

St. Lawrence County
BOARD OF LEGISLATORS
48 Court Street, Court House
Canton, New York 13617-1169
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RUTH A. DOYLE
County Administrator

DAVID FORSYTHE
Chair, Board of Legislators

FINANCE COMMITTEE AGENDA
MR. JOHN GENNETT, CHAIR
MONDAY, MARCH 27, 2023
*****BOARD ROOM AND LIVE VIA YOUTUBE *****
*****5:30 P.M. *****

- 1. CALL TO ORDER AND APPROVAL OF AGENDA**
- 2. APPROVAL OF MINUTES – February 27**
- 3. UPDATES REGARDING THE DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY (DANC) – Alex MacKinnon and Mark Hall, DANC Board of Directors**
- 4. HIGHWAY – DON CHAMBERS**
 - A. Modifying the 2023 Budget for the Department of Highways from New York Power Authority for Funding Received for Damages Caused to County Route 23 During the Smart Path Project (Res)
 - B. Authorizing the Chair to Sign a Contract with J.E. Sheehan Contracting Corporation for Rehabilitation of Skate Creek Road Bridge Over Oswegatchie River, BIN 3340930, Town of Fine (Res)
 - C. Approving Federal Aid Local Project Supplemental Agreement for Right-of-Way Acquisition for Lazy River Road Bridge Over Grasse River, Pin 775332, BIN 3341820 (Res)
 - D. Authorizing the County of St. Lawrence to Accept Real Property Obtained by the State of New York Relative to the Lazy River Road Over Grasse River Bridge Replacement Project, PIN 7753.32, bin 3341820 (Res)
 - E. Authorizing the Chair to Sign a Contract with Barton and Loguidice, D.P.C., for Design and Environmental Permitting for Proposed Multi-Use Trail Segment from Morgan Road to Picketville Road (Res)
 - F. Authorizing the Chair to Sign a St. Lawrence River Valley Redevelopment Agency & Community Development & Environmental Improvement Fund Application for the Multi-Use Recreational Trail System in St. Lawrence County (Res)
 - G. Resolution Authorizing Submission of Comments and Recommendations to the New York State Department of Environmental Conservation (“NYSDEC”) Regarding the South Colton Conservation Easement Recreation Management Plan (Res)
- 5. WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) – PAM LEWIS**
 - A. Modifying the PY22 WIOA Budget to Transfer Formula Funds from Dislocated Worker Accounts to Adult Accounts (Res)

6. COUNTY ATTORNEY – STEVE BUTTON

- A. Setting the Allocation Algorithm for Workers' Compensation Plan Participants for 2024, 2025, and 2026 (Res)
- B. Authorizing and Approving a Settlement Agreement Between Walmart, Walgreens, CVS and St. Lawrence County with Respect to an Action Relating to the Opioid Crisis

7. VACANCY REVIEW COMMITTEE – RUTH DOYLE

- A. Highway
 - 1. Fill a Motor Equipment Operator, Position No. 310000027

8. LEGISLATOR JIM REAGEN AND DAVID FORSYTHE

- A. St. Lawrence County Board of Legislators Supports a Request by the City of Ogdensburg and Supports Senate Bill S4810 and Assembly Bill A5276 that Allows for the Taxation of State Property Located in the City of Ogdensburg (Res)

9. LEGISLATOR JOHN BURKE

- A. Commemorating the Bicentennial of the Town of Norfolk (Res)

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

- A. Authorizing the Chair to Sign Contracts Appropriating American Rescue Plan Act (ARPA) Funds for the Purpose of Funding Broadband Development and Installation Projects and Modifying the 2023 Budget for the County Administrator's Office (Res)
- B. Information and Update (Discussion)

11. COUNTY ADMINISTRATOR'S REPORT – RUTH DOYLE

- A. Authorizing the Chair to Sign a Contract with the St. Lawrence County Bar Association for the 2023-2026 Assigned Counsel Contract (Res)
- B. Modifying the 2023 Budget for the County Administrator's Office for the Upgrade of Electronic Work Order Software to Include a Smart Phone Application (Res)
- C. Authorizing the Chair to Sign a Contract for Heating and Cooling Water System Treatment and Legionella Prevention Program Services for County Buildings (Res)
- D. Celebrating April as National County Government Month (Res)
- E. Authorizing Salary Matrix Changes for CSEA Grade 7 for 2023 and 2024 (Res)

12. COMMITTEE REPORTS

- A. Cornell Cooperative Extension Board (Denesha)
- B. Fish and Wildlife Management Board, Region 6 (Sheridan)
- C. Fisheries Advisory Board (Terminelli)
- D. Gouverneur Fair Board (Smithers)
- E. Highway/Solid Waste Committee (Smithers)
- F. Industrial Development Agency (Reagen)
- G. Recreational and Trails Advisory Board (Perkins/Webster)
- H. St. Lawrence River Valley Redevelopment Agency (RVRDA) (Forsythe)

- I. St. Lawrence County Chamber of Commerce (Webster)
- J. Soil & Water Conservation District Board of Directors (Burke/Haggard)

13. OLD AND NEW BUSINESS

- A. Setting a Date for a Public Hearing on Proposed Local Law A (No. ___) for the Year 2023, “Exemptions for Certain Members of Volunteer Fire Companies and Ambulance Services in St. Lawrence County Pursuant to Section 466-A of the Real Property Tax Law” and Repealing Local Law No. 2 for the Year 2005 in St. Lawrence County (NOTE: This resolution was tabled at the February Finance Committee Meeting, a motion will need to be made to remove it from the table for consideration.)

14. ADJOURNMENT – If there is no further business.

*Please Note: Attendance at the following locations are available:
Board of Legislators’ Board Room – 48 Court Street, Canton New York 13617
Alternate Locations – Malyn Condo Resort, 107th Avenue, Treasure Island, Florida 33706
and/or electronically at St. Lawrence County Website: www.stlawco.org via YouTube*

April 3, 2023

Finance Committee: 3-27-2023

RESOLUTION NO. _____

**MODIFYING THE 2023 BUDGET FOR THE DEPARTMENT OF HIGHWAYS FROM
NEW YORK POWER AUTHORITY FOR FUNDING RECEIVED FOR DAMAGES
CAUSED TO COUNTY ROUTE 23 DURING THE SMART PATH PROJECT**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, County Route 23, in the towns of Edwards and Pitcairn, sustained significant damage as a result of traffic assignable to the New York Power Authority (NYPA) Smart Path Project, and

WHEREAS, NYPA agreed to reimburse the County for the damages, and

WHEREAS, the Department of Highways received payment from NYPA in the amount of \$810,597 to repair the damages,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Treasurer to modify the 2023 Budget for the Department of Highways from New York Power Authority for funding received for damages caused to County Route 23 during the Smart Path Project, as follows:

INCREASE REVENUE:

| | | |
|----------------|-------------------------------|-----------|
| HM026905 55000 | H Other Compensation for Loss | \$810,597 |
|----------------|-------------------------------|-----------|

INCREASE APPROPRIATIONS:

| | | |
|--------------------|------------------------|----------------|
| HM151104 454PM H29 | H H29 Paving Materials | \$350,597 |
| HM151104 454PM H30 | H H30 Paving Materials | <u>460,000</u> |
| | | \$810,597 |

April 3, 2023

Finance Committee: 3-27-2023

RESOLUTION NO. _____

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH
J.E. SHEEHAN CONTRACTING CORPORATION
FOR REHABILITATION OF SKATE CREEK ROAD BRIDGE
OVER OSWEGATCHIE RIVER, BIN 3340930, TOWN OF FINE**

By Mr. Gennett, Finance Committee

WHEREAS, the St. Lawrence County Board of Legislators approved and funded Capital Bridge Projects, and

WHEREAS, the Department of Highways has solicited bids for the rehabilitation of Skate Creek Road Bridge over the Oswegatchie River, BIN 3340930, and

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

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators does hereby approve the following contract to:

| | |
|------------------|--|
| Contractor: | J.E. Sheehan Contracting Corporation |
| Contract Title: | Skate Creek Rd Bridge over Oswegatchie River, BIN 3340930, Town of Fine |
| Contract Amount: | Not to Exceed \$238,000.00 HM551124 465CO B26 |

BE IT FURTHER RESOLVED that the Board of Legislators authorizes the Chair to execute all necessary contracts and documents to progress the project, upon approval of the County Attorney.

April 3, 2023

Finance Committee: 3-27-2023

RESOLUTION NO. _____

**APPROVING FEDERAL AID LOCAL PROJECT
SUPPLEMENTAL AGREEMENT FOR RIGHT-OF-WAY ACQUISITION
FOR LAZY RIVER ROAD BRIDGE OVER GRASSE RIVER,
PIN 7753.32, BIN 3341820**

By Mr. Gennett, Chair, Finance Committee

Authorizing the Implementation, and Funding in the First Instance 100% of the Federal Aid and State "Marchiselli" Program-Aid Eligible Costs, of a Transportation Federal-Aid Project, and Appropriating Funds Therefore

WHEREAS, a project for Right-of-Way Acquisition (ROW) for Lazy River Road bridge over Grasse River, PIN 775332, BIN 3341820 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% federal funds, 15% State "Marchiselli" funds and 5% local match, and

WHEREAS, the Board of Legislators desires to advance the above project by making a commitment of 100% of the federal and non-federal share of the costs of the Right-of-Way (ROW) Acquisition,

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

BE IT FURTHER RESOLVED that the Board of Legislators hereby authorizes the County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of Right-of-Way (ROW) Acquisition for the Project of portions thereof, and

BE IT FURTHER RESOLVED that the sum of \$2,940 (HM651204 465CO 2101) is hereby appropriated from the Board of Legislators and made available to cover the cost of participation in the above phase of the Project, and

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

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

April 3, 2023

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 upon adoption.

April 3, 2023

Finance Committee: 3-27-2023

RESOLUTION NO. _____

**AUTHORIZING THE COUNTY OF ST. LAWRENCE TO ACCEPT
REAL PROPERTY OBTAINED BY THE STATE OF NEW YORK
RELATIVE TO THE LAZY RIVER ROAD OVER GRASSE RIVER BRIDGE
REPLACEMENT PROJECT, PIN 7753.32, BIN 3341820**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, the County of St. Lawrence has a project for the bridge replacement (BIN 3341820) on Lazy River Road in the Town of Russell; St. Lawrence County, and

WHEREAS, this project requires acquisition of real property and St. Lawrence County requests New York State Department of Transportation acquire the necessary lands as shown on attached Map 1, Parcel 1; Map 2, Parcel 2; Map 3, Parcel 3 and Map 4, Parcel 4, and

WHEREAS, the County of St. Lawrence owns and maintains the affected portion of Lazy River Road, and

WHEREAS, the State of New York has requested that the County agree to accept the real property,

NOW THERE BE IT RESOLVED that upon completion of the Lazy River Road over Grasse River Bridge Project, the County of St. Lawrence is hereby authorized to accept the real property acquired by the State of New York for the project, as described herein, and agrees to accept all responsibility, maintenance and jurisdiction of said property, and

BE IT FURTHER RESOLVED that the Board of Legislators authorizes the Chair is to enter into agreements or any other documents to carry out the intent of this Resolution, upon approval of the County Attorney, 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 upon adoption.

April 3, 2023

Finance Committee: 3-27-2023

RESOLUTION NO. _____

AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH BARTON AND LOGUIDICE, D.P.C., FOR DESIGN AND ENVIRONMENTAL PERMITTING FOR PROPOSED MULTI-USE TRAIL SEGMENT FROM MORGAN ROAD TO PICKETVILLE ROAD

By Mr. Gennett, Chair, Finance Committee

WHEREAS, the Board of Legislators approved Resolution No. 193-2017 which amended the existing the Local Law to approve all-terrain vehicle operation on certain public lands and County Roads, and

WHEREAS, these Local Laws took effect immediately upon filing with the Secretary of State and satisfactory completion of Appendix A as included in the FGIS for the Multi-Use Trail System, and

WHEREAS, a new trail segment from Morgan Road to Picketville Road in the Towns of Parishville and Colton will be added to the St. Lawrence County Multi-Use Trail System, and

WHEREAS, the Board of Legislators approved Resolution No. 383-2022 which authorized the Chair to sign a contract with Barton and Loguidice, D.P.C. to prepare Appendix A for this new trail segment, and

WHEREAS, Barton and Loguidice, D.P.C., has agreed to complete the design and environmental permitting for the proposed trail segment for a fee not to exceed \$25,000 (BF079894 43007 TRAIL),

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to execute all necessary contracts and documents with Barton and Loguidice, D.P.C. to complete the design and environmental permitting for the proposed trail segment, upon approval by the County Attorney.

April 3, 2023

Finance Committee: 3-27-2023

RESOLUTION NO. _____

**AUTHORIZING THE CHAIR TO SIGN A ST. LAWRENCE RIVER VALLEY
REDEVELOPMENT AGENCY & COMMUNITY DEVELOPMENT &
ENVIRONMENTAL IMPROVEMENT FUND APPLICATION FOR
THE MULTI-USE RECREATIONAL TRAIL SYSTEM IN ST. LAWRENCE COUNTY**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, funds are available through the St. Lawrence River Valley Redevelopment Agency (“RVRDA”) and Community Development & Environmental Improvement (“CD/EI”) Fund for costs associated with projects related to the advancement of community development, environmental improvement, and employment activities, and

WHEREAS, St. Lawrence County continues to make improvements to the St. Lawrence County Multi-Use Trail and seeks to submit an RVRDA/CD/EI grant application requesting \$25,000 for the purpose of further developing the Trail, and

WHEREAS, applicants are required to pay a \$100 nonrefundable application fee and in addition provide a local match of ten percent (10%) of which at least one-half must be new cash provided by the applicant,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators hereby authorizes the County Treasurer to make pay in the first instance all funds prior to submitting for reimbursement, and

BE IT FURTHER RESOLVED that the Board of Legislators authorizes the Chair to execute, upon approval of the County Attorney, all necessary Agreements, certifications or reimbursement requests for RVRDA/CD/EI funding on behalf of the St. Lawrence County Board of Legislators, and

April 3, 2023

Finance Committee: 3-27-23

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING SUBMISSION OF COMMENTS
AND RECOMMENDATIONS TO THE NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION (“NYSDEC”)
REGARDING THE SOUTH COLTON CONSERVATION EASEMENT
RECREATION MANAGEMENT PLAN**

By, Mr. Gennett, Chair, Finance Committee

WHEREAS, A primary economic development initiative for St Lawrence County is a multi-use trail system that seeks to increase tourism, increase traffic for businesses in the County and improve access for a multitude of recreational activities, and

WHEREAS, the St Lawrence County Board of Legislature, and applicable townships support this initiative and have worked collaboratively toward the project’s timely completion, and

WHEREAS, St. Lawrence County has completed a Generic Environmental Impact Statement (“GEIS”) resulting in the completion of a positive declaration for a corridor specific Multi-Use Trail System as minimally discussed within the Plan(s), and

WHEREAS, recreation on the South Colton Easement is important to the residents of the County and tourism including activities such as hunting, fishing, trapping, recreational vehicle use, snowmobiling, hiking, bicycling, horseback riding, dog sledding and nature viewing, and

WHEREAS, St. Lawrence County Board of Legislators views access, including motorized access to this Easement, as a critical connection from Morgan Road to Picketville Road to include private land and Park Forestry South Colton Easement as part of the St. Lawrence County Multi-Use Trail System, and

WHEREAS, St. Lawrence County Board of Legislators views this access as critical to the participation of a greater variety of user groups in outdoor activities,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Board of Legislators authorizes County officials/representatives to submit comments and recommendations to the NYS DEC, with copies to other appropriate parties, pertaining to the NYS DEC’s development of a Recreation Management Plan with inclusion of motorized access on the Multi-Use Trail for the South Colton Conservation Easement.

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Finance Committee: 3-27-2023

RESOLUTION NO. _____

**MODIFYING THE PY22 WORKFORCE INNOVATION AND OPPORTUNITY ACT
(WIOA) BUDGET TO TRANSFER FORMULA FUNDS FROM DISLOCATED
WORKER ACCOUNTS TO ADULT ACCOUNTS**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, the Notice of Authorization PY22-3 was issued with the remaining allocation of funding for Program Year 2022 WIOA Title IB Adult and Dislocated Worker programs, and

WHEREAS, a transfer of funds would provide more flexibility and ensure that WIOA is able to provide services to as many eligible participants as possible, and

WHEREAS, that all participants eligible for the Dislocated Worker program will be enrolled in the Dislocated Worker program, and no eligible participant will be denied services, including training services, due to transfer of funds, and

WHEREAS, WIOA Section 683.130 grants Local Workforce Development Boards (LWDBs) the authority to transfer one-hundred percent (100%) of a program year allocations between the Adult and Dislocated Worker programs, and

WHEREAS, the LWDB authorized, by Resolution Number 23-A11-02, the transfer of funds from the Dislocated Worker to Adult,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Treasurer to modify the PY22 WIOA Budget to transfer formula funds from dislocated worker accounts to adult accounts, as follows:

INCREASE APPROPRIATIONS:

| | | |
|---------------------|-----------------------------|-----------|
| UA262924 461TU TRAN | Adult Training Tuition Fees | \$125,000 |
|---------------------|-----------------------------|-----------|

DECREASE APPROPRIATIONS:

| | | |
|----------------|--------------------------------------|---------|
| UE262911 11000 | Disc Core Direct Service Worker | \$7,004 |
| UE262911 12000 | Disc Core Supervisory/Administration | 6,437 |
| UE262911 14000 | Disc Core Clerical | 4,598 |
| UE262911 19501 | Disc Core Longevity Pay | 124 |
| UE262911 19550 | Health Insurance Buyout | 185 |
| UE262914 40700 | Disc Core Rent Building & Prop | 1,000 |
| UE262914 4300P | Operator | 1,000 |
| UE262914 430WI | WIB Expenses | 5,000 |
| UE262914 47800 | Disc Core DP Charges | 5,000 |
| UE262918 81000 | Disc Core Retirement | 2,702 |
| UE262918 83000 | Disc Core Social Security | 1,708 |

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| | | |
|----------------|--------------------------------|---------------|
| UE262918 84000 | Disc Core Workmen Compensation | 577 |
| UE262918 84500 | Disc Core Group Life Insurance | 36 |
| UE262918 86000 | Disc Core Hospital & Medical I | 5,488 |
| UE262918 86500 | Disc Core Dental Insurance | 216 |
| UE262918 89000 | U Vision Insurance | 85 |
| UE262924 461OJ | Disc Tng OJT Employer Reimburs | 31,000 |
| UE262924 461PM | Participant Travel | 340 |
| UE262924 461TU | Disc Tng Tuition Fees | <u>52,500</u> |
| | | \$125,000 |

INCREASE REVENUE:

| | | |
|---------------------|---------------------|-----------|
| UA247905 57000 TRAN | U FA Adult Training | \$125,000 |
|---------------------|---------------------|-----------|

DECREASE REVENUE:

| | | |
|----------------|---------------------------|-----------|
| UE247905 57000 | Dislocated Worker Revenue | \$125,000 |
|----------------|---------------------------|-----------|

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

April 3, 2023

Finance Committee: 3-27-2023

RESOLUTION NO. _____

**SETTING THE ALLOCATION ALGORITHM FOR WORKERS'
COMPENSATION PLAN PARTICIPANTS FOR 2024, 2025, AND 2026**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, St. Lawrence County established a Workers' Compensation Plan for county, city, town and village employees by Local Laws 1 and 2 of 1956, and

WHEREAS, Local Law 3 of 1993 provides that the apportionment algorithm shall be established for three (3) years, and

WHEREAS, the St. Lawrence County Board of Legislators last set said apportionment formula in 2020 by Resolution No. 121-2020, and

WHEREAS, for the past fifteen (15) years the St. Lawrence County Workers' Compensation Plan has used an algorithm which, in whole or part, uses a three (3) year average of experience as percentages of the allocation, which is currently one-hundred percent (100%) experience and actuarial based, and

WHEREAS, an allocation formula using risk and experience based rating places emphasis on safety in the work place, and

WHEREAS, an allocation formula in which the non-real property factor is based on the plan participants' payroll, employees' job risk categories and experience results in apportioning costs in a manner more closely related to factors generating risk that are in control of the participants,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators sets the allocation algorithm for Worker's Compensation Plan Participants for 2024, 2025, and 2026, and

BE IT FURTHER RESOLVED that for the years 2024, 2025 and 2026, the allocation formula shall be one-hundred percent (100%) risk-payroll experience, and

BE IT FURTHER RESOLVED that the risk-payroll-experience amount shall be calculated as follows: Payroll, excluding payroll for paid firefighters and fire drivers, for each participant shall be aggregated into \$100 units by New York Compensation Insurance Rating Board (NYCIRB) promulgated class code rates then in effect, and the resulting amount shall be adjusted by an experience modifier, which shall be calculated in accordance with generally accepted underwriting principles and, as approved by the County Attorney and the payroll attributable to a participant's paid firefighters, and paid fire drivers and the per capita charges for volunteer firefighters and volunteer rescue squad members shall not be attributed to all plan participants on a pro rate share for purposes of calculating the allocation of cost under this algorithm, and such attribution shall not change or affect the employment relationship of paid personnel of the status of the relation of volunteers to the respective municipal participants, and

April 3, 2023

BE IT FURTHER RESOLVED that the year-over-year loss development experience may be either a paid or incurred basis, and

BE IT FURTHER RESOLVED that the St. Lawrence County Self-Insurance Plan Administrator may take appropriate steps to execute the directives and intent of this resolution and consistent with any other State law or local law or resolution of the St. Lawrence County Board of Legislators.

April 3, 2023

Finance Committee:

RESOLUTION NO. _____

**AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT BETWEEN
WALMART, WALGREENS, CVS AND ST. LAWRENCE COUNTY WITH RESPECT
TO AN ACTION RELATING TO THE OPIOID CRISIS**

By Mr. Gennett, Legislator District 13

WHEREAS, in 2017, St. Lawrence County, through its law firm Simmons, Hanly, Conroy, P.C. joined a class action lawsuit with numerous other municipal entities against Pharmaceutical companies, drug manufacturers and distributors, which included Purdue Pharma, and

WHEREAS, Purdue Pharma, Abbott Laboratories, Johnson & Johnson (also known as “Janssen”), McKesson Corporation, Cardinal Health, Inc., as well as others, were alleged to have created damages as a result of the usage and prescription of Oxycontin to the general public, and

WHEREAS, St. Lawrence County has already reached terms of an agreement with manufacturer Purdue Pharma, and

WHEREAS, in addition to the settlement reached with Purdue Pharma, St. Lawrence County has already reached terms of an agreement with manufacturer Johnson & Johnson (also known as “Janssen”), McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Drug Corporation, PSS World Medical, Inc., Kinray, LLC, Bellco Drug Corporation, and American Medical Distributors, Inc. (the “Distributors”), Teva Pharmaceuticals, Ltd., and Allergan Finance, LLC, and

WHEREAS, there is pending the matter of County of Suffolk v. Purdue Pharma L.P., et al., under Index No. 400001/2017 in the Supreme Court, Suffolk County, regarding the opioid addiction crisis, in which the County of St. Lawrence is a named plaintiff in the action (the “Action”), and

WHEREAS, the Action is against several defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies, and

WHEREAS, the County of St. Lawrence now has the ability to opt-in to settlements with three additional distributors: Walgreens, Walmart, and CVS, and

WHEREAS, Walgreens has agreed to pay to all plaintiffs approximately \$5.7 billion over 15 years, beginning March 31, 2023, and ending December 31, 2036, and

WHEREAS, the total amount of payments that the County of St. Lawrence would receive from Walgreens over the fifteen year period would equal \$313,393.54, and

WHEREAS, CVS has agreed to pay all plaintiffs approximately \$5 billion over ten years, beginning June 30, 2023 and ending June 30, 2032, and

April 3, 2023

WHEREAS, the total amount of payments that the County of St. Lawrence would receive from CVS over the ten year period would equal \$291,935.55, and

WHEREAS, Walmart has agreed to pay approximately \$3 billion over six years from July 15, 2023, to July 15, 2028, and

WHEREAS, the total amount of payments that the County of St. Lawrence would receive from Walmart over the six year period would equal \$184,545.75, and

WHEREAS, the State of New York, Nassau County, and Suffolk County are already signatories to the Walgreens-Walmart-CVS NY Agreement, and

WHEREAS, now most other political subdivisions in the State (including the City of New York) have an opportunity to become a party to the Walgreens-Walmart-CVS NY Agreement by executing the Subdivision Settlement Participation Form and the Sharing Agreements, and

WHEREAS, under the terms of the proposed settlement, and assuming all incentives are met, St. Lawrence County will receive a total of \$690,226.94, with a portion of this money coming from the “Global” fund (consistent with the national global settlement amount), and

WHEREAS, it is in the best interest of the County of St. Lawrence to resolve this matter with respect to Walmart, Walgreens, and CVS without further litigation and enter into the proposed Agreement as it shall settle all allegations against these three defendants and avoid protracted litigation,

NOW, THEREFORE, BE IT RESOLVED, that the execution and delivery on behalf of and in the name of the St. Lawrence County by the Chair of the Board, or his designee, of the proposed Agreement is hereby authorized, and the Chair of the Board, or his designee, is hereby authorized, subject to County Attorney approval, to execute the proposed Agreement in a form substantially similar thereto and execute such other documents as may be necessary and appropriate to effectuate the settlement with Walmart, Walgreens, and CVS.

St. Lawrence County Vacancy Authorization Form

Highway



Type: Fill

Motor Equipment Operator

Subunit (If Applicable):

Date Submitted: 2/27/2023

Reason Vacated: Resignation

Position Number: 310000027

Date Vacated: 3/11/2023

Position # Abolished:

Position Will Be: Fulltime

Last Fill Date: 5/4/2021

Jurisdictional Class: Non-Competitive

Appointee Will Be: Permanent

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

Budget

Salary of Person Leaving: \$41,351

Fill Request Timeline: Immediately

Benefits: Yes (51.44%) \$21,271

Revenue Generating: No 0 %

Base Salary: \$39,966

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

Base Hourly: \$19.21

Grade: 18

Net County Cost: \$62,622

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

Detailed Justification

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

The Motor Equipment Operator (MEO) position, which requires a CDL, is needed for the operation of snow plow trucks and equipment. This position is also needed for road construction and maintenance. Due to the reduction in staff and the need to mechanize operations, MEO positions most accurately reflect actual Department of Highways operations. The MEO position's duties also include, but are not limited to, tree cutting, road patrolling, culvert/bridge repairs and painting. This position is needed to maintain crew size for safety.

Department Head: *Donald R. Charleston*

Approved?

Yes No

County Administrator:

Resolution #:

April 3, 2023

Finance Committee: 3-27-2023

RESOLUTION NO. _____

ST. LAWRENCE COUNTY BOARD OF LEGISLATORS SUPPORTS A REQUEST BY THE CITY OF OGDENSBURG AND SUPPORTS SENATE BILL S4810 AND ASSEMBLY BILL A5276 THAT ALLOWS FOR THE TAXATION OF STATE PROPERTY LOCATED IN THE CITY OF OGDENSBURG

By Mr. Gennett, Chair, Finance Committee
Co-Sponsored by Mr. Reagen, District 1, and Mr. Forsythe, District 2

WHEREAS, over 60% of the value of real estate in the City of Ogdensburg is exempt from taxation, and

WHEREAS, the single largest tax-exempt land holder in the City of Ogdensburg is the State of New York, and

WHEREAS, the State of New York owns 30% (See Attachment A and Map) of the land area in the City of Ogdensburg, and

WHEREAS, the assessed value of New York State's holdings is over \$200,000,000, and

WHEREAS, the State of New York owns over 50% (See Attached Map) of all the St. Lawrence River waterfront lands in the City of Ogdensburg, and

WHEREAS, these tax exemptions severely hamper the city's ability to provide governmental services, including public safety, without exceeding its constitutional taxing limit or raising local real property taxes in a city that already has one of the highest combined tax rates in New York State, and

WHEREAS, these exemptions for New York State owned properties exceed \$8,200,000 in lost revenue to the city, county and school district, and multi-millions of more dollars in lost revenue each year due to their underutilized, blighted, and deteriorating conditions, and the fact that they comprise over 50% of the city's valuable St. Lawrence River waterfront, hampering future private sector growth and development, and

WHEREAS, the State of New York makes PILOT payments to other municipalities in the State in recognition of their tax-exempt status, including Albany, New York which receives over \$22 million annually in PILOT payments from the State of New York,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators supports and a request by the City of Ogdensburg and requests favorable consideration of Senate Bill S4810 and Assembly Bill A5276 during the 2023 Legislative Session, and

BE IT FURTHER RESOLVED that these PILOT payments will be earmarked for public safety and other governmental functions in the City of Ogdensburg, services which are presently provided free to the State of New York at local taxpayer expense, and

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BE IT FURTHER RESOLVED that copies of this resolution be sent via certified mail to Governor Kathy Hochul, State Senator Mark Walczyk, Assemblyman Scott Gray, New York State Senate Majority Leader Andrea Stewart Cousins, New York State Senate Minority Leader Robert G. Ort, New York State Assembly Speaker Carl Heastie, New York State Assembly Minority Leader William A. Barclay, New York State Senate Local Government Chair Monica R. Martinez, New York State Assembly Real Property Taxation Chair Jaime R. Williams, New York State Comptroller Thomas DiNapoli, and the New York State Prison Redevelopment Commission.

April 3, 2023

Finance Committee: 3-27-2023

RESOLUTION NO. _____

COMMEMORATING THE BICENTENNIAL OF THE TOWN OF NORFOLK

By Mr. Gennett, Chair, Finance Committee
Co-Sponsored by Mr. Burke, District 12

WHEREAS, in the year 2023, the Town of Norfolk, New York, celebrates its Bicentennial, and

WHEREAS, it is fitting to recognize the Town of Norfolk on the occasion of this special milestone and to applaud its distinguished history, and

WHEREAS, on April 9, 1823, the Town of Norfolk was officially formed when land was divided from Louisville making a separate township in excess of 35,000 acres, and

WHEREAS, the first town meeting was held on May 5, 1823, and a town supervisor, Christopher Stowe, was elected and soon made his first report to the County Board stating that Norfolk had 108 taxable inhabitants with a town tax of \$248.70, and

WHEREAS, the Norfolk Village Post Office was opened on May 22, 1823, with Phineas Atwater as its first post master, and mail was brought to Norfolk from Potsdam by a courier who traveled on horseback or on foot, and

WHEREAS, the first saw mill was built in 1824 by Oral Bradly, the Phoenix Iron Company was formed in 1825, and the following year, Phoenix furnace was constructed on the north bank of the Raquette River with the furnace being lined with sandstone from Potsdam and Hopkinton, using bog ore from swampy lands in Norfolk to produce pig iron, and

WHEREAS, the County holds in high regard the Norfolk community and pays tribute to the residents of Norfolk who bravely served in wars and conflicts faced by this nation, and to all who have served on the town board, committees, and all who have contributed to its success, and

WHEREAS, in recognition of the rich history of the Town of Norfolk and enduring contributions, it is indeed an honor to pay tribute to the Town upon the occasion of its Bicentennial,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators commemorates the Bicentennial of the Town of Norfolk, and

BE IT FUTHER RESOLVED that the Board of Legislators sends along high regards to past and current residents on this momentous occasion, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Town of Norfolk.

April 3, 2023

Finance Committee: 3-27-2023

RESOLUTION NO. _____

AUTHORIZING THE CHAIR TO SIGN CONTRACTS APPROPRIATING AMERICAN RESCUE PLAN ACT (ARPA) FUNDS FOR THE PURPOSE OF FUNDING BROADBAND DEVELOPMENT AND INSTALLATION PROJECTS AND MODIFYING THE 2023 BUDGET FOR THE COUNTY ADMINISTRATOR'S OFFICE

By Mr. Gennett, Chair, Finance Committee
Co-Sponsored by Mr. Reagen, District 1, Mr. Hull, District 8,
Mr. Fay, District 9, Mr. Burke, District 12; Ms. Terminelli, District 14

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

WHEREAS, of the funds appropriated \$3,000,000 has been allocated for Broadband Development and Installation projects across the County, and

WHEREAS, after a thorough request for proposals (RFP) process, sixteen (16) projects from two (2) internet service providers have been selected to move forward with the funds available, providing high speed internet service to approximately 610 additional residences in St. Lawrence County, and

WHEREAS, while the sixteen (16) projects total \$2,937,514.07 of County investment, all \$3,000,000 of the dedicated ARPA funding will be appropriated as the County continues to search for additional funding sources to complete the four (4) remaining unfunded potential projects proposed by internet service providers from the RFP,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign contracts appropriating American Rescue Plan Act (ARPA) Funds for the purpose of funding Broadband Development and Installation projects, as follows:

- SLIC Fiber - Lot 7, Colton, Town of: \$91,408;
- SLIC Fiber - Lot 13, Norfolk, Town of: \$123,520;
- SLIC Fiber - Lot 8, Colton, Town of: \$109,199;
- SLIC Fiber - Lot 21, Waddington, Town of: \$67,081;
- SLIC Fiber - Lot 12, Lisbon & Madrid, Towns of: \$323,370;
- SLIC Fiber - Lot 20, Stockholm, Town of: \$267,787;
- SLIC Fiber - Lot 1, Brasher, Town of: \$59,713.07;
- SLIC Fiber - Lot 19, Potsdam, Town of: \$327,048;
- SLIC Fiber - Lot 16, Oswegatchie, Town of: \$25,724;
- SLIC Fiber - Lot 14, Oswegatchie, Town of: \$323,926;
- SLIC Fiber - Lot 11, Lawrence & Hopkinton, Towns of: \$212,943;
- SLIC Fiber - Lot 4, Canton, Town of: \$406,071;
- SLIC Fiber - Lot 5, Canton & Russell, Towns of: \$203,345;

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- SLIC Fiber - Lot 3, Canton, Town of: \$209,143;
- SLIC Fiber - Lot 15, Oswegatchie, Town of: \$76,074;
- Adirondack Techs - Lot 9, Fine, Town of: \$111,162, and

BE IT FURTHER RESOLVED that if it is determined that any of the projects above become unfeasible within the terms and conditions of the contracts, or within the timelines set forth by the U.S. Treasury Final Rule, the County Administrator will update the Board and the Board of Legislators authorizes the Chair to sign additional contracts replacing the applicable contracts listed above with the internet service provider(s) with the next highest scoring proposal, as determined from the RFP process, and within the appropriations set forth in this Resolution, and

BE IT FURTHER RESOLVED that the Treasurer is authorized to modify the 2023 Budget for the County Administrator's, as follows:

INCREASE REVENUE:

| | |
|---|-------------|
| B1987804 46500 ARP5B ARP 5.19 Revenue Broadband | \$3,000,000 |
|---|-------------|

INCREASE APPROPRIATIONS:

| | |
|---|-------------|
| B1987804 46500 ARP5B ARP 5.19 Broadband Improvement | \$3,000,000 |
|---|-------------|

BE IT FURTHER RESOLVED that any funds not spent in 2023 be rolled over until fully expended, in accordance with the U.S. Treasury Final Rule.

April 3, 2023

Finance Committee: 3-27-2023

RESOLUTION NO. _____

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH
THE ST. LAWRENCE COUNTY BAR ASSOCIATION
FOR ASSIGNED COUNSEL REPRESENTATION FOR 2023-2026**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, St. Lawrence County is mandated to provide indigent defense under Section 18-b of County Law, and

WHEREAS, the current Plan filed with New York State Office of Courts Administration indicates that St. Lawrence County provides indigent representation through an Office of the Public Defender, an Office of the Conflict Defender, and Assigned Counsel through the St. Lawrence County Bar Association, and

WHEREAS, Resolution No. 9-2016 authorized the last contract for Assigned Counsel Representation from 2015-2017 with the St. Lawrence County Bar Association and since the expiration of the contract in 2017, a month to month contract has remained in place ensuring that the County has representation provided by Assigned Counsel for indigent individuals entitled to representation who cannot otherwise be represented by the Office of the Public or Conflict Defender, and

WHEREAS, the Contract (IA011704 43007) includes a provision of the designation of an Assigned Counsel Administrator by the Bar Association who will implement the Assigned Counsel Plan along with panel attorneys for criminal and for family matters required under the law, and

WHEREAS, the terms of the new contract include the initiation and oversight by the Assigned Counsel Administrator of a mentoring program for attorneys and the implementation of a program that would provide training and continuing legal education opportunities for participating panel attorneys, and

WHEREAS, these activities are intended to improve upon the education and aptitude of existing panel attorneys as well as assist with recruiting new panel attorneys to the Program,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract with the St. Lawrence County Bar Association for 2023-2026 for Assigned Counsel Representation, upon approval of the County Attorney.

April 3, 2023

Finance Committee: 3-27-2023

RESOLUTION NO. _____

**MODIFYING THE 2023 BUDGET FOR THE COUNTY ADMINISTRATOR'S OFFICE
FOR THE UPGRADE OF ELECTRONIC WORK ORDER SOFTWARE
TO INCLUDE A SMART PHONE APPLICATION**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, Buildings and Grounds currently uses software called MPulse Electronic Work Order Software that provides the ability to request, organize, track, and distribute maintenance work, and

WHEREAS, in an effort to better utilize the MPulse software and add efficiency, the Buildings and Grounds Superintendent is recommending the addition of a smart phone application compatible with the current work order system to be added to county owned devices for \$3,000, and

WHEREAS, the MPulse mobile application would be installed on county owned cell phones utilized by maintenance and custodial workers and will enable staff to receive their work assignments instantaneously, update maintenance records on equipment, and enhance communication, and

WHEREAS, the mobile application will provide an added level of confidence in records management and provide staff with the ability to add detailed notes, correspond with the requester, and add additional work that may have been unforeseen at original submission, and

WHEREAS, the application contains a time recording function which will record the amount of time taken to complete a task that will assist with documenting labor for generating invoices and back up for reimbursements,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Treasurer to modify the 2023 Budget for the Country Administrator's Office for the upgrade of electronic work order software for the purchase of a smart phone application:

DECREASE APPROPRIATIONS:

| | | |
|----------------|----------------------------|---------|
| B1019904 49700 | B SPEC Contingency Account | \$3,000 |
|----------------|----------------------------|---------|

INCREASE APPROPRIATIONS:

| | | |
|----------------|------------------------|---------|
| BG016204 42004 | BLDG Computer Software | \$3,000 |
|----------------|------------------------|---------|

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Finance Committee: 3-27-2023

RESOLUTION NO. _____

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT FOR
HEATING AND COOLING WATER SYSTEM TREATMENT AND LEGIONELLA
PREVENTION PROGRAM SERVICES FOR COUNTY BUILDINGS**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, periodic treatment and testing is performed to satisfy the requirements of the New York State Department of Health and the Legionella Prevention Program for County Office Buildings, and furthermore, scale and corrosion inhibitor treatments are necessary to maximize the functionality and service life of the County's heating and cooling equipment, and

WHEREAS, Buildings and Grounds currently holds a contract with M.I.S. of America (Dated January 7, 2022) for services associated with heating and cooling water system treatment and Legionella Prevention Program for County Office Buildings, and

WHEREAS, quotes were solicited and M.I.S. of America continues to provide the lowest cost and best value for the services, and

WHEREAS, the term of the contract is for three (3) years from January 1, 2023 to December 31, 2025, for monthly on-site testing, use of M.I.S. of America Equipment, and associated media and chemicals used for testing and treatment at a cost of \$1,361.25 per month (BG016204 42202),

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract with M.I.S. of America for heating and cooling system water treatment and Legionella Prevention Program services for County Buildings, upon approval of the County Attorney.

April 3, 2023

Finance Committee: 3-27-2023

RESOLUTION NO. _____

**CELEBRATING APRIL AS NATIONAL COUNTY GOVERNMENT MONTH
AND COMMEMORATING A MILESTONE BIRTHDAY OF AN ORIGINAL
MEMBER OF THE ST. LAWRENCE COUNTY BOARD OF LEGISLATORS**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, the County of St. Lawrence was established on March 3, 1802, and at that time included the Towns of Lisbon, Madrid, Massena, and Oswegatchie, and

WHEREAS, a celebration was held in 2022 commemorating the 220th Anniversary of the incorporation of St. Lawrence County, and

WHEREAS, St. Lawrence County is the largest county in geographical size in New York State, and

WHEREAS, the nation's 3006 counties, serving more than 330 million Americans provide essential services to create and maintain safe, healthy, and vibrant communities, and

WHEREAS, counties provide health services, administer justice, keep communities safe, foster economic opportunities, and deliver many other services to the people of the County everyday, and

WHEREAS, in 1974, St. Lawrence County transitioned from a Board of Supervisors to a Board of Legislators, and

WHEREAS, of the original founding members of the Board of Legislators, one individual from the, then District 15, Ernest J. LaBaff, served from 1974 through 1985 celebrates a milestone 90th birthday on April 22nd this year, and

WHEREAS, the dedication of Mr. LaBaff and his colleagues on the original Board of Legislators set into motion changes that helped St. Lawrence County Government become what it is today,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators celebrates April as National County Government Month, and encourages all county officials, employees, schools, and residents to participate in county government celebration activities, and

BE IT FURTHER RESOLVED that St. Lawrence County commemorates the milestone 90th birthday of Ernest J LaBaff on April 22nd, an original member of the 1974 Board of Legislators.

April 3, 2023

Finance Committee: 3-27-2023

RESOLUTION NO. _____

**AUTHORIZING SALARY MATRIX CHANGES FOR
CSEA GRADE 7 FOR 2023 AND 2024**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, there is a Collective Bargaining Agreement between St. Lawrence County and Civil Service Employees Association, Inc., Local 1000 (CSEA), effective January 1, 2020 through December 31, 2024, and

WHEREAS, pursuant to the current Collective Bargaining Agreement, the Nutrition Services Aide is the only title designated as a Grade 7, and

WHEREAS, in 2023 the salary for CSEA Base Step for Grade 7 is \$25,095/annually which equals \$13.788 per hour based on the established seven (7) hour work day, and

WHEREAS, effective December 31, 2022 through 2023 for St. Lawrence County, the New York State Minimum Wage hourly rate, is \$14.20 per hour, and

WHEREAS, the annual minimum wage increases for the region in NYS will continue to increase until the hourly rate reaches \$15.00 per hour, and

WHEREAS, effective July 1, 2021, the NYS minimum wage for fast food workers is \$15.00 per hour, and

WHEREAS, it is understood that the NYS Minimum Wage Law does not apply to public employers, however employees of St. Lawrence County are covered by the Federal Minimum Wage which is currently \$7.25 per hour, and

WHEREAS, St. Lawrence County has experienced continuous difficulty with recruitment and retention of Nutrition Services Aides due to competition with higher paying competing employers, and

WHEREAS, St. Lawrence County and CSEA agree that changing the Grade 7 wage scale to reflect more competitive wages would be mutually beneficial for the employees and the County, and

WHEREAS, recommended changes to the CSEA Grade 7 salary matrix would cost approximately \$35,000 for the full 2023 calendar year, and the 2023 CSEA Grade 7 salary matrix would be as follows:

| | Base | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Step 7 | Step 8 | Step 9 | Step 10 |
|------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Current | \$25,095 | \$25,474 | \$25,857 | \$26,228 | \$26,610 | \$27,031 | \$27,454 | \$27,877 | \$28,298 | \$28,769 | \$29,241 |
| New Annual | \$27,300 | \$27,709 | \$28,125 | \$28,546 | \$28,975 | \$29,409 | \$29,850 | \$30,298 | \$30,753 | \$31,214 | \$31,682 |
| New Hourly | \$15.0000 | \$15.2250 | \$15.4534 | \$15.6852 | \$15.9205 | \$16.1593 | \$16.4016 | \$16.6477 | \$16.8974 | \$17.1508 | \$17.4081 |

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WHEREAS, St. Lawrence County recommends employees be placed on the same step, on the recommended Grade 7 salary matrix, as they currently hold, and

WHEREAS, St. Lawrence County recommends changing the 2024 CSEA Grade 7 salary matrix by the negotiated percent increase of 2.75% (pursuant to CSEA Contract Article XVIII Administration of the Salary Plan Section 5) above the 2023 recommended Grade 7 salary matrix,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes Salary Matrix Changes for CSEA Grade 7 for 2023 and 2024, and

BE IT FURTHER RESOLVED that a Memorandum of Agreement (MOA) with CSEA will be executed to put into effect the recommendations as set forth in this resolution with an effective date of the beginning of the next full pay period after the date the MOA is signed.

April 3, 2023

Finance Committee: 2-27-2023

RESOLUTION NO. 99-2023 - TABLED

SETTING A DATE FOR A PUBLIC HEARING ON PROPOSED LOCAL LAW A (NO. __) FOR THE YEAR 2023, “EXEMPTIONS FOR CERTAIN MEMBERS OF VOLUNTEER FIRE COMPANIES AND AMBULANCE SERVICES IN ST. LAWRENCE COUNTY PURSUANT TO SECTION 466-A OF THE REAL PROPERTY TAX LAW” AND REPEALING LOCAL LAW NO. 2 FOR THE YEAR 2005 IN ST. LAWRENCE COUNTY

By Mr. Gennett, Chair, Finance Committee
Co-Sponsored by Ms. Haggard, District 10 and Ms. Curran, District 15

WHEREAS, in 2005, the St. Lawrence County Board of Legislators passed Local Law No. 2 for the Year 2005 granting real property tax exemptions to certain volunteer firefighters and ambulance service members within St. Lawrence County pursuant to specific home rule legislation identified as Real Property Tax Law § 466-f, and

WHEREAS, on December 27, 2022, Governor Hochul signed into law a new provision of the Real Property Tax Law (RPTL) identified as Section 466-a , and

WHEREAS, RPTL § 466-a gives municipalities, school districts, and fire districts throughout the State the option to provide a property tax exemption of up to ten percent (10%) to volunteer firefighters and ambulance workers subject to certain caveats, and

WHEREAS, the newly adopted RPTL § 466-a grants to taxing jurisdictions greater authority in identifying how to define an “active” volunteer that would be eligible for the tax exemption, and

WHEREAS, RPTL § 466-a provides, at local option, that a lifetime exemption may be provided to volunteers with at least 20 years of service as long as they maintain their primary residence in the county they have served as well as allowing taxing jurisdictions permission to allow un-remarried surviving spouses of eligible volunteers to retain an exemption granted as a result of services of a deceased spouse, and

WHEREAS, even though St. Lawrence County has been offering a similar exemption for volunteer firefighters and ambulance workers under RPTL§ 466-f since 2005, the County must adopt a new local law to conform to the new Statewide exemption statute no later than December 9, 2025, and

WHEREAS, failure or refusal to pass a new local law granting the exemption by December 9, 2025 will result in a lapse of the exemption as all of the “old” exemption statutes will be repealed, and

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

NOW, THEREFORE, BE IT RESOLVED that a public hearing on proposed Local Law A (No. __) for the Year 2023, will be held on Monday, April 3, 2023, at 5:50 p.m. in the Legislative Chambers.

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**PROPOSED LOCAL LAW A (NO. _____) FOR THE YEAR 2023,
“EXEMPTIONS FOR CERTAIN MEMBERS OF VOLUNTEER FIRE COMPANIES
AND AMBULANCE SERVICES IN ST. LAWRENCE COUNTY PURSUANT TO
SECTION 466-A OF THE REAL PROPERTY TAX LAW” AND REPEALING
LOCAL LAW NO. 2 FOR THE YEAR 2005**

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

Section 1. Purpose

This Local Law is enacted for the purpose of providing a partial tax exemption upon real property based upon the owner’s volunteer membership in a Fire Department or First Aid Unit primarily located and operated within St. Lawrence County as permitted by Section 466-a of New York’s Real Property Tax Law.

Section 2. Legislative Intent

The purpose of this article is to provide a partial exemption from taxation imposed by the County of St. Lawrence upon real property situated within the County of St. Lawrence owned by persons who voluntarily serve as members of a volunteer Fire Department or volunteer ambulance service under the parameters set forth herein, pursuant to the authority vested in the County by § 466-a of the Real Property Tax Law of the State of New York.

Section 3. Partial Exemption Granted

A. Real property owned by an enrolled volunteer member of a St. Lawrence County Fire Department or Ambulance Service or such enrolled member and spouse residing within St. Lawrence County shall be exempt from taxation to the extent of ten percent (10%) of the assessed value of such property for County purposes, exclusive of special assessments.

B. Such exemption shall not be granted to an enrolled member of a St. Lawrence County Volunteer Fire Department or Ambulance Service unless:

1. The applicant resides within the County of St. Lawrence;
2. The property is the primary residence of the applicant;
3. The property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant’s residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section; and
4. The applicant has been certified by the authority having jurisdiction for a St. Lawrence County Volunteer Fire Department or Ambulance Service as an enrolled member of said Department or Ambulance Service having served a minimum of two consecutive years of service. The Chief of the Department or Ambulance Service, or his/her designee, shall determine eligibility for the exemption established hereunder utilizing the official service records of each applicant.

Section 4. Lifetime Partial Exemption Eligibility

Any enrolled member of a St. Lawrence County Fire Department or St. Lawrence County Ambulance Service who accrues more than twenty years of active service and is so certified by

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the St. Lawrence County Board of Legislators, shall be granted the ten percent exemption as authorized by this section for the remainder of his or her life as long as his or her primary residence is located within the County of St. Lawrence.

Section 5. Line of Duty Death Partial Exemption Eligibility

Un-remarried spouses of volunteer firefighters or rescue squad workers killed in the line of duty shall be entitled to continue the partial exemption granted hereunder; provided, however, that:

1. Such un-remarried spouse is certified by the County of St. Lawrence as an un-remarried spouse of an enrolled member of a St. Lawrence County Volunteer Fire Department or Ambulance Service who was killed in the line of duty; and
2. Such deceased volunteer had been an enrolled member for at least five years; and
3. Such deceased volunteer had been receiving the exemption prior to his or her death.

Section 6. Deceased Member Partial Exemption Eligibility

Un-remarried spouses of deceased volunteer firefighters or rescue squad workers shall be entitled to continue the partial exemption granted hereunder; provided, however, that:

1. Such un-remarried spouse is certified by the County of St. Lawrence as an un-remarried spouse of an enrolled member of a St. Lawrence County Volunteer Fire Department or Ambulance Service who is deceased; and
2. Such deceased volunteer had been an enrolled member for at least twenty years; and
3. Such deceased volunteer and un-remarried spouse had been receiving the exemption prior to his or her death.

Section 7. Application Procedure

A volunteer firefighter or rescue squad worker must annually, on or before the applicable taxable status date, file an application for such property tax exemption with the assessor responsible for preparing the assessment roll for the County of St. Lawrence, on a form as prescribed by the New York State Commissioner of Taxation and Finance.

Section 8. Severability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Board of Legislators of the County of St. Lawrence hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 9. Repeal

All ordinances, local laws, and parts thereof inconsistent with this Local Law are hereby repealed.

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Section 10. Authority

This Local Law is enacted pursuant to the Municipal Home Rule Law and Real Property Tax Law §466-a. This Local Law shall supersede the provisions of County Law to the extent it is inconsistent with the same, and to the extent permitted by the New York State Constitution, the Municipal Home Rule Law, or any other applicable statute.

Section 11. Effective Date

This law shall become effective upon filing with the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.