

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

TO: St. Lawrence County Legislators and Other Interested People

FROM: Kelly S. Bigwarfe, Deputy Clerk

DATE: November 3 , 2023

SUBJECT: **BOARD MEETING AGENDA**

Attached is a copy of the agenda for the Board Meeting of the St. Lawrence County Board of Legislators on **Monday, November 6, 2023**, in the Legislative Board Room.

When any reference is made to any contracts not set forth in the agenda, the original documents are available for inspection by any and all persons and are filed in the Clerk of the Board of Legislators' Office.

If you have a disability and need accommodations, please call the Board of Legislators Office at (315) 379-2276 at least 48 hours before the scheduled meeting to advise what accommodations will be necessary.

Order of Business:

Call to Order
Roll Call
Prayer followed by the Pledge of Allegiance
Longevity Ceremony
Approval of Agenda
Approval of Minutes
Communications
Citizen Participation
Presentation of Resolutions
County Administrator's Report
Old/New Business
Committee Reports
Executive Session
Appointments
Chair's Appointments
Adjournment

November 6, 2023

Operations Committee: 10-16-2023

RESOLUTION NO. _____

MODIFYING THE 2023 BUDGET FOR EMERGENCY SERVICES FOR A FY22 STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT FROM NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

By Ms. Curran, Chair, Operations Committee

WHEREAS, Resolution No. 252-2022, adopted August 1, 2022, approved the acceptance of a FY22 SHSP/SLETPP Grant from New York State Division of Homeland Security and Emergency Services in the amount of \$157,910, and

WHEREAS, NYS Division of Homeland Security and Emergency Services (DHSES) approved a budget modification for this grant, and a budget modification is required to cover the cost of annual maintenance for the Spillman CAD Software, and

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Treasurer to modify the 2023 Budget for the Office of Emergency Services for a FY22 State Homeland Security Program (SHSP) Grant from NYS Division of Homeland Security and Emergency Services, as follows:

DECREASE APPROPRIATIONS:

X2Z36402 25000 22HS X 22HS Technical Equipment \$9,149

INCREASE APPROPRIATIONS:

X2Z36404 42004 22HS X 22HS Computer Software \$9,149

BE IT FURTHER RESOLVED that any remaining funds will be rolled over to future budgets until the grant is fully expended.

November 6, 2023

Operations Committee: 10-16-2023

RESOLUTION NO. _____

**MODIFYING THE 2023 BUDGET FOR EMERGENCY SERVICES
FOR OVERTIME AND ELECTRICITY EXPENSES**

By Ms. Curran, Chair, Operations Committee

WHEREAS, Emergency Services has exceeded the budget in its overtime account and in electricity expenses for 2023, and

WHEREAS, after reviewing all accounts, funds required for the overages were found in existing accounts,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Treasurer to modify the 2023 Budget for the Office of Emergency Services for overtime and electricity expenses, as follows:

DECREASE APPROPRIATIONS:

X1C34101 11000	X CD Direct Service Workers	\$21,188
X2036401 14000	X ADMIN Clerical	10,000
B1019904 49700	B SPEC Contingency Account	<u>6,812</u>
		\$38,000

INCREASE APPROPRIATIONS:

X1C34101 18000	X CD Overtime	\$28,000
XPT36404 41600	X TOWERS Electricity	<u>10,000</u>
		\$38,000

November 6, 2023

Operations Committee: 10-16-2023

RESOLUTION NO. _____

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH
INTRADO LIFE & SAFETY SOLUTIONS CORPORATION FOR
SYSTEMS EQUIPMENT AND SOFTWARE FOR THE BACKUP 911 CENTER**

By Ms. Curran, Chair, Operations Committee

WHEREAS, it is of critical importance to the County to create and maintain redundancy in the 911 Center system, and

WHEREAS, the Office of Emergency Services is planning to undergo an extensive dispatch center renovation in 2024 which shall include the upgrade of technological equipment, and service upgrades at both the Primary (Canton) and Backup (Massena) 911 Centers, and

WHEREAS, during the renovations, dispatchers will be required to dispatch from the Backup 911 Center in Massena while the Primary 911 Center, located in Canton, will be taken offline during the renovation project, and

WHEREAS, this could result in having no backup 911 center during the renovation period, and there is a need for a redundant system to ensure adequate and continued service for answering and dispatching 911 calls in the event of a system failure, and

WHEREAS, Intrado Life & Safety Solutions Corporation offers equipment and software which will provide for the answering of 911 calls and administrative lines remotely in the event of a system failure, and

WHEREAS, the cost is \$35,981 for year one, and this price includes equipment, installation, and first-year maintenance, and

WHEREAS, maintenance for years two (2) through seven (7) shall be, in consecutive order: \$1,090, \$1,101, \$1,113, \$1,126, \$1,138, \$1,151, and the first year can be paid out of the New York State Public Safety Answering Point (PSAP) Grant (X2Z36402 25000 PSAP),

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract, and any subsequent renewals to the same terms, with Intrado Life & Safety Solutions Corporation for equipment and software for a Backup 911 Center, upon approval of the County Attorney.

November 6, 2023

Operations Committee: 10-16-2023

RESOLUTION NO. _____

AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH INTRADO LIFE & SAFETY SOLUTIONS CORPORATION FOR PROFESSIONAL SERVICES TO RELOCATE, INSTALL, AND PROGRAM THE PHONE SERVICES IN THE NEW OFFICE OF EMERGENCY SERVICES 911 DISPATCH CENTER

By Ms. Curran, Chair, Operations Committee

WHEREAS, the Office of Emergency Services is planning to undergo an extensive dispatch center renovation which will include the upgrade of technological equipment, office renovations, and service upgrades at both the Primary (Canton) and Backup (Massena) 911 Centers, and

WHEREAS, during the renovation, phone equipment (Node A Viper) will have to be relocated to the new space allocated for Emergency Services, and

WHEREAS, Intrado Life & Safety Solutions Corporation technicians and installation experts will relocate and program of the systems at a cost of \$15,802 (BG919974 43007 ARP6),

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract with Intrado Life & Safety Solutions Corporation for professional services to relocate, install, and program the phone services in the new Office of Emergency Services Dispatch Center, upon approval of the County Attorney.

November 6, 2023

Operations Committee: 10-16-2023

RESOLUTION NO. _____

RECOGNIZING OCTOBER AS NATIONAL BREAST CANCER AWARENESS MONTH

By Ms. Curran, Chair, Operations Committee

WHEREAS, the month of October is National Breast Cancer Awareness, and is intended to raise awareness and remind everyone of the importance of screening, and

WHEREAS, the American Cancer Society recommends annual breast cancer screening with mammograms starting at the age of forty, and

WHEREAS, nearly 300,000 women will be diagnosed with breast cancer this year, and one in eight women in America will be diagnosed with the disease in their lifetime, and

WHEREAS, the risk of developing breast cancer increases as a woman grows older, and

WHEREAS, physicians, public health professionals, and advocates continue to educate communities about awareness and innovative advancements in early detection and treatment, and

WHEREAS, screening and early detection are critical and dramatically enhances the effectiveness of treatment increasing the chance of survival, and can make a difference between life and death, and

WHEREAS, although rare, men are also susceptible to breast cancer, and in 2023, an estimated 2,800 American men were diagnosed,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators recognizes October as National Breast Cancer Awareness Month, and

BE IT FURTHER RESOLVED that the Board of Legislators encourages all citizens to honor those who have lost the battle to this disease, offer strength to those who continue to fight breast cancer, and work together to protect the health of future generations.

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Operations Committee: 10-16-2023

RESOLUTION NO. _____

**REQUESTING GOVERNOR HOCHUL TO SIGN SENATE BILL S.4583A
AND ASSEMBLY BILL A.5942A, AMENDING THE COUNTY LAW IN RELATION TO
THE NEXT-GENERATION 911 SYSTEM, AN EMERGENCY SERVICES INTERNET
PROTOCOL NETWORK**

By Ms. Curran, Chair, Operations Committee

WHEREAS, Next Generation 911 (NG911) is a digital, internet protocol (IP) based system that will replace the analog 911 infrastructure that has been in place for decades and is expected that the FCC will soon mandate Public Safety Answering Points (PSAP) to support NG911, and

WHEREAS, NG911 involves the latest 911 technology, including upgrades for pinpointing the exact location of cell phone callers, translating text messages at a PSAP, and ensuring counties have back up resources with other similar counties, and

WHEREAS, while the technology to implement these new IP-based systems is available, the transition to NG911 involves much more than just new computer hardware and software, and

WHEREAS, implementing NG911 in states and counties nationwide will require the coordination of resources and support of a variety of emergency communication, public safety, legislative and governing entities, and

WHEREAS, according to the federal government back in 2018, the cost to deploy NG911 across the nation is estimated to be \$9.5 billion to \$12.7 billion, and the full ten year complete lifecycle cost estimate to deploy and operate NG911 nationwide is between \$13.5 billion and \$16.1 billion, and

WHEREAS, the estimated price tag in New York State for NG911 is expected to be upwards of \$2 billion over the next ten years, and county 911 departments do not have the adequate funding to take on the task of building their own ESInet and risk having a patchwork system that does not properly follow the intent of NextGen 911 or provide the necessary safety upgrades to the 911 system and the people of New York State, and

WHEREAS, today 911 Centers face a wide range of challenges including funding, hiring staff, high call volumes, helping people with special needs, and the proliferation of the use of new communications technologies, all with an inadequate amount of funding, and

WHEREAS, Senate Bill S.4583A and Assembly Bill A.5942A would codify into law the requirements for Next Generation 911 and require the State to build the Next Generation Emergency Services Internet Protocol Network (ESInet) which is a network capable of connecting calls, texts, and other forms of media from the public to PSAP,

November 6, 2023

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators requests Governor Hochul sign Senate Bill S.4583A and Assembly Bill A.5942A, amending the county law in relation to the Next-Generation 911 System, an emergency services internet protocol network, 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; and Assemblyman Scott Gray.

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Services Committee: 10-23-2023

RESOLUTION NO. _____

AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH JOSEPH P. DWYER VETERANS PEER SUPPORT PROJECT JEFFERSON AND LEWIS COUNTIES TO PROVIDE THE DWYER VETERANS PEER PROGRAM AND MODIFYING THE 2023 BUDGET FOR COMMUNITY SERVICES

By Mr. Hull, Chair, Services Committee
Co-Sponsored by Mr. Gennett, District 13

WHEREAS, Community Services receives funding through New York State Office of Mental Health (OMH) to provide a Veterans Peer to Peer Program in St. Lawrence County, and

WHEREAS, the Dwyer Veterans Program is designed with its focus on suicide prevention for veterans experiencing Post-Traumatic Stress Disorder (PTSD) or Traumatic Brain Injury (TBI) as a result of their military service, and also addresses all areas of well-being of veterans in the community, and

WHEREAS, the Community Services Board has endorsed the use of the OMH Dwyer Veterans Peer Program Funding for these needed services to be allocated to Joseph P. Dwyer Veterans Peer Support Project which is home-based in Jefferson County, and

WHEREAS, the Joseph P. Dwyer Veterans Peer Support Program is currently receiving this OMH funding from Jefferson and Lewis Counties,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract with Joseph P. Dwyer Veterans Peer Support Project Jefferson and Lewis Counties to provide the Dwyer Veterans Peer Program, and

BE IT FURTHER RESOLVED that the Treasurer is authorized to modify the 2023 Budget for Community Services, as follows:

INCREASE APPROPRIATIONS:

A4443224 465JD A J P Dwyer Veterans Peer Support Project \$104,000

INCREASE REVENUE:

A4434905 56000 A SA OFS Other Mental Health \$104,000

BE IT FURTHER RESOLVED that any remaining funds will be rolled over to future budgets until the grant is fully expended.

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Services Committee: 10-23-2023

RESOLUTION NO. _____

AUTHORIZING THE CHAIR TO SIGN CONTRACTS WITH NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY COMMITTEE TO ACCEPT THE 2023-2024 TRAFFIC SAFETY PROGRAM AND CHILD PASSENGER SAFETY GRANTS FOR COMMUNITY SERVICES

By Mr. Hull, Chair, Services Committee

WHEREAS, the New York State Governor's Traffic Safety Committee has determined that the St. Lawrence County Traffic Safety Grant will be funded at \$87,876 with an additional Child Passenger Safety Grant for training and fitting stations in the amount of \$12,300 for a total budget of \$100,176, and

WHEREAS, the 2024 County Budget will be prepared with the understanding that the Traffic Safety Grant expenditures will be funded at \$100,176, and

WHEREAS, funding from the Governor's Traffic Safety Committee was requested and approved for the time period of October 1, 2023 through September 30, 2024 (A7233895 56000),

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorize the Chair to sign contracts, and any further documents necessary, with New York State Governor's Traffic Safety Committee to accept the 2023-2024 Traffic Safety Program and Child Passenger Safety Grants for Community Services, upon approval of the County Attorney.

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Services Committee: 10-23-2023

RESOLUTION NO. _____

MODIFYING THE 2023 BUDGET FOR COMMUNITY SERVICES FOR COMPREHENSIVE OPIOID, STIMULANT, AND SUBSTANCE ABUSE PROGRAM (COSSAP I) FUNDING FROM THE OFFICE OF JUSTICE PROGRAMS

By Mr. Hull, Chair, Services Committee

WHEREAS, Community Services has received funding from the Office of Justice Programs (OJP), and

WHEREAS, the OJP authorized Community Services to modify the Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP) (2020-AR-BX-0076) Budget, and

WHEREAS, The COSSAP Award 2020-AR-BX-0076 was slated to end on September 30, 2023, and

WHEREAS, the County was unable to fully expend their allocation of their award in 2023, Resolution No. 378-2022, and a budget modification has been approved by OJP to reallocate the funds to sub-recipient St. Lawrence County Addiction Services Opioid Addiction Services in the amount of \$139,120, and

WHEREAS, an extension was approved by the Office of Justice Program to extend the grant period to September 30, 2024,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Treasurer to modify the 2023 Budget for Community Services for Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP I) Funding from the Office of Justice Programs, as follows:

DECREASE APPROPRIATIONS:

A1542201 12000	A OPIOID Rec Supervisory/ Admin	\$80,784
A1542208 81000	A OPIOID Rec Retirement	12,595
A1542208 83000	A OPIOID Rec Social Security	6,958
A1542208 84000	A OPIOID Rec Workmen Comp	2,131
A1542208 84500	A OPIOID Rec Group Life Insurance	125
A1542208 86000	A OPIOID Rec Hospital & Med Insurance	32,498
A1542208 86500	A OPIOID Rec Dental Insurance	949
A1542208 89000	A OPIOID Rec Vision Insurance	<u>332</u>
		\$136,372

INCREASE APPROPRIATIONS:

A1542204 46500	A OPIOID Rec Program Payments	\$136,372
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BE IT FURTHER RESOLVED that any remaining funds will be rolled over to future budgets until the grant is fully expended.

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Services Committee: 10-23-2023

RESOLUTION NO. _____

MODIFYING THE 2023 BUDGET FOR SOCIAL SERVICES FOR OFFICE RENOVATIONS IN THE HAROLD B. SMITH BUILDING

By Mr. Hull, Chair, Services Committee

WHEREAS, the Harold B. Smith Building opened in 1973 and is in need of updates to the office areas, and

WHEREAS, the Board of Legislators has supported expansion of services in the community which has created working area in the Harold B. Smith Building for creative solutions in office space configurations, and

WHEREAS, the opportunity to update the office environment follows upgrades to the HVAC system and drinking fountains, reception areas for the public, and improved monitoring of the property and facility over the last couple of years, and

WHEREAS, the first phase of the project which was approved per resolution 269-2023 and is currently underway, and

WHEREAS, the next phase of the project is replacing carpets and installing cubicles in the remaining offices of the Harold B. Smith Building, and

WHEREAS, following the office suite renovations, the intentions are to continue with improvements to the bathroom facilities,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Treasurer to modify the 2023 Budget for Social Services for office renovations in the Harold B. Smith Building, as follows:

INCREASE APPROPRIATIONS:

DAA60102 21000 D Admin Furniture \$524,051

DECREASE APPROPRIATIONS:

B1019904 49700 B SPEC Contingency Account \$293,646

INCREASE REVENUE:

DA036105 56000	D SA General Administration	\$45,518
DA046105 57000	D FA General Administration	98,803
DAS36105 560CW	D SA Child Welfare	59,315
DAF46115 57000	D FA Food Stamp Administration	<u>26,769</u>
		\$230,405

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Services Committee: 10-23-2023

RESOLUTION NO. _____

MODIFYING THE 2023 BUDGET FOR SOCIAL SERVICES TO ACCOMMODATE OFFICE RENOVATIONS FOR LEGAL STAFF IN THE COUNTY ATTORNEY’S OFFICE

By Mr. Hull, Chair, Services Committee

WHEREAS, the Office of the County Attorney supervises legal staff in the Department of Social Services, and

WHEREAS, it is the recommendation of the Commissioner and the County Attorney to relocate staff to the Office of the County Attorney, and

WHEREAS, the changes will provide an updated office environment for efficient operations,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorize the Treasurer to modify the 2023 Budget for Social Services for the relocation of the legal staff to the County Attorney’s Office, as follows:

INCREASE APPROPRIATIONS:

DAA60102 21000 LG	D LG Furniture & Furnishings	\$13,000
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INCREASE REVENUE:

DA026835 550WC	D Workers’ Comp	\$9,421
DA036105 56000	D SA General Administration	1,126
DA046105 57000	D FA General Administration	<u>2,453</u>
		\$13,000

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Services Committee: 10-23-2023

RESOLUTION NO. _____

MODIFYING THE 2023 BUDGET FOR SOCIAL SERVICES FOR CHILD CARE

By Mr. Hull, Chair, Services Committee

WHEREAS, due to an increase in the eligibility guidelines for Child Care, it is necessary to modify the 2023 Social Services Budget,

WHEREAS, there has been a steady increase in the number of families eligible for and participating in this program, and

WHEREAS, in the calendar year ending on July 31, 2023, 208 families and 435 children were receiving benefits from this program, compared to 101 families and 187 children the previous year, and

WHEREAS, the State of New York has allocated additional funding to meet the projected child care needs of families across the State,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorize the Treasurer to modify the 2023 Budget for Social Services Budget for child care, as follows:

INCREASE APPROPRIATIONS:

DSD60554 46500 CCBG	D NYS Child Care Block Grant I	\$600,000
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INCREASE REVENUE:

DSD36555 56000 CCBG	D SA NYS Child Care Block Grant	\$600,000
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November 6, 2023

Services Committee: 10-23-2023

RESOLUTION NO. _____

AUTHORIZING THE CHAIR TO SIGN AN AMENDMENT TO THE CONTRACT WITH HEALTH RESEARCH INC./NEW YORK STATE DEPARTMENT OF HEALTH (HRI/NYSDOH) FOR EPIDEMIOLOGY AND LABORATORY CAPACITY (ELC) COVID-19 ENHANCED DETECTION

By Mr. Hull, Chair, Services Committee

WHEREAS, Health Research Inc./New York State Department of Health (HRI/NYSDOH) will be awarding funding to local health departments (LHDs) for enhanced detection, surveillance and prevention of COVID-19, based on county populations plus a supplemental award based on percent of COVID-19 cases, and

WHEREAS, this funding is part of a Center for Disease Control (CDC) sponsored cooperative agreement for Epidemiology and Laboratory Capacity for Infectious Diseases (ELC), CFDS# 93.323, and

WHEREAS, Resolution No. 257-2020 authorized the original contract for a two-year period ending June 30, 2022, and Resolution No. 82-2022 extended the contract to March 31, 2023, and Resolution No. 381-2022 extended the contract to December 31, 2023, (PPZ44895 57000 CVD), and this amendment would extend the contract through July 31, 2024, and

WHEREAS, on December 20, 2021, Governor Kathy Hochul announced that she is making funding available to counties across New York State to help with costs associated with administering vaccines and boosters and enforcing the mask-or-vaccine mandate for indoor public places, and

WHEREAS, the supplemental funding will be expended on the hiring of permanent and temporary staff to assist with POD activities, POD clinic supplies, conducting public education/awareness campaigns and outreach on mask or vaccine protocols, staff mileage to travel to POD sites, triaging inquires or complaints to partner entities and collaborating on mitigation activities, wrap around services, and deliverables to cover monkeypox response along with COVID-19 activities,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign an amendment to the contract with Health Research Inc./New York State Department of Health (HRI/NYSDOH) for Epidemiology and Laboratory Capacity (ELC) COVID-19 enhanced detection, upon approval of the County Attorney.

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Services Committee: 10-23-2023

RESOLUTION NO. _____

MODIFYING THE 2023 BUDGET FOR THE PUBLIC HEALTH DEPARTMENT FOR THE STRENGTHENING U.S. PUBLIC HEALTH INFRASTRUCTURE, WORKFORCE, AND DATA SYSTEMS PROGRAM

By Mr. Hull, Chair, Services Committee

WHEREAS, Health Research Inc./New York State Department of Health (HRI/NYSDOH), through a Center for Disease Control and Prevention (CDC) sponsored grant titled Strengthening U.S. Public Health Infrastructure, Workforce and Data Systems, CFDA# 93.967, has awarded funding to local health departments (LHDs), and

WHEREAS, funding must be used to strengthen county public health departments and may not supplant existing public health department resources, and maintenance of effort is a requirement of receiving these funds, and

WHEREAS, funds may be used to strengthen the public health workforce through hiring of public health positions, supporting retention of current staff, making upgrades to the workplace to increase employee satisfaction, providing public health training, and providing public health support services to the public health department, and

WHEREAS, long-term outcomes of this funding investment include improvements in the public health of the jurisdiction, especially among socially and economically marginalized communities, and

WHEREAS, Resolution No. 201-2023 authorized the signing of a contract with HRI/NYSDOH, for the New York State Strengthening U.S. Public Health Infrastructure, Workforce and Data Systems Program, and

WHEREAS, this five (5) year grant is for the period of December 1, 2022 through November 30, 2027,

NOW, THEREFORE, BE IT RESOLVED that the Treasurer is authorized to modify the 2023 Budget for the Public Health Department for the Strengthening U.S. Public Health Infrastructure, Workforce, and Data Systems Program, as follows:

INCREASE REVENUE:

PPZ44015 57000 IWD	P IWD Federal Aid	\$407,190
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INCREASE APPROPRIATIONS:

PPZ40101 11000 IWD	P IWD Direct Service Workers	\$223,541
PPZ40102 21000 IWD	P IWD Furniture & Furnishings	11,000
PPZ40104 41102 IWD	P IWD Educational Workshops	26,143

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PPZ40104 42000 IWD	P IWD Office Supplies & Expense	2,043
PPZ40104 43005 IWD	P IWD Advertising Fees & Expense	3,500
PPZ40104 43007 IWD	P IWD Other Fees & Services	21,975
PPZ40104 44300 IWD	P IWD Mileage Reimbursement	3,500
PPZ40104 44500 IWD	P IWD Other Travel Reimbursement	500
PPZ40108 81000 IWD	Retirement	24,902
PPZ40108 83000 IWD	Social Security	15,424
PPZ40108 84000 IWD	Workers' Compensation	5,566
PPZ40108 84500 IWD	Group Life Insurance	402
PPZ40108 86000 IWD	Hospital & Medical Insurance	65,207
PPZ40108 86500 IWD	Dental Insurance	2,615
PPZ40108 89000 IWD	Vision Insurance	<u>872</u>
		\$407,190

BE IT FURTHER RESOLVED that any remaining funds will be rolled over to future budgets until fully expended.

November 6, 2023

Services Committee: 10-23-2023

RESOLUTION NO. _____

MODIFYING THE 2023 BUDGET FOR THE PUBLIC HEALTH DEPARTMENT FOR THE ADMINISTRATION AND PREVENTIVE SERVICES PROGRAM

By Mr. Hull, Chair, Services Committee

WHEREAS, the Public Health Department is responsible for expenses associated with Administration and the Preventive Services Program, and

WHEREAS, there have been higher than anticipated expenses within the Public Health Administration and Public Health Preventive Services Programs, and

WHEREAS, there has also been an increase in revenue with the Administration and Preventive Services Programs,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Treasurer to modify the 2023 Budget for the Public Health Department for the Administration and Preventive Services Program, as follows:

INCREASE APPROPRIATIONS:

PA040104 43003	P ADM Accounting & Financial	\$6,000
PP040104 42004	P PREV Computer Software	20,000
PP040104 43007	P PREV Other Fees & Services	<u>35,500</u>
		\$61,500

INCREASE REVENUE:

PP034015 56000	P SA PUB Health Prev & Clinic	\$61,500
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Services Committee: 10-23-2023

RESOLUTION NO. _____

URGING GOVERNOR HOCHUL AND STATE LEGISLATURE TO SHIFT THE ADMINISTRATIVE RESPONSIBILITY FOR PRESCHOOL SPECIAL EDUCATION TRANSPORTATION SERVICES TO LOCAL SCHOOL DISTRICTS

By Mr. Hull, Chair, Services Committee

WHEREAS, Section 200.16(e)(5) of the Regulations of the Commissioner of Education requires the municipality in which a Preschool Special Education Program (Pre-K SEP) student resides to provide suitable transportation, as determined by the board of education, to services developed in an Individual Education Plans (IEP), as needed, and

WHEREAS, municipalities contract with third-party transportation vendors to provide transportation services to children in the Pre-K SEP to and from necessary services, and

WHEREAS, coordinating with bus companies is a significant administrative burden on municipalities, particularly on already overburdened local health departments, and

WHEREAS, according to a survey of fifty-one (51) county local health departments, county Pre-K SEP transportation costs from utilizing third-party transportation vendors have been increasing for years, with overall statewide costs being ninety percent (90%) higher in 2022 than they were in 2020, and

WHEREAS, Pre-K SEP transportation costs per child are consistently highest for small, rural counties due to limited choices for transportation vendors, and

WHEREAS, Section 4401(4) of the New York State Education Law requires all school districts to provide transportation for all pupils, defined as children enrolled in any public or nonpublic elementary, middle or secondary school, with disabilities residing in the district for whom such services are specified in their IEP, and

WHEREAS, local school districts either own, operate, and maintain buses or have systems in place to contract with bus companies to transport pupils with disabilities to and from special classes, and

WHEREAS, local school districts have existing systems in place to ensure that bus drivers, monitors, and attendants are properly trained and qualified to transport pupils, including those in Pre-K and with disabilities, safely to and from school, and

WHEREAS, local school districts have experience and processes in place to coordinate frequently changing bus routes and receive State aid for the costs of transportation services, and

WHEREAS, Pre-K SEP transportation costs for localities contracting with local school districts to provide transportation to and from services are significantly lower than costs incurred from utilizing third-party transportation vendors, and

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WHEREAS, localities utilizing school districts to provide transportation to Pre-K SEP services spent seventy-eight percent (78%) less on transportation costs per child in 2022 compared to localities utilizing third-party transportation vendors, equaling millions of dollars in cost savings for localities annually, and

WHEREAS, the disparity in cost for Pre-K SEP transportation per child from utilizing third-party vendors versus school districts has been getting wider since 2019, especially in small counties, and

WHEREAS, county taxpayer dollars are utilized to pay for Pre-K SEP transportation services regardless of who administers such services, and

WHEREAS, this action could also allow counties and school districts to take advantage of the countywide shared services initiative (CWSSI) further providing localities with cost savings, and

WHEREAS, both school districts and municipal government have the fiduciary responsibility to be good stewards of local taxpayer money,

NOW, THEREFORE, BE IT RESOLVED the Board of Legislators calls upon Governor Hochul and the New York State Legislature to shift the administrative responsibility for preschool special education transportation services to local school districts, and

BE IT FURTHER RESOLVED that localities maintain the fiscal responsibility for providing these services, 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; and Assemblyman Scott Gray.

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Services Committee: 10-23-2023

RESOLUTION NO. _____

HONORING THE HEUVELTON VOLUNTEER FIRE DEPARTMENT, LISBON VOLUNTEER FIRE DEPARTMENT, AND MORRISTOWN VOLUNTEER FIRE DEPARTMENT FOR RENDERING MUTUAL AID TO THE COUNTY OF JEFFERSON AND COMMENDING ALL COUNTY FIRE DEPARTMENTS AND RESCUE AGENCIES FOR ANSWERING THE CALL FOR MUTUAL AID

By Mr. Hull, Chair, Services Committee
Co-Sponsored by Mr. Forsythe, District 2

WHEREAS, the firefighters and emergency rescue personnel of New York State are renowned throughout the Nation, and their reputation is synonymous with excellence in the arduous fields of fire protection, prevention, and public safety, and

WHEREAS, the Board of Legislators is justly proud to commend the Volunteer Fire Departments and Rescue Agencies in the Towns of Heuvelton, Lisbon, and Morristown for rendering mutual aid in a time of need, and

WHEREAS, a critical water main break in neighboring Jefferson County, in the City of Watertown, has prompted an emergency response from State and local officials, and

WHEREAS, the water main break left many of the residents of the City without water and prompted a State of Emergency to be declared in Jefferson County, releasing resources to support the response in the area, and

WHEREAS, more than 32,000 gallons of drinking water and eleven (11) water tankers are being dispatched to Watertown, including from areas in St. Lawrence County, and

WHEREAS, answering their call for help, the Heuvelton, Lisbon, and Morristown Fire provided mutual aid to Jefferson County with water for residents during their time in need, and

WHEREAS, without hesitation or prompting, these Departments sprang into action and sent tankers of water and manpower to help our neighboring County, and

WHEREAS, every year, hundreds of calls for mutual aid are fielded in the various volunteer fire departments and rescue agencies across St. Lawrence County from locations spanning across the North Eastern United States and Canada, and

WHEREAS, every year, those calls are responded to by the brave and selfless members of volunteer fire departments and rescue agencies across St. Lawrence County, and

WHEREAS, volunteer fire departments and rescue agencies not only provide the critical service of fire protection and public safety, but also engage in other activities of great benefit and importance to the communities they serve and embody the true ‘North County Spirit’, and

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WHEREAS, it takes a special dedication, a strong desire to help others and a tireless sense of community to forsake precious time with family and friends to respond to the signal that a neighbor is in need; throughout their devoted service, these firefighters and rescue personnel heroically perform, above and beyond the call of duty, time and time again,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators recognizes the Heuvelton Volunteer Fire Department, Lisbon Volunteer Fire Department, and Morristown Volunteer Fire Department for rendering mutual aid to the County of Jefferson and commending all County Fire Departments and Rescue Agencies for answering the call for mutual aid, and

BE IT FURTHER RESOLVED the Board of Legislators commends all of the Volunteer Fire Departments and Emergency Rescue Agencies of St. Lawrence County for embodying the “North Country Spirit” in selflessly answering the call of all neighbors in countless mutual aid requests annually, and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to each of the Volunteer Fire Departments and Emergency Medical Agencies operating and housed within St. Lawrence County to show appreciation for their service.

Note – Changes made at Committee are reflected in bold.

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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

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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.

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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

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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.

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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.

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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.

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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
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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.

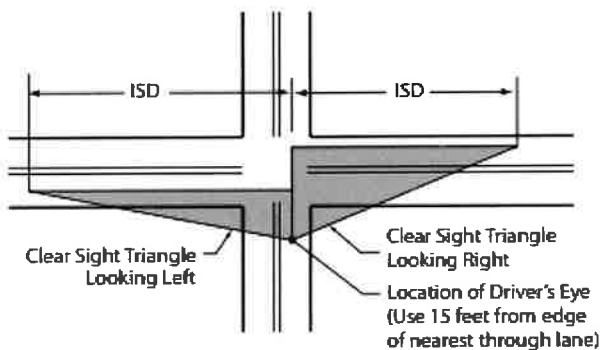
Other criteria that may be considered to recommend an engineering study include:

- 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.

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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, Finance 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

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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.

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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.

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.

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

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 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 intended 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, Finance 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 excess 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 Breitbard, 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, Finance Committee
Co-Sponsored by Mr. Forsythe, District 2; **Mr. Denesha, District 6;**
Mr. Hull, District 8; and Ms. Curran, District 15

WHEREAS, reliable cellular service is not just a quality of life issue, it is a matter of **life and death, as well as a matter of public safety in rural areas**, 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, and

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.

Note: Changes made at Committee are reflected in bold.

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.

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. SUPERSESION

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.

November 6, 2023

RESOLUTION NO. _____

AUTHORIZING FILLING OF VACANCIES

By Mr. Lightfoot, District 3 and Mr. Denesha, District 6

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

WHEREAS, the Vacancy Review Committee reviewed twelve (12) positions in eight (8) departments, and of those reviewed four (4) positions were requests for a new position,

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

Department/Unit:	Title:	Position	Type	Duration	Timeline
Sheriff's Office	Secretary to the Sheriff	600700003	FT	Permanent	Immediate
County Clerk/DMV	Motor Vehicle Clerk	009100018	FT	Permanent	Immediate
District Attorney	Welfare Fraud Investigator	026600001	FT	Provisional	Immediate
District Attorney	Chief Assistant District Attorney	270000001	FT	Permanent	Immediate
Weights & Measurers	Inspector	013000001	FT	Provisional	Immediate
Social Services/Preventive	Keyboard Specialist	003100105	FT	Permanent	Immediate
Social Services/Children's Svc	Case Supervisor, Grade A	817100001	FT	Permanent	Immediate
Community Services	Case Manager*	512200003	FT	Provisional	Immediate
Community Services	Case Manager*	512200004	FT	Provisional	Immediate
Highway	Motor Equipment Mechanic*	308100010	FT	Permanent	Immediate
Highway	Heavy Equipment Operator*	310100025	FT	Contingent	Immediate
WIOA	Keyboard Specialist	003100094	FT	Permanent	Immediate

*new position

BE IT FURTHER RESOLVED that Position No. 309000002, Motor Equipment Mechanic/HEO, and Position No. 309100003, Welder, be abolished upon vacancy in the Highway Department, and

BE IT FURTHER RESOLVED for any positions funded by grants, and the grant goes away, those positions will be abolished, and

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

November 6, 2023

RESOLUTION NO. _____

**PROCLAIMING NOVEMBER AS EPILEPSY AWARENESS MONTH
IN ST. LAWRENCE COUNTY**

By Mr. Forsythe, District 2

WHEREAS, Epilepsy Awareness Month is a nationwide effort to raise awareness about and change the conversation around epilepsy, seizures and side effects, as well as to improve and save lives through care, advocacy, research, and new therapies, and

WHEREAS, epilepsy is a brain disorder characterized by recurrent and unprovoked seizures that can affect anyone, at any age, any time, and

WHEREAS, epilepsy is a spectrum disease comprised of many diagnoses and experiences and includes a wide range of seizure types, comorbidities, control, severity, and outcomes varying from person-to-person, and

WHEREAS, epilepsy is the fourth most common neurological disorder, and approximately 3.4 million people in the U.S., including 215,000 in New York State, live with active epilepsy, and

WHEREAS, an increasing number of people are diagnosed with rare epilepsies which are largely complex, severe, chronic and even life-threatening, and collectively rare epilepsies account for a growing percentage of the epilepsy population, and

WHEREAS, people with epilepsy need access to affordable, comprehensive, physician-directed and person-centered healthcare and delays in accessing effective treatments increase the likelihood of breakthrough seizures and related complications including injury, disability or even Sudden Unexpected Death in Epilepsy (SUDEP), and each year, it is thought that 1 in 1,000 people with epilepsy die from SUDEP and this number increases drastically to 1 out of 150 for people whose epilepsy is not controlled by treatment, and

WHEREAS, many treatments are approved to treat seizures, thirty to forty percent (30% – 40%) of people with epilepsy still live with uncontrolled seizures and the epilepsy-related medical costs associated with uncontrolled epilepsy are 2 to 10 times higher than those of controlled epilepsy, and

WHEREAS, twenty-one percent (21%) of people with epilepsy have reported not being able to afford their prescription medication(s) in the last year, and

WHEREAS, non-medical drivers of health, such as social, economic, and environmental conditions including housing, employment, food security, transportation, and education account for eighty to ninety percent (80%-90%) of the health outcome of a person, and

WHEREAS, epilepsy and/or seizures imposes an annual economic healthcare burden of \$54 billion, and

November 6, 2023

WHEREAS, 470,000 children live with epilepsy in the U.S. and students with epilepsy aged 6 – 17 years old have missed eleven (11) or more days of school the past year on average and 336,000 kids have at least one (1) seizure annually, and

WHEREAS, protections exist in the Americans with Disabilities Act and related civil rights laws, but people with epilepsy still encounter discrimination in areas including employment, education, and housing, and

WHEREAS, public knowledge about the epilepsies and seizure first aid must be increased to change the way people think about the epilepsies and seizures because twenty-five percent (25%) of the general public say they would be nervous around a person with epilepsy,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators proclaims November as Epilepsy Awareness Month in St. Lawrence County.