St. Lawrence County DRAFT Special Board Meeting

Board of Legislators Monday, May 21, 2018

Board Room 5:20 p.m.

Chair Acres called the Special Board Meeting to order at 5:20 p.m.

 **ROLL CALL:** All Legislators were present with the exception of Ms. Bell, Mr. Colbert,

Mr. Fay, and Mr. Leader. Mr. Arquiett arrived at 5:21 p.m.

 **APPROVAL OF THE AGENDA:** Mr. Timmerman moved to approve the agenda, seconded

by Mr. Paquin and Mr. Denesha, and carried by a voice vote with ten (10) yes votes, and five

(5) absent (Arquiett, Bell, Colbert, Fay and Leader).

Mr. Arquiett arrived at 5:21 p.m.

**PRESENTATION OF RESOLUTIONS:**

Operations Committee: 5-14-2018

RESOLUTION NO. 203-2018

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH AKTOR CORPORATION FOR THE ABATEMENT AND DEMOLITION OF BUILDINGS AT THE FORMER JONES AND LAUGHLIN (J&L) SITE IN THE TOWN OF CLIFTON**

By Mr. Hooper, Chair, Operations Committee

**WHEREAS,** the former Jones and Laughlin (J&L) Site closed in 1977 and has been in disrepair for many years, and

**WHEREAS,** St. Lawrence County, the Towns of Clifton and Fine, the Clifton-Fine Economic Development Corporation, the IDA, DANC, the NYSDEC, and other stakeholders have been working together to abate and demolish buildings and remediate the site so that it can be brought back to productive reuse, and

**WHEREAS,** projectstakeholders have completed Phase 1 of abatement and demolition of buildings and have successfully obtained commitments of State and Federal funds in the amount of $1,415,000 for Phase 2, and

**WHEREAS,** the IDA, as economic development agent for the County, has the ability and willingness to assist with the management of cash disbursements for the project and has a shared interest in the demolition and repurposing of the site, and

**WHEREAS,** a base bid was received in the amount of $1,162,000 from Aktor Corporation of Albany, NY, for the demolition and removal portion of the project,

 **NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes the Chair to sign a contract with Aktor Corporation for the abatement and demolition of buildings at the former Jones and Laughlin (J&L) Site in the Town of Clifton, upon approval of the County Attorney, and

**BE IT FURTHER RESOLVED** the Board of Legislators authorizes that the contract include additive bid items that further the outcomes of the project to the extent funds are committed, and

**BE IT FURTHER RESOLVED** the Board of Legislators authorizes the Chair to sign the requisite air monitoring contract associated with this phase of the project, and

**BE IT FURTHER RESOLVED** that the IDA will assist with the management of cash distributions to ensure that cash flow liability is not borne by the County, and

**BE IT FURTHER RESOLVED** that the Board of Legislators authorizes the Chair to sign any and all subsequent documentation necessary for the expedient advancement of the demolition process at the J&L Site, upon approval of the County Attorney.

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Mr. Hooper moved to adopt Resolution No. 203-2018, seconded by Mr. Lightfoot and Mr. Forsythe, and carried by a voice vote with eleven (11) yes votes, and four (4) absent (Bell, Colbert, Fay and Leader).

Operations Committee: 5-14-2018

RESOLUTION NO. 204-2018

**PROCLAIMING MAY 13-19, 2018, AS POLICE OFFICER WEEK**

**IN ST. LAWRENCE COUNTY**

By Mr. Hooper, Chair, Operations Committee

 **WHEREAS,** in 1962, President John F. Kennedy signed a proclamation which designated May 15 as Peace Officers Memorial Day and the week in which that date falls as Police Week, and

 **WHEREAS,** all St. Lawrence County law enforcement agencies play essential roles in safeguarding the rights and freedoms of the citizens of the County, and

 **WHEREAS,** Police Officer Week honors the Sheriff’s Office, town and village police departments, and New York State Police, and recognizes the responsibilities and the professional duties of police officers who serve to protect the people of this County and State, and

 **WHEREAS,** St. Lawrence County law enforcement agencies provide a vital public service to the wellbeing of the residents through dedicated service to communities and for preserving the rights and security of all citizens, and in doing so have established an honored and enduring reputation,

 **NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators proclaims May 13-19, 2018, as Police Officer Week in St. Lawrence County, and calls upon all citizens to join in honoring our police officers, past and present, for their performance of duty and service to

St. Lawrence County.

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Mr. Hooper moved to adopt Resolution No. 204-2018, seconded by Mr. Forsythe and Mr. Lightfoot and carried by a voice vote with eleven (11) yes votes, and four (4) absent (Bell, Colbert, Fay and Leader).

RESOLUTION NO. 205-2018

**AUTHORIZING A SETTLEMENT OF THE UNITED STATES DISTRICT**

**COURT NORTHERN DISTRICT OF NEW YORK CASE NO. 8:17-CV-633**

 **AND MODIFYING THE 2018 BUDGET FOR LIABILITY AND CASUALTY FUND**

By Mr. Timmerman, District 11

**WHEREAS,** pending in the United States District Court of the State New York is an action involving a County employee known to the Board of Legislators, and

**WHEREAS,** this Board has been advised that there is an offer of settlement and compromise by the Plaintiff in the above described action by a payment totaling $50,000, and

**WHEREAS,** in view of the circumstances, the damages sustained by the Plaintiff, the uncertainty of the outcome with the possibility of a verdict adverse to the County, a settlement is believed to be in the best interests of the County of St. Lawrence and its citizens, and

 **WHEREAS,** pursuant to Resolution No. 71-1991, St. Lawrence County established a self-insured liability casualty reserve in accordance with Section 6n of the New York State General Municipal Law, and

 **WHEREAS,** pursuant to General Municipal Law §6-n “Upon the creation of the fund, the municipality may make expenditures from the fund for any loss, claim, action or judgment for which the municipal corporation is authorized or required to purchase or maintain insurance…”, and

 **WHEREAS,** the County has settled the Federal Court matter under Case No. 8:17-CV-633 in the amount of $50,000,

 **NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators authorizes the Settlement of the United States District Court Northern District of New York Case No. 8:17-CV-633, upon receipt of appropriate general releases and a stipulation of discontinuance in a form approved by the County Attorney, and

 **BE IT FURTHER RESOLVED** that the Treasurer is authorized to modify the 2018 Budget for Liability and Casualty Fund as follows:

**DECREASING FUND BALANCE:**

08TG0911 50300 CS Unappropriated Fund Balance $50,000

**INCREASE APPROPRIATED FUND BALANCE:**

08TG0910 50300 CS Appropriated Fund Balance $50,000

**INCREASE APPROPRIATIONS:**

LR019314 46505 Judgment Payments and Reserve $50,000

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Mr. Hooper moved to adopt Resolution No. 205-2018, seconded by Mr. Burke, and carried by a roll call vote with eleven (11) yes votes, and four (4) absent (Colbert, Bell, Leader, and Fay).

**ADJOURNMENT –** Chair Acres adjourned the Special Board Meeting at 5:24 p.m., as there

was no further business.