

***Pursuant to the State of Emergency Executive Order 202.1 Article 7, Suspension of Law
Allowing the Attendance of Meetings Telephonically or Other Similar Service***

Chair Lightfoot called the meeting to order at 6:00 p.m.

SUSPENSION OF THE RULES: Ms. Curran moved to suspend the Rule of Procedure to allow the attendance of Legislators telephonically, seconded by Mr. Forsythe, and carried unanimously by a voice vote with fifteen (15) yes votes.

ROLL CALL: All Legislators were present. Mr. Arquiatt, Mr. Burke, Ms. Fiacco, Ms. Haggard, and Ms. Terminelli attended telephonically.

Mr. Denesha said a prayer, followed by the Pledge of Allegiance.

APPROVAL OF THE AGENDA: Mr. Smithers moved to approve the agenda, seconded by Mr. Forsythe, and carried unanimously by a voice vote with fifteen (15) yes votes.

APPROVAL OF MINUTES: Ms. Curran moved to approve the July 6, 2020 meeting minutes, seconded by Mr. Sheridan, and carried unanimously by a voice vote with fifteen (15) yes votes.

COVID-19 UPDATE: Dr. McGuire and Dr. Williams

COMMUNICATIONS: The following correspondence was read by the Deputy Clerk:

1. A thank you card was received from Sydney Jarvis of Norwood-Norfolk Central School thanking the Board for the Capital District OTB Scholarship of \$250. Sydney will be attending Clarkson University in Fall.

CITIZEN PARTICIPATION: There was no citizen participation.

PRESENTATION OF RESOLUTIONS:

Services Committee: 7-13-2020

RESOLUTION NO. 208-2020

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH
HEALTH RESEARCH INC. (HRI) FOR COVID-19 RESPONSE AND
MODIFYING THE 2020 BUDGET FOR THE PUBLIC HEALTH DEPARTMENT**

By Mr. Sheridan, Chair, Services Committee

WHEREAS, Health Research Inc.(HRI) has been awarded a grant/contract from the Centers for Disease Control (CDC) Prevent, where part of the overall project involves COVID-19 Response, and

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WHEREAS, the Public Health Department has the knowledge, qualifications, and experience required for this project, and is willing and capable of performing the services required under this agreement, and

WHEREAS, upon the signing of this agreement, the Public Health Department will receive funding in the amount of \$166,544, and

WHEREAS, additionally a placeholder of \$451,310 is added to the contract in case emergency funds need to be allocated and disbursed quickly, which would allow for expedited procurement procedures,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract with Health Research Inc. (HRI) for COVID-19 Response, upon approval of the County Attorney, and

BE IT FURTHER RESOLVED that the Board of Legislators authorizes the Treasurer modify the 2020 Budget for the Public Health Department, as follows:

INCREASE REVENUE:

PP044895 57000 CVD	P FA COVID-19 Grant	\$166,544
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INCREASE APPROPRIATIONS:

PP040104 18000 CVD	P CVD Overtime	\$57,109
PP040104 42000 CVD	P CVD Office Supplies	1,000
PP040104 42302 CVD	P CVD Other Phone Services	1,000
PP040104 43005 CVD	P CVD Advertising Fees	9,507
PP040104 43007 CVD	P CVD Other Fees & Services	54,869
PP040104 44300 CVD	P CVD Mileage Reimbursement	500
PP040104 45100 CVD	P CVD Medical Supplies & Expenses	14,170
PP040108 81000 CVD	P CVD Retirement	7,550
PP040108 83000 CVD	P CVD Social Security	4,050
PP040108 84000 CVD	P CVD Workmens Compensation	1,600
PP040108 84500 CVD	P CVD Group Life Insurance	92
PP040108 86000 CVD	P CVD Medical Insurance	14,200
PP040108 86500 CVD	P CVD Dental Insurance	607
PP040108 89000 CVD	P CVD Vision Insurance	290
		<u>\$166,544</u>

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

Mr. Sheridan moved to adopt Resolution No. 208-2020, seconded by Ms. Curran, and carried unanimously by a roll call vote with fifteen (15) yes votes.

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Services Committee: 7-13-2020

RESOLUTION NO. 209-2020

PROCLAIMING AUGUST AS NATIONAL IMMUNIZATION AWARENESS MONTH

By Mr. Sheridan, Chair, Services Committee

WHEREAS, the Public Health Department is observing National Immunization Awareness Month in August to highlight the importance of vaccinations for people of all ages, and

WHEREAS, providing children the vaccines recommended by the Center for Disease Control and Prevention before their second birthday is the best protection against fourteen (14) serious and potentially deadly diseases, and

WHEREAS, vaccines recommended for individuals are based on age, health conditions, job, lifestyle or travel habits, and

WHEREAS, some childhood vaccines can wear off over time making it necessary for adults to keep vaccinations up-to-date to help protect themselves and others, and

WHEREAS, it is essential for pregnant women to receive vaccinations, not only to protect themselves, but to create protective antibodies that will be passed on to her baby providing short-term protection, and

WHEREAS, vaccinations are one of the most convenient and safest preventive care measures available,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators proclaims August as National Immunization Awareness Month.

Mr. Sheridan moved to adopt Resolution No. 209-2020, seconded by Mr. Denesha, Ms. Curran, and Ms. Terminelli, and carried unanimously by a voice vote with fifteen (15) yes votes.

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Services Committee: 7-13-2020

RESOLUTION NO. 210-2020

AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH HILLSIDE CHILDREN'S CENTER FOR RECRUITMENT OF ADOPTIVE FAMILIES FOR CHILDREN IN FOSTER CARE

By Mr. Sheridan, Chair, Services Committee

WHEREAS, the Department of Social Services recruits adoptive families for children in foster care and works collaboratively to facilitate the appropriate matching and placement of identified children in permanent homes, and

WHEREAS, with support from the Dave Thomas Foundation for Adoption, Hillside Children's Center uses permanency recruiters to carry out evidence-based child-focused recruitment using the Wendy's Wonderful Kids Program to assist the recruitment efforts of the Department of Social Services, and

WHEREAS, an agreement that outlines the mutual responsibilities between Hillside Children's Center and St. Lawrence County for recruiting adoptive families for children in foster care is necessary to access the available additional support from the Wendy's Wonderful Kids Program,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract with Hillside Children's Center for recruitment of adoptive families for children in foster care, upon approval of the County Attorney.

Mr. Sheridan moved to adopt Resolution No. 210-2020, seconded by Mr. Forsythe, Ms. Curran, and Ms. Terminelli, and carried unanimously by a voice vote with fifteen (15) yes votes.

Operations Committee: 7-13-2020

RESOLUTION NO. 211-2020

AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH THE NORTH COUNTRY HOUSING COUNCIL, INC. FOR THE DELIVERY OF THE COUNTYWIDE HOUSING REHABILITATION PROGRAM, ROUND #3

By Mr. Denesha, Chair, Operations Committee

WHEREAS, St. Lawrence County was awarded \$440,000 through the NYS Community Development Block Grant (CDBG) Program in order to rehabilitate homes as part of the third round of its Countywide Housing Rehabilitation Program (CHRP 3), and

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WHEREAS, the County has partnered with the North Country Housing Council, Inc. to deliver 28 previous CDBG awards for housing rehabilitation, and

WHEREAS, the partnership between the County and the North Country Housing Council, Inc. has resulted in the investment of more than \$11.7 million in CDBG Funds, and has assisted more than 630 low-income households to live in substantially improved living conditions (N1080204 460GP NH52),

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract with the North Country Housing Council, Inc. for the delivery of the Countywide Housing Rehabilitation Program, Round 3, upon approval of the County Attorney.

Mr. Denesha moved to adopt Resolution No. 211-2020, seconded by Mr. Acres and Ms. Terminelli, and carried unanimously by a voice vote with fifteen (15) yes votes.

Operations Committee: 7-13-2020

RESOLUTION NO. 212-2020

REAUTHORIZING THE NORTH COUNTRY HOME CONSORTIUM WITH THE COUNTIES OF JEFFERSON AND LEWIS FOR THE PURPOSE OF OBTAINING HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

By Mr. Denesha, Chair, Operations Committee

WHEREAS, the Board of Legislators adopted Resolution No. 43-93 on February 8, 1993, which authorized the formation of a three county HOME Consortium for the purpose of obtaining HOME Investment Partnership Program Funds from the U.S. Department of Housing and Urban Development and designated Jefferson County as Lead County in the Consortium, and

WHEREAS, the Board of Legislators previously adopted Resolution No. 132-96, Resolution No. 148-99, Resolution No. 102-2002, Resolution No. 97-2005, Resolution No. 123-2008, and Resolution No. 84-2011 which reauthorized the North Country HOME Consortium, and

WHEREAS, in the previous reauthorization round, 103 municipalities within the three counties had agreed to participate in the HOME Consortium, and

WHEREAS, those funds have been successfully utilized to provide affordable housing in the three county HOME Consortium area,

WHEREAS, the U.S. Department of Housing and Urban Development has notified the three county HOME Consortium that a new consortium agreement must be executed due to the

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fact that the qualification period for the Consortium ends June 30, 2020, and

WHEREAS, the HOME Administrative Board, comprised of representatives of the three counties, has expressed a desire to continue the three county HOME Consortium for three more years, and has developed terms for cooperation agreements between the counties and local governments, and

WHEREAS, Jefferson County has agreed to continue to serve as lead county for the Consortium,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators agrees to reauthorize the North Country Home Consortium with the Counties of Jefferson and Lewis for the purpose of obtaining Home Investment Partnership Program funds from the U.S. Department of Housing and Urban Development.

Mr. Denesha moved to adopt Resolution No. 212-2020, seconded by Ms. Curran and Mr. Sheridan, and carried unanimously by a voice vote with fifteen (15) yes votes.

Finance Committee: 7-27-2020

RESOLUTION NO. 213-2020 - FAILED

**AUTHORIZING THE FORGIVENESS OF INTEREST, PENALTIES, AND FEES
ON A CERTAIN PARCEL OF LAND TO BE OBTAINED
BY THE TOWN OF LOUISVILLE**

By Mr. Acres, Chair, Finance Committee

WHEREAS, County of St. Lawrence (“County”) has commenced an action against the owners of land currently identified as County Route 39, in the Town of Louisville, due to a tax delinquency by a tax foreclosure proceeding for unpaid ad valorem real property taxes with respect to the following 1.9 acre property located in St. Lawrence County (hereinafter referred to as the “Site”), and

WHEREAS, the Site is more fully identified as follows:

- Current or Prior Owners: William LeFevre, et al
- Location: County Route 39, Louisville, New York
- Tax Map No.: 15.048-2-11, and

WHEREAS, the County has received a request from the Town of Louisville to waive the interest, penalties and fees imposed upon the lot as a part of an acquisition of the land by the Town of Louisville, and

WHEREAS, in support of the request the Town of Louisville has stated that acquisition

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of the land will assist in providing a safer line-of-site from the Arena, and additionally the property will be eligible for cleanup to reduce risk of injury due to debris on the site, and

WHEREAS, the Town of Louisville has proposed to pay the taxes, less the fees, interest, and penalties currently delinquent on the property,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the forgiveness of interest, penalties, and fees on a certain parcel of land to be obtained by the Town of Louisville, and

BE IT FURTHER RESOLVED that there must be receipt of satisfactory proof of conveyance of title of property known as County Route 39, Massena, New York 13662 (Tax Map No. 15.048-2-11) to the Town of Louisville.

Mr. Acres moved to adopt Resolution No. 213-2020, seconded by Mr. Forsythe and Mr. Arquiett.

Mr. Acres said he does not support this resolution.

Mr. Arquiett said he will support t resolution.

Resolution No. 213-2020 failed by a roll call vote with eight (8) no votes, and seven (7) yes votes (Fay, Haggard, Fiacco, Burke, Arquiett, Terminelli, and Denesha).

Finance Committee: 7-27-2020

RESOLUTION NO. 214-2020

**WORKERS' COMPENSATION SELF-INSURANCE APPORTIONMENT
FOR THE YEAR 2021**

By Mr. Acres, Chair, Finance Committee

WHEREAS, the St. Lawrence County Self-Insured Plan has developed its budget for the for the year 2021, and

WHEREAS, the participant allocation of the plan costs is to be provided by September 1, 2020,

NOW, THEREFORE, BE IT RESOLVED that the following apportionment of Workers' Compensation costs for the year 2021 be applied to the participating municipalities of St. Lawrence County:

	<u>2020 APPORTIONMENT</u>	<u>2021 APPORTIONMENT</u>
St. Lawrence County	\$1,150,391	\$1,153,257

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Soil and Water	17,552	7,233
<u>CITY</u>		
Ogdensburg	328,856	218,263
<u>TOWNS</u>		
Brasher	27,148	32,490
Canton	42,896	44,956
Clare	6,754	8,076
Clifton	32,583	35,899
Colton	0	0
DeKalb	21,102	26,357
DePeyster	9,259	14,572
Edwards	26,582	27,354
Fine	40,603	40,893
Fowler	25,489	29,178
Gouverneur	30,190	38,131
Hammond	17,782	18,291
Hermon	21,256	27,334
Hopkinton	21,123	22,973
Lawrence	20,530	21,802
Lisbon	58,315	51,669
Louisville	41,979	33,560
Macomb	17,939	16,601
Madrid	26,469	31,525
Massena	1,059,833	878,625
Morristown	26,154	27,095
Norfolk	35,704	37,841
Oswegatchie	31,664	34,633
Parishville	47,460	51,505
Piercefield	0	0
Pierrepoint	38,709	44,965
Pitcairn	11,178	12,186
Potsdam	70,564	79,651
Rossie	12,121	14,668
Russell	30,569	26,867
Stockholm	32,247	34,387
Waddington	22,640	21,375
<u>VILLAGES</u>		
Canton	113,094	115,636
Rensselaer Falls	1,444	745
Richville	22	21
Gouverneur	73,492	70,636
Hammond	1,457	605
Heuvelton	11,562	12,844

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Massena	293,035	261,185
Morristown	0	0
Norwood	25,723	31,858
Potsdam	162,463	150,332
Waddington	14,056	13,029
TOTAL	\$4,100,000	\$3,821,103

Mr. Acres moved to adopt Resolution No. 214-2020, seconded by Mr. Forsythe, Ms. Curran, and Mr. Reagen, and carried unanimously by a roll call vote with fifteen (15) yes votes.

Finance Committee: 7-27-2020

RESOLUTION NO. 215-2020

AUTHORIZING THE CHAIR TO SIGN AN AGREEMENT WITH THE NEW YORK POWER AUTHORITY FOR THE INSTALLATION OF A CULVERT ON COUNTY ROUTE 39 TO FACILITATE THE SMART PATH MOSES-ADIRONDACK TRANSMISSION LINES PROJECT AND TO MODIFYING THE 2020 BUDGET FOR THE DEPARTMENT OF HIGHWAYS

By Mr. Acres, Chair, Finance Committee

WHEREAS, the New York Power Authority (NYPA) is managing the Smart Path Moses-Adirondack Transmission Lines Project, and

WHEREAS, the New York State Department of Environmental Conservation (NYS DEC) has expressed concerns over the impact of construction on animal passage in the area, and

WHEREAS, in efforts to facilitate the project, the NYPA has agreed to reimburse the Department of Highways for expenses to construct a culvert on County Route 39 in the Town of Louisville to alleviate the impact on animal passage,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign an agreement with the New York State Power Authority for the installation of a culvert on County Route 39 to facilitate the Smart Path Moses-Adirondack Transmission Lines Project, upon approval of the County Attorney, and

BE IT FURTHER RESOLVED that the Treasurer is authorized to modify the 2020 Budget for the Department of Highways, as follows:

INCREASE APPROPRIATIONS:

HM551104 454BS C4	H Misc Bridge Supplies C4	\$10,000
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INCREASE REVENUE:

HM027705 55000	H LR MR Other Revenues	\$10,000
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Mr. Acres moved to adopt Resolution No. 215-2020, seconded by Mr. Forsythe.

Chair Lightfoot recognized Mr. Chambers. Mr. Chambers asked that this resolution be tabled to the next finance committee meeting.

Mr. Arquiett said he will recuse himself from discussion and vote on this resolution.

Mr. Acres moved to table this resolution to the September Finance Committee meeting, seconded by Ms. Curran, Mr. Perkins, Mr. Denesha, Mr. Forsythe, Mr. Reagen, Mr. Acres, Mr. Fay, and Mr. Sheridan, and carried by a voice vote with fourteen (14) yes votes, and one (1) abstention (Arquiett).

Finance Committee: 7-27-2020

RESOLUTION NO. 216-2020

**APPROVING A SUPPLEMENTAL AGREEMENT #2 WITH MCFARLAND JOHNSON
FOR ADDITIONAL SERVICES FOR SOUTH SHORE ROAD BRIDGE
OVER THE OSWEGATCHIE RIVER, BIN 3340940, PIN 775371**

By Mr. Acres, Chair, Finance Committee

WHEREAS, Resolution No. 218-2017 authorized the Chair to sign a contract with McFarland-Johnson Inc. for consulting services for the South Shore Road Bridge over the Oswegatchie River, BIN 3340940, PIN 775371, and

WHEREAS, the Board of Legislators approved and funded Capital for the Highway Department, and

WHEREAS, McFarland-Johnson Inc. is currently providing consulting services for this Project and has provided additional services resulting from environmental, right-of-way needs, and various other engineering-related tasks,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators approves a Supplemental Agreement #2 with McFarland Johnson for additional services for South Shore Road Bridge over the Oswegatchie River, as follows:

Consultant:	McFarland-Johnson Inc.
Contract Title:	South Shore Road Bridge over Oswegatchie River
	BIN: 3340940
	PIN: 775371, Town of Fine

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Supplementary Not to Exceed \$15,112
Engineering Fees: HM651204 430ED 1702

BE IT FURTHER RESOLVED that the Chair is authorized to execute all necessary contracts, upon approval of the County Attorney.

Mr. Acres moved to adopt Resolution No. 216-2020, seconded by Mr. Denesha and Mr. Reagen, and carried unanimously by a voice vote with fifteen (15) yes votes.

Finance Committee: 7-27-2020

RESOLUTION NO. 217-2020

**MODIFYING THE 2020 SOLID WASTE DEPARTMENT
BUDGET FOR OVERTIME**

By Mr. Acres, Chair, Finance Committee

WHEREAS, in 2020, the Solid Waste Department will exceed its budget for overtime expenses due to a variety of reasons throughout the year such as staffing shortages and hauling needs, and

WHEREAS, the Solid Waste Department had set aside \$24,634 in the contingency for solid waste and has additional appropriations in the contingency account to assist with the additional overtime,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Treasurer to modify the 2020 Budget for Solid Waste Department for overtime, as follows:

INCREASE APPROPRIATIONS:

WO081601 18000	W OPR Overtime	\$50,000
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DECREASE APPROPRIATIONS:

WA017104 49700	W ADMIN Contingency Account	\$50,000
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Mr. Acres moved to adopt Resolution No. 217-2020, seconded by Ms. Curran and Mr. Arquiatt, and carried unanimously by a roll call vote with fifteen (15) yes votes.

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Finance Committee: 7-27-2020

RESOLUTION NO. 218-2020

AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH NORTHERN LIGHTS HEALTH CARE PARTNERSHIP, INC. FOR HOME CARE SERVICES IN THE EXPANDED IN HOME SERVICES FOR THE ELDERLY PROGRAM (EISEP)

By Mr. Acres, Chair, Finance Committee

WHEREAS, Office for the Aging currently has a contract with United Helpers Residence Inc., to provide home health care services to older adults, age 60 and over, in the Expanded In Home Services for the Elderly Program (EISEP), and

WHEREAS, United Helpers Residence Inc. has provided notice that it is dissolving its home care program and merging it with their new corporation, Northern Lights Health Care Partnership, Inc., and

WHEREAS, all current EISEP clients will continue to receive the same home care services with the same staffing under this transition, and

WHEREAS, a contract (OA067724 43007) is needed to provide these services,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract with Northern Lights Health Care Partnership, Inc., utilize home care services for senior citizens in the Expanded In Home Services for the Elderly Program (EISEP), upon approval of the County Attorney.

Mr. Acres moved to adopt Resolution No. 218-2020, seconded by Mr. Forsythe and Ms. Haggard, and carried unanimously by a voice vote with fifteen (15) yes votes.

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Finance Committee: 7-27-2020

RESOLUTION NO. 219-2020

RESOLUTION IN OPPOSITION TO NEW YORK SENATE BILL S.8676/ASSEMBLY BILL A.10780 WHICH WOULD REQUIRE POLICE OFFICERS TO MAINTAIN PRIVATE LIABILITY INSURANCE AND EXCLUDE POLICE OFFICERS FROM PROVISIONS PROVIDING DEFENSE AND INDEMNIFICATION

By Mr. Acres, Chair, Finance Committee
Co-Sponsored by Mr. Lightfoot, District 3 and Mr. Denesha, District 6

WHEREAS, for generations law enforcement officers have donned the badge and uniform to place themselves in harm's way to provide for the general welfare and safety of society, and

WHEREAS, in consideration of the threat of harm and the recognition of their public service, law enforcement officers have been provided legal protections whereby municipal employers provide for defense and indemnification of actions taken in furtherance of their official duties, and

WHEREAS, New York State Senator Alessandra Biaggi and New York State Assemblywoman Alicia Hyndman have recently introduced same-as legislation in the New York Senate and New York Assembly which would amend the law to remove the requirement for defense and indemnification of law enforcement officers, and

WHEREAS, the legislation (Senate Bill S.8676 and Assembly Bill A.10780) would also require officers to obtain their own personal liability insurance, at individual expense or at the expense of their municipal employers, and

WHEREAS, municipalities annually face hundreds, if not thousands, of lawsuits brought by individuals alleged to have violated the law or individuals convicted of violating the law and who are incarcerated, the vast majority of which are without merit and designed to harass or intimidate the police accuser and the prosecution, and

WHEREAS, the imposition of this individual insurance mandate on law enforcement and local municipalities will result in a significant unfunded mandate, frustrate criminal prosecutions, and create the likely consequence of reducing the number of capable and desirable individuals willing to serve in a law enforcement capacity,

NOW, THEREFORE, BE IT RESOLVED the Board of Legislators hereby declares its opposition to the adoption of New York State Senate Bill S.8676 (Biaggi) and New York State Assembly Bill A.10780 which would require police officers to obtain private liability insurance coverage and amend Public Officer's Law § 17(1) providing for the defense and indemnification of certain police officers, and

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BE IT FURTHER RESOLVED that a copy of this resolution to Governor Andrew Cuomo, Assemblyman Mark Walczyk, Assemblyman Billy Jones, Assemblyman Robert Smullen, Assemblyman Ken Blankenbush, Senator Joseph Griffo, Senator Patricia Ritchie, and Senator Elizabeth Little.

Mr. Acres moved to adopt Resolution No. 219-2020, seconded by Mr. Forsythe, Mr. Sheridan, Mr. Smithers, Mr. Denesha, Ms. Curran, Mr. Perkins, Mr. Reagen and Mr. Arquiatt.

Mr. Smithers said in regards to the July 31st editorial view expressed in the Watertown Daily Times, he did not believe they understood the purpose of the two resolutions. The Board heard from Sheriff Bigwarfe when he detailed the changes and procedures being reviewed, and when he expressed his current feelings of employment as a law enforcement officer. Mr. Smithers said everyone has heard about police officers being physically and verbally assaulted across the Nation, and no one would disagree that individuals who commit crimes should be prosecuted and not be immune from punishment. There is a large physical and financial commitment to social services in St. Lawrence County. The Board should not sit idly by while some legislators in Albany propose to require law enforcement officers to carry private liability insurance, and he asked who else might be next to be held personally liable in performing their jobs. Mr. Smithers said he does not believe it is this body being “short sighted” and he encouraged the Board to remain united in support of these two resolutions.

Mr. Sheridan said he is in support of the resolution. He said he served twenty-five years in the NYS Department of Corrections with nineteen of those years in a supervisory position and he saw more than his fair share of frivolous lawsuits against staff, and the cost to State taxpayers is enormous as there are a lot of expenses when dealing with these lawsuits. Police officers in the local municipalities should not be burdened with that expense. Instead of mandating new headaches and problems for police officers, people should be proud and thankful for the people in law enforcement who put themselves in danger every day. He said this mandate is something that would discourage people from embarking on a career in law enforcement.

Mr. Reagen said he would like to echo Mr. Smithers, and said the idea that the editorial in the Watertown Daily Times would criticize this Board for its position on this particular legislation is very surprising and disappointing. Mr. Reagen said he spent his career writing editorials and the idea that a major publication in northern NY would be in support of this kind of legislation is very disappointing. He said he thinks it is important that the public understands that no one in this room is against legitimate reforms that improves the ability of law enforcement to protect and serve the north county, but the idea of no longer defending our law enforcement when sued would hamstring their ability to function. It is not unusual for frivolous law suites to be filed against law enforcement, and this kind of legislation would discourage people from becoming law enforcement officers.

Ms. Haggard said she is in support of this resolution, and she believes in addressing reform and social justice, and supporting local law enforcement in the County and State.

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Mr. Lightfoot said the people who are preforming the rioting, property damage, fires, etc. really detracts from the message that Black Lives Matter want to get out about their feelings about a black man who was killed while in the hands of a police department. Those rioting make themselves looks cheap and ridiculous and he would guess half the people doing the rioting have no idea the name of the man who was killed. The Watertown Times is taking a dip in the cesspool by coming up with an editorial critical of what this Board saw fit to profess and their support of police in St. Lawrence County. He said there are things that warrant adverse reactions to police procedures, but by-in-large those are so far in the minority they would not even register as a percentage when asked of people who have everyday contact with the police. The police are called when someone needs them; like when someone is in trouble, when someone has had an accident, when someone gets assaulted, when someone's house gets broken into, when somebody gets raped – that's when the police are called. Those are not great circumstances, and add family complaints to those as well. Mr. Lightfoot said he is more than upset, he is troubled by the Watertown Daily Times putting this kind of trash in the newspaper.

Mr. Burke said he agrees that it is a small percentage of police that gives the whole effort a bad name, but he also would say that it is a small percentage of protestors that give a bad name to all of those protesting. He said he wonders what it would be like being a black man in New York City not knowing if you could walk two blocks without being stopped and frisked. He said the Board needs to have sensitivity to the bigger picture, and although St. Lawrence County is extremely fortunate to have great police, that does not give reason to be insensitive to all protestors who see things differently.

Mr. Arquiatt said he will be supporting this resolution as his priority is to represent St. Lawrence County, and although that is the task of each Legislator, if there is a messages that the constituents want to be sent nationally or at a State level, that is the Boards' responsibility as well. This legislation is not applicable to St. Lawrence County. Mr. Arquiatt said he appreciates everything law enforcement agencies do in the North Country.

Mr. Reagen said those who have attended rallies for Black Lives Matters should be commended as they have sent a message of their concerns the ways the Founders of this Country intended and they have sent a message around the country of the right way to make their views known to the public and the government. Everyone in this room appreciate the right of the public to exercise their first amendment rights. The criticism of this legislation has nothing to do with peaceful protest.

Resolution No. 219-2020 carried unanimously by a voice vote with fifteen (15) yes votes.

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Finance Committee: 7-27-2020

RESOLUTION NO. 220-2020

**DISCOURAGING LOCAL UNITS OF GOVERNMENT FROM DEFUNDING
OR ABOLISHING THEIR POLICE DEPARTMENTS**

By Mr. Acres, Chair, Finance Committee
Co-Sponsored by Mr. Lightfoot, District 3, Mr. Denesha, District 6,
Mr. Perkins, District 7 and Ms. Curran, District 15

WHEREAS, law enforcement is a necessary function of our government at all levels, police departments enforce the laws enacted by the Legislature to ensure public safety, protect the health and possessions of our citizens, and to prevent crime and civil disorder, and

WHEREAS, law enforcement officers in St. Lawrence County and New York State are highly-trained and courageous individuals working in dangerous situations to protect residents, and

WHEREAS, the misconduct and bias of some law enforcement officers demonstrates the need for reform, but efforts to defund or abolish local police departments gives credence to the incorrect notion that law enforcement generally is harmful to local communities, rather than a cornerstone of a safe and prosperous society, and

WHEREAS, defunding or abolishing local police departments will burden remaining departments that may be called upon to provide assistance within municipalities that no longer have the resources to respond to emergency calls lack of policing resources will put citizens at risk, creating chaos and disorder, and

WHEREAS, with many unknowns associated with the fiscal health in local units of government there may be reductions necessary through budgetary discussions to overcome the current fiscal challenges, but a complete defunding or abolishment of police departments is discouraged, and

WHEREAS, the absence of law enforcement personnel in our cities and rural areas could affect the economy, discourage businesses from locating in the County and out-of-state residents from visiting, and an increase in crime would affect the quality of life of every resident,

NOW THEREFORE, BE IT RESOLVED that the Board of Legislators discourage local units of government from defunding or abolishing their local police departments,

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Governor Andrew Cuomo, Senator Joseph Griffo, Senator Elizabeth Little, Senator Patty Ritchie, Assemblyman Mark Walczyk, Assemblyman Billy Jones, Assemblyman Robert Smullen, and Assemblyman Ken Blankenbush.

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Mr. Acres moved to adopt Resolution No. 220-2020, seconded by Ms. Curran, Mr. Perkins, Mr. Denesha, Mr. Sheridan, Mr. Forsythe, Mr. Reagen, and Mr. Arquiatt, and carried unanimously by a voice vote with fifteen (15) yes votes.

Mr. Lightfoot and Mr. Denesha asked to be added as a co-sponsor to this resolution, and the previous resolution.

Finance Committee: 7-27-2020

RESOLUTION NO. 221-2020

MODIFYING THE 2020 BUDGET FOR THE COUNTY ADMINISTRATOR’S OFFICE FOR COSTS ASSOCIATED WITH COURT-ORDERED SERVICES AT NEW YORK STATE OPERATED INPATIENT MENTAL HYGIENE FACILITIES

By Mr. Acres, Chair, Finance Committee

WHEREAS, New York Mental Hygiene Law, Section 43.03 (c) mandates a county cost for persons receiving services, pursuant to a court order, at a state-operated inpatient facility for indefinite/extended periods of time, and

WHEREAS, counties are mandated to incur the cost of court ordered charge backs which are haphazard, disproportionate, and cannot be accurately budgeted, forecasted or planned for, and

WHEREAS, earlier this year an administrative change was made by New York State to the payment structure for these costs which shifted a former shared expense between the State and the County to a one hundred percent (100%) county cost, and

WHEREAS, the first two payments in 2020 exceeded \$118,000 and there are an additional \$148,000 in bills received which were not budgeted in the 2020 Budget,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Treasurer to modify the 2020 Budget for the County Administrator’s Office for costs associated with court ordered services at New York State operated inpatient mental hygiene facilities, as follows:

DECREASE APPROPRIATIONS:

B1019904 49700	B SPEC Contingency Account	\$500,000
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INCREASE APPROPRIATIONS:

BL010104 43007	B Other Fees & Services	\$500,000
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Mr. Acres moved to adopt Resolution No. 221-2020, seconded by Ms. Curran and Mr. Perkins.

Mr. Acres said this is a shifting of the cost from Albany to the County. It is now 100% locally funded.

Mr. Denesha said this is another unfunded mandate passed down to us from Albany, just like the AIM (Aid and Incentives for Municipalities) Funding.

Resolution No. 221-2020 was adopted by a roll call vote with ten (10) yes votes, and five (5) no votes (Curran, Lightfoot, Sheridan, Denesha, and Acres).

Finance Committee: 7-27-2020

RESOLUTION NO. 222-2020

AMENDING RESOLUTION NO. 197-2013, “EXTENDING THE AUTHORIZATION OF ST. LAWRENCE COUNTY TO IMPOSE AN ADDITIONAL ONE PERCENT OF SALES AND COMPENSATING USE TAXES”

By Mr. Acres, Chair, Finance Committee
Co-Sponsored by Mr. Lightfoot, District 3 and Ms. Curran, District 15

WHEREAS, in 2013, St. Lawrence County was one of few remaining counties in the State that had not previously increased its sales tax over the three (3%) percent sales tax authorized by Tax Law Section 1210, and

WHEREAS, subparagraph (iii) of the opening paragraph of Tax Law Section 1210 was amended effective July 31, 2013 to include St. Lawrence County in the group of counties authorized to impose sales and compensating use taxes at a rate that was one percent additional to the three percent rate for the period beginning December 1, 2013 and ending November 30, 2015, and

WHEREAS, on May 4, 2015, the St. Lawrence County Board of Legislators adopted Resolution No. 157-2015 requesting Home Rule Regulation of Sales and Compensating Use Tax to extend the sales tax rate as previously authorized from three percent (3%) to four percent (4%), and

WHEREAS, the economic environment at that time required the County to continue to impose the sales tax rate as previously authorized and extend through 2017 and again through 2020, and

WHEREAS, on or about April 5, 2020 New York State Senate Bill No. S7508B and New York State Assembly Bill No. 9508A, which constituted a portion of the New York State Budget, was passed and included “Item NN”, and

WHEREAS, Item NN states, “Clause 41 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by section 1 of subpart NN of part A of chapter 61 of

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the laws of 2017, is amended to read as follows: (41) The county of St. Lawrence is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolution imposing such taxes at a rate that is one percent additional to the three percent rate authorized above in this paragraph for such county for the period beginning December first, two thousand thirteen and ending November thirtieth, two thousand [twenty] TWENTY-THREE;...”, and

WHEREAS, the revenue anticipated from the extension of the additional one percent (1%) sales and compensating tax will provide the County with an opportunity to continue to deliver locally preferred services deemed vital to the community while continuing to fund mandates imposed by New York State,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators approves amending Resolution No. 197-2013, “Extending the authorization of St. Lawrence County to impose an additional one percent of Sales and Compensating Use Taxes”, for the period of December 1, 2020 through November 30, 2023, as follows:

Section 1. Resolution No. 197-2013, adopted by the Board of Legislators of St. Lawrence County, on August 19, 2013, imposing sales and compensating use taxes, as amended, is amended by deleting the current Section 1, and replacing it with the following language to become effective immediately upon expiration of the prior section.

“Section 1. Imposition of general sales and compensating use taxes. There are hereby imposed in this county and there shall be paid all of the sales and compensating use taxes described in Article twenty-eight of the New York Tax Law as authorized by subdivision (a) of section twelve hundred ten of the Tax Law, at the rate of three percent. Pursuant to the authority of Section 1210 of the Tax Law, there is hereby imposed and there shall be paid an additional one percent rate of sales and compensating use taxes, for the period beginning December 1, 2013 and ending November 30, 2023. All the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as set forth in this resolution, have the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.”

Section 2. Subdivision (e) (2) of Section 6 of Resolution 197-2013 enacted by the St. Lawrence County Board of Legislators on August 19, 2013 imposing sales and use taxes, as amended, is amended to read as follows:

“(2) The County shall, in accord with the Tax Law Section 1262 (c) revenue sharing agreement between the County and the City of Ogdensburg:

(i) Make the direct payments in cash to the City of 6.437389 percent of the net collections from the additional taxes imposed by this enactment at the rate of one percent (1%) for the period

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beginning December 1, 2020, and ending November 30, 2021 unless modified by further agreement, and

(ii) Allocate to the towns in the County ten percent (10%) of the net collections from the additional taxes imposed by this enactment at the rate of one percent (1%) for the period beginning December 1, 2020, and ending November 30, 2021 unless modified by further agreement, and half of such ten percent shall be allocated among the towns on the basis of the respective populations of the towns in the County and one-half of such ten percent (10%) shall be allocated among the towns on the basis of the ratio which the full valuation of real property in each town bears to the aggregate full valuation of real property in all of the towns in the County, in accordance with Tax Law Section 1262 (c).”

Section 3. This resolution shall take effect on December 1, 2020.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Andrew Cuomo, Senator Patricia Ritchie, Senator Joseph Griffo, Senator Elizabeth O’C Little, Assemblywoman Mark Walczyk, Assemblyman Kenneth Blankenbush, Assemblyman Robert Smullen, Assemblywoman Billy Jones, Deborah R. Liebman, Esq., Deputy Counsel, New York State Department of Taxation and Finance, New York State Secretary of State, New York State Office of State Comptroller, and St. Lawrence County Clerk Sandra Santamoor.

Mr. Acres moved to adopt Resolution No. 222-2020, seconded by Ms. Curran and Mr. Perkins.

Ms. Curran asked to be added as co-sponsor to this resolution.

Resolution No. 222-2020 was adopted unanimously by a voice vote with fifteen (15) yes votes.

Finance Committee: 7-27-2020

RESOLUTION NO. 223-2020

AUTHORIZING THE CHAIR TO SIGN A LEASE AGREEMENT WITH PATTI FARLEY-SPILMAN FOR SPACE IN THE VILLAGE OF GOUVERNEUR AT 99 WEST MAIN STREET

By Mr. Acres, Chair, Finance Committee

WHEREAS, Resolution No. 289-2002 authorized the Chair to sign a lease for property in the Village of Gouverneur located at 99 West Main Street which included Probation, Community Services and Public Health, and

WHEREAS, since the last lease expired, it has been a month to month arrangement divided between departments with offices at the location, and

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WHEREAS, since the Certified Home Health Agency closed in 2013, the Public Health Department no longer occupies space at the location, and

WHEREAS, the terms of a new agreement will be five (5) years and run from October 1, 2020 through September 30, 2025 for approximately 3,296 square feet of space and include five (5) additional one (1) year lessee options, and

WHEREAS, the rental rate per square foot will be \$10.74 (Q1G31404 40700, A1142504 40700) in 2020 and will increase each year by approximately .36 (thirty-six) cents per year, until reaching \$12.20 in the fifth and final year of the lease, and by 3% thereafter for each additional one (1) year option exercised,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a lease agreement with Patti Farley-Spilman for space in the Village of Gouverneur located at 99 West Main Street, upon approval of the County Attorney, and

BE IT FURTHER RESOLVED at an initial rental rate of \$10.74, for a term of October 1, 2020 through September 30, 2025, and the annual increases in the lease agreement will be budgeted accordingly.

Mr. Acres moved to adopt Resolution No. 223-2020, seconded by Ms. Curran, and carried unanimously by a voice vote with fifteen (15) yes votes.

Finance Committee: 7-27-2020

RESOLUTION NO. 224-2020

**ADOPTING LOCAL LAW A (NO.) FOR THE YEAR 2020,
“SETTING SALARIES FOR COUNTY EMPLOYEES”**

By Mr. Acres, Chair, Finance Committee

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

Section 1. For the Year 2020, salaries for the following individuals shall be increased by 2.75%, as follows, and those not at the maximum for the pay grade will advance one step on the schedule:

Conflict Defender	\$102,818	Director of Real Property	\$84,177
County Administrator	\$125,997	Election Commissioners	\$67,738
County Attorney	\$121,284	Highway Superintendent	\$111,441
County Clerk	\$90,361	Public Defender	\$93,221
County Treasurer	\$90,361	Sheriff	\$102,818
Director of Human Resources	\$102,818	Commissioner of Social Services*	

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*not currently filled

Section 2. This Local Law shall take effect in accordance with the Municipal Home Rule Law of the State of New York.

Mr. Acres moved to adopt Resolution No. 224-2020, seconded by Mr. Perkins, Ms. Curran and Mr. Arquiett, and carried unanimously by a voice vote with fifteen (15) yes votes.

RESOLUTION NO. 225-2020

AUTHORIZING FILLING OF VACANCIES

By Mr. Lightfoot, District 3; Mr. Perkins, District 7;
Mr. Fay, District 9; and Mr. Sheridan, District 4

WHEREAS, Resolution Nos. 281-2008 and 198-2011 implemented a non-essential hiring freeze and created a thirty day delay of filling positions and implemented emergency measures that provided an exception for positions completely funded by an outside source to be filled, respectively in response to the fiscal challenges faced by the County, and

WHEREAS, Resolution No. 222-2015 that affirmed the 2008 hiring freeze and extended the standard delay for filling vacancies to 60 days, and Resolution No. 226-2015 reinstated the Vacancy Review Committee to be inclusive of Legislators and staff to return recommendations for filling vacancies going forward, and

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

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

<u>Department/Unit:</u>	<u>Title:</u>	<u>Position No.:</u>	<u>Type</u>	<u>Duration</u>	<u>Timeline</u>
Highway	Motor Equipment Mechanic	308000002	FT	Permanent	30 days
Sheriff's Office/Jail	Cook	602500007 (new)	FT	Permanent	Immediate
Sheriff's Office/Criminal	Sergeant	605100004	FT	Permanent	60 days
Sheriff's Office/Criminal	Deputy	605000019	FT	Permanent	60 days
District Attorney	Chief Confidential Investigator	026700001	FT	Permanent	30 days
Emergency Services	Dispatcher	612100023	FT	Permanent	90 days
Probation	Keyboard Specialist	003100034	FT	Permanent	90 days
Social Services/Legal	Social Services Attorney	818000001	FT	Permanent	30 days
Social Services/Accounting	Principal Account Clerk	100300004	FT	Permanent	Immediate
Social Services	Deputy Commissioner	819500001	FT	Permanent	90 days
Youth Bureau	Secretary I	005100001	FT	Permanent	90 days

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Real Property	Real Property Tax Service Aide	107000005	FT	Permanent	60 days
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BE IT FURTHER RESOLVED that Position No. 6022000001, Head Cook, will be abolished in the Sheriff's Office, and

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

Mr. Perkins moved to adopt Resolution No. 225-2020, seconded by Mr. Acres and Ms. Curran.

Mr. Burke said he is concerned that the County is in a crisis mode with DSS Legal as there has been a 100% turnover in staff since last November. They are now at fifty percent (50%) staffing. He wants these positions to be filled immediately as there is a direct correlation to the health and safety of the children in the County. The Attorneys at Social Services play a pivotal role in removing children who are in imminent danger. He said the County has \$30 million dollars in the fund balance, and saving money due to wait times of 30, 60, and 90 days to fill positions concerns him. He believes all of the positions listed are needed and are part of the services the County is mandated to provide. Mr. Burke said it is irresponsible to make departments wait to fill positions.

Mr. Acres called the question, seconded by Mr. Forsythe and Ms. Curran.

County Attorney Button said a 2/3 vote is required to stop discussion.

Motion to call the question failed by a voice vote with nine (9) yes votes, and six (6) no votes. (Arquiett, Burke, Fay, Fiacco, Haggard, and Terminelli).

Mr. Arquiett said Mr. Burke brings up legitimate concerns, and with a recent incident it is becoming apparent that Social Services may be extremely understaffed, and wonders if the Department may even be below the mandated staffing level of the State or Federal Government. The fact that there are children out there who are not being properly taken care of is a strong concern, and even from a financial standpoint if it continues on this path there may be financial consequences as well. Mr. Arquiett said these concerns are legitimate and need to be addressed immediately.

Mr. Fay said he served on the Vacancy Review Committee when these positions were reviewed and since then there have been changes and he believes these positions should be filled immediately.

County Administrator Doyle said the position on the resolution in question was vacated on July 10th so the thirty day time frame to fill would make it available to fill on August 10th. Currently there are four applications pending, and it is very likely the position will be filled by August 10th. She said there are efforts being made to fill these positions.

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Ms. Terminelli said the department head normally brings forward positions needed and she asked how that works when there is no current department head. Ms. Doyle said she receives information from the department staff and provides the information to the review committee.

Mr. Burke said he has tremendous respect for the staff, but the response to filling these vacancies has not been good. It has been over nine months and the vacancy rate for attorney staffing has averaged fifty percent (50%). Mr. Burke said that is not acceptable especially when the welfare of children is at stake. The consequences are too serious not to have a rapid response. He said he did not agree with the 90 day wait to fill for the Deputy Commissioner, as the new commissioner is going to need immediate support. The arbitrary numbers fail to provide the need and mission of core services.

Mr. Forsythe said he has no problem pushing this position forward. He understands theoretically but he does not believe when someone starts in that positions that they would be prepared as there is a learning curve.

Ms. Doyle said she would like to clarify that the deputy commissioner position has been vacant since March 31st so the ninety (90) days has been completed and that position is available to be filled as soon as the Commission chooses.

Mr. Arquiett said there is an urgency to fill these positions, no matter what it takes, even if it is to hire attorneys at a higher salary, as these positons are highly reimbursed.

Mr. Acres said the Vacancy Review Committee has being doing quite well in its role and the immediate fill rate of the past year has been in the upper 80 percentile. He said the Board and administration are not shirking their duties, and it is not a concern of money over the welfare of children. He thanked the County Administrator for putting the Vacancy Review Committee back into effect. He said it is very rare that a department head is denied or delayed a positon.

Mr. Reagen said it was not that long ago that the Board added six (6) additional positions to assist with child protective cases in Social Services to help the problem of high caseloads, and the ability to quickly respond to children in trouble.

Mr. Arquiett said Mr. Acres and Mr. Reagen are correct in their assessments, but said he is not calling the procedure in question, he is calling the need in question.

Mr. Burke said nobody is faulting child protective workers, but attorneys are needed to take a child out of imminent danger and that requires a sufficient legal staff.

Resolution No. 225-20020 was adopted unanimously by a voice vote with fifteen (15) yes votes.

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RESOLUTION NO. 226-2020

APPOINTING AN INTERIM ST. LAWRENCE COUNTY HISTORIAN

Mr. Acres, District 8

WHEREAS, Resolution No. 367-2019 appointing a St. Lawrence County Historian was adopted on September 9, 2019, and

WHEREAS, the appointed St. Lawrence County Historian resigned effective July of this year, and

WHEREAS, the Selection Committee has not chosen a candidate at this time; therefore, an appointment will be made to fill the vacancy temporarily for the remainder of 2020 or until a recommendation is made and accepted,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators appoints Nancy LaFaver as Interim St. Lawrence County Historian.

Mr. Acres moved to adopt Resolution No. 226-2020, seconded by Mr. Smithers, Ms. Curran and Mr. Sheridan.

Mr. Acres moved to amend the resolution to include the name Nancy LaFaver to the resolution, seconded by Mr. Forsythe, and carried unanimously by a voice vote with fifteen (15) yes votes.

RESOLUTION NO. 227-2020

**APPOINTING THE COMMISSIONER OF SOCIAL SERVICES
FOR ST. LAWRENCE COUNTY**

By Mr. Acres, District 8

Co-Sponsored by Mr. Forsythe, District 2; Mr. Lightfoot, District 3;
Mr. Perkins, District 6; and Mr. Fay, District 9

WHEREAS, Resolution No. 372-2018 reappointed the current Commissioner of St. Lawrence County Department of Social Services to a five (5) year term that would expire November 2, 2023, and

WHEREAS, the Commissioner retired on March 30, 2020, and an interim commissioner was appointed by Resolution No. 90-2020, and

WHEREAS, a Search Committee was appointed and has interviewed qualified applicants and made its recommendation for the position of the Commissioner of Social Services to the Board of Legislators, and

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NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators appoints Cynthia Ackerman as the Commissioner of Social Services for St. Lawrence County effective no later than August 17, 2020, at a salary of \$109,347, and

BE IT FURTHER RESOLVED that the term of this appointment will be for five years, ending on August 16, 2025.

Mr. Acres moved to adopt Resolution No. 227-2020, seconded by Ms. Curran, Mr. Sheridan, and Mr. Forsythe.

Ms. Haggard recused herself from the vote and discussion on this resolution.

Mr. Acres moved to amend the resolution to insert the name Cynthia Ackerman and the salary of \$109,347 in the now, therefore, be it resolved, seconded by Mr. Forsythe, Ms. Curran and Ms. Terminelli, and carried by a voice vote with fourteen (14) yes votes, and one (1) abstention (Haggard).

Resolution No. 227-2020 was adopted by a voice vote with fourteen (14) yes votes, and one (1) abstention (Haggard).

RESOLUTION NO. 228-2020

SETTING A DATE FOR A PUBLIC HEARING ON PROPOSED LOCAL LAW B (NO.) FOR THE YEAR 2020, AMENDING LOCAL LAW D FOR THE YEAR 2018, "SETTING POLICY ON ACQUISITION AND SALE OF TAX DELINQUENT PROPERTY IN ST. LAWRENCE COUNTY"

By Mr. Denesha, District 6

WHEREAS, St. Lawrence County is facing a public health crisis unlike any other in recent memory, and our citizens in both the private sector and public sector are on the front lines of this pandemic, and

WHEREAS, the COVID-19 pandemic has put stress on public and private healthcare systems, that are already stretched very thin, and

WHEREAS, the New York State Court system has issued guidance and directives to county treasurers and county attorneys in an effort to assist in accommodating those individuals facing foreclosure due to their inability to redeem tax delinquent parcels,

WHEREAS, the Treasurer and Board of Legislators are conscious of the fact that some individuals may have been economically adversely impacted by COVID-19 and may require additional time to pay their delinquent taxes, and

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WHEREAS, the current local law requires that an auction be held on the second Saturday of September, with the last date of redemption occurring thirty (30) days prior to the auction, and

WHEREAS, Local Law No. 4 for the Year 2018 will require an amendment with regard to the real property tax foreclosure proceedings to permit for a later auction date, which would extend the time for those adversely impacted by COVID-19 to redeem their property, and

WHEREAS, a local law amending policy on acquisition and sale of tax delinquent property is being proposed, and the law requires that said Local Law adoption be preceded by a public hearing,

NOW, THEREFORE, BE IT RESOLVED that a Public Hearing on the proposed Local Law B (No. ___) for the Year 2020, Amending Local Law D for the Year 2018, “Setting Policy on Acquisition and Sale of Tax Delinquent Property in St. Lawrence County” will be held at 5:45 p.m. on September 14, 2020, in the Legislative Board Room.

**PROPOSED LOCAL LAW B (NO. ___) FOR THE YEAR 2020,
AMENDING LOCAL LAW D FOR THE YEAR 2018, “SETTING POLICY ON
ACQUISITION AND SALE OF TAX DELINQUENT PROPERTY IN
ST. LAWRENCE COUNTY”**

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

- Section 1. This local law shall supersede and repeal all prior local laws regarding the real property tax foreclosure proceeding.
- Section 2. Pursuant to Article 11 of the Real Property Tax Law, The St. Lawrence County Legislature hereby exercises the following options for the collection of delinquent taxes in St. Lawrence County.
- Section 3. A minimum fee of \$150 shall be charged to each parcel with delinquent taxes on June 1 of the year following the tax bill. This fee shall be used to cover the costs involved in tax foreclosure – primarily abstracting and legal fees.
- Section 4. The Tax Enforcement Officer is hereby empowered to take installment payments of delinquent taxes. Said installment payments shall have a payment term of 24 months with payments due every three months. The Tax Enforcement Officer shall add \$2 to all delinquent tax bills to cover the cost of notifying the taxpayer of this right. All Installment Agreements shall be entered into on or before September 30 of the year in which the tax becomes a lien. The Tax Enforcement Officer shall collect 25% of the tax due at the time the tax payer signs the Installment Payment Agreement. The remaining seven installments are payable every quarter, with the first one due on December 1, following the Installment Agreement.

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- Section 5. The Tax Enforcement Officer, who is the County Treasurer, is hereby authorized to accept a deed in lieu of enforcement of collection of delinquent taxes under Article 11.
- Section 6. Except where prohibited by state law, prior owners will be permitted to purchase property acquired by the County in foreclosure for the amount of the back taxes, plus any assessed penalties, interest, and fees, no less than thirty days prior to the tax sale auction.
- Section 7. All property acquired by the County pursuant to Article 11, shall be sold in one of the following manners: a.) at a public auction held on the second Saturday in September of the auction year, b.) at a properly advertised private sale subject to approval by the St. Lawrence County Board of Legislators, or c.) at such date and in such manner as established by a validly issued Administrative Order, a validly issued Executive Order, subsequent superseding State statute, or valid order of a Court with jurisdiction over the matter. Such sales may also be held online if deemed necessary by the County Treasurer.
- Section 8. The County sells only its lien and interest, does not warrant title, and will convey only by quitclaim deed. No abstracts will be provided.
- Section 9. Any fees associated with the auction and conveyance of properties sold at public auction, to include auctioneer fees, buyer's premium, advertising fees, and recording fees will be the responsibility of the bidder.
- Section 10. At a public auction, the highest bidder must tender twenty percent (20%) of the bid or a fifty dollar (\$50.00) deposit, whichever is greater. In addition, the highest bidder is responsible for any buyer's premium, auctioneer fees, and possible advertising fees payable by certified check, money order, cash or credit card. The balance is due within thirty (30) days, also payable by certified check, money order, cash or credit card. Confirmation of the sale by the St. Lawrence County Board of Legislators is unnecessary for Article 11 properties sold at public auction. The County must sell to the highest bidder unless the highest bidder defaults. Upon default of the highest bidder, the deposit will be forfeited, and the County reserves the right to accept the bid of the second highest bidder.
- Section 11. The former owner, and any other person who may be acting as an agent of the former owner, whether disclosed or undisclosed, is strictly prohibited from bidding at the auction.
- Section 12. Any bidder who owns property in St. Lawrence County and is delinquent in their taxes shall be prohibited from bidding at the auction. The term delinquent is defined as prior year tax delinquency. No other person who may be acting as an agent of this bidder shall be allowed to bid at the auction.

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Section 13. For properties with actual or suspected environmental contamination, application may be made to the Court in an effort to gain “Temporary Incidence of Ownership”, granting St. Lawrence County the legal authority to enter such property and conduct an environmental investigation to determine the nature and extent of any environmental contamination which may exist at the property and the cost for addressing such contamination.

Section 14. The costs to St. Lawrence County associated with addressing actual or suspected environmental contamination of a property, including investigative, cleanup and legal costs, may be charged to the assessed owner and included on the tax assessment roll. The prior owner shall have the right to redeem their property up until 30 days prior to the tax sale auction; however, such payment to redeem shall include all costs associated with addressing environmental contamination of a property funded by St. Lawrence County, including any investigative, cleanup and legal costs.

Section 15. This local law shall take effect immediately upon filing with the Secretary of State.

Mr. Denesha moved to adopt Resolution No. 228-2020, seconded by Ms. Curran, and Ms. Terminelli, and carried unanimously by a voice vote with fifteen (15) yes votes.

COUNTY ADMINISTRATOR'S REPORT:

Ms. Doyle said to date there have been 575 Covid-related complaints through NY on pause. The team is doing their best to respond to the complaints. No fines have been issued at this time, and the focus is still on educating the public. After two complaints, a letter is mailed from the County Attorney and after three complaints the Sheriff's Office is sent out to talk with the individual.

Ms. Doyle said a large number of County staff have school-aged children, and she would like to assemble a committee of staff to determine the best ways to handle daycare issues that will arise with the beginning of the school year during Covid, and she would like bring back options for the Board to consider.

The Vacancy Review Committee will meet tomorrow at 1 p.m. to consider twelve (12) vacancies.

Budget reviews with departments will begin tomorrow as Zoom meetings. Ms. Doyle said there are two areas of the budget she would like to bring to the Board for review and discussion: Nutrition Sites and Discovery Reforms. November 2019, the Board had to make an immediate decision to take over serving meals at the Canton nutrition site located at the high-rise, with a six month review of all nutrition sites, and due to Covid there was a dramatic increase of home delivered meals. Secondly, positions were added to Emergency Services, Sheriff's Office and District Attorney's Office in anticipation of dramatic changes in the workload due to the new Discovery Reforms, but due to Covid courts were closed for months so it is unclear of the effects

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of Discovery Reforms.

The City of Ogdensburg asked for assistance from the County to prepare tax rolls. The County Real Property Tax Office was able to complete the task and a bill for services will be sent to the City.

There will be a presentation of marine sanctuaries on the upcoming Operations or Services Committee meetings and a presentation from the auditors on the next Finance Committee meeting.

The grant for the 2020 census has been reduced by half, and a new plan is required in a week. The Planning Office is working on amending the plan.

NYSAC has cancelled the Fall conference, and they will host the standing committees virtually over the next few weeks.

COMMITTEE REPORTS: Ms. Curran said the Fisheries Advisory Board sent articles regarding the marine sanctuary proposal and she will forward the article on to all the Legislators.

OLD/NEW BUSINESS:

Ms. Terminelli asked the County Attorney if an ethics opinions could be requested by an individual on a colleague. Mr. Button said under the County's local law regarding ethics, an advisory opinion can be requested by the individual regarding their proposed perspective behavior or the superior of an individual asking about the behavior of a subordinate or individual for whom they are responsible for the performance of their work.

Ms. Fiacco asked who drafted each ethics opinions and what research was done to serve as a basis for each one. Mr. Button said advisory opinions are confidential by law, and he said he is not permitted to speak to them.

Ms. Haggard said because the Chairman of the Board has chosen to make an ethics opinion about her public, she wished to address it publically. She said before she took office as a County legislator she sought an opinion from the County Ethics Board regarding her husband working in the Department of Social Services as general counsel. The opinion received prohibited her from any discussion and votes on all matters regarding social services and she was instructed to publically announce this at the first meeting she attended. Ms. Haggard said she diligently complied with that opinion in its entirety. She said she was shocked to hear that Mr. Lightfoot requested another ethics opinion with the intention of further restricting her ability to function as a legislator. She said she retained outside counsel, and in actuality it did the opposite by specifically delineating the three topics regarding her husband for which she would need to recuse herself. She said equally shocking was the description of her position as a subordinate of Mr. Lightfoot knowing this to be untrue and a gross representation of her role as a legislator, and said he was clearly advised by someone of this perceived loophole. Ms. Haggard said it is now clear to her that this misrepresentation was used as an excuse to comply with County Ethics Law, Article 20, Number 1, limiting who can request an ethics opinion. She said she is not now, nor

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has ever been, and never will be a subordinate of Mr. Lightfoot. She said as she searched for an underlying reason for this attached, she cannot help but wonder if it is because she is a female or her desire to speak out on issues of concern to the County, or perhaps a combination of both. She said she has a great desire to serve her constituents and the people of St. Lawrence County. She can work with opposing views seeking to find common ground for the benefit of all County residents. However, she will not tolerate bullying or any form of victimization against herself, her female colleagues, constituents, or anyone in the County structure. This has the potential to create a hostile work environment. Respect should emulate from all County leadership. Those who blatantly disregard this core principal should be ashamed.

Mr. Arquiett said he was also blindsided by the decision of the Chair to pursue an ethical opinion on Ms. Haggard when she has already done so herself. At a previous meeting, this was called into question, and the County Attorney indicated there was no wrong doing. Mr. Arquiett said the County just recently lost a couple of very good legislators because of ethical decisions, and he called that decision into question. Mr. Arquiett said he hopes this was not retaliatory.

Mr. Burke asked how this confidential opinion can be reconciled with a mandate for public disclosure upon taking office. He said that Ms. Haggard has faithfully complied with this mandate so he asked what the purpose was for making her state this publically. Apparently this rendering by the Ethics Committee did not satisfy the Chair so he requested an additional opinion which was granted under the guise of Ms. Haggard being his subordinate in a feeble attempt to comply with the County Ethic Law, Article 20, number 1. Each legislator is one vote of equal standing and they answer to their constituents. He said Mr. Lightfoot, as Chair, has specific powers – the power to run meetings, the power to make committee appointments, the power to declare emergencies – and he challenged the County Attorney to produce the law that shows legislators being subordinate to the Chair. Mr. Burke said the opinion was given and the hatch was tightened further on Ms. Haggard which placed additional restraints on her ability to represent her constituents. However, the opinion rendered by the Attorney General's office and used by the Ethics Committee as a basis for their most recent opinion provided great clarity on rulings regarding Ms. Haggard. According to the Attorney General's office an elected official must recuse themselves participating in matters affecting the compensation, employment, and other terms and conditions of employment of his or her spouse. There is no reason for her to recuse herself from the discussion about Social Services. He said there are flaws in the first opinion rendered. Mr. Haggard said the County Attorney is the attorney for the Ethics Committee and also for the Board of Legislators and asks how Mr. Button would decide who he was representing, and he asked if there was a conflict in Mr. Button representing both the Ethics Board and the Board of Legislators. Ms. Haggard has sought to only serve the constituents of the County and has never breached the ethics code and will always go the extra distance to seek transparency. Mr. Burke said this needs to be immediately remedied.

Ms. Curran said she would like to discuss further the fees and penalties on homeowners that could not pay their taxes due to no fault of their own during Covid.

Mr. Burke said he has concerns about the Community Services Board choosing St. Lawrence Health Systems without due deliberation or interviews of any of the entities. He said the people doing the reviews had no background in substance abuse, and he asked why it was done as an

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RFP as this was not the process that was typically used. He said he views this as a diversion of tax payer money. St. Lawrence County was asked to do a methadone clinic and had the potential to turn around the balance sheet of all the services rendered. He is in support of the methadone clinic, but he is not in support of the process being used. Mr. Burke said fair consideration was not made, and he is committed to having an entity take a look at the process that was utilized.

Ms. Haggard said she heard there are people on the Community Services Board who are affiliated with the hospital and that concerns her.

Ms. Curran said when this was first brought forward it was determined that the patients needed a higher level of care than the County could give. Methadone, daily dosing, and additional services, including things the County does not provide, were needed. She said she thought St. Lawrence Health System was a good fit as they have all these services already in place, including help for folks who cannot afford care. Ms. Curran said the County is here to give services that no one else can provide.

Mr. Burke said this is not about the finances; this is about the quality of services. He was not comfortable with the metrics used or the ones doing the reviews having knowledge needed to make a choice. It was not done objectively, and he stressed for people to read the proposals.

Ms. Haggard said her definition of what the County is here for is not to take up the slack when privatization is not possible, but to provide for the needs of the County.

Mr. Sheridan moved to go to Executive Session at 8:37 p.m. to discuss litigation, negotiations, personnel, and appointments, seconded by Mr. Forsythe, and carried unanimously by a voice vote with fifteen (15) yes votes.

EXECUTIVE SESSION

Mr. Forsythe moved to go to Open Session at 9:01 p.m., seconded by Mr. Acres and carried unanimously by a voice vote with fifteen (15) yes votes.

Mr. Sheridan moved to appoint the following individuals to the **Youth Advisory Board** (Terms to expire: 8/3/2022), seconded by Mr. Forsythe and Ms. Terminelli, and carried unanimously by a voice vote with fifteen (15) yes votes.

Miya Bentley, 194 McIlwee Road, Heuvelton 13654
Andrew Demers, 29 York Street, Heuvelton 13654
Abigail Hughes, 638 Pleasant Valley Road, Potsdam 13676
Hannah Hughes, 153 Postwood Road, Potsdam 13676
Ellen Hurlbut, 130 N. Main Street, Massena 13662
Michelle Jerome, 646 Bull Run Road, Lisbon 13658
Casey Jones, 7 Drumlin Drive, Potsdam 13676
Emma Rutley, 8765 US Highway 11, Potsdam 13676
Cole Siebels, 754 Byrns Road, Gouverneur 13642

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Cynthia Snyder, Post Office Box 225, 7005 County Route 10, Lisbon 13658
Amanda Woods, 74 Main Street, Post Office Box 291, Colton 13625

Mr. Acres moved to reappointment the following individuals to the **St. Lawrence County Industrial Development Agency** (Terms to expire: 9/30/23), seconded by Mr. Forsythe, Mr. Fay, Mr. Sheridan, Mr. Haggard, Mr. Reagen and Ms. Curran and carried unanimously by a voice vote with fifteen (15) yes votes.

Ernest J. LaBaff, 6975 State Highway 56, Potsdam 13676
Brian W. Staples, 17 Gouverneur Street, Canton 13617

CHAIR'S APPOINTMENTS: Chair Lightfoot appointed Legislators Smithers to the Gouverneur Fair Board and Legislators Denesha as Chairman of the Buildings and Grounds Committee, formally known as the Space Committee.

ADJOURNMENT: Chair Lightfoot adjourned the August Full Board Meeting at 9:04 p.m., as there was no further business.