

St. Lawrence County
BOARD OF LEGISLATORS
48 Court Street, Court House
Canton, New York 13617-1169
(315) 379-2276
FAX (315) 379-2463

RUTH A. DOYLE
County Administrator

DAVID FORSYTHE
Chair, Board of Legislators

FINANCE COMMITTEE AGENDA
MR. JOHN GENNETT, CHAIR
MONDAY, OCTOBER 30, 2023
BOARD ROOM AND LIVE VIA YOUTUBE
*****5:30 P.M. *****

- 1. CALL TO ORDER AND APPROVAL OF AGENDA**
- 2. APPROVAL OF MINUTES – September 25**
- 3. HIGHWAY – DON CHAMBERS**
 - A. Authorizing the Chair to Sign Contracts for the 2022 Bridge NY Project Funded by the Bridge Formula Program Off-System for County Route 22 Bridge over Sawyer Creek, BIN 3340950, PIN 775425 (Res)
 - B. Authorizing the Chair to Sign Contracts for the 2022 Bridge NY Project Funded by the Bridge Formula Program Off-System for County Route 34 Bridge over Trout Brook, BIN 3341630, PIN 775426 (Res)
 - C. Authorizing the Chair to Award and Sign a Construction Contract for the County Route 35 Bridge over Trout Brook, BIN 3341700, PIN 775394 (Res)
 - D. Authorizing the Chair to Award and Sign Construction Contract for the Lazy River Road Bridge Over Grasse River, BIN 3341820, PIN 775332 (Res)
 - E. Modifying the 2023 Department of Highways Budget for Overtime, Supplies, Paving Material, and Machinery Rental (Res)
 - F. Adopting an Intersection Evaluation Policy for St. Lawrence County (Res)
- 4. COUNTY ATTORNEY – STEVE BUTTON**
 - A. Authorizing the Services of Simmons Hanly Conroy, LLC, to Assist the County Attorney with an Investigation and Possible Litigation Against Manufacturers of Insulin and Pharmacy Benefit Managers Related to Insulin Price Gouging (Res)
 - B. Setting the Date for a Public Hearing on Proposed Local Law B (No.) for the Year 2023, “Setting Policy on Acquisition and Sale of Tax Delinquent Property in St. Lawrence County” (Res)
 - C. Setting the Date for a Public Hearing on Proposed Local Law C (No.) for the Year 2023, “Amending Local Law 3 for the Year 1993, “The St. Lawrence County Installment Payment of Town, County, and School Real Property Tax Law” (Res)
 - D. Authorizing the Transfer of the Appointing Authority of the Clerical Titles from the Department of Social Services Legal Unit to the Office of the County Attorney (Res)
- 5. LEGISLATOR MARGARET HAGGARD**
 - A. Requesting Assistance of the ConnectAll Office, Public Service Commission, and Federal Communications Commission in Dealing with the Uncertainty of Planning for Broadband with and around Frontier Communications Service Area (Res)

6. LEGISLATOR DAVID FORSYTHE

- A. Calling on the Adirondack Park Agency (APA) to Update its Telecommunications Policy (Res)

7. VACANCY REVIEW COMMITTEE – RUTH DOYLE

- A. Highway
 - 1. Abolish Motor Equipment Mechanic/HEO and Create and Fill Motor Equipment Mechanic, Position No. 308100010
 - 2. Abolish Welder and Create and Fill Heavy Equipment Operator, Position No. 310100025
- B. Workforce Innovation and Opportunity Act (WIOA)
 - 1. Fill a Keyboard Specialist, Position No. 003100094

8. AMERICAN RESCUE PLAN ACT (ARPA) UPDATE – RUTH DOYLE

- A. Information and Update (Discussion)

9. COUNTY ADMINISTRATOR’S REPORT – RUTH DOYLE

- A. Q3 2023 Financial Update (Info) *(Note: Summary by category will be provided at Committee)*
- B. Setting a Date for a Public Hearing on Proposed Local Law D (No. _) for the Year 2023, “Tax Cap Override for FY 2024” (Res)
- C. Designating the St. Lawrence County Chamber of Commerce as the St. Lawrence County Tourism Promotion Agency (Res)

10. OLD AND NEW BUSINESS

11. COMMITTEE REPORTS

- A. Cornell Cooperative Extension Board (Denesha)
- B. Fish and Wildlife Management Board, Region 6 (Sheridan)
- C. Fisheries Advisory Board (Terminelli)
- D. Gouverneur Fair Board (Smithers)
- E. Highway/Solid Waste Committee (Smithers)
- F. Industrial Development Agency (Reagen)
- G. Recreational and Trails Advisory Board (Perkins/Webster)
- H. St. Lawrence River Valley Redevelopment Agency (RVRDA) (Forsythe)
- I. St. Lawrence County Chamber of Commerce (Webster)
- J. Soil & Water Conservation District Board of Directors (Burke/Haggard)

12. 2024 TENTATIVE BUDGET PRESENTATION – RUTH DOYLE, BUDGET OFFICER

13. ADJOURNMENT – If there is no further business.

November 6, 2023

Finance Committee: 10-30-2023

RESOLUTION NO. _____

**AUTHORIZING THE CHAIR TO SIGN CONTRACTS FOR THE
2022 BRIDGE NY PROJECT FUNDED BY THE BRIDGE FORMULA PROGRAM
OFF-SYSTEM FOR COUNTY ROUTE 22 BRIDGE OVER SAWYER CREEK,
BIN 3340950, PIN 775425**

By Mr. Gennett, Chair, Finance Committee

Authorizing the Implementation and Funding of the Costs of a Transportation Project, which may be eligible for Federal Aid and/or State Aid, or reimbursement from Bridge NY Funds

WHEREAS, a project for the Preliminary Design Phase for the County Route 22 Bridge over Sawyer Creek, BIN 3340950, PIN 775425 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended and PUB.L. 117- 58 also known as the "Bipartisan Infrastructure Law" (BIL), and

WHEREAS, the Board of Legislators wants to advance the project by making a commitment of one-hundred percent (100%) of the costs for the Preliminary Design phase for the Project or portions thereof,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign contracts for the 2022 Bridge NY Project funded by the Bridge Formula Program Off-System for the County Route 22 Bridge over Sawyer Creek, BIN 3340950, PIN 775425, and

BE IT FURTHER RESOLVED that the Board of Legislators hereby authorizes the Treasurer to pay one-hundred percent (100%) of the cost of Construction/Construction Inspection work for the Project or portions thereof, with the understanding that qualified costs may be eligible for Federal Aid, State Aid, or reimbursement from Bridge NY funds, and

BE IT FURTHER RESOLVED that the Board of Legislators agrees that St. Lawrence County shall be responsible for all costs of the Project which exceed the amount of Federal Aid, State Aid or Bridge NY funding awarded to the Department of Highways, and

BE IT FURTHER RESOLVED that in the event the Project costs not covered by Federal Aid, State Aid or Bridge NY funding exceed the amount appropriated above, the Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Department of Highways thereof, and

BE IT FURTHER RESOLVED that the Board of Legislators hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months, and

BE IT FURTHER RESOLVED that the Board of Legislators authorizes the Chair to sign all necessary agreements, certifications or reimbursement requests for Federal Aid and/or State Aid with the New York State Department of Transportation in connection with the

November 6, 2023

advancement or approval of the Project and providing for the administration of the Project and funding of Project costs of St. Lawrence County and permanent funding of the local share of Federal Aid and State Aid eligible 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.

November 6, 2023

Finance Committee: 10-30-2023

RESOLUTION NO. _____

AUTHORIZING THE CHAIR TO SIGN CONTRACTS FOR THE 2022 BRIDGE NY PROJECT FUNDED BY THE BRIDGE FORMULA PROGRAM OFF-SYSTEM FOR COUNTY ROUTE 34 BRIDGE OVER TROUT BROOK, BIN 3341630, PIN 775426

By Mr. Gennett, Chair, Finance Committee

Authorizing the Implementation and Funding of the Costs of a Transportation Project, which may be eligible for Federal Aid and/or State Aid, or reimbursement from Bridge NY Funds

WHEREAS, a project for the Preliminary Design Phase for the County Route 34 Bridge over Trout Brook, BIN 3341630, PIN 775426 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended and PUB.L. 117- 58 also known as the “Bipartisan Infrastructure Law” (BIL), and

WHEREAS, the Board of Legislators wants to advance the above project by making a commitment of one-hundred percent (100%) of the costs for the Preliminary Design phase for the Project or portions thereof,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign contracts for the 2022 Bridge NY Project funded by the Bridge Formula Program Off-System for the County Route 34 Bridge over Trout Brook, BIN 3341630, PIN 775426, and

BE IT FURTHER RESOLVED that the Board of Legislators authorizes the Treasurer to pay one-hundred percent (100%) of the cost of Construction/Construction Inspection work for the Project or portions thereof, with the understanding that qualified costs may be eligible for Federal Aid, State Aid, or reimbursement from Bridge NY funds, and

BE IT FURTHER RESOLVED that the Board of Legislators agrees that St. Lawrence County shall be responsible for all costs of the Project which exceed the amount of Federal Aid, State Aid or Bridge NY funding awarded to the Department of Highways, and

BE IT FURTHER RESOLVED that in the event the Project costs not covered by Federal Aid, State Aid or Bridge NY funding exceed the amount appropriated above, the Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Department of Highways thereof, and

BE IT FURTHER RESOLVED that the Board of Legislators hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months, and

BE IT FURTHER RESOLVED that the Board of Legislators authorizes the Chair to sign all necessary agreements, certifications or reimbursement requests for Federal Aid and/or State Aid with the New York State Department of Transportation in connection with the

November 6, 2023

advancement or approval of the Project and providing for the administration of the Project and funding of Project costs of St. Lawrence County and permanent funding of the local share of Federal Aid and State Aid eligible 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.

November 6, 2023

Finance Committee: 10-30-2023

RESOLUTION NO. _____

**AUTHORIZING THE CHAIR TO AWARD AND SIGN A CONSTRUCTION
CONTRACT FOR THE COUNTY ROUTE 35 BRIDGE OVER TROUT BROOK,
BIN 3341700, PIN 775394**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, the 2023 St. Lawrence County Budget provides for the approval and funding of 2023 Capital Bridge Projects, Highway Reconstruction Projects, and Highway Paving Projects, and

WHEREAS, the Department of Highways has solicited bids for replacement of County Route 35 Bridge over Trout Brook, BIN 3341700, PIN 775394, and

WHEREAS, the lowest responsible bidder for this project has been determined,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to award and sign a contract for County Route 35 Bridge over Trout Brook, BIN 3341700, PIN 775394, and does hereby approve the award of the following contract to:

Contractor: J.E. Sheehan Contracting
Potsdam, NY

Contract Title: County Route 35 Bridge over Trout Brook
Town of Potsdam
BIN 3341700, PIN 775394

Contract Amount: \$2,488,000
HM651204 465CO 2035

BE IT FURTHER RESOLVED that the Board of Legislators authorizes the Chair to sign all necessary contracts, contingent upon the contractor complying with all required contractual documentation, upon concurrence of New York State Department of Transportation, and upon approval of the County Attorney.

November 6, 2023

Finance Committee: 10-30-2023

RESOLUTION NO. _____

**AUTHORIZING THE CHAIR TO AWARD AND SIGN CONSTRUCTION CONTRACT
FOR THE LAZY RIVER ROAD BRIDGE OVER GRASSE RIVER,
BIN 3341820, PIN 775332**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, the 2023 St. Lawrence County Budget provides for the approval and funding of 2023 Capital Bridge Projects, Highway Reconstruction Projects, and Highway Paving Projects, and

WHEREAS, the Department of Highways has solicited bids for replacement of Lazy River Road Bridge over Grasse River, BIN 3341820, PIN 775332, and

WHEREAS, the lowest responsible bidder for this project has been determined,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to award and sign a contract for Lazy River Road Bridge over Grasse River, BIN 3341820, PIN 775332, and does hereby approve the award of the following contract to:

Contractor: Tioga Construction
Herkimer, NY

Contract Title: Lazy River Road Bridge over Grasse River
Town of Russell
BIN 3341820, PIN 775332

Contract Amount: \$3,927,432
HM651204 465CO 2101

BE IT FURTHER RESOLVED that the Board of Legislators authorizes the Chair to sign all necessary contracts, contingent upon the contractor complying with all required contractual documentation, upon concurrence of New York State Department of Transportation, and upon approval of the County Attorney.

November 6, 2023

Finance Committee: 10-30-2023

RESOLUTION NO. _____

**MODIFYING THE 2023 DEPARTMENT OF HIGHWAYS BUDGET
FOR OVERTIME, SUPPLIES, PAVING MATERIAL, AND MACHINERY RENTAL**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, the Department of Highways budgets appropriation and revenue accounts to reflect current and projected operations, and

WHEREAS, additional highway projects have resulted in increases in the rental of County-owned machinery for bridge projects, and

WHEREAS, the Department has seen an increase in overtime due to vacancies and increases in highway supplies due to the busy construction season, and

WHEREAS, these increases are offset by an increase in revenue and decrease in other appropriation lines, and

WHEREAS, the Department wishes to amend the budget to more closely reflect actual operations for 2023,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Treasurer to modify the 2023 Department of Highways' Budget as follows:

INCREASE REVENUE:

HG027705 55000	H HSOG Svcs Other Govt	\$170,000
HM024015 55000	CR Interest & Earnings	5,000
HM026805 55000	HLR MR Insurance Recoveries	11,400
HM026835 550WC	H W/C Reimbursement Salary	<u>13,600</u>
		\$200,000

INCREASE APPROPRIATIONS:

HM351104 454HS	H MR Highway Supplies & Expenses	\$15,000
HM351104 454PM	H MR Paving Materials	15,000
HM551104 40600 B10	H B10 Machinery Rental	100,000
HG051484 454HS	H HSOG Hwy Supplies & Expenses	<u>70,000</u>
		\$200,000

DECREASE APPROPRIATIONS:

HR051301 13000	H RM Technical	\$34,000
----------------	----------------	----------

November 6, 2023

INCREASE APPROPRIATIONS:

HR051301 18000	H RM Overtime	\$30,500
HD051301 18000	H ER Overtime	<u>3,500</u>
		\$34,000

November 6, 2023

Finance Committee: 10-30-2023

RESOLUTION NO. _____

**ADOPTING AN INTERSECTION EVALUATION POLICY
FOR ST. LAWRENCE COUNTY**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, on occasion, St. Lawrence County municipalities request reviews of intersections, and

WHEREAS, the Department of Highways would like to recommend the County formally adopt an Intersection Evaluation Policy, which was primarily developed by using the Manual of Uniform Traffic Control Devices (MUTCD), and

WHEREAS, a standardized written review policy is necessary to ensure adherence to a consistent evaluation process in each scenario, and

WHEREAS, the County has been using the guidelines outlined in the attached policy and would like to formally adopt this policy as a standard for future use, and

WHEREAS, the attached policy outlines the proposed evaluation process,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators adopts an Intersection Evaluation Policy for St. Lawrence County, and

BE IT FURTHER RESOLVED that the Intersection Evaluation Policy be filed with the Clerk of the Board of Legislators, and reviewed every five (5) years to determine if recommendations for change should be made by the Superintendent of Highways.



ST. LAWRENCE COUNTY INTERSECTION EVALUATION POLICY

Guidelines for Evaluation of Intersections for St. Lawrence County when determining if changes are needed and/or a full, formal engineering study is required:

This assumes that credible complaints have been made to the Department of Highways and/or the Department has been made aware of crashes at an intersection. All complaints should be logged in as a Service Request for tracking purposes. This also assumes the intersection is under the jurisdiction of St. Lawrence County. Unless specifically requested in writing from a Town, St. Lawrence County will not evaluate intersections that are not under its jurisdiction. Town evaluations will only be cursory, and will NOT be considered a full engineering intersection study.

The two main documents to be utilized for guidance shall be the *Manual of Uniform Traffic Control Devices* (MUTCD) including the New York State Supplement and *Intersection Safety – A Manual for Local Rural Road Owners*, (Intersection Manual) published by the Federal Highway Administration (FHWA).

Other resources can be used for reference as engineering judgement dictates. A resource for determining the classification of a roadway is *The Functional Classification & National Highway System Viewer* (NYSDOT). Traffic counts (our files or NYSDOT data) are a portion of making the determination of which functional class a roadway falls into. General population of the area also is considered into this determination (hamlet/village area vs. rural roadway).

Review of the complaint(s) if applicable. Is the basis of the complaint a physical issue (tree branches blocking visibly), driver issue (people do not stop at the intersection all the time), or perceived issue (need to make this an all way stop to slow people down - they are going too fast)?

Vegetation complaints will be investigated as soon as practical. If an issue is found within highway bounds, vegetation shall be cut/trimmed/removed as soon as time allows.

If the basis of complaint is visibility based due to vegetation:

- Determine the Highway bounds, observe vegetation from where a vehicle would typically stop a second time to see, and not necessarily from behind the stop sign. Stop signs are often further back from the intersection due to road geometry, room for snow removal, etc.

- Any vegetation within the right-of-way should be cut if it is within a reasonable distance of the intersection and causing an obstruction to views. Stopping sight distance for the highway free flow speed (85th percentile) should be used as a guideline to determine how far back from the intersection to go.
- Vegetation that is obtrusive but is located outside of the highway – either trim to the highway bounds or obtain permission from the landowner to completely remove vegetation to a specified distance off the roadway. Utilize the landowner release form as needed.

If a complaint issue is perceived or not necessarily an intersection issue (such as people drive too fast through here) – engineering judgement should be used to determine if there is an issue, or the complaints are seeking something else – for example an extension of a speed zone.

Review of intersection/corridor crash history if complaint states crashes have occurred or is the result of SLC being made aware of an intersection control preventable accident. Obtain or run a report in the NYSDOT CLEAR crash database. Review in-house traffic count data in the vicinity. It may be advisable to do an intersection specific traffic count and/or observe turning movements at the intersection. Document on or attach to the Service Request.

Adapted from the MUTCD, the following criteria shall be used to determine if a full and independent engineering-based intersection study should be conducted:

- A. Five or more reported crashes in a 12-month period that are susceptible to correction by a change in the traffic control at the intersection. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.
 1. Minimum volumes for considering an increase in the number of lanes that are required to stop:
 2. The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day; and
 3. The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour; but
- B. If the 85th-percentile approach speed of the major-street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the values provided in Items 1 and 2.
- C. Where no single criterion is satisfied, but where Criteria A, B.1, and B.2 are all satisfied to eight percent (80%) of the minimum values. Criterion B.3 is excluded from this condition.

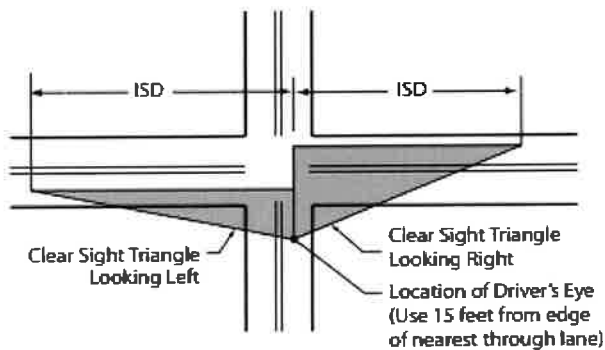
Other criteria that may be considered to recommend an engineering study include:

- A. The need to control left-turn conflicts;
- B. The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes;
- C. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop; and

- D. An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection.

If a full formal engineering study is warranted and conducted, St. Lawrence County should implement any suggested changes to the intersection in a reasonable amount of time given weather conditions and other priority work that affects the safe movement of the traveling public. Any changes shall be documented with dates on the service request started for the intersection. When conducting a field review of an intersection that is in question, the following should be documented and/or photographed:

- Date of review and by whom,
- Date of Service Request (if applicable and attach copy),
- Weather conditions and vegetation state (leaves or no leaves),
- Types of road surfaces and condition of the road surface,
- Paint markings on roadway,
- Signage present – obtain copy of the St. Lawrence County Sign Book page(s) prior to the field visit if a county controlled intersection,
- Sketch of the intersection - indicate where photos are taken and note sight distances on sketch from any existing stop control.
- Measure sight distance as shown below, not from stop controls. Driver's eye height of 3.5' and object height of 2.0' on approach road should be used per AASHTO. Position shall be in the center of each lane per AASHTO. 15' off edge of nearest through lane shall be adjusted for skew for intersections exceeding 60 and 120. Distances should be measured with a tape or wheel, not paced. Make note on what controls the sight distance (objects, vegetation, roadway profile, etc.). Sight distances over ¼ mile need not be measured, just noted that the distance exceeds ¼ mile.



- Make note of grades on approach roadways. Simple profile sketch of each road involved may be necessary. Supplement information with existing road profile data if available in the office.
- Make an estimation of traffic speed on the thru-legs of the intersection and any posted or recommended speed signs. Are there any conditions that would slow traffic (small population center) or large straight roadway sections leading to the intersection that may promote speeding?

The above data shall be reviewed by the Highway Engineer and/or Superintendent. If improvements are deemed warranted, St. Lawrence County prefers to take an incremental approach to improving traffic control devices as described in the Intersection Manual and other references. Crash rates may be calculated, however, due to the very low traffic volumes on most roads in St. Lawrence County, even a single accident may make accident rates appear high.

Also, in most instances, adequate traffic data will not be available, and volumes will need to be assumed. Stopping Sight Distance, as indicated in the Intersection Manual, shall be used as the guide for adequacy of sight distance. The date of direction of supervisors to implement changes and or vegetation removal and the date of completion of those tasks shall be documented with any field review and filed by County Route in the Highway office. If it is found that a formal full intersection study is warranted, documentation of contact of a consultant shall be made. Most of our intersections were constructed many years in the past so we are not redesigning for reconstruction - new design standards do not apply. One does not reconstruct all of their intersection just because design standards change. Also, this policy does NOT apply if a full road reconstruction project is occurring through an intersection. A full engineering design process shall be followed for full road reconstruction. Maintenance such as paving, sealing, cold-in-place recycling do not qualify as full reconstruction.

If a crash study is not warranted as described above, but sound engineering judgement indicates that improvements to the intersection control may be preferable option, improvements to pavement markings, signs, lights, or other traffic control devices may be considered. This is governed mostly by the Manual of Uniform Traffic Control Devices (MUTCD) (and in New York, the NYSDOT supplement to this manual). A few things to use during this determination:

Section 1A.01 Purpose of Traffic Control Devices

Support:

The purpose of traffic control devices, as well as the principles for their use, is to promote highway safety and efficiency by providing for the orderly movement of all road users on streets, highways, bikeways, and private roads open to public travel throughout the Nation. Traffic control devices notify road users of regulations and provide warning and guidance needed for the uniform and efficient operation of all elements of the traffic stream in a manner intended to minimize the occurrences of crashes.

Regarding the initial placement of signs:

The decision to use a particular device at a particular location should be made on the basis of either an engineering study or the application of engineering judgment. Thus, while the Manual (MUTCD) provides Standards, Guidance, and Options for design and applications of traffic control devices, this Manual should not be considered a substitute for engineering judgment. Engineering judgment should be exercised in the selection and application of traffic control devices, as well as in the location and design of roads and streets that the devices complement.

Signs are sized based on the classification of road – Collectors and Local Roads fall under Conventional Roads per the MUTCD (NOT Expressways or Freeways). The MUTCD also gives guidance on oversizing signs.

Suggestions to follow incrementally for intersections where failure to stop is an issue:

- Install STOP AHEAD sign.
- Increase size of STOP and STOP AHEAD signs.
- Install an additional STOP and/or STOP AHEAD sign on the left-hand side of the road or in the median on the left side of the approach.
- Install pavement markings – Stop Bar and STOP/STOP AHEAD wording on the roadway.
- Install a red reflective strip or post insert on the STOP sign post.
- Install a yellow reflective strip or post insert on the STOP AHEAD sign post.

- Install an orange “flag” temporarily (less than one year) above the Stop and/or Stop Ahead sign(s).
- Consider adding a flashing red beacon in conjunction with the STOP signs mounted either on top of the sign or on an overhead span wire or mast arm.

Place actuated red flashing beacons (see MUTCD Section 4K.05) on the top of a STOP sign. A detector would be in the pavement in advance of STOP sign. As a vehicle approaches, the red beacons would begin to flash. This solution would address the driver expectancy problem and give more attention to the STOP sign.

November 6, 2023

Finance Committee: 10-30-2023

RESOLUTION NO. _____

AUTHORIZING THE SERVICES OF SIMMONS HANLY CONROY, LLC, TO ASSIST THE COUNTY ATTORNEY WITH AN INVESTIGATION AND POSSIBLE LITIGATION AGAINST MANUFACTURERS OF INSULIN AND PHARMACY BENEFIT MANAGERS RELATED TO INSULIN PRICE GOUGING

By Mr. Gennett, Chair, Operations Committee
Co-Sponsored by Mr. Forsythe, District 2 and Mr. Perkins, District 7

WHEREAS, almost one-hundred years ago, Canadian scientists Frederick Banting, James Collip, and Charles Best developed the first insulin treatments intending for the medication to be readily available to the general public, and

WHEREAS, after filing for a U.S. patent on their insulin extraction technique in 1923, they then sold it to the University of Toronto for \$1, equivalent to about \$15 today, and

WHEREAS, the move to sell the patent to the university was specifically designed to defend against proprietary monopolies on the technique used to extract insulin for the treatment of diabetes, and

WHEREAS, despite the scientists' intentions, in the 21st century several companies engaged in efforts to establish an effective monopoly on the manufacture and sale of insulin, and

WHEREAS, a 2020 study by the Mayo Clinic found that three manufacturers - Novo Nordisk, Sanofi-Aventis, and Eli Lilly - control about ninety-percent (90%) of the global insulin market, and

WHEREAS, similarly, three pharmacy benefit managers (PBM), companies that negotiate the price of medications with retail pharmacies, control about seventy-five percent (75%) of their own market, and

WHEREAS, in 2022, those three PBM companies - CVS Caremark, OptumRx and Express Scripts - were named as defendants alongside Eli Lilly and Novo Nordisk in a lawsuit alleging the companies, and several others, of deliberately conspiring to fix insulin prices for the sake of billions in profit, and

WHEREAS, 10.5% of New York adults, about 1.6 million people, live with diabetes, making the pharma companies' alleged monopoly scheme a public health threat to New Yorkers, in general, and St. Lawrence County, in specific, and

WHEREAS, the St. Lawrence County Board of Legislators would like to determine the feasibility of St. Lawrence County ("County") bringing an action against the manufacturers of insulin and diabetes medications (Manufacturers) and pharmacy benefit managers that work in concert with PBMs for damages to the County arising out of the concerted actions of the

November 6, 2023

Manufacturers and PBMs to dictate the availability and pricing of insulin and diabetes medications for most of the U.S. market, including St. Lawrence County, and

WHEREAS, the County Attorney has investigated and understands based upon the pendency of similar litigation pending in the United States that the County may have various viable causes of action under state law against such Manufacturers and PBMs, and

WHEREAS, the County would like to retain outside counsel to investigate and if appropriate commence litigation against such Manufacturers and PBMs, with all work to be performed on a contingency fee basis and without the County advancing costs and expenses for such litigation, and

WHEREAS, pursuant to the authority vested in the County Attorney under County Law § 501, the County Attorney may retain the services of outside counsel the County Attorney determines is qualified and capable to assist in the commencement of affirmative legal action, where authorized by the Board of Legislators, and

WHEREAS, the County has decided that it wishes to engage Simmons Hanly Conroy, LLC, a national law firm with offices in New York, Illinois, Missouri and California, to assist the County Attorney in investigating the viability of and, if appropriate, prosecute an action against such Manufacturers and PBMs,

NOW, THEREFORE, BE IT RESOLVED the Board of Legislators authorizes the services of Simmons Hanly Conroy, LLC, to assist the County Attorney with an investigation and possible litigation against manufacturers of insulin and pharmacy benefit managers related to insulin price gouging.

November 6, 2023

Finance Committee: 10-30-2023

RESOLUTION NO. _____

SETTING THE DATE FOR A PUBLIC HEARING ON PROPOSED LOCAL LAW B (NO.) FOR THE YEAR 2023, "SETTING POLICY ON ACQUISITION AND SALE OF TAX DELINQUENT PROPERTY IN ST. LAWRENCE COUNTY"

By Mr. Gennett, Chair, Finance Committee

WHEREAS, on May 25, 2023, the Supreme Court held in *Tyler v. Hennepin*, 2023 WL 3632754, that when a local government acquires title in a property tax foreclosure, retains it past the last day of the tax delinquents right of redemption, and keeps the equity of the property owner after the tax debt is paid, it violates the Takings Clause of the Fifth Amendment to the United States Constitution, and

WHEREAS, the Takings Clause of the Fifth Amendment of the United States Constitution, which is applicable to the states through the Fourteenth Amendment, provides that "private property [shall not] be taken for public use, without just compensation," and

WHEREAS, because this fundamental right to surplus equity is not founded solely in state law and cannot be taken away by enactment of a state statute, the decision of the Court means that state and local tax foreclosure schemes may not continue as they once did, and

WHEREAS, the original petition for certiorari to the United States Supreme Court asserted there were fourteen (14) other states with windfall statutes: Alabama, Arizona, California, Colorado, Illinois, Ohio, Oregon, Maine, Massachusetts, Minnesota, Montana, Nebraska, New Jersey, and New York (it was noted that California and Ohio retain surplus only when the property is sold for public use), and

WHEREAS, the majority of modifications likely to come into law, as a result of the Hennepin decision, will be required to come at the State legislative level, however, minor modifications at the local level are recommended, and

WHEREAS, under local law, St. Lawrence County has previously designated its own right of redemption as occurring thirty (30) days prior to the annual scheduled auction in September, and

WHEREAS, the final foreclosure of the redemption right of the owner by the purchaser is the taking for purposes of the Takings Clause, and

WHEREAS, upon the recommendation of the Treasurer and the County Attorney, the primary amendment of the local law is the elimination of the right of redemption date of the County, and

WHEREAS, the law requires that said Local Law adoption be preceded by a public hearing,

November 6, 2023

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators hereby authorizes setting a date for a Public Hearing on Adopting Local Law B (No. ____) for the Year 2023 to be held at 5:30 p.m. on December 4, 2023, in the Legislative Board Room.

**PROPOSED LOCAL LAW NO. B (NO. _) FOR THE YEAR 2023,
“SETTING POLICY ON ACQUISITION AND SALE OF TAX DELINQUENT
PROPERTY IN ST. LAWRENCE COUNTY”**

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

Section 1. This local law shall supersede and repeal all prior local laws regarding the real property tax foreclosure proceeding.

Section 2. Pursuant to Article 11 of the Real Property Tax Law, The St. Lawrence County Board of Legislators hereby exercises the following options for the collection of delinquent taxes in St. Lawrence County.

Section 3. A minimum fee of \$150 shall be charged to each parcel with delinquent taxes on June 1 of the year following the tax bill. This fee shall be used to cover the costs involved in tax foreclosure – primarily abstracting and legal fees.

Section 4. The Tax Enforcement Officer is hereby empowered to take installment payments of delinquent taxes. Said installment payments shall have a payment term of 24 months with payments due every three (3) months. The Tax Enforcement Officer shall add \$2 to all delinquent tax bills to cover the cost of notifying the taxpayer of this right. All Installment Agreements shall be entered into on or before September 30 of the year in which the tax becomes a lien. The Tax Enforcement Officer shall collect twenty-five percent (25%) of the tax due at the time the tax payer signs the Installment Payment Agreement. The remaining seven (7) installments are payable every quarter, with the first one due on December 1, following the Installment Agreement.

Section 5. The Tax Enforcement Officer, who is the County Treasurer, is hereby authorized to accept a deed in lieu of enforcement of collection of delinquent taxes under Article 11.

Section 6. All property acquired by the County pursuant to Article 11, shall be sold in one of the following manners: a.) at a public auction held on the second Saturday in September of the auction year, b.) at a properly advertised private sale subject to approval by the St. Lawrence County Board of Legislators, or c.) at such date and in such manner as established by a validly issued Administrative Order, a validly issued Executive Order, subsequent superseding State Statute, or valid order of a Court with jurisdiction over the matter. Such sales may also be held online if deemed necessary by the County Treasurer.

Section 7. The County sells only its lien and interest, does not warrant title, and will convey only by quitclaim deed. No abstracts will be provided.

Section 8. Any fees associated with the auction and conveyance of properties sold at public auction, to include auctioneer fees, buyer’s premium, advertising fees, and recording fees will be the responsibility of the bidder.

November 6, 2023

Section 9. At a public auction, the highest bidder must tender twenty percent (20%) of the bid or a fifty dollar (\$50.00) deposit, whichever is greater. In addition, the highest bidder is responsible for any buyer's premium, auctioneer fees, and possible advertising fees payable by certified check, money order, cash or credit card. The balance is due within thirty (30) days, also payable by certified check, money order or cash. Confirmation of the sale by the St. Lawrence County Board of Legislators is unnecessary for Article 11 properties sold at public auction. The County must sell to the highest bidder unless the highest bidder defaults. Upon default of the highest bidder, the deposit will be forfeited, and the County reserves the right to accept the bid of the second highest bidder.

Section 10. The former owner, and any other person who may be acting as an agent of the former owner, whether disclosed or undisclosed, is strictly prohibited from bidding at the auction.

Section 11. Any bidder who owns property in St. Lawrence County and is delinquent in their taxes shall be prohibited from bidding at the auction. The term delinquent is defined as prior year tax delinquency. No other person who may be acting as an agent of this bidder shall be allowed to bid at the auction.

Section 12. For properties with actual or suspected environmental contamination, application may be made to the Court in an effort to gain "Temporary Incidence of Ownership", granting St. Lawrence County the legal authority to enter such property and conduct an environmental investigation to determine the nature and extent of any environmental contamination which may exist at the property and the cost for addressing such contamination.

Section 13. The costs to St. Lawrence County associated with addressing actual or suspected environmental contamination of a property, including investigative, cleanup and legal costs, may be charged to the assessed owner and included on the tax assessment roll.

Section 14. This local law shall take effect immediately upon filing with the Secretary of State.

November 6, 2023

Finance Committee: 10-30-2023

RESOLUTION NO. _____

**SETTING A DATE FOR A PUBLIC HEARING ON PROPOSED LOCAL LAW C
(NO.) FOR THE YEAR 2023, AMENDING LOCAL LAW 3 FOR THE YEAR 1993,
“THE ST. LAWRENCE COUNTY INSTALLMENT PAYMENT OF TOWN, COUNTY
AND SCHOOL REAL PROPERTY TAX LAW”**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, on September 27, 2021, the City of Ogdensburg enacted Local Law No. 2 for the year 2021 which relieved the City of Ogdensburg of its obligation to act as the tax collection and enforcement entity on behalf of the City Of Ogdensburg, instead, imposed these obligations upon St. Lawrence County, effective January 1, 2022, and

WHEREAS, following litigation, the New York State Court of Appeals ruled that the City could impose upon the County their obligations relative to the enforcement and collection of real property taxes imposed by the City of Ogdensburg, however, in doing so, the Court also ruled that in relinquishing their authority, the City was bound to come into compliance with the process of the County, and

WHEREAS, to that end, the County requested that the City align their tax collection dates to comply with the timeline already in place for all towns within the County, and

WHEREAS, pursuant to that request, on September 21, 2023 the City of Ogdensburg adopted Local Law No. 2 of 2023, changing their tax collection timeline for City Real Property Tax collection to come into compliance with the County process under the Real Property Tax Law, and

WHEREAS, in addition to changes required of the City, in order to allow for City residents to receive the benefits provided by the County Real Property Tax collection process, certain changes to existent County local laws are required, and

WHEREAS, Local Law No. 3 for the Year 1993, the original local law governing the collection of real property taxes through installment payment contracts, does not currently permit for the collection of taxes originating from the City of Ogdensburg City Tax, thereby necessitating an amendment, and

WHEREAS, as such, a local law amending policy on Installment Payment of Town, County and School Real Property tax is being proposed, and

WHEREAS, pursuant to New York State law, the adoption of a Local Law and/or amendment adoption must be preceded by a public hearing,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators hereby authorizes setting a date for a Public Hearing on Adopting Local Law C (No.) for the Year 2023 to be held at 5:40 p.m. on December 4, 2023, in the Legislative Board Room.

November 6, 2023

PROPOSED LOCAL LAW C (NO. ___) FOR THE YEAR 2023, AMENDING LOCAL LAW 3 FOR THE YEAR 1993, "THE ST. LAWRENCE COUNTY INSTALLMENT PAYMENT OF TOWN, CITY, COUNTY, AND SCHOOL REAL PROPERTY TAX LAW"

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

Section 1. This local law shall supersede and repeal all prior local laws regarding the installment payment of Town, County, and School Real Property Tax Law.

Section 2. PURPOSE

The purpose of this local law is to designate the St. Lawrence County Treasurer's Office as the St. Lawrence County Real Property Tax Collection Agency and to permit, by option of local School Boards, Town Boards, and City Councils, the installment payment of January Town and County Tax Levies, January City and County Tax Levies and September School Tax Levies. This local law is being adopted pursuant to Title 4-A of Article 9 of the Real Property Tax Law (RPTL, 972-976) and related provisions in Article 13 (RPTL, 1336-1342) which authorizes Counties, Towns, City, and School Districts (other than City School Districts) to establish a coordinated system for the collection of County, Town, City, and School District Taxes in installments.

Section 3. ADMINISTRATION

Upon the enactment of this local law by the County Legislature, the Towns, City, and School Districts of St. Lawrence County may decide, by a majority vote of the Town Board, City Council, or Board of Education, to permit the installment payment of current taxes. The decision to permit the installment payment of taxes requires the local Town/City/School District Tax Collector must collect and receipt for taxes on the same system the County Treasurer uses. Local Tax Collectors must use the County's computer billing and accounting system. In a Town, City, or School District which has decided to permit installment payment of taxes, each taxpayer may either pay the taxes in full, avoiding the associated charges, or elect to pay taxes in installments, which is accomplished simply by paying the amount designated as "First Installment" on the tax bill. No interest is charged on the installment payments (since the cost associated with the delayed receipt of the tax payments are absorbed into the Service Charge, which in the next Section of this local law, unless the payment is not made on time, in which case the standard rate of interest applies (as defined in Real Property Tax Law).

January Town/County/City Tax Bill: The First Installment is due on or before January 31. Failure to make this payment on time disqualifies Taxpayer from Installment Payment system. The amount to be paid on first Installment must be at least one-third the January Tax Bill plus Service Charge. The second Installment is due on or before March 31. The amount to be paid on the second Installment must be at least one-third the January Tax Bill plus Service Charge. The third and final Installment is due on or before May 31.

September School Tax Bill: The first Installment is due on or before September 30. Failure to make this payment on time disqualifies Tax Payer from Installment Payment System. The amount to be paid on the first Installment must be at least one-third the September Tax Bill plus

November 6, 2023

Service Charge. The second Installment is due on or before October 31. The amount to be paid on the second Installment must be at least one-third the September Tax Bill plus Service Charge. The third and final Installment is due on or before November 30.

Section 4. SERVICE CHARGE

A Service Charge of two percent (2%) is to be paid by those taxpayers electing to pay their January Tax Bill in installments. A Service Charge of one percent (1%) is to be paid by those taxpayers elective to pay their September School Tax Bill in installments. This Service Charge is to be County Revenue and is to be used to pay all costs associated with the development, implementation, and administration of Installment Payment of current year taxes.

Section 5. GENERAL POWERS OF THE COUNTY TREASURER

In addition to the powers granted to the County Treasurer in the local law, he/she is hereby authorized and empowered to:

- A. Make, adopt and amend rules and regulations appropriate to the carrying out of this local law and the purposes thereof:
- B. Annually review the Service Charge Fees and to make necessary increases/decreases in the Fees to cover all costs associated with the Installment Payment of taxes:
- C. Delegate his/her functions hereunder to the Deputy County Treasurer or any employee to employees of the Office of the County Treasurer.

Section 6. EFFECTIVE DATE

This local law shall take effect immediately upon its adoption. School Districts which decide to permit Installment Payment of current year School Taxes must so notify the County Treasurer by copy of the official Board of Education Resolution on or before August 1, preceding the September School Tax Levy. The decision to permit Installment payment of current year School Taxes will remain in force until revoked by a Board of Education Resolution, a copy of which must be given the County Treasurer on or before August 1, preceding the September School Tax Levy.

Town Boards and City Boards which decided to permit Installment Payment of current year Town/County or City/County Taxes must so notify the County Treasurer by copy of the official Town Board Resolution on or before October 1, preceding the January Town/County Tax Levy. The decision to permit Installment Payment of current year Town/County Taxes will remain in force until revoked by a Town Board Resolution, a copy of which must be given the County Treasurer on or before October 1, preceding the January Town/County or City/County Tax Levy.

November 6, 2023

Finance Committee: 10-30-2023

RESOLUTION NO. _____

AUTHORIZING THE TRANSFER OF THE APPOINTING AUTHORITY OF THE CLERICAL TITLES FROM THE DEPARTMENT OF SOCIAL SERVICES LEGAL UNIT TO THE OFFICE OF THE COUNTY ATTORNEY

By Mr. Gennett, Chair, Finance Committee

WHEREAS, prior to 1984, all Department of Social Services (DSS) legal matters were handled by the Office of the County Attorney, and

WHEREAS, in 1984, the Board of Legislators divested the County Attorney of the responsibility of providing representation to the Department of Social Services in Family Court cases and create Social Services Attorney positions pursuant to SSL § 66, and

WHEREAS, between 1984 and 2021, the Department of Social Services Legal Unit expanded to include five (5) clerical positions and five (5) attorney positions, all of which were appointed under the authority of the Commissioner vested in Social Services Law § 66, and

WHEREAS, on May 5th, 2021, the Board of Legislators consolidated the Department of Social Services Legal Unit with the Office of the County Attorney with regard to attorney positions resulting in abolishing the DSS Attorney positions and creating Assistant County Attorneys Positions, and

WHEREAS, since 2021, the transition of oversight of the operations of the DSS Legal Unit attorneys to the Office of the County Attorney has been successful as measured by the Department of Social Services experiencing significant drops in the number of children in foster care as well as significant drops in the duration of cases pending, and

WHEREAS, in order to complete the transition of oversight of the DSS Legal Unit to the Office of the County Attorney, a transfer of the remaining functions is required along with the transfer of the remaining personnel pursuant to Civil Service Law Section 70.2, and

WHEREAS, currently the remaining functions and titles in the DSS Legal unit effected by this transfer include: 005100031 Secretary 1; 005100036 Secretary 1; 005300003 Legal Secretary; 005300008 Legal Secretary; 005300013 Legal Secretary; 809000001 Resource Agent; 005100027 Secretary 1 (.25 FTE), and

WHEREAS, the transfer of personnel upon the transfer of functions will result in the change of Appointing Authorities from the Social Services Commissioner to the County Attorney and may result in a change in work location, and

WHEREAS, the transfer of personnel upon the transfer of functions will not impact the budget, the work performed, or union membership/union contract provisions will be applied as if the employee changed departments, and

November 6, 2023

WHEREAS, the transfer of function, personnel, and the change of the Appointing Authority will be recognized by Civil Service and will inform Civil Service Law/Rules related actions/issues including but not limited to civil service classification and status, layoff decisions, promotional opportunities, etc., and

WHEREAS, the transfer of functions and personnel is by mutual agreement between the Social Services Commissioner and the County Attorney,

NOW, THEREFORE, BE IT RESOLVED the Board of Legislators authorizes the transfer of the Appointing Authority of the clerical titles from the Department of Social Services Legal Unit to the Office of the County Attorney, and

BE IT FURTHER RESOLVED the County Administrator and Human Resources Director will review the process for transition, including the timing to effectuate this change, making such changes in a manner consistent with the purpose included in this resolution.

November 6, 2023

Finance Committee: 10-30-2023

RESOLUTION NO. _____

REQUESTING ASSISTANCE OF THE CONNECTALL OFFICE, PUBLIC SERVICE COMMISSION, AND FEDERAL COMMUNICATIONS COMMISSION IN DEALING WITH THE UNCERTAINTY OF PLANNING FOR BROADBAND WITH AND AROUND FRONTIER COMMUNICATIONS SERVICE AREA

By Mr. Gennett, Chair, Operations Committee
Co-Sponsored by Ms. Haggard, District 10

WHEREAS, broadband coverage is of paramount importance in ensuring equitable access to information and resources for all New Yorkers, and

WHEREAS, Frontier Communications is a significant provider of broadband service in numerous communities across various counties in New York State, and

WHEREAS, Frontier Communications has been awarded grants through the Rural Digital Opportunity Fund (RDOF) in multiple communities across the State to enhance broadband infrastructure, and

WHEREAS, through the RDOF, the Federal Communications Commission (FCC) will disburse up to \$20.4 billion over 10 years to bring fixed broadband and voice service to millions of unserved homes and small businesses in rural America, and

WHEREAS, there is a pressing need to address the lack of progress in implementing RDOF projects in awarded areas across multiple counties, and

WHEREAS, the excel amount of time allowed for construction under the RDOF program creates significant challenges when our residents, children, and schools have immediate needs, and

WHEREAS, comprehensive efforts have been undertaken by all counties to assess and expand broadband coverage, including through mapping initiatives of the New York State Public Service Commission and FCC, and

WHEREAS, counties recognize the importance of collaborating with the New York State ConnectALL Office, PSC, and FCC to secure funding to bridge existing broadband gaps and to ensure a productive partnership with service providers, and

WHEREAS, transparent communication and cooperation with broadband service providers are crucial to effectively planning for broadband expansion, including but not limited to providers like Frontier Communications, and

WHEREAS, the extended timeline for construction under the RDOF Program poses challenges for counties to plan effectively,

November 6, 2023

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators requests the assistance of the ConnectAll Office, Public Service Commission, and Federal Communications Commission in dealing with the uncertainty of planning for broadband with and around Frontier Communications service area, and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Governor Kathy Hochul; Senator Mark Walczyk; Senator Dan Stec; Assemblyman Ken Blankenbush; Assemblyman Scott Gray; and Joshua Breitbart, New York Broadband Director.

November 6, 2023

Finance Committee: 10-30-2023

RESOLUTION NO. _____

**CALLING ON THE ADIRONDACK PARK AGENCY (APA)
TO UPDATE ITS TELECOMMUNICATIONS POLICY**

By Mr. Gennett, Chair, Operations Committee
Co-Sponsored by Mr. Forsythe, District 2

WHEREAS, reliable cellular service is not just a quality of life issue, it is a matter of public safety, and

WHEREAS, St. Lawrence County is nestled between the St. Lawrence River Valley and the Adirondack Mountains with areas of the County falling within the Blue Line including the Towns of Hopkinton, Parishville, Colton, Piercefield, Clifton, Fine, and Clare, and

WHEREAS, in 2002, the Adirondack Park Agency (APA) adopted its telecommunications policy mandating that cell towers achieve “substantially invisibility”, and since then those two words have defined technological development throughout the region,

WHEREAS, too often towers lack the appropriate height to project a good signal driving up the costs for providers and discouraging them to invest in the region at all, and

WHEREAS, the APA Telecommunications Policy was written in 2002 with no updates since, and a policy written twenty-one (21) years ago does not reflect the importance cell phones currently have in our daily lives, and

WHEREAS, cellular technology is a necessity and one that must not be hindered by regulatory policy that has failed to evolve to meet current demands,

WHEREAS, there is a need for the availability of cellphone service to all areas of St. Lawrence County, including the most rural areas that lie within the Adirondack Park,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators calls on the Adirondack Park Agency (APA) to update its Telecommunication Policy, and

BE IT FURTHER RESOLVED that certified copies of this resolution be forwarded to Governor Kathy Hochul; Senator Dan Stec; Senator Mark Walczyk; Assemblyman Ken Blankenbush; Assemblyman Scott Gray; Adirondack Park Agency Chair, John Ernst; and Adirondack Park Agency Executive Director Barbara Rice.

St. Lawrence County Vacancy Authorization Form

Highway



Type: Abolish & Create

Motor Equipment Mechanic

Subunit (If Applicable):

Date Submitted: 9/19/2023

Reason Vacated: Retirement

Position Number: 308100010

Date Vacated: 11/16/2023

Position # Abolished: 309000002

Position Status: Fulltime

Last Fill Date: 09/24/2007

Jurisdictional Class: Non-Competitive

Appointee Will Be: Permanent

Hrs Per Week: 40 Shift Length: 8 FTE: 1.00

Budget

Salary of Person Leaving: \$60,386

Fill Request Timeline: Immediately

Benefits: Yes (51.44%) \$31,062

Revenue Generating: No 0 %

Base Salary: \$49,734

Reimbursed by Local,
State or Federal Funds: No 0 %

Base Hourly: \$23.91

Grade: 24

Net County Cost: \$91,448

*Net County Cost is calculated from salary of person leaving, if available

Detailed Justification

What is the impact on your department if this position is not filled? Please provide, in detail, the need to fill the position. Please include the service provided, if it is mandated, number of people (clients) affected, and what you will do if the position is not filled.

This position is responsible for repair and maintenance of road and construction equipment as well as the fleet of county vehicles.

We are abolishing the Motor Equipment Operator/Heavy Equipment Operator and creating a Motor Equipment Mechanic position to more closely reflect the duties of the position. They are both a grade 24.

Department Head: *Donald R. Cheaton*

Approved?

Yes No

County Administrator:

Resolution #:

Job Qualifications

For Human Resources Use Only:
Job Qualifications Listed here:

MINIMUM QUALIFICATIONS: Either:

(A) Graduation from a regionally accredited or New York State registered technical school or community college with an Associate's Degree or certificate in automotive equipment technology or mechanics; OR

(B) Graduation from a high school, technical or vocational program in motor equipment mechanics and one (1) year of experience in an automotive repair shop performing repair and maintenance of motor equipment under the supervision or direction of a higher level mechanic; OR

(C) Two (2) years of experience in an automotive repair shop performing repair and maintenance of motor equipment under the supervision or direction of a journey level mechanic.

SPECIAL REQUIREMENTS:

1. Must obtain a Class A CDL within Twelve (12) months of appointment, if required by employing agency.
2. Possession of a Motor Vehicle Inspector's Certificate issued by the State Department of Motor Vehicles if required by the employing agency.

St. Lawrence County Vacancy Authorization Form

Highway



Type: Abolish & Create

Heavy Equipment Operator

Subunit (If Applicable):

Date Submitted: 9/25/2023

Reason Vacated: Promotion

Position Number: 310100025

Date Vacated: 9/16/2023

Position # Abolished: 309100003

Position Status: Fulltime

Last Fill Date: 3/21/2011

Jurisdictional Class: Non-Competitive

Appointee Will Be: Contingent-Permanent

Hrs Per Week: 40 Shift Length: 8 FTE: 1.00

Budget

Salary of Person Leaving: \$60,386

Fill Request Timeline: Immediately

Benefits: Yes (51.44%) \$31,062

Revenue Generating: No 0 %

Base Salary: \$47,856

Reimbursed by Local,
State or Federal Funds: No 0 %

Base Hourly: \$23.01

Grade: 23

Net County Cost: \$91,448

*Net County Cost is calculated from salary of person leaving, if available

Detailed Justification

What is the impact on your department if this position is not filled? Please provide, in detail, the need to fill the position. Please include the service provided, if it is mandated, number of people (clients) affected, and what you will do if the position is not filled.

This Heavy Equipment Operator position is created with the abolishment of the Welder position on the Highway bridge crew. With bridges in St. Lawrence County moving away from steel decks and to concrete decks, the need for welders has given way to the need for Heavy Equipment Operators. This Position is responsible for bridge rehabilitation and replacement. Without this position, the Department will not be able to maintain proper crew size to insure safety and hinder bridge projects causing possible NYS DOT red/yellow flags. This Position is also responsible for running equipment in the winter for snow and ice control.

**Abolish Welder/Create Heavy Equipment Operator

Department Head:

Donell R. Chealson

Approved?

Yes No

County Administrator:

Resolution #:

Job Qualifications

For Human Resources Use Only:
Job Qualifications Listed here:

MINIMUM QUALIFICATIONS: Two (2) years of experience in the operation of highway construction and maintenance equipment.

SPECIAL REQUIREMENT: Possession of a valid New York State operator's license appropriate for the vehicles operated.

St. Lawrence County Vacancy Authorization Form

SLC One-Stop/WIOA



Type: Fill

Keyboard Specialist

Subunit (If Applicable):

Date Submitted: 9/21/23

Reason Vacated: Resignation

Position Number: 003100094

Date Vacated: 9/28/23

Position # Abolished:

Position Status: Fulltime

Last Fill Date: 4/20/21

Jurisdictional Class: Competitive

Appointee Will Be: Permanent

Hrs Per Week: 35 Shift Length: 7 FTE: 1.00

Budget

Salary of Person Leaving: \$37,469

Fill Request Timeline: Immediately

Benefits: Yes (51.44%) \$19,274

Revenue Generating: No 0 %

Base Salary: \$36,287

Reimbursed by Local,
State or Federal Funds: Yes 100 %

Base Hourly: \$19.94

Grade: 15

Net County Cost: \$0

*Net County Cost is calculated from salary of person leaving, if available

Detailed Justification

What is the impact on your department if this position is not filled? Please provide, in detail, the need to fill the position. Please include the service provided, if it is mandated, number of people (clients) affected, and what you will do if the position is not filled.

The Keyboard Specialist is the point of contact upon entering the One Stop Career Center. They greet customers and determines the reason for their visit and directs the customer to the appropriate staff or partner agency. They can assist the customers with job searches, resumes, online applications, equipment use and the like. They answer incoming phone calls, schedule classroom and group room use, prepare participant files, update participant information in databases and maintains our Facebook page.

The Keyboard Specialist provides the support that is needed for the WIOA Employment Counselors to be able to complete the tasks necessary to serve our customers, while meeting the regulations established by WIOA. They are essential in helping the customers in the resource room and updating and managing the necessary forms and files needed by the Counselors. If the position is not filled, many of these duties would then become the responsibility of the Employment Counselors, potentially resulting in less participants being funded and served.

Department Head: *Genny Taylor*

Approved?

Yes No

County Administrator:

Resolution #:

Job Qualifications

For Human Resources Use Only:
Job Qualifications Listed here:

MINIMUM QUALIFICATIONS: Graduation from high school, possession of a high school equivalency diploma, or possession of an Individual Education Plan diploma.

2023 St. Lawrence County Quarterly Budget Report

Department Name	Adopted County Cost	2023 Third Quarter	2023 Balance Remaining	Percentage of Budget Used
BOARD OF ELECTIONS	394,933	(211,729)	(606,662)	-53.61%
COMMUNITY SERVICES	1,024,867	513,442	511,425	50.10%
COUNTY ADMINISTRATOR	11,266,412	6,180,324	5,086,088	54.86%
COUNTY ATTORNEY	189,919	142,135	47,784	74.84%
COUNTY CLERK	(1,933,928)	(1,132,880)	(801,048)	58.58%
DISTRICT ATTORNEY	2,025,189	1,568,999	456,190	77.47%
EMERGENCY SERVICES	1,855,483	1,417,345	438,138	76.39%
HUMAN RESOURCES	664,774	443,417	221,357	66.70%
INDIGENT DEFENSE	1,228,785	1,274,392	(45,607)	103.71%
CONFLICT DEFENDER	604,459	550,797	53,662	91.12%
PUBLIC DEFENDER	1,045,038	847,738	197,300	81.12%
INFORMATION TECHNOLOGY	1,236,001	1,033,748	202,253	83.64%
OFFICE FOR THE AGING	1,363,293	2,154,353	(791,060)	158.03%
PLANNING	533,963	384,488	149,475	72.01%
PROBATION	2,785,950	2,024,204	761,746	72.66%
PUBLIC HEALTH	4,157,809	2,299,673	1,858,136	55.31%
REAL PROPERTY	528,728	306,625	222,103	57.99%
SHERIFF	12,842,817	9,272,483	3,570,334	72.20%
SOCIAL SERVICES	37,446,552	23,745,668	13,700,884	63.41%
TREASURER	(27,752,766)	(76,934,384)	(49,181,618)	277.21%
VETERANS	133,522	88,342	45,180	66.16%
WEIGHTS & MEASURES	89,471	44,811	44,660	50.08%
YOUTH BUREAU	174,587	155,085	19,502	88.83%
COUNTY COST	51,702,104	(23,830,924)	(23,839,778)	-46.09%

2023 St. Lawrence County Quarterly Budget Report

Department Name	Adopted County Cost	2023 Third Quarter	2023 Balance Remaining	Percentage of Budget Used
HIGHWAY FUND 3 COUNTY ROAD	12,744,920	11,013,635	1,731,285	86.42%
HIGHWAY FUND 4 ROAD MACHINERY	0	308,261		
SOLID WASTE FUND 5 ENTERPRISE FUND	0	388,203		
COUNTY ATTORNEY FUND 7 WORKERS COMP	0	(1,023,354)		
COUNTY ATTORNEY FUND 8 LIABILITY & CASUALTY	0	258,139		
TOTAL COUNTY COST	51,702,104	(24,207,936)	(23,839,778)	

Note: Totals do not include the Fund 6 *Capital*/Fund 70 *WIOA Fund*/NYPA Funds

November 6, 2023

Finance Committee: 10-30-2023

RESOLUTION NO. _____

**SETTING A DATE FOR A PUBLIC HEARING ON PROPOSED LOCAL LAW D
(NO. __) FOR THE YEAR 2023 “TAX CAP OVERRIDE FOR FY 2024”**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, in 2011, New York State implemented the Tax Levy Limit, commonly referred to as the “Tax Cap” which provides for a maximum growth of the Levy each year and provided regulations to counties, towns, villages, and school districts for how to approve a Levy that exceeds the Tax Cap, and

WHEREAS, one of the largest expenses placed on the Levy is the cost of Medicaid (\$21.8M in 2023) and in 2012, the State recognized that the burden of Medicaid was too great for counties and placed a cap on the annual increases that were passed on to counties, and

WHEREAS, this cap for Medicaid provided an opportunity for counties to predict costs more effectively and successfully stay under the Tax Cap, and

WHEREAS, in addition, the impact of inflation (17.2% since 2021) which has increased the cost of operations, the State has resumed the practice of passing along costs for programs they require, that are not funded by the State, and

WHEREAS, in St. Lawrence County, over the last ten years, there have been nine reductions in the true value tax rate and one year of no change for taxpayers while maintaining and improving service levels, and

WHEREAS, New York State has made an unsustainable change with Medicaid costs this year when they determined that they would begin intercepting federal funds passed to counties, deciding to keep Federal Medicaid Assistance Program (eFMAP) funds intended for counties and by doing this, they have added \$3.1M to the Medicaid bill increases that previous State administrations took measures to prevent, and

WHEREAS, other fiscally significant changes by New York State with mandated programs that add additional expenses to counties include, but are not limited to; doubling the attorney hourly rates for indigent defense, reducing the State share of safety net cost, mandating Medical Assisted Therapy (MAT) Program in Correctional Facilities, cybersecurity requirements, augmentation in the PILOT Agreement process, and

WHEREAS, additionally, the implementation of two court decisions having budgetary impacts this year include revenue loss from Tax Foreclosure Sales (Tyler v. Hennepin County, Minnesota), and an increase in Foster Care pay increase cost of providing services to the citizens of the County, and

November 6, 2023

WHEREAS, all of these changes and the continued increases in inflation have a direct impact on the ability that the County has to meet the arbitrary Tax Cap set without consideration for the changes that are being implemented, and

WHEREAS, when counties are responsible for important local items such as; providing quality services to residents, maintaining daily operations, honoring bargaining agreements, and addressing capital needs within the County, and

WHEREAS, St. Lawrence County has not requested an override in ten (10) years and the request for the Budget is prepared not to exceed an additional two percent (2%) for 2024,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes setting a date for a public hearing on proposed Local Law D (No. __) for the Year 2023 "Tax Cap Override for FY 2024" to be held at 5:50 p.m. on December 4, 2023 in the Legislator Board Room.

**PROPOSED LOCAL LAW D, (NO. ____) FOR THE YEAR 2023
"TAX CAP OVERRIDE FOR FY 2024"**

BE IT ENACTED by the St. Lawrence County Board of Legislators that Pursuant to Chapter 97-2011 of the Laws of the State of New York and Section 3-c of the General Municipal Law Overriding Tax Levy Limit for Fiscal Year 2024 that:

Section 1. TITLE OF THE LOCAL LAW

This Local Law shall be entitled "**Tax Cap Override for FY 2024.**" Overriding Tax Levy Limit for 2024.

Section 2. AUTHORIZATION

For fiscal year 2024, the County of St. Lawrence shall override the real property tax levy limit established by Chapter 97 of the Laws of 2011 of the State of New York and may adopt a budget requiring a tax levy that is greater than such tax levy limit.

Section 3. VOTE REQUIREMENT

This local law is adopted pursuant to subdivision 5 of the General Municipal Law § 3-C, which expressly authorizes the County Board of Legislators to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Board.

Section 4. PURPOSE

The purpose of this local law is to permit the override of the limit on the amount of real property taxes that may be levied by the County of St. Lawrence, and to allow the County to adopt a county budget for the fiscal year 2024 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-C.

November 6, 2023

Section 5. DEFINITION

Tax Cap Override for FY 2024 The County Board of Legislators, County of St. Lawrence, is hereby authorized to adopt a budget for FY 2024 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law § 3-C.

Section 6. SUPERSESSION

Pursuant to the powers granted by the Municipal Home Rule, this Local Law supersedes all provisions of any other laws in the County of St. Lawrence, in so far as such statutes are inconsistent with this Local Law and any other laws or regulations of the County of St. Lawrence are superseded to the extent necessary to give this Local Law full force and effect. All other provisions shall remain the same.

Section 7. SEVERABILITY

Each separate provision of this Local Law shall be deemed independent of all other provisions therein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

Section 8. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State, in accordance with Municipal Home Rule Law § 27.

November 6, 2023

Finance Committee: 10-30-2023

RESOLUTION NO. _____

**DESIGNATING THE ST. LAWRENCE COUNTY CHAMBER OF COMMERCE AS
THE ST. LAWRENCE COUNTY TOURISM PROMOTION AGENCY**

By Mr. Gennett, Chair, Finance Committee
Co-Sponsored by Mr. Webster, District 11

WHEREAS, in order to participate in the Empire State Development Division of Tourism Matching Funds Program, it is requested that each County appoint a Tourism Promotion Agency (TPA), and

WHEREAS, participation in this program doubles the earmarked Tourism Promotion Funds by St. Lawrence County through I Love New York Funds, and

WHEREAS, according to the 2022 NYS Tourism Economics Report, visitor expenditure accounted for more than \$159 million in St. Lawrence County, and \$10.8 million in local taxes in 2022, and

WHEREAS, the 2022 NYS Tourism Economics Report also conveyed that tourism spending has increased year to year with a 16.5% increase between 2021 and 2022 and a 120.7% increase between 2019 and 2022, supporting the importance of investing in the continued growth of the tourism industry post-pandemic, and

WHEREAS, an estimated 1,567 jobs in the County were supported by visitors, and

WHEREAS, the St. Lawrence County Chamber of Commerce represents the County as its Tourism Promotion Agent by creating a comprehensive marketing and advertising campaign, consisting of events, attractions, and recreational opportunities throughout the County, and

WHEREAS, the St. Lawrence County Chamber of Commerce represents the County in regional and State opportunities to leverage funds and promotions to attract visitors to the County as an economic driver,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators designates the St. Lawrence County Chamber of Commerce as the St. Lawrence County Tourism Promotion Agency for 2024.