78/visit
Occupational Therapy	86/visit
Speech Pathology	89/visit
Home Health Aide	56/visit
Nutrition Therapy	83/visit

NEW RATE:

Physical Therapy	\$99/visit
Occupational Therapy	99/visit
Speech Pathology	99/visit
Home Health Aide	60/visit
Nutrition Therapy	99/visit

Mr. Cook moved to adopt Resolution No. 75-2003, seconded by Ms. Brothers and Mr. Teele. Mr. FitzRandolph requested more justification for the dollar amounts. Dr. Kuehl explained these numbers are cost driven rates. The motion carried unanimously by a voice vote.

Services Committee: 2-24-2003

RESOLUTION NO. 76-2003

**AUTHORIZING THE CHAIR OF THE BOARD OF LEGISLATORS TO SIGN
CONTRACT WITH ENVIROTECH OF AMERICA, INC.**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department requires the pickup, removal and disposal of medical waste every four weeks, and

WHEREAS, there are limited companies who provide this service, and

WHEREAS, EnviroTech of America, Inc. has been our provider for many years, and

WHEREAS, the fee is \$13 for a pickup, \$25 per 20 lb. container with \$1 for each additional pound, and

WHEREAS, the contract rates cover the service period of February 1, 2003 to January 31, 2008,

March 3, 2003

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair of the Board to sign said contract with EnviroTech of America, Inc., upon the approval of the County Attorney.

Mr. Cook moved to adopt Resolution No. 76-2003, seconded by Mr. Romigh, and carried unanimously by a voice vote.

Services Committee: 2-24-2003

RESOLUTION NO. 77-2003

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT FOR
THE PUBLIC HEALTH DEPARTMENT'S HEALTHY LIVING PARTNERSHIP
FROM THE SUSAN G. KOMEN BREAST CANCER FOUNDATION AND
MODIFYING THE 2003 BUDGET**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department has received notification that the department has been awarded grant funding for its Healthy Living Partnership from the Susan G. Komen Breast Cancer Foundation in the amount of \$25,000, and

WHEREAS, this is an increase over last year of \$10,000, and

WHEREAS, these funds will assist this program in providing breast health outreach, education, clinical screening and diagnostic services to low-income, uninsured, medically underserved women,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes its Chair, upon approval of the County Attorney, to sign said contract, and

BE IT FURTHER RESOLVED that the 2003 Public Health Budget is modified as follows:

INCREASE APPROPRIATIONS:

01-PW-4010-423-02-0-KM	Other Phone Services	\$ 340
01-PW-4010-424-02-0-KM	I/D Postage	200
01-PW-4010-430-05-0-KM	Advertising Fees & Expense	400
01-PW-4010-430-04-0-KM	Medical Fees	23,760
01-PW-4010-443-00-0-KM	Mileage	<u>300</u>
		\$25,000

March 3, 2003

INCREASE REVENUE:

01-PW-1689-550-00-0-KM P KM Susan Komen Grant \$25,000

Mr. Cook moved to adopt Resolution No. 77-2003, seconded by Mr. Grow, and carried unanimously by a roll call vote.

Services Committee: 2-24-2003

RESOLUTION NO. 78-2003

SETTING LONG TERM HOME HEALTH CARE PROGRAM RATES

By Mr. Cook, Chair, Services Committee

WHEREAS, New York State Department of Health, Bureau of Long Term Care Reimbursement, has authorized rates for the services provided by the Long Term Home Health Care Program, and

WHEREAS, the Program's current fee schedule is lower for some services than their cost and the authorized reimbursement rates, and

WHEREAS, annual review of rates with applicable costs is mandated by Medicaid and Medicare, recognizing Medicare and Medicaid will set their rates based on board resolution, and

WHEREAS, a timely revision in the charges for these services will eliminate any penalty while serving to maximize third-party reimbursement,

NOW, THEREFORE, BE IT RESOLVED that the current charges listed below be revised effective January 1, 2003 as follows:

CURRENT RATE:

Physical Therapy	\$78/visit
Occupational Therapy	86/visit
Speech Pathology	89/visit
Home Health Aide	56/visit
Nutrition Therapy	83/visit

NEW RATE:

Physical Therapy	\$99/visit
Occupational Therapy	99/visit
Speech Pathology	99/visit
Home Health Aide	60/visit
Nutrition Therapy	99/visit

March 3, 2003

Mr. Cook moved to adopt Resolution No. 78-2003, seconded by Mr. Nichols, and carried unanimously by a voice vote.

Services Committee: 2-24-2003

RESOLUTION NO. 79-2003

**MODIFYING THE 2003 PUBLIC HEALTH BUDGET IN REGARDS TO
EMERGENCY PREPAREDNESS**

By Mr. Cook, Chair, Services Committee

WHEREAS, New York State has granted the Public Health Department an Emergency Preparedness grant in the amount of \$126,931, and

WHEREAS, a portion of said grant funds were not utilized in 2002, and

WHEREAS, these grant funds must be expended in 2003,

NOW, THEREFORE, BE IT RESOLVED that the 2003 Public Health budget be modified as follows:

INCREASE APPROPRIATIONS:

01-PP-4010-260-00-0-EP	Office Equipment	\$20,815
01-PP-4010-423-06-0-EP	Other Phone Services	<u>2,651</u>
		\$23,466

INCREASE REVENUE:

01-PP-3489-560-00-0-EP	Emergency Preparedness	\$23,466
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Mr. Cook moved to adopt Resolution No. 79-2003, seconded by Ms. Brothers, and carried unanimously by a roll call vote.

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Services Committee: 2-24-2003

RESOLUTION NO. 80-2003

**MODIFYING THE 2003 PUBLIC HEALTH DEPARTMENT BUDGET,
RHAPSODY IN PINK GRANT**

By Mr. Cook, Chair, Services Committee

WHEREAS, the Public Health Department has received a \$7,176 donation from ‘Til There is a Cure of Northern New York, and

WHEREAS, this is a \$3,824 decrease from what is in the 2003 Budget, and

WHEREAS, the donor has requested that the funds be used to support services to women in breast cancer screenings and services,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes the St. Lawrence County Treasurer to make the following budget modification in the 2003 Budget:

DECREASE REVENUES:

01-PW-1689-550-RP-0	Healthy Living Partnership/ Rhapsody in Pink	\$3,824
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DECREASE APPROPRIATIONS:

01-PW-4010-430-RP-0-HLPG	Fees for Services	\$3,824
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Mr. Cook moved to adopt Resolution No. 80-2003, seconded by Mr. Grow, and carried unanimously by a roll call vote.

March 3, 2003

Services Committee: 2-24-2003

RESOLUTION NO. 81-2003

MODIFYING THE 2003 PUBLIC HEALTH BUDGET IN REGARDS TO THE TOBACCO GRANT

By Mr. Cook, Chair, Services Committee

WHEREAS, St. Lawrence County received revenues of \$195,182 for the Tobacco Grant,
and

WHEREAS, the remaining balance at the end of 2002 was \$40,002, and

WHEREAS, the money was rolled into the 2002 general fund, and

WHEREAS, the money needs to be reallocated to the 2003 Public Health Budget,

NOW, THEREFORE, BE IT RESOLVED that the 2003 Public Health budget be modified as follows:

INCREASE APPROPRIATIONS:

01-PT-4010-220-00-0-TCPG	Office Equipment	\$ 5,000
01-PT-4010-420-00-0-TCPG	Office Supplies & Expenses	5,000
01-PT-4010-420-01-0-TCPG	Computer Supplies	2,000
01-PT-4010-423-02-0-TCPG	Other Phone Services	4,000
01-PT-4010-424-02-0-TCPG	I/D Postage Expenses	2,000
01-PT-4010-430-05-0-TCPG	Advertising Fees & Expenses	15,000
01-PT-4010-443-00-0-TCPG	Mileage	3,000
01-PT-4010-445-00-0-TCPG	Other Travel Reimbursement	1,000
01-PT-4010-499-00-0-TCPG	Miscellaneous Expenses	<u>3,002</u>
		\$40,002

DECREASE APPROPRIATIONS:

01-B1-1990-497-00-0	Contingency Reserve	\$40,002
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Mr. Cook moved to adopt Resolution No. 81-2003, seconded by Mr. Morrill, and carried unanimously by a roll call vote.

March 3, 2003

Services Committee: 2-24-2003

RESOLUTION NO. 82-2003

**MODIFYING THE 2003 PUBLIC HEALTH DEPARTMENT BUDGET,
RHAPSODY IN PINK GRANT**

By Mr. Cook, Chair, Services Committee

WHEREAS, the Public Health Department received a grant from Rhapsody in Pink, and

WHEREAS, the funds are used to support services to women in breast cancer screenings and services, and

WHEREAS, \$998 was rolled into the 2002 general fund, and

WHEREAS, this money needs to be reallocated to the Rhapsody in Pink Grant,

NOW, THEREFORE, BE IT RESOLVED that the 2003 Public Health Budget is modified as follows:

INCREASE APPROPRIATIONS:

01-PW-4010-430-RP-0-HLPG	Rhapsody in Pink	\$998
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DECREASE APPROPRIATIONS:

01-B1-1990-497-00-0	Contingency Reserve	\$998
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Mr. Cook moved to adopt Resolution No. 82-2003, seconded by Ms. Brothers, and carried unanimously by a roll call vote.

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Services Committee: 2-24-2003

RESOLUTION NO. 83-2003

AUTHORIZING THE CHAIR OF THE BOARD OF LEGISLATORS TO SIGN CONTRACT FOR YOUTH EMPOWERMENT PROGRAM AGAINST TOBACCO USE (REALITY CHECK)

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department has received notification that the department has been awarded for the third year grant funding of \$95,000 to support a Youth Empowerment Program Against Tobacco Use, and

WHEREAS, these funds are provided by the New York State Department of Health,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes its Chair to sign said contract, upon approval of the County Attorney.

Mr. Cook moved to adopt Resolution No. 83-2003, seconded by Mr. Morrill, and carried unanimously by a voice vote.

Services Committee: 2-24-2003

RESOLUTION NO. 84-2003

APPROVING 2003 RESOURCE ALLOCATION PLAN AND AUTHORIZING AGREEMENT WITH VARIOUS YOUTH ORGANIZATIONS

By Mr. Cook, Chair, Services Committee

WHEREAS, New York State, through the Office of Children and Family Services, has made funds available to provide Recreation, Youth Service, and Youth Initiative programs, and

WHEREAS, various contract agencies have submitted applications for Youth Delinquency Development Program (YDDP) State Aid through the County Youth Bureau, and

WHEREAS, pursuant to the procedures outlined in Resolution 33-84, the Treasurer's Office is hereby authorized to disburse the following sums to these agencies, and

NOW, THEREFORE, BE IT RESOLVED that the Chair of the St. Lawrence County Board of Legislators is authorized to sign the Resource Allocation Plan (RAP), upon review and approval of the County Attorney.

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RECREATION

Tri Town Hockey	\$2250
Canton Pee Wees	2250
Ogdensburg Football	2250
Potsdam Football	2250
Potsdam Hockey	2250
Louisville Hockey	2250
Ogdensburg Hockey	2250
Clifton Fine Skating	2250

YOUTH SERVICES

Ogdensburg Boys & Girls Club	\$17427
Cornell Cooperative Ext.	2000
CAVA	7500
Canton Library	3500
Potsdam Library	2000
Ogdensburg Command Performance	3353

YOUTH INITIATIVES

Upward Bound	\$1622
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Mr. Cook moved to adopt Resolution No. 84-2003, seconded by Mr. Nichols, and carried unanimously by a voice vote.

Services Committee: 2-24-2003

RESOLUTION NO. 85-2003

**AUTHORIZING CONTRACT WITH VARIOUS AGENCIES FOR
SPECIAL DELINQUENCY PREVENTION PROGRAM (SDPP) FUNDS**

By Mr. Cook, Chair, Services Committee

WHEREAS, the State of New York, through the Office of Children and Family Services, has made available \$60,916 for Special Delinquency Prevention Programs in 2003, and

WHEREAS, a request for proposals and subsequent review process resulted in the St. Lawrence County Youth Bureau's Youth Advisory Board's approval of applications from the organizations listed below in the respective amounts, and

WHEREAS, contracting with these organizations will result in the provision of needed services to youth in St. Lawrence County,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Youth Bureau is hereby authorized to make application for Special Delinquency Prevention Program funds in the amount of \$60,916, and

BE IT FURTHER RESOLVED that the Chair of the Board of Legislators is hereby authorized to enter into an agreement with the following organizations upon review and approval of the County Attorney.

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<u>AGENCY</u>	<u>PROGRAM</u>	<u>AMOUNT</u>
CAVA	Sexual Assault Counseling	\$ 5,000
St. Lawrence Valley Renewal House	Children and Youth	8,400
SLC Department Social Services	Intensive Preventive Services	5,000
SLC Probation Department	Community Services	5,000
SLC Probation Department	Juvenile Intensive Super./Family Ties	10,734
SLC Probation Department	Family Ties	13,115
SLC Youth Bureau	Administration	6,214
SLC Youth Bureau	Clarkson County Connection	2,000
SLC Youth Bureau	Youth Conservation Corps	5,453

Mr. Cook moved to adopt Resolution No. 85-2003, seconded by Ms. Brothers, and carried unanimously by a voice vote.

Services Committee: 2-24-2003

RESOLUTION NO. 86-2003

MODIFY 2003 BUDGET TO ACCEPT FUNDS FOR SAFE PLACES GRANT

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Youth Bureau, in conjunction with the Village of Gouverneur Recreation Center, applied for a \$40,000 after-school grant, and

WHEREAS, New York State, through the Office of Children and Family Services, has selected the St. Lawrence County Youth Bureau as a lead agency for the Safe and Accessible Places to Learn and Play (Safe Places) program, and

WHEREAS, pursuant to the procedures in Resolution 33-84, the Treasurer's Office is hereby authorized to disburse funds,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the Board of Legislators is authorized to enter into an agreement, upon review and approval of the County Attorney.

INCREASE APPROPRIATIONS:

01-Y4-7320-460-00-0	YDDP Appropriations	\$40,000
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INCREASE REVENUE:

01-Y1-3820-560-GY-0	YDDP Revenue	\$40,000
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Mr. Cook moved to adopt Resolution No. 86-2003, seconded by Mr. Lacy, and carried unanimously by a roll call vote.

Services Committee: 2-24-2003

RESOLUTION NO. 87-2003

**ACCEPTING FUNDING FROM THE WORKFORCE INVESTMENT ACT TO
ESTABLISH TWO COMMUNITY SERVICE BRIGADE CREWS
FROM JANUARY 2003 TO APRIL 2003**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Community Service Brigade (CSB) program has served at-risk youth since September 2002, and

WHEREAS, a CSB proposal was submitted to and approved by the Workforce Investment Board (WIB) and WIB Youth Council to serve sixteen to eighteen year old youth who are designated PINS, or at-risk youth, and

WHEREAS, the program will run from January of 2003 through April of 2003, and serve out-of-school PINS and at-risk youth and address many of the needs for this population by providing a mix of comprehensive services that include: work experience, General Equivalency Diploma (GED) preparation, team-building skills, leadership dynamics, life skills training, community service, and workforce development, and

WHEREAS, this pragmatic approach to youth employment and training has been very successful in reaching and teaching young adults in St. Lawrence County.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Treasurer's Department is hereby authorized to make the following modifications to the 2003 Youth Bureau budget:

INCREASE APPROPRIATIONS:

01-Y2-7310-190-00-4	Temporary & Part Time	12,117.62
01-Y2-7310-170-00-4	Day Reporting Instructor	4,465.00
01-Y2-7310-460-00-4	Payments & Contribution	46,962.95
01-Y2-7310-800-00-4	Fringes	21,829.98
01-Y2-7310-421-00-4	Equipment Rental (Van)	11,968.00
01-Y2-7310-441-00-4	Gasoline & Oil	3,399.13
01-Y2-7310-499-00-4	Miscellaneous	1,627.90

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INCREASE REVENUE:

01-Y2-2770-550-00-4 CSB – WIA SUBCONTRACT 102,370.58

Mr. Cook moved to adopt Resolution No. 87-2003, seconded by Mr. Morrill, and carried unanimously by a roll call vote.

RESOLUTION NO. 88-2003

APPOINTING A SOCIAL SERVICES COMMISSIONER

By Mr. Grow, Mr. Nichols, and Mr. Teele

WHEREAS, the St. Lawrence County Social Services Commissioner resigned effective December 31, 2002, and

WHEREAS, the Selection Committee has interviewed applicants and made its recommendation for the Social Services Commissioner position,

NOW, THEREFORE, BE IT RESOLVED that James Davis is hereby appointed as the St. Lawrence County Social Services Commissioner Director effective no later than April 14, 2003, at a starting salary of \$73,045, and

BE IT FURTHER RESOLVED that 70 hours of sick time accruals shall be credited to James Davis in lieu of moving expenses.

Mr. Grow move to adopt Resolution No. 88-2003, seconded by Mr. Nichols and Mr. Teele. Mr. Grow informed the Board that Mr. Davis was well received by the Search Committee and he brings thirty years of experience to the position, most recently Lewis County. Ms. Brothers thanked the Search Committee. The motion carried unanimously by a voice vote.

RESOLUTION NO. 89-2003

REOPEN SEARCH FOR DIRECTOR OF PUBLIC HEALTH

By Mr. Turbett, District 10

WHEREAS, the position of Director of Public Health has been open since December 2001, and

WHEREAS, the New York State Department of Health has not approved the plan

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proposed by St. Lawrence County to fill the position of Director of Public Health through a restructuring of the St. Lawrence County Public Health Department Administration, and

WHEREAS, the position of the Director of Public Health is necessary to maintain quality health services to the residents of St. Lawrence County and to ensure that St. Lawrence County qualifies for aid through the New York State Department of Health,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the Board of Legislators is directed to name a search committee and reopen the search for the position of Director of Public Health.

Mr. Turbett moved to adopt Resolution No. 89-2003, seconded by Ms. Cobb.

Mr. Gray said he will be voting against the resolution as this places the department into continued flux. He disagrees with the New York State Department of Health who sets these regulations. It is unfortunate for the staff to endure another search. It is unfair to Management Staff and County Employees. The New York State DOH has a private agenda and have set out rules. Mr. Cook was prepared to vote against this resolution, but he received a call from an individual who works at Public Health and she expressed a newfound joy in going to work. Mr. Romigh would like to say that he has received phone calls praising Francine Perretta's efforts and it is unfortunate that this is happening on an inconsistent basis. Mr. Grow said he will support the resolution but had not planned to do so. Ms. Cobb requested information on the latest reply from the DOH. Chair MacKinnon answered, the DOH has rejected the plan offered by St. Lawrence County to have Francine Perretta and Vivian Grahling run the department. Mr. Gray said this information is related and unrelated – that is the reason that a minority is invited to have a member of the minority party attend the caucus prior to the Board Meeting with the Chair. Mr. Wilson said it is unfortunate that personalities were included in this situation, and he is glad to see it is over. Chair MacKinnon recognized Mr. Nichols. Mr. Nichols said that we are reopening a search that was never closed. Mr. Wilson requested information regarding when was it closed. He wanted to know if it was communicated to Mr. Morrill or Mr. Wilson. If it were not closed then why were there no longer meetings. It was the understanding of the Search Committee that the search had seized. If this is true, he requested it be closed and then opened again. The motion carried by a roll call vote with twelve (12) yes votes and three (3) no votes (Gray, Nichols, and Lacy).

Mr. Nichols moved to suspend the Rules of Procedure for the presentation of one resolution, seconded by Mr. Grow, and carried unanimously by a voice vote.

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PRESENTED UNDER SUSPENSION OF THE RULES

RESOLUTION NO. 90-2003

MODIFYING THE 2002 BUDGET AND 2003 BUDGET FOR THE EMERGENCY SERVICES DEPARTMENT

By Mr. Grow

WHEREAS, during the 2003 budget process, money for the Bio-Hazard Team was removed, and

WHEREAS, it was intended that money remaining in the 2002 budget would be rolled into 2003 for funding of the Bio-Terrorism Team,

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer make the following changes to the 2002 budget,

DECREASE APPROPRIATIONS

01-X2-3640-430-07-0	X ADM Other Fees and Services	\$80,840.04
01-X2-3640-250-00-0	X ADM Technical Equipment	11,125.00
01-XP-3640-422-00-0	X PSCS Equipment Repairs and Maintenance	5,920.11
01-X1-3410-411-02-0	X PSCS Equipment Repair and Maintenance	3,000.00
01-X2-3640-443-00-0	X ADM Mileage Reimbursement	<u>730.00</u>
		\$101,615.15

INCREASE APPROPRIATED RESERVE

01-TG-0889-503-00-0-E911	E911 Reserved Fund Balance	\$101,615.15
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BE IT FURTHER RESOLVED that this reserve fund be moved into the appropriate accounts in 2003 Emergency Services Budget.

Mr. Grow moved to adopt Resolution 90-2003, seconded by Mr. Nichols, and carried unanimously by a roll call vote.

COUNTY ADMINISTRATOR'S REPORT

Mr. Brining said he would like Mr. Zimmerman to inform the Board of Legislators about the new St. Lawrence County transit operation now in progress. It has been running for a week and there were between six and seven regular riders. Roethel's is being very innovative and proactive with information gathering regarding convenience. Last Friday, there was a request to have a stop at Wal-Mart (17 people). They will continue to service and improve the needs of the community. Ten (10) rides can be purchased for \$14. The Grand Opening will be Thursday, March 13th. Mr. Zimmerman mentioned the significance of seeing the flexibility of utilizing an

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upstate business. Mr. Brining inquired about a possible subsidy from Wal-Mart for providing transport for people to their business and mentioned he has received very positive feedback.

Supervisor Button (T/V of Canton) said the Strategic Planning Grant requires that they hire a consultant to provide ideas. They have asked the St. Lawrence County Planning Office to be the consultant. It is not required that the job be bid out to public. Mr. Zimmerman is bringing this forward now to improve chance of reaching college students prior to them leaving for the semester.

Mr. Brining provided an update on the supposed water leak in the Human Services Center. It is actually elevator piping, there was a leak in the high pressure lines. The vendor who installed those lines will have it repaired by Wednesday and at not cost to the County, because it is all under warranty.

Mr. Nichols moved to go into executive session to discuss appointments at 8:07 p.m., seconded by Mr. Wilson, and carried unanimously by a voice vote. Mr. Nichols moved to go into open session at 8:14 p.m., seconded by Mr. Grow, and carried unanimously by a voice vote.

APPOINTMENTS

Mr. Nichols moved to appoint the following person to the **Community Services Board**, seconded by Mr. Morrill and Mr. FitzRandolph, and carried unanimously by a voice vote. (unexpired term ending 12/31/2003)

Vicki Perrine, 2440 SH 310, Madrid, NY 13660 (Township of Madrid)

REAPPOINTMENTS

Mr. Nichols moved to reappoint the following people to the **Workforce Investment Board**, seconded by Mr. Morrill and Mr. FitzRandolph, and carried unanimously by a voice vote. (term expires 2/28/2006)

Douglas Beachard, Post Office Box 616, Russell, NY 13684 (Township of Russell)
Donald Brining, St. Lawrence Avenue, Waddington, NY 13694 (Township of Waddington)
Sue Caswell, Post Office Box 505, Waddington, NY 13694 (Township of Waddington)
Richard L. Dadario, Post Office Box 361, Massena, NY 13662 (Township of Louisville)
Donald Hooper, 202 Ford Street, Ogdensburg, NY 13669 (City of Ogdensburg)
Ron McDougall, 32 Andrews Street, Massena, NY 13662 (Town of Gouverneur)
Ryan P. Shermerhorn, 155 Pine Hill Road, Gouverneur, NY 13642 (Town of Macomb)

Mr. Nichols moved to reappoint the following people to the **Fire Advisory Board**, seconded by Mr. Morrill and Mr. FitzRandolph. Mr. Romigh said he does not support Mr. McDougall for the Workforce Investment Board. The motion carried unanimously by a voice vote. (Terms expire 2/28/2006)

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James Lowery, 2677 SH 37, Brier Hill, NY 13614 (Town of Morristown)
Walter Lacks, PO Box 220, Hailesboro, NY 13645 (Town of Fowler)
Thomas Popham, PO Box 612, Cranberry Lake, NY 12927 (Town of Fine)
James Houmiel, PO Box 201, Waddington, NY 13694 (Village of Waddington)
Andrew Fritz, 600 Canton St., Ogdensburg, NY 13669 (City of Ogdensburg)
Jerome Wilson, Box 146, Colton, NY 13625 (Town of Colton)
Adrian Bush, 8352 SH 56, Norfolk, NY 13667 (Town of Norfolk)

Mr. Nichols moved to reappoint the following person to the **NYS Region 6 Fish and Wildlife Management Board**, seconded by Mr. Morrill and Mr. FitzRandolph, and carried unanimously by a voice vote. (Term expires 12/31/2004)

Judith Aldrich, 19 Dodds Road, Lot 6, Gouverneur, NY 13642

Mr. Nichols moved to reappoint the following Legislator to the **Off Track Betting Corporation Board of Directors**, seconded by Mr. Morrill and Mr. FitzRandolph, and carried unanimously by a voice vote. (Term concurrent with the BOL term)

R. Shawn Gray, 56 East Orvis Street, Massena, NY 13662

Mr. Nichols moved to reappoint the following person to the **Soil and Water Conservation District Board of Directors**, seconded by Mr. Morrill and Mr. FitzRandolph, and carried unanimously by a voice vote. (Term expires 12/31/05)

Edwin Hadlock, 70 South Main Street, Hammond, NY 13646 (Township of Hammond)

CHAIR'S APPOINTMENTS: There were none.

OLD/NEW BUSINESS:

Chair MacKinnon noted the memo from Bill Maginn regarding the conflict of interest. Mr. Romigh thinks there is a conflict and wonders if there could be such a way that the Board of Legislators could request the resignation of certain Department Heads from Advisory Boards to maintain no conflicts of interest. He wanted to know if they come before the Board to request support of the Board of Legislators to participate. Mr. Wilson said he remembers a time when it was not perceived that way. The situation involving Ms. Degone is individual. Mr. FitzRandolph was not present at the outset of this discussion and point of order. He observed the situation and drew his own conclusion (such as a regular citizen). He would like to say that this kind of thing and certain Legislators persistence reflect unfavorably upon the entire legislature. From reading the paper and speaking with constituents, he was embarrassed by the continued conflicts. The law is clear.

Chair MacKinnon mentioned the next meeting of the Financial Prioritization Committee would be held on Tuesday, March 18th at 3:30 p.m.

March 3, 2003

Mr. Nichols moved to adjourn the meeting at 8:24 p.m., seconded by Mr. Turbett, and carried unanimously by a voice vote.

Chair MacKinnon adjourned the meeting at 8:24 p.m. as there was no further business.

April 7, 2003

St. Lawrence County
Board of Legislators
Board Room

Public Hearing
Monday, April 7, 2003
6:55 p.m.

LOCAL LAW ENFORCEMENT BLOCK GRANT

Chair MacKinnon calls the Public Hearing to Order at 6:54 p.m.

The Deputy Clerk read the call to the Public Hearing.

Chair MacKinnon asks if anyone wishes to comment. No one wished to comment.

Mr. Nichols moved to adjourn the Public Hearing at 6:56 p.m., seconded by Mr. Cook, and carried unanimously by a voice vote.

St. Lawrence County
Board of Legislators
Board Room

Board Meeting
Monday, April 7, 2003
7:00 p.m.

Chair MacKinnon called the meeting to order at 6:56 p.m.

ROLL CALL: All Legislators present.

Mr. Nichols led everyone in Prayer, followed by the Pledge of Allegiance.

COMMUNICATIONS: The County Administrator read the following communications:

1. A letter from Gerald Barnhart of the DEC was received regarding resolution 59-2003. The letter noted that since the resolution was received during the public comment period required prior to the adoption of the permanent Chronic Wasting Disease regulations, it will be entered into the public comment record.
2. A letter from Michael LaBello of the NYS DOT was received regarding the approval of grant applications in the amount of \$20,000 for 2003 and \$20,200 for 2004.
3. A letter of appreciation to the County Clerk was received from George Butts of the College of Environmental Science and Forestry regarding her presentation during their recent visit to St. Lawrence County.
4. Resolutions and numerous letters have been received from the Towns of Colton, Parishville and Fine, the Villages of Hammond and Rensselaer Falls as well as other interested parties regarding opposition to cuts which will effect the NYS Rural Preservation Program.
5. A resolution was received from Chautauqua County entitled "Motion Proclaiming April 2003 as the Month of the Young Child in Chautauqua County."

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6. A resolution was received from the Board of Supervisors in Seneca County entitled "Supervisors Urge Passage, Adoption and Implementation of the New York State Senate Bill 307-2003 Regarding Implementing More Just Taxation on Sales Made By Indian Tribe Retailers and Include in Said Bill The Appropriation of These Monies to the Education Budget."
7. A resolution was received from the Board of Supervisors in Essex County entitled "Resolution Requesting the State Legislature to Enact, and Governor Pataki Sign into Law, Legislation Establishing a Reasonable Statute of Limitations for Enforcement Actions by the Adirondack Park Agency."
8. A letter was received from the Town of Hammond regarding opposition to the State of New York purchase of the 93,000 acres along the Grasse River and throughout St. Lawrence County.
9. A notice was received from the Town of Canton regarding the Lead Agency Status for Zoning Designation of Property Located on the Southerly Side of East Main Street in the Village of Canton, New York.
10. Letters of acknowledgement were received from Dierdre Scozzafava and Darrel Aubertine regarding the resolutions forwarded from the March Board meeting.
11. A letter of appreciation was received from Chandra Pharoah for the flowers sent during her absence.

CITIZEN PARTICIPATION:

Ms. Linda Belton addressed the Board of Legislators. She is from the American Red Cross and organizes all blood drives for St. Lawrence County. She is present this evening to recognize St. Lawrence County with an Outstanding Participation Award for 2002. She has worked directly with Steve House to raise awareness and she said she is proud to present St. Lawrence County with the highest donations (eleven total) including; Massena, Ogdensburg, Potsdam, Gouverneur, various school districts, colleges, etc. are the locations where blood drives are held. On Wednesday, June 11th there will be a blood drive at the Human Services Complex and she requested that everyone participate if they can (every fifty-six days, etc.) Chair MacKinnon accepted the award on behalf of St. Lawrence County and those involved with the process. He thanked those people and hopes Mr. Brining would like to recognize Connie Martin and Steve House for their efforts, they have been very involved with the process over the years.

Ellen Connick was present to let everyone know about the statewide groups awarded the dirty dozen polluter. Regarding the Chatham permit issue, she held up a poster with her concerns with the lack of state involvement because Chatham is just barely under the limits. All pollutants are respiratory toxicants. On the basis of denial of cancer data, she has gone forward with providing this information to the Board of Legislators. She held up another poster of bird populations and their locations in our county. She indicated that between Morristown and Lisbon, Colton and Piercefield, all locations are effected.

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Donald Hassig was present to address the Board on behalf of Cancer Action of New York. He would like to provide more information based on what Ms. Connick in relation to the state. He said this is about the refusal of the provision of information. The permitting process for Chatham, involved the New York State DOH and it was requested that they meet with Cancer Action of New York, no one came to meet with them. Cancer Action wanted to meet with them to discuss the pollutants, in the beginning – those requests were granted, as time went on, the requests were ignored, finally they (DOH) refused completely. On the open burning issue, a very same experience was encountered, Judy Abbott is his contact and she has written a book in support of these types of emissions. As time went on, the omission of specifics were obvious and he is very concerned with the New York State DOH provision of this type of information. He hopes that with some support from Senator Wright, there will be some accurate information provided. He said that Mark Stoddart gave an update to one committee regarding the levels of disease and once they reached a defined level it would be investigated. New York State has the highest level of prostate cancer, and increased levels of lung and various other types of cancer.

Charlie La Shombe from the Heritage Grist Mill in Morley addressed the Board. He provided a packet to the Board of Legislators and provided information regarding a trade school. His group had to go up into Canada, to hire people qualified to do the work necessary to restore the Grist Mill. He said SUNY Canton College is willing to offer a certification program. LaFargeville and Alexandria Bay have both sent letters of support (endorsement). He would like a letter in support of this project (the training center) from the Board of Legislators – a two year program and after that time St. Lawrence County would have their own tradespeople to do the work. He feels they would have a sense of pride in the restoration of local history. He thinks the County should support this effort. He would like to have the County Legislature support added to their charter. Everything is in the preliminary stages, that is why he is here. They would appreciate a letter of endorsement. Ms. Brothers asked what specifically he is asking the Board to support. Mr. La Shombe said he is requesting a letter saying the County supports the efforts of a training center. He gave an example of places in Sackets Harbor and Clayton, where there is restoration taking place. He said places there are on the National Register and could someday receive grant money and would have to go outside the County to find qualified people to do the work. Mr. Wilson said perhaps this should be brought forward at a Committee meeting to further discuss it.. Chair MacKinnon said that if he would like to address the Board of Legislators call the Board Office and schedule an appropriate time. Mr. La Shombe thanked the Board of Legislators.

PRESENTATION OF RESOLUTIONS:

Finance Committee: 3-31-2003

RESOLUTION NO. 91-2003

AUTHORIZING FILLING OF VACANCIES

By Mr. FitzRandolph, Chair, Finance Committee

April 7, 2003

WHEREAS, the St. Lawrence County Board of Legislators adopted Resolution No. 38-2003 on February 10, 2003, which created a policy for filling of vacancies, and

WHEREAS, the vacancies listed below have received the approval of being forwarded to the full Board by the Finance Committee,

NOW, THEREFORE, BE IT RESOLVED that the following vacancies are hereby authorized to be filled:

<u>Department</u>	<u>Title</u>	<u>Type</u>	<u>Duration of Position</u>
Central Services	Personnel Aide	Full-Time	Permanent
County Clerk	Motor Vehicle Clerk (2)	Part-Time	Temporary - Seasonal
Office of Economic Development	Deputy Director	Full-Time	Permanent
Office of Economic Development	Economic Developer	Full-Time	Permanent
Public Health	Registered Nurse	Part-Time	Permanent
Sheriff's Office	Correctional Sergeant	Full-Time	Permanent
Sheriff's Office	Correctional Officer	Full-Time	Permanent
Sheriff's Office	Correctional Officer	Part-Time	Permanent
Social Services	Keyboard Specialist	Full-Time	Permanent
Social Services	Clerk	Full-Time	Permanent
Social Services	Community Service Worker	Full-Time	Permanent
Social Services	Senior Account Clerk	Full-Time	Permanent
Weights and Measures	Inspector	Full-Time	Permanent
Youth Bureau	YCC Coordinator	Full-Time	Temporary - Seasonal
Youth Bureau	YCC Forestry Coordinator	Full-Time	Temporary - Seasonal

* * *

Mr. FitzRandolph moved to adopt Resolution No. 91-2003, seconded by Mr. Teele. It was noted that there is one change, a Clerk position in Social Services. Chair MacKinnon called on Mr. Brining to explain, one individual returned to their position within the probationary

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period. There will be a vacant account clerk position. The motion carried unanimously by a voice vote.

Finance Committee: 3-31-2003

RESOLUTION NO. 92-2003

**PERMISSION TO ABOLISH AND CREATE POSITIONS
WITHIN THE ST. LAWRENCE COUNTY PUBLIC HEALTH DEPARTMENT**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the Public Health Department currently has a vacancy for a community health nurse, and

WHEREAS, the department has more of a need for a registered nurse, and

WHEREAS, providing patient care on weekends continues to be problematic due to a shortage of part-time registered nurses willing to work on weekends, and

WHEREAS, it will be the intention of the department to create a full-time registered nurse position with specific work days being Friday, Saturday, Sunday and Monday to cover the weekend care,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators agrees to the following:

ABOLISH:

01-PH-4189-110-00-0 (1) Full-time Community Health Nurse, Grade 28 \$37,210

CREATE:

01-PH-4189-110-00-0 (1) Full-time Registered Nurse, Grade 26 \$34,284

BE IT FURTHER RESOLVED that the St. Lawrence County Board of Legislators authorizes the filling of the registered nurse position.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 92-2003, seconded by Mr. Nichols, and carried unanimously by a voice vote.

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Finance Committee: 3-31-2003

RESOLUTION NO. 93-2003

TRANSFER OF FUNDS, CENTRAL MAILING

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the Central Mailing Department has recently lost a contractual employee due to retirement, and

WHEREAS, the individual was responsible for the pick-up and delivery of mail for departments located at the Public Safety Building, the Human Services Building and the Highway Department, and

WHEREAS, the Central Mailing Department personnel are responsible for the timely delivery of U.S.P.S. and interdepartmental mail as well as the posting of out-going mail, and

WHEREAS, a restructuring of department personnel is necessary at this time to allow for the department to provide continued service in a consistent manner to all county departments,

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer is hereby authorized to make the following transfer in the Central Mailing Department Budget:

TRANSFER FROM:

01-BM-1670-430-07-0	Other Fees and Services	\$ 7,500
01-BM-1670-190-00-0	Temporary and Part-Time	\$ 1,400

TRANSFER TO:

01-BM-1670-170-00-0	Regular Part-Time	\$7,510
01-BM-1670-810-00-0	New York State Retirement	\$ 396
01-BM-1670-830-00-0	FICA/Medicare	\$ 681
01-BM-1670-840-00-0	Worker's Compensation	\$ 313

* * *

Mr. FitzRandolph moved to adopt Resolution No. 93-2003, seconded by Mr. Grow, and carried unanimously by a roll call vote.

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Finance Committee: 3-31-2003

RESOLUTION NO. 94-2003

**CREATING AND ABOLISHING POSITIONS IN THE
OFFICE OF ECONOMIC DEVELOPMENT**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the Office of Economic Development recommends a reorganization of duties and responsibilities within the Department, and

WHEREAS, the New York State Department of Labor has expressed a concern that the present organization does not fulfill the firewall requirements under the Workforce Investment Act, and

WHEREAS, the Department has determined that this reorganization will also decrease personnel costs to the Department, and

WHEREAS, this proposed reorganization will meet the New York State Department of Labor's firewall requirement,

NOW, THEREFORE, BE IT RESOLVED that the following positions be created and abolished in the 2003 Office of Economic Development Budget and the 2003 Employment and Training Unit Budget, and

CREATE:

One (1)	One Stop Manager	Grade 34
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ABOLISH:

One (1)	Senior Coordinator	Grade 28
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Two (2)	Employment & Training Counselors	Grade 23
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One (1)	Keyboard Specialist	Grade 16
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BE IT FURTHER RESOLVED that permission to fill the newly created One Stop Manager position be granted.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 94-2003, seconded by Mr. Grow and carried unanimously by a voice vote.

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Finance Committee: 3-31-2003

RESOLUTION NO. 95-2003

ACKNOWLEDGING TUPPER LAKE TINMAN TRIATHLON

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the Tupper Lake Chamber of Commerce has advised St. Lawrence County that it will be holding the Tupper Lake Triathlon on June 28, 2003, and

WHEREAS, a certain portion of the bicycle stage of the triathlon will be held over New York State Route 3 from the Franklin County line to Cranberry Lake and return, and

WHEREAS, the above-mentioned portion of Route 3 is within St. Lawrence County, and

WHEREAS, prior to the State of New York issuing a permit to the Tupper Lake Tinman Triathlon, the County of St. Lawrence must state that it has no objection to a portion of the Triathlon going through St. Lawrence County, and

WHEREAS, in order to promote public relations between St. Lawrence County and adjoining Franklin County, the St. Lawrence County Board of Legislators wishes to state that it has no objection to that portion of the Tupper Lake Triathlon being held in St. Lawrence County,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators acknowledges that on June 28, 2003, a portion of the Tupper Lake Triathlon will be held over New York State Route 3, from the Franklin County line to Cranberry Lake, and wishes to state that it has no objection.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 95-2003, seconded by Mr. Grow and carried unanimously by a voice vote.

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Finance Committee: 3-31-2003

RESOLUTION NO. 96-2003

**RESOLUTION SUPPORTING REAL PROPERTY TAX REFORM LEGISLATION –
S.1123, S.1125, S.1126, S.1127, S.1398 AND S.1415**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, Senate Bills S.1123, S.1125, S.1126, S.1127, S.1398 and S.1415, have been introduced in the New York State Senate for the purpose of reforming the current real property tax system, and

WHEREAS, S.1123, S.1126, S.1127 and S.1398 would amend RPTL §420-a to properly place the burden of establishing entitlement to real property tax exemption on the non-for-profit corporation property owner, would ensure that exempt properties are used for exempt purposes, would impose stricter standards for exempt activities, and empower localities with discretion to determine which types of properties would be entitled to exemption, and

WHEREAS, S.1125 would redefine “non-residents of a district” under Education Law §3202 to include children who reside on tax-exempt real property in the district and subject such children to the payment of tuition, and

WHEREAS, S.1415 would provide for full state reimbursement to local taxing jurisdictions for any tax revenue losses resulting from RPTL §480 and §480a real property tax exemptions for forest lands, and

WHEREAS, it is the strong sense of this Board that these bills should be enacted and signed into law,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby expresses its strong support for enactment by the State Legislature of Real Property Tax Reform Legislation – S.1123, S.1125, S.1126, S.1127, S.1398 and S.1415 – and that Governor Pataki sign such legislation into law, and

BE IT FURTHER RESOLVED that the Clerk of the Board is hereby authorized and directed to immediately send certified copies of this resolution to: Governor George E. Pataki; Senate Majority Leader Joseph L. Bruno; Senators Elizabeth O’C. Little, James Wright and Raymond Meier; Senate Minority Leader David A. Paterson; Assembly Speaker Sheldon Silver; Assembly Minority Leader Charles H. Nesbitt; and Assembly Members Darrell Aubertine and Dierdre Scozzafava.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 96-2003, seconded by Mr. Nichols. There were questions raised during the committee meeting which eluded to a distinct level of misunderstanding where this subject matter is concerned. Mr. FitzRandolph said as Chair of the

April 7, 2003

Finance he moved for the adoption of this Resolution, but will vote against it. His concerns were that the Board of Legislators does not know enough about the subject matter and have not been adequately informed of the effects.

Mr. Wilson concurred with Mr. FitzRandolph and is not comfortable voting for it, as he stated he does not understand portions of the document. Ms. Cobb requested permission to address Ms. Powers, Director of Real Property. Chair MacKinnon granted her request. She asked if supporting this Resolution would change the tax-exempt status of historical places, Renewal House or places of that nature. Ms. Powers answered that she does not know at this time what the effects will be specifically. Ms. Powers concluded that the decision on issues such as that would most likely be left with the courts rather than a legislative body.

Ms. Brothers said she would support this Resolution and encouraged interested people to attend the Real Property seminars which indicate that a Resolution of this nature returns decisive power back to the municipalities. Mr. Nichols clarified that any law will have an unprecedented realm which should not be intended to create apathy. He said this Board of Legislators support the need for localities to maintain more power, and provided examples from previous meetings. Mr. Nichols concluded that it was his hope the Board of Legislators would go on record in support of this Resolution.

Mr. FitzRandolph moved to strike the third Whereas and amend to strike S.1125 in the Therefore, Be it Resolved. He stated he does not support that item. Mr. Morrill noted there is reference made to S.1125 in the first Whereas also. Mr. Gray said he will vote against striking that portion of the Resolution, as it is the most implicating section of the entire legislation. Mr. Wilson said he agreed with Mr. Gray and amending that one item does not solve all the concerns of the entire Legislative body. Mr. Wilson concluded that he will vote against amendment and the Resolution as he does not know how it will effect the various places discussed. Mr. Teele said as a former school board member, he finds this legislation a burden to the school districts. The amendment was defeated by a voice vote. Mr. Gray requested a roll call vote. The motion carried with roll call with eleven (11) yes votes and four (4) no votes (Cobb, FitzRandolph, Turbett, Wilson).

Finance Committee: 3-31-2003

RESOLUTION NO. 97-2003

**MOVING DISCRETIONARY MONIES
INTO THE CONTINGENCY ACCOUNT**

By Mr. Teele
Ms. Brothers
Mr. FitzRandolph
Mr. Gray

April 7, 2003

WHEREAS, the St. Lawrence County Board of Legislators has approved Resolution No. #38-2003 directing the Establishment of Financial Priorities to include, but not limited to, the utilization of Discretionary Funds, and

WHEREAS, the County Administrator in conjunction with Department Heads has determined a listing of discretionary funds for consideration, and

WHEREAS, the Financial Prioritization Committee has reviewed said listing and recommends that the items listed on the discretionary report be held in reserve and moved from the budgeted accounts into the Contingency Account when appropriate,

NOW, THEREFORE BE IT RESOLVED, that funds on the attached discretionary expenditures listing shall not be spent without Board Approval, and

BE IT RESOLVED that the County Treasurer is hereby authorized and directed to make the following transfer of funds:

TRANSFER TO

01-B1-1990-497-00-0	Contingency Account	\$262,468
08-LR-1930-465-05-0	Claim Payments & Reserve	\$ 470
05-WA-1710-497-00-0	Solid Waste Contingency	\$ 5,200

TRANSFER FROM

01-CD-1680-220-00-0	Central Services - Computer Equip.	\$ 1,459
01-CD-1680-420-00-0	Central Services - Computer Equip.	\$ 278
01-CP-1430-220-00-0	Central Services - Computer Equip.	\$ 6,702
01-CD-1680-140-00-0	Central Services - Clerical Wage	\$ 4,013
01-CP-1430-140-00-0	Central Services - Clerical Wage	\$ 2,006
01-CS-1610-423-02-0	Reduction of Local/Long Distance	\$ 13,000
01-CS-1610-419-01-0	Printing - Telephone Directories	\$ 575
01-A1-4220-220-00-1	Community Services Computer Equip.	\$ 1,425
01-A1-4250-220-00-1	Community Services Computer Equip.	\$ 1,425
01-A1-4220-426-00-1	Community Services Books	\$ 1,500
01-A1-4250-426-00-3	Community Services Books & Periodicals	\$ 100
01-A1-4250-426-00-1	Community Services Books	\$ 400
01-BO-1040-220-01-0	County Administrator Office Equip.	\$ 2,234
01-B1-8750-460-00-A	Cooperative Extension	\$ 10,000
01-L1-1420-411-02-0	County Attorney Educational Wkshp.	\$ 250
01-L1-1420-445-00-0	County Attorney Other Travel	\$ 200
01-K1-1410-220-00-4	County Clerk – Ogdensburg Vault	\$ 600
01-K1-1410-411-02-1	County Clerk Educational Wkshp.	\$ 200
01-K1-1410-411-02-2	County Clerk Educational Wkshp.	\$ 100
01-K1-1410-411-02-3	County Clerk Educational Wkshp.	\$ 100
01-K1-1410-220-00-5	County Clerk – Gouverneur Copier	\$ 602
01-J1-1165-411-02-0	District Attorney Educational Wkshp.	\$ 1,000
01-U1-6420-120-00-0	Economic Development Director Wage	\$ 3,670

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01-XP-3640-250-00-0	Emergency Services – Repeater	\$ 28,300
01-X2-3640-230-00-0	Emergency Services – Vehicle	\$ 24,000
01-GB-1620-180-00-0	Governmental Services – Overtime	\$ 10,000
01-GB-1620-260-02-0	Governmental Services – Other Equip.	\$ 6,800
01-GB-1620-225-00-0	Governmental Services – Building Equip.	\$ 50
01-GB-1620-408-00-0	Governmental Services – Building Maint.	\$ 15,000
01-GB-1620-409-00-0	Governmental Services – Building Supplies	\$ 5,000
01-GB-1620-411-02-0	Governmental Services – Educational Wksp	\$ 150
01-GB-1620-443-00-0	Governmental Services – Mileage	\$ 40
01-OA-6772-220-00-0	Office for the Aging – Network Printer	\$ 1,700
01-ON-6772-170-00-0	Office for the Aging – Regular Part-Time	\$ 7,380
01-ON-6772-423-02-0	Office for the Aging – Telephone	\$ 234
01-ON-6772-428-01-0	Office for the Aging – Site Supplies	\$ 368
01-ON-6772-452-00-0	Office for the Aging – Food Costs	\$ 3,747
01-N1-8020-180-00-0	Planning – Overtime	\$ 940
01-N1-8020-220-00-0	Planning – Office Equipment	\$ 3,700
01-N1-8020-411-02-0	Planning – Educational Wkshp.	\$ 2,000
01-Q1-3140-180-00-0	Probation – Overtime	\$ 2,000
01-Q1-3140-190-00-0	Probation – Part-Time	\$ 2,000
01-IP-1170-220-00-0	Public Defender – Office Equip.	\$ 8,000
01-IP-1170-411-02-0	Public Defender – Educational Wkshp.	\$ 250
01-IP-1170-445-00-0	Public Defender – Other Travel	\$ 500
01-PP-4010-419-01-0	Public Health – Commercial Printing	\$ 500
01-PP-4010-423-02-0	Public Health – Other Phone Services	\$ 1,550
01-R1-1355-180-00-0	Real Property – Overtime	\$ 600
01-R1-1355-411-02-0	Real Property – Educational Wkshp.	\$ 200
01-R1-1355-420-00-0	Real Property – Office Supplies	\$ 1,010
01-R1-1355-423-02-0	Real Property – Other Phone Services	\$ 50
01-R1-1355-424-02-0	Real Property – Interdept. Postage	\$ 100
01-R1-1355-426-00-0	Real Property – Books and Periodicals	\$ 100
01-R1-1355-430-07-0	Real Property – Other Fees and Services	\$ 600
01-R1-1355-443-00-0	Real Property – Mileage	\$ 200
01-R1-1355-445-00-0	Real Property – Other Travel	\$ 500
01-DA-6010-426-00-A	Social Services – Advance Sheets	\$ 1,000
01-DA-6010-220-01-A	Social Services – Domain Server	\$ 10,900
01-DA-6010-220-01-A-IMAG	Social Services – Scanner	\$ 20,200
01-DA-6010-220-02-A-IMAG	Social Services – PC for Scanner	\$ 1,500
01-DA-6010-210-00-S	Social Services – Desks	\$ 8,400
01-S1-3110-230-00-0	Sheriff’s Office – Vehicle	\$ 25,749
01-T1-1325-411-02-0	Treasurer – Educational Wkshp.	\$ 150
01-T1-1325-420-00-0	Treasurer – Office Supplies	\$ 250
01-T1-1325-426-00-0	Treasurer – Books and Periodicals	\$ 50
01-V1-6510-420-00-0	Veteran’s Services – Office Supplies	\$ 200
01-V1-6510-443-00-0	Veteran’s Services – Mileage	\$ 648
01-V1-6510-445-00-0	Veteran’s Services – Other Travel	\$ 600
01-M1-6610-120-00-0	Weights and Measures – Director Wage	\$ 1,625
01-M1-6610-130-00-0	Weights and Measures – Inspector Wage	\$ 6,778

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01-M1-6610-140-00-0	Weights and Measures – Clerical Wage	\$ 1,007
01-Y1-7310-430-07-0	Youth Bureau – Other Fees and Services	\$ 50
01-Y1-7310-140-00-0	Youth Bureau – Clerical Salary	\$ 3,953
05-WH-8160-422-00-0-MSW	Solid Waste – Equipment Repair and Maint.	\$ 1,250
05-WH-8160-430-18-0-RECY	Solid Waste – Tipping Fees	\$ 950
05-WH-8160-441-00-0-LEAC	Solid Waste – Gasoline and Oil	\$ 975
05-WL-8160-430-15-C	Solid Waste – Canton State Fees	\$ 300
05-WL-8160-467-01-C	Solid Waste – Canton Safety Supplies	\$ 250
05-WT-8160-416-00-0	Solid Waste – Transfer Station Electricity	\$ 1,475
08-LR-1710-411-02-0	Liability – Educational Wkshp.	\$ 250
08-LR-1710-443-00-0	Liability – Mileage	\$ 120
08-LR-1710-445-00-0	Liability – Other Travel	\$ 100

DECREASE REVENUE

01-ON-2705-550-MS-0	Office for the Aging/Meal Site Donations	\$ 2,950
01-ON-4772-570-US-0	Office for the Aging/USDA Cnt Admin.	\$ 1,033

DECREASE APPROPRIATIONS

01-ON-6772-452-00-0	Office for the Aging – Food Costs	\$ 3,983
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Mr. FitzRandolph moved to adopt Resolution No. 97-2003, seconded by Mr. Teele. Mr. Brining noted there was a slightly revised Resolution on Legislators desks and he cited the changes. Mr. Morrill said he will vote against this Resolution as he thinks the Board of Legislators has asked enough of the Department Heads. Mr. Nichols said these are not cuts, this is an effort to increase discretionary funding through contingencies. The motion carried by a roll call vote, with fourteen (14) yes votes and one (1) no vote (Morrill).

Finance Committee: 3-31-2003

RESOLUTION NO. 98-2003

**OPPOSING THE POTENTIAL ACQUISITION BY THE STATE OF NEW YORK OF
ADDITIONAL LAND OR DEVELOPMENT RIGHTS ON THE LAND CURRENTLY
OFFERED FOR SALE BY THE HANCOCK NATURAL RESOURCE GROUP, INC IN
THE TOWNS OF CLARE, CLIFTON, COLTON, AND PIERCEFIELD**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, on numerous prior occasions, this Board of Legislators has expressed its concerns regarding the loss of working lands and traditional cultural and recreational assets

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related to the State's acquisition of land and/or development rights within the Adirondack Park portion of the County, and

WHEREAS, New York State currently owns or controls development on more than 24 percent of the land area of the County, and

WHEREAS, loss of such timberlands compromises the deferred tax incomes to Towns operating with the RPTL § 480-a exemptions and could erode the tax base of the affected communities for years to come, and

WHEREAS, the continued viability of harvesting and value-added processing operations within the County could in turn be jeopardized by the potential loss of working forest land, and

WHEREAS, there are, by the company's estimate 17 active hunting camp leases on the unencumbered 50,000+ acres of land that could be jeopardized by the potential public acquisition of land. The potential loss of these camps would be detrimental to the local economy and cultural heritage of the region, and.

WHEREAS, in addition, 8 camps existing on the remaining 20,000+ acres currently encumbered with a development easement are scheduled to have their leases terminated in 2004 resulting in the termination of private club rights and the removal of camp buildings and infrastructure; the loss of which the Board fought in 1999, and

WHEREAS, these camps are, by the company's estimate, not only solid financial partners in the operations but also good stewards of the land, roads and boundaries and which have also erected and maintained camp facilities that may be of historic or cultural significance as defined by the Office of Parks, Recreation and Historic Preservation,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators requests that the New York State Legislature not engage – directly and/or through an intermediary – in the acquisition of any further land and/or development easements in regard to the current bid offering from the Hancock Natural Resources Group, and

BE IT FURTHER RESOLVED, that the County Board of Legislators reiterates its concerns regarding the process utilized by the State in acquiring land and renews its call to amend the process as identified in Resolution No. 302-2000 (attached),

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor George E. Pataki, Senate Majority Leader Joseph Bruno, Assembly Majority Leader Sheldon Silver, Senator James Wright, Senator Raymond Meier, Assemblywoman Dierdre Scozzafava, and Assemblyman Darrell Aubertine.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 98-2003, seconded by Mr. Nichols. Mr. Gray asked if he could propose direction to the County Attorney, he would like him to research when large parcels of land are up for sale, if they would likely be reviewed by the Planning Board and

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the Board of Legislators. After some research has been done, he would like the opportunity to weigh in on the economic impact to St. Lawrence County. The Chair requested that Mr. Maginn review the issue. He said hopefully not on the 21st of April as there is a double meeting scheduled.

Ms. Cobb called The Diamond Sportsmen Club and understands that they purchased acreage from the Timber Company. If there is land for sale of any substantial magnitude, she cited that equal access is has not been provided. She provided the example of the Champion Land Deal, when land of this size is for sale there should be some definition that would allow fluid access. On the topic of future issues of this type she would like to address our State Officials and propose that the clubs would be able to purchase parcels. One problem she noted is with one large Timber Company selling to another and the threat of lease to lease club rental. She suggested that this could be essentially cured. Mr. Gray said he agrees wholeheartedly with Ms. Cobb, however disagrees with one section, that just because the State does not have the funding does not mean a third party could not purchase and then gift the land. He does think we need to be proactive.

Mr. Nichols said he would like to point out that the County has been proactive, going back to the Champion Land Deal and we were very vocal with the State Representatives. He would like to explain the impacts and comments made by Legislators in the past week. Simply because New York State pays tax on land in the Adirondacks, it does not mean they will pay taxes the way we think they will. There are two Article VII proceedings ongoing in Clifton. In 1989, there were four parcels and in 2001 litigation ended. It was agreed that the value was worth \$32,369,000 and the State requested it be reduced to \$21 million. In 2002, Colton State land was purchased from Niagara Mohawk. The Assessor left the petition as it was at 495,900. The State wanted 3,300 and these are examples of the way the state works in these type of deals. Between 2000-2002, there was 484,500 due and the State wanted it for 158,000. These drastic decreases have severe impacts. The state has made it very difficult for the Towns to defend themselves. The State asked for an advisory appraisal, but does not come up with one for example, the Whitney land. It was a subdivision issue. Some people think of subdivision as one house per forty-two and a half acres. Their regulations do not work in the way that one might think.

Mr. Wilson asked if Mr. Nichols would yield for a pointer. Mr. Wilson said there were three hundred acres per lot. The State found that, Mr. Nichols cited Mr. Lacy for actuality, there were thirteen million square feet for that amount of acreage. The impact on the Town of Clare was eleven percent (11%) of the Township in private hands. For all practical purposes, the State will want to merge it with another Town because there will be nothing substantial left. There will be sixty-one percent tax will be at the mercy of the State or its subsidiary. If the State was ever forced to make a cut, they could decide to pay less without anyone to hold them accountable, 1.4 million on that property and it is twenty percent (20%) of the total property. The total acreage of the camps is 283,000, seventy-one thousand would be paid by New York State. We are currently paid sixty-seven thousand, and if the State would pay the seventy-one thousand, for a total of one hundred thirty-nine thousand in additional revenue. It does not take into consideration the economic impact on the County in regard to the recreation vehicles industry. The Supervisor of the Town of Colton mention the Adirondack Council had balked at the bridge that has been under construction for between seven and ten years. If the state does purchase, there will be a burden on the local people. There have been eleven (11) resolutions since 1987 asking New

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York State to stop buying land in St. Lawrence County. The Board of Legislators petitioned the state in 1989 and in 1994, in 1995 objected to the Niagara Mohawk sale to New York State. In 1996, they voted to limit and reimburse those. In 1998, opposed Champion 1998 and invited towns 1999 – clean air clean. His concern is that people are preoccupied with the Board of Legislators sugarcoating these land purchases. On April 20, 1999 there were 480 tax exemptions reviewed and 480a for over 800,000 were enrolled in the tax exemption. The difference was that a stumpage fee would be paid. It was also discussed that reimbursement should occur, the State has never sent the funding back. Mr. Nichols yielded to Gray who asked him if all the other Legislators could we all have copies of what he was reading from. Mr. Nichols said yes and the importance of keeping land in private hands by citing the number of jobs to be lost. It would be a huge economic hit.

Mr. Moore said the assessment in the Town of Fine which excludes one hundred miles of shoreline and it is not assessed as such. It is unfortunate that the snowmobile bridge has encountered these roadblocks and they still do not have the surveying done. It has not been classified and that boils down to the County. They need the work completed the Adirondack Council met and toured the area and then sent a letter saying they do not support it all. There are things that could be done and generally there is a compromise. The environmentalists do not compromise, they say it is there way or no way. There is a whole column of these groups who are working in the area. Now the State is saying they cannot afford the land. It is suspected that they will have an organization like the Nature Conservancy purchase and later give to New York State. He has a picture of a huge rock cordoning off an area where people used to go have picnics, etc. He is concerned about the State purchasing the land. Mr. Lacy requested a roll call vote. Mr. Wilson said it is a sad story but we have to work together and they keep putting distractions like the four lane highway in front of us to distract us. He said he supposes that it will cease when they control all of the Adirondack Park. The motion carried unanimously by a roll call vote.

Operations Committee: 3-17-2003

RESOLUTION NO. 99-2003

**AUTHORIZING ST. LAWRENCE COUNTY TO APPLY FOR
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

By Mr. Grow, Chair, Operations Committee

WHEREAS, funds are available from the Governor's Office for Small Cities (GOSC) to provide for community improvements, such as housing, economic development and community facilities under the Community Development Block Grant (CDBG) program, and

WHEREAS, applicants must be units of general local government, specifically including counties, and

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WHEREAS, the need for economic development, housing development and rehabilitation and for community facilities are recognized in many communities in St. Lawrence County,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby authorize, subject to review by the County Attorney where required:

- The County Planning Office to prepare the application and to perform other necessary requirements in order to secure CDBG funds on behalf of the County of St. Lawrence, and
- The Chair of the Board of Legislators to sign the necessary application documentation, and
- Should the grant be awarded, the County will provide GOSC grant administration and program delivery services, such services to be reimbursable through the grant.

* * *

Mr. Grow moved to adopt Resolution No. 99-2003, seconded by Mr. Turbett, and carried unanimously by a voice vote.

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Operations Committee: 3-17-2003

RESOLUTION NO. 100-2003

**AUTHORIZING ST. LAWRENCE COUNTY TO PROVIDE GRANT SERVICES TO
THE VILLAGE OF EDWARDS**

By Mr. Grow, Chair, Operations Committee

WHEREAS, funds are available from the Governor's Office for Small Cities (GOSC) to provide for community improvements, such as housing, economic development and community facilities under the Community Development Block Grant (CDBG) program, but the program is complex and often too difficult for small units of government to manage, and

WHEREAS, the regulations for the CDBG program allow counties to apply for "funds on behalf of" other local governments if requested by the local government, and

WHEREAS, the County Planning Office has experience in preparing CDBG applications and in the administration of the programs, and

WHEREAS, the Village of Edwards has requested that the County apply on its behalf for CDBG funds,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby authorize, subject to review by the County Attorney where required:

- The County Planning Office to apply for GOSC grant funds on behalf of the Village of Edwards, and
- The Chair of the Board of Legislators to sign the necessary application documentation, and
- The County Planning Office to perform other necessary requirements in order to apply for CDBG funds, and
- Should the grant be awarded, the County will provide GOSC grant administration and program delivery services to the Village of Edwards, such services to be reimbursable through the grant.

* * *

Mr. Grow moved to adopt Resolution No. 100-2003, seconded by Mr. Morrill, and carried unanimously by a voice vote.

April 7, 2003

Operations Committee: 3-17-2003

RESOLUTION NO. 101-2003

**AUTHORIZING ST. LAWRENCE COUNTY TO PROVIDE GRANT SERVICES
TO THE TOWNS OF CLIFTON AND FINE**

By Mr. Grow, Chair, Operations Committee

WHEREAS, funds are available from the Governor's Office for Small Cities (GOSC) to provide for community improvements, such as housing, economic development and community facilities under the Community Development Block Grant (CDBG) program, but the program is complex and often too difficult for small units of government to manage, and

WHEREAS, the regulations for the CDBG program allow counties to apply for "funds on behalf of" other local governments if requested by the local government, and

WHEREAS, the County Planning Office has experience in preparing CDBG applications and in the administration of the programs, and

WHEREAS, the Towns of Clifton and Fine (Star Lake) have requested that the County apply on its behalf for CDBG funds,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby authorize, subject to review by the County Attorney where required:

- The County Planning Office to apply for GOSC grant funds on behalf of the Towns of Clifton and Fine (Star Lake), and
- The Chair of the Board of Legislators to sign the necessary application documentation, and
- The County Planning Office to perform other necessary requirements in order to apply for CDBG funds, and
- Should the grant be awarded, the County will provide GOSC grant administration and program delivery services to the Towns of Clifton and Fine (Star Lake), such services to be reimbursable through the grant.

* * *

Mr. Grow moved to adopt Resolution 101-2003, seconded by Mr. Morrill and carried unanimously by a voice vote.

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Operations Committee: 3-17-2003

RESOLUTION NO. 102-2003

PROCLAIMING FAIR HOUSING MONTH IN ST. LAWRENCE COUNTY

By Mr. Grow, Chair, Operations Committee
Co-Sponsored by Mr. Lacy, District 5

WHEREAS, the St. Lawrence County Board of Legislators wishes to promote fair housing choice for all persons in St. Lawrence County through the provision of educational, outreach and promotional fair housing activities, and

WHEREAS, the County Board of Legislators created the Fair Housing Task Force in 1991 with the purpose of increasing public awareness of fair housing choice in the county, and

WHEREAS, the Fair Housing Task Force has, since its inception, worked to ensure that persons are not denied housing opportunity because of their race, ethnic origin, religion, disability, or the fact that they are a family with children, and

WHEREAS, the Fair Housing Task Force has sponsored numerous workshops on a variety of fair housing topics and intends to offer a workshop on April 24, 2003 on a number of tenant-landlord issues including the importance of a lease agreement,

NOW, THEREFORE BE IT RESOLVED, that the St. Lawrence County Board of Legislators, in conjunction with a federal initiative, does hereby designate April to be "Fair Housing Month" in St. Lawrence County, and

BE IT FURTHER RESOLVED, that the St. Lawrence County Board of Legislators does hereby encourage all persons throughout the county to educate themselves about their right of equal opportunity to live in safe, decent housing of their choice.

* * *

Mr. Grow moved to adopt Resolution No. 102-2003, seconded by Mr. Lacy and carried unanimously by a voice vote.

Operations Committee: 3-17-2003

RESOLUTION NO. 103-2003

PROCLAIMING EARTH DAY IN ST. LAWRENCE COUNTY

By Mr. Grow, Chair, Operations Committee

April 7, 2003

WHEREAS, the St. Lawrence County Board of Legislators has traditionally emphasized the preservation and improvement of the quality of the natural and man-made environment within the County, and

WHEREAS, the County's Environmental Management Council has, since its inception in 1971, worked to advise the Board of Legislators about, and to foster public understanding of, environmental matters affecting the county, and

WHEREAS, the Environmental Management Council has established an annual tradition whereby it has sponsored programs in conjunction with the national observance of "Earth Day", and

WHEREAS, in conjunction with "Earth Day", April 22, 2003, the Environmental Management Council will encourage public participation in environmentally responsible activities and educational programs,

NOW, THEREFORE BE IT RESOLVED, that the St. Lawrence County Board of Legislators does hereby designate April 22, 2003 to be "Earth Day" in St. Lawrence County, and

BE IT FURTHER RESOLVED, that the St. Lawrence County Board of Legislators does hereby encourage all persons throughout the county to participate in programs and activities on Earth Day and throughout the year, that promote a stronger economy in conjunction with a healthy environment and that improve knowledge about the interactions between people and the environment.

* * *

Mr. Grow moved to adopt Resolution No. 103-2003, seconded by Ms. Brothers and Mr. Romigh, and carried unanimously by a voice vote.

Operations Committee: 3-17-2003

RESOLUTION NO. 104-2003

SUPPORTING THE RESTORATION OF FUNDING IN SUPPORT OF RURAL PRESERVATION COMPANIES IN THE NEW YORK STATE BUDGET

By Mr. Grow, Chair, Operations Committee

WHEREAS, St. Lawrence County has long benefited from the activities under taken by four rural preservation companies that work to address a variety of housing and community development needs, particularly those of low- and moderate-income households, and

WHEREAS, New York State is evaluating a budget that proposes a significant reduction in funding support for the operations of said rural preservation companies, and

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WHEREAS, loss of such operational support threatens both the viability of such agencies and the programs they provide, and

WHEREAS, it has been well documented through the years that the rural preservation companies subsidy is leveraged many times over in public and private funds in the provision of affordable, safe and decent housing, support services and other community development activities throughout the county,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators requests that the New York State Legislature restore funding to the rural preservation companies serving the needs of rural residents throughout the state, and

BE IT FURTHER RESOLVED, that the Board of Legislators requests that the Governor continue the contracted relationships with the County's Rural Preservation Companies pending the state's initiation of a public process for evaluating the success of the rural preservation program in St. Lawrence County, and other rural counties throughout the state, and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor George E. Pataki, Senate Majority Leader Joseph Bruno, Assembly Majority Leader Sheldon Silver, Senator John Bonacic of the Senate Housing Committee, Assemblyman Vito Lopez of the Assembly Housing Committee, Senator James Wright, Senator Raymond Meier, Assemblywoman Dierdre Scozzafava and Assemblyman Darrell Aubertine.

* * *

Mr. Grow moved to adopt Resolution No. 104-2003, seconded by Ms. Brothers. Mr. Lacy said he would abstain from the vote, and declared a conflict of interest. The motion carried with thirteen (13) yes votes, one (1) no vote (MacKinnon), and one (1) abstention (Lacy).

Operations Committee: 3-17-2003

RESOLUTION NO. 105-2003

EXTENDING AN AGREEMENT WITH THE STATE DATA CENTER

By Mr. Grow, Chair, Operations Committee

WHEREAS, the County Planning Office has been an Affiliate Data Center of the New York State Department of Economic Development / New York State Data Center Program under a series of two-year reciprocal services (no cash transactions) agreements since 1986, and

WHEREAS, affiliate status has brought many benefits to the county and to its localities, organizations, businesses and individuals in the form of current Census and economic data, as well as training in data analysis, and

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WHEREAS, the current agreement expired on December 31, 2002 and new contracts have been received which will extend the agreement until December 31, 2004,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby authorize the Chair of the Board of Legislators to sign the 2003-2004 Agreement with the Department of Economic Development, subject to the approval of the County Attorney.

* * *

Mr. Grow moved to adopt Resolution No. 105-2003, seconded by Mr. FitzRandolph, and carried unanimously by a voice vote.

Operations Committee: 3-17-2003

RESOLUTION NO. 106-2003

**MODIFYING THE 2003 BUDGET FOR THE COUNTY CLERK'S OFFICE,
STATE EDUCATION DEPARTMENT GRANT**

By Mr. Grow, Operations Committee

WHEREAS, the County Clerk's Office has received a \$25,866 grant from the State Education Department, and

WHEREAS, \$3,829 has been allocated for a consultant and supplies, and

WHEREAS, this money would be better used for the continued salary of a clerk hired under this grant, and

WHEREAS, this clerk is currently inventorying archival records in the basement,

NOW, THEREFORE, BE IT RESOLVED that the Treasurer is authorized to modify the County Clerk's 2003 budget as follows:

INCREASE APPROPRIATIONS

01-K1-1410-180-00-1-LGRM	KCC TEMP/PART TIME	\$2,918
01-K1-1410-800-00-1-LGRM	FRINGE BENEFITS	<u>911</u>
		\$3,829

DECREASE APPROPRIATIONS

01-K1-1410-420-00-1-LGRM	OFFICE SUPPLIES	\$1,329
01-K1-1410-430-07-1-LGRM	OTHER FEES & SERVICES	<u>\$2,500</u>
		\$3,829

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* * *

Mr. Grow moved to adopt Resolution No. 106-2003, seconded by Mr. Cook and carried unanimously by a roll call vote.

Operations Committee: 3-17-2003

RESOLUTION NO. 107-2003

APPROVING CONTRACT WITH NYS DIVISION OF CRIMINAL JUSTICE SERVICES FOR THE DOMESTIC ABUSE RESPONSE TEAM PROGRAM

By Mr. Grow, Chair, Operations Committee

WHEREAS, St. Lawrence County has been awarded \$44,000 from the Federal Violence Against Women Grant for 2002-2003, and

WHEREAS, the County share for continuing this program for 2002-2003 will be \$15,044, and

WHEREAS, the proposal from St. Lawrence County was jointly prepared by the St. Lawrence County Probation Department, the District Attorney's Office and Renewal House, and

WHEREAS, the program will continue to be funded at this level through 11/30/03,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes the Chair to sign the appropriate contracts, upon the approval of the County Attorney.

* * *

Mr. Grow moved to adopt Resolution No. 107-2003, seconded by Mr. Wilson, and carried unanimously by a voice vote.

Operations Committee: 3-17-2003

RESOLUTION NO. 108-2003

**TRANSFER OF FUNDS IN THE 2003 BUDGET,
CORRECTIONAL FACILITY HOUSING INMATES AT OTHER
CORRECTIONAL FACILITIES**

By Mr. Grow, Chair, Operations Committee

April 7, 2003

WHEREAS, this year there have been inmates housed in the Oneida and Franklin County Correctional Facilities and also at The New York State Department of Mental Hygiene Facility at Marcy, and

WHEREAS, at the present time there are inmates housed in Oneida and Franklin Counties and The New York State Department of Mental Hygiene Facility, and

WHEREAS, presently there are outstanding bills amounting to approximately \$41,320 for January 2003 for the care of these inmates, and

WHEREAS, there is \$22,136 in the account to pay these bills,

NOW, THEREFORE, BE IT RESOLVED that the following transfer of funds is hereby authorized:

TRANSFER FROM:

01-B1-1990-497-00-0	Contingency Fund	\$100,000
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TRANSFER TO:

01-S5-3150-480-01-0	Boarding of Prisoners	\$100,000
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Mr. Grow moved to adopt Resolution No. 108-2003, seconded by Mr. Romigh, and carried unanimously by a roll call vote.

Services Committee: 3-24-2003

RESOLUTION NO. 109-2003

**MODIFYING THE 2003 FORESTRY DEPARTMENT BUDGET
IN REGARDS TO SNOWMOBILE GRANT FUNDS**

By Mr. Cook, Chair, Services Committee

WHEREAS, increased grant funds were received for the 2002-2003 snowmobile trail grooming fund maintenance project making the grant total \$126,531, and

WHEREAS, appropriations should be increased to match the grant allowance,

NOW, THEREFORE, BE IT RESOLVED that the 2003 Budget be amended as follows:

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INCREASE REVENUE

01-F1-3889-560-00-0	Snowmobile Grant	\$66,531
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INCREASE APPROPRIATIONS

01-F1-8710-460-00-0	Payments and Other Contributions	\$66,531
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* * *

Mr. Grow moved to adopt Resolution No. 109-2003, seconded by Mr. Cook and carried unanimously by a roll call vote.

Services Committee: 3-24-2003

RESOLUTION NO. 110-2003

AUTHORIZING CHAIR OF THE BOARD OF LEGISLATORS TO SIGN SUBGRANT AGREEMENT WITH NEW YORK STATE OFFICE FOR THE AGING, TITLE V - SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM FOR 2003 - 2004 PROGRAM YEAR

By Mr. Cook, Chair, Services Committee

WHEREAS, the New York State Office for the Aging has indicated its intent to renew the Title V Program for a one year period beginning July 1, 2003, and

WHEREAS, the Board of Legislators wishes to continue this service which provides employment training for between four (4) and eight (8) Senior Citizens, age 55+, who are at or below 125% of the poverty level,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators is hereby authorized to sign the 2003 - 2004 Program year Subgrant Agreement with the New York State Office for the Aging - Title V Program upon approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution No. 110-2003, seconded by Ms. Brothers and Mr. Grow, and carried unanimously by a voice vote.

April 7, 2003

Services Committee: 3-24-2003

RESOLUTION NO. 111-2003

AUTHORIZING CHAIR OF THE BOARD OF LEGISLATORS TO SIGN SUBGRANT AGREEMENT WITH THE NATIONAL COUNCIL ON THE AGING, INC. - SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM FOR 2003 - 2004 PROGRAM YEAR

By Mr. Cook, Chair, Services Committee

WHEREAS, the National Council on the Aging, Inc. has indicated its intent to renew the St. Lawrence County Senior Community Service Employment Program (SCSEP) for a one year period beginning July 1, 2003, and

WHEREAS, the Board of Legislators wishes to continue this service which provides employment training for between twenty-five (25) and thirty (30) Senior Citizens, age 55+, who are at or below 125% of the poverty level,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the St. Lawrence County Board of Legislators is hereby authorized to sign the 2003- 2004 Program year Subgrant Agreement with the National Council on Aging, Inc. - Senior Community Service Employment Program, upon approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution No. 111-2003, seconded by Mr. Morrill, and carried unanimously by a voice vote.

Services Committee: 3-24-2003

RESOLUTION NO. 112-2003

TRANSFER OF AGENCY OPERATED BOARDING HOMES BACK TO THE SOCIETY OF THE UNITED HELPERS

By Mr. Cook, Chair, Services Committee

WHEREAS, the Agency Operated Boarding Homes (Norwood Boys Home and the Potsdam Girls Home) were gifted to the County of St. Lawrence by the Society of the United Helpers (Society) on October 30, 1974, and June 1, 1977, respectively, and

WHEREAS, there were restrictions in both transfers providing that should the County decide to discontinue the operations of the homes, the County will re-convey the property to the Society or sell the real property and use the proceeds thereof for the acquisition of another or other home or homes for the care of such children, and

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WHEREAS, the County has discontinued the operation of both homes and has made no provision for selling either real property and using the proceeds thereof for the acquisition of another or other homes for the care of such children,

NOW, THEREFORE, BE IT RESOLVED, the County hereby transfers the ownership of both homes back to the Society and hereby directs the Chair of the St. Lawrence County Board of Legislators to execute all documents necessary for that transfer upon the approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution No. 112-2003, seconded by Mr. Lacy and Mr. Nichols. Mr. Turbett asked if the Board of Legislators would consider a delay, simply to have the new Commissioner of Social Services review the situation. He said it has only been closed a few months. Mr. Turbett said he would feel more comfortable and if the Board does not oblige, he will oppose the resolution. Mr. Turbett made a motion to table, seconded by Ms. Cobb. Chair MacKinnon said the motion to table failed by a voice vote with two (2) yes votes and thirteen (13) no votes. The Resolution carried by a roll call vote with fourteen (14) yes votes and one (1) no vote (Turbett).

Service Committee: 3-24-2003

RESOLUTION NO. 113-2003

**ACCEPTING FUNDING FROM THE SWEETGRASS FOUNDATION, INC.
OF HAMMOND, NEW YORK FOR THE YOUTH CONSERVATION CORPS CREW**

By Mr. Cook, Chair, Service Committee

WHEREAS, the St. Lawrence County Youth Conservation Corps (YCC) program is in its twenty-eighth year of providing community service and conservation of our County and State natural resources, and

WHEREAS, YCC provides development of entry-level employment skills, self esteem, team work, responsibility, proper work ethic, and an understanding of the environment and our local heritage, and

WHEREAS, the work performed by the young adults helps preserve our natural resources by maintaining municipal projects, clearing recreational trails, improving timber stands, creating wildlife habitats, marking boundary lines, and removing litter on State and county forest lands, and

WHEREAS, The Sweetgrass Foundation, Inc. of Hammond, NY has graciously donated money to the Youth Conservation Corps, through the St. Lawrence County Youth Bureau, in the amount of \$15,000.00 to fund a crew in 2003,

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NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby accept the Sweetgrass Grant, and

BE IT FURTHER RESOLVED that the Treasurer is hereby authorized to make the following modifications to the 2003 budget:

INCREASE APPROPRIATIONS:

01-Y2-7310-190-00-1	Temporary & Part Time	\$3,273.20
01-Y2-7310-460-00-1	Payments & Contributions	6,646.50
01-Y2-7310-800-00-1	Fringes	1,091.19
01-Y2-7310-421-00-1	Equipment Rental (Van)	2,690.00
01-Y2-7310-441-00-1	Gasoline and Oil	300.00
01-Y2-7310-499-00-1	Miscellaneous	<u>999.11</u>
		\$15,000.00

INCREASE REVENUE:

01-Y2-2705-550-00-1	Gifts and Donations	\$15,000.00
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Mr. Cook moved to adopt Resolution No. 113-2003, seconded by Mr. FitzRandolph. Chair MacKinnon thanked Sweetgrass. The motion carried unanimously by a roll call vote.

Services Committee: 3-24-2003

RESOLUTION NO. 114-2003

**ABOLISHING A CASEWORKER POSITION WITHIN
THE DEPARTMENT OF SOCIAL SERVICES**

By Mr. Cook, Chair, Services Committee

WHEREAS, a Caseworker in the Day Care Unit has retired, and

WHEREAS, the duties performed by this Caseworker are being taken over by the St. Lawrence Child Care Council,

NOW, THEREFORE, BE IT RESOLVED that the following position be abolished, and

ABOLISH:

01-DA-6010-110-00-S	One (1) Caseworker, Grade 24	\$30,692
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BE IF FURTHER RESOLVED that the Treasurer is hereby authorized to make the following modifications to the 2003 budget:

DECREASE APPROPRIATIONS

01-DA-6010-110-00-S	D SG DIRECT SERVICE WORKERS	\$30,692
01-DA-6010-810-00-S	D RETIREMENT	\$1,283
01-DA-6010-830-00-S	D SOCIAL SECURITY	\$2,016
01-DA-6010-840-00-S	D WORKMAN'S COMPENSATION	\$939
01-DA-6010-845-00-S	D GROUP LIFE INSURANCE	\$52
01-DA-6010-860-00-S	D HOSPITAL & MEDICAL INSURANCE	\$5,015
01-DA-6010-865-00-S	D DENTAL INSURANCE	<u>\$166</u>
TOTAL		\$40,163

INCREASE APPROPRIATIONS

01-DA-6010-430-07-S	D OTHER FEES	\$40,163
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Mr. Cook moved to adopt Resolution No. 114-2003, seconded by Mr. Nichols and carried unanimously by a roll call vote.

Services Committee: 3-24-2003

RESOLUTION NO. 115-2003

**AUTHORIZING CHAIR TO SIGN A RENEWAL AGREEMENT WITH PINKERTON
FOR THE PROVISION OF SECURITY SERVICES AT THE
HAROLD B. SMITH BUILDING**

By Mr. Cook, Chair, Services Committee

WHEREAS, Resolution No. 195-2002 authorized the Chair of the Board to sign a contract with Pinkerton, and

WHEREAS, due to a restructuring of the Pinkerton offices, the final rate was not established until after the renewal deadline date, and

WHEREAS, there is a need to amend the contract,

NOW, THEREFORE, BE IT RESOLVED that the Chair is hereby authorized to sign a contract with Pinkerton in the amount of \$44,324 upon approval of the County Attorney.

* * *

April 7, 2003

Mr. Cook moved to adopt Resolution No. 115-2003, seconded by Mr. Nichols. Mr. Morrill said he will be voting no on this resolution as he does not agree with the security. The motion carried by a voice vote with twelve (12) yes votes and three (3) no votes (Brothers, Cobb, and Morrill).

Services Committee: 3-24-2003

RESOLUTION NO. 116-2003

AUTHORIZING THE CHAIR TO SIGN CONTRACTS WITH CANTON-POTSDAM HOSPITAL, CLAXTON-HEPBURN MEDICAL CENTER AND MASSENA MEMORIAL HOSPITAL FOR SERVICES

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department contracts with Canton-Potsdam Hospital, Claxton-Hepburn Medical Center and Massena Memorial Hospital for the provision of emergency response system services, and

WHEREAS, St. Lawrence County Public Health Department does not provide these services,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair to sign said contracts upon approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution 116-2003, seconded by Mr. Gray, and carried unanimously by a voice vote.

Services Committee: 3-24-2003

RESOLUTION NO. 117-2003

AUTHORIZING THE CHAIR OF THE BOARD OF LEGISLATORS TO SIGN A CONTRACT AND MODIFY THE 2003 PUBLIC HEALTH DEPARTMENT BUDGET, HEALTHY LIVING PARTNERSHIP

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department has received notification that the department has been awarded grant funding in the amount of \$146,280 for its Healthy Living Partnership program for 2003-2004, and

WHEREAS, this program provides comprehensive breast and cervical cancer screening services as part of the Department of Health's statewide screening program, and

April 7, 2003

WHEREAS, Public Health did not receive the entire budgeted amount,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes its Chair to sign said contract upon approval of the County Attorney, and

BE IT FURTHER RESOLVED that the 2003 budget be modified as follows:

DECREASE APPROPRIATIONS:

01-PW-4010-430-04-0-HLPG	Medical Fees	\$7,814
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DECREASE REVENUE:

01-PW-3472-560-00-0	Healthy Living Partnership	\$7,814
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* * *

Mr. Cook moved to adopt Resolution No. 117-2003, seconded by Ms. Brothers and Mr. Grow, and carried unanimously by a roll call vote.

Services Committee: 3-24-2003

RESOLUTION NO. 118-2003

SETTING LONG TERM HOME HEALTH CARE PROGRAM RATES

By Mr. Cook, Chair, Services Committee

WHEREAS, New York State Department of Health, Bureau of Long Term Care Reimbursement, has authorized rates for the services provided by the Long Term Home Health Care Program, and

WHEREAS, the Program's current fee schedule is lower for some services than their cost and the authorized reimbursement rates, and

WHEREAS, annual review of rates with applicable costs is mandated by Medicaid and Medicare, recognizing Medicare and Medicaid will set their rates based on board resolution, and

WHEREAS, a timely revision in the charges for these services will eliminate any penalty while serving to maximize third-party reimbursement,

NOW, THEREFORE, BE IT RESOLVED that the current charges listed below be revised effective January 1, 2003 as follows:

April 7, 2003

CURRENT RATE:

Personal Care Aide	\$25/hour
\$28/hour	
Housekeeper	24/hour
26/hour	
Homemaker	13/hour
16/hour	

NEW RATE:

Personal Care Aide
Housekeeper
Homemaker

* * *

Mr. Cook moved to adopt Resolution No. 118-2003, seconded by Mr. Wilson, and carried unanimously by a voice vote.

Services Committee: 3-24-2003

RESOLUTION NO. 119-2003

MODIFYING THE 2003 PUBLIC HEALTH BUDGET IN REGARDS TO THE YOUTH EMPOWERMENT PROGRAM (REALITY CHECK)

By Mr. Cook, Chair, Services Committee

WHEREAS, St. Lawrence County has received additional revenues of \$15,000 for the Tobacco Grant, and

WHEREAS, these monies will be used to support the state-required Movie Initiative, and

WHEREAS, the money will be passed directly to Seaway Valley Prevention Council,

NOW, THEREFORE, BE IT RESOLVED that the 2003 Public Health Budget be modified as follows:

INCREASE APPROPRIATIONS:

01-PT-4010-430-07-0-YEP	Other Fees and Services	\$15,000
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INCREASE REVENUE:

01-PT-2280-550-00-0-TCPG	Services for Other Governments	\$15,000
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* * *

Mr. Cook moved to adopt Resolution No. 119-2003, seconded by Mr. Nichols, and carried unanimously by a roll call vote.

April 7, 2003

Services Committee: 3-24-2003

RESOLUTION NO. 120-2003

**CCSI & ASSISTED OUTPATIENT TREATMENT
2003 BUDGET AMENDMENT**

By Mr. Cook, Chair, Services Committee

WHEREAS, at the February Board Meeting, the Board of Legislators approved the consolidation of the Assisted Outpatient Treatment Coordinator (AOT) and Coordinated Children's Services Initiative (CCSI) position under the new title of Mental Health Services Coordinator, and, with this consolidation, some CCSI services to children and families were lost, and

WHEREAS, with the consolidation, additional funding remains for reallocation, and

WHEREAS, there will be additional State Aid to be reallocated from the Assertive Community Treatment Team (ACT), and

WHEREAS, the Mental Health Subcommittee, the Community Services Board and the State Office of Mental Health have all approved the reallocation of funds to expand our CCSI contract with Catholic Charities, and

WHEREAS, the Mental Health Services Coordinator will supervise this position along with existing CCSI Case Managers employed by Catholic Charities and will continue to maintain the Service Funds in the County account,

NOW, THEREFORE, BE IT RESOLVED that the 2003 Budget be amended to reflect the reallocation of funds, and

DECREASE APPROPRIATIONS:

01-A3-4320-170-00-4	A AOT REGULAR PART TIME	\$16,568
01-A3-4320-180-00-4	A AOT OVERTIME	300
01-A3-4320-411-02-4	A AOT EDUCATIONAL WORKSHOPS	300
01-A3-4320-414-01-4	A CSSA LIABILITY & OTHER INSURANCE	341
01-A3-4320-419-01-4	A AOT CENTRAL PRINTING	50
01-A3-4320-420-00-4	A AOT OFFICE SUPPLIES & EXPENSE	150
01-A3-4320-420-01-4	A AOT COMPUTER SUPPLIES	70
01-A3-4320-421-01-4	A AOT COPYING EQUIPMENT	100
01-A3-4320-423-02-4	A AOT OTHER PHONE SERVICES	500
01-A3-4320-424-02-4	A AOT POSTAGE	150
01-A3-4320-426-00-4	A AOT BOOKS & PERIODICALS	75
01-A3-4320-430-07-4	A AOT ASSISTED OUTPATIENT TREATMENT	5,000
01-A3-4320-443-00-4	A AOT MILEAGE REIMBURSEMENT	1,000
01-A3-4320-478-02-4	A AOT I/D DATA PROCESSING	398

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01-A3-4320-810-00-4	A RETIREMENT	1,201
01-A3-4320-830-00-4	A SOCIAL SECURITY	1,994
01-A3-4320-840-00-4	A WORKMEN'S COMPENSATION	893
01-A3-4320-845-00-4	A GROUP LIFE INSURANCE	71
01-A3-4320-860-00-4	A HOSPITAL & MEDICAL INSURANCE	4,387
01-A3-4320-865-00-4	A DENTAL INSURANCE	223
01-A4-4322-465-UH-3	A CPP UNITED HELPERS	<u>5,272</u>
		\$39,043

INCREASE APPROPRIATIONS:

01-A3-4320-430-07-3	A CCSI OTHER FEES & SERVICES	\$ 7,043
01-A4-4322-465-CC-2	A CRV CATHOLIC CHARITIES	<u>32,000</u>
		\$39,043

INCREASE REVENUE:

01-A4-3490-560-00-4	A SA OFS OTHER MENTAL HEALTH PROGRAMS	\$32,000
01-A3-3490-560-00-3	A SA CCS OTHER MENTAL HEALTH PROGRAMS	<u>7,483</u>
		\$39,483

DECREASE REVENUE:

01-A3-3490-560-00-4	A ASSISTED OUTPATIENT TREATMENT	\$37,272
01-A4-3490-560-00-4	A SA OFS OTHER MENTAL HEALTH PROGRAMS	<u>2,211</u>
		\$39,483

BE IT FURTHER RESOLVED that upon approval of the County Attorney, contracts be amended as appropriate.

* * *

Mr. Cook moved to adopt Resolution 120-2003, seconded by Mr. Turbett, and carried unanimously by a roll call vote.

Services Committee: 3-24-2003

RESOLUTION NO. 121-2003

STOP-DWI 2003 BUDGET AMENDMENT

By Mr. Cook, Chair, Services Committee

WHEREAS, there is an error in the 2003 Budget allocation of STOP-DWI funds of 1.5 FTE's of Chemical Dependency Counselors, and

WHEREAS, .5 FTE was allocated to the STOP-DWI 110 account when it should have been a direct reimbursement, and

April 7, 2003

WHEREAS, the additional 1 FTE was not approved by the State oversight agency, and

WHEREAS, the error was discovered after the deadline for changes to the 2003 budget,

NOW, THEREFORE, BE IT RESOLVED that the 2003 Budget be amended to reflect the appropriate allocations as follows:

INCREASE APPROPRIATIONS:

01-A1-4220-110-00-3	A PNAC DIRECT SERVICE WORKERS TEMP BUD	\$16,809
01-A1-4220-414-01-3	A PNAC LIABILITY & OTHER INSURANCE	285
01-A1-4220-810-00-3	A RETIREMENT	748
01-A1-4220-830-00-3	A SOCIAL SECURITY	1,179
01-A1-4220-840-00-3	A WORKMEN'S COMPENSATION	590
01-A1-4220-845-00-3	A GROUP LIFE INSURANCE	35
01-A1-4220-860-00-3	A HOSPITAL & MEDICAL INSURANCE	4,614
01-A1-4220-865-00-3	A DENTAL INSURANCE	<u>112</u>
		\$24,372

DECREASE REVENUE:

01-A7-2615-550-00-1	A LR STOP DWI FINES	\$42,631
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DECREASE APPROPRIATIONS:

01-A7-3315-110-00-1	A SDWI DIRECT SERVICE WORKERS	\$16,809
01-A7-3315-414-01-1	A SDWI LIABILITY & OTHER INSURANCE	285
01-A7-3315-810-00-1	A RETIREMENT	748
01-A7-3315-830-00-1	A SOCIAL SECURITY	1,179
01-A7-3315-840-00-1	A WORKMEN'S COMPENSATION	590
01-A7-3315-845-00-1	A GROUP LIFE INSURANCE	35
01-A7-3315-860-00-1	A HOSPITAL & MEDICAL INSURANCE	4,614
01-A7-3315-865-00-1	A DENTAL INSURANCE	112
01-A7-3315-499-00-1	A SDWI ROLLOVER	<u>42,631</u>
		\$67,003

* * *

Mr. Cook moved to adopt Resolution No. 121-2003, seconded by Mr. Romigh. and carried unanimously by a voice vote.

Mr. Nichols moved to suspend the rules for presentation of resolutions, seconded by Mr. FitzRandolph, and carried unanimously by a voice vote.

April 7, 2003

PRESENTED UNDER SUSPENSION OF THE RULES

RESOLUTION NO. 122-2003

**AUTHORIZING CHAIR TO SIGN CONTRACT WITH
CSEA UNIT 8427 (SOLID WASTE DEPARTMENT)**

By Mr. FitzRandolph, Mr. Lacy and Mr. Nichols

WHEREAS, the St. Lawrence County and CSEA Unit 8427 contract expired on December 31, 2002, and

WHEREAS, the County and CSEA have reached a tentative agreement for a new three year contract, and

WHEREAS, St. Lawrence County believes that it is in the best interest of both parties to successfully conclude negotiations with a three-year contract (2003-2005),

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes the Chair of the Board of Legislators to sign a contract (as outlined in the draft contract document presented to the Board of Legislators) with CSEA Unit 8427 for 2003 through 2005.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 122-2003, seconded by Mr. Nichols, and carried unanimously by a voice vote.

PRESENTED UNDER SUSPENSION OF THE RULES

RESOLUTION NO. 123-2003

**MODIFYING CONTRACT BETWEEN ST. LAWRENCE COUNTY
AND CSEA LOCAL 1000 AFSCME/AFL-CIO**

By Mr. FitzRandolph
Mr. Nichols
Mr. Lacy

WHEREAS, CSEA has requested that two modifications be made to the current contract between St. Lawrence County and CSEA, and

WHEREAS, these modifications were reviewed by the negotiating team, and

WHEREAS, the negotiating team recommends that the modifications be made,

April 7, 2003

NOW, THEREFORE BE IT RESOLVED, that the following modifications be made to the current contract between St. Lawrence County and CSEA:

- 1.) The Public Health Nurse designated by the Director of Public Health to work primarily in the County Jail shall receive an additional \$.25 per hour. Only one employee may receive this additional \$.25. This shall be paid up to a maximum of 1,820 hours annually. This also shall not be paid to employees substituting for the designated employee or to any employee required to work in the County Jail in addition to the designated employee.
- 2.) Change: Dental Assistant from Flat Rate (FR) to Grade 13 and Dental Hygienist from Flat Rate (FR) to Grade 28, and

BE IT THEREFORE FURTHER RESOLVED, that the incumbent in these positions be moved into the appropriate grades at the Base Step retro-active to January 1, 2003.

* * *

Mr. Nichols moved to adopt Resolution No. 123-2003, seconded by Mr. Wilson, and carried unanimously by a voice vote.

PRESENTED UNDER SUSPENSION OF THE RULES

RESOLUTION NO. 124-2003

ACKNOWLEDGING SEXUAL ASSAULT AWARENESS MONTH

By Mr. Cook

WHEREAS, the Citizens Against Violent Acts, Inc. (CAVA) is a non profit agency that provides services to victims of sexual violence in St. Lawrence County, and

WHEREAS, services that are provided by CAVA include free confidential counseling, personal and legal advocacy, a twenty-four hour hotline, and educational services, and

WHEREAS, the New York State Coalition Against Sexual Assault has declared April as Sexual Assault Awareness Month, and

WHEREAS, there are many events planned for the month throughout St. Lawrence County which will increase awareness and celebrate the efforts of CAVA,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators acknowledges that April is Sexual Assault Awareness Month.

* * *

April 7, 2003

Mr. Cook moved to adopt Resolution No. 124-2003, seconded by Mr. Romigh, and carried unanimously by a voice vote.

COUNTY ADMINISTRATOR'S REPORT

Mr. Brining said there were two items this evening; first, he asked about meeting with Senators and Representatives in the Assembly. He noted on April 17th, there is a meeting at Stillwater. All Board of Legislators have been invited as well as the media (Matt Guardino and Elizabeth Graham). It has been scheduled for a Thursday evening at 4:30 p.m. It is a social meeting and dinner has been scheduled to begin at 5:30 p.m. and a small meeting is planned afterward. Chair MacKinnon asked the pleasure of the group. Mr. Wilson said he would like to wait. Ms. Brothers said she will be away during that time. Chair MacKinnon offered to wait until we convene the following Monday, April 21st to discuss the issue further. Mr. FitzRandolph said he thinks we should wait. Chair MacKinnon recognized Mr. Moore who noted that there are really nice camps that may be lost through this sale. Chair MacKinnon decided to hold on this issue until after the Stillwater meeting on April 17th, and a decision will be made with further discussion at that time.

Mr. Nichols moved to go into executive session to discuss appointments at 8:45 p.m., seconded by Mr. Wilson, and carried unanimously by a voice vote. Mr. Lacy moved to go into open session at 9:16 p.m., seconded by Mr. Nichols, and carried unanimously by a voice vote.

APPOINTMENTS

Mr. Nichols moved to appoint the following people to the **Environment Management Council**, seconded by Mr. Cook, and carried unanimously by a voice vote. (Term expires 12/31/03)

Donald Brown, 4 Missouri Avenue, Potsdam, NY 13676
Janice Robinson, 992 County Route 3, Redwood, NY 13679

Mr. Nichols moved to appoint the following people to the **Forest Practice Board**, seconded by Mr. Cook, and carried unanimously by a voice vote. (Term expires 4/30/06)

Donald Brown, 4 Missouri Avenue, Potsdam, NY 13676
Nick Cicchinelli, Post Office Box 190, Potsdam, New York 13676
Tom Gilman, Post Office Box 1002, Tupper Lake, New York 12986
Andy Soutar, 148 Fayette Road, Massena, New York 13662
Scott Whitehall, 1428 Old Potsdam-Parishville Road, Potsdam, New York 13676
Tony Woods, 6604 State Highway 56, Potsdam, New York 13676

April 7, 2003

Mr. Nichols moved to appoint the following people to the **Mental Health Subcommittee**, seconded by Mr. Cook, and carried unanimously by a voice vote. (Term expires 12/31/2006)

Karen B. Easter, Post Office Box 69, Potsdam, New York 13676
Robert Dupree, 10 Bridge Street, Hermon, New York 13652
Carol Whitcombe, 68 Arnold Road, Ogdensburg, New York 13669

Mr. Nichols moved to appoint the following person to the **Traffic Safety Board**, seconded by Mr. Cook, and carried unanimously by a voice vote. (Term expires 2/28/2005)

William Dashnaw, 193 Mitchell Road, Heuvelton, New York 13654 (Macomb)

Mr. Nichols moved to appoint the following person to the **Professional Advisory Committee/Health Services Advisory Board**, seconded by Mr. Cook, and carried unanimously by a voice vote. (Term expires 2007)

Sue Beaulieu, 44 Clarkson Avenue, Massena, New York 13662 (Massena)

REAPPOINTMENTS

Mr. Nichols moved to reappoint the following people to the **Forest Practice Board**, seconded by Mr. Cook, and carried unanimously by a voice vote. (Term expires 4/30/06)

Frank Bassett, 416 Spicer Road, Russell, New York 13684
John Casserly, 513 Miner Street, Canton, New York 13617
Larry Denis, Post Office Box 873, Tupper Lake, New York 12986
Jim Hargrave, 24 Walker Road, Madrid, New York 13660
Roger Hutchinson, 4 Orebed Road, Canton, New York 13617
Henry Keller, 720 Converse Road, Fort Jackson, New York 12967
Don O'Shea, Post Office Box 1005, Ogdensburg, New York 13669
Fred Selleck, 749 Selleck Road, Canton, New York 13617
Jack Ward, 1677 County Route 35, Potsdam, New York 13676
Robert White, 5691 County Route 27, Canton, New York 13617

Mr. Nichols moved to reappoint the following people to the **Traffic Safety Board**, seconded by Mr. Cook, and carried unanimously by a voice vote.

Allan Peabody, 3495 County Route 27, Russell, New York 13684 (term expires 3/31/2006)
Richard McDougall, Post Office Box 204, Madrid, New York 13660 (term expires 3/31/2006)
Gary Jarvis, 48 Court Street Canton, New York 13617 (term expires 4/30/2004)
Michele James, 28 Maple Street, Canton, New York 13617 (term expires 2/28/2005)
David Chauvin, 49 1/2 Court Street, Canton, New York 13617 (term expires 3/31/2005)

April 7, 2003

Mr. Nichols moved to reappoint the following Legislator to the **Off Track Betting Corporation Board of Directors**, seconded by Mr. Cook, and carried unanimously by a voice vote. (Term concurrent with the BOL term)

R. Shawn Gray, 56 East Orvis Street, Massena, NY 13662

Mr. Nichols moved to reappoint the following person to the **Soil and Water Conservation District Board of Directors**, seconded by Mr. Cook, and carried unanimously by a voice vote. (Term expires 12/31/05)

Edwin Hadlock, 70 South Main Street, Hammond, NY 13646 (Township: Hammond)

CHAIR'S APPOINTMENTS: There were none.

OLD/NEW BUSINESS: There was none.

Mr. Nichols moved to adjourn the meeting at 9:17 p.m., seconded by Mr. Cook, and carried unanimously by a voice vote.

Chair MacKinnon adjourned the meeting at 9:17 p.m. as there was no further business.

May 5, 2003

St. Lawrence County
Board of Legislators
Board Room

Board Meeting
Monday, May 5, 2003
7:00 p.m.

Chair MacKinnon called the meeting to order at 7:00 p.m.

ROLL CALL: All Legislators were present.

Mr. Wilson led everyone in Prayer, followed by the Pledge of Allegiance.

MINUTES: Mr. Nichols moved to approve the minutes from the January, February, and March Board Meetings, seconded by Mr. Teele, and carried unanimously by a voice vote.

COMMUNICATIONS: The Deputy Clerk read the following communications:

A letter from Senator Wright stating his agreement with our Board in opposition of any further property buys by the State of New York on lands currently held under private ownership in the Adirondack Park.

Assemblymember Dierdre Scozzafava sent correspondence regarding the new Building codes, and a letter acknowledging receipt of Resolution Numbers 96-2003 and 98-2003.

A letter from Assemblymember Charles H. Nesbitt acknowledging receipt of Resolution No. 96-2003.

Four Resolutions from Lewis County entitled: Resolution Recommending Adoption of New York State Assembly Bill No. A04901, Resolution Recommending Adoption of New York State Assembly Bill No. A06291, Resolution Recommending Adoption of New York State Assembly Bill No. A03905, and Resolution Recommending Adoption of New York State Assembly Bill No. A01084.

A copy of a Resolution from Franklin County Legislature concerning Chronic Wasting Disease.

Copies of two letters addressed to Governor Pataki requesting reconsideration of the reduction in funding to the Rural Preservation Program.

CITIZEN PARTICIPATION: Ms. Giffin from the Town of Clare addressed the Board. She read a statement, that said that her family owns land in the Town of Clare. She said that this parcel is comparable, in size, to Washington, DC. This land is used for ATV's and Hunting Clubs. This land contributes 50% of the tax revenue for the town. If the State purchases this land there will be no tax revenue. The constituents in this area will receive a 100% tax increase to make up for the loss. This would devastate our town. She added that this land represents not only a tax base, but also is her heritage and that of her family. She requested that the Board of Legislators support her and her heritage by opposing the State purchase of this land. She said that this correspondence was signed by many of her relatives.

May 5, 2003

RECOGNITION FOR CUSTOMER SERVICE AWARD:

Chair MacKinnon and County Administrator Mr. Brining presented Deputy Sheriff Samuel R. Charleson with a Customer Service Award Certificate and an eagle key chain for his heroic efforts when he prevented a fire from destroying a home. Mr. Brining said that Deputy Charleson is a fine Deputy and that he had the privilege of riding with Deputy Charleson once and was impressed with his patience and professionalism. Sheriff Jarvis presented Deputy Charleson with a plaque and a pin. Sheriff Jarvis said that on April 8th, Deputy Charleson was on patrol in the Town of Stockholm. He was flagged down by a woman carrying a baby. She told the Deputy that her house was on fire. Deputy Charleson retrieved a fire extinguisher from his trunk and controlled the fire until the fire department arrived. Sheriff Jarvis received correspondence from the fire department saying that if this Deputy would not have stepped in then they would have lost this part of the house. Sheriff Jarvis said that Deputy Charleson did a very professional job

PRESENTATION OF RESOLUTIONS:

Finance Committee: 4-28-2003

RESOLUTION NO. 125-2003

AUTHORIZING FILLING OF VACANCIES

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the St. Lawrence County Board of Legislators adopted Resolution No. 38-2003 on February 10, 2003, which created a policy for filling of vacancies, and

WHEREAS, the vacancies listed below have received the approval of being forwarded to the full Board by the Finance Committee,

NOW, THEREFORE, BE IT RESOLVED that the following vacancies are hereby authorized to be filled:

<u>Department</u>	<u>Title</u>	<u>Type</u>	<u>Duration of Position</u>
Community Services	Consulting Physician	Part-Time	Permanent
District Attorney	Assistant District Attorney	Full-Time	Permanent
Economic Development	Secretary I	Full-Time	Permanent
Highway	Laborers, Summer (21)	Full-Time	Temporary

May 5, 2003

Office for the Aging	Nutrition Services Aide	Part-Time	Temporary
Public Health	Account Clerk	Full-Time	Permanent
Public Health	Administrative Assistant	Full-Time	Permanent
Public Health	Keyboard Specialist	Full-Time	Permanent
Public Health	Senior Account Clerk	Full-Time	Permanent
Youth Bureau	YCC Crew Supervisor	Full-Time	Temporary

* * *

Mr. FitzRandolph moved to adopt Resolution No. 125-2003, seconded by Mr. Wilson, and carried unanimously by a voice vote.

Finance Committee: 4-28-2003

RESOLUTION NO. 126-2003

ADOPTING MORTGAGE TAX REPORT

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the Mortgage Tax Report has been submitted by the County Clerk and the County Treasurer, and

WHEREAS, it is hereby accepted, and

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer is authorized and directed to issue the amounts as set forth in the report to the various tax districts in this County.

<u>TOWN/VILLAGE</u>	<u>AMOUNT</u>
Brasher	\$10,908.09
Canton:	
Village of Canton	9,873.83
Village of Rensselaer	410.75
Town of Canton	32,870.03
Clare	215.08
Clifton	9,234.28
Colton	9,409.63
DeKalb:	
Village of Richville	252.15
Town of DeKalb	6,097.84

May 5, 2003

DePeyster	848.59
Edwards:	
Village of Edwards	281.09
Town of Edwards	3,354.26
Fine	6,465.61
Fowler	59,600.22
Gouverneur:	
Village of Gouverneur	11,351.12
Town of Gouverneur	29,710.70
Hammond:	
Village of Hammond	627.24
Town of Hammond	19,567.60
Hermon:	
Village of Hermon	321.26
Town of Hermon	5,351.75
Hopkinton	4,033.50
Lawrence	6,268.42
Lisbon	17,814.85
Louisville:	
Village of West Massena	4,460.26
Town of Louisville	38,098.05
Macomb	3,837.20
Madrid	10,893.75
Massena:	
Village of Massena	27,182.81
Town of Massena	65,821.83
Morristown:	
Village of Morristown	877.19
Town of Morristown	12,995.50
Norfolk:	
Village of Norwood	158.49
Town of Norfolk	21,589.18
Ogdensburg	36,208.82
Oswegatchie:	
Village of Heuvelton	2,005.38
Town of Oswegatchie	31,209.38
Parishville	11,929.14
Piercefield	1,039.72
Pierrepoint	25,064.36
Pitcairn	2,592.75
Potsdam:	
Village of Potsdam	10,433.49
Village of Norwood	2,549.04
Town of Potsdam	39,648.68
Rossie	1,490.41
Russell	6,397.20

May 5, 2003

Stockholm	17,165.49
Waddington:	
Village of Waddington	3,758.65
Town of Waddington	<u>16,597.69</u>
TOTAL	\$638,872.35

* * *

Mr. FitzRandolph moved to adopt Resolution No. 126-2003, seconded by Mr. Grow, and carried unanimously by a voice vote.

Finance Committee: 4-28-2003

RESOLUTION NO. 127-2003

**ADVOCATING THAT NEW YORK STATE WORK TO ENSURE THAT
ATV CLUBS CAN OBTAIN INSURANCE TO INDEMNIFY PRIVATE PROPERTY
OWNERS THAT OPEN TRAILS TO CLUB USE**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, New York State currently ensures that there is insurance coverage available to snowmobile clubs allowing the clubs to indemnify property owners from damages that may result from use of trails opened and operated by the clubs on the owners property, and

WHEREAS, no such insurance coverage is available to ATV clubs, seriously limiting their collective ability to establish and operate on off-road trails, and

WHEREAS, lack of insurance coverage limits ATV trail development and negatively impacts the economic benefits associated with ATV ownership and use,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators urges the New York State Commissioner of Insurance to meet with representatives of the New York State Off-Road Vehicle Association (NYSORVA) to discuss and address this concern, and

BE IT FURTHER RESOLVED that the County Board of Legislators calls upon New York State to ensure that such insurance coverage be made available in the near future to reduce liabilities for landowners that open their lands to public use and recreation,

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor George E. Pataki, Senate Majority Leader Joseph Bruno, Assembly Majority Leader Sheldon Silver, Senator James Wright, Senator Raymond Meier, Assemblywoman Dierdre Scozzafava, Assemblyman Darrell Aubertine and to NYSORVA.

* * *

May 5, 2003

Mr. FitzRandolph moved to adopt Resolution No. 127-2003, seconded by Mr. Nichols, and carried unanimously by a voice vote.

Finance Committee: 4-28-2003

RESOLUTION NO. 128-2003

**APPROVING MARCHISELLI AID PROJECT SUPPLEMENTAL AGREEMENT NO. 2
FOR THE REPLACEMENT OF KEARNEY & CHISHOLM ROAD BRIDGES OVER
THE OSWEGATCHIE RIVER, BIN 3341070 & 3221700, PIN 775244 FOR
CONSTRUCTION & CONSTRUCTION INSPECTION**

By Mr. FitzRandolph, Chair, Finance Committee
Co-Sponsored by Mr. Lacy, District 5

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID-ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, TO FULLY FUND THE LOCAL SHARE OF FEDERAL-AID ELIGIBLE AND INELIGIBLE PROJECT COSTS, AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a project for the Replacement of Kearney & Chisholm Road Bridges over the Oswegatchie River, PIN 775244 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that provide for 80% federal funds and 20% non-federal funds, subject to a cap amount for federal aid, and

WHEREAS, the St. Lawrence County Board of Legislators desires to advance the above project by making a commitment of 100% of the federal and non-federal share of the costs of the Construction and Construction Inspection,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators, duly convened does hereby approve the above-subject, and

BE IT FURTHER RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes the County Treasurer, with County Attorney approval, to pay in the first instance 100% of the federal and non-federal share of the cost of Construction and Construction Inspection work for the Project of portions thereof, and

BE IT FURTHER RESOLVED that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the St. Lawrence County Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and

BE IT FURTHER RESOLVED that the Chair of the St. Lawrence County Board of Legislators be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for available Federal and State aid on behalf of the St. Lawrence County

May 5, 2003

Board of Legislators with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid eligible projects costs and all project costs with appropriations therefore that are not so eligible, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 128-2003, seconded by Mr. Teele and Mr. Morrill, and carried unanimously by a voice vote.

Finance Committee: 4-28-2003

RESOLUTION NO. 129-2003

**MODIFY THE 2003 ST. LAWRENCE COUNTY
SHERIFF'S DEPARTMENT BUDGET FOR EQUIPMENT**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the St. Lawrence County Sheriff's Department will be purchasing the remaining equipment in the 2003 budget from the equitable sharing monies for a total of \$30,520. Consequently, this will result in the transfer of these monies into the county's general fund and reducing the County Cost for the Sheriff's Department's equipment budget, and

WHEREAS, the St. Lawrence County Sheriff's Department is requesting authorization to purchase a truck cap, bed-liner, and window screens for the transport van, updating the RUOK software, and the purchase of some additional equipment for the Drug Task Force in the amount of \$10,378, and

WHEREAS, the resources for the aforementioned purchase will come from the Sheriff's Equitable Reserve,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators hereby authorize the County Treasurer make the following modifications to the 2003 St. Lawrence County Sheriff's Department Budget:

DECREASE RESERVE:

01-TG-0889-503-00-0	Sheriff's Equitable Sharing Reserve	\$30,520
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May 5, 2003

INCREASE REVENUE:

01-S1-1589-550-00-0	Equitable Sharing Reserve	\$30,520
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DECREASE RESERVE:

01-TG-0889-503-00-0	Sheriff's Equitable Sharing Reserve	\$10,378
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INCREASE APPROPRIATIONS TO:

01-S1-3110-240-00-0	Criminal and Highway & Street Equipment	\$4,438
01-S1-3110-250-00-0	Criminal Technical Equipment	4,000
01-S6-3110-260-00-0	Drug Task Force Other Equipment	1,940

INCREASE REVENUE:

01-S1-1589-550-00-0	Equitable Sharing Reserve	\$10,378
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Mr. FitzRandolph moved to adopt Resolution No. 129-2003, seconded by Mr. Romigh, and carried unanimously by a roll call vote.

Operations Committee: 4-21-2003

RESOLUTION NO. 130-2003

**SUPPORTING NEW YORK STATE SENATE BILL S 02428 /ASSEMBLY BILL A 01391
REGARDING THE OPEN BURNING OF SOLID WASTE**

By Mr. Grow, Chairman, Operations Committee

WHEREAS, a bill numbered S02428 has been introduced into the New York State Senate by Senators: Wright, Balboni, Larkin, Seward, and Volker, and

WHEREAS, an identical bill numbered A 01391 has been introduced into the New York State Assembly, by Assemblyman Destito with multiple sponsors, and

WHEREAS, the bill would amend the Environmental Conservation Law by adding provisions to: establish and publish educational materials on the hazards of the open burning of solid waste, monitor the practice statewide, require local solid waste management plans to include education methods on the practice of open burning, provide for a review of potential fines and penalties, provide for a reporting requirement to the Governor and the Legislature, and

WHEREAS, such activities would augment the public educational program that the St. Lawrence County Board of Legislators has initiated,

May 5, 2003

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby support the passage of NYS Senate Bill S 02428/Assembly Bill A 01391 regarding the open burning of solid waste, and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Senators: Little, Meier, Wright; and Assemblymembers: Aubertine, and Scozzafava.

* * *

Mr. Grow moved to adopt Resolution No. 130-2003, seconded by Mr. Wilson and Mr. Teele. Mr. Gray said that he has some concern with the third whereas. This requires the locality to supply education, is this supporting an unfunded mandate. Mr. Zimmerman said that this does not commit to any specific funding, and that Solid Waste already has some education in place and this is updated periodically. Mr. Brining said that we did something like this with Public Health, regarding medical waste.

Mr. Teele recognized Mr. Donald Hassig from Cancer Action Group. Mr. Hassig said that his organization agrees with education before more drastic measures are taken because this practice has been grandfathered in, in this area. He feels that this is the first step in a process.

Resolution No. 130-2003 carried unanimously by a voice vote.

Operations Committee: 4-21-2003

RESOLUTION NO. 131-2003

**AUTHORIZING A REQUEST BY THE CANTON CHAMBER OF COMMERCE FOR
USE OF THE H. B. SMITH PARKING LOT**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the Canton Chamber of Commerce has requested the use of the H. B. Smith Parking lot for the annual Dairy Princess Parade on June 7, 2003, and

WHEREAS, the Chamber has agreed to sign an agreement that would hold the County harmless from any and all liability arising from the use of the parking lot,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair of the Board to sign an agreement with the Canton Chamber of Commerce for use of the H. B. Smith parking lot for the annual Dairy Princess Parade, upon approval of the County Attorney.

* * *

Mr. Grow moved to adopt Resolution No. 131-2003, seconded by Ms. Brothers, and carried unanimously by a voice vote.

May 5, 2003

Operations Committee: 4-21-2003

RESOLUTION NO. 132-2003

**AUTHORIZING A BASE SALARY FOR CIVIL SERVICE
EXAMINATION MONITORS**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the Central Services Department's mandated Civil Service Administration function requires the scheduling and the administration of civil service examinations in order to establish eligible lists for the 72 agencies throughout St. Lawrence County, and

WHEREAS, these civil service examinations are monitored by at least two non-benefit employees and it is their responsibility to implement security procedures and examination administration procedures as dictated by the New York State Local Examination Unit, and

WHEREAS, over the last four to six months we have had three Examination Monitors and one Head Examination Monitor resign because of the salary being too low, and our posting of the Examination Monitor advertisement on our web page has not been able to generate any interested candidates, and

WHEREAS, the current salary of a Examination Monitor is \$5.64 per hour, and a Head Examination Monitor is \$7.82 per hour, and

WHEREAS, in order to attract and retain responsible monitors the Personnel Officer is proposing that a flat rate salary be set at the rate of \$8.36 per hour for the Examination Monitor, and \$11.69 per hour for the Head Examination Monitor, and that it be increased each year by the percentage the Board of Legislators sets for management/non-union employees, and

WHEREAS, this salary increase will not increase the Central Services Budget because the regular staff will fill in by working compensatory time whenever possible in order to maintain the costs within the budgeted amount,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby authorize the Personnel Officer to increase the salaries of the Examination Monitors to the rate stated in this resolution and it be effective immediately.

* * *

Mr. Grow moved to adopt Resolution No. 132-2003, seconded by Mr. Wilson, and carried unanimously by a voice vote.

May 5, 2003

Services Committee: 4-21-2003

RESOLUTION NO. 133-2003

PROCLAIMING MAY AS “OLDER AMERICANS MONTH”

By Mr. Cook, Chair, Services Committee

WHEREAS, the month of May has been proclaimed “Older Americans Month” by the President of the United States as a time to honor the nation’s 45.8 million older Americans, age 60 and over and to pay tribute to the enormous contributions they have made to our strength and prosperity, and

WHEREAS, older Americans are the heartbeat of our communities, and they give us the energy and motivation to move forward and contribute to our nation’s strength, success, and prosperity, and

WHEREAS, this year’s theme, “What we do makes a difference,” was selected so we can learn how people of all ages across the nation are making a difference in the lives of older Americans and those who care for them, and

WHEREAS, all individuals are encouraged to make a difference by helping older Americans age with dignity and respect, and

WHEREAS, St. Lawrence County sponsors programs and services that “do make a difference” by assisting older persons to remain independent in their own homes and communities, and provides opportunities for older Americans to engage in valuable community service,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby designate the month of May, 2003 as “Older Americans Month” in St. Lawrence County.

* * *

Mr. Cook moved to adopt Resolution No. 133-2003, seconded by Mr. Nichols, and carried unanimously by a voice vote.

May 5, 2003

Services Committee: 4-21-2003

RESOLUTION NO. 134-2003

AMENDING THE 2003 OFFICE FOR THE AGING BUDGET

By Mr. Cook, Chair, Services Committee

WHEREAS, the Office for the Aging has received a Notification of Grant Award for the Weatherization Referral and Packaging Program, and

WHEREAS, this award is \$8,219 larger than the amount originally budgeted in the 2003 budget, and

WHEREAS, appropriating these additional funds will assist the Office for the Aging in providing weatherization services to our senior citizen population,

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer be directed to amend the 2003 Office for the Aging Budget as follows:

INCREASE REVENUE:

01-OA-4772-570-WR-0	O FA Wrap Revenues	\$8,219
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INCREASE APPROPRIATIONS:

01-OA-6772-409-00-0	O PFA Building Supplies	\$8,219
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Mr. Cook moved to adopt Resolution No. 134-2003, seconded by Mr. Morrill, and carried unanimously by a roll call vote.

Services Committee: 4-21-2003

RESOLUTION NO. 135-2003

**MODIFYING THE WORKFORCE INVESTMENT ACT BUDGET
FOR ST. LAWRENCE COUNTY OFFICE OF ECONOMIC DEVELOPMENT
EMPLOYMENT AND TRAINING UNIT**

By Mr. Cook, Chair, Services Committee

WHEREAS, resolutions established initial Budgets for the Office of Economic Development, Employment and Training Unit, and

May 5, 2003

WHEREAS, The New York State Department of Labor has awarded a supplemental allocation of \$205,630 in WIA Statewide activities for Adult Funds and Travel Scholarship Funds and \$2,821 in Reallocation Funds from other local workforce areas,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby authorize the Treasurer of St. Lawrence County to modify the attached Budgets for the St. Lawrence County Office of Economic Development Employment and Training Unit.

* * *

Mr. Cook moved to adopt Resolution No. 135-2003, seconded by Mr. Romigh, and carried unanimously by a roll call vote.

**MODIFYING THE WORKFORCE INVESTMENT ACT BUDGET
FOR ST. LAWRENCE COUNTY OFFICE OF ECONOMIC DEVELOPMENT
EMPLOYMENT AND TRAINING UNIT**

	Modification
Statewide Activities	\$ 182,817.00
Statewide Activities	\$ 20,313.00
Statewide Activities Travel Scholarship	\$ 2,500.00
Adult	\$ 498.00
Administrative Pool	\$ 902.00
Youth	<u>\$ 1,421.00</u>
Total Appropriation	\$ 208,451.00
Total Revenue	\$ 208,451.00

May 5, 2003

**ST. LAWRENCE COUNTY EMPLOYMENT AND TRAINING
WORKFORCE INVESTMENT ACT
WIA - TITLE I
STATEWIDE ACTIVITIES ADULT
JULY 1, 2001 – JUNE 30, 2003**

Training Services

70-US-6292-110-00-0-ADUL	Direct Service Worker	35,065.00
70-US-6292-120-00-0-ADUL	Supervisory/Administration	2,936.00
.1	Personnel	38,001.00
70-US-6292-461-OJ-0-ADUL	OJT Employer Reimbursement	76,048.00
70-US-6292-461-TU-0-ADUL	Tuition/Books/Fees	56,700.00
.461	Sub-Contracts	132,748.00
70-US-6292-810-00-0-ADUL	Retirement	992.00
70-US-6292-830-00-0-ADUL	Social Security	2,851.00
70-US-6292-840-00-0-ADUL	Workmen's Compensation	1,339.00
70-US-6292-845-00-0-ADUL	Group Life Insurance	51.00
70-US-6292-860-00-0-ADUL	Hospital & Medical Insurance	6,602.00
70-US-6292-865-00-0-ADUL	Dental Insurance	233.00
.8	Employee Benefits	12,068.00
Total Title I Adult Appropriations		182,817.00
70-US-4790-570-00-0-ADUL	Total Title I Adult Revenue	182,817.00

May 5, 2003

**ST. LAWRENCE COUNTY EMPLOYMENT AND TRAINING
WORKFORCE INVESTMENT ACT
WIA - TITLE I
STATEWIDE ACTIVITES ADMINISTRATIVE
JULY 1, 2001 – JUNE 30, 2003**

70-US-6290-120-00-0-ADM	Supervisory/Administration	5,839.00
70-US-6290-130-00-0-ADM	Technical	5,133.00
70-US-6290-140-00-0-ADM	Clerical	3,762.00
.1	Personnel	14,734.00
70-US-6290-810-00-0-ADM	Retirement	640.00
70-US-6290-830-00-0-ADM	Social Security	1,065.00
70-US-6290-840-00-0-ADM	Workmen's Compensation	515.00
70-US-6290-845-00-0-ADM	Group Life Insurance	27.00
70-US-6290-860-00-0-ADM	Hospital & Medical Insurance	3,246.00
70-US-6290-865-00-0-ADM	Dental Insurance	86.00
.8	Employee Benefits	5,579.00
	Total Title I Admin Appropriations	20,313.00
70-US-4790-570-00-0-ADM	Total Title I Admin Revenue	20,313.00

**ST. LAWRENCE COUNTY EMPLOYMENT AND TRAINING
WORKFORCE INVESTMENT ACT
WIA - TITLE I
STATEWIDE ACTIVITES – TRAVEL SCHOLARSHIP
JANUARY 27, 2003 – JUNE 30, 2003**

70-US-6290-430-00-0-WIB	WIB Travel Scholarship	2,500.00
	Total Title I WIB Appropriation	2,500.00
70-US-4790-570-00-0-WIB	Total Title I WIB Revenue	2,500.00

May 5, 2003

**ST. LAWRENCE COUNTY EMPLOYMENT AND TRAINING
WORKFORCE INVESTMENT ACT
INCREASES TO APPROPRIATIONS AND REVENUE**

ADULT		MODIFIED BUDGET
70-UA-6292-461-OJ-0	OJT Employer Reimbursement	498.00
	Total Appropriations	498.00
70-UA-4790-570-00-0	Title-1B Adult Revenue	498.00
ADMINISTRATIVE POOL		MODIFIED BUDGET
70-UG-6290-499-00-0	Miscellaneous Expense	902.00
	Total Appropriations	902.00
70-UG-4790-570-00-0	Title-1B Admin Revenue	902.00
YOUTH		MODIFIED BUDGET
70-UC-6292-461-TU-0	Tuition & Fees	1,421.00
	Total Appropriations	1,421.00
70-UC-4790-570-00-0	Title-1B Youth Revenue	1,421.00

May 5, 2003

Services Committee: 4-21-2003

RESOLUTION NO. 136-2003

**2003 BUDGET AMENDMENT – COMMUNITY SERVICES – CHEMICAL
DEPENDENCY COUNSELOR**

By Mr. Cook, Chair, Services Committee

WHEREAS, due to a shift in client loads, a Chemical Dependency Counselor from the Canton Clinic was transferred to the Ogdensburg Clinic, and

WHEREAS, because of this transfer it is necessary to make changes to the 2003 Budget,

NOW, THEREFORE, BE IT RESOLVED that the 2003 Budget be amended as follows:

DECREASE APPROPRIATIONS:

01-A1-4250-110-00-2	A CAAC Direct Service Workers	\$16,809
01-A1-4250-414-01-2	A CAAC Liability & Other Insurance	284
01-A1-4250-810-00-2	A Retirement	748
01-A1-4250-830-00-2	A Social Security	1,179
01-A1-4250-840-00-2	A Workmen's Compensation	590
01-A1-4250-845-00-2	A Group Life Insurance	35
01-A1-4250-860-00-2	A Hospital & Medical Insurance	4,614
01-A1-4250-865-00-2	A Dental Insurance	<u>112</u>
		\$24,371

INCREASE APPROPRIATIONS:

01-A1-4250-110-00-3	A OAAC Direct Service Workers	\$16,809
01-A1-4250-414-01-3	A OAAC Liability & Other Insurance	284
01-A1-4250-810-00-3	A Retirement	748
01-A1-4250-830-00-3	A Social Security	1,179
01-A1-4250-840-00-3	A Women's Compensation	590
01-A1-4250-845-00-3	A Group Life Insurance	35
01-A1-4250-860-00-3	A Hospital & Medical Insurance	4,614
01-A1-4250-865-00-3	A Dental Insurance	<u>112</u>
		\$24,371

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Mr. Cook moved to adopt Resolution No. 136-2003, seconded by Mr. Wilson, and carried unanimously by a roll call vote.

May 5, 2003

Services Committee: 4-21-2003

RESOLUTION NO. 137-2003

SUPPORTING LEGISLATIVE ACTION (S.1152(SEWARD) /A.4085(DINAPOLI) BY THE NYS SENATE AND ASSEMBLY TO AMEND NEW YORK MENTAL HYGIENE LAW SUBSECTION 43.03(c) RELATING TO COSTS OF SERVICES FOR COURT-ORDERED PATIENTS AT STATE OPERATED MENTAL HYGIENE FACILITIES

By Mr. Cook, Chair, Services Committee

WHEREAS, New York Mental Hygiene Law, Section 43.03(c) mandates a county cost for persons receiving services, pursuant to a court order, at a state-operated inpatient facility for indefinite/extended periods of time, and

WHEREAS, counties are mandated to incur the cost of court ordered charge backs which are haphazard, disproportionate, and which cannot be forecast or planned for, and

WHEREAS, St. Lawrence County has incurred substantial expenses related to court-ordered placement of individuals from St. Lawrence County courts, and

WHEREAS, New York Mental Hygiene Law Section 43.03(c) is outdated and inconsistent with other provisions of law, policies and practices which have been consistently enacted and established by the State Legislature, and

WHEREAS, legislation to amend the current statute to limit such county charge backs to thirty-days would mitigate this unfair, unfounded mandate and ease an unwarranted fiscal burden placed upon counties, and

WHEREAS, St. Lawrence County recommends action to seek financial relief,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Legislature supports the State Legislature in adopting legislation that would amend New York Mental Hygiene Law Section 43.03(c), and

BE IT FURTHER RESOLVED that the St. Lawrence County Legislature urges the State Legislative representative delegation to support and urge the amendment of New York Mental Hygiene Law Section 43.03(c), and

BE IT FURTHER RESOLVED that copies of this resolution be sent to Senators Raymond Meier, James Wright, and Elizabeth Little; Assemblymembers Darrell Aubertine and Dierdre Scozzafava; Commissioner of Mental Hygiene, James L. Stone; Commissioner of the Office for Mental Retardation and Developmental Disabilities, Thomas Maul; The New York State Association of Counties; The New York State Conference of Local Mental Hygiene Directors, and M. Juliana Degone, Director of St. Lawrence County Community Services.

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May 5, 2003

Mr. Cook moved to adopt Resolution No. 137-2003, seconded by Mr. Grow, and carried unanimously by a voice vote.

Services Committee: 4-21-2003

RESOLUTION NO. 138-2003

**MODIFYING THE 2003 PUBLIC HEALTH DEPARTMENT BUDGET,
RHAPSODY IN PINK GRANT**

By Mr. Cook, Chair, Services Committee

WHEREAS, the Public Health Department has received a \$466 reimbursement from Samaritan Medical Center, and

WHEREAS, this is a \$466 increase from what is in the 2003 Budget, and

WHEREAS, the donor has requested that the funds be used to support services to women in breast cancer screenings and services,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes the St. Lawrence County Treasurer to make the following budget modification in the 2003 Budget:

INCREASE REVENUES:

01-PW-1689-550-RP-0	Healthy Living Partnership/ Rhapsody in Pink	\$466
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INCREASE APPROPRIATIONS:

01-PW-4010-430-RP-0-HLPG	Fees for Services	\$466
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Mr. Cook moved to adopt Resolution No. 138-2003, seconded by Ms. Brothers, and carried unanimously by a roll call vote.

COUNTY ADMINISTRATORS REPORT:

Mr. Brining said that the Financial Priorities Committee has been meeting. He said that they have been talking about the 2004 budget, and some items that the staff sees coming down the pike. A few issues are: Medicaid, and unless there are significant changes, the total will be \$3.5 million for the year 2004; retirement will be an additional \$2 million, roughly for this coming year. The employee benefit package will be about \$1 million, and health insurance will be about

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a ten percent increase, that is probably a low estimate, about another million. This begins to give an idea of what we are going to have to look at and what we will have to mitigate. This year we think it is worse than in the past. These are some things that we will be working with at a service level and a tax rate level. That 7.5 number is about a 29% increase. Most of you know that we all have been looking at how to look at these issues. The menu is a cost reduction, or other places where we may be able to increase fees and taxes and making a list of all of those. When we get to budget, we will have a set of building blocks to work with in grappling with a tough problem. He said that 52 of the 57 counties in New York State have already increased fees and taxes for the 2003 year. We hope to give you information to help you make an informed decision. He said that he is giving this update, per the request of the Board.

Mr. Moore moved to go into executive session at 7:40 p.m., seconded by Mr. Nichols. Mr. Moore said that he has heard that there are issues with the new building codes. He said that most Code Enforcement Officers will not take responsibility. He feels that the local saw mills are hurting. He heard from a local saw mill that they have lost over \$9 thousand dollars this year because they do not have graded lumber. He would like to have this on the agenda for Operations Committee. Mr. Nichols said that over the weekend he heard a moratorium had been placed on that, and that it had expired. He feels we need to look into this again. Mr. Moore said that the State of New York does not understand the resolutions that we send, but that they do understand court cases. Mr. Brining said that the Operations Committee agenda is complete, so we will not be able to include this topic on that agenda. Ms. Cobb suggested that Dave Hill attend the meeting where this is discussed.

Mr. FitzRandolph said that he is intrigued with how the Assembly and Senate have come together to restore the school aid. He is appreciative of the leadership of these two entities and he is glad that they see how difficult it is for localities and the impact that has on us. He appreciates their courage on this matter.

Mr. Moore said that he does not care which committee this goes on. He knows of many court cases that went against the State. He said that there was a situation in Star Lake where a home was purchased with a deck attached, and the APA had issue with that deck. They hounded the new owners until they finally removed the deck. He feels there should be a statute of limitations.

Mr. Teele said that at a future meeting he would like to address the restoration of funds by the State Legislature. Mr. Brining added that there were funds restored to Public Health and to the Highway Department. Ms. Perretta added that the reduction in Probation was not replaced.

Mr. Wilson said regarding the \$7.5 million short fall, is it possible that we could devise a list of those things that are mandated and can not be cut, so that we do not spend more. He said that there is a lot of money in Social Services that are raw numbers. Mr. Brining said that we have asked departments to get specific information about the mandated and non-mandated programs. We will break the non-mandated down, and the departments will separate essential from non-essential. He added that if we put Medicaid and the health insurance together, that is the entire tax levy. Mr. Wilson said that he remembers a few years back where a program was going to be cut in Probation and that would have resulted in a loss of revenue. He said that it is this type of thing that makes it important to have the department heads' input. The Financial Prioritization

May 5, 2003

Committee is working on that very thing right now. The motion to go into executive session carried unanimously by a voice vote. Mr. Nichols moved to return to open session, seconded by Mr. Grow, and carried unanimously by a voice vote.

APPOINTMENTS

Mr. Nichols moved to appoint the following people to the **Local Early Intervention Coordinating Council**, seconded by Mr. Turbett, and carried unanimously by a voice vote. (Terms expire 2007)

Bridget Chapple, 956 County Route 28, Ogdensburg, NY 13669 (Lisbon)
Lynnette K. Collins, 5158 State Highway 56, Potsdam, NY 13625 (Pierrepoint)
M. Juliana Degone, 57 State Street, Canton, NY 13617 (Canton)
Marcy Dunn, RD 1, Box 7A, Saranac Lake, NY 12983
Laura Duval, Post Office Box 9, Colton, NY 13625 (Canton)
Sherri Hewitson, 112 Schoolhouse Road, Canton, NY 13617 (Canton)
Carol Neubert, 96 State Street, Canton, NY 13617 (Canton)
Sandra Peters, 2668 State Highway 812, DeKalb Junction, NY 13630 (DeKalb Junction)
Molly Pressey, Post Office Box 462, Norfolk, NY 13667 (Norfolk)
Michele Small, 7 Erwin Avenue, Massena, NY 13662 (Potsdam)
Yvonne Turner, 11 Brookview Drive, Waddington, NY 13694 (Waddington)

Mr. Morrill moved to appoint the following person to the **Conditional Release Commission**, seconded by Mr. Wilson and Ms. Cobb, and carried unanimously by a voice vote. (Term expires 4/01/07)

Regina A. Budelmann, 5562 County Route 27, Canton, New York 13617

Mr. Turbett moved to reappoint the following people to the **Conditional Release Commission**, seconded by Mr. Grow, and carried unanimously by a voice vote. (Term expires 4/01/07)

Janet Favro, 146 Barnes Road, Canton, New York 13617
William R. Murphy, 48 Court Street, Canton, New York 13617
Francine M. Perretta, 48 Court Street, Canton, New York 13617

CHAIR'S APPOINTMENTS

Chair MacKinnon made the following appointment:

Legislator Lloyd Moore will serve on the **Forest Practice Board**.

OLD/NEW BUSINESS: There was none.

Mr. Gray moved to adjourn the meeting at 8:03 p.m., as there was no further business, seconded by Mr. Wilson, and carried unanimously by a voice vote.

May 19, 2003

St. Lawrence County
Board of Legislators
Board Room

Board Meeting
Monday, May 19, 2003
4:00 p.m.

Chair MacKinnon called the meeting to order at 4:04 p.m.

ROLL CALL: All Legislators were present except Legislators; Romigh, Grow, FitzRandolph, and Nichols.

Mr. Wilson lead everyone in Prayer, followed by the Pledge of Allegiance. Mr. Nichols arrived at 4:05 p.m.

COMMUNICATIONS: There were no communications read.

CITIZEN PARTICIPATION: No one wished to speak.

PRESENTATION OF RESOLUTIONS:

RESOLUTION NO. 139-2003

APPOINTING A DIRECTOR OF PUBLIC HEALTH

By Mr. Cook
Ms. Brothers
Mr. Grow

WHEREAS, the St. Lawrence County Director of Public Health has been without a full-time Public Health Director since 12/01/01, and

WHEREAS, the Selection Committee has interviewed applicants and made a recommendation to the Board of Legislators,

NOW, THEREFORE, BE IT RESOLVED that Kathryn S. Abernethy is hereby appointed as the St. Lawrence County Director of Public Health effective no later than June 30, 2003, at a starting annual salary of \$72,000, and

BE IT FURTHER RESOLVED that the 2004 salary be \$76,220.

Mr. Cook moved to adopt Resolution No. 139-2003, seconded by Mr. Morrill and Mr. Wilson, and carried unanimously by a voice vote with three Legislators absent (Grow, FitzRandolph, and Romigh).

Mr. Lacy moved to adjourn the meeting at 4:06 p.m., seconded by Mr. Wilson, and carried by a voice vote with three (3) Legislators absent (Grow, FitzRandolph, and Romigh).

June 2, 2003

St. Lawrence County
Board of Legislators
Board Room

Board Meeting
Monday, June 2, 2003
7:00 p.m.

Chair MacKinnon called the meeting to order at 7:00 p.m.

ROLL CALL: All Legislators were present except Legislator Morrill.

Prayer by Mr. Nichols, followed by the Pledge of Allegiance.

MINUTES: Mr. Wilson moved to approve the minutes from the Board meeting on November 4, 2002, and the Special Board Meetings on November 18, 2002 and November 25, 2002, seconded by Mr. Teele, and carried by a voice vote with one Legislator absent (Morrill).

COMMUNICATIONS: The Deputy Clerk read the following communications:

- 1) A letter from the Governor's office acknowledging receipt of Res. No. 127-2003.
- 2) A letter from Assemblyperson Dierdre Scozzafava acknowledging receipt of Resolution Nos. 127-2003, 130-2003 and 137-2003.
- 3) A letter from Assemblyperson Darrel Aubertine acknowledging receipt of an adopted resolution.
- 4) A letter from Senator James Wright acknowledging receipt of Res. No. 127-2003 and 130-2003.
- 5) A letter from Senator Elizabeth Little acknowledging receipt of Res. No. 130-2003 and 137-2003.
- 6) A letter from NYSAC acknowledging receipt of Res. No. 137-2003.
- 7) A copy of a resolution from the Seneca County Board of Supervisors entitled "Supervisors oppose Expansion of Unregulated, Commercial, Non-Charitable Gaming within the State of New York".
- 8) A copy of a resolution from the Franklin County Board of Legislators entitled "Advocating that new York State Work to Ensure that ATV Clubs can Obtain Insurance to Indemnify Private Property Owners that Open Trails to Club Use".
- 9) Correspondence was submitted by Mr. Hassig, from Fairbank, Maslin, Maullin & Associates, regarding Key Findings of Recent Survey Research on Persistent Toxic Chemicals.
- 10) An e-mail from NYSORVA (New York State Off-Road Vehicle Association) acknowledging receipt of the resolution regarding insurance to indemnify private property owners that open trails to club use.

June 2, 2003

CITIZEN PARTICIPATION:

Judy Aldrich, Chair of St. Lawrence County Agriculture and Farm Protection Board addressed the Board of Legislators. She passed out a short list of projects that are currently underway in St. Lawrence County. She said that dairy is a large contributor to St. Lawrence County. There are many other agricultural activities in St. Lawrence County, and each provide money to St. Lawrence County and help keep us strong. She said that this Board has attempted to assist in all activities and to help them move forward. She reviewed a few projects listed on the handout. They want to link local maple syrup producers to local grocers. The producers are not very good at marketing. This may include the Chamber Cyber store, or including this product in baskets from local florists. We are looking at how to market this. There has been a farm to school coop, we are helping to further this through a survey, this may get local schools to purchase locally produced items. There are 16 schools that do not have milk vending machines. She said that there has been an increase in beef herds in St. Lawrence County. She said that a lot of businesses exist on agriculture. Agriculture has an increasing role in this county, especially when other businesses close. She thanked the Board of Legislators for supporting them in agriculture, and that they rely on four departments: Cooperative Extension, Economic Development, Real Property, and especially Planning. She mentioned that in Planning they manage to pull together information that their Board sponsors.

PRESENTATION OF RESOLUTIONS:

Finance Committee: 5-19-2003

RESOLUTION NO. 140-2003

PROCLAIMING JUNE AS “DAIRY MONTH”

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, St. Lawrence County ranks first in New York State for land in farms, and second in the State for the number of farms and the value of dairy products sold, and

WHEREAS, St. Lawrence County has 1,625 farms (554 are dairy farms), 38,500 milk cows, with an average of 650,700,000 pounds of milk produced annually, and

WHEREAS, dairy products contribute \$109.7 million to the economy of St. Lawrence County, and

WHEREAS, farming is a significant portion of St. Lawrence County’s economy,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby proclaim June as “Dairy Month.”

Mr. FitzRandolph moved to adopt Resolution No. 140-2003, seconded by Mr. Nichols, and carried by a voice vote with one Legislator absent (Morrill).

June 2, 2003

Chair MacKinnon addressed the Dairy Princess, and asked her to introduce herself, along with her Court. Princess Natalie Gilbert from Parishville introduced herself. and said tonight, she is from Canton. The following are Alternate Dairy Princess' Lindsay Wilson, and Paige McKnight; and the following are Ambassadors Chrissy Lapoint, Hanna Peck, Holly MacDonald and Jaime Oshier was not in attendance. Chair MacKinnon called for a recess at 7:15 p.m. to enjoy punch and cheese provided and served by the Princess and her Court. Chair reconvened the meeting at 7:30 p.m.

Chair MacKinnon said that there were a number of questions regarding the Waddington Hotel issue. We were going to foreclose on that property and Bob McNeil is here to discuss this issue. Mr. McNeil said that the St. Lawrence Hotel is a parcel in Waddington that we talked about in the fall. He saw no future for it. If we took title we would have to tear it down. Since then there has been a group of residents that got together, and they would like us to sell this property to the Village, in turn the Village would sell this property to this group. They agree to hold us harmless, he read a document regarding this. This is good news in that the group has agreed to restore a local building within their village. He recommends to proceed foreclosure and sell to the Village for them to sell to this group.

Mr. Wilson said this no recourse proviso, as a policy, with regard to other property, with other varying degrees of consequence, we should follow in the future to avoid the current issue. Mr. McNeil said that he will bring forward a resolution to transfer the property to the Village.

Mr. Nichols said there would be no need for a resolution as this is normal procedure. We are on Schedule to proceed. Mr. McNeil said this building cannot withstand two many more winters, or windstorms. We will be able to have this group forego their rights, so that we can sell to the Village. They would like to start work immediately. Mr. Nichols said when will the foreclosure be complete. Mr. McNeil said we can send the petition any time. Mr. Maginn said that if they do not have the quick time deed, then it will not work. Mr. McNeil said that they have it recorded. Mr. Maginn said than that is alright. Mr. Romigh said it is nice to see a community get together to preserve some of the historic places.

James Thew, resident of Waddington and founding member of the Clark House Preservation Group, gave thanks to the Board for getting this on the agenda. He said if we go back to 2002 the building was going down. We organized our group and set up a corporation, and here we are. This speaks highly of you folks. We need to start this project this year, or we may lose it. He said that Mr. McNeil has been a great help, and that Mr. Romigh a big supporter.

Mr. FitzRandolph said he is happy to be moving forward with this, and is glad to see a local group taking on a responsibility like this. If this is policy for the future, as far as release goes, does that really take us off the hook. Can they really wave the right to not come back on us. Mr. Maginn said they act as indemnity. Mr. FitzRandolph said that the clause really doesn't mean much we are taking on some what of a risk.

PRESENTATION OF RESOLUTIONS:

June 2, 2003

Finance Committee: 5-19-2003

RESOLUTION NO. 141-2003

AUTHORIZING FILLING OF VACANCIES

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the St. Lawrence County Board of Legislators adopted Resolution No. 38-2003 on February 10, 2003, which created a policy for filling of vacancies, and

WHEREAS, the vacancies listed below have received the approval of being forwarded to the full Board by the Finance Committee,

NOW, THEREFORE, BE IT RESOLVED that the following vacancies are hereby authorized to be filled:

<u>Department</u>	<u>Title</u>	<u>Type</u>	<u>Duration of Position</u>
County Clerk	Motor Vehicle Clerk	Full-Time	Permanent
Office of Economic Development	Keyboard Specialist	Full-Time	Permanent
Public Health	Senior Account Clerk	Full-Time	Permanent
Sheriff's Office	Court Attendant (2)	Part-Time	Permanent
Social Services	Keyboard Specialist	Full-Time	Permanent

* * *

Mr. FitzRandolph moved to adopt Resolution No. 141-2003, seconded by Ms. Brothers, and carried by a voice vote with one Legislator absent (Morrill).

Finance Committee: 5-19-2003

RESOLUTION NO. 142-2003

AUTHORIZING THE CHAIR TO SIGN ROADSIDE MOWING CONTRACTS

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the 2003 St. Lawrence County Budget, provided for the approval and funding of the 2003 Roadside Mowing, and

June 2, 2003

WHEREAS, the Department of Highways will contract with the five Towns, as has been done in the past, for roadside mowing on 56.65 miles of County Roads,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby approve the following contract to:

Towns:	DePeyster Fine Hopkinton Macomb Piercefield
Contract Title:	Roadside Mowing
Contract Amount:	\$195.00/mile

BE IT FURTHER RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes the Chair of the St. Lawrence County Board of Legislators to execute all necessary contracts, upon the approval of the County Attorney.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 142-2003, seconded by Mr. Cook, and carried by a voice vote with one Legislator absent (Morrill).

Finance Committee: 5-19-2003

RESOLUTION NO. 143-2003

**AUTHORIZING THE CHAIR TO SIGN HIGHWAY CONTRACT WITH
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION
FOR KEARNEY & CHISHOLM ROAD BRIDGES**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the 2003 St. Lawrence County Budget, provided for the approval and funding of the 2003 Capital Projects, and

WHEREAS, the NYS DEC requires certain services consisting of access to the NYS DEC Yellow Lake State Forest, facility number 1732 via the Chisholm Road Bridge with St. Lawrence County, and

WHEREAS, the St. Lawrence County and NYS Department of Transportation are currently in the reconstruction of said bridge and the Kearney Road bridge, and

June 2, 2003

WHEREAS, the County has incurred costs associated with the replacement of said bridge and Kearney Road bridge totaling \$1,630,000 in the form of a low bid to a public, competitive solicitation, and

WHEREAS, after fully examining all of its internal capabilities and thoroughly investigating possible alternative approaches, the Department has determined that these services can best be accomplished through a contract,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby approve the following contract with:

Contract: NYS Department of Environmental Conservation
625 Broadway
Albany, New York 12233-5254

Contract Title: Service Contract

Contract Amount: \$200,000

BE IT FURTHER RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes the Chair of the St. Lawrence County Board of Legislators to execute necessary contracts, upon the approval of the County Attorney.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 143-2003, seconded by Mr. Cook, and carried by a voice vote with one Legislator absent (Morrill).

Finance Committee: 5-19-2003

RESOLUTION NO. 144-2003

AUTHORIZING THE CHAIR TO SIGN HIGHWAY PROJECT CONTRACTS FOR KEARNEY – BIN 3341070 & CHISHOLM – BIN 3221700 ROAD BRIDGES OVER OSWEGATCHIE RIVER, PIN 775244 AND MODIFYING THE 2003 DEPARTMENT OF HIGHWAYS BUDGET

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the 2003 St. Lawrence County Budget, provided for the approval and funding of 2003 Capital Bridge Projects, Highway Reconstruction Projects, Highway Paving Projects, and

June 2, 2003

WHEREAS, the Department of Highways has solicited bids for replacement of Kearney BIN 3341070 & Chisholm – BIN 3221700 Road Bridges over Oswegatchie River, PIN 775244, Town of Rossie, and

WHEREAS, the lowest responsible bidder for this project has been determined, and

WHEREAS, additional funds are needed in the 2003 budget,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby approve the following contract to:

Contractor: Vector Construction Corp
6364 Island Road
Cicero, New York 13039

Contract Title: Kearney & Chisholm Bridges over Oswegatchie River
D013753, Town of Rossie

Contract Amount: \$1,624,069.70

BE IT FURTHER RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes the Chair of the St. Lawrence County Board of Legislators to execute all necessary contracts, upon the approval of the County Attorney and that the County Treasurer is hereby authorized to make the following budget modifications.

INCREASE APPROPRIATIONS

03-HM-9950-906-00-2	Transfer to Capital Fund	\$468,000
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INCREASE APPROPRIATIONS

06-HM-5120-465-CO-2-2003	Subcontractors	\$468,000
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INCREASE REVENUES

03-HM-3591-560-00-0	State Revenue	\$ 93,600
03-HM-4597-570-00-0	Federal Revenue	<u>374,400</u>
		\$468,000

INCREASE REVENUES

06-TG-5031-550-00-0	Interfund Transfer	\$468,000
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Mr. FitzRandolph moved to adopt Resolution No. 144-2003, seconded by Mr. Lacy, and carried by a roll call vote with one Legislator absent (Morrill).

June 2, 2003

Finance Committee: 5-19-2003

RESOLUTION NO. 145-2003

**MODIFYING THE 2003 EMERGENCY SERVICES BUDGET
FOR THE TRANSFER OF FUNDS**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, it has been determined that it is in the best interest of the County to purchase a 2003 Ford Explorer to replace a 1996 vehicle currently assigned to the Director of the Office of Emergency Services, and

WHEREAS, these funds had previously been moved from the Department to Contingency,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the County Treasurer to transfer funds:

TRANSFER FROM:

01-B1-1990-497-00-0	Contingency Reserve	\$23,123
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TRANSFER TO:

01-X2-3640-230-00-0	Automotive Equipment	\$23,123
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* * *

Mr. FitzRandolph moved to adopt Resolution No. 145-2003, seconded by Mr. Teele, and carried by a roll call vote with one Legislator absent (Morrill).

Finance Committee: 5-19-2003

RESOLUTION NO. 146-2003

**URGING THE ADIRONDACK PARK AGENCY TO UTILIZE REASONABLE
STANDARDS IN THE PROSECUTION OF INCONSEQUENT NON-CONFORMING
SITUATIONS RELATIVE TO USE OF PROPERTY WITHIN THE PARK**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, it has come to the attention of the Board that under the current Adirondack Park Agency (APA) regulations, minor, non-conforming past practices may be prosecuted by the agency, often to the personal harm to and financial detriment of property owners not culpable in

June 2, 2003

the original action with no statute of limitations on when the violation occurred, dating back to 1973, creating a chain of joint and several liability, and

WHEREAS, in many cases, such non-conformities are insignificant and/or technical in nature and are not environmentally detrimental despite the fact that they fail to comply with the strict provisions of the regulations, and

WHEREAS, the process of taking formal action against often unsuspecting and non-responsible parties for minor transgressions of the rule creates a bureaucratic backlog of enforcement actions and compromises the ability of the APA to pursue actions to address significant violations of the Park Act, and

WHEREAS, a reasonable statute of limitations applies to most civil actions and all but the most serious of criminal offenses and yet, currently within New York State, any transgression of the rules that becomes known to the APA may be addressed in a formal action dating back more than 30 years,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators, in the interest of fairness and the preservation of property rights, calls upon the State Legislature to enact and the Governor to sign into law, legislation establishing a reasonable statute of limitations for enforcement actions (i.e. three to six years) undertaken by the Adirondack Park Agency.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor George E. Pataki, Senate Majority Leader Joseph Bruno, Assembly Majority Leader Sheldon Silver, Senator James Wright, Senator Raymond Meier, Senator Elizabeth O’C Little, Assemblywoman Dierdre Scozzafava and Assemblyman Darrell Aubertine.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 146-2003, seconded by Mr. Teele and Ms. Brothers, and carried by a voice vote with one Legislator absent (Morrill).

Finance Committee: 5-19-2003

RESOLUTION NO. 147-2003

**MODIFYING THE 2003 BUDGET TO TRANSFER FUNDS
FROM THE CONTINGENCY RESERVE TO THE
ST. LAWRENCE COUNTY AQUARIUM**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, there is ten-thousand dollars (\$10,000) budgeted for the St. Lawrence Aquarium in the targeted contingency, and

June 2, 2003

WHEREAS, the Board of Legislators must approved the transfer of any funds from the contingency reserve to an appropriations account,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the County Treasurer to modify the 2003 budget:

TRANSFER FROM

01-B1-1990-497-00-0	Contingency Reserve	\$10,000
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TRANSFER TO

01-B1-2989-465-00-0-NAEC	B NAEC Aquarium	\$10,000
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BE IT FURTHER RESOLVED that this money, once transferred, be paid to the St. Lawrence County Aquarium.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 147-2003, seconded by Mr. Gray. Mr. Grow said that this is a worthwhile venture. It will contribute to education and recreation to the population. Ms. Cobb asked if Ms. Julia Rose, Director of Aquarium, could answer a question. She asked what happens to the money given to the Aquarium if the money is not matched. Ms. Rose said that they can either scale back the project, or not at all, and that the County is given the option. She also added that she appreciates the Board of Legislators for considering this funding. This will contribute to further funding from other areas. Resolution No. 147-2003 carried by a roll call vote with ten (10) yes votes, and four (4) no votes (Nichols, Lacy, FitzRandolph and Cook).

Finance Committee: 5-19-2003

RESOLUTION NO. 148-2003

SUPPORTING A NAME CHANGE FOR JORSTADT ISLAND TO DARK ISLAND

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the St. Lawrence County Board of Legislators has been advised that there is a proposed interest in changing the name of Jorstadt Island, in the St. Lawrence River, in the Town of Hammond to Dark Island, and

WHEREAS, this name change is a restoration of the previous name of the island, and

WHEREAS, this Board believes that such a change in name puts the official name of the island in line with the local name for the island, and

June 2, 2003

WHEREAS, the name Dark Island is a better descriptive name for the island,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators supports changing the name of Jorstadt Island to Dark Island.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 148-2003, seconded by Mr. Nichols, and carried by a voice vote with one Legislator absent (Morrill).

RESOLUTION NO. 149-2003

MODIFYING THE 2003 SOLID WASTE DEPARTMENT BUDGET

By Mr. FitzRandolph

WHEREAS, the Solid Waste Department is dedicated to maintaining its facilities in a neat and customer friendly manner, and

WHEREAS, the Solid Waste Department places a high priority on the appearance of its facilities as well as the safety of employees who perform the maintenance, and

WHEREAS, the lawnmower at Gouverneur Transfer Station is fifteen (15) years old and for the last three years has presented major maintenance problems, and

WHEREAS, the Solid Waste Department's mechanic has indicated that the lawnmower is beyond repair after its final breakdown in May 2003 and that a new replacement mower is recommended,

NOW, THEREFORE BE IT RESOLVED, that the County Treasurer is hereby authorized to make the following modifications to the Solid Waste Department's 2003 budget:

DECREASE APPROPRIATIONS:

05-WA-1710-497-00-0	Contingency Reserve	\$4,000
05-WL-8160-430-15-C	Can State Fees	<u>400</u>
		\$4,400

INCREASE APPROPRIATIONS:

05-WO-8160-240-00-0	OPR Highway & Street Equip	\$4,400
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* * *

Mr. FitzRandolph moved to adopt Resolution No. 149-2003, seconded by Mr. Lacy. Chair MacKinnon advised the Board that this resolution did not go through Committee, and due to the fact this is to purchase a mower that is needed now it was placed on the agenda. Resolution No. 149-2003 carried by a roll call vote with one Legislator absent (Morrill).

June 2, 2003

Operations Committee: 5-12-2003

RESOLUTION NO. 150-2003

**AUTHORIZING A SERVICE AGREEMENT WITH
STATEWIDE INDEPENDENT PREFERRED PROVIDER ORGANIZATION, INC.**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the Preferred Provider Health Care Plan, in order to be successful, must have access to a wide range of participating providers which is done through agreements with preferred provider networks, and

WHEREAS, the Statewide Independent Preferred Provider Organization provides a preferred provider network to physicians in the southern and western regions of New York State beyond the boundaries of St. Lawrence County,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby authorize the signing of the Statewide Independent Preferred Provider Organization, Inc. Services Agreement, upon approval of the County Attorney.

* * *

Mr. Grow moved to adopt Resolution No. 150-2003, seconded by Mr. Romigh, and carried by a voice vote with one Legislator absent (Morrill).

Operations Committee: 5-12-2003

RESOLUTION NO. 151-2003

**AUTHORIZING CONTRACT TO PROVIDE ELEVATOR
MAINTENANCE FOR ST. LAWRENCE COUNTY OFFICE BUILDINGS**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the St. Lawrence County Department of Governmental Services has solicited proposals to provide Elevator Maintenance for County Office Buildings, and

WHEREAS, three firms submitted proposals to provide the service, and

WHEREAS, Schindler Elevator Corporation has provided the lowest price bid which meets the specifications, and

WHEREAS, the price bid for monthly elevator maintenance is \$13,824 annually, and

June 2, 2003

WHEREAS, the prices bid for additional repairs not defined by the maintenance specifications include a mechanic rate of \$100 per hour, helper rate of \$65 per hour, and a parts markup over cost of 20%,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the St. Lawrence County Board of Legislators, upon approval by the County Attorney, be authorized to sign a contract with Schindler Elevator Corporation to provide elevator maintenance for St. Lawrence County buildings.

* * *

Mr. Grow moved to adopt Resolution No. 151-2003, seconded by Mr. Cook, and carried by a voice vote with one Legislator absent (Morrill).

Operations Committee: 5-12-2003

RESOLUTION NO. 152-2003

TRANSFER OF FUNDS, MICROFILMING

By Mr. Grow, Chair, Operations Committee

BE IT RESOLVED that the St. Lawrence County Treasurer is hereby authorized to transfer the following amounts for microfilming of St. Lawrence County records by the St. Lawrence County Association for Retarded Children:

TRANSFER FROM:

01-B1-1460-430-06-0	St. Lawrence County ARC Microfilming	\$13,108.48
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TRANSFER TO:

01-T1-1325-430-06-0	Treasurer, Microfilming	\$5260.55
01-Q1-3140-430-06-0	Probation, Microfilming	3992.51
01-S2-3110-430-06-0	Sheriff's, Microfilming	3561.42
01-PH-4189-430-06-0	Public Health, Microfilming	116.00
01-PP-4010-430-06-0	Public Health, Microfilming	96.00
01-A5-4310-430-06-0	Community Services, Microfilming	67.00
03-HA-5010-430-06-0	Highway	<u>15.00</u>
		\$13,108.48

* * *

Mr. Grow moved to adopt Resolution No. 152-2003, seconded by Mr. Romigh and Mr. Wilson, and carried by a roll call vote with one Legislator absent (Morrill).

June 2, 2003

Operations Committee: 5-12-2003

RESOLUTION NO. 153-2003

**TRANSFER OF FUNDS IN THE 2003 BUDGET, CORRECTIONAL FACILITY
HOUSING INMATES AT OTHER CORRECTIONAL FACILITIES**

By Mr. Grow, Chair, Operations Committee

WHEREAS, this year there have been inmates housed in the Oneida, Franklin, and Cayuga County Correctional Facilities and also at The New York State Department of Mental Hygiene Facility at Marcy, and

WHEREAS, at the present time we have inmates housed out in Franklin, Oneida, and Cayuga Counties and New York State Department of Mental Hygiene Facility, and

WHEREAS, presently there are outstanding bills amounting to approximately \$29,775, for March 2003, for the care of these inmates, and

WHEREAS, there is \$76.76 in the account to pay these bills, and

WHEREAS, it is necessary that an additional \$200,000 be transferred into the Sheriff's budget for housing of inmates to cover these expenses,

NOW, THEREFORE, BE IT RESOLVED that the following transfer of funds is hereby authorized:

TRANSFER FROM:

01-B1-1990-497-00-0	Contingency Fund	\$200,000
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TRANSFER TO:

01-S5-3150-480-01-0	Boarding of Prisoners	\$200,000
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* * *

Mr. Grow moved to adopt Resolution No. 153-2003, seconded by Mr. Nichols, and carried by a roll call vote with one Legislator absent (Morrill).

June 2, 2003

Operations Committee: 5-12-2003

RESOLUTION NO. 154-2003

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH WNPI FOR THE
PURPOSE OF MAINTAINING AN ANTENNA ON THE TOWER IN SOUTH COLTON,
SHERIFF'S DEPARTMENT**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the St. Lawrence County Sheriff's Department has received a contract from WNPI in Watertown, New York, for an Antenna Agreement at the WNPI Tower, and

WHEREAS, the cost to the County for the services in this contract is \$4,500 per year for the years 2003, 2004, 2005, and

WHEREAS, the St. Lawrence County Sheriff's Department presently has their antenna on the WNPI Tower, and

WHEREAS, in order to maintain the antenna at this tower, it is mandatory that we sign this contract, and

WHEREAS, the new contract will have an effective date of January 1, 2003, and terminate on December 31, 2005,

NOW, THEREFORE, BE IT RESOLVED that the Chair is authorized to sign the Antenna Agreement with WNPI effective January 1, 2003, upon approval of the County Attorney.

* * *

Mr. Grow moved to adopt Resolution No. 154-2003, seconded by Mr. Romigh, and carried by a voice vote with one Legislator absent (Morrill).

Operations Committee: 5-12-2003

RESOLUTION NO. 155-2003

**RENEWAL OF AGREEMENT BETWEEN UNIFIED COURT SYSTEM (UCS)
AND ST. LAWRENCE COUNTY**

By Mr. Grow, Chair, Operations Committee

WHEREAS, St. Lawrence County has a contract with the Unified Court System for security of the courts, and

June 2, 2003

WHEREAS, every year we have to sign a renewal, and

WHEREAS, the maximum compensation for those services is \$475,000, and

WHEREAS, the period of coverage starts April 1, 2003, and terminates March 31, 2004,

NOW, THEREFORE, BE IT RESOLVED that the Chair is authorized to sign a renewal contract with the Unified Court System, upon approval of the County Attorney.

* * *

Mr. Grow moved to adopt Resolution No. 155-2003, seconded by Mr. Nichols and Ms. Brothers, and carried by a voice vote with one Legislator absent (Morrill).

Operations Committee: 5-12-2003

RESOLUTION NO. 156-2003

**APPROVING ALTERNATIVES TO INCARCERATION (ATI)
SERVICE PLAN CONTRACT**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the St. Lawrence County Alternatives to Incarceration Advisory Board approved an extension of the Alternatives to Incarceration (ATI) Plan for St. Lawrence County for the year 2003, and

WHEREAS, the services will be funded with \$50,400 in ATI funds, and

WHEREAS, the total cost of the ATI Program is \$76,107, of which \$50,400 comes from the grant, and \$6,426 comes from the NYS Division of Probation and Correctional Alternatives state aid, leaving a County cost of \$19,281, and

WHEREAS, the Operations Committee has reviewed this plan and found it to be a cost-effective program and recommends the St. Lawrence County Board of Legislators indicate its approval,

NOW, THEREFORE, BE IT RESOLVED that the 2003 Alternatives to Incarceration Plan for St. Lawrence County is hereby approved, and that the Chair is authorized to proceed with the processing of said plan with the New York State Division of Probation and Correctional Alternatives, and to execute such documents as may be necessary in conjunction with such processing, upon approval of the County Attorney.

* * *

June 2, 2003

Mr. Grow moved to adopt Resolution No. 156-2003, seconded by Mr. Gray. Mr. Grow said that, historically, this has been effective in saving money. Resolution No. 156-2003 carried by a voice vote with one Legislator absent (Morrill).

Operations Committee: 5-12-2003

RESOLUTION NO. 157-2003

APPROVING DAY REPORTING AND TREATMENT CENTER CONTRACT

By Mr. Grow, Chair, Operations Committee

WHEREAS, St. Lawrence County has been notified that funding for our Probation-eligible reduction initiative for 2003 has been approved at \$66,100, and

WHEREAS, this is a decrease of \$11,675 from 2002, and

WHEREAS, the total cost of this project is \$99,128, of which \$66,100 comes from this grant, \$8,257 comes from the NYS Division of Probation and Correctional Alternatives state aid, leaving a County cost of \$24,771, and

WHEREAS, through participation in this initiative, the County operates the Day Reporting and Treatment Center as an alternative to incarceration,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes the continuance of this program and authorizes the Chair to execute such documents as may be necessary, upon approval of the County Attorney, and

BE IT FURTHER RESOLVED that when the funding ends, the program will be eliminated.

* * *

Mr. Grow moved to adopt Resolution No. 157-2003, seconded by Ms. Cobb, and carried by a voice vote with one Legislator absent (Morrill).

June 2, 2003

Operations Committee: 5-12-2003

RESOLUTION NO. 158-2003

APPROVING INTENSIVE SUPERVISION (ISP) CONTRACT

By Mr. Grow, Chair, Operations Committee

WHEREAS, St. Lawrence County has been invited to again participate in the New York State Intensive Supervision Program, and

WHEREAS, the County will receive \$28,100, and

WHEREAS, the total cost of this project is \$57,783, of which \$28,100 is from this grant, \$7,421 from NYS Division of Probation and Correctional Alternatives state aid, leaving \$22,262 in County cost, and

WHEREAS, through participation in the Intensive Supervision Program, one Probation Officer position has a maximum caseload of twenty-five (25) in order to provide intensive supervision to appropriate probationers,

NOW, THEREFORE, BE IT RESOLVED, that the St. Lawrence County Board of Legislators hereby authorizes the continuance of this program and authorizes the Chair to execute such documents as may be necessary, upon approval of the County Attorney, and

BE IT FURTHER RESOLVED that when the funding ends, the Probation Officer position will be eliminated.

* * *

Mr. Grow moved to adopt Resolution No. 158-2003, seconded by Mr. Cook, and carried by a voice vote with one Legislator absent (Morrill).

Operations Committee: 5-12-2003

RESOLUTION NO. 159-2003

**MODIFYING THE 2003 BUDGET FOR THE COUNTY CLERK'S OFFICE,
STATE EDUCATION DEPARTMENT GRANT**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the County Clerk's Office has received a \$25,866 grant from the State Education Department, and this money must be used by June 30, 2003, and

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WHEREAS, a Temporary Clerk is working the regular 35 hour work week, and \$2,918 was allocated for overtime for this position, and

WHEREAS, \$5,161 has been budgeted for fringes, and \$1,499 of that amount will be used for fringes because of this temporary appointment, and

WHEREAS, this money would be better used for the continued salary of a clerk hired under this grant,

NOW, THEREFORE, BE IT RESOLVED that the Treasurer is authorized to modify the County Clerk's 2003 budget as follows:

	<u>INCREASE</u>	
01-K1-1410-190-00-1-LGRM	KCC Temp/Part Time	\$6,580
	<u>DECREASE</u>	
01-K1-1410-180-00-1-LGRM	KCC Overtime	\$2,918
01-K1-1410-800-00-1-LGRM	Fringe Benefits	<u>\$3,662</u>
		\$6,580

* * *

Mr. Grow moved to adopt Resolution No. 159-2003, seconded by Ms. Brothers, and carried by a roll call vote with one Legislator absent (Morrill).

Services Committee: 5-19-2003

RESOLUTION NO. 160-2003

**AUTHORIZING CHAIR TO SIGN CONTRACT FOR
PETROLEUM PRODUCT QUALITY PROGRAM**

By Mr. Cook, Chair, Services Committee

WHEREAS, the New York State Department of Agriculture and Markets has responsibility for conducting inspections, performing screening tests, and sampling of petroleum products, and

WHEREAS, the Director of the St. Lawrence County Department of Weights and Measures has presented this contract to the Services Committee for review and the committee has approved this contract between St. Lawrence County and the State of New York for 2003-2004 program year, and

WHEREAS, an amount of \$10,560 is allowed to pay expenses to St. Lawrence County for this program, as vouchered quarterly,

June 2, 2003

NOW, THEREFORE, BE IT RESOLVED that the Chair of the Board of Legislators is hereby authorized to sign a contract, upon the approval of the County Attorney, with the New York State Department of Agriculture and Markets for the Petroleum Product Quality Program pursuant to Agriculture and Markets Law Section 179.

* * *

Mr. Cook moved to adopt Resolution No. 160-2003, seconded by Mr. Grow, and carried by a voice vote with one Legislator absent (Morrill).

Services Committee: 5-19-2003

RESOLUTION NO. 161-2003

COMMUNITY SERVICES EAP CONTRACT RENEWALS

By Mr. Cook, Chair, Services Committee

WHEREAS, St. Lawrence County Community Services participates in several EAP contracts to provide ongoing services with various agencies, and

WHEREAS, there is a need to renew these EAP contracts with the following agencies in June and July:

Nicholville Telephone Company
St. Lawrence Seaway Development Corporation
St. Lawrence University

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorized the Chair, upon approval by the County Attorney, to sign these contract renewals.

* * *

Mr. Cook moved to adopt Resolution No. 161-2003, seconded by Ms. Brothers, and carried by a voice vote with one Legislator absent (Morrill).

June 2, 2003

Services Committee: 5-19-2003

RESOLUTION NO. 162-2003

AUTHORIZING THE CHAIR OF THE BOARD TO SIGN A CONTRACT FOR THE PUBLIC HEALTH DEPARTMENT'S IMMUNIZATION ACTION PLAN

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department develops and implements an Immunization Action Plan, and

WHEREAS, the department has received notification that it has been awarded grant funds in the amount of \$29,000 for expenses associated with this program by the New York State Department of Health between April 1, 2003 – March 31, 2004,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair, upon approval of the County Attorney, to sign said contract.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 162-2003, seconded by Mr. Nichols and Mr. Romigh, and carried by a voice vote with one Legislator absent (Morrill).

COUNTY ADMINISTRATORS REPORT:

Mr. Brining said that July 24th was originally planned for the Government Day event. We have had tough financial times. We approached the Chair and it was agreed that we should question this Board one last time to see if they still wanted to move forward. Mr. Teele said last year was a big show. Mr. Pfothauer said that there will be no parade. We do have some different ideas. We will have a theme this year, "St. Lawrence County Helping to Shape our Future". This will be geared toward younger folks. We will have balloons, giveaways, etc. We have not incurred any expenses yet. We plan to rent a tent, serve refreshments, and rent picnic tables. At the stage we are now, we can go forward or postpone what we have discussed for next year. Mr. Teele said that he realizes this takes a lot of time.

Mr. Lacy said last year was special. He would be in favor of not doing it this year. He believes that last year's event would be a difficult act to follow. This is time consuming. He thinks we would be well served to keep the plans for next year.

Mr. Nichols asked if there are any cost estimates yet. Mr. Pfothauer said it will be under \$1000. The tent will be \$250, along with the cost of the children's entertainment and refreshments. He feels it will be between \$500 and \$1000.

Ms. Brothers said that last year's event was a big production. She feels that we need to give recognition, especially if the focus is on children. It would be good to expose the children to all of our employees.

June 2, 2003

Mr. Cook said he agrees with Mr. Lacy, it is not so much the money, but the staff's time is costly.

Mr. Wilson asked where did the idea come from to put this off. Mr. Brining said that the committee came to him and wanted to be sure that the Board was for it. Mr. Wilson said unless there is something involving the time, staff, or hidden costs, he is reluctant to drop this for a year. We may lose sight of it. Government day, to him, does not have to be a lot, just smart and efficient. He is not advocating spending large amounts of money. It was a good idea in the first place. We do not have to keep up with last year.

Mr. FitzRandolph asked how much time and how many people does this take, and if this is something the staff like's doing. Mr. Brining said hundreds of hours have to go into it. There is time in setting up, getting power where there needs to be power, etc. The feedback that he gets is, if alot of people show up then the employees are gratified. No employees have complained to him.

Mr. Pfothauer said that the committee has had three meetings so far, they last about 1 to 1 ½ hours. So far they have just banged out ideas. He has put together agendas and minutes. The time commitment has not been too much, but as we move forward it will increase. On the day of the event there will be a lot of people staffing tables, etc. In the past, the Planning office has had only three people visit. So their department is not very excited about it. He said to some it is viewed as a waste of time.

Mr. FitzRandolph said that there was comment made: "a good use of time if people attend". He feels that this event is really only attended by people from Canton. He feels if we do this, we should think of a time when people are coming to Canton anyway. The thing that comes to mind is the Dairy Princess Parade. He would like to see people from outside of Canton attend.

Chair MacKinnon said he would like to speak to the issue. The concern that was brought to him was that people are afraid that each year that goes on, there is a danger of the event getting less and less and less, and eventually it becomes eliminated. If we put it off for a year or two, and coordinate it with another event. This would make it a bigger deal; this could increase the interest. He feels that this is the concern of the committee.

Mr. Gray asked if the committee is for it or against it.

Chair MacKinnon said that the committee feels that the annual event, without a major attraction, will fade away. They feel spreading it out over a few years may attract more interest. The concern is that the employees will do the work and then no one shows up. They hope the Board will agree with skipping a year.

Ms. Brothers asked where did the Government Day program originate. Mr. Brining said that three years ago, it came out of Management Committee, and then the idea was brought to the Department Head meeting and was well received, and then brought to the this Board. Mr. Pfothauer said he was tasked with organizing Government Day for 2003. There has been discussion in the committee that the alternate year should be looked at, as a working schedule.

June 2, 2003

Ms. Brothers said if the origination is from the Department heads, she feels comfortable with them making the decision.

Mr. Zimmerman said last year was a very good year for us. His department usually has very little visibility. We have staff that look forward to meeting with the public. The first year was a good turn out. The second year was ok, but the bicentennial was great. He feels that a lot of people came, but not through the offices. He said that this County has produced several pieces of information that were created to inform. He does not want this celebration to lose its appeal, in particular, in this tough budget year, he feels it sends a message. He would like to organize a day where schools send bus loads of kids for a student day. He is in the camp to not lose freshness of the event.

Mr. Wilson said he feels the committee should have just come to them with the recommendation. It would have saved a lot of time and discussion.

Mr. FitzRandolph said he is prepared to make motion, but we would have to suspend the rules to vote. Mr. Nichols said we can do this by consensus. Mr. Wilson asked if a resolution is necessary. Mr. Brining said that it is not. Chair MacKinnon said that the consensus is to do this bi-annually.

Mr. Brining said that there was a request to discuss, in detail: the Public Health budget error, when will there be an update, and when will the Venesky report be brought to the Board. He said at the June Services Committee there will be a Public Health financial update. We will include in that: receivables information, revenue information, and expense information, along with where we are at from a linear perspective. Staff met with Jack Venesky on the 23rd. There are several items to note for management. The Medicare billing is being looked into, as well as operating costs such as home health aides. This will all be discussed. He said that Jack Venesky said that he is unaware of any service provider with their own staff. The patient mix is an issue. Staff will address each issue, they will meet on Thursday. They will review issues with Venesky. Ms. Abernethy, the new Public Health Director, has a copy of the report and we want her opinion. He said that Mr. Venesky will be present after Ms. Abernethy's arrival on June 30th. As for the budgeting error...he wants to revue the process from the staff's perspective. First, it won't be long before the Departments begin to prepare their budgets. They will start to present their budgets to the budget team. The budget team reviews and discusses the presentation with the department on a variety of issues. They debate the presentation. Generally speaking we usually come to a number that everyone can accept. If there is a real dispute, he, as the Budget Officer will choose from three numbers given. There was a time when the budget team actually voted on an item. Once we lock in a tentative budget he accepts full responsibility on those numbers. It is impossible to go back and remember the discussion that got them to a certain number. Historically, the numbers that we have come up with have come up better then what we have projected. We got there on a crooked road. The Public Health number was thought to be a \$470 thousand error. We overstated that error by \$41,000. The error was in the state aid calculations. We had some new people there then. They calculated on the first quarter numbers times four. They went back and used a spread sheet, which brought back new numbers. This is when we moved fringe into the departments. When the Public Health state aid was calculated the fringe was included, it should not have been calculated. He looked at fringe himself, the difference was about \$3000 to \$4000. He accepts responsibility for that as the Budget Officer.

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The budget team learned a lesson here, it is a stressful time. He explained that the budget team members do two jobs at the same time.

Dr. Kuehl said that was the first budget he was involved in. The staff was not previously accountable for their own budgets. The office was set up that way when he came aboard. He felt it was important to make the people responsible for their own budget. This was a group of relatively new people to the budget process. This was worked from the bottom up for the first time, instead of the from the top.

Mr. Turbett said this was a large number to overlook. What was the Deputy Budget Officer's role. Mr. Brining said she was in on the discussions. He said that Ms. Mousaw indicated that she tried to bring that to us. He believes that if that was so, it was not done enough to convince the team. The team would have been yelling and pushing him to look at those numbers, if there was any thoughts of error. If there are dissenting opinions, they will be looked at more carefully.

Dr. Kuehl said that this was the first process for them. This was the year that all of the money for terrorism was basically being thrown at them. We thought we were to get state aid, and we had guess work as to how much that was going to be.

Ms. Brothers clarified that the fringe was included. Mr. Brining said that they calculated state aid with fringe which made the revenue too high. Ms. Brothers asked why didn't all of the other departments have issues with the fringe. Mr. Brining said that there were new folks involved. Ms. Brothers said who does the number crunches. Mr. Brining said that departments do that. Ms. Brothers asked if we have a mechanism to track this. Mr. Brining said that is something that Ms. Mousaw is getting involved in. Mr. Brining said it is his goal to have Ms. Mousaw sit down, off line, with the departments and speak at a more detailed level. Ms. Brothers said we cannot afford mistakes, and she understands that mistakes do happen.

Mr. FitzRandolph said the entire \$429 thousand was due to the fringe benefit issue. He said that Ms. Mousaw is the go to person on these issues. We need to listen to her. He asked what will the Board's role be with the Venesky report. Mr. Brining said he would like to bring that to the Board when Kathy Abernethy comes on Board. He said that there are issues, not all Public Health issues, Home Health issues as well as issues in Medicare. The fringe and the salary that are paid, are substantially different than in the private sector. He said that Ms. Mousaw sent a request under FOIL for the competitor's cost reports. We want to see if we are getting a less profitable clientele, and if we are subsidizing a program for the less fortunate. He has asked Calvin Ulrich, Accounts Services Manager, if we still have issues with billing. He would like a corporate plan put together to address everything. Mr. FitzRandolph said he has concerns with receiving copies of these reports, and not having discussions sooner. It seems to him that it raises a lot of potential for public discussion. This is a department that has caused us all to argue with one another. He has concerns about releasing the reports. Chair MacKinnon said that the report has never been given out before. Mr. Brining said when he returned from vacation the Public Health staff asked Jack Venesky if he would come before the Board. He did not see that as his role. We met with the team: Public Health, the Treasurer, etc. Mr. Brining asked if Jack Venesky would come before the Board and be part of the group for discussion's sake. That and the fact that the new Director would be there, it is his personal opinion that she should be involved.

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Mr. FitzRandolph said coming back to the issue of the current Public Health budget and whether the expenses and revenues have come in as projected, that will be up for discussion at Services. He is trying to pick words carefully, we need to deal with this issue as a Board and not drawing lines in the sand, we need to work together with the new Director coming in.

Mr. Gray said, lacking diplomacy, we have talked about Public Health for years, we need to put faces to this. The employees have been brought before the public through the media. Mr. Gray wants to know when did Mr. Brining find out when the error occurred. Mr. Brining said he found out about the error when they put the documents together. They went back and looked at the reasons. It was within the last three weeks. Mr. Gray said when did Ms. Mousaw know. Ms. Mousaw said about 6 months ago. Mr. Gray confirmed 6 months ago. Mr. Gray asked Mr. Brining if he knew 6 months ago. Mr. Brining said no. Mr. Gray said it is difficult to recreate the numbers after budget. He asked who is responsibility for those numbers. Mr. Gray asked Ms. Mousaw who was responsible at that Department for the numbers, since she was working there. She confirms that she presented the information during budget review. Mr. Gray said that there is a concern. It is noble to take responsibility for a mistake, but Ms. Mousaw said that she has known for six months, and the County Administrator did not know until two weeks ago. He is concerned about the Deputy Budget Officer's communication with the budget team and the County Administrator. He said that Ms. Mousaw said she maintains that she repeatedly let the team know of an error. Mr. Gray wants to know what went on. He is very concerned about this. He said that Ms. Mousaw was given direction to go into that department and was it her job to bring calculations to the budget team. Ms. Mousaw said she ran the numbers on her own time.

Mr. Gray, Mr. Nichols, and Mr. FitzRandolph yielded the floor to Mr. Moore.

Mr. Moore said that at budget time last year, Ms. Mousaw was not allowed in Public Health financial. He was told by her that there were big errors. He asked her if she approached Mr. Brining and he was told that Mr. Brining was told.

Mr. Gray asked Ms. Perretta what happened. Ms. Perretta said that what Mr. Brining said was true. They did not know state aid, and that the person was new. They tried state aid items at the first quarter number and multiplied it by four. Ms. Mousaw produced a spreadsheet for them to use. It was wrong then, and they did not know it at the time. They used the spread sheet that was given. The first time that they new there was an issue was two weeks ago.

Mr. Gray said this was Ms. Mousaw's spreadsheet. The numbers that were used in the budget. Ms. Mousaw said that on that spreadsheet it states do not use fringe. Mr. Gray said if there was an error would you let anyone know. Ms. Perretta said that she has worked for the County for 25 years, she would have jumped up and down.

Mr. Zimmerman said that the budget team is fairly conscientious, if one knew that there was an error, that one would be derelict in his responsibilities if he did not let this be known. He gave an example of a particular situation where they corrected an error in a previous budget session. This is a significant number, had this been explained, it would have addressed. To the best of his knowledge, he does not recall that error. They spend thousands of hours collectively. They discuss budget late at night and early in the morning, if that is when an idea comes, that is when a call is made. Had there been an error, it would have been addressed.

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Mr. Gray said he read articles in the paper about the mistakes that were made. He would like to apologize to the staff because they have been in the papers.

Mr. Turbett said he shares Mr. Gray's concern. If there was a question, there should have been a question back to the person who created it. He would like to know who else was on the team. It would be useful for everyone to be addressed that served on that Budget team.

Mr. Wilson said that we knew in November that the numbers were going to blow up. He has no accounting ability. The person that told him should have known. Ms. Mousaw had been ignored back in November, quite obviously. He said that he is good at human nature. In this case the Deputy Budget Officer was disregarded and we continue to pay for this. This episode has been ongoing for at least two years in the making. It is unbelievable. There should be a wholesale change in the way the budget is done. Regardless, someone has to be at fault for this. Perhaps we should get to the bottom of this, and get to the bottom of the way the budget is processed. It should not have been handled the way it has been handled. The Venesky report should have been e-mailed to all Legislators when it was originally received. We have a right to know, the staff does not have a right to prepare for two weeks an explanation.

Mr. Nichols said he was the Finance Committee Chair during this time. He is troubled in knowing that some knew and some did not. As soon as staff found out that in Social Services there was the \$100,000 problem, it was immediately discussed with the Chair and the Vice-Chair. He feels it doesn't make sense that staff would then hide information for Public Health. He found out about this error the same time we were to talk about this. He does not remember any member of the staff withholding information from him or any one else. At the Finance Committee we asked Mr. Brining to come back with an explanation and for more details of Public Health. He has never heard of a Venesky report in his career as Legislator. He feels that the staff did not intentionally not tell us.

Mr. FitzRandolph said at least twice during the period when Ms. Mousaw was kicked out of Public Health, around budget time, he received two phone calls from her. He said that she was upset and said you would not believe what is going on at Public Health, repeatedly. It is difficult when there are "pissing matches" going on. She came over to his house to discuss it twice. He said Ms. Mousaw felt that there were major financial issues. Ms. Mousaw said that they would develop into problems. He told Ms. Mousaw to discuss it with Mr. Brining. She did not like it very much. He does not know the details of the issues. She is the one person in the entire structure of county government to answer these questions. He is unsure of whether structure was set up properly. He cannot comment on what happened next. He can vouch for the fact that Ms. Mousaw did come to him with a fear of huge problems.

Mr. Turbett confirmed that he will be given the Venesky report. He would also like the last two years.

Mr. Gray said that now we know of a couple of Legislators that new of this problem. No one shared it with the rest of us. He shouted that there was Legislators that knew about possible problems in Public Health and that it was not shared.

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Mr. Wilson said he feels the person that knew was not listened to. He relied upon the reports that were given, that we were turning the corner on the Public Health thing. He readily admits that he did not know where he would have gone for the answer. He did not know that Mr. Turbett's questions were right or wrong. He hoped he was wrong. The people he talked to, maybe the person had an ax to grind, he knows now. We know now that there were mistakes, glaring errors, the numbers were not right. He is not at liberty to say who, but to suggest that Mr. FitzRandolph and he, knew what the problem was, is a leap. We knew that there were problems.

Mr. Gray said with respect to Mr. FitzRandolph and Mr. Wilson, when an entire Department is in jeopardy we should have been told something.

Ms. Brothers said her feeling is that we move on. We now have this issue that we have to address, she will be involved in this budget process for the next four years. She wants to make sure that we cover ourselves from problems. We need to work together to overcome any possible problems. We need to avoid errors like this in the future.

Ms. Cobb said that Mr. McNeil said we will know how well we were doing in May. Is there any other issues that we need to know. In an effort to look forward (she addressed Ms. Mousaw) are the revenues in Public Health going as projected. Ms. Mousaw was out of the room.

Dr. Kuehl said that he addressed the Board when he began as Interim Director, from a white paper. He found old Venesky reports hidden away in a drawer. He brought those reports to Mr. Brining's attention. They reflected changes in management that needed to be addressed, and issues that needed to be fixed over a period of time. Those issues were out there, those issues made him think there would be serious problems. Home Health is a big issue. He had planned to underwrite some policy and procedure changes, but that was put off by bigger financial problems. The backlog in billing and the change in the computer system were some big issues. He said that he is the one that gave the report, and he believes that those reports were accurate. He believed that the receivable numbers have been pushed down significantly. The Venesky report shows that not all of the charges that could be collected, were being collected. He feels that it is smart to wait for the report.

Dr. Kuehl said that originally the people that were doing the work were not a part of the budget process. He feels that the people needed to know how to work their own budget. With Mr. Brining's approval, we empowered the people to do their own budgets. He was intentionally not involved in the budget, for no other reason than they decided not to. They were receiving all kinds of revenue in that they were not used to getting. When the budget was developed, he heard rumors in November that there were problems. He approached the source, Ms. Mousaw, and asked if the rumor of an error was true. She did not inform him that there were fringe errors. He specifically asked her if there were any specific problems in the budget. She only told him general problems, nothing specific at all. He was never told that there was any problems in the budget. He is unsure why some Legislators may have known this. He said that Ms. Mousaw did a lot for Public Health. He said as he stands here, he can say that Ms. Mousaw did not tell him, when he specifically asked her for any suspected errors in the budget.

Ms. Cobb said she would like to have written information regarding the update on the Public Health finances.

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Dr. Kuehl said that he is confident that things look a whole lot brighter than they did last year or two years ago. He said that no one told him about a fringe issue.

Ms. Cobb said Dr. Kuehl mentioned a white paper, who received that information. Dr. Kuehl said he presented that when he first came on board. Ms. Cobb addressed Ms. Mousaw and said that she would like to know if there are any other revenues that could be a problem. Ms. Mousaw said that on June 16th we will have a final number on adjustments. She does have issues but wants to clarify with the Treasurer's office first.

Mr. Moore said Ms. Mousaw can call him because she is his constituent. He thought everyone knew of the problem.

Ms. Cobb asked why Ms. Mousaw was not allowed in Public Health. Mr. Cook suggested that they go into executive session for that, as it is a personnel issue.

Mr. FitzRandolph said there were personality conflicts, and someone with intimate knowledge of what was going on over at Public Health was barred for personality conflicts. He hopes this has been a full airing of this issue.

Mr. Brining said that the team approach is the best approach for County Government. He will, in the morning, try to rejuvenate his team. He challenged the Board members to help with that.

Mr. Brining said that he has Medicaid numbers. He said that Senator Schumer's number was \$2.2 million, NYSAC came up with \$1.8 million. He asked Mr. Wickwire and Mr. Davis to calculate that, that will give the County over \$1.9 million. Mr. Davis confirmed that the best estimate is \$1.9 million.

Mr. Brining said that the revenue sharing amount is \$645 million. He said that there was language in legislation to split, that was pulled. NYSAC wrote a letter to the Governor, and two Senators are supporting legislation to instate some type of split.

Ms. Powers said that some of the tax bills for Veterans went out without their exemptions for the Village of Canton. They will process the correction of errors. They are unsure of what happened to cause that error.

Mr. Nichols moved to go into executive session at 9:53 p.m., seconded by Mr. Cook, and carried by a voice vote with one (1) Legislator absent (Morrill). Mr. Nichols moved to go into open session at 10:00 p.m., seconded by Mr. Cook, and carried by a voice vote with one (1) Legislator absent (Morrill).

CHAIR'S APPOINTMENTS: There were none.

OLD/NEW BUSINESS:

Mr. Teele asked Mr. Brining what the normal procedure is for copying documents for constituents. Mr. Brining said that we told this specific individual that occasionally we would

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copy out the occasional piece of information. Mr. Teele informed the Board that there is available a document that was given to him by one of his constituents, Mr. Hassig, regarding key findings of recent survey research on persistent toxic chemicals. If anyone is interested in seeing it they may ask the Deputy Clerk or Legislator Teele.

Mr. Lacy moved to adjourn the meeting at 10:07 p.m. as there was no further business, seconded by Mr. Nichols, and carried by a voice vote with one Legislator absent (Morrill).

June 23, 2003

St. Lawrence County
Board of Legislators
Board Room

Special Board Meeting
Monday, June 23, 2003
4:00 p.m.

Chair MacKinnon called the meeting to order at 4:00 P.M.

ROLL CALL: All Legislators were present except Legislator Morrill.

Prayer by Mr. Wilson, followed by the Pledge of Allegiance.

CITIZEN PARTICIPATION: No one wished to speak.

PRESENTATION OF RESOLUTION:

RESOLUTION NO. 163A-2003

**DESIGNATING ST. LAWRENCE COUNTY AS THE LEGAL SPONSOR
FOR THE SMALL COMMUNITY AIR SERVICE DEVELOPMENT
PILOT PROGRAM APPLICATION**

By Mr. Cook

WHEREAS, on April 29, 2003 the United States Department of Transportation issued an Order Soliciting Community Grant Proposals for Small Community Air Service Development Pilot Programs, and

WHEREAS, St. Lawrence County travelers have expressed an overwhelming desire to change their connecting hub from Pittsburgh, PA to Albany, NY, and

WHEREAS, Massena International Airport and Ogdensburg International Airport both recognize the potential for an increase in air ridership if this change was made, and

WHEREAS, it is the intention to submit a grant application to address these concerns, and

WHEREAS, the application requires that the designated legal sponsor must be a government entity, and

WHEREAS, it has been requested that St. Lawrence County accept this designation

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes staff to submit an application to the Small Community Air Service Development Pilot Program, with St. Lawrence County as the designated legal sponsor.

NOTE: Due to Clerical Oversight, this resolution is numbered 163A-2003.

* * *

June 23, 2003

Mr. Cook moved to adopt Resolution No. 163A-2003, seconded by Mr. Nichols, and unanimously carried by a voice vote.

Mr. Romigh gave an update on the Jail Committee's progress thus far. He asked Mr. Brining to hand out a paper with bullet points showing where they are at and where they may be going. He explained that they should receive an invitation from the Sheriff for a tour of the current Jail facility. There were no questions.

Chair MacKinnon explained that there is a need for a committee to review the procedure for appointments to advisory boards. He appointed Ms. Cobb, Ms. Brothers, and Mr. Teele as the Committee. He also said that there is a need for an advisory board for the current Public Health issues. He said that we have had difficulty in working through those issues and thinks that a committee could address those issues and report back to the full Board. He named the committee members as Ms. Brothers and himself.

Mr. Nichols moved to adjourn the meeting at 4:07, seconded by Mr. Morrill, and carried unanimously by a voice vote.

July 7, 2003

St. Lawrence County
Board of Legislators
Board Room

Board Meeting
Monday, July 7, 2003
7:00 p.m.

Chair MacKinnon called the meeting to order at 7:00 p.m.

ROLL CALL: All Legislators were present.

Mr. Wilson led everyone in prayer, followed by the Pledge of Allegiance.

MINUTES: Mr. Nichols moved to approve the minutes from the following Board meetings: December 2, 2002; May 5, 2003; June 2, 2003; and June 23, 2003, seconded by Mr. Romigh and Mr. Cook, and carried unanimously by a voice vote.

COMMUNICATIONS: The Deputy Clerk read the following communications:

1. A thank you from Shirley Morrill for flowers, phone calls and cards during her illness.
2. A thank you from the St. Lawrence Aquarium & Ecological Center for the Board's consideration of a \$10,000 contribution.
3. A letter from the Governor's office acknowledging receipt of Resolution No. 146-2003.
4. A letter from Assemblyman Darrel Aubertine's office acknowledging receipt of Resolution No. 146-2003.
5. A copy of Resolution No. 145 adopted by the Franklin County Legislature relating to proposed State ban on all terrain vehicle use within various forest preserves including those located in the Adirondacks.
6. A copy of Resolution No. 113-03 adopted by the Seneca County Board of Supervisors entitled "Supervisors Oppose Legislation Which Limits Eligibility Benefits Through Veterans Administration".

CITIZEN PARTICIPATION:

Kevin Doran would like the County to reconsider the Patriot Act. He referred to the packet of information that was handed out during the meeting.

Don Hassig, Cancer Action New York, said that Cancer Action New York has come before this Board many times. More on open waste issues than other issues. It is good that the Board has decided to educate the citizens. We do not believe that is enough. Most places in the U.S., where it has been determined that this problem exists, have banned open waste burning. We thought it was a good idea to wait before bringing this request again. On the first of July the Institute of Medicine released an article. It is over 150 pages, it looks at science that the Environmental Protection Agency has researched. Such as animal fat foods. We have a situation in St. Lawrence County where open waste and beef production and dairy exist. The

July 7, 2003

Institute of Medicine recommends that girls and women of child bearing age reduce animal fats. This document puts together dioxins, animal fats, and open waste burning. Open waste burning is the largest source of dioxins. Maine, Minnesota, Massachusetts, and other places have already banned this practice. He requests that the County ban open waste burning.

Steve Medvick addressed the Board. He said that he would like to speak about the 13-1 vote about county smoking. He brought books and referred to essays regarding government. He said that we are becoming tax slaves. He referred to a book entitled "30 Year War", he said this references our country and a communist country. He referred to another book that he said was written by a "Polack". He talked about the book and that it was about a man that lived in the Soviet Union, and that he walked to British controlled India. He said that he does not smoke. He feels strongly that the bureaucrats' jobs are to make him conform. He referred to other books, he said that in 1964 is when the "no smoking" came about. We all new back then that smoking was bad, but he feels that the government should not tell us not to smoke. He read from an essay, and said that July fourth is "Dependence Day". He said that the County wanted to combine two departments and Albany said no, so the County folded. They will tell you to build a jail, and you will. He referred to the voting system and said that if you are out voted you lose.

PRESENTATION OF RESOLUTIONS:

Finance Committee: 6-30-2003

RESOLUTION NO. 163-2003

AUTHORIZING FILLING OF VACANCIES

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the St. Lawrence County Board of Legislators adopted Resolution No. 38-2003 on February 10, 2003, which created a policy for filling of vacancies, and

WHEREAS, the vacancies listed below have received the approval of being forwarded to the full Board by the Finance Committee,

NOW, THEREFORE, BE IT RESOLVED that the following vacancies are hereby authorized to be filled:

<u>Department</u>	<u>Title</u>	<u>Type</u>	<u>Duration of Position</u>
County Clerk	Index Clerk	Full-Time	Temporary
Highway	Motor Equipment Operator	Full-Time	Permanent
Highway	Motor Equipment Mechanic	Full-Time	Temporary
Office for the Aging	Nutrition Services Aide	Part-Time	Temporary

July 7, 2003

Sheriff's Office

Part-Time Correction
Officer

Part-Time

Permanent

* * *

Mr. FitzRandolph moved to adopt Resolution No. 163-2003, seconded by Mr. Teele, and carried unanimously by a voice vote.

Finance Committee: 6-30-2003

RESOLUTION NO. 164-2003

**AUTHORIZING FACILITIES USE PERMIT WITH THE STATE UNIVERSITY OF
NEW YORK COLLEGE OF TECHNOLOGY AT CANTON**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the County of St. Lawrence utilizes the facilities at the State University of New York College of Technology at Canton, and

WHEREAS, the State University of New York College of Technology at Canton has requested that the County sign a facilities use permit in conjunction with that use, and

WHEREAS, it is in the best interest of the County of St. Lawrence to sign such permit,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the Board of Legislators is hereby authorized to sign a facilities use permit with the State University of New York College of Technology at Canton, upon approval of the County Attorney.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 164-2003, seconded by Mr. Wilson, and carried unanimously by a voice vote. Mr. Brining mentioned that it costs \$50 for use of classrooms and \$100 for use of conference rooms.

Finance Committee: 6-30-2003

RESOLUTION NO. 165-2003

**SUPPORTING THE EFFORTS OF THE TOWN OF OSWEGATCHIE AND
THE HEUVELTON HISTORICAL ASSOCIATION TO RELOCATE
THE VILLAGE POST OFFICE TO HISTORIC PICKENS HALL**

By Mr. FitzRandolph, Chair, Finance Committee
Co-Sponsored by Mr. Nichols, District 3

July 7, 2003

WHEREAS, the Village of Heuvelton is the only village located within the boundaries of the Town of Oswegatchie, and

WHEREAS, the Village of Heuvelton has been without a permanent location for the United States Post Office since the fall of 1999 and has been renting temporary space from the Heuvelton Volunteer Fire Department and the Heuvelton AmVets, neither site has been determined ideal as a permanent location, and

WHEREAS, the stone building located at 86 State Street, Heuvelton, New York, also known as Pickens Hall, was acquired by the Heuvelton Historical Association from St. Lawrence County, and

WHEREAS, Pickens Hall, a downtown building of local prominence and stature, is currently being renovated with the intention of attracting interested tenants, and

WHEREAS, Pickens Hall is situated in such a location as to be able to establish a safe, organized traffic pattern for entering and exiting the parking area, and

WHEREAS, Pickens Hall is owned and maintained by a not for profit organization, which has raised approximately \$50,000 for the renovation and restoration of this property, in an effort to preserve the historic downtown district, and

WHEREAS, the location of a United State Post Office at this location would serve as an anchor for the business community to promote further growth and development for a struggling historic downtown,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby request that the United States Postal Service consider Pickens Hall, located at 86 State Street, Heuvelton, New York, as a permanent site for the Heuvelton Post Office, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the United States Postal Service, the Oswegatchie Town Board, the Village of Heuvelton, the Oswegatchie Development Corporation, and the Heuvelton Historical Association.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 165-2003, seconded by Mr. Nichols and Mr. Teele, and carried unanimously by a voice vote.

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Finance Committee: 6-30-2003

RESOLUTION NO. 166-2003

**APPROVING CHANGES TO THE COURTHOUSE FRONT STEP
REPLACEMENT PROJECT**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the St. Lawrence County Board of Legislators passed resolution 232-2001 on August 6, 2001 authorizing the Chair to sign a contract with Ritchie Brothers, Inc., Gouverneur, New York to perform the work required for the Courthouse Front Step Replacement Project at a cost of \$68,849, and

WHEREAS, \$25,000 in funding was secured from the New York State Office of Courts Administration to offset the local cost, and

WHEREAS, the project work included replacement of the front sidewalks and repairs to the foundation and basement storage areas adjacent to the front stairs in addition to the actual front step replacement, and

WHEREAS, the contractor and engineer submitted alternative samples to the County for approval after it was determined that Potsdam Sandstone was not available in the sizes and quantity needed, and

WHEREAS, Mansfield Sandstone from Indiana was chosen as the best match to the original Potsdam Sandstone, and

WHEREAS, an installation related problem with the handrails which has caused the sandstone treads to crack, and overall quality problems with the stone dictate the replacement of the sandstone treads, and

WHEREAS, the engineer recommends that the County consider the replacement of the treads with a cast-in-place concrete step that will be tinted and tooled to match the original treads in lieu of utilizing Mansfield sandstone,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators accepts the engineers recommendation to replace the sandstone stair treads with a cast-in-place concrete step that will be tinted and tooled to match the original treads.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 166-2003, seconded by Mr. Turbett, and carried unanimously by a voice vote.

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Finance Committee: 6-30-2003

RESOLUTION NO. 167-2003

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT FOR
LASER PRINTED TAX BILLS**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, St. Lawrence County allows property taxes to be paid by installments, and

WHEREAS, the County is eager to continue utilizing the services of Applied Business Systems, Inc. (ABS) to perform tax bill laser printing and intelligent inserting into window envelopes,

NOW THEREFORE BE IT RESOLVED that the Chair of the Board of Legislators is hereby authorized to sign a contract with Applied Business Systems, Inc. of Batavia, New York for the period of July 15, 2003 through July 15, 2004, to provide laser printed tax bills based on the St. Lawrence County tax data provided to ABS.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 167-2003, seconded by Mr. Turbett and Mr. Wilson, and carried unanimously by a voice vote.

July 7, 2003

Finance Committee: 6-30-2003

RESOLUTION NO. 168-2003

**AUTHORIZING THE CHAIR TO SIGN HIGHWAY PROJECT CONTRACTS
FOR WRIGHT ROAD BRIDGE OVER TROUT BROOK, TOWN OF POTSDAM**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the 2003 St. Lawrence County Budget provided for the approval and funding of 2003 County Bridge Program, and

WHEREAS, the Small Road Bridge over Earls Creek, Town of Brasher, BIN 3340590 was scheduled for rehabilitation,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby approve replacing the Wright Road Bridge rehabilitation for the Small Road Bridge at a cost not to exceed \$220,000, and

BE IT FURTHER RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes the Chair to execute all necessary contracts, upon the approval of the County Attorney.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 168-2003, seconded by Mr. Cook, and carried unanimously by a voice vote.

Finance Committee: 6-30-2003

RESOLUTION NO. 169-2003

CREATING AND ABOLISHING POSITIONS IN THE HIGHWAY DEPARTMENT

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the Highway Department has an vacant position of Highway Maintenance/Surface Treating Supervisor, and

WHEREAS, the Highway Department would like to increase efficiency and safety,

NOW, THEREFORE, BE IT RESOLVED that the following positions be created and abolished in the 2003 budget for the Highway Department:

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CREATE

One (1) Grade 26/5 Highway Maintenance Supervisor \$38,011

ABOLISH

One (1) Grade 26/5 Highway Maintenance/Surface Treating Supervisor \$38,011

BE IT FURTHER RESOLVED that the Highway Superintendent is hereby authorized to fill the new position.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 169-2003, seconded by Mr. Grow, and carried unanimously by a voice vote.

Finance Committee: 6-30-2003

RESOLUTION NO. 170-2003

**RELEASING US HIGHWAY 11 AND STATE HIGHWAY 812 INTERSECTION
SIGHT LINE EASEMENT**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, St. Lawrence County acquired a certain perpetual sight distance easement for the construction of the Hays School-DeKalb State Highway 8477, County of St. Lawrence, under Section 65 of the State Highway Law, and

WHEREAS, since the granting of the said easement at the intersection of New York State Route 812 and US Route 11 has been realigned, and

WHEREAS, the said perpetual sight distance easement consisting of 1.66± acres located on a portion of 2001 tax map parcel number 130.002-1-40 Town of DeKalb and 0.84± acre located on a portion of 2001 tax map parcel number 130.002-1-11.11 in the Town of DeKalb and is no longer necessary or useful to the County of St. Lawrence,

NOW, THEREFORE, BE IT RESOLVED that the County of St. Lawrence hereby releases all of its right, title and interest in the perpetual sight distance easement, recorded in the St. Lawrence County Clerk's office and authorizes the Chair of the Board of Legislators to sign such a release upon the approval of the County Attorney.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 170-2003, seconded by Mr. Morrill, and carried unanimously by a voice vote.

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Finance Committee: 6-30-2003

RESOLUTION NO. 171-2003

**MODIFYING THE 2003 ST. LAWRENCE COUNTY
HIGHWAY DEPARTMENT BUDGET**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, in the New York State 2003 Budget, Capital Highway Improvement Program (CHIPS) was increased by \$542,513, and

WHEREAS, \$321,099 of the funds will be used for equipment purchases previously budgeted and the additional funds will be used for additional paving projects and completion of County Route 24 site distance project,

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer is hereby authorized to make the following modifications to the 2003 St. Lawrence County Highway Department budget:

INCREASE APPROPRIATIONS

03-HM-5110-454-PM-1-H16	Paving Materials	\$171,414
03-HM-5110-454-HS-3	Highway Supplies	<u>50,000</u>
		\$221,414

INCREASE REVENUES

03-HM-3501-560-00-0	State Chips Maintenance	\$221,414
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* * *

Mr. FitzRandolph moved to adopt Resolution No. 171-2003, seconded by Mr. Grow and Mr. Nichols, and carried unanimously by a roll call vote.

Finance Committee: 6-30-2003

RESOLUTION NO. 172-2003

AUTHORIZING THE CHAIR TO SIGN HIGHWAY PROJECT CONTRACTS

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the 2003 St. Lawrence County Budget, provided for the approval and funding of 2003 Capital Bridge Projects, Highway Reconstruction Projects, Highway Paving Projects, and

July 7, 2003

WHEREAS, the Highway Department has determined the best qualified consultant for this project, and

WHEREAS, additional funds are needed in the 2003 budget,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby approve the following contract to:

Consultant: Sear-Brown Group
85 Metro Park
Rochester, New York 14623

Contract Title: Reconstruction of County Route #39 over
Grasse River Bridge, BIN 3341230
Town of Louisville

Engineering Fee: \$114,580

BE IT FURTHER RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes the Chair of the St. Lawrence County Board of Legislators to execute all necessary contracts, upon the approval of the County Attorney and that the County Treasurer is hereby to make the following modifications:

INCREASE APPROPRIATIONS

01-T6-9901-903-00-0 Transfer to County Road Fund \$1,976

DECREASE APPROPRIATIONS

01-B1-1990-497-00-0 Spec Contingency Account \$1,976

INCREASE APPROPRIATIONS

03-HM-9950-906-00-2 Transfer to Capital Fund \$39,520

INCREASE REVENUES

03-T6-2801-903-00-0 Transfer from Gen Fund to County Road \$ 1,976
03-HM-3591-560-00-0 State Revenue \$ 5,928
03-HM-4597-570-00-0 Federal Revenue 31,616
\$39,520

INCREASE APPROPRIATIONS

06-HM-5120-430-ED-2-2004 CR 39 Over Grasse River, BIN 3341230 \$39,520

INCREASE REVENUES

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06-TG-5031-550-00-0

Interfund Transfer

\$39,520

* * *

Mr. FitzRandolph moved to adopt Resolution No. 172-2003, seconded by Mr. Wilson and Mr. Grow, and carried unanimously by a roll call vote.

Finance Committee: 6-30-2003

RESOLUTION NO. 173-2003

**DESIGNATING THE ST. LAWRENCE COUNTY CHAMBER OF COMMERCE
AS THE COUNTY'S TOURISM AGENCY**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the St. Lawrence County Chamber of Commerce has requested to be designated as the Tourism Promotional Agency for St. Lawrence County, and

WHEREAS, such designation is necessary for the Chamber's participation in the New York State Department of Economic Development's Promotional Matching Funds Program,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Chamber of Commerce is hereby designated as the St. Lawrence County Agency to apply for, receive, and administer New York State Department of Economic Development's Matching Funds Grants.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 173-2003, seconded by Mr. Lacy and Ms. Cobb, and carried unanimously by a voice vote.

Finance Committee: 6-30-2003

RESOLUTION NO. 174-2003

**SETTING A DATE FOR A PUBLIC HEARING ON PROPOSED LOCAL LAW B
(NO. __) FOR THE YEAR 2003, "PROHIBITING SMOKING
ON ALL COUNTY PROPERTY"**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the St. Lawrence County Board of Legislators is interested in passing a local law prohibiting smoking on all County property, and

WHEREAS, the attached local law has been proposed, and

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WHEREAS, the law requires that said local law adoption be preceded by a public hearing,

NOW, THEREFORE, BE IT RESOLVED that a public hearing on proposed Local Law B (No. __), for the year 2003, will be held at 12:50 p.m. before the regular Board of Legislators Meeting on August 4, 2003, in the Legislative Board Room.

**PROPOSED LOCAL LAW B (NO. __) FOR THE YEAR 2003
PROHIBITING SMOKING ON ALL COUNTY PROPERTY**

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

' 1. Legislative Intent

This Legislature hereby finds that the effects of secondary and tertiary smoke generated by the smoking of cigars, cigarettes, pipes and similar articles pose a threat to the health, safety and well-being of the citizens of St. Lawrence County who do not smoke.

This Legislature further finds that the Surgeon General's 1984 report on smoking hazards, for the first time linking high levels of involuntary smoke exposure to reduced breathing ability in passive smokers, buttresses the need to provide more protection to non-smokers in public places.

This Legislature further finds and determines that human health is seriously threatened by exposure to environmental tobacco smoke and that recent findings by the Federal Environmental Protection Agency make clear that environmental tobacco smoke or secondhand smoke, is a human carcinogen responsible for 3,000 lung cancer deaths each year in non-smoking adults.

This Legislature finds that the Environmental Protection Agency has concluded that exposure to environmental tobacco smoke increases the risks of respiratory and middle ear diseases in children, contributing to numerous cases of bronchitis and pneumonia in infants and young children each year. Further, exposure to environmental tobacco smoke significantly worsens the condition of numerous asthmatic children and contributes to new cases of asthma in once healthy children.

This Legislature further finds that primary tobacco use is a major cause of mortality and morbidity, directly causing an estimated 434,000 deaths per year in the United States; more deaths than are caused by the use of any other legal or illegal substance or drug.

This Legislature further finds that smoking in outdoor areas promotes littering, obstructs doorways and passage ways, and further endangers the lives of those smoking and non-smoking persons.

Therefore, the purpose of this legislation is to place reasonable limitations on smoking within the County of St. Lawrence by banning smoking on all County premises, whether indoor or outdoor, whether in vehicles or not.

' 2. Regulation of Smoking

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Effective as stated in §3, smoking shall be prohibited on all premises, indoor or out, on premises owned by the County of St. Lawrence, including vehicles.

' 3. Effective Date

This Local Law shall become effective on the date of filing of the law with the Secretary of State.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 174-2003, seconded by Mr. Turbett. Mr. Nichols said that he is opposed to this again. This is flawed. We do not need this law. We do not need a public hearing for this. He said that if there is a problem with people congregating in the doorways we need to deal with it. We should not be telling people not to smoke in their own vehicle in the County parking lot. Are we going to have a Police Officer tell citizens coming to the courthouse on business to put their cigarettes out. How are we going to enforce this. Are we to tell our Police Officers to patrol our lots instead of patrolling for real criminals. He said that he also has an issue with having this on the only meeting date that is in the middle of the day. If we are really looking for public input we need to remember that most people work during the day. We should at least prolong this until September to encourage more public input. Mr. Lacy said to counter Mr. Nichols, not all people work during the day. Mr. Gray said he is voting against the resolution. He believes that the State Law identifies the locations. His has concerns with Section 2, if we modified this at all we will have to have another Public Hearing. He said that we are almost reinventing the bill here. He verified that the bill identifies where smoking is prohibited. He asked if we modify this at the full Board will we need another hearing. Chair MacKinnon said that we would. Ms. Brothers said that she was wandering about a second public hearing. She would like to hear from the public. Ms. Brothers suggests that we offer one in the afternoon and one in the evening. If there are suggestions she would like to hear it. Mr. FitzRandolph said he was not at Committee, and that he would have voted in favor of this, if he had been. He feels that you have the right to kill yourself but no right to kill others. He would like to know what happens if someone is caught breaking this law. Mr. Brining said that the person is asked not to smoke, then if they do not comply then they implement trespassing charges. Mr. FitzRandolph said he is intrigued by people saying that this would be difficult to enforce. He referenced the burn bans that are put in place. Mr. Romigh asked if the County owned boats are considered County premises. There is a law that you do not smoke in the buildings. He feels this is enough. Ms. Cobb asked if someone could change the last Therefore. Chair MacKinnon said if it did not change the impact of the law, they could change it anytime. He also said that if it did change the impact it would need to be amended by resolution. Mr. Wilson said smoking used to be accepted, now, not so much. As far as enforcement goes; a simple sign outside the door has lead to self regulation. Only a social bore would smoke where told not to smoke. As far as enforcement goes, we can ask that person to leave. If it is an employee, we would ask, and then it would be insubordination. He feels those that would vote no now will vote no later so there is no need to delay. He will vote for this. Mr. Gray said he would like to strike the vehicle part, and keep within the language of the bill. This is in the form of a motion. Chair MacKinnon said that the County owned vehicles do fall under the ban. He clarified that Mr. Gray is referring to private vehicles on County property. He said that a motion has been made to amend the local law, to strike "Therefore, the purpose of this legislation is to

July 7, 2003

place reasonable limitations on smoking within the County of St. Lawrence by banning smoking on all County premises, whether indoor or outdoor, whether in vehicles or not”, and to strike the words “including vehicles” under section 2. Seconded by Mr. Cook. Mr. Gray said that there may be an issue if a vehicle is on County property. Mr. Maginn said that he tried to make this read so that it would ultimately be at the County’s leisure. He understood his direction to be make this easy. He felt that too much wording was not good. He said that to eliminate the words “including vehicles” would be ok. Mr. Nichols suggested to add “excluding inside privately owned vehicles”. Mr. Wilson said he agrees with this suggestion. He understood this to be that employees can do what ever they want before arriving at work, but while they are here no smoking on County property. Mr. Gray said he feels we are getting into a personal right infringement on this issue. There are a lot of people that write letters to the editors about infringing on rights. He referred to the issue of the libraries and that you can access “porn’ at libraries. Mr. Turbett said that he opposes this. Mr. Romigh said he went to a convenience store yesterday and ran into a gentleman that had a question. The man asked if he goes into a restaurant and someone is smoking, who do you complain to if the owner is not cooperating. He would like to hear a debate protecting the non-smokers. He also said that this is hard to prosecute. Ms. Cobb said that the restaurant gets the penalty. The Department of Health is one way to address this. There is the New York State Department of Health to contact, as well. There will be public meetings for business owners to attend, to better understand the laws and penalties. Ms. Brothers said that she would like to keep this simple and have the public hearing. Mr. FitzRandolph said he opposes the amendment. He remembers flying on planes where you could not see the person next to you, because of the smoke. He feels that smokers will have to comply.

The motion to amend Resolution No. 174-2003 was defeated by a roll call vote, with eight (8) no votes, and seven (7) yes votes (Brothers, Cook, Gray, Grow, Morrill, Nichols, and Teele).

Mr. Nichols said that the Legislators were told, last week, that if we chose not to pass this law, we could work with the Unions to negotiate smoking regulations for outside of the buildings. Ms. Brothers said can we amend the resolution to show more than one public hearing. Mr. Maginn said that there is not a rule that states they can not have more than one public hearing.

Resolution No. 174-2003 was adopted by a roll call vote with twelve (12) yes votes and three (3) no votes (Gray, Nichols, Romigh).

Finance Committee: 6-30-2003

RESOLUTION NO. 175-2003

**MODIFY THE 2003 ST. LAWRENCE COUNTY SHERIFF’S DEPARTMENT BUDGET
FOR THE CRIMINAL DIVISION**

By Mr. FitzRandolph, Chair, Finance Committee

July 7, 2003

WHEREAS, the St. Lawrence County Sheriff's Department is requesting authorization to transfer monies from the Equitable Sharing Reserve to provide resources for Emergency Services to purchase the one-button repeater steering for the 911 consoles, and

WHEREAS, the St. Lawrence County Drug Task Force revenues will provide the resources,

NOW, THEREFORE, BE IT RESOLVED that the following transfer of funds is hereby authorized:

DECREASE RESERVE:

01-TG-0889-503-00-0	Sheriff's Equitable Sharing Reserve	\$28,300
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INCREASE REVENUE:

01-X2-2705-550-00-0	Gifts and Donations	\$28,300
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Mr. FitzRandolph moved to adopt Resolution No. 175-2003, seconded by Mr. Wilson, and carried unanimously by a roll call vote.

July 7, 2003

Finance Committee: 6-30-2003

RESOLUTION NO. 176-2003

THE ST. LAWRENCE COUNTY BOARD OF LEGISLATORS ELECT TO DECLARE TEMPORARY EXEMPTIONS FROM SALES AND COMPENSATING USE TAXES FOR RECEIPTS FROM RETAIL SALES OF, AND CONSIDERATION GIVEN OR CONTRACTED TO BE GIVEN FOR, CERTAIN CLOTHING AND FOOTWEAR

By Mr. FitzRandolph, Chair, Finance Committee

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

SECTION 1. Section six of Resolution No. 107 of 1967, as amended, is amended by adding a new subdivision 13 to read as follows:

(13) Receipts from sales of and consideration given or contracted to be given for purchases of clothing and footwear exempt from state sales and compensating use taxes pursuant to paragraph (30) of subdivision (a) of section 1115 of the New York Tax Law during the periods commencing August 26, 2003, and ending September 1, 2003, and commencing January 26, 2004, and ending February 1, 2004, shall also be exempt during such periods from sales and compensating use taxes imposed by this resolution.

SECTION 2. This resolution shall take effect June 1, 2003, and shall apply during the applicable exemption periods in accordance with the applicable transitional provisions of Article 29 of the New York Tax Law; provided that this resolution and subdivision 13 of section 6 of Resolution No. 107 of 1967, as added by section one of this resolution, shall expire May 31, 2004, and be deemed repealed.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 176-2003, seconded by Mr. Wilson. Ms. Brothers said that this is not conducive for school or Christmas shopping. She feels it is a good idea otherwise. Mr. Nichols said that he wishes the media would spread the word that parents should not wait for this break because the clothes are already picked over. This is unfortunate and not time conducive. Mr. Lacy said that this is not conducive to school shopping when people really need it. He stated that he voted against this at committee but does not want to put his community at a disadvantage, as his district is close to the neighboring county, he will support this because that neighboring county has not made their decision yet. Mr. Gray said that we received information that we may increase our sales tax by three quarters (3/4) percent. It does not make sense to give two weeks off and then increase the sales tax as a whole. Mr. FitzRandolph requested a roll call vote. Resolution No. 176-2003 was adopted by a roll call vote with two (2) no votes (Gray and Nichols).

July 7, 2003

Operations Committee: 6-16-2003

RESOLUTION NO. 177-2003

AUTHORIZING THE CHAIR TO SIGN A CONTRACT TO ACCEPT FUNDING THROUGH THE ALTERNATIVES TO INCARCERATION PLAN AND MODIFYING THE 2003 BUDGET

By Mr. Grow, Chair, Operations Committee

WHEREAS, St. Lawrence County has approved the 2003 Alternatives to Incarceration Plan, and

WHEREAS, the New York State Division of Probation and Correctional Alternatives has determined that extra funding is available to each county in the sum of \$2,400, and

WHEREAS, the money has to be earmarked to connect the County to the New York State Division of Criminal Justice Secure Services, and

WHEREAS, it is the intent of the St. Lawrence County Probation Department to purchase two computers and printers,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair to sign the appropriate contract, and

BE IT FURTHER RESOLVED that the St. Lawrence County Probation Department Budget be modified as follows:

INCREASE APPROPRIATIONS:

01-Q1-3140-220-00-0	Office Equipment	\$2,400
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INCREASE REVENUES:

01-Q1-3310-560-00-0-ATI	ATI-Pre-Trial	\$2,400
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Mr. Grow moved to adopt Resolution No. 177-2003, seconded by Mr. Cook. Mr. Gray requested to direct a question to the Probation Director. Chair MacKinnon agreed. He asked if this money is for ankle bracelets. Ms. Perretta said that this money is not for ankle bracelets but it will enable us to receive information directly from the State. Mr. Gray asked if any Counties charge fees to offenders. Ms. Perretta said that this County charges what is legally allowed. She reviewed some fees that are charged to the offenders and mentioned that there is a bill that passed through the Senate but the Assembly. She said that they are continuing to pursue that for next year's budget. Resolution No. 177-2003 was adopted unanimously by a roll call vote

July 7, 2003

Operations Committee: 6-16-2003

RESOLUTION NO. 178-2003

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT
APPROVING THE GOUVERNEUR SCHOOL PROJECT**

By Mr. Grow, Chair, Operations Committee

WHEREAS, St. Lawrence County has been notified by the New York State Division of Criminal Justice Services that funding for the Gouverneur School Project has been continued in the amount of \$11,438 for 2003-2004 through a Juvenile Accountability Block Grant, and

WHEREAS, the cost to operate this program is \$51,051, of which \$11,438 comes from this grant, and \$25,748 comes from 65% Department of Social Services aid, \$11,092 comes from the NYS Division of Probation and Correctional Alternatives state aid, which leaves local cost of \$2,773, and

WHEREAS, this program has been extremely successful since it began and all the parties involved wish to continue the program,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair to sign the contract for this project upon approval of the County Attorney.

* * *

Mr. Grow moved to adopt Resolution No. 178-2003, seconded by Mr. Lacy, and carried unanimously by a voice vote.

Operations Committee: 6-16-2003

RESOLUTION NO. 179-2003

**AUTHORIZING THE CHAIR TO SIGN THE CONTRACTS AND APPROVING
PROGRAM MODIFICATIONS FOR THE MASSENA SCHOOL
PROJECT AND MODIFYING 2003 BUDGET**

By Mr. Grow, Chair, Operations Committee

WHEREAS, St. Lawrence County had been awarded a grant for the Massena School Project for the 2000-2001, 2001-2002, and 2002-2003 school years, and

WHEREAS, the federal funding for this project lags behind the County budget year by two years, and

July 7, 2003

WHEREAS, when the 2003 County budget was prepared, appropriations and revenues were budgeted for the 2003 calendar year, and

WHEREAS, following the first quarter financial report to the New York State Division of Criminal Justice Services, the Probation Department was notified that the funding for the project ended 12/31/02, and

WHEREAS, services for this project provide alternatives to foster care, institutional placements for Juvenile Delinquents and Persons in Need of Supervision in the Massena area, and

WHEREAS, the current costs for 2003 will be covered under the 65% Federal DSS preventive funds if the Board of Legislators authorizes the continuation of this program, and

WHEREAS, the cost for salary and fringe benefits for this program is \$49,514 (65% new money is \$24,679; State Aid is \$13,864 and 65% already budgeted is \$7,504) with the County share being \$3,466,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair to sign the appropriate contracts and authorizes the continuation of the Massena School Project under the 65% DSS funding stream, and

BE IT FURTHER RESOLVED that the 2003 Probation Department Budget is modified as follows:

DECREASE REVENUE:		
01-Q1-3310-560-00-0-MSP	State Aid MSP	\$37,968
INCREASE REVENUE:		
01-Q1-2770-550-00-0-PPS	Prob. DSS Preventive Services	\$24,679
01-Q1-3310-560-00-0	State Aid	\$10,631
DECREASE CONTINGENCY		
01-B1-1990-497-00-0	Contingency Reserve	\$2,658

* * *

Mr. Grow moved to adopt Resolution No. 179-2003, seconded by Mr. Morrill, and carried unanimously by a roll call vote.

Operations Committee: 6-16-2003

RESOLUTION NO. 180-2003

**AUTHORIZING THE CHAIR TO SIGN THE CONTRACTS
AND APPROVE THE TANF GRANT**

By Mr. Grow, Chair, Operations Committee

July 7, 2003

WHEREAS, St. Lawrence County has been awarded a Temporary Assistance for Needy Families (TANF) for Community Corrections grant for a third year, and

WHEREAS, the total amount of the grant is \$123,000 which covers 100% of the costs, and

WHEREAS, the grant will allow the department to work with offenders in specific education and employment and training programs,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair to sign the appropriate contracts upon the approval of the County Attorney, and

BE IT FURTHER RESOLVED that when the funding for this grant ends, the positions will be abolished.

* * *

Mr. Grow moved to adopt Resolution No. 180-2003, seconded by Mr. Nichols and Ms. Brothers, and carried unanimously by a voice vote.

Operations Committee: 6-16-2003

RESOLUTION NO. 181-2003

**MODIFYING THE 2003 ST. LAWRENCE COUNTY
SHERIFF'S DEPARTMENT BUDGET FOR THE CRIMINAL DIVISION**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the St. Lawrence County Sheriff's Department is requesting authorization to purchase one boat, motor and trailer, one Krimesite Imager Direct View Kit, one Advance Tracking System, two patrol vehicles and a Speed Sign, and

WHEREAS, the Sheriff's Department also requests authorization to finance the repair for the entrance steps to the St. Lawrence County Correctional Facility, and

WHEREAS, the St. Lawrence County Drug Task Force revenues will provide the resources, and

WHEREAS, upon completion of the 2003 boating season we will receive fifty-percent (50%) reimbursement for the purchase of the boat, motor and trailer from the State of New York for this equipment, and

WHEREAS, it is necessary for the St. Lawrence County Sheriff's Department to conduct the bidding process prior to the July Meeting of the Board of Legislators,

July 7, 2003

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the County Treasurer to transfer funds:

DECREASE RESERVE:

01-TG-0889-503-00-0	Sheriff's Equitable Sharing Reserve	\$99,760
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INCREASE REVENUE TO:

01-S1-1589-550-00-0	Equitable Sharing Reserve	\$99,760
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INCREASE APPROPRIATIONS TO:

01-S1-3110-230-00-0	Criminal and Highway & Street Equipment	\$71,000
01-S1-3110-250-00-0	Criminal Technical Equipment	\$27,760
01-S4-3150-409-00-0	Jail Building Supplies and Expenses	\$1,000

* * *

Mr. Grow moved to adopt Resolution No. 181-2003, seconded by Mr. Wilson, and carried unanimously by a roll call vote.

Services Committee: 6-23-2003

RESOLUTION NO: 182-2003

**ESTABLISHING THE WORKFORCE INVESTMENT ACT BUDGET
FOR ST. LAWRENCE COUNTY OFFICE OF ECONOMIC DEVELOPMENT
EMPLOYMENT AND TRAINING UNIT**

By Mr. Cook, Chair, Services Committee

WHEREAS, passage of the Workforce Investment Act was effective July 1, 2000, and

WHEREAS, St. Lawrence County has been designated Grant Recipient, and

WHEREAS, total Funds available for Program Year 2003 total \$1,769,731, and

WHEREAS, it is the intention of St. Lawrence County to budget the Office of Economic Development, Employment and Training Unit, in accordance with obligations received,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby authorize the Budget Officer of St. Lawrence County to establish the attached Budgets totaling \$1,769,731 for the St. Lawrence County Office of Economic Development Employment and Training Unit.

July 7, 2003

* * *

Mr. Grow moved to adopt Resolution No. 182-2003, seconded by Mr. Romigh and Mr. Wilson, and carried unanimously by a roll call vote.

**ESTABLISHING THE WORKFORCE INVESTMENT ACT BUDGET
FOR ST. LAWRENCE COUNTY OFFICE OF ECONOMIC DEVELOPMENT
EMPLOYMENT AND TRAINING UNIT**

	2002	2003
Title I Adult	\$ 751,756.00	\$ 595,119.00
Dislocated Workers	\$ 329,386.00	\$ 350,079.00
Youth – Year Round Program	\$ 839,378.00	\$ 628,660.00
Administrative Pool	\$ 213,391.00	\$ 174,873.00
Employability Readiness	<u>\$ 0.00</u>	<u>\$ 21,000.00</u>
Total Appropriation	\$ 2,133,911.00	\$1,769,731.00
Total Revenue	\$ 2,133,911.00	\$1,769,731.00

July 7, 2003

**ST. LAWRENCE COUNTY EMPLOYMENT AND TRAINING
WORKFORCE INVESTMENT ACT
TITLE I – ADULT
JULY 1, 2003 – JUNE 30, 2004**

Core & Intensive Services		Budget
70-UA-6291-110-00-3	Direct Service Worker	94,467.00
70-UA-6291-120-00-3	Supervisory/Administration	86,994.00
70-UA-6291-130-00-3	Technical	6,713.00
70-UA-6291-140-00-3	Clerical	34,520.00
70-UA-6291-195-02-3	Vacation Payout	2,000.00
70-UA-6291-195-10-3	Vacation Buy Back	2,000.00
.1	Personnel	226,694.00
70-UA-6291-220-003	Office Equipment	5,200.00
.2	Equipment	5,200.00
70-UA-6291-407-00-3	Rent-Building & Property	23,269.00
70-UA-6291-411-00-3	Professional Education	1,708.00
70-UA-6291-414-00-3	Liability & Other Insurance	4,168.00
70-UA-6291-419-00-3	Commercial Printing	1,463.00
70-UA-6291-420-00-3	Office Supplies & Expense	2,391.00
70-UA-6291-420-02-3	Copying Expenses	171.00
70-UA-6291-423-01-3	Phone Charges	1,044.00
70-UA-6291-423-03-3	Phone Charges-Central Serv Base Serv	783.00
70-UA-6291-423-05-3	Phone Charges-Central Serv Long Serv	783.00
70-UA-6291-424-00-3	Postage	1,583.00
70-UA-6291-426-00-3	Books & Periodicals	342.00
70-UA-6291-427-00-3	Memberships & Dues	1,215.00
70-UA-6291-430-00-3	Advertising	6,148.00
70-UA-6291-430-FE-3	Fees for Service	342.00
70-UA-6291-443-00-3	Mileage Reimbursement	5,123.00
70-UA-6291-445-00-3	Other Travel Reimbursement	1,025.00
70-UA-6291-478-00-3	D.P. Charges	3,659.00
70-UA-6291-499-00-3	Miscellaneous Expenses	854.00
.4	Contractual Expenses	56,071.00
70-UA-6291-461-AI-3	Auto Registration & Insurance	2,000.00
70-UA-6291-461-AR-3	Auto Repairs	4,000.00
70-UA-6291-461-DC-3	Day Care Adult	10,000.00
70-UA-6291-461-FE-3	Fees for Service	2,000.00
70-UA-6291-461-HP-3	Participants Physicals	1,060.00
70-UA-6291-461-PM-3	Participant Travel Adult	15,848.00
70-UA-6291-461-OA-3	Out of Area Job Search	4,000.00
70-UA-6291-461-RE-3	Relocation Assistance	4,000.00
70-UA-6291-461-PW-3	Work Experience Wage	4,000.00
70-UA-6291-461-PF-3	Work Experience Fringe	500.00

July 7, 2003

**ST. LAWRENCE COUNTY EMPLOYMENT AND TRAINING
WORKFORCE INVESTMENT ACT
TITLE I – ADULT
JULY 1, 2003 – JUNE 30, 2004**

Core & Intensive Services		Budget
70-UA-6291-461-IW-3	Internship Wage	4,000.00
70-UA-6291-461-IF-3	Internship Fringe	500.00
.461		51,908.00
70-UA-6291-810-00-3	Retirement	7,209.00
70-UA-6291-830-00-3	Social Security	17,031.00
70-UA-6291-840-00-3	Workmen's Compensation	7,739.00
70-UA-6291-845-00-3	Group Life Insurance	395.00
70-UA-6291-860-00-3	Hospital & Medical Insurance	37,671.00
70-UA-6291-865-00-3	Dental Insurance	1,298.00
.8	Employee Benefits	71,343.00
	Total Core & Intensive Services	411,216.00
 <i>Training Services</i>		
70-UA-6292-461-FS-3	Fees for Services	3,000.00
70-UA-6292-461-OJ-3	OJT Employer Reimbursement	72,230.00
70-UA-6292-461-TU-3	Tuition/Books/Fees	108,673.00
.461	Sub-Contracts	183,903.00
	Total Training Services	183,903.00
	Total Title I Adult Appropriations	595,119.00
70-UA-4790-570-00-3	Total Revenue	595,119.00

July 7, 2003

**ST. LAWRENCE COUNTY EMPLOYMENT AND TRAINING
WORKFORCE INVESTMENT ACT
DISLOCATED WORKER
JULY 1, 2003 – JUNE 30, 2004**

Core & Intensive Services		Budget
70-UE-6291-110-00-3	Direct Service Worker	94,467.00
70-UE-6291-120-00-3	Supervisory/Administration	65,984.00
70-UE-6291-130-00-3	Technical	4,475.00
70-UE-6291-140-00-3	Clerical	22,260.00
70-UE-6291-195-02-3	Vacation Payout	2,000.00
70-UE-6291-195-10-3	Vacation Buy Back	2,000.00
.1	Personnel	191,186.00
70-UE-6291-220-00-3	Office Equipment	3,000.00
.2	Equipment	3,000.00
70-UE-6291-407-00-3	Rent-Building & Property	19,522.00
70-UE-6291-411-00-3	Professional Education	1,433.00
70-UE-6291-414-00-3	Liability & Other Insurance	3,497.00
70-UE-6291-419-00-3	Commercial Printing	1,227.00
70-UE-6291-420-00-3	Office Supplies & Expense	2,006.00
70-UE-6291-420-02-3	Copying Expenses	143.00
70-UE-6291-423-01-3	Phone Charges	876.00
70-UE-6291-423-03-3	Phone Charges-Central Serv Base Ser	657.00
70-UE-6291-423-05-3	Phone Charges-Central Serv Long Ser	657.00
70-UE-6291-424-00-3	Postage	1,328.00
70-UE-6291-426-00-3	Books & Periodicals	287.00
70-UE-6291-427-00-3	Memberships & Dues	714.00
70-UE-6291-430-FE-3	Fees for Services	5,158.00
70-UE-6291-430-00-3	Advertising	287.00
70-UE-6291-443-00-3	Mileage Reimbursement	4,298.00
70-UE-6291-445-00-3	Other Travel Reimbursement	860.00
70-UE-6291-478-00-3	D.P. Charges	3,069.00
70-UE-6291-499-00-3	Miscellaneous Expenses	716.00
.4	Contractual Expenses	46,735.00
70-UE-6291-461-AI-3	Auto Registration & Insurance	1,000.00
70-UE-6291-461-AR-3	Auto Repairs	2,000.00
70-UE-6291-461-DC-3	Day Care Adult	1,000.00
70-UE-6291-461-FE-3	Fees for Service	1,000.00
70-UE-6291-461-HP-3	Participants Physicals	900.00
70-UE-6291-461-PM-3	Participant Travel Adult	5,000.00
70-UE-6291-461-OA-3	Out of Area Job Search	1,000.00
70-UE-6291-461-RE-3	Relocation Assistance	2,000.00
70-UE-6291-461-PW-3	Work Experience Wage	2,000.00
70-UE-6291-461-PF-3	Work Experience Fringe	250.00

July 7, 2003

**ST. LAWRENCE COUNTY EMPLOYMENT AND TRAINING
WORKFORCE INVESTMENT ACT
DISLOCATED WORKER
JULY 1, 2003 – JUNE 30, 2004**

Core & Intensive Services		Budget
70-UE-6291-461-IW-3	Internship Wage	2,000.00
70-UE-6291-461-IF-3	Internship Fringe	250.00
.461		18,400.00
70-UE-6291-810-00-3	Retirement	6,131.00
70-UE-6291-830-00-3	Social Security	14,315.00
70-UE-6291-840-00-3	Workmen's Compensation	6,508.00
70-UE-6291-845-00-3	Group Life Insurance	326.00
70-UE-6291-860-00-3	Hospital & Medical Insurance	31,688.00
70-UE-6291-865-00-3	Dental Insurance	1,082.00
.8	Employee Benefits	60,050.00
	Total Core & Intensive Services	319,371.00
Training Services		
70-UE-6292-461-FE-3	Fees for Services	500.00
70-UE-6292-461-OJ-3	OJT Employer Reimbursement	10,000.00
70-UE-6292-461-TU-3	Tuition/Books/Fees	20,208.00
	Sub-Contracts	30,708.00
	Total Training Services	30,708.00
	Total Dislocated Appropriation	350,079.00
70-UE-4790-570-00-3	Total Dislocated Revenue	350,079.00

July 7, 2003

**ST. LAWRENCE COUNTY EMPLOYMENT AND TRAINING
WORKFORCE INVESTMENT ACT
YOUTH
JULY 1, 2003 – JUNE 30, 2004**

Core & Intensive Services	Year Round Services	Budget
70-UC-6291-110-00-3	Direct Service Worker	37,460.00
70-UC-6291-120-00-3	Supervisory/Administration	9,315.00
70-UC-6291-130-00-3	Technical	440.00
70-UC-6291-140-00-3	Clerical	8,590.00
70-UC-6291-195-02-3	Vacation Payout	114.00
70-UC-6291-195-10-3	Vacation Buy Back	114.00
.1	Personnel	56,033.00
70-UC-6291-220-00-3	Office Equipment	1,000.00
.2	Equipment	1,000.00
70-UC-6291-407-00-3	Rent-Building & Property	4,241.00
70-UC-6291-411-00-3	Professional Education	385.00
70-UC-6291-414-00-3	Liability & Other Insurance	939.00
70-UC-6291-419-00-3	Commercial Printing	329.00
70-UC-6291-420-00-3	Office Supplies & Expense	538.00
70-UC-6291-420-02-3	Copying Expenses	38.00
70-UC-6291-423-00-3	Central Service Telephone	235.00
70-UC-6291-423-03-3	Phone Charges-Central Serv Base Ser	176.00
70-UC-6291-423-05-3	Phone Charges-Central Serv Long Ser	176.00
70-UC-6291-424-00-3	Postage	357.00
70-UC-6291-426-00-3	Books & Periodicals	77.00
70-UC-6291-427-00-3	Memberships & Dues	366.00
70-UC-6291-430-00-3	Medical Fees – Staff	17.00
70-UC-6291-430-FE-3	Fees for Services	1,385.00
70-UC-6291-430-00-3	Advertising	77.00
70-UC-6291-443-00-3	Mileage Reimbursement	454.00
70-UC-6291-445-00-3	Other Travel Reimbursement	231.00
70-UC-6291-478-00-3	D.P. Charges	423.00
70-UC-6291-499-00-3	Miscellaneous Expense	192.00
.4	Contractual Expenses	10,636.00
70-UC-6291-461-AI-3	Auto Registration & Insurance	100.00
70-UC-6291-461-AR-3	Auto Repairs	100.00
70-UC-6291-461-DC-3	Day Care	200.00
70-UC-6291-461-FE-3	Fees for Service	300.00
70-UC-6291-461-PM-3	Participant Travel	100.00
70-UC-6291-461-PW-3	Work Experience Wage	250.00
70-UC-6291-461-PF-3	Work Experience Fringe	50.00
.461		1,100.00

July 7, 2003

**ST. LAWRENCE COUNTY EMPLOYMENT AND TRAINING
WORKFORCE INVESTMENT ACT
YOUTH
JULY 1, 2003 – JUNE 30, 2004**

<u>Core & Intensive Services</u>		<u>Budget</u>
70-UC-6291-810-00-3	Retirement	1,669.00
70-UC-6291-830-00-3	Social Security	3,744.00
70-UC-6291-840-00-3	Workmen's Compensation	1,714.00
70-UC-6291-845-00-3	Group Life Insurance	92.00
70-UC-6291-860-00-3	Hospital & Medical Insurance	6,068.00
70-UC-6291-865-00-3	Dental Insurance	290.00
.8	Employee Benefits	13,577.00
	Total Year Round Services	\$82,346.00

July 7, 2003

**ST. LAWRENCE COUNTY EMPLOYMENT AND TRAINING
WORKFORCE INVESTMENT ACT
SUMMER YOUTH PROGRAM
JULY 1, 2003 – JUNE 30, 2004**

Summer Youth Element		Budget
70-UC-6292-110-00-3	Dir. Service Worker	102,992.00
70-UC-6292-120-00-3	Supervisory/Administration	18,676.00
70-UC-6292-140-00-3	Clerical	18,695.00
70-UC-6292-190-00-3	Temporary	56,343.00
.1	Personnel	196,706.00
70-UC-6292-220-00-3	Office Equipment	4,500.00
.2	Equipment	4,500.00
70-UC-6292-407-00-3	Rent-Building & Property	28,856.00
70-UC-6292-411-00-3	Professional Education	2,000.00
70-UC-6292-414-00-3	Liability & Other Insurance	1,000.00
70-UC-6292-419-00-3	Commercial Printing	500.00
70-UC-6292-420-00-3	Office Supplies & Expense	500.00
70-UC-6292-420-01-3	Computer Supplies	220.00
70-UC-6292-420-02-3	Copying Expenses	500.00
70-UC-6292-422-00-3	Equipment Repair	250.00
70-UC-6292-423-00-3	Central Service Telephone	3,000.00
70-UC-6292-424-00-3	Postage	1,500.00
70-UC-6292-426-00-3	Books & Periodicals	1,000.00
70-UC-6292-430-00-3	Medical Fees	540.00
70-UC-6292-430-FE-3	Fees for Services	9,318.00
70-UC-6292-430-05-3	Advertising Fees & Expense	5,000.00
70-UC-6292-443-00-3	Mileage Reimbursement	9,000.00
70-UC-6292-445-00-3	Other Travel Reimbursement	2,000.00
70-UC-6292-499-00-3	Miscellaneous Expense	2,000.00
.4	Contractual Expenses	67,184.00
70-UC-6292-461-HP-3-Y	Participants Medicals	1,125.00
70-UC-6292-461-PF-3-Y	Participant Fringe	8,040.00
70-UC-6292-461-PF-3-A	Participant Fringe-Older Youth	18,760.00
70-UC-6292-461-PM-3	Participant Mileage	5,881.00
70-UC-6292-461-PW-3-Y	Participant Wage	56,779.00
70-UC-6292-461-PW-3-A	Participant Wage-Older Youth	132,484.00
70-UC-6292-461-TU-3	Tuition & Fees	1,000.00
70-UC-6292-461-UI-3	Unemployment Insurance	500.00
.461		224,569.00

July 7, 2003

**ST. LAWRENCE COUNTY EMPLOYMENT AND TRAINING
WORKFORCE INVESTMENT ACT
SUMMER YOUTH PROGRAM
JULY 1, 2003 – JUNE 30, 2004**

Summer Youth Element		Budget
70-UC-6292-810-00-3	Retirement	4,371.00
70-UC-6292-830-00-3	Social Security	13,986.00
70-UC-6292-840-00-3	Workers Compensation	6,546.00
70-UC-6292-845-00-3	Group Life Insurance	241.00
70-UC-6292-850-00-3	Unemployment Insurance	5,000.00
70-UC-6292-860-00-3	Hospital & Medical Insurance	22,452.00
70-UC-6292-865-00-3	Dental Insurance	759.00
.8		53,355.00
TOTAL SUMMER YOUTH ELEMENT		546,314.00
TOTAL APPROPRIATIONS		628,660.00
70-UC-4790-570-00-3	TOTAL REVENUE	628,660.00

July 7, 2003

**ST. LAWRENCE COUNTY EMPLOYMENT AND TRAINING
WORKFORCE INVESTMENT ACT
ADMINISTRATIVE POOL
JULY 1, 2003 – JUNE 30, 2004**

		Budget
70-UG-6290-120-00-3	Supervisory/Administration	7,003.00
70-UG-6290-130-00-3	Technical	13,425.00
70-UG-6290-140-00-3	Clerical	83,058.00
70-UG-6290-195-02-3	Vacation Payout	598.00
70-UG-6290-195-10-3	Vacation Buy Back	1,000.00
.1	Personnel	105,084.00
70-UG-6290-407-00-3	Rent-Building & Property	12,504.00
70-UG-6290-411-00-3	Professional Education	918.00
70-UG-6290-414-00-3	Liability & Other Insurance	2,240.00
70-UG-6290-419-00-3	Commercial Printing	786.00
70-UG-6290-420-00-3	Office Supplies & Expense	1,285.00
70-UG-6290-420-02-3	Copying Expense	92.00
70-UG-6290-423-01-3	Phone Charges	561.00
70-UG-6290-423-03-3	Phone Charges-Central Serv Base Ser	421.00
70-UG-6290-423-05-3	Phone Charges-Central Serv Long Ser	421.00
70-UG-6290-424-00-3	Postage	851.00
70-UG-6290-426-00-3	Books & Periodicals	184.00
70-UG-6290-427-00-3	Memberships & Dues	357.00
70-UG-6290-430-00-3	PIC Expenditures	3,000.00
70-UG-6290-430-FE-3	Fees for Services	3,304.00
70-UG-6290-430-00-3	Advertising	184.00
70-UG-6290-443-00-3	Mileage Reimbursement	2,753.00
70-UG-6290-445-00-3	Other Travel Reimbursement	551.00
70-UG-6290-478-00-3	D.P. Charges	1,966.00
70-UG-6290-499-00-3	Miscellaneous Expense	459.00
.4	Contractual Expense	32,837.00
70-UG-6290-810-00-3	Retirement	2,553.00
70-UG-6290-830-00-3	Social Security	8,295.00
70-UG-6290-840-00-3	Workmen's Compensation	3,663.00
70-UG-6290-845-00-3	Group Life Insurance	250.00
70-UG-6290-860-00-3	Hospital & Medical Insurance	21,405.00
70-UG-6290-865-00-3	Dental Insurance	786.00
.8	Employee Benefits	36,952.00
	Total Administrative	174,873.00
70-UG-4790-570-00-3	Total Revenue	174,873.00

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**ST. LAWRENCE COUNTY EMPLOYMENT AND TRAINING
EMPLOYABILITY READINESS
JULY 1, 2003 – JUNE 30, 2004**

		Budget
70-UT-6290-220-00-3	Office Equipment	21,000.00
.2	Equipment	21,000.00
	Total Appropriation	21,000.00
70-UT-2770-550-ER-3	Total Revenue	21,000.00

Services Committee: 6-23-2003

RESOLUTION NO: 183-2003

**MODIFYING THE WORKFORCE INVESTMENT ACT BUDGET
FOR ST. LAWRENCE COUNTY OFFICE OF ECONOMIC DEVELOPMENT
EMPLOYMENT AND TRAINING UNIT**

By Mr. Cook, Chair, Services Committee

WHEREAS, resolutions established initial Budgets for the Office of Economic Development, Employment and Training Unit, and

WHEREAS, The New York State Department of Labor has awarded a supplemental allocation of \$25,583.72 in WIA PY00 Statewide Activities for Swipe Card System Purchases and \$10,000 in WIA PY01 Statewide Activities for Marketing Funds.,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby authorize the Treasurer of St. Lawrence County to modify the Budgets for the St. Lawrence County Office of Economic Development Employment and Training Unit to reflect these allocations:

INCREASE APPROPRIATIONS:

70-US-6291-220-00-0-SWIP	Equipment	\$20,859
70-US-6291-430-00-0-SWIP	Other Fees and Services	4,725
70-US-6291-430-05-1-MARK	Advertising	<u>10,000</u>
		\$35,584

INCREASE REVENUE:

70-US-4790-570-00-0-SWIP	Revenue	\$25,584
70-US-4790-570-00-1-MARK	Revenue	<u>10,000</u>
		\$35,584

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* * *

Mr. Cook moved to adopt Resolution No. 183-2003, seconded by Mr. Nichols, and carried unanimously by a roll call vote.

Services Committee: 6-23-2003

RESOLUTION NO: 184-2003

**ESTABLISHING THE WORKFORCE INVESTMENT ACT BUDGET
FOR ST. LAWRENCE COUNTY OFFICE OF ECONOMIC DEVELOPMENT
EMPLOYMENT AND TRAINING UNIT**

By Mr. Cook, Chair, Services Committee

WHEREAS, The St. Lawrence County has been designated Grant Recipient for TANF Summer Youth Funds, and

WHEREAS, total funds available for Program Year 2003 total \$349,950, and

WHEREAS, it is the intention of St. Lawrence County to budget the Office of Economic Development, Employment and Training Unit, in accordance with obligations received,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby authorize the Budget Officer of St. Lawrence County to establish the attached Budget totaling \$349,950 for the St. Lawrence County Office of Economic Development Employment and Training Unit, and

BE IT FURTHER RESOLVED that actual expenditure of these funds will be based on Notification of Obligational Authority by the New York State Department of Labor.

* * *

Mr. Cook moved to adopt Resolution No. 184-2003, seconded by Ms. Brothers and Ms. Cobb, and carried unanimously by a roll call vote.

July 7, 2003

**ST. LAWRENCE COUNTY EMPLOYMENT AND TRAINING
TANF SUMMER YOUTH – PROGRAM YEAR 2003 BUDGET
JULY 1, 2003 – SEPTEMBER 30, 2003**

Administration		Budget
70-UY-6290-120-00-3	Supervisory/Administration	9,338.00
70-UY-6290-130-00-3	Technical	4,475.00
70-UY-6290-140-00-3	Clerical	13,603.00
70-UY-6290-190-00-3	Temporary	4,360.00
70-UY-6290-195-02-3	Vacation Payout	500.00
70-UY-6290-195-10-3	Vacation Buy Back	500.00
.1	Personnel	32,776.00
70-UY-6290-407-00-3	Rent-Building & Property	3,582.00
70-UY-6290-411-00-3	Professional Education	234.00
70-UY-6290-414-00-3	Liability & Other Insurance	572.00
70-UY-6290-419-00-3	Commercial Printing	201.00
70-UY-6290-420-00-3	Office Supplies & Expense	328.00
70-UY-6290-420-02-3	Copying Expense	23.00
70-UY-6290-423-01-3	Phone Charges	200.00
70-UY-6290-423-03-3	Central Service Base Ser	58.00
70-UY-6290-423-05-3	Central Service Long Ser	100.00
70-UY-6290-424-00-3	Postage	217.00
70-UY-6290-426-00-3	Books & Periodicals	47.00
70-UY-6290-427-00-3	Membership & Dues	84.00
70-UY-6290-430-WI-3	WIB Expenditures	1,000.00
70-UY-6290-430-00-3	Fees For Services	843.00
70-UY-6290-430-05-3	Advertising Fees & Expense	47.00
70-UY-6290-443-00-3	Mileage Reimbursement	150.00
70-UY-6290-445-00-3	Other Travel Reimbursement	150.00
70-UY-6290-478-00-3	D.P. Charges	502.00
70-UY-6290-499-00-3	Miscellaneous Expense	117.00
.4	Contractual Expense	8,455.00
70-UY-6290-810-00-3	Retirement	864.00
70-UY-6290-830-00-3	Social Security	2,730.00
70-UY-6290-840-00-3	Work Compensation	1,213.00
70-UY-6290-845-00-3	Group Life Insurance	67.00
70-UY-6290-860-00-3	Hospital & Medical Insurance	6,178.00
70-UY-6290-865-00-3	Dental Insurance	209.00
.8	Employee Benefits	11,261.00
	Total Administrative	52,492.00

July 7, 2003

**ST. LAWRENCE COUNTY EMPLOYMENT AND TRAINING
TANF SUMMER YOUTH – PROGRAM YEAR 2003 BUDGET
JULY 1, 2003 – SEPTEMBER 30, 2003**

Summer Youth ELEMENT	Budget	
70-UY-6292-110-00-3	Dir. Service Worker	18,821.00
70-UY-6292-120-00-3	Supervisory/Administration	9,338.00
70-UY-6292-130-00-3	Technical	4,475.00
70-UY-6292-140-00-3	Clerical	5,181.00
70-UY-6292-190-00-3	Temporary	30,013.00
.1		67,828.00
70-UY-6292-407-00-3	Rent – Building & Property	4,477.00
70-UY-6292-411-00-3	Professional Education	293.00
70-UY-6292-414-00-3	Liability & Other Insurance	715.00
70-UY-6292-419-00-3	Commercial Printing	251.00
70-UY-6292-420-00-3	Office Supplies & Expense	410.00
70-UY-6292-420-01-3	Computer Supplies	29.00
70-UY-6292-420-02-3	Copying Expense	448.00
70-UY-6292-422-00-3	Equipment Repair	271.00
70-UY-6292-423-01-3	Phone Charges	148.00
70-UY-6292-423-03-3	Central Service Base Serv	100.00
70-UY-6292-423-05-3	Central Services Long Serv	200.00
70-UY-6292-424-00-3	Postage	271.00
70-UY-6292-426-00-3	Books & Periodicals	59.00
70-UY-6292-430-00-3	Medical Fees	150.00
70-UY-6292-430-FE-3	Fees for Services	7,054.00
70-UY-6292-430-05-3	Advertising Fees & Expenses	59.00
70-UY-6292-443-00-3	Mileage Reimbursement	5,000.00
70-UY-6292-445-00-3	Other Travel Reimbursement	500.00
70-UY-6292-499-00-3	Miscellaneous Expense	627.00
.4	Contractual Expense	21,062.00
70-UY-6292-461-HP-3	Participants Medicals	500.00
70-UY-6292-431-PF-3	Participant Fringe	18,304.00
70-UY-6292-461-PM-3	Participant Mileage	6,000.00
70-UY-6292-461-PW-3-Y	Participant Wage	166,551.00
70-UY-6292-461-TU-3	Tuition & Fees	856.00
.461		192,211.00

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**ST. LAWRENCE COUNTY EMPLOYMENT AND TRAINING
TANF SUMMER YOUTH – PROGRAM YEAR 2003 BUDGET
JULY 1, 2003 – SEPTEMBER 30, 2003**

Summer Youth ELEMENT		Budget
70-UY-6292-810-00-3	Retirement	1,196.00
70-UY-6292-830-00-3	Social Security	5,189.00
70-UY-6292-840-00-3	Workmen’s Compensation	2,321.00
70-UY-6292-845-00-3	Group Life Insurance	72.00
70-UY-6292-860-00-3	Hospital & Medical Insurance	7,352.00
70-UY-6292-865-00-3	Dental	227.00
.8		16,357.00
TOTAL SUMMER YOUTH ELEMENT		297,458.00
TOTAL APPROPRIATIONS		349,950.00
70-UY-4790-570-00-3	TOTAL TANF SUMMER YOUTH REVENUE	349,950.00

Services Committee: 6-23-2003

RESOLUTION NO. 185-2003

CREATING AN ADVISORY BOARD TO OVERSEE THE STAR PROGRAM

By Mr. Cook, Chair, Services Committee

WHEREAS, there is no written evaluation plan for the STAR Program, and

WHEREAS, there is no written reporting procedure for the accidents or changes at the STAR Program, and

WHEREAS, there is no ongoing Advisory Board to oversee the STAR Program and communicate with the Board of Legislators,

NOW, THEREFORE, BE IT RESOLVED that a written evaluation plan will be developed and presented to the Board of Legislators, and a written reporting procedure will be developed and presented to the Board of Legislators, and

BE IT FURTHER RESOLVED that an Advisory Committee will be appointed to oversee the STAR Program and to assist in the development and maintenance of evaluation and reporting procedures, and

BE IT FURTHER RESOLVED that the Advisory Committee will consist of representatives from the Board of Legislators, participating school districts, County Probation

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and Department of Social Services, a person or persons with documented evaluation expertise and other appointees as indicated by the Board of Legislators.

* * *

Mr. Cook moved to adopt Resolution No. 185-2003, seconded by Mr. Nichols and Ms. Cobb, and carried unanimously by a voice vote.

Services Committee: 6-23-2003

RESOLUTION NO. 186-2003

**AUTHORIZING THE CHAIR AND VICE CHAIR OF THE BOARD OF LEGISLATORS
TO SIGN CORPORATE RESOLUTIONS FOR CORPORATE ACCOUNT AND
ACCOUNT APPLICATION FROM SMITH BARNEY**

By Mr. Cook, Chair, Services Committee

WHEREAS, 100 shares of Astoria Financial Corporation stock was donated from Joseph G. Sevick for the St. Lawrence County Youth Conservation Corps, and

WHEREAS, the Certificate of Stock needs to be changed to certify that the Youth Conservation Corps is the owner of the 100 shares, and

WHEREAS, the Chairman and Vice Chair of the Board of Legislators must sign the Corporate Resolutions for Corporate Account and Account Application to sell the stock @ market value, and

NOW, THEREFORE, BE IT RESOLVED that the Chair and Vice Chair of the St. Lawrence County Board of Legislators are authorized to sign the Corporate Resolutions for Corporate Account and the Account Application forms, upon review and approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution No. 186-2003, seconded by Mr. Morrill, and carried unanimously by a voice vote.

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Services Committee: 6-23-2003

RESOLUTION NO. 187-2003

**AUTHORIZING AGREEMENT WITH MUNICIPAL RECREATION PROGRAMS
IN RECEIVING, UNALLOCATED, OFFICE OF CHILDREN & FAMILY SERVICES
(OCFS) 2003 RECREATION FUNDS**

By Mr. Cook, Chair, Services Committee

WHEREAS, the 2003 Resource Allocation Plan reserved unallocated funds under the Recreation category in the amount of \$3661, and

WHEREAS, a review process of the Youth Advisory Board's Allocation Committee resulted in St. Lawrence County Youth Advisory Board's approval of \$3661 in additional funding for municipal agencies listed below in the respective amounts, and

WHEREAS, providing additional funds will result in the support and provision of needed recreational services to youth in St. Lawrence County,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Youth Bureau is hereby authorized to allocate 2003 OCFS Recreation funds in the amount of \$3661, to the municipal recreation programs listed below, and

BE IT FURTHER RESOLVED that the Chair of the Board of Legislators is hereby authorized to approve the total sum of \$3661 with the following organizations for the respective amounts in the 2003 fiscal year:

<u>AGENCY</u>	<u>PROGRAM</u>	<u>AMOUNT</u>
T/Brasher-Stockholm	Joint Recreation	\$ 161
T/V Canton	Joint Recreation	155
T/Clifton-Fine	C/F Youth Commission	308
T/V Gouverneur	T/V Recreation	1013
T/Hammond	Summer Recreation	299
T/Hopkinton	Recreation	121
T/Lawrence	Youth Recreation	68
T/Madrid	Youth Recreation	23
T/V Morristown	Morristown Recreation	192
V/Norwood	Norwood Recreation	175
T/Parishville	Parishville Recreation	184
T/Piercefield	T/Piercefield Recreation	193
V/Richville	Summer/Winter Recreation	83
T/V Waddington	Waddington Recreation	686
Total		\$3661

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* * *

Mr. Cook moved to adopt Resolution No. 187-2003, seconded by Mr. Lacy, and carried unanimously by a voice vote.

Services Committee: 6-23-2003

RESOLUTION NO. 188-2003

**URGING THE NEW YORK STATE DEPARTMENT OF HEALTH TO
EXPEDITE THE RELEASE OF CANCER DATA BY ZIP CODE**

By Mr. Cook, Chair, Services Committee

WHEREAS, the State Health Department has issued a series of maps that show the incidence of cancer across New York, and

WHEREAS, these maps are part of New York's Cancer Surveillance Improvement Initiative, and

WHEREAS, the initiative also includes production of zip code level maps and maps of cancer risk factors for the most common cancers in New York State, and

WHEREAS, zip code level maps of breast, lung, and colorectal cancers were released in 2000, and

WHEREAS, the St. Lawrence County Board of Legislators recognizes the public's interest in access to zip code level cancer data,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators directs the St. Lawrence County Public Health Director to request that the State Health Department expedite the development and release all of the remaining anatomical cancer data by zip code and maps and the investigation of "Unusual Disease Patterns in Communities" (Phase 3).

* * *

Mr. Cook moved to adopt Resolution No. 188-2003, seconded by Mr. Teele, and carried unanimously by a voice vote.

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Services Committee: 6-23-2003

RESOLUTION NO. 189-2003

**AUTHORIZING THE CHAIR OF THE BOARD OF LEGISLATORS TO SIGN
CONTRACT FOR PUBLIC HEALTH DEPARTMENT'S
LEAD POISONING PREVENTION PROGRAM GRANT**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence Public Health Department has received notification that the department has been awarded grant funding for its Lead Poisoning Prevention Program from the New York State Department of Health,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes its Chair, upon approval of the County Attorney, to sign said contract.

* * *

Mr. Cook moved to adopt Resolution No. 189-2003, seconded by Mr. Teele and Mr. Grow, and carried unanimously by a voice vote.

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Services Committee: 6-23-2003

RESOLUTION NO. 190-2003

**AWARDING HEALTH PROFESSIONS SCHOLARSHIPS
AND AUTHORIZING PAYMENTS**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Scholarship Committee and the Services Committee of the St. Lawrence County Board of Legislators have considered applications for health professions scholarships pursuant to Section 606 of the New York State Education Law,

NOW, THEREFORE, BE IT RESOLVED that annual scholarship awards of \$1,000 each are hereby authorized to the applicants approved by the St. Lawrence County Scholarship Committee and the Services Committee, and

BE IT FURTHER RESOLVED that these scholarships of \$1,000 each per year be awarded as follows:

NURSING: For a period not to exceed **two** years of professional study:
Reagan Bogart, 114 Buck Street, Madrid, NY
Robin Curtis, 80 Riverside Drive, Canton, NY
Jenna Panetti, 34 Colton Rd., Canton, NY
Nicole Woodrow, 88 Prospect Street, Gouverneur, NY
Ryan Young, 1937 SH 68, Canton, NY

MEDICAL: For a period not to exceed **four** years of professional study:
Keely Parisian, 4 Prospect Avenue, Massena, NY 13662

BE IT FURTHER RESOLVED that the County Treasurer is hereby authorized to pay the sum of \$500.00 per student (two semesters per year) on proof of registration.

* * *

Mr. Cook moved to adopt Resolution No. 190-2003, seconded by Mr. Nichols. The Deputy Clerk read the names of those receiving the scholarship awards. Resolution No. 190-2003 was adopted unanimously by a voice vote.

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Services Committee: 6-23-2003

RESOLUTION NO. 191-2003

**PERMISSION TO ABOLISH AND CREATE POSITIONS WITHIN
THE ST. LAWRENCE COUNTY DEPARTMENT OF SOCIAL SERVICES**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Department of Social Services has two vacant Keyboard Specialist positions, and

WHEREAS, upon review of these positions, it was determined that there was a greater need for clerical positions in the imaging program and thus a need to reclassify these positions, and

WHEREAS, the St. Lawrence County Personnel Office has conducted a classification review of these positions and has classified them as Clerks,

NOW, THEREFORE, BE IT RESOLVED that the following positions be abolished and created in the St. Lawrence County Department of Social Services:

ABOLISH:

01-DA-6010-140-00-S	One (1) Keyboard Specialist, Grade 15	\$22,697
01-DA-6010-140-00-A	One (1) Keyboard Specialist, Grade 15	\$22,697

CREATE:

01-DA-6010-140-00-A	Two (2) Clerks, Grade 13	\$21,275
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BE IT FURTHER RESOLVED that the Commissioner of Social Services is hereby authorized to fill these two (2) Clerk positions.

* * *

Mr. Cook moved to adopt Resolution No. 191-2003, seconded by Mr. Nichols, and carried unanimously by a roll call vote.

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Services Committee: 6-23-2003

RESOLUTION NO. 192-2003

**AUTHORIZING CHAIR TO SIGN A CONTRACT WITH
ST. LAWRENCE-LEWIS BOCES**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department offers services, through St. Lawrence-Lewis BOCES, to preschool children with disabilities pursuant to section 4410 of the New York State Education Law, and

WHEREAS, the department has been notified that the annual contract with St. Lawrence-Lewis BOCES for said services is up for renewal,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the Board of Legislators is hereby authorized to sign said contract, upon approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution No. 192-2003, seconded by Mr. Teele, and carried unanimously by a voice vote.

COUNTY ADMINISTRATOR REPORT:

Mr. Brining said that the Board members and the public are invited to the Senior Citizens' Picnic.

It is being held this Friday, at the beach in Parishville.

Mr. Brining said that it was discussed that Jack Venesky would come before this Board when the new Public Health Director arrived. Now that Kathy Abernethy is here Jack Venesky will be able to attend on the 28th of July.

Mr. Teele moved for a ten-minute recess at 8:12 p.m., seconded by Mr. Lacy, and carried unanimously by a voice vote. Chair MacKinnon returned to open session at 8:22 p.m.

EXECUTIVE SESSION - There was no need for an executive session.

OLD/NEW BUSINESS:

Financial Prioritization Committee Report – Mr. Teele distributed a packet of information to the Board members. He reminded the Board of the Financial Prioritization Committee Membership:

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Ms. Brothers, Mr. FitzRandolph, Mr. Gray, and himself. He said that we have spent a lot of time at the beginning of this year giving and getting direction. We would like to build a fund balance. We have the impact statement on not filling vacancies. We have come to a crossroads. Our Administrator came to us early in the year. He referred to the packet of information entitled "2004 Budget Concerns" and the information on increased revenue modeling an increased sales tax. He said start with the budget concerns. He asked the Administrator to review this information. Mr. Brining said that he will go over a few points that are key. He said that a \$7.5 million increase is a number that we have discussed. That may be a little low. You can see increases project out to be about 26% of the levy, that is if there are no other changes. If we assume a 7% true value tax rate that says we have a budget gap of about \$5 million. We could cut services, that would mean service and staff. For a point of reference the average payroll for an employee including fringe is about \$42 thousand. That is full cost including fringe, many staff salaries are covered by the State. It would take 100 positions to get \$4.2 million. That would be a significant amount of staff. Secondly, there are revenue enhancers: local fees and or taxes, DMV fees, 911 surcharges, bed tax, and sales tax. Sales tax is shared among villages and towns. The County gets 1/2 of that revenue. We could increase fees, cut services, make cuts in spending, and make an increase to sales tax. The Committee discussed, absent any suggestions from this Board, that this will fall on Administration. We are trying to give you a picture of where we are at today. The second page outlines numbers. The first outlines sales tax, 3/4 percent equals about \$7.5 million. If we share fifty/fifty with localities we would only get half. A mortgage tax increase would be about \$600 thousand. We could increase the bed tax. If we doubled bed tax we would get \$200 thousand. We could increase DMV fees to generate about \$400 thousand. Ms. Ritchie said that for mortgage taxes we receive \$48,000 for administration/handling fees. The 1/2% we collect goes to the towns minus their portion of our share of the \$48,000. The 1/4% goes directly to the state minus our share of their portion of the \$48,000.

Mr. FitzRandolph said as a member of Steve's committee, he hopes that no one blames the committee for this news. The charge was to get a handle on the problem. He said that this document, even though short, summarizes the problem. Given these four major increased expenditures, that we can not control, if we increased the property taxes by 7% and instituted a 3/4% sales tax increase, we will still have a \$1 million gap. As a committee we have not taken a position.

Mr. Turbett asked if the document shows all impacts that we anticipate. Mr. Brining said that there may be increases in costs that we have not looked at, perhaps Public Health may be one and the Sheriff may be another. Mr. Turbett asked if the smoking money will be the same. Mr. Brining said that that will probably be less. He said that we did not factor in what we will get. We factored in the big issues. Mr. Teele said that this is very preliminary, a starting point.

Ms. Brothers said as a member of this committee, we wrestled with many issues. We felt compelled that the entire Board should see these issues in a preliminary manner. There are difficult decisions to be made, for instance, what services to cut. We need to look at where we have been, and where we are going, we need to look ahead to outer years.

Mr. Gray referred to the tobacco settlement; he said that during a NYSAC meeting last month he understood that NYSAC is looking at another securitization. This may be a good idea. Mr.

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Brining said that we got a letter from NYSAC today regarding that securitization. Chair MacKinnon also received one. Mr. Brining added regarding sales tax, if we wanted to pursue an increase in sales tax, we will not use a full year's expectation.

Ms. Cobb asked if this committee has done any public hearings on any of these proposals. Mr. Teele said not as of yet. He is open to suggestions.

Mr. Brining said that there are three spreadsheets. The first states a 3/4 percent increase in sales tax with no sharing with locals. He reviewed the spreadsheet showing historical data. There is an average over 15 years at the bottom of each spreadsheet in yellow. He said that the blue box shows additional revenue. As for the annual change in the County cost we used 8% each year. The average is 4.92% over the 15 years. But we thought this is at the high end of the cycle. The change in true value tax rate is 3%. He said that the expected fund balance, by the end of 2003, will be \$8.9 million. This also shows County use of additional funds. The second sheet, in each of the three sets, shows if the true value goes to 5% instead of 3%. The other packets are similar but the change is what the County does with the money. The second packet shows that the County shares with local governments. The third shows the County keeping 1/2 of a percent. We take 1/4 and split it with the municipalities. The other assumptions stay the same.

Mr. Wilson asked what was the assumption on the evaluation. Mr. Brining said 3%. It is on the document.

Mr. Nichols wondered if we are at the high end of the crest and that this to will pass, and said that the state and government impact the County level extensively.

Mr. FitzRandolph said that the 8% may be an over estimate, for the short term it is an overestimate. This document is good, long term. He said that there is a lot of information on these tables. If you look at the tax rate over the last several years, it is remarkable what this County has done so far. We have decreased the tax rate consistently for 11 years, we will have to increase at some point.

Mr. Gray said that Ogdensburg had a big role in sales tax, how do they play into this equation. Mr. Brining said we will have to negotiate with them to change the status quo. There is a document in place of steps that would need to be taken to do this. He reviewed the steps that need to be taken. When we did the original agreement, the State Comptroller had to approve that change. Mr. Gray asked if it could impact this. Mr. Brining said no. Mr. Gray said that if we keep all of the funds and not share with the municipalities, Ogdensburg would always get some portion. Mr. Gray said that just with the cost of living, the sales tax will always rise.

Mr. Wilson said that you increased the valuation by 3% per year and the historical number was 5.02%, and then the true value tax rate we change by 3% and that had a traditional trend of .33. Mr. Wilson said those are generous, we are going from traditional 5 to 3 and 3 from .33. Mr. Brining said that the increase valuation so far this year is 1.6%. Mr. Wilson questions the spread. Mr. Brining said we can plug in other numbers if anyone is interested. We could jump the percentages and the fund balance will increase. What we tried to do, is get some semblance of what is normal. Give us perimeters and we can run the numbers. Mr. Teele thanked Mr.

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Brining. He would like to have some permanence by the end of the month if anyone would like to run some other numbers they will do it.

Mr. FitzRandolph said at the Finance Committee, whether we like it or not, the budget team will have to prepare a Tentative Budget. They are not going to put together a budget that has a huge increase in tax sales, without Board support. We need to discuss this more formally. The Committee decided that at the July Finance Committee there will be a resolution to enhance revenues, sales tax increase, and one with potential revenue enhancement. These are only included to provide Legislators to move, these are not the recommendation of the Finance Committee or of the Finance Committee Chair. These are for any Legislators that would like to move them forward. If they are not brought forward in a formal way they will not be addressed in the budget presentation. This will be an important meeting.

Mr. Teele said that a few years ago, they were short on revenue. He wrestled night after night. It is important to present this kind of information early so that we are not up against the wall in November.

Mr. Nichols moved to adjourn the meeting at 9:07 p.m., as there was no further business, seconded by Mr. Morrill, and carried unanimously a voice vote.

August 4, 2003

St. Lawrence County
Board of Legislators
Board Room

Public Hearing
Monday, August 4, 2003
12:50 p.m.

**PROPOSED LOCAL LAW B (NO. __) FOR THE YEAR 2003
PROHIBITING SMOKING ON ALL COUNTY PROPERTY**

Chair MacKinnon called the Public Hearing to Order at 12:50 p.m.

The Deputy Clerk read the call to the Public Hearing.

Chair MacKinnon asked if anyone wishes to comment.

Stephanie Hall, St. Lawrence County Payroll Clerk, spoke in favor of the law. She said that her office is close to a back entrance into this building. She stated that the smoke comes in through any open windows, and that during the summer months they must refrain from opening the windows.

Lee Monette spoke in opposition of the local law. He said that he thinks it is intrusive. He stated that what the citizens of St. Lawrence County do in their own vehicles is up to them. He said that he is a Veteran of the U.S. Coast Guard and that he fought for the right to do as you please in your own car. He said that this is not a matter of Public Health, and that this is the government trying to promote tobacco prohibition. He said that this Country is going into financial ruin, and that the State is in a fiscal crisis. He said that New York State are not far behind California. He said that jobs are leaving, and that everyone is leaving here. He feels that we need to prioritize, and that jobs are more important than this issue.

Don Hassig, Cancer Action New York, spoke in favor of the local law. He feels this is a good thing to ban. He said that something similar has been done at the State level, and he feels that is good government. He said that his group applauds St. Lawrence County in this effort. He said that we need to protect people from carcinogens. He said that no one is arguing that education is not effective. He said that there are some things that are serious enough, that education is just not enough. He stated that Cancer Action feels that this is doing something good for the citizens of St. Lawrence County, but it is also important to notify the public of open burning.

Pat McBurnie, spoke in opposition to the local law. He said that he sees this as a slippery slope. He mentioned that he wears a seatbelt because it is a law. He said that he is frustrated with people trying to save him from himself. He said that more and more of his life is being legislated away. He said that the inclusion of this, in this law, is intrusive. He stated that his friends, smoking and non-smoking, are against this.

Miles Wolpen, Hopkinton, spoke in opposition of the local law. He said that he would like to second the views that were just presented. He explained that in a civil society there are two rules, do no harm to anyone and keep your word. He thinks this is extremist. He said that this is reaching into peoples own property. He said that if someone is standing outside near the flag pole, who is being hurt by this. He doesn't want to address the health dimensions of this. He said that this is similar to prohibition. He said that one of the very common occurrences for

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people that surrender this habit is that they gain weight. He said that according to the American Society being over weight attributes to cancer.

Bill Lewis, Brasher Falls spoke in opposition of the local law. He seconded what Mr. Wolpen said and he shouted that "THIS IS LAW GETTING IN YOUR FACE!". He said that next year we will put in breathalyzers in buildings to see if you have had a "Big Mack" for lunch. He said that this is taking away liberty. He said ask yourself if you are doing more damage to the fabric of America then Hussein. He said that it is easier to harass honest people than to address the bigger issues.

Steve Medvick, Canton read from the author John Calhoun. He said that Albany passed a bill. He said that he addressed this Board a month ago and referred to several books. He said that he never received any response. He said that about 1/3 or 1/2 of this body of legislators have had or still do have something to do with the education monopoly in this country. He said we are a feminized society. He stated that there is no masculinity left here. He said that he has been accused of being a "Hitlerite". He stated that this is not just cigarettes we are voting on here today.

Chair MacKinnon declared the Public Hearing closed at 1:10 p.m., as no one else wished to speak.

St. Lawrence County
Board of Legislators
Board Room

Board Meeting
Monday, August 4, 2003
Immediately Following the Public Hearing

Chair MacKinnon called the meeting to order at 1:10 p.m.

ROLL CALL: All Legislators were present.

Mr. Nichols led everyone in Prayer, followed by the Pledge of Allegiance.

Mr. Nichols moved to approve the minutes from the July meeting, seconded by Mr. Lacy, and carried unanimously by a voice vote.

The Deputy Clerk read the following communications:

1. A letter from Congressman John McHugh stating his support for the efforts of the Town of Oswegatchie and the Heuvelton Historical Association to relocate the Village post office to historic Pickens Hall.
2. A letter from Jean Robertson of Potsdam, requesting help in saving a bridge in the Town of Hopkinton.
3. A thank you from Dan Loughney of the OBPA, for inviting him to attend and address the Operations Committee on July 14th.

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4. A faxed copy of a Resolution entitled "Legislators Oppose Legislation Which Limits Eligibility Benefits Through Veterans Administration" from Tioga County.
5. A letter from Miles Wolpin of Hopkinton, opposing the proposed local law.

CITIZEN PARTICIPATION : No one wished to speak.

PRESENTATION OF RESOLUTIONS :

Finance Committee: 7-28-2003

RESOLUTION NO. 193-2003

**ADOPTING PROPOSED LOCAL LAW B (NO. __) FOR THE YEAR 2003
"PROHIBITING SMOKING ON ALL COUNTY PROPERTY"**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, a public hearing on proposed Local Law B (No. _) for the Year 2003 has been held,

NOW, THEREFORE, BE IT RESOLVED that Local Law B (No. _) for the Year 2003, "Prohibiting Smoking on all County Property", is hereby adopted.

**LOCAL LAW B (NO. __) FOR THE YEAR 2003
"PROHIBITING SMOKING ON ALL COUNTY PROPERTY"**

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

' 1. Legislative Intent

This Legislature hereby finds that the effects of secondary and tertiary smoke generated by the smoking of cigars, cigarettes, pipes and similar articles pose a threat to the health, safety and well-being of the citizens of St. Lawrence County who do not smoke.

This Legislature further finds that the Surgeon General's 1984 report on smoking hazards, for the first time linking high levels of involuntary smoke exposure to reduced breathing ability in passive smokers, buttresses the need to provide more protection to non-smokers in public places.

This Legislature further finds and determines that human health is seriously threatened by exposure to environmental tobacco smoke and that recent findings by the Federal Environmental Protection Agency make clear that environmental tobacco smoke or secondhand smoke, is a human carcinogen responsible for 3,000 lung cancer deaths each year in non-smoking adults.

This Legislature finds that the Environmental Protection Agency has concluded that exposure to environmental tobacco smoke increases the risks of respiratory and middle ear

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diseases in children, contributing to numerous cases of bronchitis and pneumonia in infants and young children each year. Further, exposure to environmental tobacco smoke significantly worsens the condition of numerous asthmatic children and contributes to new cases of asthma in once healthy children.

This Legislature further finds that primary tobacco use is a major cause of mortality and morbidity, directly causing an estimated 434,000 deaths per year in the United States; more deaths than are caused by the use of any other legal or illegal substance or drug.

This Legislature further finds that smoking in outdoor areas promotes littering, obstructs doorways and passage ways, and further endangers the lives of those smoking and non-smoking persons.

Therefore, the purpose of this legislation is to place reasonable limitations on smoking within the County of St. Lawrence by banning smoking on all County premises, whether indoor or outdoor, ~~whether in vehicles or not~~ **except in designated places.**

' 2. Regulation of Smoking

Effective as stated in §3, smoking shall be prohibited on all premises, indoor or out, on premises owned by the County of St. Lawrence, ~~including vehicles~~ **except in designated places.**

' 3. Effective Date

This Local Law shall become effective on the date of filing of the law with the Secretary of State.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 193-2003, seconded by Mr. Turbett. Mr. Gray said that he tried to introduce an amendment to take out the language about smoking in vehicles. He said that he is concerned with people smoking in doorways. He said that no one in his household smokes, but he does have respect for the discussion in this room. He said that what concerns him is the phrase reasonable limits on smoking. He feels this not reasonable. He said that this erodes basic liberties of this Country. He hopes that the majority defeats this, or at least tables this for another public hearing. He applauds those who attended this public hearing and feels that this legislation is ill-advised, particularly the part that states smoking in vehicles.

Mr. Nichols said that he opposes this legislation. He said that we need to defeat this local law, and pass the next resolution. He knows it is still legal to smoke tobacco cigarettes. He made the statement what do we do about the county employees that do smoke, they would have to leave the county premises to smoke. He said that the employee that spoke for the local law, Stephanie Hall, has a point. He said that we need to protect those that are offended by smoke. He feels that this local law should be defeated. He stated that the following resolution will not criminalize those who smoke. He said that this resolution will work with the unions to design a place for those to smoke. He said in doing this, in the resolution form, it alleviates the problem that Ms. Hall mentioned. This also effects jurors that may have to go to the street to smoke. He said that

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we should not be telling people that they can not smoke in cars. He said that we should have a designated areas for those that smoke.

Mr. FitzRandolph said that he would like to propose an amendment to the last paragraph, section one (1), strike the phrase “whether in vehicles or not”. He said in its place put “accept in designated places”. He would also like the phrase “including vehicles” struck from section two (2) and replaced with “except in designated places”. Mr. FitzRandolph said he wasn’t at the Finance Committee when this was passed. He agrees that the idea that the County Legislature shouldn’t tell people not to smoke in their cars. He does have concerns with people smoking outside of the doorways and wandering up and down the sidewalks. He also said that the weakness in the resolution is that it only deals with employees. In the event that these designated smoking areas are in effect, we would need to ask people that are visiting the building to use those areas as well.

Mr. Wilson said that this is a silly subject. He feels this is typical of August politics, it is overblown. He regrets the statement that if someone feels one way, it would be irresponsible. He said that this is not an important subject, but is not an easy decision. He said that the government should be there to help people be better. He agrees that it should not be done in doorways. He feels that a designated area, seems like a proper compromise. He said that no one leaves a parking place in the Village of Canton. If they get a space, they do not move. He feels limiting options for people to smoke is better. He said that we have gone to great lengths to protect those that don’t smoke.

Mr. Nichols said that he will vote against the amendment, and that even with the amendment we do not need another local law. He said that this is not frivolous, this is not the doldrums of August. He said that this is imposing another law. He said that he doesn’t eat all of the vegetables that are recommended, he knows that he should, but this is his decision. He said that this is well intentioned but this is the government deciding for me. He said that the resolution will not make anyone a criminal. He said that one of the concerns was that we wanted to get this dealt with on the books. He feels that a resolution will get smokers out of the doorways. He felt that in doing another public hearing is to prolong this. He said that this will address visitors to County facilities as well.

Mr. Romigh addressed the County Attorney. He asked Mr. Maginn if the State Law covers all of the Local Law in question. Mr. Maginn said that it does not specify under canopies, etc. He said that it states no smoking inside. He said whether it addresses automobiles or anywhere else, he doubts it. Mr. Romigh said that he does not smoke, his wife does smoke, and that he does not get offended by it. He said that we should not be voting on this today. He said that the State passed a law, and we feel that we have to throw another bill at people. He said as a twelfth grade educated person, he is concerned about the number of bills being thrown out at people. He feels that the State bill covers all that needs to be covered. He feels that we should put an end to all of this.

Mr. Gray said that he will support the amendment. He said that the amendment is not different from the one that he proposed. He said that if this passes it will tell the people that we are listening. He said that he is opposed to the entire local law, but said “that a half of a loaf is better than nothing”. This addresses the most intrusive part of the local law.

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Ms. Brothers said that when this was brought forward by Mr. Maginn, it was at that point that she was unsure about this. She said that she looked it over and she did not see any hidden ramifications. She said that she supported Mr. Gray's amendment during the Finance Committee, and speaking to that, she has come to the conclusion that the State Law has covered all that needs to be covered. She said that we do not have a need, based on the phone calls that she has received, to put this law into effect. She said that government emerges with the needs of the people, and she has not heard a reason to extend this law. She said that she does not smoke, but that you have your own choice. She said that she wears a seatbelt because it seems like the smart thing to do, but she said that she feels this law is intrusive. She said that she will support Mr. Nichols' resolution, and will speak to that at that time.

Mr. Teele said that he has a procedural question; if this amendment passes will there be another public hearing. Mr. Brining said given the amendment that Mr. FitzRandolph has said, this will go to the September Board meeting to set a date for an October Public Hearing. He suggested setting the date today.

Mr. FitzRandolph asked for a point of order, the amendment would have to pass. Chair MacKinnon said that this would change the intent of the resolution. He said that we could not vote on this "as amended". He said that we would have to move a public hearing date. Mr. FitzRandolph said if the amendment passes we would not vote on this resolution tonight. Mr. Moore said this is not the first time that he has been through this, he showed documents from 1989, when they County created rules and procedures of how to handle smoking, and he feels we do not need any more than that.

Mr. Wilson seconded the motion to amend the local law. Mr. Gray requested a roll call vote.

The amendment passed by a roll call vote with nine (9) yes votes, and six (6) no votes (Brothers, Cook, Lacy, MacKinnon, Nichols, and Romigh). Chair MacKinnon said that the local law is amended. He said that we could set a date for the public hearing. Mr. Maginn said that we would have to suspend the rules to do that. He furthered explained that the legislator that motions to suspend would need to state why he/she wants to suspend the rules. Chair MacKinnon forwarded the resolution to set a public hearing on the amended local law to the next Finance Committee.

Services Committee: 7-21-2003

RESOLUTION NO. 194-2003

**THE ST. LAWRENCE COUNTY BOARD OF LEGISLATORS DIRECTS STAFF TO
WORK WITH THE UNIONS AND TO PROPOSE A POLICY ON OUTDOOR
SMOKING TO BE PRESENTED TO THE BOARD OF LEGISLATORS**

By Mr. Cook, Chair, Services Committee
Co-Sponsored by Mr. Nichols, District 3

August 4, 2003

WHEREAS, this Legislature hereby finds that the effects of secondary and tertiary smoke generated by the smoking of cigars, cigarettes, pipes and similar articles pose a threat to the health, safety and well-being of the citizens of St. Lawrence County who do not smoke, and

WHEREAS, this Legislature further finds that the Surgeon General's 1984 report on smoking hazards, for the first time linking high levels of involuntary smoke exposure to reduced breathing ability in passive smokers, buttresses the need to provide more protection to non-smokers in public places, and

WHEREAS, this Legislature further finds and determines that human health is seriously threatened by exposure to environmental tobacco smoke and that recent findings by the Federal Environmental Protection Agency make clear that environmental tobacco smoke or secondhand smoke, is a human carcinogen responsible for 3,000 lung cancer deaths each year in non-smoking adults, and

WHEREAS, this Legislature finds that the Environmental Protection Agency has concluded that exposure to environmental tobacco smoke increases the risks of respiratory and middle ear diseases in children, contributing to numerous cases of bronchitis and pneumonia in infants and young children each year. Further, exposure to environmental tobacco smoke significantly worsens the condition of numerous asthmatic children and contributes to new cases of asthma in once healthy children, and

WHEREAS, this Legislature further finds that primary tobacco use is a major cause of mortality and morbidity, directly causing an estimated 434,000 deaths per year in the United States; more deaths than are caused by the use of any other legal or illegal substance or drug, and

WHEREAS, this Legislature further finds that smoking in outdoor areas promotes littering, obstructs doorways and passage ways, and further endangers the lives of those smoking and non-smoking persons,

NOW, THEREFORE, BE IT RESOLVED that Staff is directed to work with the Union so that a specific designated area(s) outside County buildings could be designated as smoking area(s) so that employees and people using the buildings who do not smoke will not be affected and that this proposed policy would designate these places as the only places for outdoor smoking by both, employees and individuals, using County facilities, and to bring this policy back to this Board for its review and approval, and

BE IT FURTHER RESOLVED that smoking in privately owned vehicles shall be allowed within this policy.

* * *

Mr. Nichols moved to adopt Resolution No. 194-2003, seconded by Mr. FitzRandolph. Mr. Nichols said that in the "Now Be it Resolved" part of the Resolution, it refers to employees and

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people using the buildings. He said that the intent is to put this item to bed. He said that the staff will work with the unions to create places to smoke and no one will be criminalized.

Mr. FitzRandolph said that he supports this, his concern is that if we designate an area for those that smoke, to smoke, and someone says no they will not smoke there, how will that be handled. Mr. Nichols yielded to Mr. Maginn. Mr. Maginn said that it is his understanding that if you have a Local Law or a policy, people must abide by those rules on your property. He said that employees would follow the rules set, and visitors would be directed to follow the rules. He said that if this fails, then security would be directed. He also said that if that fails, then appropriate action is taken. Mr. Maginn said that a local law is stronger than a resolution, and is usually addressing a broader area, but in setting policy, a resolution works in this case.

Mr. Gray said that McDonald's has a "no shoes, no shirt, no service" policy that is not law, but is policy.

Resolution No. 194-2003 carried with fourteen (14) yes votes, and one (1) no vote (Romigh).

Finance Committee: 7-28-2003

RESOLUTION NO. 195-2003

AUTHORIZING FILLING OF VACANCIES

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the St. Lawrence County Board of Legislators adopted Resolution No. 38-2003 on February 10, 2003, which created a policy for filling of vacancies, and

WHEREAS, the vacancies listed below have received the approval of being forwarded to the full Board by the Finance Committee,

NOW, THEREFORE, BE IT RESOLVED that the following vacancies are hereby authorized to be filled:

<u>Department</u>	<u>Title</u>	<u>Type</u>	<u>Duration of Position</u>
Economic Development	Keyboard Specialist	Full-Time	Permanent
Public Health	Account Clerk	Full-Time	Permanent
Sheriff's Office	Cook – Jail	Full-Time	Permanent
Sheriff's Office	Cook – Jail	Full-Time	Temporary
Social Services	Seasonal HEAP Social Welfare Examiners (6)	Full-Time	Temporary
Social Services	Seasonal HEAP Clerks (2)	Full-Time	Temporary
Social Services	Seasonal HEAP Keyboard Specialist (1)	Full-Time	Temporary

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* * *

Mr. FitzRandolph moved to adopt Resolution No. 195-2003, seconded by Mr. Morrill and Ms. Brothers, and carried unanimously by a voice vote.

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Finance Committee: 7-28-2003

RESOLUTION NO. 196-2003

TRANSFER OF FUNDS IN THE 2003 BUDGET, COUNTY ATTORNEY

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the Workers' Compensation Assessment account has paid \$330,343 to the State Workers' Compensation Board for 15-8 and 25-A assessments for the year 2003, and

WHEREAS, there will need to be additional payments of \$25,336 due on September 10, 2003, and on December 10, 2003, and

WHEREAS, it will leave the assessment account short \$31,015, and

WHEREAS, it will be necessary to transfer that amount of money from the contingency account to cover those payments as they come due,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Treasurer is hereby authorized to make the following transfer of funds in the 2003 budget:

DECREASE APPROPRIATIONS:

07-LI-1910-497-00-0	SI Contingency Reserve	\$31,015
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INCREASE APPROPRIATIONS:

07-LI-1710-403-02-0	SI Workers' Comp. Board Assessment	\$31,015
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* * *

Mr. FitzRandolph moved to adopt Resolution No. 196-2003, seconded by Mr. Turbett and Ms. Brothers, and carried by a roll call vote with one (1) no vote (Lacy).

Finance Committee: 7-28-2003

RESOLUTION NO. 197-2003

**WORKERS' COMPENSATION SELF-INSURANCE
APPORTIONMENT FOR THE YEAR 2004**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the Finance Committee has reviewed the proposed budget of the Workers' Compensation Program for St. Lawrence County and its municipalities for the year 2004, and

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WHEREAS, the proposed budget has been approved,

NOW, THEREFORE, BE IT RESOLVED that the following apportionment of Workers' Compensation costs for the year 2004 be applied to the participating municipalities of St. Lawrence County:

2004 ASSESSMENT

<u>COUNTY</u>		<u>CITY</u>	
St. Lawrence County	\$1,227,214.03	Ogdensburg	\$157,741.83
 <u>TOWN</u>			
Brasher	\$26,139.69	Macomb	11,656.86
Canton	69,924.56	Madrid	19,618.85
Clare	6,674.35	Massena	274,320.49
Clifton	40,236.42	Morristown	30,565.51
DeKalb	19,208.59	Norfolk	38,995.58
DePeyster	30,171.90	Oswegatchie	38,557.30
Edwards	10,619.91	Parishville	41,939.92
Fine	32,903.67	Piercefield	19,135.77
Fowler	35,820.23	Pierrepont	36,408.02
Gouverneur	38,244.73	Pitcairn	9,329.20
Hammond	28,080.23	Potsdam	98,420.21
Hermon	13,029.58	Rossie	6,767.84
Hopkinton	16,277.68	Russell	21,347.75
Lawrence	10,290.84	Stockholm	21,919.05
Lisbon	32,707.11	Waddington	24,523.28
Louisville	35,847.53		

VILLAGES

Canton	\$89,186.87	Morristown	3,953.14
Edwards	1,852.74	Norwood	14,510.66
Gouverneur	62,143.24	Potsdam	57,699.69
Hammond	2,003.69	Rensselaer Falls	1,715.55
Hermon	1,603.66	Richville	1,342.49
Heuvelton	13,969.94	Waddington	8,581.79
Massena	201,798.03		

TOTAL \$2,985,000.00

* * *

Mr. FitzRandolph moved to adopt Resolution No. 197-2003, seconded by Mr. Nichols.

Mr. Nichols mentioned that one of the newspapers printed an article that was not correct. He said that this has caused confusion among townships. He said that this is for Workers

August 4, 2003

Compensation, and not about the Part B coverage. His original concern was about the workman's comp in general, the County is subsidizing the townships. He deferred to Mr. Brining and Mr. Maginn to explain the difference between the two.

Mr. Brining said that this is not so different from car insurance. If you have no accidents you have spent money that you did not have to spend, but if you do have an accident and insurance has to pay then you are saving money. He said if you look at workman's comp that is what you see. He said that there are three municipalities that have made out. He said that what was being discussed had nothing to do with the Part B coverage.

Mr. Maginn said that Part B coverage comes into play if a municipal employee gets injured and sues the person causing the injury, and they in turn sue the employer. It costs the members of the self-insured plan \$55 thousand per year.

Ms. Cobb said that Roger Watters called and asked questions about this. Mr. Nichols said that towns were looking to get out of it. Ms. Cobb said that she is more confused now than before. She said that there needs to be more clarification. She is confused about if two towns or towns and county worked together would this cover that. She wants to know why the towns would not be happy.

Chair MacKinnon asked Mr. Brining to explain. Mr. Brining said that two or three years ago, the Towns of Oswegatchie and Morristown worked together. He said that there was an accident, it was at that point that we were asked to provide that coverage. He said if you are asking if you pay a fair amount, it is 70/30, does everyone get as much benefit as someone else, the answer is no. He said that it goes back to the automobile insurance scenario that he previously mentioned.

Ms. Cobb said if people are paying in, and it benefits everyone, she is confused as to why it was discussed in a negative way. Chair MacKinnon deferred to Mr. Brining. Mr. Brining said that the towns were looking at other options, as they thought they may find that coverage cheaper. Mr. Maginn said that a lot of the towns and villages are looking at separate issues and why they are in this. He said that we have found that if everyone pulled together it would be cheaper. He said that the Town of Colton has a high assessment. He said that the plan uses assessment and rating as a formula for rates. He said that these communities are questioning if they should stay in or get out. He also said only one community in St. Lawrence County wanted out. He said that when this was being discussed he gave an option to those that wanted out.

Mr. Teele said that this speaks to the resolution, it is about the spreadsheet, there are questions about assessment versus experience. He said that this is a policy decision, and can be changed. He said that we have one town that fell off and we may see more changes later. He said that for further reference we could put this on the Finance agenda in January or February to review this. Mr. Maginn said that August 15th, is the latest date that a municipality can option out. Mr. Teele suggested that we base it more on experience. He feels that the community would be more watchful.

Mr. Brining said that there is a local law in place that we can review every three years. He said that it was reviewed last year. Mr. Teele asked if there is anything that can prevent us from changing this. Mr. Brining said that we could change the local law. He said that you can change

August 4, 2003

the percentage every three years. Mr. Teele said most workers comp carriers work on payroll only. He said that we are stuck by the way the system is set up. Mr. Maginn said that State Law directs us in that way.

Mr. Gray said not everyone on this sheet necessarily wants to be on this sheet. He said that they have to buy themselves out. His concern is for his municipality. He said that the County pays ½ and the municipality pays ½ for them to get out, they cannot afford it. He said that every time there is develop their assessment goes up.

Mr. FitzRandolph asked Mr. Maginn if we have a choice on assessment and experience. Mr. Maginn clarified that State Law dictates the two choices. He said that it can either be total assessment or total experience, or the combination of both. He said that the cap is \$30 thousand dollars.

Mr. Moore said he was on this Board when the towns requested this. He said that the problem with Colton is that they are assessed at full value and have a small workforce. He said that the company that they went with goes by payroll. He said that we discussed this last year. He said that it would be much fairer if this coverage was based on payroll.

Mr. Wilson said that it would be good if Colton had a lower value, but their premium is higher as a direct result of NYMO. He said to keep in mind what Mr. Brining said; everyone would like to recoup their premium. He questions what is the proper ratio. He said it is hard to say. He said that in the end, it is insurance, and it requires a premium.

Resolution No. 197-2003 carried by a voice vote with 13 yes votes and two no votes (Gray and Grow).

Finance Committee: 7-28-2003

RESOLUTION NO. 198-2003

SALE OF TAX ACQUIRED PROPERTY TO THE VILLAGE OF WADDINGTON

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the County is foreclosing on the property listed below for non-payment of taxes, and

WHEREAS, the Village of Waddington has requested the County foreclose on this property and sell it to the Village for one dollar (\$1), and

WHEREAS, the Village of Waddington plans to then sell the parcel to a local citizens group who plans to restore the structure, and

WHEREAS, the prior owner is willing to waive its right of redemption,

August 4, 2003

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer is hereby authorized to sell the below listed parcel to the Village of Waddington, upon receipt of the prior owner's waiver of redemption:

Description of Property in the Village of Waddington:

Prior Owner: Clark House Preservations, Inc. (formerly REO Management Services LLC)

Parcel ID: 021-024-05-13

Location: 12,14 Main Street, Village of Waddington

Taxes Owed: Unpaid tax plus fees and interest - \$39,204.84

* * *

Mr. FitzRandolph moved to adopt Resolution No. 198-2003, seconded by Mr. Romigh, and carried unanimously by a voice vote.

Finance Committee: 7-28-2003

RESOLUTION NO. 199-2003

**ESTABLISHING APPROPRIATION AND REVENUE ACCOUNTS WITHIN
THE ST. LAWRENCE COUNTY BUDGET FOR COMMUNITY DEVELOPMENT
BLOCK GRANT FUNDING**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the County's Direct Homeownership Assistance Project (DHAP) fully committed all available funds earlier in the year and there remains a substantial number of clients awaiting renewal of the project with Community Development Block Grant funds, and

WHEREAS, the County Planning Office has initiated the necessary authorizations in anticipation of the Governor's Office of Small Cities awarding Community Development Block Grant Program to St. Lawrence County for the DHAP program with the intent being to re-engage program participants as soon as possible, and

WHEREAS, having accounts established to process these funds will expedite the funding release process,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorize the Chair to sign the necessary documentation and contract for administration, upon approval of the County Attorney, and authorizes the County Planning

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Office to engage in requisite activities to secure, administer and close-out this grant as may be required, and

BE IT FURTHER RESOLVED that the County Treasurer is hereby authorized to establish the following accounts in the 2003 St. Lawrence County Budget:

INCREASE REVENUE:

01-N1-4910-570-00-0-NH14 CDBG DHAP 2003 \$ 582,500

INCREASE APPROPRIATIONS:

01-N1-8020-460-GP-0-NH14 CDBG DHAP 2003 \$ 582,500

* * *

Mr. FitzRandolph moved to forward Resolution No. 199-2003, seconded by Mr. Grow, and carried unanimously by a roll call vote.

Finance Committee: 7-28-2003

RESOLUTION NO. 200-2003

**AUTHORIZING THE CHAIR TO SIGN CONTRACT TO PROVIDE
ST. LAWRENCE COUNTY WITH PRE-K SPECIAL EDUCATION
PROGRAM TRANSPORTATION SERVICES**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the St. Lawrence County Department of Governmental Services has solicited bids for providing Transportation Services for the Pre-K Special Education program, and

WHEREAS, four firms submitted proposals to provide this service through the St. Lawrence County Public Health Department, and

WHEREAS, the firm of _____ has provided the lowest price bid which meets the specifications, and

WHEREAS, based on unit costs bid and an estimated seventeen bus runs per day the cost per day would be \$ _____, and

WHEREAS, this price would fluctuate based on the actual number of bus runs deemed necessary by the Public Health Department,

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NOW, THEREFORE, BE IT RESOLVED that the Chair of the St. Lawrence County Board of Legislators, after approval by the County Attorney, be authorized to sign a contract with _____ to provide Transportation Services for the Pre-K Special Education Program.

Chair MacKinnon withdrew Resolution No. 200-2003.

Finance Committee: 7-28-2003

RESOLUTION NO. 201-2003

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH S.T.A.R.
AND MODIFYING THE 2003 SOCIAL SERVICES BUDGET**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, St. Lawrence County Board of Legislators would like to implement programs to prevent delinquency and promote education for its children, and

WHEREAS, it has been established that the Student Transition and Recovery Program (S.T.A.R.) is effective in many jurisdictions in helping schools deal with disciplinary problems and reducing the need to place children in foster care, and

WHEREAS, the Department of Social Services has spoken with four (4) districts, Massena Central School, Norwood-Norfolk Central School, Ogdensburg City Schools and St. Lawrence Central School, and they have indicated an interest in participating in the 2003-2004 S.T.A.R. program, and

WHEREAS, the St. Lawrence County Board of Legislators is approving this resolution to demonstrate its support for implementing S.T.A.R. and so it can begin in the fall of 2003, and

WHEREAS, the total cost of the S.T.A.R. program for 2003-2004 is up to \$292,415.58 of which a maximum of \$77,345.46 is the St. Lawrence County cost, pending final decision of the Ogdensburg School District,

NOW, THEREFORE, BE IT RESOLVED that the Chair is hereby authorized to sign a contract with S.T.A.R., Inc. and any other contracts necessary for the implementation of the S.T.A.R. program, up to the aforementioned amounts, upon approval of the County Attorney,

BE IT FURTHER RESOLVED that the County Treasurer is hereby authorized to modify the 2003 budget as follows:

INCREASE APPROPRIATIONS:

01-DA-6010-430-00-S-STAR	D SG STAR Program	\$37,100
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INCREASE REVENUES:

01-DA-3610-560-00-S-STAR D SA STAR Program \$24,115

DECREASE APPROPRIATIONS:

01-B1-1990-497-00-0 B Spec Contingency Account \$12,985

* * *

Mr. FitzRandolph moved to adopt Resolution No. 201-2003, seconded by Mr. Nichols and Mr. Lacy.

Mr. Nichols said that he would like to thank the staff for putting together the documentation showing the success in the participating schools. He said after one year of operation the results, in St. Lawrence County, are mirroring the results in other counties.

Ms. Brothers said she is opposing this resolution as she feels there is no need to expand this service at this time. She said that OFA is voting on this issue tonight, therefore this resolution is premature.

Resolution No. 201-2003 carried by a voice vote with eleven (11) yes votes, and four (4) no votes (Moore, FitzRandolph, Turbett, and Brothers).

Operations Committee: 7-14-2003

RESOLUTION NO. 202-2003

**ACCEPTANCE OF LOCAL GOVERNMENT RECORDS MANAGEMENT
IMPROVEMENT FUND (LGRMIF) GRANT**

By Mr. Grow, Chair, Operations Committee

WHEREAS, St. Lawrence County has applied for and been selected to receive a LGRMIF grant from the New York State Education Department, and

WHEREAS, this grant is for \$20,000 and will assist Family Court with microfilming of Family Court Records, and

WHEREAS, this project will benefit our Records Management Program significantly by decreasing the amount of physical records we are responsible for storing, and

WHEREAS, there is no matching fund requirement for these grants,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the St. Lawrence County Board of Legislators, upon approval of the County Attorney, be authorized to sign the necessary Grant Acceptance Form for the LGRMIF grant from the New York State Education Department.

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* * *

Mr. Grow moved to adopt Resolution No. 202-2003, seconded by Ms. Brothers and Mr. Wilson, and carried unanimously by a voice vote.

Operations Committee: 7-14-2003

RESOLUTION NO. 203-2003

AUTHORIZING THE CHAIR TO SIGN A CONTRACT AND TRANSFER OF FUNDS FOR COURTROOM C, VISITING JUDGE'S CHAMBERS RENOVATION PROJECT

By Mr. Grow, Chair, Operations Committee

WHEREAS, there has been increased use of Courtroom C (Supreme Court), and related Jury Rooms, after the areas were air conditioned and renovated in 1999, and

WHEREAS, the Unified Court System would now like to renovate and modernize the adjacent Visiting Judges Chambers, and attorney waiting area into a multi-purpose area that could be utilized both as a chamber for visiting Judges and a hearing/conference room, and

WHEREAS, this project would be reimbursed 100% by chapter 686 funds from the Unified Court System, and

WHEREAS, Bernier, Carr & Associates, Watertown, NY has submitted a proposal to do the engineering work and prepare bid documents for this project at a cost of \$4,420,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the St. Lawrence County Board of Legislators, upon approval of the County Attorney, is authorized to sign a contract with Bernier, Carr & Associates, Watertown, NY for the engineering work associated with the Courtroom C, Visiting Judge's Chamber Project, and

BE IT FURTHER RESOLVED that the County Treasurer is hereby authorized to make the following budget modifications:

INCREASE APPROPRIATIONS:

01-GB-1620-430-07-0-IMP	Fees for Services, Non-Employee	\$4,420
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INCREASE REVENUES:

01-GB-3089-560-CF-0	Court Facilities Aid	\$4,420
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Mr. Grow moved to adopt Resolution No. 203-2003, seconded by Mr. Turbett and Mr. Cook, and carried by unanimously by a roll call vote.

Operations Committee: 7-14-2003

RESOLUTION NO. 204-2003

**AUTHORIZING THE CHAIR TO SIGN THE
PIERCEFIELD PROJECT SETTLEMENT AGREEMENT**

By Mr. Grow, Chair, Operations Committee

WHEREAS, a Settlement Agreement has been drafted as part of the Relicensing effort for the Piercefield Hydroelectric Project , and

WHEREAS, the agreement is favorable to St. Lawrence County in terms of recreational, fisheries and other environmental values,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby authorize the Chair to sign the Settlement Agreement at such time as it is presented to St. Lawrence County, and upon approval of the County Attorney.

* * *

Mr. Grow moved to adopt Resolution No. 204-2003, seconded by Ms. Brothers, and carried unanimously by a voice vote.

Operations Committee: 7-14-2003

RESOLUTION NO. 205-2003

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT TO DEVELOP AN
ALL HAZARDS, COMPREHENSIVE EMERGENCY MANAGEMENT PLAN**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the New York State Emergency Management Office has approved a grant application for the participation in an All Hazard, Comprehensive Emergency Management Planning Program in the amount of \$46,344, and

WHEREAS, the grant has a stipulation that the plan be complete and approved by December 31, 2003, and

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WHEREAS, the development will include several meetings with all county-wide planning team members to conduct new vulnerability and capability assessments which is mandated within the scope of the grant, and

WHEREAS, the current staff within the Office of Emergency Services would not have the time necessary to complete all tasks and develop the written plan by the deadline, and

WHEREAS, Strategic Teaching Associates, Inc. has proposed that they conduct all activities, with input from staff, to complete the project on schedule for the contract sum of \$20,000, which includes a \$3,750 professional discount to the county,

NOW, THEREFORE BE IT RESOLVED that the Chair of the St. Lawrence County Board of Legislators is authorized to sign a contract with Strategic Teaching Associates, Inc. for an amount not to exceed \$20,000, upon approval of the County Attorney.

* * *

Mr. Grow moved to adopt Resolution No. 205-2003, seconded by Mr. Romigh, and carried unanimously by a voice vote.

Services Committee: 7-21-2003

RESOLUTION NO. 206-2003

**AUTHORIZING THE CHAIR TO SIGN AN AGREEMENT FOR CLIENT SOFTWARE
COMPUTER SUPPORT WITH THE ERIE COUNTY DEPARTMENT OF SENIOR
SERVICES**

By Mr. Cook, Chair, Services Committee

WHEREAS, support for the Office for the Aging's Client Data Base software (PDS) is no longer provided by the NYS Office for the Aging, and

WHEREAS, the Erie County Department of Senior Services has negotiated a support contract for PDS for a consortium of seventeen (including St. Lawrence County) Offices for the Aging in NY State,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the St. Lawrence County Board of Legislators is hereby authorized to sign the Agreement for PDS Software Support with the Erie County Department of Senior Services, upon review and approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution No. 206-2003, seconded by Mr. Grow, and carried unanimously by a voice vote.

August 4, 2003

Services Committee: 7-21-2003

RESOLUTION NO. 207-2003

APPROVING CONTRACT WITH CRIME VICTIMS BOARD

By Mr. Cook, Chair, Services Committee

WHEREAS, St. Lawrence County Probation and District Attorney have again filed a joint application with the New York State Crime Victims Board, and

WHEREAS, we have been notified that St. Lawrence County has been awarded \$247,200 over three years by the Crime Victims Board, and

WHEREAS, \$82,400 will be received for 2003/2004, with a two one-year renewal option for 2004/2005 and 2005/2006, and

WHEREAS, the funds in the same amount each year are used to employ two full-time Victim Services Coordinators, and

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair to sign contracts with the Crime Victims Board for the duration of this grant period, upon approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution No. 207-2003, seconded by Mr. Romigh, and carried unanimously by a voice vote.

Services Committee: 7-21-2003

RESOLUTION NO. 208-2003

AMENDMENT TO THE COMMUNITY SERVICES 2003 BUDGET TO REMAIN HIPAA COMPLIANT

By Mr. Cook, Chair, Services Committee

WHEREAS, it is necessary to be in compliance with HIPAA billing transaction regulations, and

WHEREAS, in order to be in compliance we must purchase desktop licenses for our current IMA system and provide associated training,

NOW, THEREFORE, BE IT RESOLVED that the 2003 Community Services Budget be amended as follows:

August 4, 2003

INCREASE APPROPRIATIONS:

01-A3-4320-430-07-6 A FSS Other Fees And Services \$6,000

INCREASE REVENUE:

01-A3-4490-570-00-6 A FA Fed Salary Sharing-Mental Health \$6,000

* * *

Mr. Cook moved to adopt Resolution No. 208-2003, seconded by Mr. Nichols and carried unanimously by a roll call vote.

Services Committee: 7-21-2003

RESOLUTION NO. 209-2003

**AMENDMENT TO THE COMMUNITY SERVICES 2003 BUDGET AND THE
CREATION OF TEMPORARY POSITIONS FOR DRINKING DRIVING PROGRAM
INSTRUCTORS**

By Mr. Cook, Chair, Services Committee

WHEREAS, the Drinking Driver Program is a 16-hour educational course created by the New York State Department of Motor Vehicles under Vehicle and Traffic Law 1196 for those convicted of driving while intoxicated offenses who are requesting a conditional license, and

WHEREAS, this is a team taught program currently taught by vendors contracted through the Drinking Driver Program, and

WHEREAS, these instructors will be considered non-benefit, casual employees in compliance with the CSEA contract, and they will be appointed temporary which will allow for flexibility if program changes occur, and

WHEREAS, in order to attract, retain responsible and eligible instructors for the Drinking Driver Program, Community Services, Special Programs, proposes that a flat rate salary be set at the rate of \$30 per hour for the Senior Drinking Driver Instructor and \$18.25 per hour for the Drinking Driver Instructors and that it be increased each year by the percentage the Board of Legislators sets for management/non-union employees,

NOW, THEREFORE, BE IT RESOLVED that temporary casual positions be created for Drinking Driver Program Instructors as described above, and

BE IT FURTHER RESOLVED that the 2003 Budget be amended as follows:

August 4, 2003

DECREASE APPROPRIATIONS:

01-A7-3315-430-07-3	Other Fees And Services	\$4,662
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INCREASE APPROPRIATIONS:

01-A7-3315-190-00-3	Temp & Part Time	\$4,120
01-A7-3315-830-00-3	Social Security	\$ 372
01-A7-3315-840-00-3	Workman's Compensation	<u>\$ 170</u>
		\$4,662

* * *

Mr. Cook moved to adopt Resolution No. 209-2003, seconded by Mr. Turbett, and carried unanimously by a roll call vote.

Services Committee: 7-21-2003

RESOLUTION NO. 210-2003

**AUTHORIZING CHAIR TO SIGN AN AGREEMENT WITH
BIG BROTHERS-BIG SISTERS OF NORTHERN NEW YORK FOR THE PROVISION
OF PREVENTIVE SERVICES**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Department of Social Services was given \$15,000 under the TANF Services Plan to provide Big Brothers-Big Sisters services to income-eligible children in this county, and

WHEREAS, Big Brothers-Big Sisters is a nationally-recognized program considered to be a Community-Based Best Practice program in helping older adolescents at risk, and

WHEREAS, the \$15,000 is part of the TANF Services Grant and is designated for Big Brothers-Big Sisters of Northern New York, and

WHEREAS, there is no county cost for this program,

NOW, THEREFORE, BE IT RESOLVED that the Chair is hereby authorized to sign an agreement with Big Brothers-Big Sisters of Northern New York in the amount of \$15,000 for the provision of preventive services, upon approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution No. 210-2003, seconded by Ms. Brothers and carried unanimously by a voice vote.

August 4, 2003

Services Committee: 7-21-2003

RESOLUTION NO. 211-2003

MODIFYING THE 2003 PUBLIC HEALTH DEPARTMENT BUDGET

By Mr. Cook, Chair, Services Committee

WHEREAS, it has been determined that it is in the best interest of the Public Health Department to move a Senior Account Clerk position from the Certified Home Health Agency Program into the Pre-K Program, and

WHEREAS, it has been determined that it is in the best interest of the Public Health Department to move an Account Clerk position from the Pre-K Program into the Certified Home Health Agency Program, and

WHEREAS, such a change would not decrease the receipt of Article 6 NYS State Aid, but would be beneficial to the cost reflected in the Annual Home Healthy Agency Cost Reports as prepared by Venesky,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the County Treasurer to transfer funds:

TRANSFER FROM:

01-PH-4189-140-00-0	CHHA Clerical Worker	\$1129
01-PH-4189-810-00-0	CHHA Retirement	109
01-PH-4189-830-00-0	CHHA Social Security	77
01-PH-4189-840-00-0	CHHA Workmens Comp	<u>74</u>
		\$1389

TRANSFER TO:

01-PK-4050-140-00-0	Pre-K Clerical Worker	\$1129
01-PK-4050-810-00-0	Pre-K Retirement	109
01-PK-4050-830-00-0	Pre-K Social Security	77
01-PK-4050-840-00-0	Pre-K Workmens Comp	<u>74</u>
		\$1389

* * *

Mr. Cook moved to adopt Resolution No. 211-2003, seconded by Mr. Romigh. Mr. FitzRandolph said that due to the budgetary matter the county appreciated Mr. Venesky addressing this Board. He was impressed by Mr. Venesky's high level of confidence, and his professionalism, and his ability to articulate. He said that he learned a lot in a short period of time. Mr. Turbett suggested that we invite Mr. Venesky back in six months to provide an update on progress.

August 4, 2003

Services Committee: 7-21-2003

RESOLUTION NO. 212-2003

**AUTHORIZING THE CHAIR TO SIGN CONTRACTS FOR ANCILLARY SERVICES,
PUBLIC HEALTH DEPARTMENT**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department engages the services of several individuals and agencies to provide ancillary services to Certified Home Health Agency, Long Term Home Health Care Program, Early Intervention Program, and Pre-K Program, and

WHEREAS, these contracts cover the following services at the following rates:

Individual Physical Therapy	\$ 42/visit	North Coast Therapy	\$ 42/visit
eval	108/core evaluation		108/core
IFSP mtg	42/initial IFSP mtg		42/initial
eval	150/suppl evaluation		150/supple
travel	35-42/2 hours travel		55/2 hours
Individual Speech Therapy	\$ 42/visit	Individual Resp	\$ 30/visit
trvl	108/core evaluation	Therapist	35/2 hours
	42/initial IFSP mtg	Individual Med Rec	\$ 25/hour
	75/Audiology visit	Practitioner	
	150/supple eval		
	35/2 hours travel		
St. Joseph's Nrsng Home	\$ 42/day	Physician's Assist	\$ 45/hour
Social Day Care/LTC		HIV/STD, Travel, TB, Lead	
Programs			
CPH Neuro-Rehab	\$ 50/visit		
Speech Therapy	65/eval		

WHEREAS, these contracts cover a period of one year,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes its Chair to sign said contracts, upon approval of the County Attorney.

August 4, 2003

* * *

Chair MacKinnon withdrew Resolution No. 212-2003.

Services Committee: 7-21-2003

RESOLUTION NO. 213-2003

REQUESTING CHAIR SIGN AMENDMENT OF THE 2003 PUBLIC HEALTH DEPARTMENT CONTRACT, HEALTHY LIVING PARTNERSHIP

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department has received notification that the funding for the existing contract year remains the same, changes have been made to Appendix A-1 of the original contract, and

WHEREAS, this contract has been amended to identify the NYS Attorney General's Office as the repository of charitable organization registrations, and

WHEREAS, subrecipient audit submissions have been entirely revised to include updated references to OMB circulars, details of the subrecipient audit submission compliance policy for non-submission of timely and audit reports, and changes to monetary thresholds for submission of audit reports, and

WHEREAS, updates to the discrimination clauses in Sections 7 and 8 include sexual orientation, and

WHEREAS, St. Lawrence County Public Health Department had been notified that the Healthy Living Partnership Grant had received increased funding from Health Research, Inc. for September 30, 2002, through June 29, 2003, in the amount of \$54,000, and

WHEREAS, these funds will be used for breast, cervical and colorectal cancer screenings for patient services,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes the Chair to sign said agreement, upon approval of the County Attorney, and

BE IT FURTHER RESOLVED that the St. Lawrence County Treasurer is authorized to make the following budget modification in the 2003 Budget:

INCREASE APPROPRIATIONS:

01-PW-4010-430-04-0-HLPG	Medical Fees	\$54,000
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August 4, 2003

INCREASE REVENUES:

01-PW-3472-560-00-0-HLPG	Healthy Living Partnership	\$54,000
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* * *

Mr. Cook moved to adopt Resolution No. 213-2003, seconded by Ms. Cobb, and carried unanimously by a roll call vote.

Services Committee: 7-21-2003

RESOLUTION NO. 214-2003

**MODIFYING THE PUBLIC HEALTH DEPARTMENT EMERGENCY
PREPAREDNESS BUDGET FOR 2003**

By Mr. Cook, Chair, Services Committee

WHEREAS, the Emergency Preparedness Grant with the NYSDOH ends August 31, 2003, and

WHEREAS, the current funding needs to be expended by that time, and

WHEREAS, in order to spend down the money the current budget needs to be modified

NOW, THEREFORE, BE IT RESOLVED that the 2003 Public Health Budget is modified as follows:

DECREASE APPROPRIATIONS:

01-PP-4010-419-02-0-EP	Commercial Printing	\$ 2,500
01-PP-4010-424-02-0-EP	ID Postage	800
01-PP-4010-430-07-0-EP	Other Fees	1,900
01-PP-4010-445-00-0-EP	Other Travel	3,200
01-PP-4010-451-00-0-EP	Medical Supplies	3,500
01-PP-4010-499-00-0-EP	Miscellaneous	<u>6,500</u>
		\$18,400

INCREASE APPROPRIATIONS:

01-PP-4010-260-00-0-EP	Other Equipment	\$11,900
01-PP-4010-423-06-0-EP	I/D Other Phones Services	<u>6,500</u>
		\$18,400

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Mr. Cook moved to adopt Resolution No. 214-2003, seconded by Mr. Grow and Ms. Brothers, and carried unanimously by a roll call vote.

Services Committee: 7-21-2003

RESOLUTION NO. 215-2003

AUTHORIZING THE CHAIR TO SIGN SERVICE AGREEMENT WITH ST. LAWRENCE COUNTY HEALTH INITIATIVE, INC., AND MODIFYING THE 2003 BUDGET IN REGARDS TO THE PUBLIC HEALTH NUTRITION GRANT

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department has received notification that it has been awarded grant funding to support Head Start Nutrition Education Program in the amount of \$4,000, and

WHEREAS, these funds are provided by the St. Lawrence County Health Initiative, Inc., and

WHEREAS, these funds are to be utilized to conduct nutrition education in the St. Lawrence County Head Start Program,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes the Chair to sign said service agreement, upon approval of the County Attorney, and

BE IT FURTHER RESOLVED that the 2003 budget be modified as follows:

INCREASE APPROPRIATIONS:

01-PU-4010-170-00-0-NUTR	Direct Service Workers	\$1,125
01-PU-4010-420-00-0-NUTR	Office Supplies	<u>1,300</u>
		\$2,425

DECREASE APPROPRIATIONS:

01-PU-4010-419-02-0-NUTR	Printing	\$1,200
01-PU-4010-426-00-0-NUTR	Books and Periodicals	200
01-PU-4010-430-07-0-NUTR	Other Fees and Services	3,925
01-PU-4010-443-00-0-NUTR	Mileage Reimbursement	900
01-PT-4010-445-00-0-TCPG	Other Travel	<u>200</u>
		\$6,425

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DECREASE REVENUES:

01-PU-1601-550-00-0-NUTRP NUTR Local Revenue \$4,000

* * *

Mr. Cook moved to adopt Resolution No. 215-2003, seconded by Mr. Nichols. Ms. Cobb said that she will abstain from this vote as this pertains to the Health Initiative. She thanked Public Health for doing a good job with this program. Resolution No. 215-2003 carried by a roll call vote, with one (1) abstention.

Services Committee: 7-28-2003

RESOLUTION NO. 216-2003

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH S.T.A.R.
AND MODIFYING THE 2003 SOCIAL SERVICES BUDGET**

By Mr. Cook, Chair, Services Committee

WHEREAS, St. Lawrence County Board of Legislators desires to implement programs to prevent delinquency and promote education for its children, and

WHEREAS, it has been found the Student Transition and Recovery Program (S.T.A.R.) to be effective in many jurisdictions in helping schools deal with disciplinary problems and reducing the need to place children in foster care, and

WHEREAS, the Department of Social Services has had conversations with four (4) districts, Massena Central School, Norwood-Norfolk Central School, Ogdensburg City Schools, and St. Lawrence Central School, and they are interested in participating in the 2003-2004 S.T.A.R. program, and

WHEREAS, the St. Lawrence County Board of Legislators is approving this resolution to demonstrate its support for implementing S.T.A.R. and so that the program can start in the fall of 2003, and

WHEREAS, the total cost of the 2003-2004 S.T.A.R. program is \$292,445.58 of which \$77,345.46 is the cost to St. Lawrence County,

NOW, THEREFORE, BE IT RESOLVED that the Chair is hereby authorized to sign a contract with S.T.A.R., Inc. and any other contracts necessary for the implementation of the S.T.A.R. program, upon approval of the County Attorney, and

BE IT FURTHER RESOLVED that the County Treasurer is hereby authorized to modify the 2003 budget as follows:

August 4, 2003

INCREASE APPROPRIATIONS:

01-DA-6010-430-00-S-STAR	D SG STAR Program	\$37,100
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INCREASE REVENUES:

01-DA-3610-560-00-S-STAR	D SA STAR Program	\$24,115
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DECREASE APPROPRIATIONS:

01-B1-1990-497-00-0	B Spec Contingency Account	\$12,985
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* * *

Chair MacKinnon withdrew Resolution No. 216-2003.

Mr. Gray recognized Darrel Aubertine, Assemblyman, 118th District. Honorable Aubertine said that he did not intend to speak, but is here only to observe. He said that the meeting was very well done, and that he applauds the good work that this Board is doing. He looks forward to the next two years as well as today's picnic.

COUNTY ADMINISTRATOR:

Mr. Brining said that he has two items to discuss. The first is to remind everyone that the DEC meeting with the Deputy Commissioner along with the tour of Colton is tomorrow at 1:00 p.m. He mentioned everyone that was on the RSVP list so far.

Mr. Brining also mentioned that in the Legislators' mailboxes today, are the suggested review dates for Budget. He said that if there are conflicts with several people, the dates can be changed. He mentioned that we added some Wednesdays, we have not done that in the past. He said that the 17th of November is the date that the Finance Committee presents any changes to the Tentative Budget. He will present the Tentative Budget on October 6th, and begin budget reviews on October 14th.

Chair MacKinnon said that for anyone that does not know, if the Administrator's budget has not been adopted by the Board of Legislators, it becomes "The Budget" on December 20th. He said that our budget does not work like the State's where it can go on forever.

Ms. Brothers asked if the Budget can be modified after December 20th. Chair MacKinnon said that the budget can be modified, but the tax levy can not be changed.

Mr. Nichols said that concerning "canned shoot legislation", he spoke with Aubertine and Wright, and he has received a letter from Wright in opposition to that bill. He urges everyone to express this to the Legislators. Mr. Nichols also asked if there is a way for constituents to get

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current local weather or emergency information. Chair MacKinnon said that perhaps Emergency Services could report on that at the Operations Committee.

EXECUTIVE SESSION - There was no need for an Executive Session.

OLD/NEW BUSINESS - There was none.

Mr. Nichols moved to adjourn the meeting at 2:30 p.m., as there was no further business, seconded by Mr. Grow, and carried unanimously by a voice vote.

September 8, 2003

St. Lawrence County
Board of Legislators
Board Room

Board Meeting
Monday, September 8, 2003
7:00 p.m.

Chair MacKinnon called the meeting to order at 7:00 p.m.

ROLL CALL: All Legislators present.

Mr. Wilson led everyone in prayer, followed by the Pledge of Allegiance.

MINUTES: There were no minutes to approve.

Mr. Wilson moved to suspend the rules for the presentation of resolutions, seconded by Mr. FitzRandolph, and carried unanimously by a voice vote. The rules were suspended.

PRESENTED UNDER SUSPENSION OF THE RULES

RESOLUTION NO. 217-2003

**COMMEMORATING THE SECOND ANNIVERSARY
OF SEPTEMBER 11th ATTACK**

By Mr. Wilson, Mr. Teele, Mr. Nichols, Mr. MacKinnon, Mr. Lacy,
Mr. Morrill, Mr. Moore, Ms. Cobb, Mr. FitzRandolph, Mr. Turbett,
Mr. Cook, Ms. Brothers, Mr. Grow, Mr. Gray, and Mr. Romigh

WHEREAS, two years ago this week, Tuesday, September 11, 2001, there were sudden, unprovoked attacks by terrorists on the United States of America, and

WHEREAS, an unprecedented, historic bonding of Americans arose from the collective shock, unifying the Country in an outpouring of national spirit, pride, selflessness, generosity, courage and service, and

WHEREAS, many brave people heroically, tirelessly and courageously participated in an extraordinarily difficult and dangerous rescue and recovery effort, and

WHEREAS, members of the armed forces continue to defend America in the Global War on Terrorism, and

WHEREAS, it is important that we always remember September 11, 2001, and take the time to recall the tragic events of that day, the loss of life, and those who continue to fight terrorism throughout the world,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby call on all citizens to remember the tragic events of September 11, 2001; and to remember all those who were killed or injured; as well as the families of those parties and all those who continue to defend America in the Global War on Terrorism, and

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BE IT FURTHER RESOLVED that citizens are encouraged to honor the memory of these brave people by observing a moment of silence at 8:46 a.m. on Thursday, September 11, 2003, observing the time the first plane struck the North Tower of the World Trade Center.

* * *

Mr. Nichols moved to adopt Resolution No. 217-2003, seconded by Mr. Grow, Ms. Brothers, and Mr. Morrill, and carried unanimously by a voice vote. Mr. Nichols requested a moment of silence to honor those who lost their lives on September 11th, 2001.

COMMUNICATIONS: The Deputy Clerk read the following communications:

1. A letter was received from the Adirondack North Country Association inviting all Legislators to the 2003 Legislative Forum and luncheon to be held on September 25th in Blue Mountain Lake. It has been requested that reservations be made by September 15th.
2. A letter was received from Morning Star Homes President David Sandburg, regarding his opinion on the potential impact of raising sales tax. He provided a businessman's perspective and outlined the importance of Canadians who shop in St. Lawrence County. He suggested that the challenge will be to reduce spending throughout the County and that a citizen's advisory committee composed of local businesspeople could be formed to assist in the efforts.
3. A letter was received from Diane Colbert, which expressed her appreciation for the opportunity to address the Finance Committee regarding the Patriot Act.
4. A note of appreciation was received from Hospice of St. Lawrence Valley regarding the contribution that was made in memory of Donald Kitchen.

CITIZEN PARTICIPATION:

Diane Colbert spoke on behalf of the Northern New York Bill of Rights Defense Committee regarding the Patriot Act. She said she is in opposition of this Act. She mentioned that the erosion of our civil liberties did not begin on September 11th. There have been one hundred and fifty-seven resolutions passed in municipalities in opposition to the Patriot Act. On July 24th, a report was released regarding the investigation into the September 11th. She elaborated on some specifics. She explained her opinion of what John Ashcroft is up against.

Joanne Monnett spoke regarding the Libertarian party and she read their beliefs. She explained that she thinks the Patriot Act is too intrusive. She said she thinks we should vote against this.

Margaret Wattsman spoke more regarding the Patriot Act and the eighty-seven billion dollars being requested for the rebuilding of Iraq. She is concerned about the refusal of information. She thinks it will only get worse.

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Richard Palillo spoke regarding the Patriot Act. He spoke about a sixty-year-old neighbor who has peculiar reading habits. He said she is inhibited to check certain books out of the library. He said he also has a broad range of Internet usage and reading habits.

Larry Seguin spoke in support of the Patriot Act to make way for the Victory Act. He read a quote from the Washington Post. He said they attempt to link the war on drugs and the war on terrorism.

Lee Monnett spoke regarding the Patriot Act. He noted an article from Austin, Texas and a boycott that took place over the Patriot Act. He said at one recent meeting it was stated that the Patriot Act was not abused. He said he agreed with it.

George Taite spoke against the Patriot Act. He said it loses respect for the United States. He explained one example of a Canadian friend's fears of visiting the United States.

Russ Nelson spoke about the fact that we are at war. He said that we cannot sit here and fail to defend the constitution. He said if we allow the government to persecute the constitution then we are not taking care of our jobs as Americans. He said we should pass this opposition to the Patriot Act.

Dawn Williamson thanked the Board of Legislators for bringing forward this resolution forward. She said she is for the Bill of Rights and the Patriot Act is very unpatriotic. She explained her background and the profession of her ancestors. She said they were not involved with government. She has broken the mold and voted since she was eighteen. She said it is patriotic to support the bill of rights. Her son is in Iraq.

Michelle LeClair spoke regarding the type of vote that the Patriot Act is bringing forward. She said this is a citizen uprising and it is important for us to hold our government accountable for attempting to take away rights, etc. She explained how important this vote is and the fact that Legislators may be held to the vote they make tonight. She asked Legislators to be aware of how important this is.

Bill Hull thanked the Board of Legislators and hopes they will pass the Resolution.

Mr. Morrill requested the Patriot Act Resolution be moved up on the agenda to be the next item.

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PRESENTATION OF RESOLUTIONS:

Finance Committee: 8-25-2003

RESOLUTION NO. 218-2003

OPPOSING THE PATRIOT ACT

By Mr. FitzRandolph, Chair, Finance Committee

Co-Sponsored by

Ms. Brothers, District 12

Ms. Cobb, District 8

Mr. Morrill, District 6

Mr. Turbett, District 10

WHEREAS, according to Thomas Jefferson, “Dissent is the highest form of patriotism,”
and

WHEREAS, St. Lawrence County and its citizens strongly support all lawful and Constitutional efforts to prevent and investigate terrorist or other criminal acts and prosecute their perpetrators, and

WHEREAS, St. Lawrence County and its citizens believes that sufficient Constitutionally acceptable tools existed, prior to the passage of the “USA Patriot Act” or other such restrictive acts, for law enforcement to accomplish their intended lawful purpose, and

WHEREAS, St. Lawrence County and its citizens believes that any act, enactment, law, or legislation, etc., which dilutes, weakens, or denies the State and/or Federal Constitutionally guaranteed rights of the citizen is void from its inception, is unenforceable in our jurisdiction, and should be quashed, repealed, or found by a court of jurisdiction to be unconstitutional in part or in full, as appropriate, to protect the Rights and Freedom of the Citizenry,

NOW, THEREFORE, BE IT RESOLVED that we, the St. Lawrence County Board of Legislators urge our Congressional Representatives to review, examine, and propose amendment or repeal of those portions of the USA Patriot Act of 2001 that restrict or infringe various civil rights and liberties recognized and guaranteed by the Constitution of the United States,

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to our Congressional Representatives informing them of our position.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 218-2003, seconded by Ms. Brothers, Mr. Morrill, and Mr. Turbett.

Mr. Brothers thanked everyone here who has expressed an opinion this evening. She said in a democracy, it is open conversations that guarantee our freedom. It is the right to pursue

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information freely that ensures our rights as citizens under the protection of the Bill of Rights. Over the past week and a half, she said she has received many emails and phone calls from constituents thanking her for standing up and speaking out on this issue. She said she pointed out to these people that she is not alone and that nine other Legislators have taken the same position. She said she respectfully maintained that the Patriot Act is an unnecessary piece of legislation that serves no worthwhile purpose. The powers of the enforcement agencies of the government have sufficient tools at their disposal to investigate and deal with criminals and terrorists. We must not sacrifice our liberty out of fear for our security. Consequently, she said she would support this resolution regarding Opposition to the Patriot Act and urge its passage so that we may go on with other business of importance to our citizens.

Mr. Turbett requested a roll call vote.

Mr. Wilson said the Constitution is not a suicide pact. It is not to be trifled with. He said not one person who spoke out this evening provided any example of abuse to those not involved with terrorism. He said he would have preferred to be a Japanese American in 1949 instead of a soldier. He said this is for those targeted for terrorism. He explained the thoughts behind terrorist's acts of this nature. He asked who could argue against the bill of rights. He said this is the Zacharai Moussau protection act. He said no one is going to take on the United States in any military fashion. He said there are all types of people who represent the United States. The federal courts have not decided on this issue. He said to consider this an invasion of civil rights is wrong. He said it goes back to nineteenth century terrorism. Mr. Wilson said we are at war with radical Islamic Fundamentalism. The cold war cost six trillion and it is the same as the national debt. He said he will not feel bad about his vote on this issue and he will not feel bad in a few years, the suggestion is laughable. He suggested leaving it to the French.

Chair MacKinnon explained the process for addressing the Board of Legislators; the need for attention and silence while someone is speaking is necessary.

Mr. FitzRandolph said he would be brief. He said he had not planned to speak to this resolution, but now cannot resist. He strongly disagrees with Mr. Wilson, even though they are colleagues and friends. He suggested that the good people of America are stepping forward to express their opinions on this issue. He said also that the many phone calls and the many people present tonight represent many political views (Libertarian, ACLU, Conservative, etc.). He said that does not make them right or wrong. Sometimes, the elected officials are better informed by the nature of their jobs. However, in this case that is not true. The people are very well informed on this issue. He said there is one point on which he does agree with Mr. Wilson; we must be careful not to destroy the very principles on which this Country was founded. Since the Patriot Act does undermine those principles, he will support the resolution.

Mr. Nichols said he is ill equipped to rival earlier speakers. He reiterated that the rules have changed. He said he hopes the fervor with which this issue is discussed rolls over into other issues. He said he challenges everyone here to maintain the vigilance on other issues. Not many of the issues in his ten years have received this type of attention. He said the resolution in its "imperfectness", improper grammar used on purpose, does have some good intentions. He said we should not put our civil liberties at risk, under no circumstances. He said as a law-abiding society, we have to know that the government is attempting to get the "bad guys." He said the

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Patriot Act is a start and not perfect but is undergoing revisions. He said back when Pearl Harbor was attacked, some changes had to be made. This Patriot Act does have a sunset of 2005.

Mr. Gray said as he listened to people tonight one message came through loud and clear, an indictment of our legislative branch of government. Some of our Senators and Assemblypeople who voted for the Patriot Act without reading it. He would not ever vote on a resolution that he had not read. No one's vote will change, here we sit practicing futility and he is not sure how much longer it should go on. He has received many phone calls about jobs and taxes and the budget, stating those are the imminent issues. No one's vote will change on this resolution.

Ms. Cobb said she would like to respond to a couple comments, specifically one made by Mr. Nichols. She said Mr. Nichols mentioned something regarding Congressman McHugh and the starting point of the Patriot Act. She made a reference to the old adage, tossing the baby out with the bath water.

Mr. Romigh said he has two children and his grandchildren who are not here yet. He will not be ashamed of the act or his vote. He asked if anyone here tonight has ever been impacted by this Patriot Act. He has a wide-ranging reading interest and is not ashamed of it. He will not support this.

Mr. Wilson said in response to a couple comments, regarding terrorism and conspiracy. He said conspiracy is a very tough thing to prove. He said there is one thing everyone here can agree on and that is, we would not want to trample on our civil liberties. He made a history reference regarding the Spanish Inquisition. He said he would join with those who oppose the Patriot Act, if he had any example of actual events. He cannot speak for everyone. He said this is to protect against aliens, terrorists, etc. Finally, he reflexively goes against anything that the city of Berkeley California supports. That is where it originated.

Mr. Gray wished to respond to some of Ms. Cobb's comments regarding forwarding resolutions to the State and Federal levels. He said the resolutions are mostly budget impact types.

Ms. Brothers said this has been interesting discussion and she is grateful to the people who came here tonight. She thinks this has been productive and time well spent. She said she is a true believer of Constitution, and said thank you.

Mr. Turbett said people are here because this does affect them and it does affect all of us and he will support the resolution.

Mr. FitzRandolph disagreed with the comment that too much time was spent on this issue and said approximately five times that amount was spent on the perch fishing issue.

Mr. Morrill called the question, seconded by Mr. Nichols, and carried by a voice vote.

Resolution 218-2003 was adopted by a roll call vote with ten (10) yes votes, and five (5) no votes (Gray, Grow, Nichols, Romigh, and Wilson).

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Finance Committee: 8-25-2003

RESOLUTION NO. 219-2003

**AUTHORIZING A REQUEST BY THE
FREDERIC REMINGTON ARTS FESTIVAL FOR USE OF
THE H.B. SMITH PARKING LOT**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the Frederic Remington Arts Festival Committee has requested the use of the H.B. Smith Parking lot for the Frederic Remington Arts Festival on October 3, 2003 and October 4, 2003, and

WHEREAS, the Village of Canton has agreed to sign an agreement that would hold the County harmless from any and all liability arising from the use of the parking lot,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair of the Board to sign an agreement with the Village of Canton for use of the H.B. Smith parking lot for the Frederic Remington Arts Festival, upon approval by the County Attorney.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 219-2003, seconded by Mr. Nichols, and carried unanimously by a voice vote.

Finance Committee: 8-25-2003

RESOLUTION NO. 220-2003

REAL PROPERTY TAX LAW (CORRECTION OF ERRORS)

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, Sections 553, 554, 555, 556 and 558 of the Real Property Tax Law allow for certain corrections of errors to be made with regard to the assessment and tax rolls, and

WHEREAS, the Director of the Real Property Tax Office has investigated and determined that certain errors have occurred pursuant to the section 558 of the Real Property Tax Law, and

WHEREAS, the Director of the Real Property Tax Office has provided a list of such errors, which shall be known as CORRECTION OF ERRORS - REAL PROPERTY TAX LAW LIST # 1 FOR THE YEAR 2003, and

WHEREAS, such list is on file with the Clerk in the Board of Legislators' Office,

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NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators directs that such corrections be made as recommended and that the Clerk provide to the Director of Real Property Tax Services and to the St. Lawrence County Treasurer a copy of this resolution along with the certified list # 1 so that appropriate corrections can be processed, and

BE IT FURTHER RESOLVED that the County Treasurer is hereby directed to cancel the amount of taxes pursuant to §558 Real Property Tax Law on the following parcel acquired by the Federal Government on April 23, 2002.

List # 1	
NAME	UNITED STATES GOV'T. c/o THOMAS HUGHES
ST. LAWRENCE COUNTY	TOWN OF MACOMB
TAX ROLL YEAR	2003
TAX MAP #	143.001-2-6
ORIGINAL BILL	\$1,636.67
CORRECTED BILL	\$0
REASON	CANCELLATION PER §558 RPTL
REFUND	N/A
CHARGEBACK TOTAL	N/A

* * *

Mr. FitzRandolph moved to adopt Resolution No. 220-2003, seconded by Mr. Nichols, and carried by a voice vote with one abstention (Lacy). Mr. Lacy said he would abstain because his realty company is involved with the sale.

Finance Committee: 8-25-2003

RESOLUTION NO. 221-2003

**REMOVING PARCELS FROM PUBLIC AUCTION,
SALE OF TAX ACQUIRED PROPERTY TO
THE VILLAGE OF GOUVERNEUR**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, St. Lawrence County is preparing to sell the four parcels listed below (previously owned by Joseph A. Lathwood) for non-payment of taxes, and

WHEREAS, the Village of Gouverneur is interested in acquiring these four adjacent parcels with the intent of building a municipal boat ramp and a mini park,

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NOW, THEREFORE BE IT RESOLVED that the County Treasurer is hereby authorized to withdraw these parcels from the tax sale and sell them each for \$1.00 to the Village of Gouverneur, and

BE IT FURTHER RESOLVED that this sale is pending the owner's right to redeem the property for the payment of taxes up to 5 p.m., October 3, 2003.

Description of Property

Municipality: Village of Gouverneur
Prior Owner: Joseph A. Lathwood
Parcel ID: 173.032-10-12; 173.032-10-13; 173.032-10-14; 173.032-10-15
Location: River Street
Property Class: Vacant land
Taxes Owed: \$10,272.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 221-2003, seconded by Mr. Nichols, and carried unanimously by a voice vote.

Finance Committee: 8-25-2003

RESOLUTION NO. 222-2003

**REMOVING PARCEL FROM PUBLIC AUCTION,
SALE OF TAX ACQUIRED PROPERTY TO
THE TOWN OF LAWRENCE**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, St. Lawrence County is preparing to sell the property listed below for non-payment of taxes, and

WHEREAS, the Town of Lawrence is interested in acquiring this abandoned rail line with the intent of building a snowmobile trail,

NOW, THEREFORE BE IT RESOLVED that the County Treasurer is hereby authorized to withdraw this parcel from the tax sale and sell it for \$1.00 to the Town of Lawrence, and

BE IT FURTHER RESOLVED that this sale is pending the owner's right to redeem the property for the payment of taxes up to 5 p.m., October 3, 2003.

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Description of Property

Municipality: Town of Lawrence
Prior Owner: PMC Development Corp.
Parcel ID: 36.002-3-4
Location: Cemetery Road
Property Class: Vacant land
Taxes Owed: \$5,268.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 222-2003, seconded by Mr. Grow, and carried unanimously by a voice vote.

Finance Committee: 8-25-2003

RESOLUTION NO. 223-2003

**REMOVING PARCELS FROM PUBLIC AUCTION,
SALE OF TAX ACQUIRED PROPERTY TO
THE TOWN OF NORFOLK**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, St. Lawrence County is preparing to sell the property listed below for non-payment of taxes, and

WHEREAS, the Town of Norfolk is interested in acquiring these parcels which adjoin Town property,

NOW, THEREFORE BE IT RESOLVED that the County Treasurer is hereby authorized to withdraw these parcels from the tax sale and sell them each for \$1.00 to the Town of Norfolk, and

BE IT FURTHER RESOLVED that this sale is pending the owner's right to redeem the property for the payment of taxes up to 5 p.m., October 3, 2003.

Description of Property

Municipality:	Town of Norfolk	
Prior Owner:	Thomas Fiacco	Thomas Fiacco
Parcel ID:	32.058-4-12	32.058-4-13
Location:	Main Street	Main Street
Property Class:	Vacant land	Vacant land
Taxes Owed:	\$2,595.	\$3,180.

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* * *

Mr. FitzRandolph moved to adopt Resolution No. 223-2003, seconded by Ms. Brothers, and carried unanimously by a voice vote.

Finance Committee: 8-25-2003

RESOLUTION NO. 224-2003

**REMOVING PARCEL FROM PUBLIC AUCTION,
SALE OF TAX ACQUIRED PROPERTY TO
THE VILLAGE OF NORWOOD**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, St. Lawrence County is preparing to sell the property listed below for non-payment of taxes, and

WHEREAS, the Village of Norwood is interested in acquiring this property for use as a municipal parking lot,

NOW, THEREFORE BE IT RESOLVED that the County Treasurer is hereby authorized to withdraw this parcel from the tax sale and sell it for \$1.00 to the Village of Norwood, and

BE IT FURTHER RESOLVED that this sale is pending the owner's right to redeem the property for the payment of taxes up to 5 p.m., October 3, 2003.

Description of Property

Municipality:	Village of Norwood
Prior Owner:	William Plunkett
Parcel ID:	42.074-2-26
Location:	22, 24 Mechanic Street
Property Class:	Garage & land
Taxes Owed:	\$4,504.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 224-2003, seconded by Ms. Brothers, and carried unanimously by a voice vote.

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Finance Committee: 8-25-2003

RESOLUTION NO. 225-2003

**REMOVING PARCEL FROM PUBLIC AUCTION,
SALE OF TAX ACQUIRED PROPERTY TO
THE TOWN OF OSWEGATCHIE**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, St. Lawrence County is preparing to sell the property listed below for non-payment of taxes, and

WHEREAS, the Town of Oswegatchie is interested in acquiring this parcel, which has a burned out structure, the Town plans to clean up and utilize for Town purposes,

NOW, THEREFORE BE IT RESOLVED that the County Treasurer is hereby authorized to withdraw this parcel from the tax sale and sell it for \$1.00 to the Town of Oswegatchie, and

BE IT FURTHER RESOLVED that this sale is pending the owner's right to redeem the property for the payment of taxes up to 5 p.m., October 3, 2003.

Description of Property

Municipality:	Town of Oswegatchie
Prior Owner:	Jeffrey M. LeClaire
Parcel ID:	60.003-1-7
Location:	Intersection of Bishop Road & Irish Settlement Road
Property Class:	Rural vacant
Taxes Owed:	\$978.00

* * *

Mr. FitzRandolph moved to adopt Resolution No. 225-2003, seconded by Mr. Nichols, and carried unanimously by a voice vote.

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Finance Committee: 8-25-2003

RESOLUTION NO. 226-2003

**REMOVING PARCELS FROM PUBLIC AUCTION,
SALE OF TAX ACQUIRED PROPERTY TO
THE VILLAGE OF POTSDAM**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, St. Lawrence County is preparing to sell the property listed below for non-payment of taxes, and

WHEREAS, the Village of Potsdam is interested in acquiring these parcels with the intent of removing or rehabilitating blighted property in the Village,

NOW, THEREFORE BE IT RESOLVED that the County Treasurer is hereby authorized to withdraw these parcels from the tax sale and sell them each for \$1.00 to the Village of Potsdam, and

BE IT FURTHER RESOLVED that this sale is pending the owners' right to redeem the property for the payment of taxes up to 5 p.m., October 3, 2003.

Description of Property

Municipality:	Village of Potsdam		
Prior Owner:	Brian McCormick	Mr. Kletnieks	Chris Dunn
Parcel ID:	64.051-7-21	64.068-2-24	64.068-2-25
Location:	2 Garden Street	1 Grant Street	3 Grant Street
Prop. Class:	2 family dwelling	2 family dwelling	1 family dwelling
Taxes Owed:	\$6,166.	\$7,113.	\$8,449.
Prior Owner:	Beneficial Homeowner	NC Resources	
Parcel ID:	64.050-3-24	64.059-11-21	
Location:	7 Walnut Street	22 Main Street	
Prop. Class:	1 family dwelling	3 family dwelling	
Taxes Owed:	\$12,009.	\$27,009.	

* * *

Mr. FitzRandolph moved to adopt Resolution No. 226-2003, seconded by Mr. Turbett, and carried unanimously by a voice vote.

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Finance Committee: 8-25-2003

RESOLUTION NO. 227-2003

**REMOVING PARCEL FROM PUBLIC AUCTION,
SALE OF TAX ACQUIRED PROPERTY TO
THE HERMON VOLUNTEER FIRE DEPARTMENT**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, St. Lawrence County is preparing to sell the property listed below for non-payment of taxes, and

WHEREAS, the Hermon Volunteer Fire Department is interested in acquiring this parcel, which adjoins the fire station,

NOW, THEREFORE BE IT RESOLVED that the County Treasurer is hereby authorized to withdraw this parcel from the tax sale and sell it for \$1.00 to the Hermon Volunteer Fire Department, and

BE IT FURTHER RESOLVED that this sale is pending the owner's right to redeem the property for the payment of taxes up to 5 p.m., October 3, 2003.

Description of Property

Municipality:	Village of Hermon
Prior Owner:	Harold Frisco
Parcel ID:	132.029-10-17
Location:	126 Church Street
Property Class:	Vacant land
Taxes Owed:	\$1,062.45

* * *

Mr. FitzRandolph moved to adopt Resolution No. 227-2003, seconded by Mr. Morrill, and carried unanimously by a voice vote.

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Finance Committee: 8-25-2003

RESOLUTION NO. 228-2003

**REMOVING PARCEL FROM PUBLIC AUCTION,
SALE OF TAX ACQUIRED PROPERTY
TO HABITAT FOR HUMANITY**

By Mr. FitzRandolph, Chair, Finance Committee
Co-Sponsored by
Mr. Grow, District 13
Mr. Gray, District 14
Mr. Romigh, District 15

WHEREAS, St. Lawrence County is preparing to sell the property listed below for non-payment of taxes, and

WHEREAS, Habitat For Humanity is interested in acquiring this parcel for future construction of a home,

NOW, THEREFORE BE IT RESOLVED that the County Treasurer is hereby authorized to withdraw this parcel from the tax sale and sell it for \$1.00 to the Habitat For Humanity, and

BE IT FURTHER RESOLVED that this sale is pending the owner's right to redeem the property for the payment of taxes up to 5 p.m., October 3, 2003.

Description of Property

Municipality:	Village of Massena
Prior Owner:	De Forrest Ellsworth
Parcel ID:	051-5-20
Location:	29 Spruce Street
Property Class:	Vacant land
Taxes Owed:	\$948.84

* * *

Mr. FitzRandolph moved to adopt Resolution No. 228-2003, seconded by Mr. Grow, and carried unanimously by a voice vote.

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RESOLUTION NO. 229-2003

**REMOVING PARCEL FROM PUBLIC AUCTION,
SALE OF TAX ACQUIRED PROPERTY
TO HABITAT FOR HUMANITY**

By Mr. FitzRandolph, District 9
Co-Sponsored by
Ms. Brothers, District 12

WHEREAS, St. Lawrence County is preparing to sell the property listed below for non-payment of taxes, and

WHEREAS, Habitat For Humanity is interested in acquiring this parcel for future construction of a home,

NOW, THEREFORE BE IT RESOLVED that the County Treasurer is hereby authorized to withdraw this parcel from the tax sale and sell it for \$1.00 to the Habitat For Humanity, and

BE IT FURTHER RESOLVED that this sale is pending the owner's right to redeem the property for the payment of taxes up to 5 p.m., October 3, 2003.

Description of Property

Municipality:	Town of Potsdam (Village of Norwood)
Prior Owner:	Steve J. Simons
Parcel ID:	074-2-13
Location:	6, 8 Leonard Street
Property Class:	Vacant Land
Taxes Owed:	\$2,484.20

* * *

Mr. FitzRandolph moved to adopt Resolution No. 229-2003, seconded by Ms. Brothers. Ms. Cobb said the resolutions in support of the Habitat for Humanity help the Towns and individuals. She thanked Mr. McNeil and said she is grateful to all involved. The motion carried unanimously by a voice vote.

September 8, 2003

RESOLUTION NO. 230-2003

**REMOVING PARCELS FROM PUBLIC AUCTION,
SALE OF TAX ACQUIRED PROPERTY TO
THE PARISHVILLE AREA ATV CLUB, INC.**

By Mr. FitzRandolph, District 9

WHEREAS, St. Lawrence County is preparing to sell the property listed below for non-payment of taxes, and

WHEREAS, Parishville Area ATV Club, Inc. is interested in acquiring these parcels for the creation of trails for ATVs and snowmobiles,

NOW, THEREFORE BE IT RESOLVED that the County Treasurer is hereby authorized to withdraw these parcels from the tax sale and sell them each for \$1.00 to the Parishville Area ATV Club, Inc., and

BE IT FURTHER RESOLVED that this sale is pending the owners' right to redeem the property for the payment of taxes up to 5 p.m., October 3, 2003.

Description of Property

Municipality:	Town of Parishville	Town of Hopkinton
Prior Owner:	Marguerite Pryce	Ronald Charleson, Sr.
Parcel ID:	78.004-5-6-2	67.004-1-15
Location:	Sylvan Falls Road	1046 Santamont Road
Property Class:	Vacant Land	Vacant Land
Taxes Owed:	\$517.	\$988.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 230-2003, seconded by Mr. Morrill. Mr. Lacy said he has an issue with this resolution. He thinks it would be setting bad precedent to sell land in this manner to private organizations. He said he has reservations and concerns, regardless of the type of "club" and would suggest those people assemble to obtain property. He said he would oppose all of them. He wonders about the actual sizes of these properties. He thinks it is ill advised.

Mr. Nichols said he concurs with Mr. Lacy's concerns. He said if one of the many hunting clubs approached the Board of Legislators to purchase land, they would expect them to attend the auction. He said these are different from the other organizations. He said there are a number of instances where people ban together to purchase land to prevent it being used for a certain purpose. He said he would also oppose.

Mr. FitzRandolph said he agrees and will also oppose this resolution.

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Ms. Brothers thanked Mr. Lacy and Mr. Nichols for bringing this to the forefront. She said it makes sense.

Mr. Romigh said this makes sense and he agrees Mr. Lacy and Mr. Nichols. He said voting against all these, as it would set a bad precedent.

Mr. Moore said that he agrees with everyone. He said most of these properties are in his district and they are junk. He thinks this is precedent.

Chair FitzRandolph said due to the fact that there will not be another scheduled Board meeting until after the auction, these have been brought to the Board at the necessary time.

Mr. Wilson said he was surprised. Mr. Wilson said it is interesting for him to observe that the ATV Club could circumvent our procedures. Mr. Wilson yielded the floor to Mr. Nichols. Mr. Nichols said we have directed the staff bring these forward even though they did not go through Committee. Mr. Wilson took the floor back and said that this is the Board of Legislators and he is surprised that Mr. Moore did not support it.

Chair MacKinnon clarified the point of the information and said that they went out in the Board packet.

Mr. McNeil said there was a resolution passed in 1998 by the Board of Legislators, which allows the Board to withdraw properties from the auction and sell to people. Mr. Wilson said we rely on Legislators to bring these forward and support.

Mr. FitzRandolph said he agrees with Mr. Wilson this should have come through a Legislator. He said it could come back to bite us. He gave a personal example of this type of situation. He found out after the fact that there were constituents who were planning on going to the tax sale and purchase it together and split it. He will oppose this resolution.

Mr. Moore said he not against ATVs, but thinks a railroad bed parcel of land is different. He will vote for this resolution. He said one of the next resolutions he does not want to refuse support for the ATVs but he wants the right thing done here. He thought for sure this would be bid out at the auction. He said the resolution from the Foothills ATV Club regarding the three parcels in Clare; the prior owners have declared bankruptcy, that resolution will be withdrawn. He will vote for what he can for the ATVs.

Mr. Lacy requested a roll call vote. The motion failed with a roll call vote of two (2) yes votes and thirteen (13) no votes (Brothers, Cobb, Cook, FitzRandolph, Gray, Grow, Lacy, MacKinnon, Nichols, Romigh, Teele, Turbett, and Wilson).

September 8, 2003

RESOLUTION NO. 231-2003

**REMOVING PARCEL FROM PUBLIC AUCTION,
SALE OF TAX ACQUIRED PROPERTY
TO FOOTHILLS ATV CLUB**

By Mr. FitzRandolph, District 9
Co-Sponsored by
Mr. Morrill, District 6

WHEREAS, St. Lawrence County is preparing to sell the property listed below for non-payment of taxes, and

WHEREAS, Foothills ATV Club is interested in acquiring this parcel for the creation of trails for ATVs and snowmobiles,

NOW, THEREFORE BE IT RESOLVED that the County Treasurer is hereby authorized to withdraw this parcel from the tax sale and sell it for \$1.00 to the Foothills ATV Club, and

BE IT FURTHER RESOLVED that this sale is pending the owner's right to redeem the property for the payment of taxes up to 5 p.m., October 3, 2003.

Description of Property

Municipality:	Town of Russell
Prior Owner:	Rose Oelschlager
Parcel ID:	162.001-2-8
Location:	2536 County Route 24
Property Class:	Farm Land
Taxes Owed:	\$4,252.89

* * *

Mr. FitzRandolph moved to adopt Resolution No. 231-2003, seconded by Mr. Morrill. Mr. Gray asked to have the discussion from the last resolution copied for this one as well. Mr. Morrill said the Foothills ATV Club requested this resolution and they are not for profit. They have offered to pay the taxes. Mr. Lacy said what makes this worse is the assessment on this parcel is \$74,000 (100% assessment). He said he is opposed to the resolution. Mr. FitzRandolph asked about who was bankrupt. Mr. Lacy requested a roll call vote. Resolution 231-2003 failed by a roll call vote with one (1) yes vote and fourteen (14) no votes (Brothers, Cobb, Cook, FitzRandolph, Gray, Grow, Lacy, MacKinnon, Morrill, Nichols, Romigh, Teele, Turbett, and Wilson).

September 8, 2003

RESOLUTION NO. 232-2003

**REMOVING PARCELS FROM PUBLIC AUCTION,
SALE OF TAX ACQUIRED PROPERTY
TO FOOTHILLS ATV CLUB**

By Mr. FitzRandolph, District 9
Co-Sponsored by
Mr. Moore, District 7

WHEREAS, St. Lawrence County is preparing to sell the property listed below for non-payment of taxes, and

WHEREAS, Foothills ATV Club is interested in acquiring these parcels for the creation of trails for ATVs and snowmobiles,

NOW, THEREFORE BE IT RESOLVED that the County Treasurer is hereby authorized to withdraw these parcels from the tax sale and sell them each for \$1.00 to the Foothills ATV Club, and

BE IT FURTHER RESOLVED that this sale is pending the owner's right to redeem the property for the payment of taxes up to 5 p.m., October 3, 2003.

Description of Property

Municipality:	Town of Clare		
Prior Owner:	Geraldine Collins	Geraldine Collins	Geraldine Collins
Parcel ID:	134.000-1-9	149.000-1-1	149.000-1-3
Location:	White Road	3381, 3392 County Route 27	White Road
Property Class:	Forest Land	Rural Residential	Forest Land
Taxes Owed:	\$947.84	\$9,586.22	\$2,935.42

* * *

Mr. Moore withdrew Resolution No. 232-2003. The prior owner declared bankruptcy.

RESOLUTION NO. 233-2003

**REMOVING PARCEL FROM PUBLIC AUCTION,
SALE OF TAX ACQUIRED PROPERTY TO
THE VILLAGE OF POTSDAM**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, St. Lawrence County is preparing to sell the property listed below for non-payment of taxes, and

September 8, 2003

WHEREAS, the Village of Potsdam is interested in acquiring this parcel with the intent of removing or rehabilitating property in the Village,

NOW, THEREFORE BE IT RESOLVED that the County Treasurer is hereby authorized to withdraw this parcel from the tax sale and sell it for \$1.00 to the Village of Potsdam, and

BE IT FURTHER RESOLVED that this sale is pending the owner's right to redeem the property for the payment of taxes up to 5 p.m., October 3, 2003.

Description of Property

Municipality:	Village of Potsdam
Prior Owner:	Delta Chapter of PSI Fraternity
Parcel ID:	64.067-7-8
Location:	15 Bay Street
Prop. Class:	Fraternity House
Taxes Owed:	\$29,325.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 233-2003, seconded by Mr. Turbett, and carried unanimously by a voice vote.

Finance Committee: 8-25-2003

RESOLUTION NO. 234-2003

RE-APPOINTING SUPERINTENDENT OF HIGHWAYS

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the term appointment for the Superintendent of Highways expires as of September 26, 2003,

NOW, THEREFORE, BE IT RESOLVED that William E. Dashnaw is hereby re-appointed as the Superintendent of Highways to serve a four-year term.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 234-2003, seconded by Mr. Lacy, Mr. Nichols, Mr. Wilson, and Mr. Grow. Mr. Nichols said Mr. Dashnaw has done an exceptional job and redeveloped a great relationship with Towns, Villages and New York State. He is also creative with solutions. He said one example is the use of mulch on sides of the highway, that was his idea and it is saving the County money. Resolution 234-2003 carried unanimously by a voice vote.

September 8, 2003

Finance Committee: 8-25-2003

RESOLUTION NO. 235-2003

REAFFIRMING THE BOARD OF LEGISLATOR'S FINANCIAL PRIORITIES

By Mr. FitzRandolph, Chair, Finance Committee
Co-Sponsored by
Mr. Teele, District 2
Ms. Brothers, District 12
Mr. Gray, District 14

WHEREAS, financial priorities were previously established per Resolution No. 38-2003,
and

WHEREAS, the Board of Legislators reviewed said priorities at the Finance Committee
held on August 26, 2003,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators reaffirms the
proactive approach as stated in Resolution No. 38-2003, and

BE IT FURTHER RESOLVED that this approach will remain in effect until formally
changed by the Board of Legislators.

* * *

Mr. FitzRandolph asked about the withdrawn resolution. Mr. McNeil said they have the rights to
buy it back until the auction. Mr. Maginn said bankruptcy law states that the protection under
the law (Section 362) prevents the selling of property once bankruptcy has been declared. Mr.
FitzRandolph moved to adopt Resolution 235-2003, seconded by Mr. Teele, and carried
unanimously by a voice vote.

Operations Committee: 8-11-2003

RESOLUTION NO. 236-2003

TRANSFER OF FUNDS IN THE 2003 BUDGET, INDIGENT DEFENSE

By Mr. Grow, Chair, Operations Committee

WHEREAS, the Indigent Defense's 400 Account expenditures are expected to exceed
the current budget appropriations,

WHEREAS, more funding is necessary to cover the expenditures for the remainder of
2003,

September 8, 2003

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer is hereby authorized to make the following transfer in the 2003 Annual Budget:

DECREASE APPROPRIATIONS:

01-B1-1990-497-00-0	Contingency Account	\$150,000
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INCREASE APPROPRIATIONS:

01-IA-1170-430-CC-0	Fees for Services – Non Employees	\$100,000
01-IA-1170-430-FC-0	Fees for Services – Non Employees	\$ 50,000

* * *

Mr. Grow moved to adopt Resolution No. 236-2003, seconded by Ms. Brothers, and carried unanimously by a roll call vote.

Operations Committee: 8-11-2003

RESOLUTION NO. 237-2003

TRANSFER OF FUNDS, MICROFILMING

By Mr. Grow, Chair, Operations Committee

BE IT RESOLVED that the St. Lawrence County Treasurer is hereby authorized to transfer the following amounts for microfilming of St. Lawrence County records by the St. Lawrence County Association for Retarded Children:

TRANSFER FROM:

01-B1-1460-430-06-0	St. Lawrence County ARC Microfilming	\$13,938
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TRANSFER TO:

01-S4-3150-430-06-0	Sheriff's Jail, Microfilming	\$1,499
01-S2-3110-430-06-0	Sheriff's Civil, Microfilming	1,555
01-N1-8020-430-06-0	Planning, Microfilming	1,605
01-Q1-3140-430-06-0	Probation, Microfilming	8,844
01-T1-1325-430-06-0	Treasurer, Shredding	25
01-J1-1165-430-06-0	District Attorney, Shredding	43
01-PH-4189-430-06-0	Public Health, Microfilming	342
01-PP-4010-430-06-0	Public Health, Microfilming	<u>25</u>
		\$13,938

* * *

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Mr. Grow moved to adopt Resolution No. 237-2003, seconded by Ms. Brothers, and carried unanimously by a roll call vote.

Operations Committee: 8-11-2003

RESOLUTION NO. 238-2003

MODIFYING THE 2003 EMERGENCY SERVICES BUDGET

By Mr. Grow, Chair, Operations Committee

WHEREAS, the Emergency Services Office has budgeted for training, exercises and equipment for the newly formed BioHazard Response Team, and

WHEREAS, the team is on hold while we wait for the delivery of the primary equipment and a trailer from the New York State W.M.D. Task Force, and

WHEREAS, money budgeted has been encumbered from the 2002 with expectations of delivery of equipment and the trailer, and

WHEREAS, without a firm delivery date as yet, the budgeted money for the Team could be better tracked in a general reserve account,

NOW, THEREFORE, BE IT RESOLVED that the Treasurer is hereby authorized to make the following transfer in the 2003 Emergency Services budget:

TRANSFER FROM:

01-X2-3640-250-00-0	Technical Equipment	\$11,125
01-X2-3640-430-07-0	Other Fees and Services	79,526
01-X2-3640-443-00-0	Mileage Reimbursement	<u>730</u>
		\$91,381

TRANSFER TO:

01-tg-0889-503-00-0	General Reserve Account	\$91,381
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* * *

Mr. Grow withdrew Resolution No. 238-2003. Mr. Wassus said some of the money would be spent because classes have been scheduled and if there is money remaining, this resolution will be resubmitted.

September 8, 2003

Services Committee: 8-18-2003

RESOLUTION NO. 239-2003

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH
HEALTHCARE QUALITY SOLUTIONS**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department contracts with Healthcare Quality Solutions, Inc. (HQS) for OASIS Assessments for the period of 8/1/03 through 7/31/04, and

WHEREAS, these services are required for operation of the Certified Home Health Agency, and

WHEREAS, the transaction pricing is billed monthly in arrears, based upon the number of assessments processed per month,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair to sign said contract, upon approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution No. 239-2003, seconded by Ms. Brothers and Mr. Turbett, and carried unanimously by a voice vote.

Services Committee: 8-18-2003

RESOLUTION NO. 240-2003

**AUTHORIZING THE CHAIR TO SIGN THE MODIFIED CONTRACT FOR
ANCILLARY SERVICES, PUBLIC HEALTH DEPARTMENT**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department engages the services of several individuals and agencies to provide ancillary services to Certified Home Health Agency, Long Term Home Health Care Program, and

WHEREAS, the Outcome and Assessment Information Set (OASIS) must be completed on adults admitted to home care, and

WHEREAS, the lengthy assessment must be completed in the home, thereby increasing the length of the initial home visit and a physical therapist may admit clients to home care,

September 8, 2003

NOW, THEREFORE, BE IT RESOLVED that contract physical therapists be paid \$50-\$75 for an initial home visit which involves completing an OASIS and admitting a client to home care.

* * *

Mr. Cook moved to adopt Resolution No. 240-2003, seconded by Mr. Turbett, and carried unanimously by a voice vote.

Services Committee: 8-18-2003

RESOLUTION NO. 241-2003

**COMMUNITY SERVICES 2003 BUDGET AMENDMENT –
COST OF LIVING ALLOWANCES**

By Mr. Cook, Chair, Services Committee

WHEREAS, cost of living adjustments have been confirmed by the Office of Mental Health and the Office of Alcoholism and Substance Abuse services, and

WHEREAS, this is 100% pass through funding for contract agencies,

NOW, THEREFORE, BE IT RESOLVED that upon approval of the County Attorney, the Chair of the Board of Legislators is authorized to sign amended contracts, and

BE IT FURTHER RESOLVED that the 2003 Community Services Budget be amended as follows:

INCREASE APPROPRIATIONS:

01-A2-4230-465-00-1	A NAC CAN-AM-Youth Services	\$15,631
01-A2-4250-465-00-4	A SEACAP Other Advances	12,395
01-A2-4250-465-00-2	A NCFH Madrid Other Advances	5,343
01-A2-4250-465-00-3	A NCFH Canton Other Advances	5,118
01-A2-4320-465-00-5	A Reachout Advances	982
01-A4-4322-465-AR-1	A CSS ARC	605
01-A4-4322-465-SS-3	A CPP Step By Step Advances	565
01-A4-4322-465-CC-1	A CSS Catholic Charities	545
01-A4-4322-465-CC-2	A CRV Catholic Charities	497
01-A4-4322-465-RO-2	A CRV Reachout Advances	402
01-A4-4322-465-AR-4	A OFS ARC Advances	356
01-A4-4322-465-TL-4	A OFS NCTLS Advances	296
01-A4-4322-465-UH-2	A CRV United Helpers Advances	284
01-A4-4322-465-AN-5	A SR ANR Payments	162
01-A4-4322-465-SS-1	A CSS Step By Step Advances	129
01-A4-4322-465-RC-1	A CSS Resource Center	50
		<u>\$43,360</u>

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INCREASE REVENUE:

01-A2-3486-560-00-1	A SA CAN/AM Youth Services	\$15,631
1-A2-3486-560-00-4	A SA SEACAP Alcohol Addiction	12,395
01-A2-3486-560-00-2	A SA NCFH Madrid Alcohol Addiction	5,343
01-A2-3486-560-00-3	A SA NCFH Canton Alcohol Addiction	5,118
01-A4-3490-560-00-4	A SA OFS Other Mental Health Programs	3,891
01-A2-3486-560-00-5	A SA Reachout Alcohol Addiction	<u>982</u>
		\$43,360

* * *

Mr. Cook moved to adopt Resolution No. 241-2003, seconded by Ms. Brothers, and carried unanimously by a roll call vote.

Services Committee: 8-18-2003

RESOLUTION NO. 242-2003

TRANSFER OF FUNDS IN THE 2003 OFFICE FOR THE AGING BUDGET

By Mr. Cook, Chair, Services Committee

WHEREAS, The Office for the Aging originally budgeted Social Security and Workmen's Compensation cost on Senior Community Service Employment Program Participants in the contractual expense, 400 account line, and

WHEREAS, the payroll system automatically charges these cost to the 800 line item accounts that were developed specifically for that purpose, and

WHEREAS, the Treasurer's office has requested that we make this correction in the 2003 budget,

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer be directed to amend the 2003 Office for the Aging Budget by transferring funds as follows:

TRANSFER FROM:

01-O1-6772-461-T5-0	O NCOA Title V Payments	\$12,474
01-OA-6772-461-T5-0	O PFA Title V Payments	<u>2,357</u>
		\$14,831

TRANSFER TO:

01-O1-6772-830-00-0	O Social Security	\$ 8,505
01-O1-6772-840-00-0	O Workmens Compensation	3,969
01-OA-6772-830-00-0	O Social Security	1,607
01-OA-6772-840-00-0	O Workmens Compensation	<u>750</u>
		\$14,831

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* * *

Mr. Cook moved to adopt Resolution No. 242-2003, seconded by Mr. Grow, and carried unanimously by a roll call vote.

Services Committee: 8-18-2003

RESOLUTION NO. 243-2003

AMENDING THE 2003 OFFICE FOR THE AGING BUDGET

By Mr. Cook, Chair, Services Committee

WHEREAS, the National Council on Aging has notified the St. Lawrence County Office for the Aging of an increase in funding for the Senior Community Service Employment Program for the 2003 – 2004 program year, and

WHEREAS, appropriating this additional funding in the 2003 budget will provide work experience and training for 44 low-income individuals, age 55 or over.

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer be directed to amend the 2003 Office for the Aging Budget by increasing Revenue and Appropriations as follows:

INCREASE REVENUE:

01-01-4772-570-00-0	O FA NCOA Revenues	\$62,811
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INCREASE APPROPRIATIONS:

01-01-6772-460-T5-0	O NCOA Title V Payments	\$54,800
01-01-6772-830-00-0	O Social Security	4,110
01-01-6772-840-00-0	O Workmens' Compensation	1,918
01-01-6772-443-00-0	O NCOA Mileage Reimbursement	1,643
01-01-6772-430-04-0	O NCOA Medical Fees	240
01-01-6772-411-03-0	O NCOA Training Supplies	<u>100</u>
		\$62,811

* * *

Mr. Cook moved to adopt Resolution No. 243-2003, seconded by Mr. Nichols, and carried unanimously by a roll call vote.

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Services Committee: 8-18-2003

RESOLUTION NO. 244-2003

**SELECTING AN EXHIBIT TO BE DISPLAYED AT THE
ST. LAWRENCE AQUARIUM AND ECOLOGICAL CENTER**

By Mr. Cook, Chair, Services Committee
Co-Sponsored by Mr. Grow, District 13

WHEREAS, the St. Lawrence County Board of Legislators has made a donation to the St. Lawrence Aquarium and Ecological Center in the amount of \$10,000, and

WHEREAS, the Board of Legislators now has the opportunity to select an exhibit acknowledging this donation,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators has selected the exhibit entitled "Ice" to be displayed at the Aquarium, as an acknowledgement of this donation.

* * *

Mr. Grow moved to adopt Resolution No. 244-2003, seconded by Mr. Romigh and Mr. Gray, and carried unanimously by a voice vote.

COUNTY ADMINISTRATOR'S REPORT

Mr. Brining indicated there are four items he would like to review. There is a tour scheduled at the Washington County Jail on September 16th at two o'clock. Directions have been placed in mailboxes. Ms. Brothers and Kevin Wells may be leaving from here.

If there are any changes in NYSAC plans, please contact the Board Office as soon as possible.

Mr. Brining said Keith Zimmerman's father passed away yesterday in Kansas City. He is there and his family is joining him today.

Mr. Brining said a broad overview on the budget was promised tonight. He said it is the most difficult budget in seven years. For 2003, St. Lawrence County is fairly on target and the impact of fund balance is on target. It has been our experience that it will come out better than planned, it looks like five million will not have to be taken from fund balance. The 1.4 million in deferred revenue has not been included. The first installment of the NYPA money, \$600,000, may be paid this year and then next year also. If a license is acquired from FERC on or near October 31st, a payment should arrive this year. The review of the 2004 Budget has not included significant cuts yet. There is a seven million to seven and a half million-dollar hole. All departments have been reviewed at least once and some twice. The Budget Team will present a responsible budget at the Board Meeting in October. He said there would be cuts across the

September 8, 2003

board. He said they are doing their best to minimize the impacts of cuts to services and people. Right now, positions are already being eliminated. There is a lot of work to do yet. He said outside agencies are being reduced. They will all be affected. Outside agencies that have not been previously funded and are making requests will not be granted. No department will go untouched. He said the levels of service would be closely scrutinized to determine a minimum impact. He said they have met with the union and will be meeting again to review ideas. Right now, he said they have not eliminated any service entirely, although there may be some that are reduced. He said it is a very tough budget year.

One good piece of news received last week was that true value has increased slightly over four (4%) percent from 2003. That will help out a little. He said that Department Heads have been cooperative and it is not easy for them. They are trying to work together to come up with that responsible budget.

Mr. Nichols asked to direct a question to Mr. Brining. He asked about the reduction in services and rumors circulating about the elimination of the road patrols. Mr. Brining said there have not been any complete reductions and no one is specifically being targeted. Mr. Nichols said he hopes that rumors do not navigate discussion. He appreciates Mr. Brining's candid answer and he reminded the Board of Legislators that they are dealing with people's lives.

Mr. Turbett asked regarding his request for Public Health information. Mr. Brining said those would be distributed with the tentative budget in October. Mr. Turbett said earlier would be better and individually is fine.

Mr. Brining said he spoke to NYSAC and the Senate may be reconvening to take care of some pieces of legislation. He said it is for public consumption now, but one example is retirement. Mr. Nichols asked to direct information to Ms. Brothers. He said certain things that will be discussed at NYSAC would be local Legislative bodies asking for the Senate to be called back into session. One will be retirement, another is Medicaid, and the \$1.4 million in deferred revenue or overburden. He said that while Legislators are attending NYSAC, Chair MacKinnon would be at Paul Smith's participating in a Medicaid roundtable. He said there would be many other items discussed such as taxes, budget, etc.

Ms. Brothers said she just wanted some clarification. Mr. Nichols said it is all speculation and hope. She said she has been attending many budget hearings. She said she wants to compliment the professionalism on all parts. She said she has learned how tedious the process is for staff. She said it is one thing to be handed a final document and review, but it definitely is something to be commended.

Mr. FitzRandolph said that Mr. Brining has told him that in any department where there is discretionary spending, there will not be any complete elimination in service. He said that several Legislators have approached him regarding requesting the Department Heads be prepared with further discretionary cuts.

Chair explained there is not a need for executive session unless anyone requests it. There was no need for an executive session.

September 8, 2003

APPOINTMENTS: These continue to be held pending review by the Board of Legislators.

CHAIR'S APPOINTMENTS: There were none.

OLD/NEW BUSINESS: Mr. Nichols moved to suspend the rules of procedure for the presentation of the following resolutions, seconded by Mr. Teele, and carried unanimously by a voice vote.

PRESENTED UNDER SUSPENSION OF THE RULES

RESOLUTION NO. 245-2003

**MODIFYING THE CONTRACT WITH CSEA UNIT 8427,
THE ST. LAWRENCE COUNTY SOLID WASTE DEPARTMENT**

By Mr. FitzRandolph, District 9

WHEREAS, the last contract with CSEA Unit 8427 for the County Solid Waste Department was signed on June 4th, 2003 and is effective beginning on January 1, 2003 and ends on December 31, 2005, and

WHEREAS, longevity payments scheduled were changed in this contract from a twelfth year, a twentieth year and a thirtieth year to a sixth year, tenth year and fifteenth year longevity bonus, and

WHEREAS, there was no intent in this contract to harm any individual by this longevity bonus change, and

WHEREAS, one individual was missed and not grandfathered when creating this contract,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators agrees to modify the CSEA Unit 8427 Contract so that a single employee can be grandfathered for the twelfth anniversary bonus in the amount of six hundred dollars.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 245-2003, seconded by Mr. Lacy, and carried unanimously by a voice vote.

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PRESENTED UNDER SUSPENSION OF THE RULES

RESOLUTION NO. 246-2003

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH THE
ST. LAWRENCE COUNTY SHERIFF'S ASSOCIATION, LOCAL 1529**

By Mr. FitzRandolph, Mr. Lacy, and Mr. Nichols

WHEREAS, St. Lawrence County and St. Lawrence County Sheriff's Association, Local 1529, have been meeting to negotiating a contract since December 4, 2002, and

WHEREAS, St. Lawrence County believes that it is in the best interest of both parties to successfully conclude negotiations with a two-year contract (2003-2004),

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes it's Chair to sign a contract with the St. Lawrence County Sheriff's Association, Local 1529, upon the advice of the St. Lawrence County Negotiating Team, and

BE IT FURTHER RESOLVED that this resolution expires if the St. Lawrence County Sheriff's Association, Local 1529, fails to ratify the contract agreement.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 246-2003, seconded by Mr. Nichols, and carried unanimously by a voice vote.

PRESENTED UNDER SUSPENSION OF THE RULES

RESOLUTION NO. 247-2003

**REMOVING PARCEL FROM PUBLIC AUCTION,
SALE OF TAX ACQUIRED PROPERTY TO
THE VILLAGE OF MASSENA**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, St. Lawrence County is preparing to sell the property listed below for non-payment of taxes, and

WHEREAS, the Village of Massena is interested in acquiring this 4.5 acre parcel for development of recreational and/or other community needs,

NOW, THEREFORE BE IT RESOLVED that the County Treasurer is hereby authorized to withdraw this parcel from the tax sale and sell it for \$1.00 to the Village of Massena, and

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BE IT FURTHER RESOLVED that this sale is pending the owner's right to redeem the property for the payment of taxes up to 5 p.m., October 3, 2003.

Description of Property

Municipality:	Village of Massena
Prior Owner:	Jean-Louis Murat
Parcel ID:	051-13-14
Location:	Beach Street
Property Class:	Vacant land (site of former school)
Taxes Owed:	\$20,974.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 247-2003, seconded by Mr. Gray, and carried unanimously by a voice vote.

Mr. Nichols explained the report distributed regarding the major points of the meeting with Federal Officials. He highlighted the main points discussed; the Medicaid issues and impact on local government, the Roof-Top Four Lane Highway, the potential economic impact of the Morristown Port Designation, the Government owned lands in St. Lawrence County, poor cell phone service and reception, sales tax on Internet sales from a NYSAC perspective, and gas prices.

Mr. Gray moved to adjourn the meetings, seconded by Mr. Cook, and Chair MacKinnon adjourned the September Board Meeting at 9:16 p.m., as there was no further business.

September 29, 2003

St. Lawrence County
Board of Legislators
Board Room

Special Board Meeting
Monday, September 29, 2003
4:00 p.m.

Chair MacKinnon called the meeting to order at 4:00 p.m.

ROLL CALL: All Legislators were present.

Mr. Nichols lead everyone in Prayer, followed by the Pledge of Allegiance.

COMMUNICATIONS: There were no communications read.

CITIZEN PARTICIPATION: No one wished to speak.

PRESENTATION OF RESOLUTIONS:

RESOLUTION NO. 248-2003

**REMOVING A PARCEL FROM PUBLIC AUCTION,
SALE OF TAX ACQUIRED PROPERTY TO ST. JAMES CHURCH**

By Mr. Lacy, District 5

WHEREAS, St. Lawrence County is preparing to sell the parcel listed below (previously owned by Steven P. Duffany) for non-payment of taxes, and

WHEREAS, the St. James Church, 164 E. Main Street in Gouverneur, is interested in acquiring this adjacent parcel with the intent of building a parking lot, and

WHEREAS, the parking lot would benefit the parishioners, the Outreach Center participants, the St. James School function attendees, and the entire community, and

WHEREAS, additional Church parking would lesson the need for on street parking and increase the safety for community members,

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer is hereby authorized to withdraw this parcel from the tax sale, and sell it for \$1.00 to the St. James Church, and

BE IT FURTHER RESOLVED that this sale is pending the owner's right to redeem the property for the payment of taxes up to 5 p.m., October 3, 2003.

September 29, 2003

Description of Property

Municipality: Village of Gouverneur
Prior Owner: Steven P. Duffany
Parcel ID: 404001-173.025-9-29
Location: 13 S. Gordon Street
Property Class: 210 1 Family
Taxes Owed: \$22,623.28

* * *

Mr. Lacy moved to adopt Resolution No. 248-2003, seconded by Mr. Nichols, and carried unanimously by a voice vote.

Chair MacKinnon requested that Vice Chair Nichols act as Chair for presentation of the following two (2) resolutions.

RESOLUTION NO. 249-2003

**REMOVING A PARCEL FROM PUBLIC AUCTION,
SALE OF TAX ACQUIRED PROPERTY TO THE VILLAGE OF HAMMOND**

By Mr. MacKinnon, District 4

WHEREAS, St. Lawrence County is preparing to sell the parcel listed below (previously owned by Jay D. Marsaw) for non-payment of taxes, and

WHEREAS, the Village of Hammond is interested in acquiring this parcel with the intent of building a parking lot next to the Village owned softball/baseball field, and

WHEREAS, the addition of this parking lot will benefit the field users as well as the general public,

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer is hereby authorized to withdraw this parcel from the tax sale, and sell it for \$1.00 to the Village of Hammond, and

BE IT FURTHER RESOLVED that this sale is pending the owner's right to redeem the property for the payment of taxes up to 5 p.m., October 3, 2003.

Description of Property

Municipality: Village of Hammond
Prior Owner: Jay D. Marsaw
Parcel ID: 404201-127.045-3-4
Location: 105 Mill Street

September 29, 2003

Property Class: 210 1 Family
Taxes Owed: \$3,530.30

* * *

Mr. MacKinnon moved to adopt Resolution No. 249-2003, seconded by Mr. Grow, and carried unanimously by a voice vote.

RESOLUTION NO. 250-2003

**REMOVING A PARCEL FROM PUBLIC AUCTION,
SALE OF TAX ACQUIRED PROPERTY TO THE VILLAGE OF HAMMOND**

By Mr. MacKinnon, District 4

WHEREAS, St. Lawrence County is preparing to sell the parcel listed below (previously owned by Jay Marsaw) for non-payment of taxes, and

WHEREAS, the Village of Hammond is interested in acquiring this parcel with the intent of creating storage space and to have additional access to the bordering Village owned sewer treatment center, and

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer is hereby authorized to withdraw this parcel from the tax sale, and sell it for \$1.00 to the Village of Hammond, and

BE IT FURTHER RESOLVED that this sale is pending the owner's right to redeem the property for the payment of taxes up to 5 p.m., October 3, 2003.

Description of Property

Municipality: Village of Hammond
Prior Owner: Jay Marsaw
Parcel ID: 404201-127.045-4-8
Location: 314 Lake Street
Property Class: 210 1 Family
Taxes Owed: \$1930.73

* * *

Mr. MacKinnon moved to adopt Resolution No. 250-2003, seconded by Mr. Romigh, and carried unanimously by a voice vote.

Mr. Cook moved to suspend the rules of procedure for the presentation of the following resolution, seconded by Mr. Nichols, and carried unanimously by a voice vote.

September 29, 2003

PRESENTED UNDER SUSPENSION OF THE RULES

RESOLUTION NO. 251-2003

**REMOVING PARCEL FROM PUBLIC AUCTION,
SALE OF TAX ACQUIRED PROPERTY TO THE TOWN OF NORFOLK**

By Ms. Brothers, District 12

WHEREAS, St. Lawrence County is preparing to sell the property listed below for non-payment of taxes, and

WHEREAS, the Town of Norfolk is interested in acquiring this parcel which was used as collateral for the Revolving Loan Fund, and

WHEREAS, the Town is interested in protecting its interest and the property,

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer is hereby authorized to withdraw this parcel from the tax sale, and sell it for \$1.00 to the Town of Norfolk, and

BE IT FURTHER RESOLVED that this sale is pending the owner's right to redeem the property for the payment of taxes up to 5 p.m., October 3, 2003.

Description of Property

Municipality:	Town of Norfolk
Prior Owner:	Jeanne McIntyre
Parcel ID:	406289-32.058-4-10
Location:	49 W. Main Street
Property Class:	481 Attached Row Building
Taxes Owed:	\$8,530.36

* * *

Ms. Brothers moved to adopt Resolution No. 251-2003, seconded by Mr. Cook, and carried unanimously by a voice vote.

Mr. Nichols moved to adjourn the meeting at 4:05 p.m., as there was no further business, seconded by Mr. Turbett, and carried unanimously by a voice vote.

October 6, 2003

St. Lawrence County
Board of Legislators
Board Room

Board Meeting
Monday, October 6, 2003
7:00 p.m.

Chair MacKinnon called the meeting to order at 7:00 p.m.

ROLL CALL: All Legislators present.

Mr. Wilson led everyone in prayer, followed by the Pledge of Allegiance.

APPROVAL OF MINUTES: Mr. Cook moved to approve the minutes of the August Board Meeting, seconded by Mr. Nichols, and carried unanimously by a voice vote.

COMMUNICATIONS: The Deputy Clerk read the following communications:

1. Two letters were received from the Village of Canton with copies of resolutions passed by the Village regarding opposition to the changes in zoning for the property owned by Maple Hill Properties and the amendment to the Village Code.
2. A resolution was received from the Town Board of Dekalb that read; Whereas, the Town of Dekalb Board wishes to go on record as supporting a county-wide body in their efforts to pass into law a county-wide controlled burning ban. Whereas, a motion is required to approve the aforesaid resolution as submitted by the Town Supervisor. A motion was made by Councilman Hamilton, seconded by Councilman Lowery and carried on September 17, 2003.
3. A letter was received from the Office of the State Comptroller acknowledging receipt of the resolution forwarded regarding two one-week clothing sales tax exemptions.
4. A letter was received from Mildred Whalen requesting support for the application to obtain funding for the methane digester at the farm outside the Village of Canton.
5. A press release was received regarding Statewide recognition for the St. Lawrence County Environmental Management Council who has been awarded the 2003 second place award for Outstanding Project of the year by the New York State Association of Environmental Management Councils. The project was an advertising awareness campaign, which informed the community of the risks of open burning.
6. A letter was received from Kevin Doran thanking the Board of Legislators for passing the resolution Opposing the Patriot Act on September 8, 2003.

CITIZEN PARTICIPATION: No one wished to comment.

PRESENTATION OF RESOLUTIONS:

October 6, 2003

Finance Committee: 9-29-2003

RESOLUTION NO. 252-2003

AUTHORIZING FILLING OF VACANCIES

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, the St. Lawrence County Board of Legislators adopted Resolution No. 38-2003 on February 10, 2003, which created a policy for filling of vacancies, and

WHEREAS, the vacancies listed below have received the approval of being forwarded to the full Board by the Finance Committee,

NOW, THEREFORE, BE IT RESOLVED that the following vacancies are hereby authorized to be filled:

<u>Department</u>	<u>Title</u>	<u>Type</u>	<u>Duration of Position</u>
Office for the Aging	Nutrition Services Aide	Part-Time	Permanent

* * *

Mr. FitzRandolph moved to adopt Resolution No. 252-2003, seconded by Mr. Teele, and carried unanimously by a voice vote.

Finance Committee: 9-29-2003

RESOLUTION NO. 253-2003

**DESIGNATING OCTOBER 5 THROUGH OCTOBER 11, 2003,
AS CORNELL COOPERATIVE EXTENSION & NATIONAL 4-H WEEK**

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, Cornell Cooperative Extension of St. Lawrence County enables people to improve their lives and communities through partnerships that put experience and research knowledge to work, and

WHEREAS, the Cornell Cooperative Extension System is a viable partnership among: Federal, State, County Governments, and the educational outreach of Cornell University Knowledge and Research, as well as youth, volunteers, and staff, and

WHEREAS, over 500 Extension Educators partner with over 50,000 volunteers to assist six million individuals, families, communities, and business people in New York State and over 1,000 in St. Lawrence County every year, and

October 6, 2003

WHEREAS, 4-H Youth Development programs serve one of every eight youth, ages 5-19, in New York State and continue to provide meaningful youth development experience for 5,058 youth in St. Lawrence County, and

WHEREAS, Cornell Cooperative Extension through the 4-H Youth Development program invests in the State's future by creating opportunities for youth to develop their personal leadership skills, contribute to their communities, and strengthen their science and technology abilities, and

WHEREAS, Cornell Cooperative Extension of St. Lawrence County's "**Natural Resources and Environment**" educational programs contribute to improving the quality and sustainability of human environments and natural resources by conserving and ensuring the quality of water supplies; promoting environmental stewardship and sound decision making about the management of natural resources; understanding and managing climatological effects on New York's land, water and biological resources; promoting community, agriculture and residential environmental enhancement; preparing youth to make informed environmental choices; enhancing science education through the environment, and

WHEREAS, Cornell Cooperative Extension will continue to provide high quality, innovative educational programs and products that help New Yorkers build strong and vibrant communities, and

WHEREAS, the St. Lawrence County Association is active in programs such as: Agriculture Education, Community Forestry, the Food and Nutrition Education Program, Farm Safety Day, the Ag Discovery Center, Youth & Adult Farm Safety Programs, Youth Food and Nutrition Projects, Youth Farm Dairy Camp, 4-H Leadership Camp, and the Advantage After School Program,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby designates the week of October 5-11, 2003, as Cornell Cooperative Extension Week and National 4-H Week in St. Lawrence County.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 253-2003, seconded by Mr. Grow, and carried unanimously by a voice vote.

October 6, 2003

Finance Committee: 9-29-2003

RESOLUTION NO. 254-2003

AUTHORIZING COLLECTION OF OMITTED TAXES

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, Sections 520 and 551 of the Real Property Tax Law make provisions for the taxation of exempt property upon transfer of title and addition of omitted parcels from the previous year's roll, and

WHEREAS, Section 520 states that the property shall be taxed pro rata for the unexpired portion of any fiscal year during which said transfer of title occurred, and

WHEREAS, for purposes of any fiscal year or years during which title to such property is transferred, such property shall be deemed to have been omitted,

NOW, THEREFORE, BE IT RESOLVED that this Board authorizes the addition of omitted taxes to the 2004 tax roll pursuant to Sections 520 and 551 under Title 3 of Article Five of the Real Property Tax Law.

* * *

Mr. FitzRandolph moved to adopt Resolution No. 254-2003, seconded by Mr. Cook, and carried unanimously by a voice vote.

Finance Committee: 9-29-2003

RESOLUTION NO. 255-2003

ADOPTION OF THE EQUALIZATION RATES FOR 2004 COUNTY TAXES

By Mr. FitzRandolph, Chair, Finance Committee

WHEREAS, Section 900 of the New York State Real Property Tax Law requires that county taxes be levied upon the basis of the full valuation of taxable real property determined in accordance with Article 8 of that law, and

WHEREAS, Article 8 requires the apportionment of county taxes upon the aggregate full value of taxable real property in each city and town determined by dividing the assessed valuation thereof by the county equalization rate established for each city and town by the county equalization agency, and

WHEREAS, Section 804 of the New York State Real Property Tax Law requires the adoption of the county equalization rates by the County Legislature,

October 6, 2003

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Legislature does hereby adopt the equalization rates hereinafter listed for the year 2004:

<u>MUNICIPALITY</u>	<u>EQUALIZATION RATE</u>
Ogdensburg	100.00
Brasher	100.00
Canton	92.37
Clare	4.66
Clifton	65.00
Colton	6.00
Dekalb	100.00
Depeyster	94.62
Edwards	100.00
Fine	100.00
Fowler	21.54
Gouverneur	85.15
Hammond	90.66
Hermon	100.00
Hopkinton	100.00
Lawrence	100.00
Lisbon	88.62
Louisville	100.00
Macomb	94.62
Madrid	100.00
Massena	100.00
Morristown	100.00
Norfolk	10.00
Oswegatchie	94.62
Parishville	7.87
Piercefield	100.00
Pierrepoint	3.10
Pitcairn	89.98
Potsdam	100.00
Rossie	100.00
Russell	100.00
Stockholm	88.96
Waddington	66.72

* * *

Mr. FitzRandolph moved to adopt Resolution No. 255-2003, seconded by Mr. Morrill, and carried unanimously by a voice vote.

October 6, 2003

Operations Committee: 9-22-2003

RESOLUTION NO. 256-2003

**SETTING A DATE FOR A PUBLIC HEARING ON THE
PROPOSED LOCAL LAW C (NO. __) FOR THE YEAR 2003**

By Mr. Grow, Chair, Operations Committee

WHEREAS, Section 922 of the Real Property Tax Law allows the St. Lawrence County Board of Legislators to set the format of the Town and County Tax Bill, and

WHEREAS, a local law is required to insert information into the tax bill for county purposes,

NOW, THEREFORE, BE IT RESOLVED that a public hearing on proposed Local Law C (No. __) For The Year 2003, will be held at 6:50 p.m. before the regular Board of Legislators meeting on November 3rd, 2003, in the Legislative Board Room.

**PROPOSED LOCAL LAW C (NO. __) FOR THE YEAR 2003 AUTHORIZING
A SEPARATE ENCLOSURE TO BE INSERTED INTO TAX BILL MAILINGS.**

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

Section 1. Section 922 of the Real Property Tax Law provides the form and content of the town and county tax bill to be mailed by the collecting officer in each town and the City of Ogdensburg showing the amount of taxes due on each property.

Section 2. St. Lawrence County receives 12.7% revenue on transactions done locally in Canton, Massena, Ogdensburg and the Gouverneur Department of Motor Vehicles.

Section 3. Mail in renewal forms are preprinted with the Albany DMV address and a notice stating they must be renewed by mail, which is misleading.

Section 4. It is imperative that all St. Lawrence County residents are notified that it is still possible to renew locally and that by doing so will help reduce county taxes.

Section 5. This information will be distributed as a separate enclosure inserted into the tax bill mailing notifying county residents to renew locally and thus keeping the 12.7% revenue in their own county versus going to the State.

* * *

Mr. Grow moved to adopt Resolution No. 256-2003, seconded by Mr. Nichols, and carried unanimously by a voice vote.

October 6, 2003

Operations Committee: 9-22-2003

RESOLUTION NO. 257-2003

DECLARING OCTOBER DOMESTIC VIOLENCE AWARENESS MONTH

By Mr. Grow, Chair, Operations Committee

WHEREAS, October has been designated as Domestic Violence Awareness Month, and

WHEREAS, the St. Lawrence County Domestic Violence Task Force has been working to bring about changes in community norms which support the development of healthy relationships and families in our communities, and

WHEREAS, the Task Force is working to create a continuum of services which range from prevention, crisis intervention and counseling through shelter, advocacy and legal intervention, and

WHEREAS, many activities are planned throughout the Country and within the County to highlight Domestic Violence Awareness Month,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators declares October Domestic Violence Awareness Month, and

BE IT FURTHER RESOLVED that the St. Lawrence County Board of Legislators encourages all citizens of the County to support the development of healthy non-violent relationships.

* * *

Mr. Grow moved to adopt Resolution No. 257-2003, seconded by Mr. Gray, and carried unanimously by a voice vote.

Operations Committee: 9-22-2003

RESOLUTION NO. 258-2003

ACCEPTING PROPOSAL FOR COUNTY-WIDE RADIO COMMUNICATIONS STUDY

By Mr. Grow, Chair, Operations Committee

WHEREAS, Resolution 252-2002 was passed in September of 2002 authorizing the Office of Emergency Services to request proposals for a County-Wide Radio Communication Study, and

October 6, 2003

WHEREAS, two proposals were received and reviewed by this office and the County Fire and the County EMS Advisory Boards, and

WHEREAS, both proposals received met the minimum requirements contained in the RFP, and

WHEREAS, the two proposals were separated by a total of \$15,250.00, and

WHEREAS, an extra proposal was requested of the low bidder to include an actual field test, to quantify the results of a computer generated propagation study that was included in the RFP, which was included in the higher bidders proposal, and

WHEREAS, an additional \$4,200.00 was submitted to conduct the field testing, and

WHEREAS, it is recommended that the County accept the proposal from ChangeTac, Inc. for the sum of \$36,720.00,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators accepts the proposal for a County-Wide Radio Communications Study and hereby authorizes the Chair to sign the appropriate contracts as proposed by ChangeTac, Inc. for a price not to exceed \$36,720.00, and

BE IT FURTHER RESOLVED that the Treasurer is hereby authorized to make the following transfer of funds in the 2003 Emergency Services budget:

TRANSFER FROM:

01-TG-0889-503-00-0-E911	E911 Reserve Fund	\$36,720.00
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TRANSFER TO:

01-XP-3640-430-07-0	Other Fees & Services	\$36,720.00
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Mr. Grow moved to adopt Resolution No. 258-2003, seconded by Mr. Nichols, and carried unanimously by a roll call vote.

October 6, 2003

Operations Committee: 9-22-2003

RESOLUTION NO. 259-2003

2003 BUDGET MODIFICATION, RECORDS MANAGEMENT

By Mr. Grow, Chair, Operations Committee

WHEREAS, the New York State Education Department has awarded St. Lawrence County a Records Management Grant in the amount of \$20,000 to assist with microfilming and optical imaging of Family Court Records, and

WHEREAS, \$10,000 of the grant will be utilized in the 2003 budget year,

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer is hereby authorized to make the following budget modifications in the 2003 Records Management Budget:

INCREASE REVENUE:

01-GR-3060-560-00-0	Records Management, Revenue	\$10,000.00
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INCREASE APPROPRIATIONS:

01-GR-1460-430-06-0	Records Management, Microfilming	\$10,000.00
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* * *

Mr. Grow moved to adopt Resolution No. 259-2003, seconded by Mr. Cook, Mr. Turbett, and Ms. Cobb, and carried unanimously by a roll call vote.

Operations Committee: 9-22-2003

RESOLUTION NO. 260-2003

AUTHORIZING A CONTRACT WITH THE UNIFIED COURT SYSTEM TO PROVIDE CLEANING AND MINOR REPAIR SERVICES FOR COURT FACILITIES AT THE COUNTY COMPLEX

By Mr. Grow, Chair, Operations Committee

WHEREAS, St. Lawrence County is required by law to furnish and maintain adequate Court Facilities for use by trial courts of the State of New York, and

October 6, 2003

WHEREAS, the New York State Unified Court System will reimburse the County for 100% of the costs incurred for cleaning and minor repairs in the Court Facilities, during the State Fiscal Year 2003-2004, and

WHEREAS, the budget approved by the Unified Court System allocates up to \$384,517.00 for cleaning and minor repairs in the Court Facilities,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the St. Lawrence County Board of Legislators, after approval by the County Attorney, be authorized to sign a contract with the New York State Unified Court System for Court Facility cleaning and minor repairs.

* * *

Mr. Grow moved to adopt Resolution No. 260-2003, seconded by Ms. Brothers, and carried unanimously by a voice vote.

Operations Committee: 9-22-2003

RESOLUTION NO. 261-2003

**ACCEPTING A COMMUNITY DEVELOPMENT BLOCK GRANT AND
ESTABLISHING APPROPRIATION AND REVENUE ACCOUNTS WITHIN
THE ST. LAWRENCE COUNTY BUDGET**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the Governor's Office for Small Cities has awarded \$400,000 in the form of a 2003 Community Development Block Grant (Grant No. 1106HR117-03) to St. Lawrence County, and

WHEREAS, this funding will be used for a housing rehabilitation program in a target area within the Village of Edwards,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby accept this Community Development Block Grant award, authorizes the Chair to sign the necessary documentation and contracts for administration, upon approval of the County Attorney, and authorizes the County Planning Office to engage in requisite activities to secure, administer and closeout this grant as may be required, and

BE IT FURTHER RESOLVED that the County Treasurer is hereby authorized to establish the following accounts in the 2003 St. Lawrence County Budget:

INCREASE REVENUE:

01-N1-4910-570-00-0-NH16	CDBG Edwards	\$ 400,000
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October 6, 2003

INCREASE APPROPRIATIONS:

01-N1-8020-460-GP-0-NH16 CDBG Edwards \$ 400,000

* * *

Mr. Grow moved to adopt Resolution No. 261-2003, seconded by Mr. Morrill and Ms. Cobb, and carried unanimously by a roll call vote.

Operations Committee: 9-22-2003

RESOLUTION NO. 262-2003

**ACCEPTING A COMMUNITY DEVELOPMENT BLOCK GRANT AND
ESTABLISHING APPROPRIATION AND REVENUE ACCOUNTS WITHIN
THE ST. LAWRENCE COUNTY BUDGET**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the Governor's Office for Small Cities has awarded \$400,000 in the form of a 2003 Community Development Block Grant (Grant No. 1106PF144-03) to St. Lawrence County, and

WHEREAS, this funding will be used for construction of a community facility in the hamlet of Star Lake, in the Towns of Clifton and Fine,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby accept this Community Development Block Grant award, authorizes the Chair to sign the necessary documentation and contracts for administration, upon approval of the County Attorney, and authorizes the County Planning Office to engage in requisite activities to secure, administer and closeout this grant as may be required, and

BE IT FURTHER RESOLVED that the County Treasurer is hereby authorized to establish the following accounts in the 2003 St. Lawrence County Budget:

INCREASE REVENUE:

01-N1-4910-570-00-0-NH15 CDBG Star Lake \$ 400,000

INCREASE APPROPRIATIONS:

01-N1-8020-460-GP-0-NH15 CDBG Star Lake \$ 400,000

* * *

October 6, 2003

Mr. Grow moved to adopt Resolution No. 262-2003, seconded by Mr. Morrill, and carried unanimously by a roll call vote.

Operations Committee: 9-22-2003

RESOLUTION NO. 263-2003

**DECLINING A REQUEST FOR ADDITIONAL SOUND PROOFING
AROUND THE COURTHOUSE COOLING TOWER**

By Mr. Grow, Chair, Operations Committee

WHEREAS, in previous years, St. Lawrence County has received complaints from neighbors of the Courthouse Complex due to the noise generated by our cooling tower, and

WHEREAS, a February 2001 engineering report from Bernier, Carr, and Associates recommended a sixteen foot concrete enclosure be built around the cooling tower to contain and redirect the noise from the tower, and

WHEREAS, after bids were solicited for this design the low bid of \$33,389 was rejected because of the high cost and the St. Lawrence County Board of Legislators instructed the Governmental Services Department to investigate options to address the issue in a cost effective manner, and

WHEREAS, after utilizing input from County Staff, Legislators, and Courthouse Complex Neighbors a twelve foot high "L" shaped wall with sound absorption material attached was built around the cooling tower during the Summer of 2002 for approximately \$5,000, and

WHEREAS, recently the County has been approached by a neighbor requesting additional sound proofing be undertaken including extending the wall to a height of sixteen feet, and

WHEREAS, due to possible structural integrity issues with a higher "L" shaped wall it would be prudent for the County to have an engineer review any modifications to the present design, and

WHEREAS, there would be additional costs for this engineering review in addition to construction costs,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators affirms that a good faith effort has been made to improve the noise issue and declines the request to provide additional sound proofing around the Courthouse Cooling Tower.

* * *

October 6, 2003

Mr. Grow moved to adopt Resolution No. 263-2003, seconded by Mr. Nichols and Mr. Lacy. Mr. FitzRandolph moved to table pending confirmation of the decibel level, seconded by Mr. Turbett and Ms. Cobb. The motion failed. Resolution No. 263-2003 carried by a voice vote.

Operations Committee: 9-22-2003

RESOLUTION NO. 264-2003

**AUTHORIZING ST. LAWRENCE COUNTY TO APPLY FOR A PLANNING
AND ASSESSMENT GRANT CONCERNING THE NEW JAIL**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the St. Lawrence County Board of Legislators has undertaken a study of their current jail facility, and

WHEREAS, a Committee has been created to review the options involving the jail structure, and

WHEREAS, the Committee provided several options to the Board of Legislators at the September Operations Committee Meeting, and

WHEREAS, one of the options requested that the Board of Legislators authorize St. Lawrence County to apply to the National Institute of Corrections for a planning and assessment grant,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes St. Lawrence County to make such application.

* * *

Mr. Grow moved to adopt Resolution No. 264-2003, seconded by Mr. Romigh, and carried unanimously by a voice vote.

Services Committee: 9-29-2003

RESOLUTION NO. 265-2003

APPROVAL OF CHARGE OFF OF BAD DEBT FOR COMMUNITY SERVICES

By Mr. Cook, Chair, Services Committee

WHEREAS, over the years uncollectable accounts have been brought to the Community Services Board for charging off, and

October 6, 2003

WHEREAS, after charging off, an account record or notice is placed in the client's chart in an effort to receive payment should they return for service in the future, and

WHEREAS, there is now an established Reserve Account for bad debts, and

WHEREAS, in 2002 our bad debt accounts were \$10,017.82 for Mental Health Services and \$28,169.60 for Chemical Dependency Services for a total of \$38,187.42,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators approves the following charge offs:

DECREASE CONTRA ASSET ACCOUNT:

01-TG-0389-501-A0-0	T Allowance For Receivables Comm Svcs	\$38,187.42
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DECREASE ASSET ACCOUNT:

01-TG-0380-501-A0-0	T A0 Accounts Receivable	\$38,187.42
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* * *

Mr. Cook moved to adopt Resolution No. 265-2003, seconded by Mr. Nichols. Mr. FitzRandolph said there has been discussion with the Treasurer and he believes what this resolution does is write off debt that we may collect. He will oppose and thinks numbers need to be modified. Mr. Nichols said if it were not for the Treasurer's last line he too would oppose, because it says that the funds collected would be counted as revenue. It does not mean attempts will no longer be made to collect, it means that it can be taken off the books as debt. Resolution 265-2003 carried by a roll call vote with thirteen (13) yes votes and two (2) no votes (FitzRandolph and Turbett).

Services Committee: 9-29-2003

RESOLUTION NO. 266-2003

**AUTHORIZING THE CHAIR TO SIGN THE CONTRACT FOR
THE PUBLIC HEALTH DEPARTMENT'S EMERGENCY
PREPAREDNESS GRANT FOR 2003-2004**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department has been awarded a renewed grant for Public Health Preparedness and Response to Bio-Terrorism and Smallpox in the amount of \$162,931, and

WHEREAS, the grant year is from September 1, 2003 to August 31, 2004,

October 6, 2003

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair to sign said contract upon approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution No. 266-2003, seconded by Ms. Brothers, and carried unanimously by a voice vote.

Services Committee: 9-29-2003

RESOLUTION NO. 267-2003

**AUTHORIZING THE CHAIR TO SIGN CONTRACT FOR THE
PUBLIC HEALTH DEPARTMENT'S EARLY INTERVENTION AND
CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAMS**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department's Early Intervention and Children with Special Health Care Needs Program has been renewed for the time period October 1, 2003 through September 30, 2004, and

WHEREAS, the Early Intervention amount is \$71,236 and the Children with Special Health Care Needs amount is \$21,808,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair to sign said contract upon approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution No. 267-2003, seconded by Mr. Grow and carried unanimously by a voice vote.

Services Committee: 9-29-2003

RESOLUTION NO. 268-2003

**AUTHORIZING THE CHAIR TO SIGN LETTER OF AGREEMENT FOR
CORNELL UNIVERSITY COLLEGE OF VETERINARY MEDICINE'S
RACCOON RABIES ORAL VACCINATION PROGRAM**

By Mr. Cook, Chair, Services Committee

WHEREAS, State and Federal funds have been allocated in support of this project in the St. Lawrence and Niagara Regions, and

October 6, 2003

WHEREAS, the sponsor desires to engage the services of the Diagnostic Laboratory to purchase vaccine laden baits to conduct an Oral Rabies Vaccination Program in the St. Lawrence Region of New York State, and

WHEREAS, such an expenditure is eligible for State Aid through the County's Public Health Department,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair to sign said letter of agreement with Cornell University, Diagnostic Laboratory and disburse funds in the amount of \$25,000 upon approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution No. 268-2003, seconded by Mr. Morrill, and carried by a voice vote with fourteen (14) yes votes and one (1) no vote (Nichols).

Services Committee: 9-29-2003

RESOLUTION NO. 269-2003

**AUTHORIZING THE CHAIR TO SIGN CONTRACT WITH
HEALTH RESEARCH, INC. (HRI) FOR BREAST AND CERVICAL CANCER
EARLY DETECTION PROGRAM**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department has received notification that the Healthy Living Partnership Grant has received renewed funding from HRI for the Breast and Cervical Cancer Early Detection Program in the amount of \$54,117 for the time period June 30, 2003 through June 29, 2004, and

WHEREAS, these funds will be used for breast and cervical cancer screenings and patient services,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair to sign said contract upon approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution No. 269-2003, seconded by Ms. Cobb and carried unanimously by a voice vote.

October 6, 2003

Services Committee: 9-29-2003

RESOLUTION NO. 270-2003

**AUTHORIZING THE CHAIR TO SIGN CONTRACTS FOR
ANCILLARY SERVICES, PUBLIC HEALTH DEPARTMENT**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department engages the services of several individuals and agencies to provide ancillary services to Certified Home Health Agency, Long Term Home Health Care Program, Early Intervention Program, and Pre-K Program, and

WHEREAS, these contracts cover the period October 6, 2003 through December 31, 2004, and

WHEREAS, these contracts cover the following services at the following rates:

Individual	Not to exceed \$ 48 per visit	North Coast Therapy	\$ 55 per visit
Physical Therapy	\$ 108 per core evaluation	Occupational & Speech	\$ 108 per core evaluation
	\$ 42 per initial IFSP mtg		\$ 42 per initial IFSP mtg
	\$ 150 per suppl evaluation		\$ 150 suppl evaluation
	\$ 35 – 42 per two hours travel		\$ 55 per two hours travel
Individual	Not to exceed \$ 48 per visit	Individual	\$ 30 per visit
Speech Therapy	\$ 108 per core evaluation	Respiratory Therapist	\$ 35 per two hours travel
	\$ 42 per initial IFSP mtg		
	\$ 75 per audiology visit		
	\$ 150 per suppl evaluation		
E.J. Noble Hospital	\$ 42 per visit	Individual Med Rec	\$ 25 per hour
Physical Therapy Services		Practitioner	\$ 35 per two hours travel
Physician’s Assistant or Nurse Practitioner	\$ 45 per hour	CPH Neuro-Rehab Speech Therapy	\$ 50 per visit \$ 65 per evaluation
HIV/STD, Travel, TB, Lead Programs			

October 6, 2003

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes the Chair to sign said contracts, upon approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution No. 270-2003, seconded by Mr. Grow and carried unanimously by a voice vote.

Services Committee: 9-29-2003

RESOLUTION NO. 271-2003

**AUTHORIZING THE CHAIR TO SIGN CONTRACT FOR THE
PUBLIC HEALTH DEPARTMENT'S DENTAL SEALANT PROGRAM**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department has conducted a grant-funded Dental Sealant Program for the past sixteen (16) years, and

WHEREAS, the Department has received notification that grant funds have been renewed by the New York State Department of Health to continue this preventive health program in the amount of \$50,000,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair to sign said contract upon approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution No. 271-2003, seconded by Mr. Romigh, Mr. Gray, and Ms. Cobb, and carried unanimously by a voice vote.

COUNTY ADMINISTRATOR'S REPORT:

Mr. Brining said he had one item of information, he read in the paper the tax sale generated one million dollars. He thanked all the departments involved. It was not a nice day and the employees did an excellent job.

There was no need for an executive session.

OLD/NEW BUSINESS:

October 6, 2003

Mr. Moore said regarding the second resolution presented this evening, it was for the 4-H and he hopes that they will be able to come in and present to the Board of Legislators soon. Mr. Brining replied that they are on the list of upcoming presentations.

Mr. Wilson asked if the Board of Legislators is going to officially accept the report issued by Mr. MacKinnon and Ms. Brothers. Mr. MacKinnon said it is the pleasure of the Board. Mr. Wilson said he would be remiss and said it would be smarter and he feels that he owes Mr. Turbett an apology. He said the issue between Mr. Turbett and Mr. Davis was his fault. He stood by silently and let Mr. Turbett take the heat. He said he still stands by all comments. This issue does not deal with Ms. Mousaw and Ms. Perretta and it is not the dollars; the issue dealt with the business of the Budget Team was conducted. He said there was a crisis in County Government at that time. He still thinks that it will not go away. He said the boss has to take charge and that was the problem. Mr. Wilson said Mr. Brining prides himself on loyalty to his employees. Mr. Wilson said he believes that Mr. Brining let one of them down. He said the Board has to go in front of the public every four years and it is not nice. He said no one came to him publicly or privately. He stands by his comments. He does not think that can be changed. He said he shares the blame. He said if Ms. Mousaw was incompetent, she should have been fired. But he cannot fire her, they do not do that, they only fund the position. He said that is not his job and he does not want it. He apologized for not stating this prior to now. He takes the blame for the Mr. Turbett commentary and said it died like a stone.

Mr. Nichols asked for a Point of Order. He said he would agree with the final statement. He said this issue was not on the agenda and we have been very strict about not discussing issues that are not on the agenda. He said his interpretation was that after the report was distributed MacKinnon was looking for direction. He asked for confirmation from the Chair. Chair MacKinnon said under old and new business it could be addressed, so they are in order.

Mr. FitzRandolph said there are two parts, but the first has been addressed, the purpose of old/new business is to discuss issues. He said he is not sure if tonight is the night to discuss. There was an opportunity months ago and it was not discussed. He said there was a Committee of two, who were of opposite opinions. He said at Finance when the report was distributed his concern was not to discuss a report that had not been reviewed. He agrees with Mr. Nichols and thinks that time and place should be set to discuss. He thinks that the appropriate time would be Services. He would not make a motion because he wants others to speak to it. He said the timing of the presentation bothered him also.

Chair MacKinnon recessed the Board Meeting at 7:34 p.m. for five minutes to allow staff to set up for the 2004 Tentative Budget Presentation. Chair MacKinnon reconvened the Board Meeting at 7:43 p.m.

2004 TENTATIVE BUDGET PRESENTATION: Mr. Brining presented the 2004 Tentative Budget to the Board of Legislators (presentation attached).

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Mr. FitzRandolph asked the total cost savings of the nineteen employees who may be cut. Mr. Brining said between 1.2 and 1.3 million in the forty-eight positions. Mr. FitzRandolph asked if that is the net of the nineteen.

Ms. Thomas addressed the Board and said she appreciates the work that has been done but thinks more work can still be accomplished. She has suggestions and said no one needs to be laid off.

Mr. Moore said he is a proponent of an increase in sales tax. He said the farms that are going under want to increase revenue.

Chair MacKinnon called for a motion to adjourn. Mr. Moore moved to adjourn the October Board Meeting at 8:17 p.m. seconded by Mr. Cook, and carried unanimously by a voice vote. Chair MacKinnon adjourned the meeting at 8:17 p.m., as there was no further business.

October 27, 2003

St. Lawrence County
Board of Legislators
Board Room

Special Board Meeting
Monday, October 27, 2003
6:00 p.m.

Chair MacKinnon called the meeting to order at 6:15 p.m.

ROLL CALL: All Legislators were present.

Mr. Nichols lead everyone in Prayer, followed by the Pledge of Allegiance.

CITIZEN PARTICIPATION: John Beemer, Psychiatrist, addressed the Board of Legislators regarding the tentative budget. He urged the Legislators to reinstate the 19 positions. He mentioned that there is only 1 position in the Community Services Department. He said that this would not save money; he feels that the professionals in the office may be picking up the extra clerical work, leaving them with less time to do their own work. He said that the last statement in the budget says that the County will be meeting with outside agencies. He feels that this is code for privatization, he urged the Legislators to strike this from the proposal. He stated that if you compare the service provided to other sources of service available you will find that we give quality service. He said that our business is to keep people going, for instance we teach people to get up and go to work everyday, or we may prevent a suicide. He said that you do not hear when we are successful, it is only when we are unsuccessful that you would hear about it.

PRESENTATION OF RESOLUTIONS:

RESOLUTION NO. 272-2003

**RECOMMENDATION OF THE COMMITTEE ON THE
PUBLIC HEALTH BUDGET ERROR**

By Mr. MacKinnon, District 4
Ms. Brothers, District 12

WHEREAS, the Chairman of the St. Lawrence County Board of Legislators appointed a committee to investigate the error in the 2003 Public Health Budget, and

WHEREAS, the report of this Committee has been distributed to all members of the Board of Legislators,

NOW, THEREFORE, BE IT RESOLVED that the recommendation in the report be adopted.

* * *

Ms. Brothers moved to adopt Resolution No. 272-2003, seconded by Mr. Cook.

Mr. FitzRandolph moved to divide the question to vote on each recommendation individually, seconded by Mr. Turbett. Mr. FitzRandolph said that this is procedural more than anything else.

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Mr. Nichols said he agrees with Mr. FitzRandolph's philosophy. He said that the Committee came up with these recommendations. He wonders what would happen if one of the recommendations failed. He said that he is looking at the report as a whole; he feels forced to vote against the amendment.

Ms. Brothers said she is not concerned if this is divided. She said that the report will stand no matter what the outcome; the question is to vote on the recommendations.

The motion to split the recommendations, and vote on each one individually, carried by a voice vote with three (3) no votes (Grow, Lacy and Nichols).

Recommendation Number 1

The Director of Public Health must have academic credentials and extensive experience in the Public Health field. This recommendation has been met.

Chair MacKinnon read the first recommendation. The motion to adopt the first recommendation passed by a voice vote with one (1) no vote (Gray).

Recommendation Number 2

All parties concerned with the budget development process must agree to the attached statement.

We, the undersigned, agree that professionalism, cooperation and full communication is necessary for a detailed and accurate budget to be prepared for the County. We fully appreciate the difficulties and stress under which we all operate especially in difficult financial years.

We recognize that past problems accruing to a lack of such professionalism and full cooperation involving the Public Health Budget development led to a less than optimal review and discussion of the budget.

We further recognize that the results of such deficiency are a disservice to our co-workers and the citizens of St. Lawrence County.

Therefore, all parties concerned will make every effort to maintain a professional approach and that such a situation will not reoccur in the future.

Chair MacKinnon read the second recommendation.

Ms. Cobb asked who would have to sign this. Chair MacKinnon said that it is his estimation that the entire Budget Team must sign this. She then asked if any of them have already been asked to sign this statement. Chair MacKinnon said no they have not.

Mr. Gray said that he does not approve of the report. He feels it did not go far enough. He feels it is not fair to ask people to sign this document. He believes that there should have been more interviews done. He feels it is an important fact that three Legislators knew of this \$429 thousand mistake last year and they were not interviewed. He feels there is a real responsibility

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born from this mistake. He feels that if three members of this Board knew, they should be held responsible. He said that this is a "they said this and a they said that situation". He said that the Board does not have the entire story. He said that there were other people involved; their opinions were germane their recollections were germane. He said that we owe it to the staff that were interviewed to go further. He feels that the three Legislators need to answer the question of why the rest of the Board was not notified.

Mr. FitzRandolph is going to vote against this. He said that asking someone to sign a statement is something he is not crazy about. He does wish that the Committee had consulted others and to look at the minutes, which Mr. Gray has fabricated into a whole new story.

Ms. Cobb asked if this Board has ever had an employee sign a statement, and what would happen if they refused to sign. Chair MacKinnon said that in answer to the first question, not to his knowledge, and that it would be up to Board to decide the second question. Ms. Cobb asked what the ramifications would be if someone does not sign. Chair MacKinnon said that under the laws of civil service, nothing. Ms. Cobb confirmed that Mr. Brining is not a civil service employee. Chair MacKinnon said that the laws apply there as well.

Mr. Moore said that Mr. Gray mentioned that some Legislators knew. He said that there where things going on in Public Health that where being recommended and not being followed up on. He said that they did not know the actual dollar amount at that time. He confirmed this information with several Legislators and he discussed it at caucus so he believes Mr. Gray should have known.

Mr. Turbett said he opposes this recommendation as he hopes that all employees come to work with the attitude that is written out in recommendation two. He believes that staff comes to work with the attitude that they will do a good job. He said that this resolution makes it look like we are doing something when really we are not. He said that we have not solved the problem.

Mr. Wilson said that three Legislators came forward with problems that were told to them by an employee that was locked out of computers and out of the agency. He said that if someone would have come to us with the information that Public Health has a number of problems, that would not have been news to us. He said that if he had any culpability in this, he was unaware of it. He said if this is a cover up, he admitted to it in a meeting. He said that we all knew that there were problems. He said he did not have precise knowledge. He said that Mr. Moore communicated this at caucus in writing. He said that we all knew. He said that he takes a lot of blame. He said that he has his story, and you have yours. He feels that his story will pass muster. He said that he admitted being wrong at the time of being wrong. He said that he has been wrong a lot of times. He said that many of us share in this. He said that he has been wrong on judgement things, on speculative knowledge. He said that he was wrong for not having information; this is a tempest in a teapot, as far as the three Legislators are concerned.

Mr. Gray thanked Mr. Moore and Mr. Wilson for confirming his position. He feels it is important to discuss why someone would be locked out. He said that there must have been something going on that made senior staff take that kind of action. He said that he had phone calls from plenty of Public Health employees, past and current, and he is surprised that we did not see a rash of suits for harassment. He said that the only way to know the truth is to talk to the

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staff in the trenches. He said that the contradictions and the untruths run rampant. He said that he would not blame them for not wanting to talk to us, after seeing this Board. He had a person come to him asking to speak in executive session because she would like to explain some issues, but is afraid to address the Board because she wants to retire from the County. He feels it is unfortunate that staff cannot come forward for fear of retribution. He would not be surprised if employees are sending resumes hither on. He said that people are afraid that someone may make something up about them. He said that he is the type of person that if he is at the bottom of the latter he must voice his opinion. He said that he blames this body for taking sides on an issue, and not wanting to get to the bottom of the issue. He said that it is one thing when there is a great number of those saying one thing, and a lesser number saying another; why is it that the lesser gets heard. He said that he thinks the committee should reconvene and increase the number of interviewees. He said that we have seen, in the press, the caricatures that have been made of senior staff. He said that the people are not going to seek council, and that they should not have to be the object of the scorn and ridicule for what they are not responsible for. He said that they should be seen for making policy decisions on what information that they have. He is surprised that someone would take sides because someone lives in a certain geological location. He said that this is not serving the public; this is an attempt to undermine the workings of County Government. He said that it would be nice if it were like a confessional, where the staff would not have to be known. He has a real concern that we have damaged staff reputations right down the line. He said that you can say this is no reflection on staff, but it is. He said that the staff would tell you if they saw you on the street what is the truth. He asked for all Legislators to do the right thing. He said that this is just window dressing. He said that the staff made well-founded decisions.

Ms. Cobb said that the first thing is the allegation of harassment, she can only say she is hearing people were harassed, that is beyond what is going on here. She said that she was not here then. She said that it is our obligation to hear it out.

Mr. Gray asked Ms. Cobb to yield the floor for a comment. She agreed. Mr. Gray said that he determined harassment by listening to an employee, and that it was shared with Ms. Cobb. Ms. Cobb said she received a call yesterday. She told the person that called that it should be on file, and if this is the forum to do that, she is ready to do it. She feels something should be written, and this is negligence on that Supervisor's part. She feels of all of these things the \$400 thousand mistake pails in comparison to harassment.

Ms. Brothers said this report reflects the recommendation of the Committee. She said that as far as the number two recommendation goes, that was our attempt to have this acknowledge that there was some serious problems. She said that whether or not this Board accepts this is their choice. She personally feels that the report is done and she is done with it.

Mr. MacKinnon said that he will try to keep the discussion to the resolution.

Mr. Gray called for a point of order...the recommendations are from the Committee.

Mr. Romigh said that we keep picking at the scab of Public Health. He said that he agrees with some of what Mr. Gray has said. He agrees with recommendation number one. He said that the others are not worth the paper that they are written on. He is tired of the game. He would like to

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see the Committee put back together. He said that Mr. Turbett once had a quote from Mr. Venesky that none of the other Legislators had, and that too many Legislators get information that others do not. He mentioned that Mr. Moore and two other Legislators had this "mistake" information and the rest did not. He feels it is time to investigate, and he feels that if heads must role, than let heads role.

Mr. Nichols said that employees approached him, as well; some of those employees are here tonight. He said that three of those individuals contacted him with concerns of how things went in Public Health. He said that they have little confidence in the Board of Legislators confidentiality. He said that there is a great deal of fear that they will somehow be run down or there will be damage to their credibility. He said that there are individuals that feel that they were mistreated, sometimes unbearably, and that they fostered a problem that we are still dealing with today. He said that there needs to be some way for those individuals to come forward without fear of retribution. He said that the airing of this needs to take place. He said that many of those key individuals would have to agree on this. He asked how do we take care of this problem. He said that there are disagreements and strong feelings that the Board of Legislators have for each other, and that this Cancer will spread and it will destroy the working atmosphere, and he feels that there are some that would like that to happen. He said that we have to draw a line to say enough is enough. He said that we have an unfinished issue, and we need to have employees feel safe in expressing their views.

Mr. FitzRandolph said that he agrees with some discussion and disagrees with other discussion, but feels these discussions are not relative to the current question.

Mr. Romigh moved to table the last two recommendations, seconded by Mr. Gray, and failed by a roll call vote with eleven (11) no votes and four (4) yes votes (Cook, Gray, Grow, and Romigh).

Recommendation number two failed by a roll call vote with ten (10) no votes and five (5) yes votes (Brothers, Cook, Lacy, MacKinnon, and Morrill).

Recommendation Number 3

We expect that the County Administrator will keep the Board fully apprised of any personnel issues that have the potential to adversely impact County operations.

Recommendation number three carried by a roll call vote with twelve (12) yes votes and three (3) no votes (Gray, Grow, and Romigh).

Ms. Cobb said that for the employees that do not want to come forward, this applies to that. She said that the working conditions apply here as well, she was not here, and did not know what the Board knew. She said that maybe we should ask someone from outside of County Government to interview and find out if people were mistreated by another employee, that is the concern that a she has.

Mr. Gray said that there were no formal reports of harassments. He feels that an outside person is a good idea and that perhaps we could find someone that has a union background. He said that

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it would be good to perhaps direct our attention to where the problem really was. He said that it would have to be specific to those parties involved; he feels this is an excellent suggestion.

Mr. Morrill mentioned that he would not want the County to be out more than the \$429 thousand by paying a fee for something like this.

Mr. Gray said that if this is let go, then it has grounds for a far greater cost.

Chair MacKinnon said that it is his feeling that the report hits the nail right on the head.

Chair MacKinnon adjourned the meeting at 7:10 p.m., as there was no further business.

November 3, 2003

St. Lawrence County
Board of Legislators
Courtroom C

Public Hearing
Monday, November 3, 2003
6:55 p.m.

**PROPOSED LOCAL LAW C (NO. ___) FOR THE YEAR 2003 AUTHORIZING
A SEPARATE ENCLOSURE TO BE INSERTED INTO TAX BILL MAILINGS**

Chair MacKinnon called the Public Hearing to order at 6:56 p.m.

The Deputy Clerk read the call to the Public Hearing.

Chair MacKinnon asked if anyone wished to comment. No one wished to comment.

Chair MacKinnon adjourned the Public Hearing at 7:00 p.m.

St. Lawrence County
Board of Legislators
Board Room

Board Meeting
Monday, November 3, 2003
7:00 p.m.

Chair MacKinnon called the meeting to order at 7:02 p.m.

ROLL CALL: All Legislators present.

Mr. Wilson led everyone in prayer, followed by the Pledge of Allegiance.

Chair MacKinnon explained the process for the evening's events and expressed the Board's appreciation to the employees present tonight who will be recognized for thirty years of service.

PRESENTATION FOR THIRTY YEARS OF SERVICE:

Mr. Brining asked Mr. Cunningham to come forward to present an award to Larry Huto. Ms. Degone came forward to present an award to Kathy Blair. Mr. Maginn came forward to present an award to Darlene White. Mr. Dashnaw came forward to present awards to Steven Cook, James Manning, Charles Tupper, and Robert Wilson. Mr. Davis came forward to present awards to Michael Henry, Paul Pirie, and Charlotte Steen. Mr. Brining read the names of those who have achieved thirty years of service but could not attend this evening. They included David Delosh, Doris Martin, Donna Cameron, Valerie Church, Arvilla Fountain, and Debra Mathieson.

PRESENTATION BY 4-H REPRESENTATIVES:

Ms. Pennington introduced representatives from 4-H who are present this evening to address the Board of Legislators. They included Rachel and Sarah Hunter, who spoke regarding the community service duties of 4-H (i.e. Adopt a Soldier, blankets for binky patrol, etc.), Daniel and Levi Zufall, who spoke regarding the dairy industry and the projects that provide exposure to the various aspects of farming, Eric Nelson, who spoke regarding the public presentation skills program available through 4-H, Geordan Caswell, who spoke regarding the leadership projects available through 4-H and how valuable it is to people in his age group. He provided specific examples of some the projects. Sue Morter-Dean spoke regarding the history and current events

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of 4-H. She explained that her father was the agent at large in St. Lawrence County. She provided examples regarding the specific projects she has been involved through 4-H. She explained how her children have benefited from the various aspects of 4-H. She gave personal examples of how valuable the experience of 4-H has been for her.

MINUTES: Mr. Nichols moved to approve the minutes from the September Board and the September Special Board Meeting, seconded by Mr. Teele. Mr. FitzRandolph requested that the Deputy Clerk revise page 284 from the September Board Meeting. The motion carried.

COMMUNICATIONS: The Deputy Clerk read the following communications:

1. A letter was received from the United States Board on Geographic Names stating the proposal for the name change from Jorstadt Island to Dark Island has been approved.
2. A card of appreciation was received from Dona Zimmerman in regard to a donation made in memory of her husband.
3. A letter was received from Donna Reed that read; Dear Members of the Legislature: I am unable to attend your meeting tonight due to a prior commitment. This letter is to express my support of Don Brining. I worked for Don as his confidential secretary and then Deputy Clerk to the Board of Legislators. The time period spanned eight and a half years. Many of you know this and some do not. During that time period I have not seen any conduct that was worthy of this resolution of "no confidence." Don is a great leader and has high ethic and moral principles. He has the interest of the citizens of the County, the employees, and the Board of Legislators in perspective. It is unfortunate that not everyone on this Board can see that. I have never seen him conduct himself as anything other than professional. The statements in this resolution are contradictory to what I seen. What is the purpose of this resolution. To continue to pass blame for what has happened in Public Health. If you vote in agreement of this resolution then you are also voting for a no confidence in yourselves. It is time to accept responsibility and work to put this behind everyone. It is time to stop making Public Health the problem child of county government. It is your responsibility to do this for the employees and the citizens of St. Lawrence County.

CITIZEN PARTICIPATION:

Mike Duffy addressed the Board regarding revaluation in the Town of Clifton. He said, in his opinion, the assessments are done incorrectly. He said the homes on Cranberry Lake are under assessed. His property is only accessible by water; in contrast to the homes where the lower assessed properties have roads to them. He estimates the figure is between twelve and fifteen million. During the winter months, he lives in New Hartford and provided some information regarding the assessing they do. He requests that the entire County be reassessed.

Diane LaRock introduced herself to the Board and said she would like to speak regarding support for Don Brining. She explained that since September 2002, she has been the Emergency Preparedness Coordinator and has enjoyed the opportunity to work with Mr. Brining. For approximately twelve years prior, she said she worked as a Community Health Nurse working out of the Ogdensburg Office. She said over the past year, she had the opportunity to attend

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bioterrorism related meetings with Mr. Brining and she has witnessed his leadership abilities firsthand. To this day, she said she continues to hear many people say that Mr. Brining was responsible for getting the County through one of the worst emergency situations in recent history, the ice storm of 1998. She said this past August, the northeast power grid went down and no one knew what was going on and within minutes Mr. Brining was at the command center in Canton. She said she thinks St. Lawrence County is fortunate to have Mr. Brining as the County Administrator. She thanked the Board.

PRESENTATION OF RESOLUTIONS:

Finance Committee: 10-27-2003

RESOLUTION NO. 273-2003

AUTHORIZING FILLING OF VACANCIES

By Mr. Nichols, Chair, Finance Committee

WHEREAS, the St. Lawrence County Board of Legislators adopted Resolution No. 38-2003 on February 10, 2003, which created a policy for filling of vacancies, and

WHEREAS, the vacancies listed below have received the approval of being forwarded to the full Board by the Finance Committee,

NOW, THEREFORE, BE IT RESOLVED that the following vacancies are hereby authorized to be filled:

<u>Department</u>	<u>Title</u>	<u>Type</u>	<u>Duration of Position</u>
Highway	Motor Equipment Operator	Full Time	Permanent
Probation	Probation Assistant	Full Time	Permanent
Social Services	Caseworker	Full Time	Permanent
Social Services	Clerk	Full Time	Permanent

* * *

Mr. Nichols moved to adopt Resolution No. 273-2003, seconded by Mr. Grow and carried unanimously by a voice vote.

November 3, 2003

Finance Committee: 10-27-2003

RESOLUTION NO. 274-2003

APPORTIONMENT OF SURPLUS

By Mr. Nichols, Chair, Finance Committee

WHEREAS, a report pursuant to Section 111, Article 7, of the Agriculture and Markets Law has been presented to the Board of Legislators from the Treasurer's Office, and

WHEREAS, such report lists the surplus funds due to towns pursuant to dog licensing fee procedures,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators hereby approves the apportionment of the surplus according to the report of the County Treasurer dated January 29, 2003, as follows:

<u>REMITTING MUNICIPALITY</u>	<u>AMOUNT REMITTED</u>	<u>75% of SURPLUS APPORTIONED</u>
Brasher	\$512.27	\$287.10
Canton	729.65	408.97
Clare	13.23	7.41
Clifton	247.90	138.93
Colton	252.61	141.57
DeKalb	247.93	138.95
Depeyster	265.51	148.80
Edwards	318.40	178.45
Fine	469.97	263.39
Fowler	800.13	448.43
Gouverneur	2,171.38	1,216.94
Hammond	352.55	197.59
Hermon	351.33	196.90
Hopkinton	246.71	138.27
Lawrence	471.15	264.05
Lisbon	1,021.05	572.24
Louisville	300.77	168.57
Macomb	226.91	127.17
Madrid	348.95	195.57
Massena	1,949.70	1,092.70
Morristown	408.86	229.14
Norfolk	801.32	449.10
Oswegatchie	628.59	352.29
Parishville	478.20	268.01
Piercefield	122.17	68.47
Pierrepoint	444.12	248.91
Pitcairn	383.01	214.66

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Potsdam	2,020.95	1,132.63
Rossie	285.56	160.04
Russell	343.07	192.27
Stockholm	1,180.83	661.79
Waddington	464.09	260.10
Ogdensburg	<u>2,144.33</u>	<u>1,201.78</u>
Total	\$21,003.20	\$11,771.19

* * *

Mr. Nichols moved to adopt Resolution No. 274-2003, seconded by Mr. Romigh, and carried unanimously by a voice vote.

Finance Committee: 10-27-2003

RESOLUTION NO. 275-2003

CREATING AND ABOLISHING POSITIONS IN THE DEPARTMENT OF HIGHWAYS

By Mr. Nichols, Chair, Finance Committee

WHEREAS, the Department of Highways has a vacant position of Highway Labor Crewleader, and

WHEREAS, the Department of Highways wishes to increase efficiency and safety,

NOW, THEREFORE, BE IT RESOLVED that the following positions be created and abolished in the 2003 budget for the Department of Highways:

CREATE

One (1)	Motor Equipment Operator Grade 18/B	\$25,158
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ABOLISH

One (1)	Labor Crewleader Grade 19/10	\$31,690
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BE IT FURTHER RESOLVED that the Superintendent of Highways be authorized to fill the position.

* * *

Mr. Nichols moved to adopt Resolution No. 275-2003, seconded by Mr. Cook, and carried unanimously by a voice vote.

November 3, 2003

Finance Committee: 10-27-2003

RESOLUTION NO. 276-2003

**SETTING A DATE FOR A PUBLIC HEARING ON THE ADOPTION OF
THE ST. LAWRENCE COUNTY COMPREHENSIVE
EMERGENCY MANAGEMENT PLAN**

By Mr. Nichols, Chair, Finance Committee

WHEREAS, per the Supplemental Appropriation to our Local Emergency Management Performance Grant, it is necessary to schedule a public hearing to allow County residents an opportunity to review the St. Lawrence County Comprehensive Emergency Management Plan, and

WHEREAS, the plan will be made available at the November Operations Committee for review with adoption scheduled for the December Board Meeting,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby establishes that a public hearing shall be held at 6:50 p.m. on December 1, 2003.

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Mr. Nichols moved to adopt Resolution No. 276-2003, seconded by Mr. Gray, and carried unanimously by a voice vote.

Operations Committee: 10-20-2003

RESOLUTION NO. 277-2003

**TRANSFER OF FUNDS IN THE 2003 BUDGET, CORRECTIONAL FACILITY
HOUSING INMATES AT OTHER CORRECTIONAL FACILITIES**

By Mr. Grow, Chair, Operations Committee

WHEREAS, this year there have been inmates housed in the Oneida, Franklin, Lewis, Clinton and Cayuga County Correctional Facilities and also at The New York State Department of Mental Hygiene Facility, and

WHEREAS, at the present time we have inmates housed out in Franklin, Lewis, Clinton and Cayuga Counties and The New York State Department of Mental Hygiene Facility, and

WHEREAS, there is \$3,548 in the account to pay the September 2003 and remainder of this fiscal year's bills,

November 3, 2003

NOW, THEREFORE, BE IT RESOLVED that the following transfer of funds is hereby authorized:

TRANSFER FROM:

01-B1-1990-497-00-0	Contingency Fund	\$150,000
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TRANSFER TO:

01-S5-3150-480-01-0	Boarding of Prisoners	\$150,000
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Mr. Grow moved to adopt Resolution No. 277-2003, seconded by Mr. Romigh, and carried unanimously by a roll call vote.

Operations Committee: 10-20-2003

RESOLUTION NO. 278-2003

**MODIFY THE 2003 ST. LAWRENCE COUNTY SHERIFF'S DEPARTMENT
BUDGET FOR THE CRIMINAL DIVISION**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the St. Lawrence County Sheriff's Department has increased its dependence on technology in order to increase the productivity of the overall Department, and

WHEREAS, as a result of our increased utilization of the County's wide area network and the need for increased speed and bandwidth, the Department has been working with the Central Services Department, Data Processing staff to resolve the slow data communications problem that we have been experiencing because of "bottlenecks" caused by older, slower network switches at key locations on the network, and

WHEREAS, to resolve the network's performance issues the Sheriff's Department will purchase one core switch that will enhance the data communications with the old Surrogate Building, the Correctional Facility, and the Public Safety Building, and

WHEREAS, in addition six other switches will be purchased; three will replace older switches located in the utility closets in the Public Safety Building, two will replace the current switches located in the Correctional Facility and the Public Safety Building and will be directly connected to the core switch, and one additional switch in the Correctional Facility that is needed because of additional demand, and

WHEREAS, the result of replacing these switches will greatly enhance the performance of the County's wide area network for not only the Sheriff's Department but for all of the network users,

November 3, 2003

NOW, THEREFORE, BE IT RESOLVED that the following transfer of funds is hereby authorized:

DECREASE RESERVE:

01-TG-0889-503-00-0 Sheriff's Equitable Sharing Reserve \$8,600

INCREASE REVENUE:

01-S1-1589-550-00 Equitable Sharing Reserve \$8,600

INCREASE APPROPRIATIONS:

01-S1-3110-250-00-0 Criminal Technical Equipment \$8,600

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Mr. Grow moved to adopt Resolution No. 278-2003, seconded by Mr. Nichols, and carried unanimously by a roll call vote.

Operations Committee: 10-20-2003

RESOLUTION NO. 279-2003

APPROVING THE SEX OFFENDER MANAGEMENT GRANT AND MODIFYING THE ST. LAWRENCE COUNTY PROBATION DEPARTMENT BUDGET

By Mr. Grow, Chair, Operations Committee

WHEREAS, the St. Lawrence County Probation Department has been awarded a Sex Offender Management Grant, and

WHEREAS, the Grant runs from October 1, 2003, through September 30, 2005, and is in the amount of \$250,000, and

WHEREAS, the Grant will allow the County to establish a Sex Offender Management Program with the assistance of trainers, a coordinator, and consultants,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair, with the approval of the County Attorney, to sign the necessary contract documents and approves the modification of the 2003 budget as follows:

INCREASE APPROPRIATIONS:

01-Q1-3140-430-00-0-SOM Other Fees for Services \$7,500

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INCREASE REVENUE:

01-Q1-4389-570-00-0-SOM Sex Offender Management Grant

\$7,500

* * *

Mr. Grow moved to adopt Resolution No. 279-2003, seconded by Mr. Cook, and carried unanimously by a roll call vote.

Operations Committee: 10-20-2003

RESOLUTION NO. 280-2003

**SUPPORTING THE NEW YORK STATE ASSOCIATION OF COUNTIES AND THE
NEW YORK STATE COUNCIL OF PROBATION ADMINISTRATORS EFFORTS TO
SECURE PASSAGE OF LEGISLATION FOR INCREASED PROBATION FEES**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the utilization of Probation Services has grown and expanded considerably over the past few decades, and

WHEREAS, compared to prison, jail and parole, probation is by far the sanction most utilized by judges and magistrates, and

WHEREAS, as such, probation must be responsive to the orders of the Courts and provide services that not only meet the needs of the courts and offenders, but that also help keep our communities safe, and

WHEREAS, over the past decade, the State has shifted its support for probation, decreasing reimbursement rates from 46.5% to 20% in 2003-2004, and

WHEREAS, counties have tried to be inventive at coming up with new ways to maintain their Probation Systems, including passing local laws to allow for the collection of certain fees, and

WHEREAS, a recent opinion of the New York State Attorney General has declared that counties may not, pursuant to their home rule authority alone, enact local laws imposing Administrative Probation Fees, and

WHEREAS, counties and Probation Departments are no longer in a fiscal position to continue to pick up losses due to decreases in State Aid to Probation and are, therefore, seeking legislative relief,

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NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators supports the immediate passage of Senate Bill S5436--A and Assembly Bill A9044-A which allow counties to adopt local laws to impose administrative costs on probationers, and

BE IT FURTHER RESOLVED that copies of this resolution be sent to Senator James W. Wright and Senator Raymond A. Meier and Assemblywoman Dierdre K. Scozzafava and Assemblyman Darrel J. Aubertine.

* * *

Mr. Grow moved to adopt Resolution No. 280-2003, seconded by Mr. Lacy, and carried unanimously by a voice vote.

Service Committee: 10-27-2003

RESOLUTION NO. 281-2003

ACCEPTING FUNDING FROM THE WORKFORCE INVESTMENT ACT TO ESTABLISH ONE COMMUNITY SERVICE BRIGADE CREW

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Community Service Brigade (CSB) program has served at-risk youth since September 2002, and

WHEREAS, a CSB proposal was submitted to and approved by the Workforce Investment Board (WIB) Youth Council to serve between five and seven youth who are disenfranchised youth, and

WHEREAS, the program will be administered within the WIA Youth Services fiscal year of July 2003 through June 2004, serve disenfranchised youth, and address many of the needs for this population by providing a menu of comprehensive services that include: work experience, education & leadership training, tutoring, career exploration, community service, and workforce development, and

WHEREAS, this pragmatic approach to youth employment and training has been very successful in reaching and teaching adolescents and young adults in St. Lawrence County,

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Treasurer's Department is hereby authorized to make the following modifications to the 2003 Youth Bureau budget and rollover remaining appropriations to the 2004 Youth Bureau budget:

INCREASE APPROPRIATIONS:

01-Y2-7310-190-00-4	Temporary & Part-Time	\$6,008.80
01-Y2-7310-460-00-4	Payments & Contribution	12,841.20

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01-Y2-7310-800-00-4	Fringes	2,356.25
01-Y2-7310-441-00-4	Gasoline & Oil	2,000.00
01-Y2-7310-499-00-4	Miscellaneous	<u>4,793.75</u>
		\$28,000.00

INCREASE REVENUE:

01-Y2-2770-550-00-4	CSB – WIA SUBCONTRACT	\$28,000.00
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Mr. Cook moved to adopt Resolution No. 281-2003, seconded Ms. Cobb, and carried unanimously by a roll call vote.

Services Committee: 10-27-2003

RESOLUTION NO. 282-2003

**2003 COMMUNITY SERVICES BUDGET AMENDMENT –
REALLOCATION OF FUNDS**

By Mr. Cook, Chair, Services Committee

WHEREAS, each year the Community Services Board and the Mental Health Subcommittee considers reallocation of under utilized funds for one-time expenses, and

WHEREAS, these funds are one hundred percent (100%) State Aid and utilization of the funds assures that they will remain in St. Lawrence County, and

WHEREAS, the Mental Health Subcommittee has approved the reallocation of under utilized CSS and Reinvestment funding for one time purchases for Claxton-Hepburn Mental Health Unit, Catholic Charities, NYSARC, Inc. and Step-By-Step, Inc.,

NOW, THEREFORE, BE IT RESOLVED that upon approval of the County Attorney, the Chair be authorized to sign amended contracts, and

BE IT FURTHER RESOLVED that the 2003 Budget be amended as follows:

TRANSFER FROM:

01-A4-4322-465-TL-4	A OFS NCTLS Advances	\$ 7,000
01-A4-4322-465-CD-1	A CSS Comm Dev Program	<u>24,900</u>
		\$31,900

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INCREASE REVENUE:

01-A4-3490-560-00-2	A SA CR Other Mental Health Programs	\$17,363
01-A5-3490-560-00-0	A SA Mental Health Administration	<u>4,123</u>
		\$21,486

TRANSFER TO:

01-A4-4322-465-CC-2	A CRV Catholic Charities	\$ 8,442
01-A4-4322-465-AR-1	A CSS ARC	22,500
01-A4-4322-465-SS-1	A CSS STEP BY STEP Advances	2,400
01-A4-4322-465-SS-3	A CPP STEP BY STEP Advances	15,921
01-A5-4310-465-00-0	A ADM Other Payments	<u>4,123</u>
		\$53,386

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Mr. Cook moved to adopt Resolution No. 282-2003, seconded by Mr. Romigh, and carried unanimously by a roll call vote.

Services Committee: 10-27-2003

RESOLUTION NO. 283-2003

**SUPPORTING THE ESTABLISHMENT OF A NATIONALLY CHARTERED
KOREAN WAR VETERANS ASSOCIATION**

By Mr. Cook, Chair, Services Committee

WHEREAS, the members of St. Lawrence County Chapter 284 of the Korean War Veterans Association have banded together for service to their fellow veterans, and

WHEREAS, the National Korean War Veterans Association has yet to be nationally chartered by Congress, and

WHEREAS, this recognition by the Congress of the United States would provide for the organization to be eligible for certain benefits from the federal government to assist veterans at no cost,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators supports the national recognition of the Korean War Veterans Association by issuance of a charter by the Congress of the United States, and

BE IT FURTHER RESOLVED that the St. Lawrence County Board of Legislators requests the support of the State Senate and Assembly in also passing a proclamation in support of such charter, and

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BE IT FURTHER RESOLVED a certified copy of this resolution shall be forwarded to the President of the United States, George W. Bush; Governor George Pataki; Congressman John McHugh; Senators Charles Schumer and Hillary Rodman Clinton; Senators James Wright, Raymond Meier and Elizabeth Little; Assembly Members Darrell Aubertine and Dierdre Scozzafava; and Chapter 284, Korean War Veterans Association.

* * *

Mr. Cook moved to adopt Resolution No. 283-2003, seconded by Mr. Grow and Mr. Gray, and carried unanimously by a voice vote.

Services Committee: 10-27-2003

RESOLUTION NO. 284-2003

TRANSFER OF FUNDS IN THE 2003 SOCIAL SERVICES DEPARTMENT BUDGET

By Mr. Cook, Chair, Services Committee

WHEREAS, it is necessary to transfer appropriations between various Social Services Department accounts,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby authorize the transfer of funds as follows:

TRANSFER TO:

01-DP-6142-465-00-A	D EAA DIRECTS	\$ 4,000
01-DS-6129-465-00-S	D STS Other Payments	\$100,000
01-DS-6070-465-00-G-PPS	D PPS Prob Prev Serv.	\$ 75,000
01-DS-6109-465-BC-CCEA	D EAF Board & Care	\$ 90,000
01-DS-6109-465-IB-C-CCEA	D EAF Institution Board	<u>\$ 95,000</u>
		\$364,000

TRANSFER FROM:

01-DP-6140-461-00-S	D HR DIRECTS	\$ 4,000
01-DS-6123-465-IB-J-EAJD	D EAF JD/PINS Inst. Board	\$ 50,000
01-DS-6123-465-IS-J-CCJD	D JD/PINS Inst. Tuition	\$ 50,000
01-DA-6010-110-00-S	D SG Direct Service Workers	\$150,000
01-DA-6010-110-00-P	D TA Direct Service Workers	<u>\$110,000</u>
		\$364,000

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Mr. Cook moved to adopt Resolution No. 284-2003, seconded by Mr. Grow and Mr. Turbett, and carried unanimously by a roll call vote.

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Services Committee: 10-27-2003

RESOLUTION NO. 285-2003

**AUTHORIZING THE CHAIR TO SIGN CONTRACTS FOR SERVICES FOR
THE PUBLIC HEALTH DEPARTMENT'S EARLY INTERVENTION
AND PRE-K PROGRAMS**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department engages the services of several individuals and agencies to provide services to the Early Intervention and Pre-K Program, and

WHEREAS, the Early Intervention contracts cover the following services at the following rates:

<u>Services</u>	<u>Rates</u>
Core Evaluation	\$386.00
Service Coordination	14.24 per unit
Basic Visit	70.00
Extended Visit	99.00
Supplemental Non-Physician	165.00
Supplemental Physician	180.00
Office Visits	41.00
Parent/Child Play Group	38.00

WHEREAS, the Pre-K contracts cover the following services: Center-based program, 1 to 1 Aide, Special Education Itinerant Teacher, Evaluation and related services at rates set by NYS Education Department, and

WHEREAS, these contracts cover the period July 1, 2003 through June 30, 2004,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes its Chair to sign said contracts, upon approval of the County Attorney.

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Mr. Cook moved to adopt Resolution No. 285-2003, seconded by Ms. Cobb, and carried unanimously by a voice vote.

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Services Committee: 10-27-2003

RESOLUTION NO. 286-2003

**AUTHORIZING THE CHAIR TO SIGN CONTRACT FOR
PRE-K TRANSPORTATION SERVICES**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department is mandated to provide transportation services for the Pre-K Special Education Program, and

WHEREAS, the Department has accepted a bid for said services from Laidlaw Educational Services, 721 Hall Road, Lisbon, New York in the amount of \$3,560.10 per day, and

WHEREAS, the period covered is January 1, 2004 through June 30, 2005 with the option to renew for three years,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair to sign said contract upon approval of the County Attorney.

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Mr. Cook moved to adopt Resolution No. 286-2003, seconded by Mr. Romigh, and carried unanimously by a voice vote.

Services Committee: 10-27-2003

RESOLUTION NO. 287-2003

**AUTHORIZING THE CHAIR TO SIGN LETTER OF AGREEMENT
FROM THE NEW YORK STATE DEPARTMENT OF HEALTH
FOR REIMBURSEMENT FOR THE PUBLIC HEALTH
DEPARTMENT'S RABIES PROGRAM EXPENSES**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department has received a Letter of Agreement from the New York State Department of Health for reimbursement of rabies expenses for the time period April 1, 2003, through March 31, 2004, and

WHEREAS, the reimbursement amount is \$40,000,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the Chair to sign said letter of agreement upon approval of the County Attorney.

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Mr. Cook moved to adopt Resolution No. 287-2003, seconded by Mr. Morrill, and carried unanimously by a voice vote.

Services Committee: 10-27-2003

RESOLUTION NO. 288-2003

SUPPORTING THE PROPOSED ST. LAWRENCE SPEEDWAY

By Mr. Cook, Chair, Services Committee

WHEREAS, a group of investors incorporated as St. Lawrence Speedway, LLC has expressed an interest in constructing an automobile racing facility in New York State, and

WHEREAS, the investors have determined that their preferred site for this facility is in the Town of Brasher, within St. Lawrence County, and

WHEREAS, a facility as they have proposed would include a variety of events, including drag racing and oval track racing that would draw large numbers of spectators and tourists, and

WHEREAS, the proposed facility would be a significant investment in the County and a major tourism attraction and offers the potential to provide positive economic benefits to St. Lawrence County, and

WHEREAS, these benefits would include increased employment prospects for St. Lawrence County residents as well as increases in revenues for existing local businesses and new spin-off industries that would support the facility,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby extend its support, as appropriate, for the proposed St. Lawrence Speedway in St. Lawrence County.

* * *

Mr. Grow moved to adopt Resolution No. 288-2003, seconded by Mr. Gray and Mr. Romigh. Mr. FitzRandolph requested a roll call vote. Mr. Gray mentioned the process of the issues with committee discussion and the economic impact for St. Lawrence County. The motion carried unanimously by a roll call vote.

Mr. Nichols moved for a brief five-minute recess. Chair MacKinnon adjourned the meeting at 7:45 p.m. for a brief recess. Chair MacKinnon reconvened the November Board Meeting at 7:52 p.m.

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RESOLUTION NO. 289-2003

A VOTE OF NO CONFIDENCE

By Mr. Wilson, District 1

WHEREAS, Board of Legislature has a fiduciary responsibility to the people of Saint Lawrence County and is required by oath to ensure as open a government as possible and has an obligation to carry out its duties at the right time, to the right object, for the right reasons, in the right manner and has a right to expect that its Chief Operating Officer will see to it that those obligations are carried out.

WHEREAS, County Administrator has knowingly circumvented Legislature by changing established Board policy and normal practice.

WHEREAS, County Administrator has failed to properly, appropriately and timely correct problems- of a financial, administrative and personnel nature- besetting Public Health.

WHEREAS, County Administrator knew or should have known that the source of revenue extracted from Agencies and county monies as rent from the Canton Human Services building was misrepresented and/or was allowed to be misrepresented.

WHEREAS, County Administrator knew or should have known that increasingly large rental charges to County Agencies would fore-shorten their ability to put revenue toward other worthwhile programs.

BE IT RESOLVED that County Administrator has lost the confidence of Board of Legislature.

* * *

Mr. Wilson moved to adopt Resolution No. 289-2003, seconded by Mr. FitzRandolph. Mr. Gray requested the resolution in question be read aloud. Mr. Wilson read the resolution. Mr. Wilson said this room is an appropriate place for this resolution. He said something has been taken here and something we have lost. He said but we can get it back, that is trust. In Jerry Garcia's words, nothing has been damaged here. He said what is at issue can be reduced to one simple thing, Mr. Brining reduced service to special needs home health patients. He has restored services but he cannot restore trust. Mr. Wilson said Mr. Brining did so without bringing it to the attention of the public and the Board of Legislators. He said we have lost trust. He said Mr. Brining may have mentioned it to a few legislators and they were not able to make decisions without the entire Board but they did. He said Mr. Brining lost trust of the people and usurped the Legislature. He lost the respect and vacated his authority. Mr. Wilson said he has respect for those who have spoken and who will speak, but he would ask everyone to think about when Mr. Brining stopped taking applications and denied home health care, that is the question. Mr. Wilson asked people to think about if Mr. Brining usurped his authority and made decisions outside his power. He said this is not whether or not Mr. Brining has been good to you. He said everything else is french pastry. He said if Mr. Brining did usurp his authority and make

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decisions that are supposed to be made by the Board of Legislators, it might have been because he did not want to deliver bad news. He said Mr. Brining is not a policy maker; he is in fact an administrator. He did not inform the Board in open session that he would stop taking applications or deny home health care to the physically handicapped. He restated a portion of the resolution and said Mr. Brining failed. He provided background on Mr. Brining's experience and longevity with the County. He said he thinks that there are other issues at hand. He said incompetence is not the issue here. He said Mr. Brining is blessed with many defenders. He said he agrees with Ms. LaRock. He said the point is, it's not the point. He said he admires the loyalty to Mr. Brining. He said the question remains; did Mr. Brining usurp the authority of the Board of Legislators by denying home health care and stopping taking applications and is it deserving of public review. He said win or lose, this is the end no matter what we do. He said he is a historian by training and the first law of history is that one telling of an event is not an effective measure of it. He said he thinks there may be departments in St. Lawrence County where the other shoe will fall. He said people in his age group are finished products and the time for change is long passed. He said for those of you who hold out hope, you may be disappointed. He said there are fifteen people who can start tonight. He said there is one defining moment in each legislative term (i.e. incinerator, new building, etc.).

Mr. Romigh recognized Mr. Richards and the group of St. Lawrence County Department Heads stood up. Mr. Richards said he is proud to stand up here this evening and explained to the Board of Legislators, Chair MacKinnon and Mr. Brining that he was chosen to speak. He said Mr. Brining has raised expectations of the County. He explained the benefits to the County and said Mr. Brining has created a corporate culture. He created a Budget Team and provided the departments with a streamlined process. He provided examples in the creation of the Customer Satisfaction Award, the Organizational Guide, etc. just to name a few. He said Mr. Brining encourages positive thinking and growth throughout the County. He said that it is their faith and belief that Mr. Brining will continue to lead the County. Mr. Richards asked Chair MacKinnon if he could approach the Deputy Clerk to provide a copy of the signed letter. Chair MacKinnon obliged.

Mr. Gray said that he would like to apologize for Legislator for District 1 and the mockery that it makes of this room. He said the resolution was submitted last Friday, which was Halloween and that was a much more fitting day for a witch-hunt. He said this issue is only one of the many that the Legislator from District 1 has, and he wonders how many tissues he went through salivating over the possibility of an actual issue. He said the crime de jour of Mr. Brining changes constantly with the Legislator from District 1. He explained how last year, the crime de jour was the new building. He said there are no policies are made without the Board. Mr. Gray read from the Letter to the Editor submitted by the Legislator from District 1. He mentioned the Salem Witch Trials and how that process found even the innocent guilty. He mentioned the quote upon the far wall in the courtroom, "He threatens the innocent who spares the guilty" and cited the truth in that statement. He noted the issue of the mileage. He said the Legislator from District 1 said on the six o'clock news that he is a horrible bookkeeper and asked if that was the second crime de jour of Mr. Brining. He explained the physical handicapped, just for clarification, was for orthodontia. Those who were denied were provided with information on where they can seek other help, panacea county government is not. He said he came onto the Board of Legislators a year before the Legislator from District 1. He has been racking his brain trying to figure out why exactly what Mr. Brining's crime has been. He said Mr. Brining has always treated this Board in

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a fair and just manner. He said the Chairs in the past have always been treated with the respect and with deference. They were all assisted immeasurably to perform the job to the best of their ability. He asked the new Legislators to think of how their experience has been with Mr. Brining. He said that Mr. Brining has always invited Legislators to participate in meetings. He said some of those people who lack integrity are the first to throw stones. He said that is being carried on to our children. He said Mr. Brining has never been anything but professional. He said Mr. Wilson is correct; Mr. Brining is a distinguished military individual with loyalty. He said the military background has always been contrasted as a method Mr. Brining uses to overpower staff and that was not true. He said earlier in the budget process, certain Legislators wanted to attach a name to an individual who was being displaced; he would like to do that for Public Health. He said to Legislators that some of this is dishonest and shameful. He repeated that as Mr. Richards said, the jury has already decided. He asked that people here not be deterred from speaking about Mr. Brining.

Mr. Nichols yielded to Mr. Gray who recognized Ms. Thomas. She said first of all she is here supporting Mr. Brining wholeheartedly. She said some of the things she will say all Legislators may not agree with, but if she believed what has been written in the paper, she would not think she knew him at all. She said Mr. Brining is a very dedicated, honest, professional of the highest integrity. She said he is a far cry from the description in the paper of a bully and someone who doesn't want employees talking to Legislators. In fact, just the opposite is true. She said when she was receiving so many complaints from the employees at Public Health about their treatment from management and they told her a management person told them they could not talk to Legislators. She said she brought this to Mr. Brining's attention, he said they can talk to anyone they want and he made sure the message got to the employees as well as management. She said one Legislator mentioned to her that department heads were under a gag order and she investigated the accusation. She said department heads told her that the County Administrator had not silenced them. She said when she was asked to participate on a panel at NYSAC regarding labor/management and healthcare, she explained to the audience how the union and the County Administrator work in St. Lawrence County. Mr. Brining has an open door policy and will tackle issues head on. She said we treat each other with respect and listen to one another. She said sometimes the union is right and sometimes the County is right, but most times we meet in the middle. She said because of this open communication, we have fewer grievances being filed than ever. She said this was not true when the Board had other County Administrators and were told to take it to court, thereby costing the County and the Union, which created no relationship. By including the Union from the start in the discussions of a new health plan, the team approach resulted in a plan document, which saves money for the County and Union Members. This is how both sides handle every day issues; we not only show respect but also are given respect. She has experience of business where all processes follow labor management policy, however in St. Lawrence County it means Mr. Brining wants to work through the issues. She said regarding the recent issues with the Human Services Building, she reminded the Board that the working conditions at the Potsdam State were not appropriate for County Employees. She said she was called frequently regarding issues at that location. She said there was sewage on the floor and paint peeling in the offices, just to name a few of the major issues. She said the remedy was not moving to another old school with the same type of problems. She thanked the Legislators who cared enough about the County Workforce to go ahead with the new building. Ms. Thomas said Legislators did not complain when Mr. Brining guided the Solid Waste Department to a good working relationship and it is now a self-pay department. She said

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Legislators did not complain when he did an outstanding job coordinating the successes of the County during the ice storm. She finds it troubling that these issues that have benefited the Board of Legislators are so easily forgotten. As always, she said he stayed in the background and let the Legislature take credit. She said the difference now is that it is political and some do not seem to care about all of his accomplishments. She said she hopes that Mr. Brining will no longer be used as a pawn for the issues and not dealing with it directly because Legislators can only be unseated at the polls. She said it does not matter which party is in power, Mr. Brining works with the Chair of the Board. She said he keeps the Chair informed at all times, republican or democrat. She said if Legislators have a problem with the flow of information through the rest of the Board, she suggested sitting down and outlining ways to do it differently. She said a county employee asked her why the Board of Legislators is attacking Mr. Brining when he is the only one they have ever known. She said Mr. Brining gets out amongst the workers and he knows them by name. He sends cards welcoming new employees and cards of congratulations to those who get promoted. That is the real Mr. Brining. She said there was a suggestion in the Public Health Report to ask management officials to sign that they would treat each other professionally and with respect. She asked for the Board of Legislators to lead by example.

Mr. Nichols said on an evening like this he is ashamed to be a part of this body. He cannot believe a resolution of this nature with slanderous comments is even being considered. He said but he is here is to uphold the right like it says on the wall. He has been given the title of "Chairman of the Insiders" and said that is very untrue. He began by citing minutes from January 17th, 2000 and said all available options were explained to the Board of Legislators. Mr. Brining said there are many variables in the State Budget, which make him concerned. He held up a binder with information regarding the new building options. He said that information was provided to all Legislators and the public to become informed. He cited various Legislators comments and said Mr. Brining provided maintenance costs to the Board. He mentioned the parking issues. Mr. Nichols cited further that on January 24th, Mr. Wilson became the champion of Mater Dei. On March 27th, Green and Seifter presented the plan. On June 12th, Mr. Brining presented project options. He said isn't that a surprise when Legislators say they did not know. He said the "Chair of the Insiders" did not make that up. Mr. FitzRandolph said Mr. Brining feels he is overstepping his bounds if he made a recommendation. The vote on financing for the Building passed with a seven (7) to four (4) majority. He said Mr. Cook's motion failed, six (6) to five (5) to move Damon Hall to the Full Board for consideration. Mr. FitzRandolph moved a public works project for consideration. Mr. Nichols said did Mr. Brining make the recommendation, no the Board of Legislators did. He said whether good or bad, it is the Board of Legislators responsibility. On November 27th, the rent for tenants in the Building was computed based on what they are paying now. On December 4th, a lease agreement with the Workforce Investment Board was passed after lengthy discussion. On January 29, 2001, Mr. Wilson said he regretted voting no and thought the Board would be deadlocked and there would be no Building. On October 15, 2001, Mr. McFaddin asked if increased rents would prevent services from being provided to the County, not in 2003 but back in 2001 when the building was being built.

Mr. Nichols asked to direct questions to Ms. Abernethy. He asked if she was told that the Board's policy was not the Board's policy. She said no. Ms. Abernethy said she is aware that St. Lawrence County is policy-making body. He asked did Mr. Brining tell you to stop the home health agency and to stop taking applications. She said no. Mr. Nichols asked how many were

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denied. Ms. Abernethy said there were twenty (20) people interested in braces and possibly not all qualified and five (5) in Home Health Agency denied. He inquired if any cleft palettes were the qualifying people. Ms. Abernethy said of the twenty (20) interested people, there were none. Mr. Nichols asked about the role of Public Health in the Physically Handicapped Program. Ms. Abernethy explained the process. Mr. Nichols said, just to be clear, if the County had ten million dollars, what would the County's course of action have been. Ms. Abernethy said they still would have still been referred. Mr. Nichols said to Chair MacKinnon that he would like to remind everyone that the Board of Legislators placed a freeze on spending in a host of areas. He forgets the exact date, however, would like to go into the comments made regarding honesty and trust. Mr. Nichols said Mr. Brining has never been afraid of giving the Board of Legislators bad news. He explained how well Mr. Brining has informed the Board regarding issues that were to his own discredit. He said in this room people are supposed to be innocent until proven guilty. In closing, he said Mr. Brining is not the first person that was railroaded, unfortunately. Let he who is without sin cast the first stone.

Mr. Turbett said he would like to clear up some issues and asked Ms. Abernethy to stand again. Mr. Turbett asked, is it true that people who qualified were taken into that program. Ms. Abernethy said that she would not know that until they were evaluated. Mr. Turbett said do we know what those cases were. Ms. Abernethy said we did not set up appointments. Mr. Turbett said why did we not make appointments. Ms. Abernethy said she was of the understanding that she was supposed to stay within her budget. Mr. Turbett asked when she made the decision. Ms. Abernethy said it was August and near preparation of the budget process. Mr. Turbett asked if Ms. Abernethy informed Mr. Brining that Public Health was not accepting applications. Ms. Abernethy said she did not put it on the Services Agenda. Mr. Turbett said he was surprised when he joined the Board, mostly at the number of phone calls he did receive from Mr. Brining. He thought most of it could wait for the next meeting or a memo in their mailboxes. He said he thinks that makes this issue that much more difficult to accept. He said they were pestered with information, but he felt like that may not have been a good use of his time. But Mr. Turbett did not say anything about the uses of his time. For someone who constantly updates everyone, how could something like this have gotten by. His reply was I guess I should have informed you. He said Mr. Gray and Mr. Nichols said Mr. Brining wants to work with everyone but he does not understand that when he makes decisions without telling the Board of Legislators.

Mr. Gray recognized Ms. Shirley Heber, a Nurse with Public Health Department. She said she is here tonight to fully support Mr. Brining. She said many of the issues made she and her colleagues fear for their jobs. She said there was a major issue with mileage reimbursement; the issue was they were not getting reimbursed. She said this was brought to the attention of Mr. Brining. She said a meeting was set with Mr. Brining, the Union Representatives, and all nurses. A solution was reached very quickly. She said he encouraged everyone to call him. She said how fortunate employees, citizens and people are to have Mr. Brining as an Administrator. She attended a meeting where Mr. Brining gave a heartfelt testimony and also she stands behind Ms. Abernethy. She said he didn't tell you about the times he would meet with Public Health employees and help resolve issues. She said she read somewhere that Public Health employees are still scared to approach Mr. Brining and she said that is simply untrue.

Mr. Teele recognized Roger Watters, who is the supervisor in the Town of Lisbon and Chair of the NYPA Task Force who worked on the Relicensing. He said he is here in support of Mr.

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Brining. He explained the issue with the task force during the relicensing of the Power Authority Land. He said that they needed someone available during business hours to deal with all the issues, and they were dealt with in a timely manner. He said Mr. Brining would rarely say much during the meetings. He said he was there to assist them not to set policy. He reminded them of their need to stay focused. He said Mr. Brining gained the respect of Task Force Members and he did not always like what decisions were made. He said it is difficult for him to understand how the Board of Legislators could be here with a vote of no confidence. What it appears to be is a lack of communication not a lack of confidence.

Mr. Cook said he has all the confidence in Mr. Brining. He has an open door policy and attempts to keep everyone informed. He apologized to Mr. Brining and his family for what they have gone through in the last few months.

Mr. Gray recognized Mayor Ken McDonald from Massena. Mr. McDonald said he always works from prepared materials but tonight he would like to speak from the heart. He said he does not have a personal relationship with Mr. Brining and does not know his wife's name or if he has any children. He said he has worked with Mr. Brining on hundreds of projects in the interests of the people in Massena and St. Lawrence County. He said he works to make local governments aware of the resources available and it rarely costs the County but usually saves the Towns money.

Mr. Romigh said when he read about this in the paper, he looked to Robert's Rules for guidance. He said then he read the minutes of the Organizational Meeting (January Board Meeting) and had his daughter research this vote of no confidence. He could find nothing in federal or state law. Mr. Romigh said Mr. Wilson makes statements regarding Mr. Brining's protectors and he is happy to be that but unfortunately he does not need them. He mentioned quotes made in the Watertown Times. He said it was misquoted in the Watertown Times, and Bob McNeil stood up and said that he made the quote. He said Mr. MacKinnon said at the beginning of the year that he would like to mend some fences with the Democrats. It is unfortunate because all these games continue. It is time to stand up and be an individual and do what is right.

Joe Frank, President of CSEA, which represents the bulk of County Employees. He said he has twenty-nine years with the County and he remembers when Charlie Fox ran the meetings. He said he has been active in the unions for just about all that time. He said he has seen many boards work and sat through many meetings, and he can honestly tell you that Mr. Brining is the most competent and the most honest administrator that he has ever worked with. He said he trusts Mr. Brining and that was not easily gained. He said that Mr. Brining has resolved issues brought to him from the Unions. He said there were problems with Caseworkers in Social Services and he gave them a voice. He said he realizes more than anyone else, that the employees are the greatest asset. He said he has always held the citizens in the highest regard. Mr. Frank said there have been nine contracts worked through in his tenure. He said he has worked with Mr. Brining on three contracts and he is the most difficult negotiator he has ever had to work with. He has all the respect in the world for Mr. Brining and he does not create problems. He thinks it laughable that he doesn't keep this Board informed. He said there has been some talk regarding these home health and public health issues and Mr. Brining warned everyone that it would be a tough budget year. He would suspect that the Board told him to cut costs.

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Mr. Grow said he has been on the Board for five years and has had the pleasure of serving or being assisted by Mr. Brining. He said three years ago, in June, people got together at the Fish and Wildlife were at the tail end. Jon Montan was the representative for the group. He said Mr. Brining offered to assist them. He said that day it became a level playing field. He said they have finished up and had successful outcome with the Fish and Wildlife Representatives. He said now, it will go on to the Indian Land Claims and Mr. Brining has offered to assist as well.

Mr. Morrill said he has been quite upset this week. He said there was an issue regarding an email that was left in the Board Room. He said that was an invasion of his privacy. He said he would never leave an email in the Board Room again.

Mr. Lacy said after listening to all the support for Mr. Brining, when he was Chair he would always prepare remarks. He explained that he met Mr. Brining years ago, prior to his tenure as County Administrator. He said he could not have been more informed as Chair last year. He said as Chief Executive of the County, he would receive more than a call a day with an update. He said anyone who has served on the Board as Chair can say they have been informed. He said we cannot blame Mr. Brining for a building that should not have been built or any of the other issues. He said he has four sons and he would hope that his sons would have the skills and the integrity of Mr. Brining.

Mr. FitzRandolph said he is not as eloquent as other speakers. He is not here to convince anyone or even to try to or to get across his point of view. He said he is here to explain his vote to his constituents and the voters in St. Lawrence County. He said it is a sad night and make no mistake about that. He said the fact that the resolution would come forward is testament to that. He said it is a difficult resolution to bring forward. He said one year ago, he would have voted against this resolution, probably six months ago he would have as well. He said with great sadness he will vote for the resolution and he will explain why. He said we all have jobs to do. The Board of Legislators job is to make county policy. He doesn't wander around in departments and make decisions. That is up to Mr. Brining and the Department Heads. He said they have to make County policy. He said Mr. Brining's job, as administrator is to carry out those policies set by the Board. He said difficult to say exactly when, but there has been a breakdown and, in fact, he believes in conjunction with a few legislators there are changes being made to county policy. He said he does not understand why it is happening. He said some of the services provided are given to those who are most in need. He said one example, is the home health issue and that he was not aware of it. He said he was not aware of the denial for the physically handicapped, braces, whomever it involved. He said those discussions should have taken place in here with the entire Board. Regarding Mr. Turbett's earlier statements to Ms. Abernethy, in regard to her, she is new to the County. Mr. Brining is not new to the County; he knows how business is conducted. He said he could not believe that he had to learn some of this information through a constituent. He said some of the Legislators knew, the types of leading questions asked clearly indicated that they knew. He said he knows Mr. Nichols knew, Mr. MacKinnon, Mr. Lacy and probably Mr. Gray. He said these discussions need to take place here. He said he would vote no confidence because he has lost confidence in the County Administrator.

Mr. Nichols said he appreciates Mr. FitzRandolph's candor but would like to clear up the issue. He was not aware of the issue, when they heard at the meeting was the first time he heard it as

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well. However, he called and spoke at length with Ms. Abernethy. He said what a concept, he asked questions to find out information. He said does the punishment fit the crime. This issue came along at the same time as all the hours were being put into the budget. He said it is unfair and if these are his only two mistakes. He said we are still guilty, because it was said and therefore it has to be true. He said instead of complaining about it, he followed up and found out answers to become informed.

Mr. Gray recognized Jon Greenwood. He said he was not going to say anything but, hearing the comments tonight, he cannot believe that this elected body would chastise the County Administrator for following the budget. He said some of you people need education.

Mr. Gray said he would like to clear up an issue and defend himself. He said he became informed of the issue on the floor of the legislature. He said sometimes Legislators are so busy discussing their own issues or so consumed with what they want to say next, that they ask repeated questions that were answered five minutes previous. He said rumors of this resolution have been circulating for six months. He said these last few crimes were the traps set and just lay in wait. He said there are many aspects of his job because that is what he is an employee and he spends many hours, which detracts from any type of family life. He said many Legislators are focused on undermining county government and wasting the time of the Board with attacking questions. He said he is informed because he wants to know.

Ms. Brothers said we have all sat tonight and listened to an enormous amount of rhetoric. She said that she did not have preconceived notions of Mr. Brining or the Department Heads, so she got to know them. She said she agrees with Mr. FitzRandolph and she did not look forward to coming tonight. She said regarding this resolution, she has sat and heard many testaments of the skills and qualities of Mr. Brining. She said on this particular issue and this particular time she has lost confidence. She said everything and experience she has had caused her to lose confidence in Mr. Brining. She cannot believe it was not without forethought.

Ms. Ritchie said it would not be fair for her to support Mr. Brining and not take a few moments of your time. She said she and her staff work too hard to let this go on. She said she has every faith and hope that the County Administrator and Board will do their best to serve the County. She said that she runs into people on the streets that think someone stole \$400,000 from Public Health. She said she hopes that this can all be resolved very soon.

Chair MacKinnon asked Mr. Nichols to take the bench. Mr. MacKinnon said he and Mr. Wilson came on board around the same time. He said he and Mr. Wilson come from similar backgrounds, both from strong families, love their wives, etc. He wonders what has happened in the last ten years. He wonders how they could look at the same issue and come up with completely different perspectives. He said when he, Mr. FitzRandolph, and Mr. Gray worked with Solid Waste; there were very difficult issues. When Mr. Brining came on board, that issue was resolved within three months. He said those types of issues discussed were far more important than those discussed tonight. He said he and Mr. Brining are not friends and would not be acquaintances if not for the Board. He said after the resolve regarding Solid Waste, he thought this is a man with special skills. He has extensive experience working with unions and grievances, etc. He said when it comes to St. Lawrence County, we do not have grievance issues. He said that says something about management and their ability to resolve issues. He

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said unless Mr. Frank is being less than honest, but that is not what he is hearing. Rather, the fact that Mr. Brining can be difficult while the issues are still resolved. Mr. Brining is a victim of a tick off factor. He said that as the administrator he makes decisions on a daily basis and unfortunately, cannot stay in the middle. Mr. MacKinnon said quite often, when he agrees with one side, the other is ticked off. He said and as years go by, just about everyone is ticked off. He said Mr. Brining has made mistakes, he is not perfect and said he has observed him for ten years. He said an announcer likened this problem to a baseball team, in that just because the years have been good, it means they can base the last game's mistake on him. He said you cannot be so narrow-minded and forget the solid waste issue. He asked did you forget that the unions spoke to his benefit or that Mr. Richards supported him on behalf of the Department Heads.

Mr. MacKinnon said the email that Mr. Morrill was talking about was found on the floor. The first page was an email that said to Alex MacKinnon from Pat Turbett. He said an individual picked it up and gave it to him. He said he saw his name in it and read it. Perhaps, he should not have. He said when he came on the Board he was excited about being a Legislator. When he first took office, he was concerned about secret meetings and other rumors. He invited himself to the Democratic Caucus. He asked to have the minority whip created and was not sure what that meant, but thought it should be included. He thought that the only way he could know if he could count on the County Administrator to do his job was to meet with him four times a week. He said he does not set policy in that meeting and collars in anyone that he could. He said he asked the Democrats to elect someone to attend the meetings and this would all be out in the open. He said Mr. FitzRandolph was not there, his eye was bad and that weakened their group. He said they went back and talked about it and the Democrats said no, they would not be participating. He said he was disappointed with the outcome. He said he read the email, which was from June O'Neil, the Chair of the St. Lawrence County Democratic Party. She should be political as she is their chair. Mr. MacKinnon read the email that he was given. He said now he understands some of the things have happened this year. Now, he said the reasons for it are clearly political and the Democrats wanting to take over the St. Lawrence County Board of Legislators. He said, perhaps he should not have read it and that it is not Mr. Brining's fault. He said how it is that Mr. Wilson and he could observe the same circumstances and come up with different perspectives. He said how it is that three new Legislators can draw conclusions about Mr. Brining without looking at his tenure, how can Solid Waste be forgotten, and how all those others can forget is amazing. He said this is not a baseball game and we are the Board of Legislators and we have people to serve.

Mr. FitzRandolph said he thinks it's a shame for Mr. Morrill that Mr. MacKinnon read the email and it seems to him that it is completely irrelevant to the real issue. He said when Mr. MacKinnon came to them with the proposal, they decided they would rather have the issues spoken aloud at the Board Meetings. He gave examples of being informed and he said policy is made at Board level and not at caucus. Now, as irrelevant as it is, but since it was brought forward, the point was to make policy in the Board Meetings. He said if you would like to discuss it, no one listens to June O'Neil.

Ms. Cobb said that Mr. MacKinnon phoned her and he asked her to meet in a smoke filled room with Mr. Wilson and Mr. Turbett. She asked if she was asked not to tell anyone about it. Mr. MacKinnon said yes. She asked if she told him why. He said yes, because she wanted it brought

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out to the public. She said she did not know how she would vote tonight. She said when she learned about the services being cut that made her decision. She said she could not take another chance in the future and she is sorry for it. She is sorry for Mr. Brining and for his family. She said it has nothing to do with the jobs of county employees because she thinks they do an excellent job. She needs to make her decisions when she has information and cannot comment otherwise.

Mr. Morrill thanked the Chair for clearing up the misunderstanding of the email.

Mr. Gray requested a roll call vote. The motion to adopt Resolution 289-2003 failed with eight (8) no votes and seven (7) yes votes (Brothers, Cobb, FitzRandolph, Moore, Morrill, Turbett, and Wilson). The Resolution was defeated.

Mr. Brining said he has been very quiet and does not feel it is his place to speak. To the Board of Legislators who support him thank you and for those who chose not to, it will not diminish his ability to work with you. He said to those who work for and with him and who he serves, no leader could receive a greater compliment. To his family, he said thank you. There was a standing ovation.

Mr. Nichols moved to suspend the rules of procedure for the presentation of one resolution, seconded by Mr. Teele, and carried unanimously by a voice vote.

PRESENTED UNDER THE SUSPENSION OF THE RULES

RESOLUTION NO. 290-2003

**SETTING A DATE FOR A PUBLIC HEARING
ON PROPOSED LOCAL LAW D (NO. ____) FOR THE YEAR 2003,
TRUTH IN TAXATION ACT OF 2003**

By Mr. Nichols, District 3

WHEREAS, Section 922 of the Real Property Tax Law allows the St. Lawrence County Board of Legislators to set the format of the Town and County tax bill, and

WHEREAS, a local law is required to amend the format of the tax rate for county purposes,

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Proposed Local Law D (No. ____) for the Year 2003, Truth in Taxation Act of 2003, at 6:55 p.m. on Monday, December 1, 2003, before the regular Board of Legislators meeting.

**PROPOSED LOCAL LAW D (NO. ____) FOR THE YEAR 2003,
TRUTH IN TAXATION ACT OF 2003**

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

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Section 1. Section 922 of the Real Property Tax Law provides the form and content of the town and county tax bill to be mailed by the collecting officer in each town and the City of Ogdensburg showing the amount of taxes due on each property.

Section 2. The St. Lawrence County Board of Legislators desires to show the true costs of county government for Medicaid expenses, which are mandated by the State of New York, yet not reimbursed by said state.

Section 3. Pursuant to Section 922 of the Real Property Tax Law, the County tax rate for 2004 and continuing shall be separated into two parts; one for the general county budget and the second for unreimbursed Medicaid expenses.

Section 4. This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

* * *

Mr. Nichols moved to adopt Resolution 290-2003, seconded by Mr. Gray. Mr. Nichols said last year it was decided that the public should see how much of their tax dollars go into the different portions of the State. The motion carried unanimously by a voice vote.

COUNTY ADMINISTRATOR'S REPORT

Chair MacKinnon said there are appointments for Executive Session. Mr. Cook moved to go into Executive Session, seconded by Mr. Nichols, and carried unanimously by a voice vote. Chair MacKinnon called for a five-minute recess at 10:26 p.m. Mr. Nichols moved to go out of Executive Session at 10:35 p.m., seconded by Mr. Cook, and carried unanimously by a voice vote.

APPOINTMENTS

Mr. Cook moved to appoint the following individual to the **Labor Management Safety Committee**, seconded by Mr. Nichols, and carried unanimously by a voice vote. (Term expires two years from appointment)

Amy Simmons, 185 River Road, Gouverneur, New York 13642 (Fowler)

Mr. Cook moved to appoint the following individual to the **Local Early Intervention Coordinating Council**, seconded by Mr. Nichols, and carried unanimously by a voice vote. (Term expires 2007)

Trudy Dalton, Post Office Box 148, Richville, NY 13681 (DeKalb)

Mr. Cook moved to appoint the following individual to the **Mental Health Subcommittee**, seconded by Mr. Nichols, and carried unanimously by a voice vote. (Term expires December 31, 2006)

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Renee Backus, 48 County Route 33, Madrid, New York 13660 (Madrid)

Mr. Cook moved to reappoint the following individual to the **Industrial Development Agency**, seconded by Mr. Nichols, and carried unanimously by a voice vote. (Term expires May 2006)

Joseph E. Tracy, Jr., Ogdensburg Bridge and Port Authority, One Bridge Plaza, Ogdensburg, New York 13669 (City of Ogdensburg)

CHAIR'S APPOINTMENTS: There were none.

OLD/NEW BUSINESS:

Mr. Wilson said he understands why the email was read, but he would like to know who provided the information to the media. Mr. Gray said it might not have been that copy. Ms. Brothers said there was only one copy. Mr. Gray said it was addressed to five or six people.

Mr. Wilson said he asked for research on harassment in the workplace from Mr. Maginn and Mr. Brining. Mr. Brining asked if that was the email sent to the Journal. Mr. Nichols asked for a copy for everyone on the Board. Mr. FitzRandolph asked about making decisions based on Legislators requests of the County Attorney.

Mr. Gray moved to adjourn the November Board Meeting at 10:40 p.m., seconded by Mr. Nichols and carried unanimously by a voice vote. Chair MacKinnon adjourned the meeting at 10:41 p.m., as there was no further business.

November 24, 2003

St. Lawrence County
Board of Legislators
Court Room C

Board Meeting
Monday, November 24, 2003
7:00 p.m.

Chair MacKinnon called the meeting to order at 7:02 p.m.

ROLL CALL: All Legislators were present except Legislator FitzRandolph.

Mr. Nichols led everyone in Prayer, followed by the Pledge of Allegiance.

CITIZEN PARTICIPATION: No one wished to speak.

PRESENTATION OF RESOLUTIONS:

RESOLUTION NO. 291-2003

**SETTING A DATE FOR A PUBLIC HEARING ON THE
2004 TENTATIVE BUDGET**

By Mr. Nichols

WHEREAS, it is necessary to have a public hearing prior to the adoption of the 2004 Tentative Budget,

NOW, THEREFORE, BE IT RESOLVED that a public hearing on the 2004 Tentative Budget will be held on Monday, December 1, 2003, at approximately 7:20 p.m., in the Legislative Board Room.

* * *

Mr. Nichols moved to adopt Resolution No. 291-2003, seconded by Mr. Cook, and carried by a voice vote with one (1) Legislator absent (FitzRandolph).

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RESOLUTION NO. 292-2003

**RECOMMENDING AMENDMENTS TO THE
ST. LAWRENCE COUNTY 2004 TENTATIVE BUDGET**

By Mr. Nichols, Chair, Finance Committee

WHEREAS, the St. Lawrence County 2004 TENTATIVE BUDGET has been received by the Finance Committee and in accordance with County Law, Article 7, Section 357 has reviewed same, and

WHEREAS, in accordance with County Law, Article 7, Section 358 the Finance Committee may propose changes, alterations or revisions in the TENTATIVE BUDGET, and

WHEREAS, the Committee has recommended that the following changes be made to the 2004 TENTATIVE BUDGET:

2004 Tentative Budget Summary

Budget Element	Adopted	Tentative	FIN COMM	Tentative Budget	2003 Adopted
COUNTY COST	34,096,519	37,288,609	37,464,774	176,165	3,368,255
Appropriated Surplus	5,000,000	4,000,000	4,000,000	0	-1,000,000
Proposed Levy	29,096,519	33,288,609	33,464,774	176,165	4,368,255
Assessed Valuation	3,581,670,879	3,729,875,144	3,729,875,144	0	148,204,265
Estimated Tax Rate per \$1000 AV	8.1237	8.9249	8.9721	0.0472	0.8484
Change in County Cost		9.36 %	9.88 %	0.52 %	
Change in Approp. Sur		-20.00 %	-20.00 %	0.00 %	
Change in Levy		14.41 %	15.01 %	0.61 %	
Change in True Value Tax Rate		9.86 %	10.44 %	0.58 %	

2004 Tentative Budget Review Process

Department	Description	Code	BO – CA	Change to	Difference
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Modifications to Appropriations

October 14, 2003 Review Session

Economic Development	Reduce Supervisory	01-U1-6420-120-00-0	114,914	113,252	- 1,662
Probation	Sex Offender Grant Increase	01-Q1-3140-220-00-0-SOM	0	4,632	4,632
Probation	Sex Offender Grant Increase	01-Q1-3140-430-00-0-SOM	0	116,703	116,703
Probation	Sex Offender Grant Increase	01-Q1-3140-445-00-0-SOM	0	6,835	6,835

October 15, 2003 Review Session

-- no recommended changes --

October 20, 2003 Review Session

-- no recommended changes --

October 21, 2003 Review Session

-- no recommended changes --

October 22, 2003 Review Session

County Attorney	Reinstatement of Position	07-LI-1710-120-00-0	123,416	159,396	35,980
County Attorney	Reinstatement of Position	08-LR-1710-120-00-0	53,087	57,085	3,998
County Attorney	Reinstatement of Position	07-LI-1710-810-00-0	20,875	24,869	3,994
County Attorney	Reinstatement of Position	07-LI-1710-830-00-0	13,780	16,532	2,752
County Attorney	Reinstatement of Position	07-LI-1710-840-00-0	6,601	7,864	1,263
County Attorney	Reinstatement of Position	07-LI-1710-845-00-0	270	334	64
County Attorney	Reinstatement of Position	07-LI-1710-860-00-0	30,948	34,562	3,614
County Attorney	Reinstatement of Position	07-LI-1710-865-00-0	919	1,121	202
County Attorney	Reinstatement of Position	08-LR-1710-810-00-0	9,761	10,205	444
County Attorney	Reinstatement of Position	08-LR-1710-830-00-0	6,565	6,870	305

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County Attorney	Reinstatement of Position	08-LR-1710-840-00-0	3,087	3,227	140
County Attorney	Reinstatement of Position	08-LR-1710-845-00-0	78	85	7
County Attorney	Reinstatement of Position	08-LR-1710-860-00-0	9,042	9,443	401
County Attorney	Reinstatement of Position	08-LR-1710-865-00-0	382	404	22
County Attorney	Reinstatement of Position	07-LI-1910-497-00-0	237,030	189,161	- 47,869
County Attorney	Reinstatement of Position	08-LR-1931-465-05-0	30,000	24,683	- 5,317
Solid Waste	Missed Longevity Payment	05-WA-8160-195-01-0	4,000	4,600	600
Solid Waste	MSW Tipping Fees	05-WA-8160-430-18-0-MSW	1,316,216	1,315,616	- 600

Modifications to Appropriations

October 28, 2003 Review Session

Office for the Aging	Double Entry Rent	01-OA-6772-407-00-0	85,226	82,601	- 2,625
Community Services	Mileage Increase	01-A5-4310-443-00-0	150	1,650	1,500
Community Services	Overtime Increase	01-A1-4250-180-00-1	0	5,000	5,000
Community Services	Overtime Increase	01-A1-4250-180-00-3	0	5,000	5,000
Community Services	Overtime Increase	01-A3-4320-180-00-1	0	10,000	10,000

October 29, 2003 Review Session

Public Health – Cooperative Extension	Reallocation of Coop Ext	01-B1-8750-460-00-A	114,569	164,569	50,000
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November 5, 2003 Review Session

Treasurer	Staff Replace >Contracted Svc	01-T1-1325-430-07-0	145,000	0	- 145,000
Treasurer	Staff Replace >Contracted Svc	01-T1-1325-220-01	1,071	3,213	2,142
Treasurer	Staff Replace >Contracted Svc	01-T1-1325-260-00-0	575	1,433	858
Treasurer	Staff Replace >Contracted Svc	01-T1-1325-445-00-0	0	1,000	1,000
Treasurer	Staff Replace >Contracted Svc	01-T1-1325-170-00-0	14,228	27,423	13,195
Treasurer	Staff Replace >Contracted Svc	01-T1-1325-810-00-0	47,598	53,562	5,964
Treasurer	Staff Replace >Contracted Svc	01-T1-1325-830-00-0	31,838	36,806	4,968
Treasurer	Staff Replace >Contracted Svc	01-T1-1325-840-00-0	15,051	17,400	2,349

November 24, 2003

Treasurer	Staff Replace >Contracted Svc 01-T1-1325-845-00-0		823	1,036	213
Treasurer	Staff Replace >Contracted Svc 01-T1-1325-860-00-0		61,036	82,043	21,007
Treasurer	Staff Replace >Contracted Svc 01-T1-1325-865-00-0		2,598	3,046	448
Treasurer	Staff Replace >Contracted Svc 01-T1-1325-140-00-0		138,908	192,640	53,732
County Administrator – Contingency November 6, 2003 Review Session	Staff Replace >Contracted Svc 01-B1-1990-497-00-0		838,473	842,973	4,500
Social Services	Move Ec Dev to DSS	01-DA-6010-110-00-E	218,470	375,958	157,488
Social Services	Move Ec Dev to DSS	01-DA-6010-120-00-E	0	47,385	47,385
Social Services	Move Ec Dev to DSS	01-DA-6010-140-00-E	54,612	79,210	24,598
Social Services	Move Ec Dev to DSS	01-DA-6010-810-00-E	31,412	56,883	25,471
Social Services	Move Ec Dev to DSS	01-DA-6010-830-00-E	20,412	37,967	17,555
Social Services	Move Ec Dev to DSS	01-DA-6010-840-00-E	9,617	17,671	8,054
Social Services	Move Ec Dev to DSS	01-DA-6010-845-00-E	699	1,125	426
Social Services	Move Ec Dev to DSS	01-DA-6010-860-00-E	65,980	108,100	42,120
Social Services	Move Ec Dev to DSS	01-DA-6010-865-00-E	2,060	3,404	1,344
Modifications to Appropriations					
Social Services	Move Ec Dev to DSS	01-DA-6010-110-00-F-EMXX	0	37,554	37,554
Social Services	Move Ec Dev to DSS	01-DA-6010-810-00-F-EMXX	0	4,168	4,168
Social Services	Move Ec Dev to DSS	01-DA-6010-830-00-F-EMXX	0	2,873	2,873
Social Services	Move Ec Dev to DSS	01-DA-6010-840-00-F-EMXX	0	1,318	1,318
Social Services	Move Ec Dev to DSS	01-DA-6010-845-00-F-EMXX	0	71	71
Social Services	Move Ec Dev to DSS	01-DA-6010-860-00-F-EMXX	0	4,015	4,015
Social Services	Move Ec Dev to DSS	01-DA-6010-865-00-F-EMXX	0	224	224
Social Services	Move Ec Dev to DSS	01-DA-6010-110-00-G-NYWG	34,626	71,405	36,779
Social Services	Move Ec Dev to DSS	01-DA-6010-810-00-G-NYWG	3,844	7,926	4,082
Social Services	Move Ec Dev to DSS	01-DA-6010-830-00-G-NYWG	2,446	5,260	2,814

November 24, 2003

Social Services	Move Ec Dev to DSS	01-DA-6010-840-00-G-NYWG	1,215	2,506	1,291
Social Services	Move Ec Dev to DSS	01-DA-6010-845-00-G-NYWG	71	142	71
Social Services	Move Ec Dev to DSS	01-DA-6010-860-00-G-NYWG	9,228	13,243	4,015
Social Services	Move Ec Dev to DSS	01-DA-6010-865-00-G-NYWG	223	447	224
Social Services	Reinstatement of 2 Examiners	01-DA-6010-110-00-P	515,895	543,363	27,468
Social Services	Reinstatement of 2 Examiners	01-DA-6010-810-00-P	81,480	84,529	3,049
Social Services	Reinstatement of 2 Examiners	01-DA-6010-830-00-P	56,155	58,256	2,101
Social Services	Reinstatement of 2 Examiners	01-DA-6010-840-00-P	25,765	26,729	964
Social Services	Reinstatement of 2 Examiners	01-DA-6010-845-00-P	1,566	1,637	71
Social Services	Reinstatement of 2 Examiners	01-DA-6010-860-00-P	144,210	150,491	6,281
Social Services	Reinstatement of 2 Examiners	01-DA-6010-865-00-P	4,915	5,139	224
Social Services	Reinstatement of 2 Examiners	01-DA-6010-110-00-M	1,214,670	1,247,657	32,987
Social Services	Reinstatement of 2 Examiners	01-DA-6010-810-00-M	173,926	177,588	3,662
Social Services	Reinstatement of 2 Examiners	01-DA-6010-830-00-M	115,433	117,950	2,517
Social Services	Reinstatement of 2 Examiners	01-DA-6010-840-00-M	54,998	56,156	1,158
Social Services	Reinstatement of 2 Examiners	01-DA-6010-845-00-M	3,426	3,497	71
Social Services	Reinstatement of 2 Examiners	01-DA-6010-860-00-M	311,613	315,628	4,015
Social Services	Reinstatement of 2 Examiners	01-DA-6010-865-00-M	10,965	11,189	224
Social Services	Move Ec Dev to DSS	01-DA-6010-430-07-G-NYWG	56,419	9,734	- 46,685
Social Services	Move Ec Dev to DSS	01-DA-6010-430-07-E-JOBS	292,124	0	- 292,124
Social Services	Move Ec Dev to DSS	01-DA-6010-465-00-F-EMXX	66,300	9,564	- 56,736
Social Services	Move Ec Dev to DSS	01-DA-6010-499-00-E	17,900	86,135	68,235

Modifications to Appropriations

November 17, 2003 Review Session

Social Services	Eliminate DEO, + 3 PT	01-DA-6010-140-00-C	331,495	336,981	5,486
Social Services	Eliminate DEO, + 3 PT	01-DA-6010-810-00-C	102,409	100,420	- 1,989

November 24, 2003

Social Services	Eliminate DEO, + 3 PT	01-DA-6010-830-00-C	68,268	68,688	420
Social Services	Eliminate DEO, + 3 PT	01-DA-6010-840-00-C	32,383	32,576	193
Social Services	Eliminate DEO, + 3 PT	01-DA-6010-845-00-C	1,781	1,923	142
Social Services	Eliminate DEO, + 3 PT	01-DA-6010-860-00-C	154,750	158,765	4,015
Social Services	Eliminate DEO, + 3 PT	01-DA-6010-865-00-C	5,599	6,047	448
Treasurer	Eliminate DEO, + 3 PT	01-T5-9050-850-00-0	325,000	315,396	- 9,604
County Administrator	Restore Acct Clerk Position	01-BA-1320-140-00-0	32,641	47,711	15,070
County Administrator	Restore Acct Clerk Position	01-BA-1320-810-00-0	3,623	5,296	1,673
County Administrator	Restore Acct Clerk Position	01-BA-1320-830-00-0	2,462	3,612	1,150
County Administrator	Restore Acct Clerk Position	01-BA-1320-840-00-0	1,146	1,675	529
County Administrator	Restore Acct Clerk Position	01-BA-1320-845-00-0	71	106	35
County Administrator	Restore Acct Clerk Position	01-BA-1320-860-00-0	4,015	6,022	2,007
County Administrator	Restore Acct Clerk Position	01-BA-1320-865-00-0	224	336	112
Governmental Services	Restore Acct Clerk Position	01-GB-1620-140-00-0	4,600	19,670	15,070
Governmental Services	Restore Acct Clerk Position	01-GB-1620-170-00-0	15,070	0	- 15,070
Governmental Services	Restore Acct Clerk Position	01-GB-1620-845-00-0	2,175	2,140	- 35
Governmental Services	Restore Acct Clerk Position	01-GB-1620-860-00-0	186,469	184,462	- 2,007
Governmental Services	Restore Acct Clerk Position	01-GB-1620-865-00-0	6,642	6,530	- 112
Treasurer	Restore Acct Clerk Position	01-T5-9050-850-00-0	315,396	311,339	- 4,057
Real Property	Restore Planning Tech	01-XP-3640-140-00-0	0	10,881	10,881
Real Property	Restore Planning Tech	01-XP-3640-810-00-0	5,596	6,803	1,207
Real Property	Restore Planning Tech	01-XP-3640-830-00-0	3,844	4,626	782
Real Property	Restore Planning Tech	01-XP-3640-840-00-0	1,769	2,151	382
Real Property	Restore Planning Tech	01-XP-3640-845-00-0	87	111	24
Real Property	Restore Planning Tech	01-XP-3640-860-00-0	4,938	7,753	2,815
Real Property	Restore Planning Tech	01-XP-3640-865-00-0	276	351	75

November 24, 2003

Treasurer	Restore Planning Tech	01-T5-9050-850-00-0	311,339	302,200	- 9,139
Public Health	Chg FT to PT PH Aide	01-PM-4010-170-00-0	0	16,647	16,647
Public Health	Chg FT to PT PH Aide	01-PM-4010-810-00-0	1,207	3,055	1,848
Modifications to Appropriations					
Public Health	Chg FT to PT PH Aide	01-PM-4010-830-00-0	832	2,080	1,248
Public Health	Chg FT to PT PH Aide	01-PM-4010-840-00-0	382	966	584
Public Health	Chg FT to PT PH Aide	01-PM-4010-845-00-0	18	89	71
Public Health	Chg FT to PT PH Aide	01-PM-4010-860-00-0	1,004	5,019	4,015
Public Health	Chg FT to PT PH Aide	01-PM-4010-865-00-0	56	280	224
Treasurer	Chg FT to PT PH Aide	01-T5-9050-850-00-0	302,200	292,878	- 9,322
Public Health	Restore Data Entry Operator	01-PH-4189-140-00-0	374,884	377,304	2,420
Public Health	Restore Data Entry Operator	01-PH-4189-810-00-0	209,098	209,367	269
Public Health	Restore Data Entry Operator	01-PH-4189-830-00-0	145,928	146,113	185
Public Health	Restore Data Entry Operator	01-PH-4189-840-00-0	71,006	71,091	85
Public Health	Restore Data Entry Operator	01-PH-4189-845-00-0	4,472	4,478	6
Public Health	Restore Data Entry Operator	01-PH-4189-860-00-0	405,482	406,186	704
Public Health	Restore Data Entry Operator	01-PH-4189-865-00-0	15,608	15,627	19
Public Health	Restore Data Entry Operator	01-PP-4010-140-00-0	109,855	112,275	2,420
Public Health	Restore Data Entry Operator	01-PP-4010-810-00-0	79,183	79,452	269
Public Health	Restore Data Entry Operator	01-PP-4010-830-00-0	51,809	51,994	185
Public Health	Restore Data Entry Operator	01-PP-4010-840-00-0	25,181	25,266	85
Public Health	Restore Data Entry Operator	01-PP-4010-845-00-0	1,279	1,285	6
Public Health	Restore Data Entry Operator	01-PP-4010-860-00-0	108,127	108,831	704
Public Health	Restore Data Entry Operator	01-PP-4010-865-00-0	4,160	4,179	19
Public Health	Restore 2 nd Dental Sealant	01-PD-4010-170-00-0	51,503	87,649	36,146

November 24, 2003

Public Health	Restore 2 nd Dental Sealant	01-PD-4010-810-00-0	5,850	9,861	4,011
Public Health	Restore 2 nd Dental Sealant	01-PD-4010-830-00-0	3,782	6,091	2,309
Public Health	Restore 2 nd Dental Sealant	01-PD-4010-840-00-0	1,850	3,119	1,269
Public Health	Restore 2 nd Dental Sealant	01-PD-4010-845-00-0	284	426	142
Public Health	Restore 2 nd Dental Sealant	01-PD-4010-860-00-0	8,030	20,490	12,460
Public Health	Restore 2 nd Dental Sealant	01-PD-4010-865-00-0	448	896	448
Public Health	Restore 2 nd Dental Sealant	01-PD-4010-451-00-0	2,500	7,903	5,403
Treasurer	Restore 2 nd Dental Sealant	01-T5-9050-850-00-0	292,878	282,757	- 10,121
Treasurer	Move DRTC Teacher	01-T5-9050-850-00-0	282,757	275,107	- 7,650
Treasurer	Move Comm Svcs Clk to DSS	01-T5-9050-850-00-0	275,107	268,911	- 6,196
Office For the Aging	Restore Account Clerk	01-OA-6772-170-00-0	19,704	33,392	13,688
Modifications to Appropriations					
Office For the Aging	Restore Account Clerk	01-OA-6772-810-00-0	28,580	29,479	899
Office For the Aging	Restore Account Clerk	01-OA-6772-830-00-0	18,830	19,877	1,047
Office For the Aging	Restore Account Clerk	01-OA-6772-840-00-0	9,790	10,270	480
Office For the Aging	Restore Account Clerk	01-OA-6772-845-00-0	603	674	71
Office For the Aging	Restore Account Clerk	01-OA-6772-860-00-0	62,202	66,217	4,015
Office For the Aging	Restore Account Clerk	01-OA-6772-865-00-0	1,680	1,904	224
Treasurer	Restore Account Clerk	01-T5-9050-850-00-0	268,911	265,078	- 3,833
Treasurer	Custodian to Highway	01-T5-9050-850-00-0	265,078	258,419	- 6,659
County Clerk	Motor Vehicle Clerk	01-K1-1410-140-00-2	253,320	279,232	25,912
County Clerk	Motor Vehicle Clerk	01-K1-1410-8xx-00-2	0	12,367	12,367
District Attorney	Overtime	01-J1-1165-180-00-0	0	7,000	7,000
Public Health	Increase HHA Hours	01-PH-4189-170-00-0	632,366	707,732	75,366
Public Health	Increase HHA Hours	01-PH-4189-8xx-00-0	0	30,146	30,146

November 24, 2003

Public Health	Jail Nurse	01-PP-4010-110-00-0	381,517	416,830	35,313
Public Health	Jail Nurse	01-PP-4010-8xx-00-0	0	14,831	14,831
Sheriff	Part-Time Jail Nurses	01-S4-3110-170-00-0	0	36,006	36,006
Sheriff	Part-Time Jail Nurses	01-S4-3110-8xx-00-0	0	8,018	8,018
Social Services	Reinstate Deputies	01-DA-6010-430-SS-A	104,878	49,400	-55,478
Sheriff	Reduction of Cars	01-S1-3110-230-00-0	84,384	0	-84,384
Public Health	Budget Mod for Bioterrorism	01-PP-4010-451-00-0-EP	6,000	6,170	170
Public Health	CHHA Appropriations	01-PH-4189-407-00-0	139,743	156,903	17,160
Public Health	CHHA Appropriations	01-PH-4189-430-HK-0	45,000	61,000	16,000
Public Health	CHHA Appropriations	01-PH-4189-430-PC-0	120,000	201,000	81,000
Public Health	CHHA Appropriations	01-PH-4189-430-WV-0	30,000	55,000	25,000
Public Health	CHHA Appropriations	01-PH-4189-430-PT-0	64,000	84,000	20,000
Public Health	CHHA Appropriations	01-PP-4010-407-00-0	46,581	60,621	14,040
				TOTAL	711,996

Modifications to Revenues

October 14, 2003 Review Session

Probation	Incr Rev for Sex Offndr Grant	01-Q1-4389-570-00-0-SOM	0	128,170	128,170
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October 15, 2003 Review Session

-- no recommended changes --

Modifications to Revenues

October 20, 2003 Review Session

-- no recommended changes --

October 21, 2003 Review Session

-- no recommended changes --

October 28, 2003 Review Session

Community Services	Inc Rev for Overtime/Mileage	01-A3-4490-570-00-6	95,900	97,400	1,500
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November 24, 2003

Community Services	Inc Rev for Overtime/Mileage	01-A1-1631-550-00-1	417,000	422,000	5,000
Community Services	Inc Rev for Overtime/Mileage	01-A1-1631-550-00-3	290,000	295,000	5,000
Community Services	Inc Rev for Overtime/Mileage	01-A3-1620-550-00-1	1,350,000	1,360,000	10,000

October 29, 2003 Review Session

-- no recommended changes --

November 6, 2003 Review Session

Social Services	Employment & Examiners	01-DA-3610-560-00-0	3,744,282	3,796,316	52,034
Social Services	Employment & Examiners	01-DA-4610-570-00-0	5,691,334	5,795,404	104,070
Social Services	Employment & Examiners	01-DA-3610-560-00-G-NYWG	112,960	121,363	8,403

November 17, 2003 Review Session

Public Health	Restore Data Entry Operator	01-PH-3450-560-00-0	206,780	207,506	726
Public Health	Restore Data Entry Operator	01-PP-3401-560-00-0	518,691	519,562	871
Public Health	HHA Revenue	01-PH-1610-550-MA-0	1,863,000	1,897,750	34,750
Public Health	HHA Revenue	01-PH-1610-550-ME-0	788,000	816,648	28,648
Public Health	HHA Revenue	01-PH-3401-560-00-0	206,780	210,370	3,590
Public Health	Restore 2 nd Dent Sealant Team	01-PD-3401-560-00-0	3,839	18,077	14,238
Public Health	Jail Nurse Revenue	01-PP-3401-560-00-0	519,562	521,507	1,944
County Clerk	Increase Rev/MV Clerk	01-K1-1255-550-00-2	235,000	295,000	60,000
Social Services	Reinstate Deputies	01-DA-3610-560-00-0	3,744,282	3,730,412	- 13,870
Social Services	Reinstate Deputies	01-DA-4610-570-00-0	5,691,334	5,663,595	- 27,739
Sheriff	Reinstate Deputies	01-S1-1289-550-00-0	104,878	0	- 104,878
Social Services	Replace DEO w/PT Clerks	01-DA-3610-560-00-0	3,730,412	3,732,591	2,179
Social Services	Replace DEO w/PT Clerks	01-DA-4610-570-00-0	5,663,595	5,668,620	5,025
Treasurer	Increase Occupancy Tax	01-T3-1189-550-HT-0	228,000	278,000	50,000
Public Health	Bioterrorism Grant	01-PP-4489-570-00-EP	162913	163083	170

November 24, 2003

Public Health	CHHA Revenue for EI/Pre-K	01-PH-1610-550-EI-0	0	144000	144,000
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Modifications to Revenues

Public Health	CHHA Revenue for EI/Pre-K	01-PH-1610-550-PK-0	0	22000	22,000
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TOTAL	535,831
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NET	176,165
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NOW, THEREFORE, BE IT RESOLVED that the County Administrator is hereby directed to make the above-listed approved changes to the 2004 TENTATIVE BUDGET in preparation for the Public Hearing on December 1, 2003.

* * *

Mr. Nichols moved to adopt Resolution No. 292-2003, seconded by Mr. Teele.

Mr. Teele moved to amend the resolution by including the amount of \$48,640 for the Life Line Program and \$40,000 for the EISEP Personal Care Program to the Office for the Aging budget, seconded by Mr. Nichols and Mr. Grow.

Ms. Cobb said that the impact to the home repair program did not come up. She said that in the form of an amendment to the amendment she would like to restore \$10,000 to the home repair program, seconded by Mr. Turbett.

Mr. Teele asked what the total budget is for the Home Repair Program. Ms. McBurnie explained what the affects of not including this funding would be to those that need the service. She also explained that the home repair money helps to bolster other money. She said that they work with other agencies to gather additional funds. She explained that the reduction in funding would limit the avenues for them to use. Mr. Teele asked what was budgeted for 2002. Ms. McBurnie said that it was \$66,981. She said that they have two lines in the budget for this program, one is for the handyman services and one is for contractor services. She said that the combined total for both this year is \$25,000. She said that they have \$11,000 in the proposed budget and are asking for \$10,000 more. She mentioned that with the services that have already been requested, they could use more funding, but that the current level of funding will provide some services. She verified that this is for people that are 60 years old and older.

Ms. Cobb said that the people receiving this are on Medicaid. Ms. McBurnie said some are. She said that most are HEAP eligible. She said that they must pre-qualify for the HEAP program. Ms. Cobb said that overall we live in a society that is aging. She said that we are putting such a small amount in to help seniors stay in their homes. She said that we may be paying a lot more if we do not assist people to stay in their homes. She said that we may end up putting them in some sort of assisted living. She said that her priority is services for people, young and old.

Mr. Nichols said that Ms. McBurnie said that they were going to spend \$25,000. He would like to know how much is at 100% funding. Ms. McBurnie said that the rap revenues will be over

\$35,000. She said that she has changes from the adopted to the modified. The modified budget said \$25,000; the original said \$17,000. Mr. Nichols said that in 2003 you started with \$17,000. He stated that for adjustments to have been made; we either approved a budget change or you received additional revenues. Ms. McBurnie explained that the rap revenue runs through a different year. Mr. Nichols said that there were adjustments made. He said that the actual cut was to the \$17,000. He said that we adjusted it to over \$25,000. Ms. McBurnie said that we started at \$17,000 and modified it to \$25,000. Mr. Nichols said this is not the only money spent on seniors. He said that we spend millions on seniors. He said that we believe that seniors are important. He said that a lot of services that the County offers services seniors, for instance the Home Health Care program through the Public Health Department. He said that it amounts to a lot of money on seniors. He said that we have tried to make sure that seniors are well taken care of. He said that when we discussed this with Ms. McBurnie, at her budget hearing, he was not made aware that this much of an impact was going to take place. He believes that if there is a concern, than perhaps if the money runs out, there is nothing that prevents Ms. McBurnie from coming back and asking for more money.

Mr. Gray asked Ms. McBurnie where the extra \$8,000 came from. Ms. McBurnie said a resolution was done in the spring, or around that time, to modify the budget for those purposes. She said that sometimes we get additional funding. Mr. Gray asked what are the requirements for this service. Ms. McBurnie said that they have to meet HEAP eligibility and be 60 years or older. She said that we maintain the weatherization services and without the funding we cannot do the handyman services. Mr. Gray asked if we have a person that we contact on a regular basis to perform these duties. Ms. McBurnie said that we have a twenty-hour per week handyman, and that we have a person that coordinates this program. Mr. Gray asked if we go outside the County for this program. Ms. McBurnie said that we do. She said that we get additional money from other sources. Mr. Gray said that he meant do we contract out. Ms. McBurnie said yes, but for the most part the handyman does the work. She said that they have a very long waiting list. She said that the little that we provide helps a number of people. Mr. Gray asked if any services have been denied. Ms. McBurnie said yes, we had one that was septic, well and water. She said that they were eligible for a 1% loan, and they refused it. She said that we have not denied services, but we have given other options. She said that we are one of the few sources for some of these folks. Mr. Gray said that you said that we have denied, but then you said that they refused. Ms. McBurnie said she will look into that and bring back information. Ms. McBurnie said that Potsdam State participated in a survey, the item that came to the top was doing outside work, the second was finding reliable help to do household repairs. Mr. Gray said we could have a pool of people to do the work. Mr. Gray asked if Ms. McBurnie said can't get reliable people, or can't afford to pay. Ms. McBurnie said that the response was no reliable help.

Mr. Nichols asked Ms. McBurnie if they work with habitat for humanity. Ms. McBurnie said that they work with USDA, the Housing Council and CDP. She said that if we paid for the entire project we would be unable to serve more than a handful of people. We are always looking for other sources. Mr. Nichols said he is aware of churches that do outreach projects that benefit this client population.

Mr. Turbett said that this list will continue to grow. Ms. McBurnie said that it will be so long that we may end up having to tell people to call back in a year. Mr. Turbett said that this may include putting in a wheelchair ramp for someone that needs it to get in and out of their home. He agrees with putting this funding back in.

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Ms. Brothers said that she remembers Ms. McBurnie being concerned with this during the summer, and she is happy it is on the table.

Mr. Gray asked why is this an amendment to the amendment. He feels that there may be people that support the EISEP funding, but not this funding.

Chair MacKinnon asked Mr. Maginn if this is correct procedure. Mr. Maginn said that once an amendment is on the floor, you can amend the motion. He said that it is up to the Board of Legislators. Mr. Gray said that he hates to see the money for the home care program be in jeopardy.

The motion to amend the amendment to restore \$10,000 to the home repair program failed by a roll call vote with eight (8) no votes, six (6) yes votes (Brothers, Cobb, Moore, Morrill, Turbett, Wilson), and one (1) Legislator absent (FitzRandolph).

The amendment to include the funding to the Office for the Aging in the amount of \$48,640 for the Life Line Program and \$40,000 for the EISEP Personal Care Program passed by a roll call vote with fourteen (14) yes votes, and one (1) Legislator absent (FitzRandolph).

Mr. Lacy proposed amending the tentative budget to restore \$16,000 to the St. Lawrence County Chamber of Commerce, seconded by Mr. Nichols, and carried by a roll call vote, with fourteen (13) yes votes, one (1) no vote (Gray), and one (1) Legislator absent (FitzRandolph).

Mr. Turbett made a motion to restore the funding to the Children's Clinics to its previous years funding, seconded by Mr. Wilson and Ms. Brothers. Mr. Turbett said that this is a small amount of money to protect some children that would otherwise have no access to dental care.

Mr. Gray asked who protects the taxpayer. He said that there are those that work that need a new roof, dental care, and many other items that the County subsidizes for some. He said that the County received \$3.4 million from the Treasurer's sale in October. He said that some were places that people had to leave because of the decisions made in this room. He said that no one speaks for the taxpayer. He said that the group supporting the low-income group is getting smaller; they are paying the bill, and if they cannot pay the bill than who will.

Ms. Cobb said that she understands that the tax sale is the sale of property that the Treasurers office forecloses on due to delinquent taxes, and that it is unfortunate that there are so many. She mentioned that there are many non profits that benefit those that fall through the cracks. She said that we are talking about only \$4,000. She said that no one is going to loose there home due to this. Her argument is for the working poor. She said that there are a lot of people that are making just over what the requirement for Family Health Plus is, and they need services. She thinks it is amazing that we would increase funding to the Chamber, but are not in favor of dental services for children.

Mr. Nichols said that we are getting sound bites tonight. He said that no matter what we do there will always be more. He said that some will say that they are glad that we stopped when we did, and others will say the opposite. He said that we just added \$50,000 back in the budget for dental care last week. He is waiting rhetorically for someone to put it all back in. He said that the County Administrator cautioned us that we would have to offer less services. He said that we raised taxes, and cut services more than we wanted. He said that this is not a perfect budget, and that

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Mr. Brining said that he did not want to give this budget to us. He said that one out of every six people in this county is on Medicaid. He said that for every \$50,000, home taxes have gone up \$40. He said that the effect is that we have all worked on the budget for better or for worse. He said that by adding \$4000 here and \$10,000 there does not break the bank, but collectively it does. He said that Mr. Brining provided us with a responsible budget. He said that the sad part is if we add all this back in, we would have a 20% increase. He added that as popular as it is to say that we are leaving Seniors and Children in the snow bank, we all need to compromise.

Mr. Turbett said that there are two issues: He participated in a project, a survey in the North Country region and it was found that the number one problem was dental care. He said that the working poor have a hard time finding it. He said that he believes that it is a bad fiscal move not to include this funding. He said that in a few years down the road this will cost much more to us in Medicaid costs. He said that this increase would be about a 25 cents increase.

Mr. Romigh said it is commendable to stand up for children. He said that in Massena we had trouble with the Meals on Wheels program. He said that the community got together and raised the money; they received more than their goal. He said why not try the same thing with something like this. He said that if people will ask for a little help, they would get it. He said that he would be willing to contribute to this cause.

Mr. Gray said that if you have enough drops in a bucket, you have a full bucket. He said that other counties are in the same boat. He said that we are slowly inching it back up there. He said that we have to think about what the towns and villages are going to do. He said that a few thousand here, and a few thousand there; it has a serious impact. He said that there are many seniors that are healthy and have to pay for these services. He said that we as a body have to say stop; where is the line. He said that Ms. McBurnie mentioned that her program ran out of money, and she came to us for more money. He said that this Board revisits this type of issue over and over. He said that this Board has never turned their back on a legitimate need. He said that we are denying the people that pay the bill.

Ms. Cobb said that this goes back to the Public Health discussion. She said that when people have a legitimate need we do not turn our backs. She said that the best she can do is fight for the priorities that she believes in. She said that we as a Board are saying that one is more important than another. She does not agree with everyone's priorities. She said that she is going to lose but will go down fighting.

Mr. Wilson said we are always going to have the poor; there has always been poor. He said that in spite of all that we do to infrastructure to improve the situation, the poor do not know the way. He said that this whole budget session, in his view, is one of being an employment agency. He said that we don't think services first we think employees first. He said that as labor leaders, that is good. He said that we went through great acrobats to retain, meeting after meeting, to reduce the pain. He is not advocating keeping the pain. He said as Mr. Turbett said before not providing the services will cost us in the long run. He said that there are things that are not a part of this discussion. He said that Mr. Gray brought up the working poor; now that we have reduced the welfare rolls, and brought people to the Medicare level, only good jobs can improve the situation. He said that when he was a teacher it was theoretical. He said that when he became a Legislator he saw the programs and it got more practical. He agrees that there has to be a line somewhere. He said that the Highway Department is a "sacred cow", and has gotten by unscathed. He said that there is no desire from this Board to cut that budget. He said that we have finally exceeded to the

desires of the people that count; the employees are protected. He said that now the employees have been protected at what future cost. He said that Cooperative Extension is a worthy organization, but that is a "sacred cow". He said that it was put ahead of the Children's Clinic. He said that is good that they were given their money. He said lets not mistake what we did. He thought that the outside agencies were going to take an awful beating. He said that by and large it has been mitigated. He said that we have supported those things; the middle class has been protected. He said that the Office for the Aging was turned down on 11th hour of 11th day. He said that looking at the budget as a whole, the vote will lose and we will go on. He said that it should be stated what we have done. He said that the votes have come down in a certain way and he has voted along the same lines. He said that this is government and there are people that need our help. He will vote in favor of the amendment.

Mr. Nichols asked Mr. Brining how much has been added back in the budget. Mr. Brining said that it is \$176,000, and change, and so far tonight about \$65,000. Mr. Nichols said about one-quarter of a million dollars is back in. Mr. Nichols said that we added that amount back in to help those in need.

Ms. Brothers said she supports people, and the employees are people, if we did not have the employees they cannot provide the services that people need. She said that there have been a number of cuts through attrition; some departments have been heavily burdened. She said that she sat through the budget hearings. She said that this included: Department Heads, the County Administrator, and the Budget Team. She said that now it is our job to take the recommendations from the budget team and make changes as we see fit. She quoted FDR, and added that the working poor programs are something that we need. She said that her father used to say that St. Lawrence County would not know it if the Country were in a depression. She will support this motion and other amendments like this. She said as one of the bill payers, she is willing to support those services.

The motion to restore the funding to the Children's Clinics to its previous years funding failed by a roll call vote with eight (8) no votes, six (6) yes votes (Brothers, Cobb, Moore, Morrill, Turbett, and Wilson), and one legislator absent (FitzRandolph).

Mr. Brining said that there is a sheet on each desk showing the changes in the rent for Public Health; it shows the bottom line. He said that this is a recommended change.

Mr. Teele moved to amend the Public Health Department's portion of the tentative budget to reflect the mentioned changes, seconded by Mr. Nichols, and carried by a roll call vote with thirteen (13) yes votes, one (1) no vote (Moore), and one (1) Legislator absent (FitzRandolph).

Mr. Brining said that there was misinformation given before. He said that the budget that will be implemented, should this not pass after the public hearing, would be the budget as already amended.

Ms. Cobb said that this budget, as amended, is the budget that will be brought before us next week. She said that she is disappointed with the priorities. She said that each one of the Board members has different priorities. She tried to bring forward priorities that are important to her. She will vote no on this budget. She knew this was going to be a tough year. She said that sometimes people feel that we have argued. She said that we come to the table with different priorities. She said that she will vote no, but does have respect for their priorities.

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Mr. Lacy said that most colleagues that know him would agree that politics is the art of compromise. He said that this budget reflects the will of this body. He said that there are things in the budget that he does not whole-heartedly support but in the spirit of compromise he will support as a compromise and he urges his colleagues to support this as well.

Mr. Gray asked if this does not pass, does this keep the employees in flux. Mr. Brining said that if this passes tonight, they will not be in limbo. He said that this will revert back to the tentative budget. Mr. Gray said vote against this is a vote against employees.

Ms. Brothers said in previous experiences, she is quite shore that that will not happen. She will vote no on this, as she does not agree with this budget. She is sad that the term compromise is being used; she has not seen compromise during this budget process. She saw a difficult, complex process this summer. She feels that this budget has items that need to be replaced. She cannot support this.

Mr. Turbett said that he will not support the modifications, not because he does not support the employees. He agrees with Ms. Brothers, he did not see compromise, if you have the majority of the votes you do as you see fit. He feels that more needed to be done with this budget and he felt that more could be done with this budget.

Mr. Gray said that the majority of votes is democracy.

Mr. Nichols said that he will vote for the budget, for the same reasons that some of his colleagues have mentioned. He said that there has never been a perfect budget, we have made painstaking changes before. He feels that this budget takes care of a lot of the needs of the County. He said that if you vote no you jeopardize the extra funding for those "people services".

Ms. Cobb said that she would vote for this, but vote no for the overall budget. She believes that we are short on this budget.

Mr. Wilson said that he thought the County Administrator put forward the budget, and that the Budget Officer puts forward a tentative budget. He said that if we don't do anything by the "drop-dead date", than the County Administrator's budget is adopted. He said that now he is saying that the budget, as amended, will be the budget. He much more prefers this budget to the County Administrator's budget. He asked what is the County Administrator's budget, if the County Administrator puts forward the tentative budget.

Mr. Maginn said that this is a rhetorical question; perhaps semantics is the problem here. He said that the budget, if you pass this resolution tonight, will become the budget, with the changes made tonight. He said that if this is not passed tonight then the County Administrator's budget is the budget. Mr. Wilson said that the services should dictate the number of employees, not the other way around. He said that he feels that the Highway Department could have made a simple change from two in the cab, to one in the cab. He said that obviously we can all devise why we would want two in a cab at some time. He said that he is fine with that but would like to see them do what Dashnaw has brought in; it could save a lot of money. He said that it is not a matter of thinking that the Highway Department is some sort of horrible institution. He has disagreed with some bridges. He said that he lost those battles. He said that this does not change the fact that he and others agree that a little gift could have been given there. He said that thousands of dollars could have been saved there.

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Mr. Lacy said that he will support tonight's changes and what is brought forward next Monday. He said that if it passes tonight, all fourteen (14) can vote against this, and your constituents can come forward and you can say that you did not vote for that. He said that even if we do not vote on this budget next Monday, it would remain the "compromised budget".

Ms. Brothers asked Mr. Maginn to clarify if this gets eight (8) votes then all of these changes are in the "tentative budget". Mr. Maginn said that the budget team presents the tentative budget, if you change that budget, in the form of a resolution, than that becomes the budget that is presented at the public hearing. He said that if you do not vote on the budget itself, than the changed budget becomes the budget. He also said that if you vote this down tonight then the tentative budget comes before the full Board. Ms. Brothers said that the tax levy is based on this budget, and throughout the year there may need to be changes, can we make those changes throughout the year. Mr. Maginn said yes.

Mr. Turbett asked if we can still modify the Office for the Aging budget next week, if this is voted down tonight. Mr. Gray said that if the budget is modified next week, then we have to have another public hearing. Mr. Maginn said that if we have a public hearing on the budget then it is not necessary to have another public hearing, as stated by the law.

The motion to adopt Resolution No. 292-2003 carried by a roll call vote with eight (8) yes votes, six (6) no votes (Brothers, Cobb, Moore, Morrill, Turbett, and Wilson), and one (1) Legislator absent (FitzRandolph).

Mr. MacKinnon said that the changes have been adopted. He mentioned that Roberts Rules of Order states that the Board of Legislators may speak to one item, twice, for no more than 10 minutes each.

Chair MacKinnon adjourned the meeting at 8:25 p.m., as there was no further business.

December 1, 2003

St. Lawrence County
Board of Legislators
Board Room

Public Hearing
Monday, December 1, 2003
6:50 p.m.

**ADOPTION OF THE ST. LAWRENCE COUNTY COMPREHENSIVE EMERGENCY
MANAGEMENT PLAN**

Chair MacKinnon called the Public Hearing to order at 6:53 p.m.

The Deputy Clerk read the call to the Public Hearing.

Chair MacKinnon asked if anyone wished to comment.

Tim McNamara from the Town of Madrid said that he has followed the budget process and he would like to follow up on the subject of the budget at the appropriate time.

Mr. Nichols moved to close the public hearing at 6:55 p.m., seconded by Mr. Lacy, and carried unanimously by a voice vote.

St. Lawrence County
Board of Legislators
Board Room

Public Hearing
Monday, December 1, 2003
6:55 p.m.

**PROPOSED LOCAL LAW D (NO. ___) FOR THE YEAR 2003 ADOPTION OF
THE TRUTH IN TAXATION ACT OF 2003**

Chair MacKinnon called the Public Hearing to order at 6:55 p.m.

The Deputy Clerk read the call to the Public Hearing.

Chair MacKinnon asked if anyone wished to comment.

No one wished to comment.

Mr. Nichols moved to close the public hearing at 6:57 p.m., seconded by Mr. Turbett, and carried unanimously by a voice vote.

St. Lawrence County
Board of Legislators
Board Room

Board Meeting
Monday, December 1, 2003
7:00 p.m.

Chair MacKinnon called the meeting to order at 7:00 p.m.

ROLL CALL: All Legislators were present.

Mr. Wilson led everyone in prayer, followed by the Pledge of Allegiance.

December 1, 2003

Chair MacKinnon offered to postpone communications and citizen participation until after the memorial service. There were no objections.

PRESENTATION OF MEMORIAM RESOLUTIONS:

Finance Committee: 11-24-2003

RESOLUTION NO. 293-2003

**IN MEMORIAM OF A DECEASED MEMBER OF THE ST. LAWRENCE COUNTY
BOARD OF SUPERVISORS AND FORMER COUNTY ATTORNEY**

By Legislator Grow, District 13
By Legislator Gray, District 14
By Legislator Romigh, District 15

WHEREAS, during the past year, we have lost from our ranks:

**WILLIAM S. CRAPSER
SUPERVISOR FOR THE TOWN OF MASSENA
ST. LAWRENCE COUNTY ATTORNEY**

WHEREAS, this man was recognized as a leader in his community and was chosen in the Town of Massena to serve that community on the Board of Supervisors, serve as County Attorney, and to perform other duties for his fellow citizens, and he honorably and diligently discharged the trust so reposed in him and he has now departed, leaving a record, which we remember, and which today we seek to commemorate,

NOW, THEREFORE, BE IT RESOLVED that we treasure the qualities of service and devotion to duty of this, our absent friend, that we rejoice in the work he accomplished and sorrow that he is no longer with us, and

BE IT FURTHER RESOLVED that in token of our respect to this departed associate, this resolution be included in our records as a permanent memorial to his time spent with us.

* * *

The Deputy Clerk read Resolution No. 293-2003.

Mr. Gray moved to adopt Resolution No. 293-2003, seconded by Mr. Grow.

Mr. Grow said that he new William Crapser for many years, and had respect for him. They worked together on many highway issues. He said that Mr. Crapser always made himself available.

December 1, 2003

Mr. Gray said that Mr. Crapser was a pillar of the community in Massena. He mentioned that Mr. Crapser was a law partner with our current County Attorney, Bill Maginn. He said that he was a Supervisor before the Board of Legislators came into existence. He said that Mr. Crapser contributed to the deliberations of this body. Mr. Gray introduced Mr. Crapser's son John and his wife Martha.

Resolution 293-2003 carried unanimously by a voice vote.

The certified resolution was presented to John and Martha Crapser. Mr. Crapser said thank you and that his Dad had fond memories of the County. He said that his father's heart was into it, and he always tried to do his best for all people.

Finance Committee: 11-24-2003

RESOLUTION NO. 294-2003

**IN MEMORIAM OF A DECEASED MEMBER OF THE
ST. LAWRENCE COUNTY BOARD OF LEGISLATORS**

By Legislator Gray, District 14

WHEREAS, during the past year, we have lost from our ranks:

**JEAN C. L. LEPAGE
LEGISLATOR OR FROM DISTRICT 22**

WHEREAS, this man was recognized as a leader in his community and was chosen in the Town of Massena to serve that community on the Board of Legislators and to perform other duties for his fellow citizens, and he honorably and diligently discharged the trust so reposed in him and he has now departed, leaving a record which we remember and which today we seek to commemorate,

NOW, THEREFORE, BE IT RESOLVED that we treasure the qualities of service and devotion to duty of this, our absent friend, that we rejoice in the work he accomplished and sorrow that he is no longer with us, and

BE IT FURTHER RESOLVED that in token of our respect to this departed associate, this resolution be included in our records as a permanent memorial to his time spent with us.

* * *

Mr. Gray moved to adopt Resolution No. 294-2003, seconded by Mr. Romigh.

Mr. Gray accepted the certified resolution on behalf of Mr. LePage's family, as they were not able to attend. He said that Mr. LePage was the radio host for WMSA at 5:00 a.m., and many

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generations remember him in that capacity. He said that Mr. LePage became a Legislator after he retired. He said that after that he moved south with his wife Betty.

Mr. Romigh said that he remembers Mr. LePage. He said that Mr. LePage effected him for most of his life. He said that Mr. LePage was a go between for Santa Claus, and he heard him every morning when he was getting ready for school. He mentioned that when he was first asked to run as a Legislator in 1988, he asked Mr. LePage for advice. He explained that Mr. LePage was a personal friend. He said that after he had left the Board, he and Mr. LePage would still discuss current affairs. He said that Mr. LePage will be truly missed.

Mr. Morrill said he served with Mr. LePage, and he has great respect for him.

Resolution 294-2003 carried unanimously by a voice vote.

Finance Committee: 11-24-2003

RESOLUTION NO. 295-2003

**IN MEMORIAM OF A DECEASED MEMBER OF THE
ST. LAWRENCE COUNTY BOARD OF LEGISLATORS**

By Legislator Grow, District 13

By Legislator Gray, District 14

WHEREAS, during the past year, we have lost from our ranks:

**PETER J. OTTO
LEGISLATOR FROM DISTRICT 4**

WHEREAS, this man was recognized as a leader in his community and was chosen in the Towns of Brasher and Lawrence to serve the community on the Board of Legislators and to perform other duties for his fellow citizens, and he honorably and diligently discharged the trust so reposed in him and he has now departed, leaving a record which we remember and which today we seek to commemorate,

NOW, THEREFORE, BE IT RESOLVED that we treasure the qualities of service and devotion to duty of this, our absent friend, that we rejoice in the work he accomplished and sorrow that he is no longer with us, and

BE IT FURTHER RESOLVED that in token of our respect to this departed associate, this resolution be included in our records as a permanent memorial to his time spent with us.

* * *

Mr. Grow moved to adopt Resolution No. 295-2003, seconded by Mr. Gray.

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Mr. Grow said that Mr. Otto served his Country well. He said that he served his community. He explained that when Mr. Otto got of the "Service" he helped with the assisted living home in Massena. He said that Mr. Otto was a mentor of his; he went to Mr. Otto for advice. He said that he has run for office three times, and has won all three times on Mr. Otto's advice.

Mr. Gray said that Mr. Otto was a mentor of his as well. He said that Mr. Otto would stop in his office and talk about politics. He said that Mr. Otto is partly responsible for his being here today. He said that he has never heard an unkind word about Mr. Otto. He said that he was a good man and a dedicated public servant.

Mr. Morrill requested that the resolution be read. The Deputy Clerk read Resolution No. 295-2003.

Mr. Romigh said that he honors Peter Otto. He said that Mr. Otto was a hell of a great guy and could make a great pie. He said that Mr. Otto's door was always open. He said that Mr. Otto always looked forward to someone stopping in to say hello. He said that Mr. Otto will be missed, and that Mr. Otto has a lot of acquaintances, where he is now, and they are all having a good time.

Resolution 295-2003 carried unanimously by a voice vote.

Mr. Gray introduced Mr. Otto's daughter, Janet, and presented her with the certified resolution. She said that her father would be grateful for this recognition, and that he loved politics and this County. She said that her father was strong, and she agreed that he was also able to make a good pie. She said that he is still serving us by the members of this board. She thanked the Board of Legislators.

Finance Committee: 11-24-2003

RESOLUTION NO. 296-2003

**IN MEMORIAM OF A DECEASED MEMBER OF THE
ST. LAWRENCE COUNTY BOARD OF SUPERVISORS
AND FORMER DIRECTOR OF WEIGHTS AND MEASURES**

By Legislator Moore, District 7

WHEREAS, during the past year, we have lost from our ranks:

**FRED W. SELLECK
SUPERVISOR FOR THE TOWN OF PIERREPONT
DIRECTOR OF WEIGHTS AND MEASURES**

WHEREAS, this man was recognized as a leader in his community and was chosen in the Town of Pierrepont to serve that community on the Board of Supervisors, serve as Director of Weights and Measures, and to perform other duties for his fellow citizens, and he honorably

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and diligently discharged the trust so reposed in him and he has now departed, leaving a record which we remember and which today we seek to commemorate,

NOW, THEREFORE, BE IT RESOLVED that we treasure the qualities of service and devotion to duty of this, our absent friend, that we rejoice in the work he accomplished and sorrow that he is no longer with us, and

BE IT FURTHER RESOLVED that in token of our respect to this departed associate, this resolution be included in our records as a permanent memorial to his time spent with us.

* * *

Mr. Moore moved to adopt Resolution No. 296-2003, seconded by Mr. Morrill.

Mr. Moore said that Mr. Selleck will greatly be remembered. He mentioned that there is a road named for him. He said that Mr. Selleck lived there his whole 88 years. He said that Mr. Selleck will be remembered in the Town of Pierrepont as the Justice and the Supervisor. He said that Mr. Selleck was the Sealer of Weights and Measures for 24 years. He said that this put Mr. Selleck in contact with many people in this County. He said that Mr. Selleck could have been elected to any "office" that he chose. Mr. Moore also said that he and Mr. Selleck used to ride together. He said that Mr. Selleck had a "coon dog" and he would take that dog along for a ride. Mr. Moore told a story of how the dog and a coon were fighting in a river; Mr. Selleck was able to get them out of the water, and the dog won the battle. Mr. Moore reminisced about other good memories of Mr. Selleck.

Mr. Grow said that he admired Mr. Selleck for his quiet manner.

Resolution 296-2003, carried unanimously by a voice vote. Mr. Moore accepted the certified resolution on behalf of the family, as they were not able to be in attendance.

Chair MacKinnon recessed the meeting at 7:18 p.m., for the Public Hearing.

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St. Lawrence County
Board of Legislators
Court Room C

Public Hearing
Monday, December 1, 2003
7:20 p.m.

Chair called the Public Hearing to order at 7:30 p.m.

Deputy Clerk read the call to the Public Hearing.

Chair MacKinnon asked if anyone wished to comment.

A gentleman stood to address the Board of Legislators and said that he resides in Raymondville and said that several individuals are here with interest in the libraries. He said that this is an important asset for future firms of St. Lawrence County. He said that his mind goes back many years. He said that the libraries have been before the Board before. The library is a basic public service of the County. He said that they do not discriminate; it is a free service to all County residents. He said that anyone can get services at the library. He said that it is harder to evaluate libraries than the County Highway Department. He said that he is retired and on a fixed income and pays taxes. He said that he is happy to pay an additional thirty-cents for libraries. He asked for funding to meet last years funding.

Hank Zagadlo stood to address the Board of Legislators. He said that he is a retiree, and a taxpayer. He said that he has not come here as a representative of the Gouverneur Reading Room. He said that he is the child of immigrant parents and grew up in Brooklyn. He said that he can recall going to the Brooklyn Public Library which was seventeen blocks away, every week. He said that he exposed himself to treasures by going to the library. He said that upon retiring, he promised himself that he would go for one "thing" and he chose libraries. He said do what you need to do, just remember the recipients that follow up. He said that if there is a large cut to the public libraries then there is also a reciprocal cut to libraries. He said that this would come to a 25% cut to libraries.

Richard Merchant stood and addressed the Board of Legislators. He said that he moved back to the North Country a few years ago. He said that he serves on the Hospice Board, etc. He feels that he needs to speak to the issue. He said that he is a concerned person about the budget. He is affiliated with the Health Education Center. He said that we do a lot of analysis and collection of data. He said that any cut to Hospice or the Children's Clinic, is unacceptable. He said that it is a statement to the County that is unrealistic. He said that three out of every four children have not seen a dentist in the last year. He said that this body does not look good. He said that he would like to share a message of hope for you. He said that the issue for him is the method by which these decisions are made. He said that he is concerned with compromise. He said that if you can do anything, if you could find a way to remedy what is going on, the children and the adults that cannot be here tonight would appreciate it.

Tim McNamara stood and addressed the Board, and said that he is from Madrid. He said that he is a registered nurse. He said that he has followed the budget issue with interest. He said that his sense and his information is from the newspaper. He said that he is a taxpayer and is willing to pay increased tax money. He said that the initial proposal would have raised taxes eleven-cents a day. He said that he does not subscribe to the idea of never increase taxes. He said that it is his duty to help the less fortunate. He said that dwelling on percentages is hard to follow, he would rather see it related to things we can understand, for instance the way that Ms. Cobb related an increase to the cost of a candy bar. He spoke of different services that he feels strongly about, Hospice in particular. He said that he couldn't believe that Hospice and the word "cut" were in

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the same sentence. He would like to have those who vote for those cuts go to the a Hospice Center for a first hand look at what is being done there.

Sue Kramer stood and addressed the Board, and said that she is a resident of Canton. She said that she reiterates what Mr. McNamara said. She said that she is willing to have taxes raised for worthwhile reasons. She said that she is talking about those that have needs. She asked that each Legislator do what is right.

Brad Minton stood and addressed the Board of Legislators, and said that he is a retiree and lives in Canton. He said that the purpose of government is to help people that cannot help themselves. He said that a year ago this month, his low-income sister in law died on her couch. He said that Hospice spent a lot of time helping her in her passing. He said that Hospice is an organization that needs everybody's help. He said that he has an opinion of libraries; volunteers support the libraries. He said that 99% of the magazines, in Canton, are received from donors. He said that he is involved with genealogy research. He said that some people stopped by from California; they came through the St. Lawrence County Historical Society. He said that these are three examples of three items that need each and every dollar to continue to do business. He would appreciate support in those three areas.

Mr. Cook moved to close the Public Hearing at 7:50 p.m., seconded by Mr. Nichols and carried unanimously by a voice vote.

Chair MacKinnon reconvened the full Board meeting at 7:51 p.m.

COMMUNICATIONS:

A letter from Governor Pataki's office acknowledging receipt of Resolution No. 283-2003.

A letter from Congressman McHugh's Office acknowledging receipt of a Resolution passed by St. Lawrence County regarding Establishing a Nationally Chartered Korean War Veterans Association.

A resolution from Washington county Board of Supervisors entitled To Support the New York State Assembly Minority's Medicaid Relief Initiative.

A letter from Clifton-Fine School supporting the continuation of the current level of County Sheriff's Road Patrol.

Resolutions from Town of Canton, Town of Madrid, Town of Lawrence, and the Town of Depeyster in support of maintaining the current level of Sheriff's Road Patrol.

Chair MacKinnon received letters from various places and individuals regarding the Sheriff's Road Patrol.

Chair MacKinnon received a letter from Charlotte Rafaela regarding restoring funds to the libraries.

Chair MacKinnon received a letter from the Farm Bureau in support of limiting the tax increase.

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CITIZEN PARTICIPATION:

Donald Hassig stood and addressed the Board of Legislators and gave thanks to the lawmakers. He said that it was good that the St. Lawrence County Legislators spent money to educate on open waste burning. He said that the State Legislature has passed the 2003 Clean Indoor Act. He said that this may have created some rough times in St. Lawrence County. He said that there have been a lot of coverage due to the ban, for pub owners. He said that as someone here said tonight that government is here to help people that cannot do for themselves. He said that a lot of constituents in St. Lawrence County elect to smoke. When they congregate in a bar room, the smoke is detrimental to health. He said that the County pays a portion of Medicaid and Medicare. He said that we are in the top 5 counties in New York State for lung cancer. He said that he spoke with Pelegrino, Bruno and Wright. He said that he hopes that the lawmakers here stay the course for this change.

CONTINUE PRESENTATION OF RESOLUTIONS:

RESOLUTION NO. 297-2003

ADOPTION OF THE 2004 BUDGET

By Mr. Nichols, Chair, Finance Committee

WHEREAS, the Budget Officer's 2003 Tentative Budget has been reviewed by the Finance Committee, and

WHEREAS, the Board, at a Special Meeting on November 24, 2003 modified the 2004 Tentative Budget as recommended by the Finance Committee, and

WHEREAS, a Public Hearing on the 2004 Tentative Budget, As Modified, was held on December 1, 2003,

NOW, THEREFORE, BE IT RESOLVED that the 2004 Tentative Budget, As Modified, is hereby adopted with said budget requiring the raising by real property taxes the amount of ~~\$33,521,747~~ \$33,554,753, and

BE IT FURTHER RESOLVED that the St. Lawrence County 2004 Tentative Budget, As Modified, be distributed in the funds as per Exhibit A and Exhibit B of said budget, and

BE IT FURTHER RESOLVED that the St. Lawrence County Legislature directs that the Clerk of the Legislature establish the St. Lawrence County Tax Levy for the year 2004 in the amount of ~~\$33,521,747~~ \$33,554,753, and

BE IT FURTHER RESOLVED that the salary increases for management and non-union employees be reinstated in the amount of \$68,112, and

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BE IT FURTHER RESOLVED that the appropriated surplus be increased from \$4,000,000 to \$4,068,112.

* * *

Mr. Nichols moved to adopt Resolution No. 297-2003, seconded by Mr. Cook.

Mr. Teele offered an amendment to the Resolution to include the salary increases for Management Staff, seconded by Mr. Nichols, Ms. Brothers and Mr. Romigh.

Mr. Gray said that this will come out of surplus and not affect the tax rate. Mr. FitzRandolph said that in his perspective, and possibly other Legislators, we forgot, as part of a large cut in the budget, our management employees had agreed to share the pain, by holding their increases until September. He said that we have made changes to the budget that violated the package that was initially given. He said that if it stays the way it is, they would be bearing something that they really shouldn't be bearing.

The amendment carried unanimously by a roll call vote.

Ms. Cobb said that she would like to make a motion that \$10,000 be restored to the Office for the Aging, and restore 1/2 of the cuts to the outside agencies. She said that this is a one-percent tax increase. She said that she is asking \$27,000 to be placed back into the budget, and that represents 1/10th of a percent. She said that this is forty-cents a year for a house worth \$50,000. She said that she feels that people would give forty-cents a year, to help those that are less fortunate than they are. She said that perhaps she should have had these numbers earlier. She said she is asking that we vote to restore those things to the budget, seconded by Mr. Turbett.

Ms. Brothers pointed out that taxes have not been raised that much in past years.

Mr. Gray asked staff for the cost increase in dollars for a \$50,000 home as the budget stands now. Staff will get that information for him. Mr. Gray said that he will speak to the amendment. He said that there is no one here tonight that is apposed to any of the programs that have been mentioned. He said that he feels like a broken record in bringing up the property tax sale. He said that the tax cost broke the bank for some of those homes. He said that the decisions made by this Board have taken people from their homes. He said that he has tried to balance the needs and the services provided with the people paying the bill. He said that it does not do us any good to put people in dire straights. He said that this is a snowball in reverse. He said that the small increases amount to a drastic amount for the taxpayers. He said that if you put the forty-cents in, along with the other increases, where is the breaking point. He said that we saved money in welfare reform, but the Medicaid costs have gone up. He said that Medicaid has affected budgets across the state. He said that it is easy for the State to expand this program. He said that the State only pays twenty-five cents on the dollar. He said that if you take Medicaid out of the budget you could fund all of the other programs. He said that government is not the answer; we have made ourselves to dependant on government. He said that as the tax base shrinks we can not support the programs at the current levels. He said that we have lobbied, at the State level, to just freeze Medicaid. He said that we have all heard that it will be harder next year. He said that we will have increases in Medicaid in the coming years. He said that the numbers that are being discussed seem insignificant, but if you add them up they are tremendous. He said that he has

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some family members that avail themselves to some of these programs. He said that a lot of people, that are not here today, are looking for tax relief and are out working two and three jobs. He added that he is unsure how much longer the bill payers can take this.

Mr. Nichols said that he appreciates this being brought forward. He said that he has a relative that works for ALCOA, and he knows that ALCOA has been told that they have to cut \$1,500,000 out of their budget. He said that he has not checked on this, but last heard that ALCOA was paying 5% of the tax levy, and based on the budget they will pay \$1,700,000. He said that our actions are a direct affect to homeowners. He said that we are not out of the woods for job cuts in this county. He said that when the Administrator brought the budget team together, they looked at cutting \$2,000,000. That is 8% of the tax levy. He said that we would have started with a 20% tax increase. He said that there were cuts to programs in the tentative budget, and some of those cuts where people. He said that we added over \$250,000 of that back in. He said that if we approve these, then we should approve more that some people feel are equally important. He said that his grandmother used Hospice, and that he was there when she passed away. He said that it is vital. He said that Hospice appeared before the Committee a few years ago. He said that the year that this Board cut funding to Hospice, he thinks it was about 1995, they raised more then we cut in fund raising. He said that as Mr. Romigh has said when some are cut loose and are made to raise their own money they are capable of raising more then they think. He mentioned that in Ogdensburg, they do a show for charity. He added that this challenges people to give from their own wallet.

Mr. FitzRandolph requested that an e-mail that he received from Judy Gibson be read.

The Deputy Clerk read the following letter:

“To: St. Lawrence County Board of Legislators, From: Judith C. Gibson, December 1, 2003. I heard this morning that New York’s state and local taxes are the highest in the nation – a painful fact for all of us. But as you prepare to vote tonight on the 2004 Budget for the county, please keep in mind my request: RAISE MY TAXES even more. I am willing to forego the many non-essentials in my life so that programs and institutions and services, which protect the health and basic well being of St. Lawrence County residents and enrich their lives can be preserved or assured.

Thank you for restoring funding for the Lifeline program and the Office of the Aging’s program for personal care services to the elderly. Please stretch a little further and make us pay for dental care for children in poverty and for the home repair program for seniors. These are modest programs, which make a big difference in recipients’ lives.

I also ask you to reconsider the cut in funding for country libraries, a cut that takes libraries back to the 1998 funding level. In Canton, where I am on the library board of trustees, and that cut will likely mean closing one day each week. That will be a hardship on patrons and staff. Patrons rely on the resources of the library not only to educate and inform and culturally enrich themselves and their families, but also to help with job searches, starting their own businesses, prepping for civil service exams, etc. Staff, already paid modestly, will take home a smaller paycheck for fewer hours – or will be laid off.

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A New York Librarian said, Libraries improve the quality of life in our communities, which improves the business climate – which attracts economic development and creates a progressive community – which broaden the tax base of the community – which lowers per capita taxes. That’s a strong argument for restoring the funding level to county libraries to last year’s dollar amount.

These are tough times. The public is aware of the need to be thrifty, even to sacrifice. But we elect you expecting you to be wisely thrifty, to support institutions which enhance the lives of all of us, to compromise carefully and compassionately, and to take care of those whose struggles in life are far greater than yours.

So – raise my taxes. I may complain to family and friends who live in cheaper parts of the country, but I will explain that those taxes are serving the public good and I support them. Sincerely, Judy Gibson”

Mr. FitzRandolph said that the letter expresses the thought better than he could. He said that when he was elected to this body, ten or twelve years ago, he was concerned about the tax rate. He said that at one time he, along with Jon Greenwood cosponsored some legislation to prevent a tax increase. He said that very few of his constituents complain about County taxes. He said that usually what they are bothered by is the lack of service. He said that the taxpayers do not get a lot of services for their tax dollars. His constituents value Libraries, Aging, Hospice, etc. He said that it is a very small amount of money. He said that there has already been over \$30,000 put back in. He said where do we draw the line. He said that this implies that these are the services that are at the bottom of the importance list. He cannot disagree to that we have to stop somewhere, these are the services that are important to his constituents and people are willing to pay for them. He would be remiss if he did not continue to speak out for those that use these public services. He said that he feels that this is the role of government. He said that you should not have to have a bake sale. He is hit everyday by many organizations. He said that we need to clearly state our position so that our constituents know what we are about. He feels that these are important items. He said that just because this is not a County department it is still essential.

Ms. Cobb reiterated that the amendment is to restore the Office for the Aging funding and to restore one-half (½) of the funding for outside agencies, minus the Chamber and Cooperative Extension.

Mr. Teele said that he agrees with Mr. Nichols, Mr. FitzRandolph, and Mr. Gray. He said that we talked last week about compromise. He does not know what full funding would be. He asked what this would include

Ms. Cobb said that the full funding would be \$17 thousand, plus.

Mr. Teele said that he may be the eighth person. He said that he has been through this process for 15 years and this has been one of the most difficult. He wishes it did not have to come down to this. He said that he feels that this is reasonable. He said that the impact will be small. He said that he will support this amendment.

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Mr. Romigh said that during caucus a few months ago, Mr. Moore told us of elderly people that were losing their farm, what will the impact be for them.

Mr. Moore said that he will vote for this amendment.

Mr. Romigh said that he did refer to this several times. He would like to know what happened to ingenuity. He mentioned that Meals on Wheels in Massena got \$50,000 in donations. He said that people will give, if you ask them. He said that there are people that live in apartments that if the taxes go up so does their rent, which could cost them a meal.

Mr. Turbett said that he is in favor of the motion. He said that raising private funds is great. He said that we are only funding a small fraction of the operation. He said that we are holding to what was done last year; he said that in fact it is a cut. He will support and they will do the fund raising to get to where they were last year.

Mr. Teele asked Ms. Cobb, if the outside agencies are included in this amendment. She said that it includes CDP, N. Country Children's Clinic, United Cerebral Palsy, Libraries, Hospice, and the Review Board. She said that it does not include any that have already been restored. She said that it includes the Historical Society, and it does not include Soil and Water. Mr. Teele said that he does not believe that the money to Soil and Water has been restored.

Mr. Brining explained that Soil and Water will take over the Forestry duties; there was no money restored in the standard line. He said that the thoughts were that with the extra funding along with taking on the extra duties would make them whole.

Mr. Teele requested an amendment the amendment to restore 1/2 of the funding to Soil and Water. He mentioned that they already are getting the funding from the Forestry program take on the duties of the Forestry Program.

Mr. Nichols said that Soil and Water did not make out on this. He said that as Mr. Brining pointed out St. Lawrence County will save money by putting the Forestry Program in with Soil and Water, and they will have to hire at least one additional person. He said to suggest that they are taken care of is not true. He said that if we are going to be consistent we need to include Soil and Water.

Mr. Wilson asked what the dollar amount was that Soil and Water lost. Mr. Brining said that we cut their normal line to \$50,000. He verified that Mr. Teele's amendment would supply 1/2 of the loss to the Soil and Water District. Mr. Wilson asked where did that cut come from. Mr. Brining said that this was the 17% that cut across the board. He said what makes this different is that they agreed to take on the Forestry duties. He said that as the budget stands they would receive over \$87,000. He said that if they were not going to do Forestry they would receive \$50,000, which is a \$10,000 cut.

Ms. Howard said that they were concerned with the \$10,000 cut. She said that she felt that they would not be able to do business, but by being able to pick up the Forestry income they are still

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on a very low budget. She said that they have to hire a Tech; the Forestry program money does help, but with a shortfall.

Ms. Cobb said that she would be happy to put that funding back in.

Mr. Gray said that he is still concerned about the bill payers. He said that it would be interesting to know what ALCOA donates to Hospice and to Libraries. He said that he sees a number of ALCOA employees at the annual Hospice brunch. He said what if we lose an industry; we lose the ability for the employees to make their contributions. He said that if you have a hole in the roof and you put a bucket there to catch the drips, you will eventually have a full bucket. He said that his amendment would have been to cut mileage for Legislators; the same people that were against that are willing to put all of this back in. He said that those people that were listed in the paper voted not to cut that \$11,000, he feels that this Board should take a hit too.

The motion to amend the amendment by including one-half (½) of the loss back in the budget for the Soil and Water District passed by a roll call vote with thirteen (13) yes votes, and two (2) no votes (Gray and Romigh).

Mr. Lacy said that he has been here for eight years. He said that throughout his life being an educator has played a big part of what he is. He said that he remembers going to the Public Library as a child and that it was as big as an outhouse. He said that he was in education for 32 years. He said that those that spoke for the Library's funding spoke eloquently. He said that he spoke with one of them at 5:15 this morning. He asked for a copy of the law that states what happens if libraries are cut for two years in a row, and he receive that information. He mentioned that a couple of the speakers are his continuants, and that all of the Library Board members are his friends. He said that another aspect in life involves negotiations. He said that he has been hearing a lot of talk about compromise. He said that he will support this and support Ms. Cobb's amendment. He said that this will help the outside agencies that perform many services, and next year we need to look at the libraries again because we can not let them end up with less then 95% of this years budgeted amount

Mr. Gray asked if this money will come out of the tax increase. Mr. MacKinnon said that all of these increases will go against the tax levy, unless another resolution is offered to change it.

The motion to amend passed by a roll call vote with eleven (11) yes votes, and four (4) no votes (Cook, Gray, Nichols, and Romigh).

Mr. Gray said that he has spent many nights, in October, working on this budget and now almost everything is back in it. He said that it seemed like the process was a waste of time, and suggested that next year the budget team should receive more direction.

Mr. FitzRandolph said he does not like this budget, but he likes it better then the initial budget. He said that the initial budget was very responsible. He said that it is a tough year, and said that he agrees with Mr. Gray about giving the budget team guidance. He said that limited guidance was given to the team. He said that he disagrees with Mr. Gray in that it was not a waste of time. He said that it is a necessary process. He said that it has been his habit to support the budget in the end. He said that this budget is no different. He said that he feels this budget has been compromised, he will vote for this feeling it is pretty decent.

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Mr. Morrill said that the Board of Legislators sacrificed mileage as it was changed from IRS rate to twenty-cents per mile.

Mr. Gray made a motion to remove funding for mileage, meals, and expenses for the Board of Legislators, seconded by Mr. Cook, and was defeated by a roll call vote with eight (8) no votes, and seven (7) yes votes (Cobb, Cook, Gray, Grow, Lacy, MacKinnon, and Romigh).

Mr. Wilson said that he congratulates Ms. Cobb for her resiliency and perseverance. He said that whether or not this process works, in the end, this long torturous exercise was worth it. He said that he did not think he would have been able to vote for the budget tonight, but now he feels that no one is happy. He said that it is probably the way that it should be.

Ms. Cobb said that she appreciated the support in her amendment. She would like to say that we were talking about a 23% tax increase, now we are talking about a 10% or 11% increase. She said that there are services that will be cut, we are cutting 40 positions, and that will impact the County. She said that it would be disingenuous of her to say that everything is being put back in. She thanked the Board of Legislators for their work, and thanked them for voting for the amendment. She said that she thought she too would have to grit her teeth and vote on the budget.

Mr. Gray asked for a final tally. Mr. Brining said that there is a 10.74% increase, .8725 per thousand. He said that the number that will go into the resolution will be \$33,554,753. He said that if any one wants a print out of this they are able to do that.

Resolution No. 297-2003 was adopted, as amended, by a roll call vote with fourteen (14) yes votes, and one (1) no vote (Gray).

Chair MacKinnon called for a ten-minute recess at 9:05 p.m. Chair MacKinnon reconvened at 9:15 p.m.

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Finance Committee: 11-24-2003

RESOLUTION NO. 298-2003

AUTHORIZING FILLING OF VACANCIES

By Mr. Nichols, Chair, Finance Committee

WHEREAS, the St. Lawrence County Board of Legislators adopted Resolution No. 38-2003 on February 10, 2003, which created a policy for filling of vacancies, and

WHEREAS, the vacancies listed below have received the approval of being forwarded to the full Board by the Finance Committee,

NOW, THEREFORE, BE IT RESOLVED that the following vacancies are hereby authorized to be filled:

<u>Department</u>	<u>Title</u>	<u>Type</u>	<u>Duration of Position</u>
Public Health	Registered Nurse	Full-time	Permanent
Public Health	Registered Nurse	Part-time	Permanent
Social Services	Community Services Wkr	Full-time	Permanent
Social Services	Social Welfare Examiner	Full-time	Permanent
Sheriff	Correction Sergeant	Full-time	Permanent
Sheriff	Correction Officer	Full-time	Permanent
Sheriff	Correction Officer	Part-time	Permanent

* * *

Mr. Nichols moved to adopt Resolution No. 298-2003, seconded by Mr. Grow, and carried unanimously by a voice vote.

Finance Committee: 11-24-2003

RESOLUTION NO. 299-2003

ADOPTING MORTGAGE TAX REPORT

By Mr. Nichols, Chair, Finance Committee

BE IT RESOLVED that the Mortgage Tax Report, as submitted by the County Clerk and the County Treasurer, is hereby accepted and the County Treasurer is authorized and directed to issue the amounts as set forth in the report to the various tax districts in this County.

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<u>Town/Village</u>	<u>Amount</u>
Brasher	\$15,237.83
Canton	
Village of Canton	13,502.36
Village of Rensselaer	543.77
Town of Canton	44,147.17
Clare	72.04
Clifton	8,452.50
Colton	14,245.96
Dekalb:	
Village of Richville	427.45
Town of Dekalb	9,945.10
DePeyster	2,404.22
Edwards:	
Village of Edwards	346.90
Town of Edwards	4134.67
Fine	9,113.10
Fowler	18,413.40
Gouverneur:	
Village of Gouverneur	6,899.16
Town of Gouverneur	18,039.84
Hammond:	
Village of Hammond	518.99
Town of Hammond	16,913.81
Hermon:	
Village of Hermon	470.56
Town of Hermon	7,954.01
Hopkinton	6,820.32
Lawrence	9,709.01
Lisbon	28,811.93
Louisville:	
Village of West Massena	4,665.81
Town of Louisville	41,313.31
Macomb	6,483.46
Madrid	10,343.63
Massena:	
Village of Massena	33,284.26
Town of Massena	85,073.84
Morristown:	
Village of Morristown	1,731.92
Town of Morristown	24,496.42
Norfolk:	
Village of Norwood	200.39
Town of Norfolk	27,498.42
Ogdensburg	37,711.93
Oswegatchie:	

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Village of Heuvelton	1,781.97
Town of Oswegatchie	28,941.67
Continued...	
Parishville	13,424.13
Piercefield	5,236.75
Pierrepont	27,257.39
Pitcairn	4,138.18
Potsdam:	
Village of Potsdam	18,021.90
Village of Norwood	4,368.83
Town of Potsdam	68,533.48
Rossie	4,479.12
Russell	9,240.03
Stockholm	22,520.28
Waddington:	
Village of Waddington	2,950.67
Town of Waddington	13,066.36
Totals	\$733,888.25

* * *

Mr. Nichols moved to adopt Resolution No. 299-2003, seconded by Mr. Romigh, and carried unanimously by a voice vote.

Finance Committee: 11-24-2003

RESOLUTION NO. 300-2003

AMENDING 2003 BUDGET, NYS RETIREMENT

By Mr. Nichols, Chair, Finance Committee

WHEREAS, the 2003 County Budget has \$1,491,065 appropriated for payment of retirement costs this December, and

WHEREAS, the total NYS Retirement costs to be paid this December is \$2,590,379, creating a shortfall of \$1,099,314,

NOW, THEREFORE BE IT RESOLVED the County Treasurer is authorized to make the following amendments to the 2003 County Budget:

INCREASE APPROPRIATIONS

01-T5-9010-810-00-0	Retirement	\$1,099,314
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INCREASE REVENUES

01-T2-3001-560-00-0	State Revenue Sharing	\$173,486
01-T3-1110-550-00-0	Sales Tax	667,452
01-T3-1081-550-00-0	Payment in Lieu of Taxes	100,000
01-T3-1051-550-00-0	Gain from Sale of Tax Property	<u>158,376</u>
		\$1,099,314

* * *

Mr. Nichols moved to adopt Resolution No. 300-2003, seconded by Mr. FitzRandolph, and carried unanimously by a roll call vote.

Finance Committee: 11-24-2003

RESOLUTION NO. 301-2003

TRANSFER OF FUNDS-COMMUNITY COLLEGE TUITION

By Mr. Nichols, Chair, Finance Committee

BE IT RESOLVED that the St. Lawrence County Treasurer is hereby authorized to make the following transfer in the 2003 budget.

TRANSFER FROM

01-B1-1990-497-00-0	Contingency Account	\$60,000
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TRANSFER TO

01-B1-2490-465-02-E	Community College Tuition	\$60,000
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* * *

Mr. Nichols moved to adopt Resolution No. 301-2003, seconded by Mr. Grow, and carried unanimously by a roll call vote.

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Finance Committee: 11-24-2003

RESOLUTION NO. 302-2003

SURPLUS SALES TAX DISTRIBUTION

By Mr. Nichols, Chair, Finance Committee

WHEREAS, there are no Towns/Villages who wish to utilize the 2003 Excess Sales Tax as a credit to be applied to the Tax Warrant for taxes due January 1, 2004, and

WHEREAS, the following Towns/Village wish to utilize the 2003 Excess Sales Tax as a cash payment:

<u>Town/Village</u>	<u>Amount</u>
Clare	\$ 3,455.40
Clifton	18,098.25
Colton	39,400.72
Dekalb	9,850.94
Fine	15,780.41
Fowler	13,143.80
Hermon	6,601.35
Richville	845.84
Rossie	<u>4,156.03</u>
Total Cash Payments	\$111,332.74

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the St. Lawrence County Treasurer's Office to disburse the 2003 excess Sales Tax as stated.

* * *

Mr. Nichols moved to adopt Resolution No. 302-2003, seconded by Mr. Morrill, and carried unanimously by a voice vote.

December 1, 2003

Finance Committee: 11-24-2003

RESOLUTION NO. 303-2003

CHARGING TAX ITEMS

By Mr. Nichols, Chair, Finance Committee

WHEREAS, due to tax refunds, cancellations of taxes, and other assessment errors, there are various tax items that cannot be collected,

NOW, THEREFORE, BE IT RESOLVED that the County Treasurer is hereby authorized and directed to charge the following items to the towns as presented to the Legislature:

*2003 Correction of Errors
Charges & Credits to Towns & Districts*

<u>Town</u>	<u>Description</u>	<u>Amount</u>	<u>Total</u>
Brasher	Fire	51.50	
	Highway	73.31	
	Sewer	162.34	
	Town	82.40	369.55
Clifton	Fire	4,666.66	
	Town	17,333.33	21,999.99
Clare	Fire FD007	27.93	
	Highway	53.92	
	Town	66.92	148.77
Colton	Fire FD008	1,342.66	
	Fire FD009	8,192.05	
	Highway	31,960.80	
	Town	47,446.77	
	Light LT006	861.84	
	Light LT007	916.28	90,720.40
Dekalb	Fire FD011	87.33	
	Highway	185.69	
	Light	47.87	
	Part-Town	4.75	
	Town	501.90	827.54
Depeyster	Fire FD041	9.75	
	Highway	68.28	
	Town	67.09	145.12

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Edwards	Fire FD012	12.62	
	Highway	12.23	
	Town	52.42	77.27
Fine	Fire FD014	26.89	
	Fire FD015	15.65	
	Fire FD013	4.98	
	Highway	389.31	
	Town	477.01	
	Water	112.92	1,026.76
Fowler	Fire FD016	19.01	
	Highway	565.10	
	Light	50.72	
	Town	236.01	870.84
Gouverneur	Town	32.50	32.50
Hammond	Fire FD017	310.03	
	Town	407.46	717.49
Hopkinton	Fire	84.10	
	Highway	370.52	
	Town	145.30	599.92
Lawrence	Fire	6.64	
	Highway	11.90	
	Town	7.11	25.65
Lisbon	Fire FD021	43.65	
	Highway	41.46	
	Town	62.13	147.24
Louisville	Fire FD022	11.00	
	Highway	.69	
	Part-Town	.71	
	Town	70.70	83.10
Madrid	Fire FD024	7.79	
	Highway	36.29	
	Town	27.83	71.91
Massena	Fire	1.42	
	Town	50.75	52.17
Morristown	Sewer	121.00	
	Town	36.73	157.73

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Norfolk	Fire FD028	51.12	
	Highway	21.54	
	Town	121.82	
	Part-Town	55.14	249.62
Ogdensburg	Town	417.62	417.62
Oswegatchie	Town	105.74	105.74
Parishville	Fire FD030	24.67	
	Highway	73.41	
	Town	36.56	134.64
Pierrepoint	Fire	32.08	
	Highway	127.86	
	Sewer	-215.42	
	Town	67.54	12.06
Pitcairn	Fire FD033	2745.68	
	Highway	16833.33	
	Town	2980.73	22559.74
Potsdam	Fire FD034	38.10	
	Highway	33.99	
	Town	8165.55	
	Part-Town	1.32	8238.96
Rossie	Fire FD035	26.57	
	Highway	297.25	
	Town	277.19	601.01
Russell	Fire FD036	-43.75	
	Highway	-133.53	
	Town	-85.51	-262.79
Stockholm	Fire FD039	7.32	
	Highway	12.97	
	Town	7.16	
	Light	38.12	65.57
Total Charges			\$150,196.12

Mr. Nichols moved to adopt Resolution No. 303-2003, seconded by Mr. Wilson, and carried unanimously by a voice vote.

December 1, 2003

Finance Committee: 11-24-2003

RESOLUTION NO. 304-2003

**ADOPTING PROPOSED LOCAL LAW C (NO. ___) FOR THE YEAR 2003
AUTHORIZING A SEPARATE ENCLOSURE TO BE INSERTED
INTO TAX BILL MAILINGS**

By Mr. Nichols, Chair, Finance Committee

WHEREAS, a public hearing on proposed Local Law C (No. ___) for the Year 2003 has been held,

NOW, THEREFORE, BE IT RESOLVED that Local Law C (No. ___) for the Year 2003, Authorizing a Separate Enclosure to be Inserted into Tax Bill Mailings, is hereby adopted.

**PROPOSED LOCAL LAW C (NO. ___) FOR THE YEAR 2003
AUTHORIZING A SEPARATE ENCLOSURE TO BE INSERTED
INTO TAX BILL MAILINGS**

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

Section 1. Section 922 of the Real Property Tax Law provides the form and content of the town and county tax bill to be mailed by the collecting officer in each town and the City of Ogdensburg showing the amount of taxes due on each property.

Section 2. St. Lawrence County receives 12.7% revenue on transactions done locally in Canton, Massena, Ogdensburg and the Gouverneur Department of Motor Vehicles.

Section 3. Mail in renewal forms are preprinted with the Albany DMV address and a notice stating they must be renewed by mail, which is misleading.

Section 4. It is imperative that all St. Lawrence County residents are notified that it is still possible to renew locally and that by doing so will help reduce county taxes.

Section 5. This information will be distributed as a separate enclosure inserted into the tax bill mailing notifying county residents to renew locally and thus keeping the 12.7% revenue in their own county versus going to the State.

* * *

Mr. Nichols moved to adopt Resolution No. 304-2003, seconded by Mr. Lacy. Mr. Nichols said that there is a printed version of what will be put in the tax bills, he complimented Patty Ritchie, County Clerk, for the suggestion and said that this will make the County money. Resolution No. 304-2003 carried unanimously by a roll call vote.

December 1, 2003

Finance Committee 11-24-2003

RESOLUTION NO. 305-2003

MODIFYING THE 2003 SOLID WASTE DEPARTMENT BUDGET

By Mr. Nichols, Chair, Finance Committee

WHEREAS, by mid-November, the Solid Waste Department anticipates receiving 2,500 tons of Municipal Solid Waste more than budgeted for 2003, and

WHEREAS, the Solid Waste Department CSEA union Unit 8427 and the County signed a new contract in 2003, which increased the Department's salaries and fringe benefit costs in 2003, and

NOW, THEREFORE BE IT RESOLVED, that the County Treasurer is hereby authorized to make the following modifications to the Solid Waste Department's 2003 budget:

INCREASE APPROPRIATIONS

05-WA-1710-497-00-0	Contingency Reserve	\$57,250
05-WH-8160-130-00-0-LEAC	W Leac Technical	1,200
05-WH-8160-430-18-0-MSW	MSW Tipping Fees	126,000
05-WH-8160-422-00-0-MSW	Equip Repair & Maint.	17,000
05-WO-8160-130-00-0	W OPR Technical	9,750
05-WO-8160-195-01-0	Contractual Miscellaneous	<u>8,800</u>
		\$220,000

INCREASE REVENUES

05-W1-2130-550-MW-0	MSW Tip Fees	\$220,000
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Mr. Nichols moved to adopt Resolution No. 305-2003, seconded by Mr. Grow, and carried unanimously by a roll call vote.

Finance Committee: 11-24-2003

RESOLUTION NO. 306-2003

AUTHORIZING CHAIR OF THE BOARD OF LEGISLATORS TO SIGN THE ANNUAL PLAN AND SFY 2004 APPLICATIONS FOR FUNDING WITH THE NEW YORK STATE OFFICE FOR THE AGING

By Mr. Nichols, Chair, Services Committee

WHEREAS, the New York State Office for the Aging requires each Office for the Aging to submit an annual application for funding, and

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WHEREAS, these funds enable the Office for the Aging to provide a variety of services to county residents 60 and older, and

WHEREAS, the completed plan and applications for funding package must be signed by the Chief Executive Officer of St. Lawrence County,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the St. Lawrence County Board of Legislators is hereby authorized to sign the Annual Implementation Plan and SFY 2004 Applications for Funding with the New York State Office for the Aging, upon review and approval of the County Attorney.

* * *

Mr. Nichols moved to adopt Resolution No. 306-2003, seconded by Ms. Cobb, and carried unanimously by a voice vote.

Finance Committee: 11-24-2003

RESOLUTION NO. 307-2003

**PERMISSION TO SIGN RENTAL AGREEMENTS FOR KITCHEN USAGE BY
THE ELDERLY NUTRITION PROGRAM**

By Mr. Nichols, Chair, Services Committee

WHEREAS, the St. Lawrence County Office for the Aging negotiates annual rental agreements with the LBSH Housing Corporation, DeKalb Housing Development Fund Company, Inc., Edwards Housing Authority, St. Hubert's Catholic Church, Star Lake, and Village of Morristown for utilization of their facilities as kitchens/nutrition sites, and

WHEREAS, meals for the Elderly Nutrition Program are prepared and served at these facilities,

NOW, THEREFORE, BE IT RESOLVED that upon the approval of the County Attorney, the Chair of the St. Lawrence County Board of Legislators is hereby authorized to sign 2004 rental agreements for kitchen usage by the Office for the Aging Elderly Nutrition Program.

* * *

Mr. Nichols moved to adopt Resolution No. 307-2003, seconded by Mr. Wilson, and carried unanimously by a voice vote.

December 1, 2003

Finance Committee: 11-24-2003

RESOLUTION NO. 308-2003

**INCLUSION OF THE 2004 ST. LAWRENCE COUNTY BUDGET
OF THE OFFICE OF ECONOMIC DEVELOPMENT
EMPLOYMENT AND TRAINING UNIT BUDGET**

By Mr. Nichols, Chair, Finance Committee

WHEREAS, the following budget has been presented to the Finance Committee of the St. Lawrence County Legislature for funding of the Office of Economic Development, Employment and Training Unit, and

WHEREAS, it is the intention of St. Lawrence County to budget the Office of Economic Development Employment and Training Unit, in accordance with Obligations received,

NOW, THEREFORE, BE IT RESOLVED, that the St. Lawrence County Legislature hereby authorizes the Budget Officer of St. Lawrence County to establish the attached budgetary accounts totaling \$1,868,730 for the Office of Economic Development, Employment and Training Unit.

*** The Budget appears at the end of the proceedings.**

* * *

Mr. Nichols moved to adopt Resolution No. 308-2003, seconded by Mr. Wilson, and carried unanimously by a roll call vote

December 1, 2003

Finance Committee: 11-24-2003

RESOLUTION NO. 309-2003

**AUTHORIZING THE CHAIR TO SIGN HIGHWAY PROJECT CONTRACTS AND
MODIFY 2003 BUDGET FOR ALCOA ROAD BRIDGE**

By Mr. Nichols, Chair, Finance Committee

(New York State D.O.T. Administered Project)

**AUTHORIZING THE IMPLEMENTATION, AND FUNDING OF A STATE
“MARCHISELLI” PROGRAM AID-ELIGIBLE TRANSPORTATION FEDERAL-AID
PROJECT, TO FULLY FUND THE LOCAL SHARE OF FEDERAL AND STATE-AID
ELIGIBLE AND INELIGIBLE PROJECT COSTS, AND APPROPRIATING FUNDS
THEREFORE**

WHEREAS, a project for the Replacement of the Alcoa Road Bridge over the Grasse River PIN #775196 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that provide for 80% Federal funds and 20% non-federal funds, and

WHEREAS, the St. Lawrence County Board of Legislators desires to advance the above project by making a commitment of 100% of the non-federal share of the cost of the Project or portions thereof with the federal share of such costs to be applied directly by the New York State Department of Transportation (NYSDOT) pursuant to agreement,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators, duly convened does hereby approve the above-subject, and

BE IT FURTHER RESOLVED that the St. Lawrence County Board of Legislators hereby authorized the County Treasurer, with County Attorney approval, to pay in the first instance 100% of the non-federal share of the cost of the Project or portions thereof, and

BE IT FURTHER RESOLVED that a sum of \$109,496 will be required at this time to cover the cost of participation in the above Project, and

BE IT FURTHER RESOLVED that in the event the non-federal share of the costs of the project exceeds the amount appropriated above, the St. Lawrence County Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and

BE IT FURTHER RESOLVED that the Chair of the St. Lawrence County Board of Legislators is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal aid, or Marchiselli aid on behalf of the St. Lawrence County Board of Legislators with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project

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and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state aid eligible projects costs and all project costs within appropriations therefore that are not so eligible, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately, and

BE IT FURTHER RESOLVED that the County Treasurer is hereby authorized and directed to the following budget modifications in the 2003 Capital Projects Fund:

TRANSFER FROM

06-HM-5112-465-CO-2-2101 CR 40 Slope Stabilization \$68,497

TRANSFER TO

06-HM-5120-465-CO-2-9404 ALCOA Road Bridge, BIN 3221420 \$68,497

* * *

Mr. Nichols moved to adopt Resolution No. 309-2003, seconded by Mr. Nichols, and carried unanimously by a roll call vote.

Finance Committee: 11-24-2003

RESOLUTION NO. 310-2003

AUTHORIZING THE CHAIR TO AWARD AND SIGN CONTRACTS FOR COUNTY ROUTE 11, ROCK ISLAND ROAD, OVER OSWEGATCHIE RIVER, BIN 3341030, PIN 775265

By Mr. Nichols, Chair, Finance Committee

WHEREAS, the 2003 St. Lawrence County Budget provided for the approval and funding of 2003 Capital Bridge Projects, Highway Reconstruction Projects, and Highway Paving Projects, and

WHEREAS, the Department of Highways has solicited services for the County Route 11, Rock Island Road Bridge over the Oswegatchie River project, and

WHEREAS, the best qualified consultant for this project has been determined,

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NOW, THEREFORE, BE IT RESOLVED that the Chair of the St. Lawrence County Board of Legislators is hereby authorized to execute all necessary contracts, upon approval of the County Attorney.

* * *

Mr. Nichols moved to adopt Resolution No. 310-2003, seconded by Mr. Lacy, and carried unanimously by a voice vote.

Finance Committee: 11-24-2003

RESOLUTION NO. 311-2003

**ADOPTING PROPOSED LOCAL LAW D (NO. ___) FOR THE YEAR 2003
TRUTH IN TAXATION ACT OF 2003**

By Mr. Nichols, Chair, Finance Committee

WHEREAS, Section 922 of the Real Property Tax Law allows the St. Lawrence County Board of Legislators to set the format of the Town and County tax bill, and

WHEREAS, a public hearing has been held on this local law,

NOW, THEREFORE, BE IT RESOLVED that Local Law D (No. _____) for the Year 2003, Truth in Taxation Act of 2003, is hereby adopted.

**PROPOSED LOCAL LAW D (NO. ___) FOR THE YEAR 2003,
TRUTH IN TAXATION ACT OF 2003**

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

- Section 1. Section 922 of the Real Property Tax Law provides the form and content of the town and county tax bill to be mailed by the collecting officer in each town and the City of Ogdensburg showing the amount of taxes due on each property.
- Section 2. The St. Lawrence County Board of Legislators desires to show the true costs of county government for Medicaid expenses, which are mandated by the State of New York, yet not reimbursed by said state.
- Section 3. Pursuant to Section 922 of the Real Property Tax Law, the County tax rate for 2004 and continuing shall be separated into two parts; one for the general county budget and the second for unreimbursed Medicaid expenses.
- Section 4. This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

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* * *

Mr. Nichols moved to adopt Resolution No. 311-2003, seconded by Ms. Cobb. Mr. Nichols said that this is an opportunity to remind people that we, as well as other counties, are being pushed to pay for mandated services by New York State. He said that Medicaid has gone up continuously for the last four years. Resolution No. 311-2003 carried unanimously by a roll call vote.

Finance Committee: 11-24-2003

RESOLUTION NO. 312-2003

**ELECTIONS, REAL PROPERTY & COMMUNITY COLLEGE APPORTIONMENTS
FOR THE YEAR 2004**

By Mr. Nichols, Chair, Finance Committee

BE IT RESOLVED that the following apportionments of Elections, Real Property and Community College charges for the year 2004 be applied to the following municipalities of St. Lawrence County:

	<u>ELECTION CHARGES</u>	<u>REAL PROPERTY CHARGES</u>	<u>COMMUNITY COLLEGE CHARGES</u>
Ogdensburg	\$19,050.88	\$ 1,000.00	\$37,334.29
Brasher	4,860.98	7,623.34	10,214.31
Canton	22,942.38	15,131.28	25,351.80
Clare	2,013.47	1,178.40	2,037.60
Clifton	10,231.78	4,415.79	15,938.50
Colton	17,653.54	7,125.91	8,214.99
DeKalb	5,216.10	5,637.59	8,004.82
DePeyster	1,713.47	2,023.28	2,727.20
Edwards	3,098.91	4,004.28	8,051.58
Fine	7,937.44	7,326.65	16,069.68
Fowler	7,129.99	6,239.84	8,743.18
Gouverneur	12,924.55	10,768.26	39,406.81
Hammond	9,019.50	8,764.92	12,896.39
Hermon	3,759.18	4,204.65	7,978.77
Hopkinton	4,645.85	4,435.61	5,300.02
Lawrence	3,872.50	4,290.54	13,627.99
Lisbon	10,931.67	9,068.55	32,436.23
Louisville	10,747.77	5,973.59	17,218.17
Macomb	3,604.98	4,619.96	5,327.42
Madrid	3,947.19	3,908.12	2,354.23
Massena	44,298.70	5,104.23	73,722.74
Morristown	7,803.44	8,037.37	9,614.93
Norfolk	9,590.94	9,754.12	21,036.77
Oswegatchie	12,182.07	11,563.47	14,052.70

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Parishville	10,962.23	6,963.23	4,245.58
Piercefield	5,276.81	3,336.27	7,589.04
Pierrepoint	10,459.69	8,501.71	8,977.98
Pitcairn	2,526.96	3,353.57	9,656.50
Potsdam	29,457.16	9,892.40	38,158.41
Rossie	2,112.69	3,048.99	6,888.90
Russell	3,520.54	4,634.41	3,311.50
Stockholm	7,442.31	11,332.89	11,568.42
Waddington	<u>7,464.35</u>	<u>6,004.48</u>	<u>10,507.50</u>
TOTALS:	\$318,400.00	\$209,267.69	\$498,564.95

Canton Village	\$ 73.00
Gouverneur	36.00
Heuvelton	9.00
Massena	656.00
Rensselaer Falls	<u>9.00</u>
TOTAL:	\$ 783.00

* * *

Mr. Nichols moved to adopt Resolution No. 312-2003, seconded by Mr. Cook, and carried by a voice vote with thirteen (13) yes votes and two (2) no votes (Moore and Morrill).

Finance Committee: 11-24-2003

RESOLUTION NO. 313-2003

ESTABLISHING A DATE AND TIME FOR THE ORGANIZATIONAL MEETING

By Mr. Nichols, Chair, Finance Committee

BE IT RESOLVED that the Organizational Meeting of the St. Lawrence County Board of Legislators shall be held on Monday, January 5th, 2004, at 7:00 p.m., in the St. Lawrence County Board of Legislators' Chambers, Court House, Canton, New York for the purpose of electing a Chair of the Board and transacting any other business that may have to come before the Board.

* * *

Mr. Nichols moved to adopt Resolution No. 313-2003, seconded by Mr. Wilson, and carried unanimously by a voice vote.

December 1, 2003

Finance Committee: 11-24-2003

RESOLUTION NO. 314-2003

**AUTHORIZING THE CHAIR TO SIGN A MEMORANDUM OF UNDERSTANDING
FOR ORGANIZATION AND ADMINISTRATION OF THE NORTH COUNTRY
TRANSPORTATION ADVISORY COMMITTEE**

By Mr. Nichols, Chair, Finance Committee

WHEREAS, the Development Authority of the North Country is administering a comprehensive study of regional transportation infrastructure and related economic development issues known as the North Country Transportation Study, and

WHEREAS, the previously authorized Phases I and II of such study, which entailed a technical analysis and public participation process, have been completed, and

WHEREAS, it is necessary to authorize Phase III of such study, during which a Tier I Environmental Impact Statement scoping process will be completed, and

WHEREAS, in order to improve access and transportation options for North Country residents and businesses alike, the Counties of Clinton, Franklin, Jefferson, Lewis and St. Lawrence have joined together to form the North Country Transportation Advisory Committee,

NOW, THEREFORE, BE IT RESOLVED that, subject to approval by the County Attorney, the Chair is authorized to sign a memorandum of understanding for organization and administration of the North Country Transportation Advisory Committee.

* * *

Mr. Nichols moved to adopt Resolution No. 314-2003, seconded by Mr. Wilson, and carried unanimously by a voice vote.

Finance Committee: 11-24-2003

RESOLUTION NO. 315-2003

**REQUESTING \$200 MILLION IN IMMEDIATE FISCAL RELIEF TO COUNTIES
OUTSIDE NEW YORK CITY TO OFFSET RISING MEDICAID EXPENDITURES**

By Mr. Nichols, Chair, Services Committee

WHEREAS, county Medicaid expenses (for services only) have increased by 31.9 percent between Calendar years 1999 and 2002 (from \$1.08 Billion to \$1.43 Billion), Medicaid enrollment has increased from 953,396 eligibles in 1999, to 1,094,361 in 2002, and total Medicaid eligibles as of March 2003, totaled 1,215,439, and

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WHEREAS, this explosive growth is being fueled by a massive expansion of the program in recent years to allow more families and individuals to participate, and

WHEREAS, counties have no power to cut Medicaid costs since these expenses are mandated by the State, and therefore counties must turn to local property taxpayers for funding, and

WHEREAS, the State Legislature approved a \$5.1 Billion bail-out for new York City, related debt from the 1970's, stretching out the City's debt for another 30 years, at a cost of \$170 Million to State taxpayers, and

WHEREAS, the Counties outside the City of New York are struggling financially due to this 15% annual increase in Medicaid costs over which they have no control, and

WHEREAS, immediate relief is needed to alleviate this severe financial burden on these Counties,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby expresses its support for amending the State Finance Law, in relation to Medicaid assistance to counties, and respectfully urges the New York State Legislature to enact the necessary legislation to authorize immediate fiscal relief to counties outside New York City in the amount of \$200 Million to address the exploding growth in the Medicaid program, and

BE IT FURTHER RESOLVED that the Clerk of the Board of Legislators is hereby authorized and directed to immediately send certified copies of this resolution to: Governor Pataki; Senate Majority Leader Bruno; Senator O'C. Little; Senator Meier; Senator Wright; Senate Minority Leader Paterson; Assembly Speaker Silver; Assembly Majority Leader Tokasz; Assembly Minority Leader Nesbitt; Assembly Members: Aubertine, Scozzafava, and the New York State Association of Counties.

* * *

Mr. Nichols moved to adopt Resolution No. 315-2003, seconded by Mr. Lacy, and carried unanimously by a voice vote.

Finance Committee: 11-24-2003

RESOLUTION NO. 316-2003

TRANSFER OF FUNDS IN THE 2003 BUDGET, INDIGENT DEFENSE

By Mr. Nichols, Chair, Finance Committee

WHEREAS, the Indigent Defense's 400 Account expenditures are expected to exceed the current budget appropriation,

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NOW, THEREFORE, BE IT RESOLVED that the following amendments be made to the 2003 Annual Budget:

DECREASE APPROPRIATIONS

01-B1-1990-497-00-0	Contingency Account	\$30,000
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INCREASE APPROPRIATIONS

01-IA-1170-430-CC-0	Fees for Services – Non Employees	\$12,500
01-IA-1170-430-FC-0	Fees for Services – Non Employees	12,500
01-IA-1170-430-AC-O	Fees for Services – Non Employees	<u>5,000</u>
		\$30,000

* * *

Mr. Nichols moved to adopt Resolution No. 316-2003, seconded by Mr. Teele, and carried unanimously by a roll call vote.

Finance Committee: 11-24-2003

RESOLUTION NO. 317-2003

APPOINTING A COMMITTEE TO PROVIDE RECOMMENDATIONS ON COUNTY OFFICE SPACE NEEDS

By Mr. Nichols, Chair, Finance Committee

WHEREAS, providing adequate and accessible office space for County Departments and other Agencies in St. Lawrence County owned and/or operated facilities is a necessary function of County Government, and

WHEREAS, various Departments and Agencies have been identified as needing additional office space or office space that is adequate and handicap-accessible, and

WHEREAS, it is the desire of the St. Lawrence County Board of Legislators to address these various needs in a manner that is both cost-effective and which enhances customer service,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the Board of Legislators appoint an ad hoc committee to study office space needs, and

BE IT FURTHER RESOLVED that this ad hoc committee bring forth a recommendation for approval by the Board of Legislators on how the various office space needs should be addressed.

* * *

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Mr. Nichols moved to adopt Resolution No. 317-2003, seconded by Mr. Teele. Mr. Nichols asked how we got to this point. Mr. Brining said that we received a letter from a citizen complaining that there is no handicapped accessibility in the Board of Elections building. He said that in the next year, we will need to find space for a new Conflict Public Defender's Office, and the County Attorney's staff has expressed some concerns. Mr. Nichols said that this is something that has been discussed over a long period of time. He said that the County Attorney's staff has complained of the rug being saturated over and over again. He said that he gives credit to the County Administrator and the staff of the County Attorney for bringing this forward; this is the logical next step. He said that we need to look at this from a corporate view.

Resolution No. 317-2003 carried unanimously by a voice vote.

Operations Committee: 11-10-2003

RESOLUTION NO. 318-2003

**AUTHORIZING THE CHAIR TO SIGN THE AID TO DEFENSE
CONTRACT WITH THE NYS DIVISION OF CRIMINAL JUSTICE SERVICES**

By Mr. Grow, Chair, Operations Committee

WHEREAS, St. Lawrence County has been notified that funding for our Public Defender's Office has been approved at \$19,694, from the New York State Division of Criminal Justice Services, and

WHEREAS, through this funding partial reimbursement for Assigned Counsel Attorneys will be provided,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes the Chair to execute such documents as may be necessary, upon approval of the County Attorney.

* * *

Mr. Grow moved to adopt Resolution No. 318-2003, seconded by Mr. Romigh, and carried unanimously by a voice vote.

December 1, 2003

Operations Committee: 11-10-2003

RESOLUTION NO. 319-2003

MODIFY THE 2003 EMERGENCY SERVICES BUDGET

By Mr. Grow, Chair, Operations Committee

WHEREAS, the St. Lawrence County Sheriff's Department transferred funds from their Equitable Sharing Reserve account to Emergency Services to pay for the one button repeater steering project, and

WHEREAS, the funds were placed in a revenue account and must be transferred to an appropriations line to expend the allocation,

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 175-2003 be rescinded, and

BE IT FURTHER RESOLVED that the Treasurer is hereby authorized to make the following transfer of funds in the 2003 budget:

DECREASE RESERVE

01-TG-0889-503-00-0	Sheriff's Equitable Sharing Reserve	\$28,300
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INCREASE REVENUE

01-X2-2705-550-00-0	Gifts and Donations	\$28,300
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INCREASE APPROPRIATION

01-X2-3640-250-00-0	Technical Equipment	\$28,300
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Mr. Grow moved to adopt Resolution No. 319-2003, seconded by Mr. Morrill, and carried unanimously by a roll call vote.

December 1, 2003

Operations Committee: 11-10-2003

RESOLUTION NO. 320-2003

**ADOPTING THE ST. LAWRENCE COUNTY COMPREHENSIVE
EMERGENCY MANAGEMENT PLAN**

By Mr. Grow, Chair, Operations Committee

WHEREAS, St. Lawrence County has developed a Comprehensive Emergency Management Plan to enhance the County's ability to manage emergency/disaster situations and constitutes an integral part of a statewide emergency management program, and

WHEREAS, the Plan was prepared by County, State and Local Officials along with Private Industry working as a team in a planning process recommended by the New York State Emergency Management Office, and

WHEREAS, the development of this Plan included an analysis of potential hazards that could affect the County and an assessment of the capabilities existing in the County to effectively deal with potential hazards, and

WHEREAS, authority to undertake this effort is provided by both Article 2-B of State Executive Law and New York State Defense Emergency Act,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby adopts the St. Lawrence County Emergency Management Plan to provide general, all hazards guidance to allow the County to meet its responsibilities before, during and after an emergency.

* * *

Mr. Grow moved to adopt Resolution No. 320-2003, seconded by Mr. Cook, and carried unanimously by a voice vote.

Operations Committee: 11-10-2003

RESOLUTION NO. 321-2003

**MODIFYING THE 2003 ST. LAWRENCE COUNTY PROBATION DEPARTMENT
BUDGET**

By Mr. Grow, Chair, Operations Committee

WHEREAS, the St. Lawrence County Probation Department operates the electronic monitoring program for the county, and

December 1, 2003

WHEREAS, there has been a higher need for the use of electronic monitors due to the increased jail population, and

WHEREAS, the Probation Department has had to lease more units than originally were budgeted for in 2003,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Probation Department budget for 2003 be modified as follows:

TRANSFER FROM

01-B1-1990-497-00-0	Contingency Reserve	\$16,000
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TRANSFER TO

01-Q1-3140-421-EM-0	Electronic Monitoring	\$16,000
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Mr. Grow moved to adopt Resolution No. 321-2003, seconded by Mr. Romigh and Mr. Morrill, and carried unanimously by roll call vote.

RESOLUTION NO. 322-2003

MODIFICATION OF BUDGET, BOARD OF LEGISLATORS

By Mr. Grow, Chair, Operations Committee

WHEREAS, the County expects that its existing budget for a two-year pilot transportation project will be modified with increased revenues from the State of New York to be used to off-set operating deficits, and

WHEREAS, a portion of the increased appropriations has already been expended under the existing limits of the budget line, and

WHEREAS, to prevent any imbalance in the accounting at the end of the current fiscal year, there is a need to modify the budget,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby authorize the Chairman to sign any contract modification agreements with the State of New York related to the additional subsidy of the Ogdensburg to Potsdam transit operation, and

BE IT FURTHER RESOLVED that the following budget modification be made:

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INCREASE REVENUE

01-B1-3594-560-03-B Bus Operations Ogdensburg/Potsdam \$ 6,000

INCREASE APPROPRIATIONS

01-B1-5630-444-03-B Bus Operations Ogdensburg/Potsdam \$ 6,000

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Mr. Grow moved to adopt Resolution No. 322-2003, seconded by Mr. Cook, and carried by a roll call vote with fourteen (14) yes votes, and one (1) no vote (FitzRandolph).

Services Committee: 11-17-2003

RESOLUTION NO. 323-2003

**AUTHORIZING THE CHAIR TO SIGN A RENEWAL AGREEMENT WITH THE
ST. LAWRENCE COUNTY COMMUNITY DEVELOPMENT PROGRAM
FOR THE PROVISION OF HEATING EQUIPMENT REPLACEMENT/REPAIR
COMPONENT OF THE HOME ENERGY ASSISTANCE PROGRAM**

By Mr. Cook, Chair, Services Committee

WHEREAS, the heating equipment replacement/repair component of this year's Home Energy Assistance Program (HEAP) will again be the responsibility of local social service districts to administer, and

WHEREAS, the local Department of Social Services has the choice of obtaining bids or contracting with the local weatherization agency, and

WHEREAS, in St. Lawrence County, for several years CDP has been the local weatherization agency which for a low cost has been installing furnaces for citizens who are eligible for this program,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the Board of Legislators is hereby authorized to sign a renewal agreement with the St. Lawrence County Community Development Program for the provision of heating equipment replacement/repair, upon approval of the County Attorney.

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Mr. Cook moved to adopt Resolution No. 323-2003, seconded by Mr. Grow, and carried unanimously by a voice vote.

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Services Committee: 11-17-2003

RESOLUTION NO. 324-2003

**AUTHORIZING THE CHAIR TO SIGN A RENEWAL AGREEMENT WITH THE
ST. LAWRENCE COUNTY COMMUNITY DEVELOPMENT PROGRAM
FOR THE PROVISION OF WEATHERIZATION SERVICES**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Department of Social Services can receive funding for services to assist housing units which need energy services, and

WHEREAS, such services will help reduce the cost of energy expenses for people who are on Social Services as well as others, and

WHEREAS, this funding is one hundred percent (100%) reimbursable, and

WHEREAS, upon the termination of federal funding, this program will be abolished, and

WHEREAS, the St. Lawrence County Community Development Program already administers a weatherization program and these program monies will help complement the work they are performing,

NOW, THEREFORE, BE IT RESOLVED that the Chair of the Board of Legislators is hereby authorized to sign a renewal agreement for weatherization services, upon approval of the County Attorney.

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Mr. Cook moved to adopt Resolution No. 324-2003, seconded by Ms. Cobb, and carried unanimously by a voice vote.

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Services Committee: 11-17-2003

RESOLUTION NO. 325-2003

**TO AMEND NEW YORK MENTAL HYGIENE LAW SUBSECTION 43.03(c)
RELATING TO THE COSTS OF SERVICES FOR COURT-ORDERED PATIENTS
AT STATE OPERATED MENTAL HYGIENE FACILITIES**

By Mr. Cook, Chair, Services Committee

WHEREAS, New York Mental Hygiene Law, Section 43.03 (c) mandates a county cost for persons receiving services, pursuant to a court order, at a state-operated inpatient facility for indefinite/extended periods of time, and

WHEREAS, counties are mandated to incur the cost of court ordered charge backs which are haphazard, disproportionate, and which cannot be forecast or planned for, and

WHEREAS, St. Lawrence County has incurred substantial expenses related to court-ordered placement of individuals from St. Lawrence County courts, and

WHEREAS, the New York Mental Hygiene Law Section 43.03(c) is outdated and inconsistent with other provision of law, policies and practices which have been consistently enacted and established by the State Legislature, and

WHEREAS, legislation to amend the current statute to limit such county charge backs to thirty-days would mitigate this unfair, unfounded mandate and ease an unwarranted fiscal burden placed upon counties, and

WHEREAS, St. Lawrence County recommends action to seek financial relief,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Legislature supports the State Legislature in adopting legislation that would amend New York Mental Hygiene Law Section 43.03(c); and

BE IT FURTHER RESOLVED that copies of this resolution are sent to St. Lawrence County Representatives on the State Level: Honorable Senators James Wright and Ray Meier, Honorable Assembly Members Dierdre Scozzafava and Darrell Aubertine.

* * *

Mr. Cook moved to adopt Resolution No. 325-2003, seconded by Ms. Cobb, and carried unanimously by a voice vote.

December 1, 2003

Services Committee: 11-17-2003

RESOLUTION NO. 326-2003

MODIFYING THE 2003 PUBLIC HEALTH DEPARTMENT BUDGET TO TRANSFER FUNDS TO PAY CONTRACTUAL SERVICES FOR HOME HEALTH SERVICES

By Mr. Cook, Chair, Services Committee

WHEREAS, the Contractual Services fees for Home Health Services is exceeding the amount budgeted, and

WHEREAS, these funds need to be transferred to cover expenses for November and December 2003,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the St. Lawrence County Treasurer to make the following budget transfer in the 2003 budget:

DECREASE APPROPRIATIONS

01-PA-4010-120-00-0	ADM Supervisory/Administrative	\$ 18,200
01-PA-4010-140-00-0	ADM Clerical	2,000
01-PH-4189-810-00-0	Retirement	6,700
01-PH-4189-860-00-0	Hospital & Medical Insurance	15,700
01-B1-1990-497-00-0	Contingency Reserve	<u>164,200</u>
		\$206,800

INCREASE APPROPRIATIONS

01-PH-4189-430-07-0	HHS Other Fees & Services	\$167,500
01-PH-4189-407-00-0	HHS Building and Property Rent	24,800
01-PH-4189-430-CC-0	HHS Computer Consultant Fee	4,400
01-PH-4189-430-05-0	HHS Advertising Fees & Expense	3,000
01-PH-4189-443-OT-0	HHS Other Mileage	<u>7,100</u>
		\$206,800

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Mr. Cook moved to adopt Resolution No. 326-2003, seconded by Ms. Cobb and Mr. Morrill, and carried unanimously by a roll call vote.

December 1, 2003

Services Committee: 11-17-2003

RESOLUTION NO. 327-2003

**MODIFYING THE 2003 PUBLIC HEALTH DEPARTMENT BUDGET
TO TRANSFER FUNDS IN THE TOBACCO PROGRAM**

By Mr. Cook, Chair, Services Committee

WHEREAS, these funds need to be transferred to the appropriate account to purchase a projector with one hundred percent (100%) Tobacco Grant, and

WHEREAS, these funds need to be transferred from the miscellaneous line to the equipment line,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes the St. Lawrence County Treasurer to make the following transfer in the 2003 budget:

TRANSFER FROM

01-PT-4010-499-00-0-TCPG TCPG Miscellaneous \$2,395

TRANSFER TO

01-PT-4010-260-00-0-TCPG TCPG Other Equipment \$2,395

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Mr. Cook moved to adopt Resolution No. 327-2003, seconded by Mr. Turbett, and carried unanimously by a roll call vote.

Services Committee: 11-17-2003

RESOLUTION NO. 328-2003

**AUTHORIZING THE CHAIR TO SIGN CONTRACTS FOR PERSONAL CARE AIDE
SERVICES FOR THE PUBLIC HEALTH DEPARTMENT'S LONG TERM
HOME HEALTH CARE PROGRAMS**

By Mr. Cook, Chair, Services Committee

WHEREAS, the St. Lawrence County Public Health Department engages the services of various agencies, included but limited to, Medlink, Community Development Program, and Caregivers, to provide Personal Care Aide (PCA) Services to the Long Term Home Health Care Program, and

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WHEREAS, the contracts cover the following PCA services at the following rates not to exceed:

Services	Rates
Level I Care	\$16.18 per hour
Level II Care	\$17.00 per hour

WHEREAS, these rates are set by the New York State Department of Health (NYS DOH) and will be adjusted in 2004, upon notification by the NYS DOH, and

WHEREAS, the rates cover the contract period January 1, 2004, through December 31, 2004,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators hereby authorizes its Chair to sign said contracts, upon approval of the County Attorney.

* * *

Mr. Cook moved to adopt Resolution No. 328-2003, seconded by Mr. Nichols, and carried unanimously by a voice vote.

COUNTY ADMINISTRATOR'S REPORT:

Mr. Brining said that he has passed out summary sheets for the budget. He said that we created a Conflict Defenders Office, and we are moving people from one place to another. He said that we will list what decisions need to be made, this may be called a work plan.

Mr. Nichols moved to go into Executive Session at 9:42 p.m., seconded by Mr. Cook, and carried unanimously by a voice vote. Mr. Nichols moved to return to open session at 9:45 p.m., seconded by Mr. Romigh, and carried unanimously by a voice vote.

APPOINTMENTS

Mr. Grow moved to appoint the following individual to the **Forest Practice Board**, seconded by Mr. Morrill, and carried unanimously by a voice vote. (Term expires 5/31/06)

Robert Howard, 215 Stark Road, Colton, New York 13687

Mr. Cook moved to appoint the following individual to the **Industrial Development Agency**, seconded by Mr. Nichols. (Term expires December 2006)

Jon R. Greenwood, 1087 State Highway 310, Canton, New York 13617 (Potsdam)

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Mr. FitzRandolph said he will oppose this for a couple reasons; it is highly unusual to appoint someone that so recently served on this Board and he feels this is political. He said that this was not published very widely, and he feels that there are many capable people.

Mr. Nichols said that he supports this. He said that, for too long, the IDA has not served the agricultural community as it would with Mr. Greenwood serving. He mentioned another member of the Board that was appointed to this same Board. He feels that the agricultural industry must be served. He feels that Jon Greenwood will add some debt and breadth that they need to pursue this.

Mr. Gray said that the agricultural industry is overdue for representation on this Board. He said that he feels that Mr. Greenwood's experience with this Board will be an advantage for all of us. He will support this.

Mr. Wilson said that he could appose this on personal grounds. He said that he does appose this on personal grounds. He said that Mr. Greenwood cajoled to unseat him in the previous election. He said that it was unsuccessful. He said that he thinks that this Board needs a less narrow vision toward economic matters. He said that he feels that he does support some of Mr. Greenwood's views, but it may not be a benefit to the economic development business. He said that you have to do a lot of compromising. He said that this did not come from the IDA, he is unsure where the providence came from. He said that it should come through us. He said that he will not support this.

Mr. Grow said that he will support this. He said that he knew Jon Greenwood twenty-five (25) years ago when he was running an 80 head dairy farm. He said that the man that owned the farm would not sell him the farm, but that Mr. Greenwood did buy the 80 cows. He said that the man ended up selling him the land as well. He said that he is now a major employer. He said that he knows what the problems of an employer are, he knows what running a successful business is. Mr. Grow said that he will support this 100%.

The motion was carried by a roll call vote with eight (8) yes votes, and seven (7) no votes (Brothers, Cobb, FitzRandolph, Moore, Morrill, Turbett, and Wilson).

Mr. Cook moved to appoint the following individuals to the **Community Services Board**, seconded by Mr. Gray, and carried unanimously by a voice vote. (Term expires December 2006)

Daphne Pickert, Post Office Box 163, Waddington, New York 13694 (Madrid)
Pamela Whittet, 52 Riverside Drive, Norwood, New York 13668 (Potsdam)

CHAIR'S APPOINTMENTS

Chair MacKinnon announced that we need to convene a search committee for the Conflict Public Defender's Office. He appointed Mr. Teele, Mr. Lacy, and Ms. Brothers to serve on that committee.

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He also said that we need an ad hoc committee to best utilize our space. He appointed Mike Cunningham, Director of Governmental Services; Bill Maginn, County Attorney; Deborah Pahler, Board of Elections Commissioner; Patrick Rourk, Veteran's Services Director; and Walter Cook, Legislator from District 11, will serve as Chair.

OLD/NEW BUSINESS

Mr. Morrill's Letter:

Chair MacKinnon read from Article VII, Section 43 "Decorum and Debate" from Roberts Rules of Order.

Mr. Morrill said that he has been on the Board for 26 years, and he has never been faced with anything like this. He said that he feels that we need to respect each other. He said that it is a different world than when he was growing up. He said that he went to a small country school. He said that they handled problems behind buildings. He said that we don't have to do that anymore. He said that we deal with it in the open.

Mr. Gray said he resents this. He said that he is speaking for himself. He said that in the letter, and in the newspaper, Mr. Morrill said that Mr. Romigh and Mr. Gray yelled and blocked Mr. Morrill's way. He said that the only time he was with Mr. Morrill was after the meeting. He said that he was on one side of the rail and Mr. Morrill was on the other. Mr. Gray said that he told Mr. Morrill that he thought that his vote was hypocritical. He said that Mr. Morrill sustained when voting for Mr. Brining the first time, and voted yes the next term, and for this year he voted yes. He gave examples of Mr. Brining's abilities. He reiterated that he thought Mr. Morrill's vote was hypocritical, as he saw how Mr. Brining helped Mr. Morrill's wife during the ice storm, and with his duties when he served as Chair of this Board. He said that the letter and the article are in error. He said that he was shocked at the letter being circulated and that Mr. Brining's wife did not yell at, or harass, Mr. Morrill.

Mr. Gray and Mr. FitzRandolph exchanged unkind words.

Mr. Gray addressed Mr. Morrill and said that Mrs. Brining never yelled at him. Mr. Morrill said that he never said that.

Mr. Wilson objected. Chair MacKinnon overruled.

Mr. Gray asked if Mr. Morrill wrote this letter. Mr. Morrill said he created it, but did not type it. Mr. Gray said that he understood that Ms. Cobb created this letter. He said that this is a red herring. He said that they were chastised in the paper for backing Mr. Brining. He said that this body is a laughing stock in the County. He said that we dwell upon issues; instead of what we are supposed to do, the peoples business. He would like to review the discussion in this letter and what actually happened. He would like to address why attention is being drawn to him instead of addressing the real issues. He would like an apology. He said that there were three or four people present; he did not raise his voice.

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Mr. Romigh said that when he found out that they could possibly be censored he reviewed, on the internet, this procedure.

He read from the following statement.

“I would like to read the following statement in reference to Mr. Morrill’s letter to the Chairman of the Board of Legislators. When I was running for the office of County Legislator I told many people that I was not running to win a popularity contest. It looks like I have kept that promise. In less than a year I have been threatened twice with censorship. I do not know if I am doing something right or something wrong, but it’s obvious that I won’t be named Mr. Congeniality. I and Mr. Gray are here to possibly be censured. Censure, although ill defined, is a process of the Congressional reprimand or public reprimand to embarrass the person being censured. It is very similar to the “vote of no confidence” that we saw in November 2003, for Mr. Brining. Most motions to censure people are brought forth in Federal Government in Washington, DC. Although it says nothing about censuring, in the U.S. Constitution, Article 1, Section C, states, “Each House may punish its members for disorderly behavior”. The House of Representatives adopted a rule of censure in 1789; it was amended in 1822 and 1880. From 1798, to 1999, there have been four (4) presidents, twenty-three (23) Senators, thirty-one (31) House Representatives, one (1) Ambassador to Great Britain, and one (1) Secretary of War sighted with a censure motion. Most of which were dismissed.

In Minnesota, April 25, 2003, the House of Representatives voted no probable cause for censure of Republican Arlon Linder R-Corcoran “The ACLU said that they believe that speech should be free and that political speech especially shouldn’t be censored.” said Chuck Samuelson, Minnesota Civil Liberties Union.

In Mr. Morrill’s letter, he states that I yelled at him and blocked him. He also states it does not matter what I said only how he was treated. In all fairness I believe every action that took place matters. To the best of my memory...I went up to Mr. Morrill, almost in the middle of the lobby, I said to Mr. Morrill that I was ashamed of him and had lost my respect for him. To some, this seems as a very disrespectful thing to do. In my defense I will say this...when I was young I was taught to respect all people, when I became an adult I came to believe respect is earned and should not be given just because of age, or gender. I, like many, have faults two of them are these...First, I like to analyze why people vote the way that they do. Most of the time if one listens people very freely express why they vote one way or the other. When Mr. Morrill took the floor at the November third meeting, in the Court Room, all that he expressed was his outrage over a personal e-mail. He gave no reason, pro or con, concerning Mr. Brining. I believe if you are going to embarrass a County employee in public, something that I do not support, you should give reasons. Secondly, if I have something to say to a person I say it to their face. I guess that’s where the blocking charge arose. I don’t attack a person in public and then quietly apologize when there are no people around. I have known Mr. Morrill off and on for over 14 years. His votes have been very consistent. Never have I seen, heard, or read of him embarrassing a St. Lawrence County employee, in public until November 3, 2003.

My claim to these charges is one of innocence for the following reasons:

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1. We have no rules of censure about the conduct of the Legislative meetings, much like the “vote of no confidence”.
2. The alleged confrontation did not take place during a Board meeting, but in a foyer of this building.
3. Under the Bill of Rights, Article I, gives me freedom of speech, a privilege that I do not abuse, but use whenever I want.

In closing let me say that this is not the first time that I have told a Legislator that I was ashamed of them and lost respect for them. Several years ago I said this to a former Legislator who supported Mr. Brining for the Administrator’s position. I expected better from Mr. Morrill, I wanted him to know how I felt and I told him.”

Mr. Morrill said that Mr. Gray brought up his wife’s illness; he said that his wife told him that it was he that walked her up and down the hall and took care of her not Mr. Brining.

Mr. FitzRandolph said that he had hoped to avoid this. He said that it seemed that we were headed on a path where we could all get along better. He said that he was not around when this happened. He said that people were loud, and that tempers were high. He said that people were screaming their votes. He said that he can testify to that. He said that we need to treat each other with respect. He said that we do not always agree with Mr. Morrill, but that he is honest beyond reproach, he does not come with a hidden agenda, and he calls things the way he sees them. He said that if everyone talked and voted like Mr. Morrill we would be in and out in 20 minutes. He said that Mr. Morrill is one of the most honest, kindest, and calmest men that he has ever met in his life.

Mr. Turbett said that it is unfortunate and unpleasant and is most unpleasant for Mr. Morrill. He said that anyone that knows him is able to approach him. He said that Mr. Morrill said that he felt threatened. He said that there are rules in human decency that go beyond “Robert’s Rules”. He said that we must try to treat everyone respectfully.

Mr. Gray said that this is unpleasant for him as well, especially the newspaper coverage, and television coverage. He said that people say he beats up the elderly. He said that Mr. Morrill has not addressed his question. He said that there are errors in the letter, and that what he was referring to during the ice storm was that Mr. Brining went out of his way to get a generator for Mrs. Morrill to have her oxygen. He finds it amazing that Mr. FitzRandolph and Mr. Turbett talk about being nice to each other. He said that with the behaviour that the Department Heads were shown, they could bring charges and probably get a judgement. He said that he did let his opinions known but not as it was depicted. He said that Mr. Morrill did not address the issues he brought up. He said that the document is inaccurate. He said that the press comments were not accurate. He said that he feels that he and Mr. Romigh should be held to a different standard than others. He said that if Mr. Morrill said that he felt threatened than he must have. He said that he felt threatened by Mr. FitzRandolph’s comments.

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Mr. Morrill said that his wife did not have oxygen for four days during the ice storm. He said that he got the generator from another place not from Mr. Brining.

Mr. Nichols said that, we as a body are blessed with individuals that are creditable. He said that we have various accounts of what happened. He said that he has his own views. He asked what are we going to gain. He said that we are going to further damage any future civility that may remain on this Board. He said that whatever happened outside of the Board meeting, happened outside of the Board meeting. He said that this will further ratchet up emotions. He said that the emotion and anger that has existed on this Board has grown. He said that most of the Board has been a part of it at one time or another. He said that we are all vocal, and that we are all good at pushing others' buttons. He said that the question is where do we go from here. He said that no one is enjoying what's been going on for the last eleven months. He asked how do we fix the problems. He said that we have not had the mutual respect present; myself included. He said that we are here to represent people of the County. He said that we will disagree. He said that it has gotten to the point of the meetings being the continuing saga of what is going to happen next. He said that that is not the way it should be. He said that the solution is to take a step back and follow Roberts' Rules, and handle the people's business. He said that we need to stop these jabs. He acknowledged that he is included in this. He said that it is the issue not the person; we have allowed it to go to the person too many times, and we need to think about how we want the next three years to be. He said that he has heard from constituents as well as others say that this is ridiculous. He said that the only thing we are doing is selling newspapers. He said that we need to recommit ourselves to doing the peoples business. He said that we can change this behavior. He said that the people are saying stop the fighting; he implores his colleagues to recommit themselves to doing the peoples business, for the employees and for ourselves and the people of the County.

Mr. MacKinnon said that both sides have had the opportunity to state what was appropriate and not appropriate. He said that we do not need much more debate on this issue. He would like to adjourn right now, as it stands.

Mr. Wilson said that Mr. MacKinnon set out rules at the beginning, that he would allow all to speak that should.

Chair MacKinnon adjourned at 10:31 p.m.

Mr. FitzRandolph raised a point of order.

Chair MacKinnon said that Mr. Wilson may speak.

Mr. Wilson said that he feels that we have a role that has been lost here. He said that there was a time when we went to dinner, the Democrats and Republicans, and did not talk about issues at hand. He said that he is a history teacher; he said he refers to himself as a history student. He talked about companionship, and said that a friend is someone that you break bread with. He said that he bets that no one ate Thanksgiving dinner with a stranger. He said that we can go back and forth until the cows come home. He said that the last forty-five minutes have not helped matters. He said that it is easy to be gracious when you win. He said that the only thing that is important is perception. He said that the winners want to rub the losers noses in the

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decision. He said that you would find an amazing symmetry in this. He said that he thinks tonight was a nice change. He said that he thinks no resolution is necessary, but a discussion was good. He said that he knows what would have been helpful, grace and consideration. He said that none of us would ever accuse Mr. Morrill of instigating unrest. We have to move on.

Mr. Morrill moved to adjourn at 10:38 p.m., seconded by Mr. Nichols, and carried unanimously by a voice vote.