

St. Lawrence County
BOARD OF LEGISLATORS
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RUTH A. DOYLE
County Administrator

DAVID FORSYTHE
Chair, Board of Legislators

FINANCE COMMITTEE AGENDA
MR. JOHN GENNETT, CHAIR
MONDAY, AUGUST 28, 2023
BOARD ROOM AND LIVE VIA YOUTUBE
*****5:30 P.M. *****

- 1. CALL TO ORDER AND APPROVAL OF AGENDA**
- 2. APPROVAL OF MINUTES – July 31**
- 3. CHAMBER OF COMMERCE PRESENTATION – Ben Dixon, Executive Director**
- 4. SOLID WASTE – DON CHAMBERS**
 - A. Authorizing the Chair to Sign a Contract for a Prefabricated Booth for the Ogdensburg Transfer Station (Res)
- 5. HIGHWAY – DON CHAMBERS**
 - A. Authorizing the Chair to Sign a Contract with Barton & Loguidice, D.P.C. for Engineering Services to Replace County Route 49 Large Culvert over Hopkinton Brook, 49-1-59BC (Res)
 - B. Authorizing the Chair to Sign a Contract Renewal with J. J. Keller & Associates, Inc. for the Entry-Level Driver Training (ELDT) Trainer Certification Program (Res)
 - C. Bridge Projects Update (Discussion)
 - D. Paving Program Update (Discussion)
- 6. COUNTY ATTORNEY – STEVE BUTTON**
 - A. Authorizing the Chair to Sign a Contract with the St. Lawrence County Fire Training Facility Inc., for Priority Use of the Training Facility by the Participants of the St. Lawrence County Self-Insurance Plan (Res)
 - B. Authorizing the Chair to Sign a Contract with Odin Environmental for Environmental Investigations on Property Owned by the Reddick Revocable Trust, Elenor R. Mallette, Scott T. Ferry, Doris E. Miller, and Bradley L. Finley, Jr. (Res)
 - C. Authorizing the Chair to Sign an Agreement Between Thomas Norstrom and Denise Norstrom and the County of St. Lawrence, New York, Regarding a Tax Delinquent Property Located at 815 State Highway 37, in the Town of Hammond, New York (Res)

7. LEGISLATORS FORSYTHE AND PERKINS

- A. In Opposition to the Implementation of Background Checks for the Acquisition of Ammunition and to the Imposition of Fees for the Performance of any Background Checks for the Acquisition of Firearms or Ammunition as Required Under the Concealed Carry Improvement Act (Res)
- B. Opposing the Issuance of Executive Orders Directing the Placement of Migrants in Local Communities Over the Objection of the Citizenry and the Impacted County and Commending the Refusal of Governor Hochul to Issue an Executive Order Directing Placement of Migrants in Upstate Communities (Res)

8. VACANCY REVIEW COMMITTEE – RUTH DOYLE

- A. Annual Vacancy & Recommendations Analysis (Info)
- B. Highway
 - 1. Fill a Bridge Construction Supervisor, Position No. 317000002

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

- A. Information and Update (Discussion)

10. COUNTY ADMINISTRATOR’S REPORT – RUTH DOYLE

- A. Authorizing the Chair to Sign a Contract with the New York State Division of Homeland Security and Emergency Services for Storm Water Management and Modifying the 2023 Budget for Buildings and Grounds (Res)
- B. Authorizing a Hybrid Work Agreement with the Indigent Defenders in St. Lawrence County (Res)

11. OLD AND NEW BUSINESS

- A. Adopting Proposed Local Law A (No. __) for the Year 2023, “Allowing 12 and 13 Year Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow during Hunting Season with the Supervision of an Adult Licensed Hunter” and Rescinding Local Law B for the Year 2021 (Res)
- B. Modifying the 2023 Budget for Human Resources for payment of past due and current pre-employment medical/physical exams for St. Lawrence County (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. EXECUTIVE SESSION

- A. Negotiations
- B. Litigation
- C. Personnel
- D. Appointments

14. ADJOURNMENT – If there is no further business.

September 11, 2023

Finance Committee: 8-28-2023

RESOLUTION NO. _____

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT FOR A PREFABRICATED
BOOTH FOR THE OGDENSBURG TRANSFER STATION**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, Resolution No. 294-2022 authorized the Chair to sign contracts for the construction of a recycling transfer facility at the Ogdensburg Transfer Station, and

WHEREAS, the Project is nearing completion and a design flaw requires some additional work to ensure the same level of service to customers is continued, and

WHEREAS, a recommendation has been made to add a structure at end of the new scale area for the safety of customers at the Ogdensburg Transfer Station, and

WHEREAS, the Solid Waste Department solicited bids for the purchase and delivery of a prefabricated booth for the Ogdensburg Transfer Station, 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 sign a contract for a prefabricated booth for the Ogdensburg Transfer Station, upon approval of the County Attorney, as follows:

Contractor: Porta-King Building Systems

Amount: \$28,034

Contract Title: Purchase and Delivery of Prefabricated Booth for
St. Lawrence County Ogdensburg Transfer Station
WT081604 40800

BE IT FURTHER RESOLVED that the Chair is authorized to sign any further documents necessary to complete the purchase and installation of a prefabricated booth for the Ogdensburg Transfer Station, upon approval of the County Attorney.

September 11, 2023

Finance Committee: 8-28-2023

RESOLUTION NO. _____

AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH BARTON & LOGUIDICE, D.P.C. FOR ENGINEERING SERVICES TO REPLACE COUNTY ROUTE 49 LARGE CULVERT OVER HOPKINTON BROOK, 49-1-59BC

By Mr. Gennett, Chair, Finance Committee

WHEREAS, the Board of Legislators approved and funded Capital Bridge Projects, and

WHEREAS, the Department of Highways has solicited qualifications for engineering services for the replacement of County Road 49 large culvert over Hopkinton Brook, and

WHEREAS, the best qualified consultant for this project has been determined,

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

Consultant: Barton & Loguidice, D.P.C.

Contract Title: County Road 49 over Hopkinton Brook
Town of Hopkinton

Engineering Fee: Not to Exceed \$59,200
HM551124 430ED B25

BE IT FURTHER RESOLVED that the Board of Legislators authorizes the Chair to sign a contract with Barton & Loguidice, D.P.C. for engineering services to replace County Route 49 large culvert over Hopkinton Brook, 49-1-59BC, upon approval of the County Attorney.

September 11, 2023

Finance Committee: 8-28-2023

RESOLUTION NO. _____

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT RENEWAL WITH
J. J. KELLER & ASSOCIATES, INC. FOR THE ENTRY-LEVEL DRIVER
TRAINING (ELDT) TRAINER CERTIFICATION PROGRAM**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, the Department of Highways utilizes various pieces of motor equipment in its daily operations, and

WHEREAS, a New York State Commercial Driver's License (CDL), Class A and Class B, is required to operate this equipment, and the current labor market has made it increasingly difficult to hire and retain qualified licensed individuals, and

WHEREAS, the Department of Highways entered into a one (1) year contract with J. J. Keller & Associates, Inc. (J. J. Keller) in 2022 to provide St. Lawrence County with an Entry-Level Driver Training (ELDT) Trainer Certification Program for entry-level driver training for CDLs, Class A & B, and

WHEREAS, since that time, the Department of Highways has had five (5) employees successfully complete the course and obtain CDLs, and

WHEREAS, with the success of this program, the Department wishes to renew the contract with J. J. Keller at a cost of \$670 per month for the first year, and \$345 per month thereafter (HM351104 41102),

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract renewal with J. J. Keller & Associates, Inc. for the Entry-Level Driver Training (ELDT) Trainer Certification Program, upon approval of the County Attorney.

September 11, 2023

Finance Committee: 8-28-2023

RESOLUTION NO. _____

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH THE
ST. LAWRENCE COUNTY FIRE TRAINING FACILITY INC., FOR
PRIORITY USE OF THE TRAINING FACILITY BY THE PARTICIPANTS
OF THE ST. LAWRENCE COUNTY SELF-INSURANCE PLAN**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, the St. Lawrence County Self-Insurance Plan had previously contracted with the St. Lawrence County Fire Training Facility, Inc., to provide priority access to the facility and training of the participants of the St. Lawrence County Self-Insurance Plan, and that agreement expires December 31, 2023, and

WHEREAS, the St. Lawrence County Self-Insurance Plan wishes to sign a new contract for one (1) year to begin January 1, 2024, expiring on December 31, 2024, and

WHEREAS, an annual payment of \$35,000 (LI017104 46000) will be made in quarterly payments to the St. Lawrence County Fire Training Facility,

NOW, THEREFORE, BE IT RESOLVED the Board of Legislators authorizes the Chair to sign a contract with the St. Lawrence County Fire Training Facility, Inc., for priority use of the training facility by the participants of the St. Lawrence County Self-Insurance Plan, upon approval of the County Attorney, and

BE IT FURTHER RESOLVED that an annual payment of \$35,000 be made, payable in quarterly payments, to the St. Lawrence County Fire Training Facility.

September 11, 2023

Finance Committee: 8-28-2023

RESOLUTION NO. _____

AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH ODIN ENVIRONMENTAL FOR ENVIRONMENTAL INVESTIGATIONS ON PROPERTY OWNED BY THE REDDICK REVOCABLE TRUST, ELENOR R. MALLETTE, SCOTT T. FERRY, DORIS E. MILLER, AND BRADLEY L. FINLEY, JR.

By Mr. Gennett, Chair, Finance Committee

WHEREAS, the County has commenced an In Rem real property tax foreclosure proceeding for delinquent taxes pursuant to Article 11 of the Real Property Tax Law against properties owned by The Reddick Revocable Trust located at 45 Murdock St, Town of Gouverneur, County of St. Lawrence, State of New York with Tax Map No. 173.039-1-9 and 51 Owl Rd, County of St. Lawrence, State of New York with Tax Map No. 173.001-4-8; and against property owned by Elenor R. Mallette located at 58 SH 3, Town of Pitcairn, County of St. Lawrence, State of New York with Tax Map No. 221.001-1-29.1; and against property owned by Scott T. Ferry located at 6911 SH 56, Town of Potsdam, County of St. Lawrence, State of New York with Tax Map No. 53.066-1-6; and against property owned by Doris E. Miller located at 6917 SH 56, Town of Potsdam, County of St. Lawrence, State of New York with Tax Map No. 53.066-1-5; and against property owned by Bradley L. Finley, Jr. located at 463 Oswegatchie Trail Rd, Town of Fine, County of St. Lawrence, State of New York with Tax Map No. 213.051-2-16 (hereinafter referred to as the "Properties"), and

WHEREAS, there are currently delinquent real property taxes due and owing in the amount of \$22,487.99, together with fees, penalties, and interest in the amount of \$12,702.77 for a total of \$35,190.76 on the parcel owned by The Reddick Revocable Trust with Tax Map No. 173.039-1-9; there are currently delinquent real property taxes due and owing in the amount of \$12,430.26 together with fees, penalties and interest in the amount of \$8,191.97 for a total of \$20,622.23 on the parcel owned by The Reddick Revocable Trust with Tax Map No. 173.001-4-8; and there are currently delinquent real property taxes due and owing in the amount of \$16,804.50, together with fees, penalties and interest in the amount of \$17,346.91 for a total of \$34,151.41 on the parcel owned by Elenor R. Mallette with Tax Map No. 221.001-1-29.1; and there are currently delinquent real property taxes due and owing in the amount of \$28,045.67, together with fees, penalties and interest in the amount of \$73,358.47 for a total of \$101,404.14 on the parcel owned by Scott T. Ferry with Tax Map No. 53.066-1-6; and there are currently delinquent real property taxes due and owing in the amount of \$6,919.46, together with fees, penalties and interest in the amount of \$8,963.83 for a total of \$15,883.29 on the parcel owned by Doris E. Miller with Tax Map No. 53.066-1-5; and there are currently delinquent real property taxes due and owing in the amount of \$16,912.38, together with fees, penalties and interest in the amount of \$18,029.23 for a total of \$34,941.61 on the parcel owned by Bradley L. Finley, Jr. with Tax Map No. 213.051-2-16, and

WHEREAS, the Properties are each known to have had historic storage and/or sale of gasoline and other petroleum products and are believed to be potentially contaminated with petroleum, and

WHEREAS, the Board of Legislators previously authorized the execution of a contract with Odin to perform an initial investigation on the properties but it has been determined that further work is required, and

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WHEREAS, the County would like to have Phase II environmental investigation conducted on each of the Properties to secure additional information, which investigations may include a ground penetrating radar ("GPR") as well as subsurface exploration via test pits, so that the County can make an informed decision concerning the Properties prior to a judgment of foreclosure being entered, and

WHEREAS, Odin Environmental has submitted a proposal whereby they will perform Phase II examinations of each of the Properties, and the County Attorney and Consultant, Gary Bowitch, Esq. have reviewed the proposal and recommend awarding the contract to Odin Environmental,

NOW, THEREFORE, BE IT RESOLVED the Board of Legislators authorizes the Chair to sign a contract for environmental investigation to retain the services of Odin Environmental to perform Phase II Environmental Investigations of properties owned by The Reddick Revocable Trust, Elenor R. Mallette, Scott T. Ferry, Doris E. Miller, and Bradley L. Finley, Jr., upon review of the County Attorney.

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Finance Committee: 8-28-2023

RESOLUTION NO. _____

AUTHORIZING THE CHAIR TO SIGN AN AGREEMENT BETWEEN THOMAS NORSTROM AND DENISE NORSTROM AND THE COUNTY OF ST. LAWRENCE, NEW YORK, REGARDING A TAX DELINQUENT PROPERTY LOCATED AT 815 STATE HIGHWAY 37, IN THE TOWN OF HAMMOND, NEW YORK

By Mr. Gennett, Chair, Finance Committee

WHEREAS, the County of St. Lawrence (“County”) has commenced an action against the owners of land currently identified as 815 State Highway 37, in the Town of Hammond, County of St. Lawrence, New York due to a tax delinquency by a tax foreclosure proceeding on November 2, 2021, for unpaid ad valorem real property taxes (hereinafter referred to as the “Site”), and

WHEREAS, the Site is identified as follows:

- Current or Prior Owners – Luxe Homes Inc.
- Location – 815 SH 37, Hammond, New York
- TM# 141.002-1-14.121, and

WHEREAS, upon inspection of the property, it has been determined to be an abandoned parcel that is encumbered by the presence of structural deterioration as well as garbage, refuse and rodent infestation sufficient to constitute a threat to human health, safety, and welfare of the public, and

WHEREAS, Thomas Norstrom and Denise Norstrom (“the Norstroms”) have expressed interest in obtaining title to the Site and have submitted a proposal to the County regarding the potential purchase, and

WHEREAS, the Norstroms have proposed to pay all delinquent taxes, including interest, penalties, and fees for the conveyance of the property by the County, that being three thousand five hundred seventy five dollars and seventy-four cents (\$3,575.74), and

WHEREAS, the Norstroms have agreed to assume the responsibility for the removal of all garbage and refuse from the Site, and control of all pestilence, vermin and rodents present as a result of garbage or refuse, and demolition of the Site, and

WHEREAS, in consideration of the likelihood of the County selling and conveying the property via tax foreclosure auction in September due to its condition, and

WHEREAS, in order to facilitate cleanup/demolition of the Site, as well as avoid any liability associated with the Site, the County wishes to enter into an agreement with the Norstroms for the conveyance of the property,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the the Chair to Sign an Agreement between Thomas Norstrom and Denise Norstrom and County of St. Lawrence, New York, regarding a Tax Delinquent Property located at 815 State Highway 37, in the Town of Hammond, New York, upon approval of the County Attorney.

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Finance Committee: 8-28-2023

RESOLUTION NO. _____

IN OPPOSITION TO THE IMPLEMENTATION OF BACKGROUND CHECKS FOR THE ACQUISITION OF AMMUNITION AND TO THE IMPOSITION OF FEES FOR THE PERFORMANCE OF ANY BACKGROUND CHECKS FOR THE ACQUISITION OF FIREARMS OR AMMUNITION AS REQUIRED UNDER THE CONCEALED CARRY IMPROVEMENT ACT

By Mr. Forsythe, District 2 and Mr. Perkins, District 7

WHEREAS, on June 23rd, 2022, the United States Supreme Court issued its decision in the matter of the *New York State Rifle and Pistol Association et. al v. Bruen*, striking down the New York State ‘proper cause’ requirements for the issuance of a pistol license, and

WHEREAS, building on *District of Columbia v. Heller* and the decision in *McDonald v. City of Chicago, Illinois*, the United States Supreme Court ruled in *Bruen* that the Second Amendment’s protection of “the right to keep and bear arms” extends to individual self-defense outside the home, and

WHEREAS, in response to the *Bruen* decision, the New York State Legislature and Governor Kathy Hochul concluded a two-day extraordinary session on July 1, 2022 that led to Governor Hochul signing the “Concealed Carry Improvement Act” so titled by its proponents, and

WHEREAS, the Concealed Carry Improvement Act moved to circumvent the decision to deprive its citizens of any effective right to self-defense in public in one major way, by exponentially expanding the places [“Sensitive places”] in which a person with a valid license cannot carry a firearm for self-defense, and

WHEREAS, the Concealed Carry Improvement Act includes alarming provisions that flout the *Bruen* precedent by requiring concealed carry permit applicants to display good moral character; subject their social media accounts for review; submit to in-person interviews with law enforcement; provide four (4) character references; undergo eighteen (18) hours of combined training, an increase from the existing four-hour requirement; and recertify every three (3) years instead of the prior recertification period of every five (5) years, and

WHEREAS, in addition to the aforementioned requirements, the Concealed Carry Improvement Act included having background checks go through the State for buying both firearms and, now, also ammunition, and

WHEREAS, background checks have been a requirement to buy guns in the State of New York for a long time and currently the FBI conducts these background check; however, starting in September of 2023, New York State will get involved by tacking on charges for legal gun owners, and

WHEREAS, starting September 13th, the New York State Police will serve as the middleman between gun owners and the FBI conducting background checks, and

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WHEREAS, the ammunition background checks will be just like the original check for someone who wants to purchase a gun, but under the new rules the New York State Police are actually taking over as the middleman between the gun dealer requesting the check, which they could easily do online or by phone, and the FBI's National Instant Criminal Background Check, which has been free, and

WHEREAS, now the State of New York will charge \$9 for the gun purchase background check and at least \$2.50 for an ammunition purchase background check, and

WHEREAS, immediately following the passage of the Conceal Carry Improvement Act, multiple lawsuits were filed challenging the legislation, and one of the more prominent of these suits was *Antonyuk and Gun Owners of America et. al v. Bruen et. al* in the Northern District of New York U.S. District Court, and

WHEREAS, on September 12, 2022, the Board of Legislators adopted Resolution No. 306-2022 authorizing the County Attorney to explore legal options for challenging the Conceal Carry Improvement Act, and

WHEREAS, since September of 2022, the County Attorney has acted as “of counsel” to litigation known as *Antonyuk*, which challenges the constitutionality of the Concealed Carry Improvement Act, and

WHEREAS, following an initial victory striking down many of the portions of the Act in the Northern District of New York Federal Court, the matter was appealed to the United States Second Circuit Court of Appeals, where it awaits a decision from a three (3) judge panel on whether to sustain the Northern District of New York decision, and

WHEREAS, the initial decisions regarding the Concealed Carry Improvement Act makes clear that the legislation is constitutionally infirm and should not continue forward,

NOW, THEREFORE, BE IT RESOLVED the Board of Legislators opposes the implementation of background checks for the acquisition of ammunition and to the imposition of fees for the performance of any background checks for the acquisition of firearms or ammunition as required under the concealed carry improvement act, 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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Finance Committee: 8-28-2023

RESOLUTION NO. _____

OPPOSING THE ISSUANCE OF EXECUTIVE ORDERS DIRECTING THE PLACEMENT OF MIGRANTS IN LOCAL COMMUNITIES OVER THE OBJECTION OF THE CITIZENRY AND THE IMPACTED COUNTY AND COMMENDING THE REFUSAL OF GOVERNOR HOCHUL TO ISSUE AN EXECUTIVE ORDER DIRECTING PLACEMENT OF MIGRANTS IN UPSTATE COMMUNITIES

By Mr. Forsythe, District 2 and Mr. Perkins, District 7

WHEREAS, invited by the New York City Sanctuary City Policy for migrants with non-declared or non-determined legal status, nearly 100,000 migrants have arrived in New York City since the spring of 2022 as of early August 2023, and

WHEREAS, New York City has struggled to respond to the growing crisis as many have sought shelter with the City, which has a legal obligation to give beds to anyone who asks, and

WHEREAS, New York City Mayor Eric Adams has called it a humanitarian crisis that will cost the City about \$12 billion over three (3) years, prompting the City of New York to declare a state of emergency, and

WHEREAS, as New York City has struggled to respond to the arrival of over 96,000 new migrants, Mayor Adams has begun discouraging migrants from seeking refuge in New York City and has sought help from the State of New York in moving the migrants to other areas around New York State, and

WHEREAS, in May of 2023, the State of New York declared an emergency to respond to the growing migrant crisis and to assist as they seek federal funding, and

WHEREAS, following the issuance of the State of New York declaration and after the City of New York sought to place migrants in communities while leaving the local communities to cover the expenses of those placed after December 31, 2023, thirty (30) of the fifty-seven (57) counties outside of New York City declared their own States of Emergencies, and

WHEREAS, in response to limited options for housing several legal battles between localities and the City of New York, Mayor Adams encouraged Gov. Kathy Hochul on Wednesday, August 23rd, 2023 to use an executive order to foist migrants on suburban and upstate communities, as well as pay the city \$6.5 billion in aid, and

WHEREAS, lawyers for New York City also recommended several state-controlled locations for temporary new shelters in Brentwood, Newburgh, King Parks, Manhattan, Queens, and Staten Island, according to a filing filed on Wednesday, August 23rd, 2023, in Manhattan Supreme Court, and

WHEREAS, advocated by the City Law Department, a list of sites to be created reportedly includes the Pilgrim Psychiatric Facility, Kings Park Psychiatric Center, the Stewart Air National Guard Base, the Javits Center, Aqueduct Racetrack, a second hanger at John F.

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Kennedy International Airport, the Staten Island Armory, and some dormitories at State University of New York campuses around the State of New York, and

WHEREAS, St. Lawrence County is home to two State University of New York campuses in the towns of Canton and Potsdam, and

WHEREAS, despite the legal filings and public requests of the City of New York, on August 24th, 2023, Governor Kathy Hochul stated, “We cannot and will not force other parts of our State to shelter migrants,” Hochul said. “Nor are we going to be asking these migrants to move to other parts of the state against their will,” and

WHEREAS, St. Lawrence County appreciates the recognition by the Governor of the upstate communities’ authority to govern its own property and affairs, and

WHEREAS, the New York State Constitution provides the basis for New York State law and the delineation of the powers and authority of local governments in New York State, and

WHEREAS, Section 2 of Article IX of the State Constitution details the responsibility of the New York State legislature to “...provide for the creation and organization of local governments in such manner as shall secure to them the rights, powers, privileges and immunities granted to them by this constitution,” and

WHEREAS, Section 2c of Article IX gives the legislature the ability to provide additional powers to local governments to adopt local laws relating to issues other than “...the property, affairs or government of such local government,” and

WHEREAS, the exercise of the issuance of emergency orders directing that one locality assume burdens related to migration of another runs counter to the powers vested in the counties to regulate “...the property, affairs or government...” of their communities, and

WHEREAS, issuance of emergency orders directing the placement of migrants around the State of New York merely shifts the problem from the City of New York to other counties rather than solving the problem,

NOW, THEREFORE, BE IT RESOLVED the Board of Legislators opposes the issuance of Executive Orders directing the placement of migrants in local communities over the objection of the citizenry and the impacted county and commending the refusal of Governor Hochul to issue an executive order directing placement of migrants in upstate communities, 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.

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

DAVID FORSYTHE
 Chair, Board of Legislators

ANNUAL VACANCY REVIEW ANALYSIS
 August Finance Committee
 Monday, August 28, 2023
 Review of 2022-2023

History: The Vacancy Review Committee was reinstated in August of 2015 in an effort to monitor requests to fill vacant positions in St. Lawrence County Government. Three resolutions have assisted in the internal controls process; Resolution Nos. 281-2008, 222-2015, and 369-2019. In 2019, the Board of Legislators adopted Resolution No. 369-2019 that recognized an agreement that provided for the ability of the Highway Department to back fill positions down to the entry level which then requires action of the Board of Legislators.

Annually, the Staffing Summary charts included below are provided to share important information about the workforce of the County. It is helpful in analyzing trends to track how the totals are changing across the categories relative to the County Workforce.

St. Lawrence County Government Staffing Summary:

***The highest reported category is in bold. ***

Year	Gender	Total	Gender	Total
2023	Female	472 (58.6%)	Male	333 (41.4%)
Total 805				
2022	Female	482 (59.7%)	Male	325 (40.3%)
Total 807				
2021	Female	478 (59%)	Male	328 (41%)
Total 806				

NYS Retirement Tier	2023 Total	2022 Total	2021 Total
Tier 1	0	0	0
Tier 2	2	1	1
Tier 3	9	11	15
Tier 4	336	352	397
Tier 5	45	47	48
Tier 6	425	389	344
Total	817	800	805

Age Range	2023 Total	2022 Total	2021 Total
70 +	9	10	11
65-69	17	19	17
60-64	56	51	48
55-59	98	96	101
50-54	132	133	145
45-49	121	119	109
40-44	100	109	111
35-39	89	93	95
30-34	87	85	77
20-29	96	92	92
Total	805	807	806

Years of Service	2023 Total	2022 Total
31+	22	18
21-30	118	95
16-20	99	109
11-15	97	128
6-10	109	95
0-5 (The 2022 removed 109 i.e. JTPA & Voting System Technicians)	360	362
Total	805	807

Representation Status	2023 Total	2022 Total
CSEA	567	577
CSEA Solid Waste	65	13
Counsel 82	6	59
Counsel 82 Supervisors	31	6
Deputy Sheriff's Association	5	30
Sheriff's Supervisors Association	8	5
Indigent Defenders	14	10
Unrepresented (2023 Management/Appointed/ Non-Union)*Includes 15 Board members and 4 part time Corrections.	109	107
Total	805	807

Civil Service Exams

Year	# of exams held	# of participants	Revenue Collected	Saturdays Worked	Sundays Worked	Alternate Date	Provisional Appts. (December)
2019	82	752	\$10,148	14	1	9	57
2020	27 *	355	\$7,555	6	1	6	48
2021	62	1016	\$16,395	15	0	13	74
2022	54	637	\$14,212	20	0	14	111

*the number of Civil Service exams held in 2020 were lower due to NYS scheduling & COVID

Onboarding

Year	Exam Applications	New Hires	Orientation
2019	752	277	27
2020	355	156	37
2021	1,016	209	54 (27 special)
2022	887	172	31 (5 special)

*does not include applications for Non-competitive, Labor or Exempt positions

Turnover By Month

Month	2019	2020	2021	2022
Jan	7	7	5	11
Feb	3	6	3	8
Mar	0	5	3	10
Apr	5	7	9	9
May	9	11	7	9
Jun	8	5	8	4
Jul	11	12	7	5
Aug	6	10	11	14
Sep	5	13	8	12
Oct	8	5	13	11
Nov	3	5	9	8
Dec	4	3	8	9
Totals	69	89	91	110

Turnover By Department

Department	2019	2020	2021	2022	Average
Buildings and Grounds	1	0	2	7	2.5
Board of Elections	0	0	1	0	0.25
Community Services	10	6	10	9	8.75
Conflict Defender	0	1	2	1	1
Correctional Facility	5	12	11	19	11.75
County Administrator	2	1	0	2	1.25
County Attorney	1	3	0	1	1.25
County Clerk	1	0	2	1	1
District Attorney	3	2	0	0	1.25
Emergency Services	2	0	1	3	1.5
Highway	5	13	9	17	11
Information Technology	0	0	1	0	0.25
Human Resources	3	1	2	0	1.5
Office For The Aging	2	7	2	4	3.75
Planning	0	1	0	1	0.5
Probation	1	3	0	5	2.25
Public Defender	1	0	3	1	1.25
Public Health	7	5	8	8	7
Purchasing	0	0	1	0	0.25
Real Property	1	1	1	2	1.25
Sheriff	4	5	8	3	5
Social Services	19	24	24	22	22.25
Solid Waste	0	1	1	0	0.5
Treasurer	1	2	2	1	1.5
Weights & Measures	0	0	0	0	0
Youth Bureau	1	0	0	0	0.25
Totals	70	89	92	110	89

Average Days Positions Vacant (As of 07/01/2023)

Year	Average Days Vacant
2019	54
2020	75
2021	65
2022	53

Annual Vacancy Analysis:

Year & Vacant Period	Total	% Change Over 2021-2022	% Change Over 4 Year Average	Average 2019-2023	
2022-2023	162	0%	5%	153.5	-8.5 Positions
Performance:				Best Performance Year	
Immediate Fill	96.30%	+3.71%	-16.11%	30%	2016-2017
30 Days Vacant	.62%	-1.85%	-5.10%	8%	2015-2016
60 Days Vacant	.62%	+3.39%	-1.28%	25%	2016-2017
90 Days Vacant	.62%	0%	-1.62%	4%	2018-2019
Denied	0%	0%	-0.19%	4%	2015-2016
Held/Withdrawn	1.84%	-1.25%	-2.78%	28%	2016-2017

Note: There were 22 positions (14%) considered by abolishing a position and creating a new position, which is a decrease of 2 over the 2022-2023.

2023 Recommendations:

- **Request:** Given the current hiring environment, allow all departments to proceed with advertising, canvassing, and communication efforts with prospective hires as soon as notice of a position vacancy is known to the appointing authority. The hire could not occur until the Board of Legislators approves the Position.
- **Continue the Practice:** The Highway Department has a prescribed process through the CSEA Contract, Addendum A, for how positions are filled. The Board of Legislators authorized the practice of filling all positions, following approval of the first vacancy all the way through to the entry level title. The recommendation is to continue this practice allowing the hiring process for this department as previously approved by the Board of Legislators.

St. Lawrence County Vacancy Authorization Form

Highway



Type: Fill **Bridge Construction Supervisor**

Subunit (If Applicable): _____ Date Submitted: 7/19/23

Reason Vacated: Retirement Position Number: 317000002

Date Vacated: 8/22/23 Position # Abolished: _____

Position Status: Fulltime Last Fill Date: 5/4/04

Jurisdictional Class: Competitive Appointee Will Be: Provisional

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

Budget

Salary of Person Leaving: \$71,137 Fill Request Timeline: Immediately

Benefits: Yes (51.44%) \$36,593 Revenue Generating: No 0 %

Base Salary: \$57,988 Reimbursed by Local, State or Federal Funds: No 0 %

Base Hourly: \$27.88

Grade: 28

Net County Cost: \$107,730

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

Detailed Justification

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

This position involves responsibility for planning, directing, and reviewing the work of several crews engaged in building new bridges and replacing, repairing, and maintaining existing ones in the County highway system. The incumbent of the position is responsible for estimating needs for personnel, materials, and equipment for all projects contemplated or undertaken and ensuring their most efficient and economical use. The work is performed under the general supervision of the County Superintendent of Highways with wide leeway allowed for the use of independent judgment in carrying out the details of the work. Supervision is exercised over the work of all employees assigned to the bridge crew. The incumbent does related work as required.

Department Head: *Donald R. Chealson*

Approved?
Yes No

County Administrator: _____

Resolution #: _____

Job Qualifications

For Human Resources Use Only:
Job Qualifications Listed here:

MINIMUM QUALIFICATIONS: Graduation from high school, possession of a high school equivalency diploma, or possession of an Individual Education Plan diploma AND four (4) years experience in bridge construction, reconstruction, rehabilitation or maintenance, two (2) years of which shall have been in a supervisory capacity.

SPECIAL REQUIREMENTS: Possession of a valid New York State motor vehicle license appropriate for the vehicles operated.

September 11, 2023

Finance Committee: 8-28-2023

RESOLUTION NO. _____

AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR STORM WATER MANAGEMENT AND MODIFYING THE 2023 BUDGET FOR BUILDINGS AND GROUNDS

By Mr. Gennett, Chair, Finance Committee

WHEREAS, the New York State Division of Homeland Security and Emergency Services (NYS DHSES) awarded \$27,000 to St. Lawrence County to conduct an engineering study to evaluate storm water management options for the St. Lawrence County Courthouse Complex, formally titled “HMGP 4480-0035 St. Lawrence County Storm Water Management Advanced Assistance,” and

WHEREAS, the Hazard Mitigation Grant Program (HMGP) requires a local match of ten percent (10%) of project costs to come from non-State or Federal sources,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract with the New York State Division of Homeland Security and Emergency Services, and any other documentation necessary, for Storm Water Management, upon approval of the County Attorney, and

BE IT FURTHER RESOLVED that the Board of Legislators authorizes up to \$3,000 in local funds as the required matching funds, and

BE IT FURTHER RESOLVED that the Treasurer is authorized to modify the 2023 Budget for Buildings and Grounds, as follows:

DECREASE APPROPRIATIONS:

B1019904 49700 B SPEC Contingency Account \$3,000

INCREASE APPROPRIATIONS:

BG016204 43007 BLDG Other Fees and Services \$30,000

INCREASE REVENUE:

BG049605 57000 B Hazard Mitigation Grant \$27,000

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

September 11, 2023

Finance Committee: 8-28-2023

RESOLUTION NO. _____

**AUTHORIZING A HYBRID WORK AGREEMENT WITH THE
INDIGENT DEFENDERS IN ST. LAWRENCE COUNTY**

By Mr. Gennett, Chair, Finance Committee

WHEREAS, St. Lawrence County has experience allowing employees to work in remote locations such as their homes or in spaces not designated as their primary work location, and

WHEREAS, the Indigent Defenders have expressed an interest in a remote/hybrid work environment where they would be availed the opportunity to work both in the office, satellite worksite, and at home, and

WHEREAS, on May 1, 2023, St. Lawrence County appointed a Remote Work Committee to discuss the opportunity with interested bargaining units for staff members to work in a remote/hybrid environment as prescribed by mutual agreement, and

WHEREAS, initially there will be Pilot period for the term of September 12, 2023, or upon signature to a mutually agreed upon Memorandum of Understanding through December 31, 2024, providing an opportunity to determine if this arrangement is beneficial to the Staff, the County, and the public that are served,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes a hybrid work agreement with the Indigent Defenders in St. Lawrence County from September 12th through December 31, 2024, upon approval of the County Attorney, and

BE IT FURTHER RESOLVED that the Negotiations Committee be provided an update on the status of this agreement prior to the commencement of negotiations for a successor agreement with the Indigent Defenders.

September 11, 2023

Finance Committee: 8-28-2023

RESOLUTION NO. _____

**ADOPTING PROPOSED LOCAL LAW A (NO. _) FOR THE YEAR 2023,
“ALLOWING 12 AND 13 YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH
A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE
SUPERVISION OF AN ADULT LICENSED HUNTER” AND RESCINDING
LOCAL LAW B FOR THE YEAR 2021**

By Mr. Gennett, Chair, Finance Committee
Co-Sponsored by Mr. Forsythe, District 2; Mr. Denesha, District 6;
Mr. Perkins, District 7; and Mr. Webster, District 11

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

- Section 1. Pursuant to Environmental Conservation Law, ECL 11-0935, St. Lawrence County elects to participate in the temporary program to allow for young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle loaded firearms or crossbow through 2025.
- Section 2. Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer, under the supervision of a licensed adult hunter, age 21 years or older, with a rifle, shotgun, or muzzle loading firearm in areas where and during the hunting season in which such firearms may be used.
- Section 3. Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer under the supervision of a licensed adult hunter, age 21 years or older, with a crossbow during the times when other hunters may use crossbows.
- Section 4. Supervision of a licensed adult hunter, age twenty-one (21) years or older, with at least three (3) years of experience who exercises dominion and control over the youth hunter at all times is required.
- Section 5. All licensed twelve (12) and thirteen (13) year old hunters as well as their adult supervisors shall be required to wear fluorescent orange or pink clothing while engaged in hunting to an extent and covering so designated pursuant to the law, rules, and regulations promulgated by the State of New York.
- Section 6. All licensed twelve (12) and thirteen (13) year old hunters shall remain at ground level while hunting deer with a crossbow, rifle, shotgun, or muzzleloader.
- Section 7. Notwithstanding any State or Federal Law to the contrary, this local law shall not authorize the hunting of bear by twelve (12) and thirteen (13) year olds with a firearm or crossbow.
- Section 8. A copy of this local law shall be sent to the New York State Department of Conservation.

September 11, 2023

Section 9. This local law shall take effect immediately upon filing with the Secretary of State.

September 11, 2023

Finance Committee: 8-28-2023

RESOLUTION NO. _____

MODIFYING THE 2023 BUDGET FOR HUMAN RESOURCES FOR PAYMENT OF PRE-EMPLOYMENT MEDICAL/PHYSICAL EXAMS FOR ST. LAWRENCE COUNTY

By Mr. Gennett, Chair, Finance Committee

WHEREAS, Local Law No. 1 of 1967 requires all prospective employees of any participating member of the St. Lawrence County Self-Insurance Plan to submit to a medical/physical examinations as a condition of employment, and

WHEREAS, St. Lawrence County (SLC) entered into an agreement with Claxton-Hepburn Medical Center (CHMC), 214 King Street, Ogdensburg, New York 13669, to provide pre-employment medical/physical examinations and testing to SLC employees effective December 9, 2013, and

WHEREAS, the following fee schedule for physicals (non-police exams) was agreed upon and is in effect today:

Medical/Physical Exam	\$50.00
Urinalysis	\$13.13
Tuberculosis	\$10.19
EKG	\$95.82
Reading of EKG	\$10.00
Drug Screen	\$18.00
Chest X-Ray (single view)	\$162.41
Chest X-Ray (two views)	\$219.78

WHEREAS, Part 6000 of Title 9 of New York Codes, Rules and Regulations (9 CRR-NY 6000) establishes the minimum medical and physical fitness standards for police officer candidates, and

WHEREAS, the following fee schedule for police exams was agreed upon and is in effect today, and

Medical/Physical Exam	\$90.00
EKG	\$90.00
Reading of EKG	\$10.00
Drug Screen	\$45.45
Chest X-Ray	\$130.00
Tdap Vaccine	\$81.00
Hearing Screen	\$95.00
Eye Exam with depth perception	\$250.00

WHEREAS, the correct rates and bills have not been provided consistently as itemized bills, and St. Lawrence County has been unable to reconcile records since 2021,

September 11, 2023

WHEREAS, in an effort to resolve the issue of past due bills, Human Resources and CHMC have worked together and have fully reconciled the bills which resulted in an outstanding balance due of \$11,729.67 for regular exams and \$3,470.13 for police exams, and

WHEREAS, historically each County department has been responsible for the expenses associated with pre-employment medical/physical exams of each department employee, and Human Resources is also responsible for the expenses associated with pre-employment police medical/physical exams of each municipal agency excluding the City of Ogdensburg, and

WHEREAS, Department Heads have not been able to accurately budget for these costs over the past three (3) years and it would be practical to have these expenses paid with contingency funds for 2023, bill the municipal agencies for their portions, and budget for this expense in Human Resources in the future, and

WHEREAS, it is estimated that there will be approximately fifty (50) new hires between now and the end of 2023 at \$50 per medical/physical exam equaling \$2,500, and there will be no additional police exams are expected through 2023,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Treasurer to modify the 2023 Budget for Human Resources for payment of pre-employment medical/physical exams for St. Lawrence County, as follows:

DECREASE APPROPRIATIONS:

B1019904 49700	B SPEC Contingency Account	\$17,700
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INCREASE APPROPRIATIONS:

CP014304 43004	C Pers Medical Fees	\$17,700
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BE IT FURTHER RESOLVED that for the remainder of 2023 and going forward the medical/physical exams for all St. Lawrence County departments will be paid for and budgeted in Human Resources.