

April 7, 2025

St. Lawrence County
Board of Legislators
Board Room and Live via www.stlawco.gov

Full Board
Monday, April 7, 2025
6:00 PM

The Chair called the meeting to order at 6:08 p.m. immediately following the public hearing.

ROLL CALL: All Legislators were present with the exception of Mr. Forsythe.

Vice Chair Denesha announced that due to extenuating circumstances, Mr. Sheridan will be attending remotely from 2252 Lake Ridge Drive, Belmont, North Carolina, and Mr. Forsythe is excused.

Mr. Denesha offered the prayer followed by the Pledge of Allegiance.

APPROVAL OF THE AGENDA: Mr. Gennett moved to approve the agenda, seconded by Ms. Curran, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

APPROVAL OF MINUTES: Mr. Gennett moved to approve the minutes of March 3, 2025, seconded by Ms. Curran, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

EAGLE SCOUT RECOGNITION: Mr. Gennett presented a certificate of recognition to Sophia Geurard of Troop 1099 for completing her Eagle Scout achievement. Mr. Lightfoot presented a certificate of recognition to Willem Gleeson of Troop 9 for completing his Eagle Scout achievement. Mr. Denesha presented a certificate of recognition to Zachary Aldrich of Troop 9 for completing his Eagle Scout achievement.

RECESS: There was a short recess after the Eagle Scout recognition.

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

1. A letter was received from Senator Dan Stec thanking the Board of Legislators for sending copies of Resolutions No. 37-2025, No. 38-2025, No. 41-2025, and No. 61-2025.
2. A letter was received from Senator Mark Walczyk thanking the Board of Legislators for sending copies of Resolutions No. 61-2025.
3. A letter was received from Senator Mark Walczyk thanking the Board of Legislators for sending copies of Resolutions No. 41-2025.
4. A letter was received from Senator Mark Walczyk thanking the Board of Legislators for sending copies of Resolutions No. 38-2025.
5. A letter was received from Senator Dan Stec thanking the Board of Legislators for sending copies of Resolutions No. 64-2025, No. 66-2025, No. 77-2025, No. 78-2025, and No. 83-2025.

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IX. CITIZEN PARTICIPATION: Mr. Joshua A. Morgan, Oswegatchie, and Ms. Rebecca Allen, Colton.

X. PRESENTATION OF RESOLUTIONS:

Operations Committee: 3-10-2025

RESOLUTION NO. 104-2025

PROCLAIMING APRIL AS FAIR HOUSING MONTH

By Ms. Curran, Chair, Operations Committee

WHEREAS, April 11, 1968, marked the signing of the Fair Housing Act into law, which proclaims a national policy of equal housing opportunity for all citizens without regard to race, color, national origin, religion, sex, familial status, or disability, and

WHEREAS, since the Board of Legislators established the St. Lawrence County Fair Housing Task Force in 1991, the Task Force implemented a variety of activities to promote equal access to housing for all persons without regard to race, color, religion, national origin, sex, familial status, disability (physical or mental), creed, age, sexual orientation, marital status, or military status, and

WHEREAS, the Board of Legislators adopted the St. Lawrence County Assessment of Fair Housing in July 2024, which identifies strategies to educate the public about housing discrimination, and short and long-term strategies to improve equal opportunity for affordable housing in the County, and

WHEREAS, the Task Force co-sponsored two Fair Housing workshops with CNY Fair Housing on March 18th to raise public awareness about Fair Housing requirements for landlords, property managers, and tenants,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators proclaims April 2025 as Fair Housing Month, and

BE IT FURTHER RESOLVED the Board of Legislators reaffirms its commitment to promote equal housing so that all County residents are given the opportunity to live in safe, decent housing of their choice.

Ms. Curran moved to adopt Resolution No. 104-2025, seconded by Mr. Burke, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

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Operations Committee: 3-10-2025

RESOLUTION NO. 105-2025

PROCLAIMING EARTH DAY IN ST. LAWRENCE COUNTY

By Ms. Curran, Chair, Operations Committee

WHEREAS, the Board of Legislators has traditionally emphasized the preservation and improvement of the quality of the natural and the man-made environment within the County, and

WHEREAS, April 22, 2025, marks the 55th anniversary of Earth Day, and since 1970, Earth Day has increased awareness of the planet we live on, pollution, climate change, endangered species, and many other environmental issues, and

WHEREAS, since its establishment by the Board of Legislators in 1971, the Environmental Management Council (EMC) has worked to advise the Board of Legislators, and to foster public understanding of, environmental matters affecting the County, and

WHEREAS, in conjunction with "Earth Day", the EMC will sponsor and encourage public participation in environmentally responsible activities and educational programs,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators proclaims April 22, 2025 to be Earth Day in St. Lawrence County, and

BE IT FURTHER RESOLVED that the Board of Legislators does hereby encourage all persons throughout the County to participate in programs and activities, on Earth Day and throughout the year, that promote a healthy environment in conjunction with a stronger economy, and that improve awareness about the interactions between people and the environment.

Ms. Curran moved to adopt Resolution No. 105-2025, seconded by Ms. Terminelli, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

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Operations Committee: 3-10-2025

RESOLUTION NO. 106-2025

DECLARING APRIL AS SEXUAL ASSAULT AWARENESS MONTH

By Ms. Curran, Chair, Operations Committee

WHEREAS, the month of April has been designated Sexual Assault Awareness Month (SAAM) in the United States, and

WHEREAS, the goal of SAAM is to raise public awareness about sexual violence and to educate communities and individuals on how to prevent sexual violence, and

WHEREAS, the 2025 Sexual Assault Awareness Month Campaign theme, "Together We Act, United We Change," emphasizes the importance of collective action in addressing and preventing sexual abuse, assault, and harassment, and

WHEREAS, community creates a sense of belonging and reminds us of how our beliefs, choices, and actions impact one another, and

WHEREAS, any space where people come together is a community, whether in neighborhoods, workplaces, campuses, organizations, or even online spaces, we are all part of a community, even when we may feel disconnected or apart from them, and

WHEREAS, at the center of building connected communities is ensuring our communities are safe, inclusive, and equitable, and

WHEREAS, we must address all abuses of power and other forms of oppression to prevent sexual violence in our relationships, communities, and society, and

WHEREAS, we recognize that how we talk about sexual violence significantly impacts survivors, their families, our communities, and society, and

WHEREAS, we also understand that our voices have power and that when one of us does not feel safe or respected, we are all affected, as such, we must strive to create strong, connected communities that take care of one another and make decisions to ensure the safety and well-being of others, to end sexual violence, and

WHEREAS, St. Lawrence Valley Renewal House provides St. Lawrence County with services which range from prevention, crisis intervention, counseling, and advocacy, including a Sexual Assault Nurse Examiner Program, and

WHEREAS, through the month of April, events are planned in St. Lawrence County to highlight Sexual Assault Awareness Month,

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NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators declares April as Sexual Assault Awareness Month, and

BE IT FURTHER RESOLVED that the Board of Legislators encourages all citizens of the County to join advocates and communities across the country in playing an active role to raise awareness to help prevent sexual assault.

Ms. Curran moved to adopt Resolution No. 106-2025, seconded by Mr. Burke, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

RESOLUTION NO. 107-2025

**PROCLAIMING APRIL AS NATIONAL COUNTY GOVERNMENT MONTH IN
ST. LAWRENCE COUNTY AND CELEBRATING WITH THE THEME
"FORWARD TOGETHER"**

By Mr. Reagen, District 1

WHEREAS, there are 3,069 counties in the United States that provide essential services to more than 330 million Americans to create healthy, safe, and thriving communities, and

WHEREAS, the county form of government was established in 1634 in Virginia to provide a more local solution for citizens to access government services, and

WHEREAS, counties continue to fulfill a broad range of responsibilities and deliver services that touch many aspects of the lives of its residents in need, and

WHEREAS, St. Lawrence County and counties across the United States take pride in the responsibility to protect and enhance the health, wellbeing, and safety of our residents in efficient and cost-effective ways, and

WHEREAS, since 1991, the National Association of Counties (NACo) continues to encourage counties across the country to elevate awareness of county responsibilities, programs, and services, and

WHEREAS, NACo is highlighting county leadership through the lens Forward Together, celebrating the role of county governments in connecting, inspiring, and leading as intergovernmental partners, and

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WHEREAS, that role includes a responsibility to inspire county residents to engage with their communities, and to lead by highlighting the strength of intergovernmental partnerships, and

WHEREAS, St. Lawrence County provides opportunities to connect through its interactions with the public in need of services and seeks to inspire those who would like to see a brighter future for the North Country,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators hereby proclaims April 2025 as National County Government Month and celebrates with the theme "Forward Together," and

BE IT FURTHER RESOLVED that the Board of Legislators encourages all county officials, employees, schools, and residents to participate in activities that support County Government Month.

Mr. Reagen moved to adopt Resolution No. 107-2025, seconded by Ms. Curran, Ms. Terminelli, and Mr. Webster, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

RESOLUTION NO. 108-2025

REMEMBERING MINUTEMEN BURIED IN ST. LAWRENCE COUNTY

By Mr. Reagen, District 1

WHEREAS, following the American Revolutionary War, several of those Minutemen made their way to St. Lawrence County to settle and live out their lives, and

WHEREAS, there are over 300 Revolutionary War Patriots buried in St. Lawrence Cemeteries, and

WHEREAS, there are thirteen (13) known Minutemen buried in St. Lawrence County, and

WHEREAS, following the Seven Years' War, Great Britain found herself in debt, and

WHEREAS, Great Britain, wanting to collect payments from her colonies for the protection of their land, proposed a set of taxes to parliament, and

WHEREAS, the proposal was passed by Parliament and sent to the Governors of the colonies to collect, and

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WHEREAS, those taxes so hindered commerce and daily life in the colonies that they became known as the Intolerable Acts, and

WHEREAS, Colonists, feeling unheard and burdened under the weight of taxes without representation, threw British tea into the Boston harbor, and

WHEREAS, the British responded by passing more restrictive laws on the colonists and sending more British Troops to the colonies, and

WHEREAS, Colonel Gage, fearing rebellion, decided to seize weapons and ammunition being stored in Concord, Massachusetts, and

WHEREAS, Patriots learned of this plan and sent Paul Revere to spread the word of the British movement and to call to arms the local militia, and

WHEREAS, upon entering Lexington around 5 a.m. on April 19, 1775, nearly 800 British Regulars were met with a militia company of around seventy (70) men, and

WHEREAS, as tensions on the town green grew, a shot was fired and the British soldiers fired a volley, and

WHEREAS, the British had one (1) wounded and killed eight (8) Lexington militiamen with ten (10) more of the militia being wounded before they dispersed, and continued on towards Concord, and

WHEREAS, by the time the British arrived at the North Bridge more than 220 militia from Concord and surrounding towns had gathered to face the British Regulars, and

WHEREAS, shots were traded by the militia and the British troops, with the British, after having three (3) soldiers killed and nine (9) wounded, began retreating back to Boston, and

WHEREAS, the British Regulars returned to Boston along what is known today as Battle Road, and

WHEREAS, the British Regulars were ambushed and attacked on all sides by what had become thousands of angry Minutemen patriots, and

WHEREAS, the emotions of this inspired American warriors to “rise up and fight again,” and

WHEREAS, by 8 p.m. on April 19, 1775, the British had returned to the safety of their gunships anchored in and around Boston Harbor, and

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WHEREAS, the British had 73 troops killed and many wounded compared to the patriots' loss of 49, and

WHEREAS, these nearly 4,000 men, who were ready at a moment's notice on that April 19, 1775, became known as Minutemen and were the beginnings of the Continental Army and the American Revolutionary War had begun, and

WHEREAS, those brave men who answered the call to defend their land against the British Regulars on April 19, 1775, and became Minutemen are: Ephraim Mathews, Canton; Isaac Stacy, Dekalb; Asa Sprague, DeKalb; John Legg, Oswegatchie; Tubal Nash, Canton; Simeon Nash, Stockholm; Ebenezer Keeler, Madrid; Stephen Chandler, Potsdam; Eliphalet Smith, Edwards; Nathan Eastbrook, Potsdam; Caleb Matteson, Oswegatchie; Joseph Bailey, Potsdam; and William Carpenter, Ogdensburg, and

WHEREAS, there is still ongoing research to discover more Minutemen buried in St. Lawrence County, and

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators wishes to honor and recognize the commitment and service of those friends, neighbors, kinsmen, and all brave men who were called Minutemen and are buried in St Lawrence County.

Mr. Reagen moved to adopt Resolution No. 108-2025, seconded by Mr. Lightfoot, Ms. Curran, Mr. Perkins, and Mr. Gennett, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

RESOLUTION NO. 109-2025

PROCLAIMING THE WEEK OF APRIL 13 - 19, 2025 AS NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK

By Ms. Curran, District 15

WHEREAS, emergencies can occur at any time that require law enforcement, fire, or emergency medical services, and

WHEREAS, when an emergency occurs, the prompt response of law enforcement officers, firefighters, and EMS providers is critical to the protection of life and preservation of property, and

WHEREAS, the safety of our law enforcement officers, firefighters, and EMS providers is dependent upon the quality and accuracy of information obtained from citizens who contact the St. Lawrence County Office of Emergency Services 911 Dispatch Center, and

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WHEREAS, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services, and

WHEREAS, Public Safety Telecommunicators are the single vital link for our law enforcement officers, firefighters, and EMS providers by monitoring their activities by radio, providing them with information, and ensuring their safety, and

WHEREAS, Public Safety Telecommunicators are critical in improving the chance of survival for patients who experience sudden cardiac arrest by recognizing the need for cardiopulmonary resuscitation and other lifesaving interventions prior to the arrival of EMS, and

WHEREAS, Public Safety Telecommunicators of the St. Lawrence County Office of Emergency Services 911 Dispatch Center has contributed substantially to the apprehension of criminals, suppression of fires, and treatment of patients, and

WHEREAS, each telecommunicator has exhibited compassion, understanding, and professionalism during the performance of their job in the past year,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators proclaims the week of April 13–19, 2025 as National Public Safety Telecommunicators Week in St. Lawrence County, in honor of the individuals whose diligence and professionalism keep our community and citizens safe.

Ms. Curran moved to adopt Resolution No. 109-2025, seconded by Mr. Gennett, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

Operations Committee: 3-10-2025

RESOLUTION NO. 110-2025

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT EXTENSION FOR THE
FY18 STATEWIDE INTEROPERABLE COMMUNICATIONS TARGETED GRANT
(FY18 SICG) WITH NEW YORK STATE OFFICE OF HOMELAND SECURITY AND
OFFICE OF EMERGENCY SERVICES**

By Ms. Curran, Chair, Operations Committee

WHEREAS, Resolution No. 116-2021 approved the contract for the FY18 Statewide Interoperable Communications Formula Grant (FY18 SICG) in the amount of \$6,000,000 for the Office of Emergency Services to concentrate on improving interoperability and operability of communication systems in New York State with a contract period of March 1, 2021 to February 28, 2025, and

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WHEREAS, a one-year extension has been approved by New York State Division of Homeland Security and Emergency Services through February 28, 2026 (X2Z33895 56000 SICG), and

WHEREAS, this grant allows State support through grant funding to enhance county public safety operations by focusing on the strengthening of critical communications infrastructure, closing gaps in national interoperability, and ensuring that county communication systems are updated to ensure they are capable of supporting multijurisdictional response,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a one-year extension with New York State Division of Homeland Security and Emergency Services Office of Interoperable and Emergency Communications for Fiscal Year 18 (FY18) Statewide Interoperable Communications Targeted Grant (SICG), and any other necessary documents as required by this grant, upon approval of the County Attorney, and

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

Ms. Curran moved to adopt Resolution No. 110-2025, seconded by Mr. Perkins, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

Operations Committee: 3-10-2025

RESOLUTION NO. 111-2025

**AUTHORIZING THE TREASURER TO MODIFY THE 2025 BUDGET FOR
THE TRANSIT PROGRAM IN THE PLANNING OFFICE**

By Ms. Curran, Chair, Operations Committee

WHEREAS, capital funds are available from the New York State Department of Transportation to purchase equipment for the public transit fleet, and

WHEREAS, these funds will be used to purchase and install technology including: Mobile data terminals, wifi, automatic vehicle location systems, security cameras, and electronic passenger counting, and

WHEREAS, this increase requires a budget modification,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Treasurer to modify the 2025 Budget for the Planning Office, as follows:

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INCREASE APPROPRIATIONS:

N2B56302 25000	N Technical Equipment	\$14,310
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INCREASE REVENUE:

N2B35945 56002	N SA Capital Funds for Bus	\$14,310
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BE IT FURTHER RESOLVED that any remaining funds will be rolled over to future budgets until the grant is fully expended.

Ms. Curran moved to adopt Resolution No. 111-2025, seconded by Mr. Webster, and Mr. Burke, and carried by a roll call vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

Operations Committee: 3-10-2025

RESOLUTION NO. 112-2025

**ACCEPTING THE RECOMMENDATIONS FROM THE COMMITTEE
APPOINTED TO IMPLEMENT THE ARMING OF PROBATION OFFICERS IN
ST. LAWRENCE COUNTY, AUTHORIZATION TO ACQUIRE THE NECESSARY
EQUIPMENT AND TRAINING TO ARM THE OFFICERS, AND MODIFYING THE
2025 BUDGET FOR THE PROBATION DEPARTMENT**

By Ms. Curran, Chair, Operations Committee
Co-sponsored by Mr. Lightfoot, District 3; Mr. Webster, District 11

WHEREAS, in May of 2024, Resolution No.172-2024 was adopted following a review by a Board Appointed Committee that recommended Probation Officers in St. Lawrence County should be armed, as recognition of the challenges in the environment that they work in, and to provide an improved level of safety for the Officers, and

WHEREAS, the process of implementation in St. Lawrence County has been well-informed and intentional, as it has included the continued work of the Board Appointed Committee, and information gathered from staff, to ensure that all aspects of the decision are considered carefully before a recommendation is made, and

WHEREAS, following the initial recommendation, the Board Appointed Committee determined five subject areas that required more work to successfully implement the arming of officers, so the Group, along with staff from the Department, divided into five (5) subcommittees: Research, Policy, Training, Budget, and Implementation, and

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WHEREAS, the subcommittees included members of the Board of Legislators, a member of the Public, key County stakeholders, and members of the Probation Department field and supervisory staff to ensure all necessary areas were considered, and

WHEREAS, the subcommittees each met four (4) times and completed their work on February 13th and the Board Appointed Committee met on February 27th to finalize recommendations so the process can move forward and Probation Officers can be armed and trained in the field by the summer of 2025, and

WHEREAS, the subcommittee reviewing budget implications has indicated that funding has been received from the New York State Division of Criminal Justice Services (DCJS) for pretrial services in the amount of \$206,139 and this would be an appropriate use of these funds to pay for the equipment and training needed to develop proficiency in Probation Officers, which would include at least one Supervisor, and the Director, to be trained, and

WHEREAS, the subcommittee reviewing implementation strategies recommended that Psychological Evaluations become part of the process and are required for employees who choose to become armed and for all new hires, and

WHEREAS, the subcommittee tasked to review implementation recommended that the use of body cameras be implemented simultaneously during times of client interaction in the field, so there will be an opportunity to verify activities that occur in the field, and

WHEREAS, as a part of the work to determine the appropriate level of training, the timeline was established with a couple of back-up options relative to the ability of the SUNY Potsdam Academy, the Jefferson County Probation Department, and the St. Lawrence County Sheriff's Office to assist in meeting the needs of the officers to prepare them for the responsibility associated with being armed, and

WHEREAS, the subcommittee reviewed training regimens available through the organizations listed above, as well as evolving from an optional training regimen for all staff, armed or not, to be mandated to an annual training regimen that includes but is not limited to: defensive tactics, de-escalation training, motivational interviewing, verbal judo, training in the safe handling of weapons, Stop the Bleed, firearms training twice per year, and

WHEREAS, based on the Department being armed, the County will acquire and pay for the maintenance of weapons, gun belts, equipment, maintenance, storage units, and train appropriate staff on the cleaning, inspection, and safety of the weapons, and

WHEREAS, based on the items identified by the Committee, the initial set-up cost to the County would be approximately \$85,000 given that ten (10) field staff will be trained and at least two (2) supervisory staff,

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NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators accepts the recommendations from the Committee Appointed to Implement the Arming of Probation Officers in St. Lawrence County, and

BE IT FURTHER RESOLVED that the Board of Legislators authorizes the acquisition of the necessary equipment and training regimen established to effectively arm Probation Officers in St. Lawrence County and supports future budgets that include necessary costs for all new hires, and

BE IT FURTHER RESOLVED that the Board of Legislators authorizes the Treasurer to modify the 2025 Budget for the Probation Department, as follows:

INCREASE APPROPRIATIONS:

Q1031404 43007	Q Other Fees & Services	\$47,500
Q1031404 46800	Q Guns & Rifles	13,000
Q1031404 46801	Q Ammo & Targets	<u>24,500</u>
		\$85,000

INCREASE REVENUE:

Q1033105 56000 ATI	Q SA ATI Pre Trial	\$85,000
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BE IT FURTHER RESOLVED that the Director of the Probation Department provide annual updates on the status of arming of probation officers.

Ms. Curran moved to adopt Resolution No. 112-2025, seconded by Mr. Webster and Mr. Lightfoot.

Ms. Haggard moved to amend the 7th WHEREAS to strike "and all new hires." There was no second. Motion failed.

The motion to adopt the resolution carried by a roll call vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

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Operations Committee: 3-10-2025

RESOLUTION NO. 113-2025

**ACCEPTING FY24 OPERATION STONEGARDEN PROGRAM (OPSG) GRANT
FROM NEW YORK STATE DIVISION OF HOMELAND SECURITY AND
MODIFYING THE 2025 BUDGET FOR THE SHERIFF'S OFFICE**

By Ms. Curran, Chair, Operations Committee

WHEREAS, New York State Division of Homeland Security and Emergency Services has awarded a FY24 Operation Stonegarden Grant (OPSG), in the amount of \$290,000 to key law enforcement agencies in St. Lawrence County, with a contract period of September 1, 2024 to August 31, 2027, and

WHEREAS, the mission of Operation Stonegarden is to utilize State, County, and Local Law Enforcement Agencies to enhance border security within the County, and

WHEREAS, the Sheriff's Office will receive \$49,081.96 and will act as a pass-through agency for four local entities: the City of Ogdensburg Police Department (\$42,243.17), Village of Canton Police Department (\$20,707.08), Village of Massena Police Department (\$36,647.83), and Village of Potsdam Police Department (\$30,701.38), and

WHEREAS, the remaining funding of \$110,618.58 is allocated to three (3) state-level law enforcement agencies (NYS Police, NYS Park Police and NYS DEC) who will do their own reporting,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes accepting the FY24 Operation Stonegarden Program (OPSG) Grant from New York State Division of Homeland Security, upon the approval of the County Attorney, and

BE IT FURTHER RESOLVED that the Treasurer is authorized to modify the 2025 Budget for the Sheriff's Office, as follows:

INCREASE APPROPRIATIONS:

S1Z31101 12000 SG4	S CRIM Supervisory/Admin	\$2,000
S1Z31101 13000 SG4	S CRIM Technical	3,354
S1Z31101 18000 SG4	S CRIM Overtime	18,608
S1Z31102 25000 SG4	S CRIM Technical Equipment	15,000
S1Z31104 43007 SG4	S CRIM Other Fees and Services	130,299
S1Z31104 44000 SG4	S CRIM I/D Automotive Expenses	6,120

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S1Z31104 81000 SG4	S CRIM Retirement	2,112
S1Z31108 83000 SG4	S CRIM Social Security	1,423
S1Z31108 84000 SG4	S CRIM Worker's Compensation	<u>466</u>
		\$179,382

INCREASE REVENUE:

S1Z43895 57000 SG	S SG Federal Aid	\$179,382
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BE IT FURTHER RESOLVED that any remaining funds will be rolled over to future budgets until the Grant is fully expended.

Ms. Curran moved to adopt Resolution No. 113-2025, seconded by Mr. Burke, and carried by a roll call vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

Operations Committee: 3-10-2025

RESOLUTION NO. 114-2025

AUTHORIZING THE ST. LAWRENCE COUNTY ATTORNEY TO RENDER LEGAL AID TO NEW YORK STATE CORRECTION OFFICERS IN DEMANDING APPROPRIATE STAFFING LEVELS AND SOLUTIONS TO ADDRESS THE INCREASE IN SECURITY OF CORRECTION OFFICERS IN NEW YORK STATE CORRECTIONAL FACILITIES

By Ms. Curran, Chair, Operations Committee
Co-Sponsored by Mr. Forsythe, District 2; Mr. Sheridan, District 4

WHEREAS, the operation of correctional facilities represents a crucial component of the criminal justice system in the United States, and correction officers play a vital role in protecting the rights of the public to be safeguarded from criminal activity, and

WHEREAS, there are over 16,000 correction officers and employees in the State of New York who oversee the correctional facilities and are responsible for the care, custody, and maintenance of more than 31,000 inmates, and

WHEREAS, these officers endure immense physical and psychological demands as part of their work, combined with unpredictable hours and crippling overtime; they are often working excessive hours, even on days when they were scheduled to be off-duty, and

WHEREAS, more than half of the correctional facilities in New York State are over 40 officers below their Budgeted Fill Level (BFL), indicating an acute staffing shortage, with some facilities over 70 officers below their BFL, and

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WHEREAS, according to data from the state Department of Corrections and Community Supervision (DOCCS), there were over 2,000 assaults on staff statewide in the year 2024, which was far more than the previous four years, and there have already been 160 recorded assaults in the 2025 calendar year, and

WHEREAS, assaults among incarcerated individuals were substantially higher in 2024 than in previous years, more than double the amount in 2020, with 249 already in 2025, and

WHEREAS, on Monday, February 17, 2025, and Tuesday, February 18, 2025, in the face of deteriorating conditions within the prisons, approximately 25 correctional facilities around New York state experienced a “Wildcat” strike, and

WHEREAS, the correction officers have remained on strike and have presented the New York State Department of Corrections with a list of demands from the striking officers, demands that officers point to as necessary to reinstate a safe working environment, and

WHEREAS, Article 14 of the Civil Service Law, which includes the Taylor Law, prohibits strikes by public employees and their employee organizations and also mandates the Office of the New York State Attorney General, to request immediate injunctive relief against any threatened or actual violation of the Taylor Law’s terms, and

WHEREAS, the State of New York has commenced a legal action against the striking correctional officers in Erie County, in a matter titled “New York State Department of Corrections and Community Supervision, Petitioner, -vs- New York State Correctional Officers and Police Benevolent Association, Inc. and John Doe and Jane Doe” (said names of “John Doe” and “Jane Doe” being fictitious persons), being public employees employed by the New York State Department of Corrections and Community Supervision), and

WHEREAS, as part of the legal action, striking correction officers across the State of New York, including correction officers from two (2) facilities within St. Lawrence County, have received notice of termination of healthcare, and direct orders for return to work, and

WHEREAS, due to the constraints imposed by law, New York State Correction Officers and Police Benevolent Association (NYSCOPBA), the Union for the striking correction officers, has been limited in what assistance they may provide to the striking correction officers, and

WHEREAS, the St. Lawrence County Board of Legislators would like to use its authority to assist in protecting those correctional officers from the harsh outcomes threatened by the State of New York,

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NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the County Attorney to evaluate how to render legal aid to New York State correction officers in demanding appropriate staffing levels and solutions to address the increase in security of correction officers in New York State correctional facilities, and

BE IT FURTHER RESOLVED that should it be determined that additional legal partners would enhance or strengthen the arguments that could be put forth, the County Attorney is authorized to secure support and commitments from those parties to assist in this endeavor, and

BE IT FURTHER RESOLVED that the County Attorney will provide updates to the Board of Legislators on a weekly basis until assistance on this matter is complete.

Ms. Curran moved to adopt Resolution No. 114-2025, seconded by Mr. Gennett, and Mr. Reagen.

Ms. Terminelli asked the County Attorney to provide an update on this matter. The County Attorney was recognized by the Chair, and said that his office had received 46 contacts related to this matter. Most individuals have been referred to counsel in Rochester or Buffalo that can help them with their cases.

Motion carried by a voice vote with thirteen (13) yes votes, one (1) no vote (Haggard), and one (1) absent vote (Forsythe).

Services Committee: 3-17-2025

RESOLUTION NO. 115-2025

**MODIFYING THE 2025 BUDGET FOR AN EXTENSION TO A WORKFORCE
GRANT FROM THE NEW YORK STATE OFFICE OF MENTAL HEALTH
IN COMMUNITY SERVICES**

By Mr. Webster, Chair, Services Committee

WHEREAS, Community Services received funding modifications from Office of Mental Health (OMH) Workforce Grant, and

WHEREAS, the OMH Workforce Grant is administered by and managed by OMH to distribute funding to eligible providers to enhance workforce, and

WHEREAS, Resolution No. 109-2022 modified the 2022 Budget for Community Services and Resolution No. 107-2023 modified the 2023 Budget for Community Services for this grant, which has now been extended through March 31, 2025, and

April 7, 2025

WHEREAS, during a joint grant reconciliation process with OMH in 2024, it was discovered that of the initial \$24,000 award, \$18,448 had been expended, leaving \$5,552 outstanding, and

WHEREAS, per OMH request, a letter was sent to the Office requesting an extension of the funding through March 31, 2025, and was subsequently approved, and

WHEREAS, Community Services would use the remaining OMH Workforce Grant funds for professional training and education,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Treasurer to Modify the 2025 Budget for Community Services for an extension to a Workforce Grant from New York State Office of Mental Health, as follows:

INCREASE APPROPRIATIONS:

A3143204 41102	A MHOC Educational Workshops	\$5,552
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INCREASE REVENUE:

A3144905 57000	OMH Workforce Grant	\$5,552
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Mr. Webster moved to adopt Resolution No. 115-2025, seconded by Mr. Perkins, and Ms. Curran, and carried by a roll call vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

Services Committee: 3-17-2025

RESOLUTION NO. 116-2025

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH
COORDINATED CARE SERVICES, INC. FOR THE PREPARATION
OF THE 2024 CONSOLIDATED FISCAL REPORT**

By Mr. Webster, Chair, Services Committee

WHEREAS, Community Services has recognized an ongoing need for assistance in preparing the 2024 Consolidated Fiscal Report (CFR), and

WHEREAS, Coordinated Care Services, Inc. (CCSI) provides support in behavioral health and human services, specifically in financial reporting, claiming, and budgeting for many counties and providers, and

April 7, 2025

WHEREAS, CCSI has provided this service for St. Lawrence County since 2021, with the average cost for this work since 2021 is \$14,000 per year, and

WHEREAS, CCSI has done quality work each year compiling the financial data into the CFR, and

WHEREAS, the services of CCSI would be acquired to prepare and submit the 2024 CFR and provide specialized Local Government Unit (LGU) fiscal support for Community Services at a rate of \$115 per hour, not to exceed \$20,000,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract with Coordinated Care Services, Inc. for the preparation of the 2024 Consolidated Fiscal Report, upon approval of the County Attorney.

Mr. Webster moved to adopt Resolution No. 116-2025, seconded by Mr. Perkins and Ms. Curran, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

Services Committee: 3-17-2025

RESOLUTION NO. 117-2025

MODIFYING THE 2025 BUDGET FOR COMMUNITY SERVICES FOR TWO (2) COURT-BASED MENTAL HEALTH NAVIGATORS AWARDED BY NEW YORK STATE OFFICE OF MENTAL HEALTH FOR ST. LAWRENCE COUNTY

By Mr. Webster, Chair, Services Committee

WHEREAS, the New York State Office of Mental Health has awarded two (2) Mental Health Court Navigators for St. Lawrence County, and

WHEREAS, these Navigators will support justice-involved individuals with mental health needs who are currently in the community, and will coordinate voluntary care to support their health, wellness, and recovery, and

WHEREAS, the Navigators will work within the courts and interface closely with community partners to foster the connection to behavioral health services, and

WHEREAS, they will focus on County Court as well as the City Court in Ogdensburg, and

WHEREAS, these positions and programmatic expenses will be funded by NYS Office of Mental Health with recurring State Aid,

April 7, 2025

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Treasurer to modify the 2025 Budget for Community Services for two (2) court-based Mental Health Navigators awarded by New York State Office of Mental Health for St. Lawrence County:

INCREASE APPROPRIATIONS:

A3343201 11000 FO	Direct Service Workers	\$113,480
A3343201 12000 FO	Supervisory/Admin	3,000
A3343208 81000 FO	Retirement	15,274
A3343208 83000 FO	Social Security	8,182
A3343208 84000 FO	Workers' Compensation	2,996
A3343208 84500 FO	Group Life Insurance	208
A3343208 86000 FO	Hospital & Medical Insurance	33,908
A3343208 86500 FO	Dental Insurance	1,475
A3343208 89000 FO	Vision Insurance	453
A3343204 407HS FO	A FO Human Services Bldg Rent	2,121
A3343204 408HS FO	A FO Human Services Bldg Maintenance	2,075
A3343204 42000 FO	A FO Office Supplies & Expenses	1700
A3343204 42001 FO	A FO Computer Supplies	3000
A3343204 43007 FO	A FO Other Fees & Services	2,000
A3343204 42004 FO	A FO Other Ext Data Processing	816
A3343204 42101 FO	A FO I/D Copying Equipment	208
A3343204 42302 FO	A FO Other Phone Services	3,168
A3343204 41102 FO	A FO Educational Workshops	1,490
A3343204 44500 FO	A FO Other Travel Reimbursen	1,443
A3343204 44000 FO	A FO I/D Automobile Expenses	1,340
A3343204 44100 FO	A FO I/D Fuel Charges	<u>1,340</u>
		\$199,677

INCREASE REVENUE:

A3334905 56000 FO	A SA Other Mental Health	\$199,677
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Mr. Webster moved to adopt Resolution No. 117-2025, seconded by Ms. Curran, and carried by a roll call vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

April 7, 2025

Services Committee: 3-17-2025

RESOLUTION NO. 118-2025

**AUTHORIZATION TO CREATE AND FILL TWO (2) CASE MANAGER POSITIONS
FOR THE NEW YORK STATE OFFICE OF MENTAL HEALTH COURT
NAVIGATOR PROGRAM IN COMMUNITY SERVICES**

By Mr. Webster, Chair, Services Committee

WHEREAS, the New York State Office of Mental Health has awarded two (2) Mental Health Court Navigators for St. Lawrence County, and

WHEREAS, these Navigators will support justice-involved individuals with mental health needs who are currently in the community, and will coordinate voluntary care to support their health, wellness, and recovery, and

WHEREAS, the Navigators will work within the courts and interface closely with community partners to foster the connection to behavioral health services, and

WHEREAS, they will target County Court as well as the City of Ogdensburg Court, and

WHEREAS, the OMH State Aid Letter dated January 3, 2025 awarded St. Lawrence County annual funding in the amount of \$199,677 for the Navigator Program, and

WHEREAS, the needs of this new program can best be met by creating and filling , Case Manager(s), and

WHEREAS, these OMH Court Navigator Program Case Manager vacancies have been reviewed and approved by the County Administrator to move forward to the full Board of Legislators for consideration,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes two (2) Case Manager Positions (Position No. 512200005 & 512200006) in the Community Services Department, and

BE IT FURTHER RESOLVED that if the funding is reduced or eliminated, the positions will not become County-funded without additional Board of Legislators approval.

Mr. Webster moved to adopt Resolution No. 1182025, seconded by Ms. Curran, and Mr. Burke, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

April 7, 2025

Services Committee: 3-17-2025

RESOLUTION NO. 119-2025

**AUTHORIZING THE CHAIR TO SIGN AN INTENT TO PARTICIPATE IN THE
NEW YORK STATE DEPARTMENT OF HEALTH CHILDREN AND YOUTH
WITH SPECIAL HEALTH CARE NEEDS PROGRAM**

By Mr. Webster, Chair, Services Committee

WHEREAS, The Children and Youth with Special Health Care Needs Program (CYSHCN) provides resources and referrals for children in the community, and their families, to ensure access to healthcare, insurance, information and support services, and

WHEREAS, The New York State Department of Health requires counties to indicate if they will participate or decline to participate in the CYSHCN Program, with declining counties to be ineligible for funding until 2030, and

WHEREAS, The St. Lawrence County Public Health Department has been declared eligible for funding, with a proposed annual award amount of \$65,853 (PE044895 57000 CSHN), with program funding to be awarded for a five-year period from October 1, 2025, to September 30, 2030,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign an Intent to Participate with New York State Department of Health for the Children and Youth with Special Health Care Needs Program, upon approval of the County Attorney.

Mr. Webster moved to adopt Resolution No. 119-2025, seconded by Mr. Perkins, and Ms. Curran, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

April 7, 2025

Services Committee: 3-17-2025

RESOLUTION NO. 120-2025

AUTHORIZING THE CHAIR TO SIGN A CONTRACT FOR PUBLIC HEALTH AND COMMUNITY SERVICES WITH HEALTHY ALLIANCE FOUNDATION, INC. FOR REFERRALS IN THE SOCIAL CARE NETWORK

By Mr. Webster, Chair, Services Committee

WHEREAS, a Social Care Network (SCN) is a fundamental part of New York's 1115 Waiver Amendment to better enable health related social needs (HRSN) screening and the delivery of social care services to eligible Medicaid Members, and

WHEREAS, Healthy Alliance Foundation, Inc. was designated by the New York State Office of Insurance Programs as the SCN Lead Entity for St. Lawrence County, and

WHEREAS, entering into a contract with Healthy Alliance Foundation, Inc. allows for bidirectional referrals in the SCN to be made, along with reimbursement for identified services, and

WHEREAS, identified services to be provided includes but are not limited to: Screening, Navigation, Enhanced HRSN Care Management, Housing Support, Nutrition, and Transportation,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract with Healthy Alliance Foundation, Inc. on behalf of the Public Health and Community Services Departments, for the purpose of joining the SCN, upon approval of the County Attorney.

Mr. Webster moved to adopt Resolution No. 1202025, seconded by Ms. Curran, and Mr. Burke, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

April 7, 2025

Services Committee: 3-17-2025

RESOLUTION NO. 121-2025

**AUTHORIZING THE CHAIR TO SIGN CONTRACTS FOR SERVICES FOR THE
PRESCHOOL SPECIAL EDUCATION PROGRAM IN THE PUBLIC HEALTH
DEPARTMENT AND APPROVAL OF RATES RELATED TO SERVICES
FOR THE PRESCHOOL SPECIAL EDUCATION PROGRAM**

By Mr. Webster, Chair, Services Committee

WHEREAS, the Public Health Department engages the services of several individuals and agencies to provide services for the Preschool Special Education Program, and

WHEREAS, the Preschool Special Education Program Contracts cover the following services: Center-Based Program (PK040504 46502), Special Education Itinerant Teacher (SEIT) (PK040504 47700), Evaluation (PK040504 48600) at rates set by the New York State Education Department, and Related Services (PK040504 47700) at rates set by St. Lawrence County, and

WHEREAS, the rates paid to providers for Related Services (PK040504 47700) are set by the County and reflect cost from the agency providing services, with no change over 2024,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign contracts for services for the Preschool Special Education Program in the Public Health Department, upon approval of the County Attorney, and

BE IT FURTHER RESOLVED that the Board of Legislators approves the following rates for Related Services for the Preschool Special Education Program:

<u>Service:</u>	<u>Maximum Rate per Half Hour:</u>
Audiology	\$75
Counseling	\$64
Teacher of Hearing Impaired	\$58
Occupational Therapy	\$69
Physical Therapy	\$61
Speech Therapy	\$63
Group Rates (OT, PT, ST – per child)	\$45
Teacher of Visually Impaired	\$50
1:1 Aide	\$14
Interpreter	\$16
Teaching Assistant	\$15
Psychological Services	\$60
1:1 Medical Aide	\$17

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Orientation & Mobility	\$66
Parent Training	\$64
School Health Services/Nurse	\$55
School Social Work	\$64
Coordination 2 or more related services	\$64
Assisted Technology Service	\$54
Nutritional Services Home Visit	\$60

Mr. Webster moved to adopt Resolution No. 121-2025, seconded by Mr. Perkins, Ms. Curran, and Ms. Haggard, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

Services Committee: 3-17-2025

RESOLUTION NO. 122-2025

**AUTHORIZING THE CHAIR TO SIGN A CONTRACT EXTENSION WITH
FIRST STUDENT, INC. FOR PRESCHOOL SPECIAL EDUCATION
TRANSPORTATION SERVICES**

By Mr. Webster, Chair, Services Committee

WHEREAS, the Public Health Department is mandated by the New York State Education Department to provide transportation to students receiving center based services in the Preschool Special Education Program (PK040504 44401), and

WHEREAS, a competitive process for services was completed, and the Department would like to enter into the first year extension to the existing contract (authorized in Resolution 199-2022) for a term of three (3) years with the option of two (2) one-year (1) extensions with First Student, Inc., with the original contract period of July 1, 2022 to June 30, 2025, and

WHEREAS, the original contract was in the amount of \$590 per bus route/per day (driver/driver assistant) for one (1) year (not to exceed \$985,000), with an annual increase using the CPI (Consumer Price Index) as calculated by the US Department of Labor, Bureau of Labor Statistics as of the first day of the month in which the County exercises its option, or three and one-half (3.5%) percent, whichever is less, for transportation based on the latest 12-month period for the subsequent years, which makes the current cost \$629.58 per bus route/per day, and

WHEREAS, the majority of the transportation is conducted by fifteen (15) of seventeen (17) school districts and when there is a gap in those services and for the remaining districts, First Student is able to fill that need for the County,

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NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract extension with First Student, Inc. for Preschool Special Education Transportation Services, upon approval of the County Attorney.

Mr. Webster moved to adopt Resolution No. 122-2025, seconded by Mr. Perkins, and Ms. Curran, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

Services Committee: 3-17-2025

RESOLUTION NO. 123-2025

**MODIFYING THE 2025 BUDGET FOR SOCIAL SERVICES FOR THE
SHELTER ARREARS EVICTION FORESTALLMENT PROGRAM**

By Mr. Webster, Chair, Services Committee

WHEREAS, New York State has appropriated funds to provide services and expenses related to the payment of shelter arrears necessary to retain housing for certain households that are in receipt of or who would be eligible for ongoing or emergency Public Assistance, and

WHEREAS, the New York State Office of Temporary and Disability Assistance created the Shelter Arrears Eviction Forestallment (SAEF) Program to provide vital shelter arrears assistance to help eligible households retain permanent housing, and

WHEREAS, the maximum of six (6) months of arrears assistance per household can be provided through the SAEF program, and

WHEREAS, the funding is for services provided between October 1, 2024 and September 30, 2025,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Treasurer to modify the 2025 Budget for Social Services for the Shelter Arrears Eviction Forestallment Program as follows:

INCREASE APPROPRIATIONS:

DAG60104 43007 SAEF	D SAEF Other Fees and Services	\$45,612
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INCREASE REVENUE:

DAG36105 56000 SAEF	D SA SAEF Revenue	\$45,612
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Mr. Webster moved to adopt Resolution No. 123-2025, seconded by Mr. Gennett, and Ms. Curran, and carried by a roll call vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

Services Committee: 3-17-2025

RESOLUTION NO. 124-2025

**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. Webster, Chair, Services Committee

WHEREAS, the main offices of the St. Lawrence County Department of Social Services are located at 6 Judson Street, Canton and beginning in 2021 there was an increase in staff for Children's Services, making additional space necessary with the added benefit of decreased response time to calls around the County, and

WHEREAS, Resolution No. 309-2021, adopted in October 2021, authorized an agreement for space in Ogdensburg for the Social Services Children's Services Unit to test the ability of staff to serve the people of the County from a satellite location designed to root employees in the community and situate them closer to both schools and families, and

WHEREAS, in 2022, an analysis was prepared that evaluated the pilot program, shared feedback from employees, described existing and evolving strategies to assist families with measurable success factors, and made recommendations that were adopted in Resolution No. 185-2022 and later that year Resolution No. 372-2022 was adopted, which opened an additional satellite office in Massena, New York, and

WHEREAS, currently the Ogdensburg location has twenty-seven (27) staff who are focused on Child Protective Services (at an average of 22 visits per week), fraud investigations, and foster care that has created a better environment for County staff and a closer connection to the community, and

WHEREAS, currently the Massena location has twelve (12) staff and focuses on Child Protective Services, eligibility programs (1550 cases and 2700 SNAP cases), and visitation (at an average of 25 visits per week), and

WHEREAS, currently the Clifton-Fine Hospital hosts one (1) staff intermittently at no County cost that handles approximately one hundred (100) eligibility program cases, and

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WHEREAS, the success of these satellite locations for Social Services has benefitted the staff and the surrounding community so the next request would be to pursue a third satellite location in the Village of Gouverneur, and

WHEREAS, a location has been identified at the existing County Satellite Offices in the Village of Gouverneur which would allow the Department to further decrease response times and provide better working knowledge of the Gouverneur community, and

WHEREAS, the office is located at 99 West Main Street, Gouverneur and the current lease agreement is from October 1, 2020 through September 30, 2025 and includes five (5) additional one (1) year lessee options, with the current rental rate at \$12.20 per square foot, and

WHEREAS, Probation currently occupies 1,308 square feet of the building and Social Services would occupy 1,987 square feet with approximately a total of 3,295 square feet of space in the building, and

WHEREAS, the rental rate will increase by 3% 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, Gouverneur, upon approval of the County Attorney.

Mr. Webster moved to adopt Resolution No. 124-2025, seconded by Mr. Smithers, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

Finance Committee: 3-24-2025

RESOLUTION NO. 125-2025

SETTING A DATE FOR A PUBLIC HEARING ON PROPOSED LOCAL LAW E (NO. __) FOR THE YEAR 2025, "A LOCAL LAW SUPERSEDING COUNTY LAW SECTION 215 TO EXTEND A LEASE TO EMPIRE STATE MINES, LLC. FOR EXPLORATION AND DEVELOPMENT OF COUNTY OWNED MINERAL RIGHTS"

By Mr. Hull, Chair, Finance Committee

WHEREAS, under the Real Property Tax Law, the County of St. Lawrence serves as the tax-enforcing entity with the ability to collect and foreclose upon unpaid tax debts, and

WHEREAS, in the 1950s, 1960s, and 1970s, prior to the current statutory scheme, it was possible to both assess and tax mineral right interests separate and distinct from the interests of the real property for which those mineral rights were derived from, and

April 7, 2025

WHEREAS, during the period from 1950 to 1979, the County of St. Lawrence (hereinafter referred to as "County") became the record title owner of ninety-three (93) parcels of mineral rights located in the Town of Edwards, Town of Clare, Town of Fine, Town of Fowler, Town of Pitcairn, Town of Hammond, Town of Macomb, Town of Rossie, and Town of Gouverneur which is recorded in the St. Lawrence County Clerk's Office (collectively, the "Parcels"), and

WHEREAS, the County has never explored the Parcels to determine if they are of any value or are bereft of benefit, and

WHEREAS, since acquisition, while the mineral rights have not been exercised, the County has continued to make the underlying towns whole for all lost tax income related to the mineral rights, and

WHEREAS, on January 2, 2025, the Board of Legislators adopted Resolution No. 29-2025 authorizing one or more lease agreements on certain parcels in the Southern Region of St. Lawrence County with Empire State Mines, LLC ("ESM"), subject to review and approval by the County Attorney, and

WHEREAS, during negotiations with ESM concerning such lease agreements, the County and ESM have discussed entering into an agreement for up to forty (40) years to encourage development of the mineral rights on some of the Parcels and an agreement of up to twenty-five (25) years that would grant ESM an option to enter with the County into similar lease agreements concerning the balance of the Parcels, under terms and conditions that are mutually agreeable, and

WHEREAS, pursuant to County Law § 215, counties are generally precluded from leasing county-owned property for periods of time that exceed five (5) years, and

WHEREAS, pursuant to Municipal Home Rule Law § 24, a county may lease county-owned property for a period greater than five (5) years, upon the passage of a local law subject to permissive referendum, and

WHEREAS, in exchange for the lease and option agreements, ESM would commit to the following:

1. Upon the expiration of a lease or option agreement relating to any Parcel, to turn over to the County all exploration data and similar information relating to that Parcel that ESM has generated during the term of the agreement; and
2. To commit to maintain employment at ESM's facility in St. Lawrence County with the expectation of greater expansion should sufficient mineral deposits be located; and

April 7, 2025

3. For any new jobs created relating to the exploration and development (including mining) of the Parcels, to give first priority for such jobs to residents of St. Lawrence County who are qualified for such jobs and who apply for such jobs;

WHEREAS, the lease and option agreements would be advantageous to both the County and ESM, and

WHEREAS, the Board of Legislators has made it a priority to assist in economic development that brings with it the potential for job creation in the County, and

WHEREAS, the law requires that adoption of a local law pursuant to Municipal Home Rule Law §24 be preceded by a public hearing,

NOW, THEREFORE, BE IT RESOLVED that a public hearing on proposed Local Law E (No. __) for the Year 2025, “Adopting a Local Law Superseding County Law Section 215 to Extend a Lease to Empire State Mines, LLC. for Exploration and Development of County Owned Mineral Rights” will be held on Monday, May 5, 2025, at 5:50 p.m. in the Legislative Chambers.

**PROPOSED LOCAL LAW E (NO. __) FOR THE YEAR 2025,
“A LOCAL LAW SUPERSEDING COUNTY LAW SECTION 215 TO EXTEND A
LEASE TO EMPIRE STATE MINES, LLC. FOR EXPLORATION AND
DEVELOPMENT OF COUNTY OWNED MINERAL RIGHTS”**

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

A local law, pursuant to Section 24 of the Municipal Home Rule Law, authorizing the County of St. Lawrence, notwithstanding any contrary provision of Section 215 of the County Law of the State of New York, to enter into: (1) a lease agreement of up to forty (40) years, consisting of an initial term of twenty-five (25) years and renewals thereafter for five (5) additional years, for up to fifteen (15) additional years, during which time the lessor would have the right to explore, extract and otherwise develop the mineral rights the County owns on fifty-six (56) of ninety-three (93) parcels located in the Town of Edwards, Town of Clare, Town of Fine, Town of Fowler, Town of Pitcairn, Town of Hammond, Town of Macomb, Town of Rossie, and Town of Gouverneur which are recorded in the St. Lawrence County Clerk’s Office (collectively, the “Parcels”); and (2) an option agreement of up to 25 years, consisting of an initial term of 5 years and renewals thereafter for one (1) additional year, for up to twenty (20) additional years, during which time the lessor could explore for the presence of minerals on the balance of the Parcels and would have the option to enter with the County into similar lease agreements to further explore, extract and otherwise develop the mineral rights on some or all of those Parcels.

April 7, 2025

Section 1. Purpose

The County of St. Lawrence desires to enter into the aforesaid agreements with Empire State Mines, LLC.

Section 2. Legal Authority

New York State County Law Section 215(4) provides that a county may lease a property it owns for a term not to exceed five years. However, pursuant to County Law Section 2(b), a county may enter into lease agreements for terms greater than five years if the county authorizes such lease agreements by local law. New York State Municipal Home Rule Law Section 24 provides that any local law that changes a provision of law relating to leasing of real property is subject to referendum on petition (permissive referendum).

Section 3. Applicability

The County of St. Lawrence is authorized, notwithstanding New York State County Law Section 215(4), which is hereby superseded, to enter with Empire State Mines, LLC into the aforesaid lease agreements, for durations of up to forty (40) years.

Section 4. Effective Date

Notice of the adoption of this local law subject to permissive referendum shall be published in the official newspaper of the County. This local law shall take effect at the end of the permissive referendum period upon filing in the Office of the Secretary of State, and if a permissive referendum is held, upon approval at the permissive referendum upon filing in the Office of the Secretary of State.

Mr. Hull moved to adopt Resolution No. 125-2025, seconded by Mr. Lightfoot, Mr. Perkins, Ms. Curran, Mr. Smithers, and Mr. Webster, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

Finance Committee: 3-24-2025

RESOLUTION NO. 126-2025

**AUTHORIZING THE CHAIR TO SIGN AN APPLICATION TO THE
ST. LAWRENCE RIVER VALLEY REDEVELOPMENT AGENCY COMMUNITY
DEVELOPMENT AND ENVIRONMENTAL IMPROVEMENT PROGRAM**

By Mr. Hull, Chair, Finance Committee

April 7, 2025

WHEREAS, St. Lawrence County (“County”) has developed a strategic plan to target potentially environmentally contaminated properties throughout the County to assist in making these once economically productive properties beneficial to their communities again, and

WHEREAS, the County commenced an action against property located in the Town of Hammond due to tax delinquency by a tax foreclosure proceeding on November 1, 2020, for unpaid ad valorem real property taxes with respect to the following property located in St. Lawrence County (hereinafter referred to as the “Site”), and:

“Site”

- Record Owner: Rosalyn Salamacha
- Site Address: 18 S Main Street, Hammond, New York
- Tax ID #: 127.053-3-1
- DEC Spill No: 2109158
- DEC Spill Cleanup Status: Open

WHEREAS, the New York Environmental Protection and Spill Compensation Fund (the "Fund") was created by Navigation Law §179, and

WHEREAS, following acquisition of judgment and title to the Site by the County, in 2022 and 2023, pursuant to an authorized agreement between the County and the Fund, the Fund performed a partial cleanup of petroleum contaminants at the Salamacha Site, and

WHEREAS, unfortunately, due to the existence of the original structure, complete remediation was not possible at that time, and

WHEREAS, the agreement between the Fund and the County still requires the State of New York, through the New York State Department of Environmental Conservation, to perform all necessary environmental remediation at the Site should the existing structure be removed, at a cost to be solely borne by the State of New York, and

WHEREAS, in order to facilitate redevelopment of the Site, the County wants to secure funds to assist in the demolition of the original structure at the Site, which would permit the State of New York to complete remediation and permit the County to list the property for sale, and

WHEREAS, funds are available from the St. Lawrence River Valley Redevelopment Agency Community Development and Environmental Improvement Program to assist in the anticipated cost of demolition of the Site,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign an application to the St. Lawrence River Valley Redevelopment Agency Community Development and Environmental Improvement Program, and

April 7, 2025

BE IT FURTHER RESOLVED that the Board of Legislators authorizes the Chair to sign any documentation necessary for the application, administration, reporting and close-out of this project.

Mr. Hull moved to adopt Resolution No. 126-2025, seconded by Mr. Reagen, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

Finance Committee: 3-24-2025

RESOLUTION NO. 127-2025

AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH VENESKY & CO. TO PREPARE THE ANNUAL INDIRECT COST ALLOCATION REPORT FOR ST. LAWRENCE COUNTY FOR THE FISCAL YEARS 2024, 2025, AND 2026

By Mr. Hull, Chair, Finance Committee

WHEREAS, St Lawrence County is required to submit an annual Indirect Cost Allocation Plan, and

WHEREAS, a competitive process was undertaken to retain service for the preparation of the St. Lawrence County Annual Indirect Cost Allocation Report (CAR), and

WHEREAS, after a review of the quotes, the County Treasurer recommends retaining the firm of Venesky & Company whose quote was \$14,000 each for the fiscal years 2024, 2025, and 2026, and

WHEREAS, an optional three (3) year extension, which would include a small increase (\$500), has also been offered for \$14,500 each year for fiscal years 2027, 2028, and 2029 and will be evaluated at the end of the initial three (3) year contract,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract with Venesky & Co. to prepare the Annual Indirect Cost Allocation Report for fiscal years 2024, 2025, and 2026 for \$14,000 each year (BL010104 43007), upon approval of the County Attorney.

Mr. Hull moved to adopt Resolution No. 127-2025, seconded by Mr. Burke, and Ms. Curran, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

April 7, 2025

Finance Committee: 3-24-2025

RESOLUTION NO. 128-2025

**AUTHORIZING THE CHAIR TO SIGN AN EXTENSION TO THE AGREEMENT
AUTHORIZING DRESCHER & MALECKI, LLP TO PREPARE THE
ANNUAL AUDITS FOR FISCAL YEARS 2024 AND 2025**

By Mr. Hull, Chair, Finance Committee

WHEREAS, Resolution 282-2020 was adopted authorizing the chair to sign a contract with Drescher & Malecki, LLP to prepare the St. Lawrence County Annual Audit Reports for the fiscal years 2021 (\$59,750), 2022 (\$60,500), and 2023 (\$61,250), and

WHEREAS, an optional two-year extension was offered in the amount of \$62,000 for 2024 and \$62,750 for 2025, and

WHEREAS, the scope of work provided annually by Drescher & Malecki, LLP includes the general purpose financial statements, the single audit including the NYS Department of Transportation, and the Consolidated Fiscal Report (CFR) for the Mental Health Services in St. Lawrence County Community Services, and

WHEREAS, Drescher & Malecki, LLP have provided a high-caliber service and have a thorough understanding of the requirements of municipal audits and continue to be a valuable resource to the County, and

WHEREAS, it is the recommendation of the Treasurer to continue to retain the services of Drescher & Malecki, LLP,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract extension with Drescher & Malecki, LLP to prepare the annual audits for fiscal years 2024 and 2025 (BL010104 43007).

Mr. Hull moved to adopt Resolution No. 128-2025, seconded by Mr. Perkins, and Ms. Curran, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

April 7, 2025

Finance Committee: 3-24-2025

RESOLUTION NO. 129-2025

**AUTHORIZING A CORRECTION OF ERRORS FOR
GOUVERNEUR WRESTLING CLUB, INC.**

By Mr. Hull, Chair, Finance Committee

WHEREAS, the 2025 Town and County Tax Bill for Gouverneur Wrestling Club, Inc tax map number 159.004-1-17 did not receive a Wholly Exempt Non Profit Exemption, and

WHEREAS, Real Property Tax Law Article 5 allows for Correction of Assessment Rolls and Tax Rolls using the RP 554 Form for certain errors and filed with the Director of Real Property Tax Services and approved by the Board of Legislators, and

WHEREAS, the Director of Real Property has affirmed that a correction should occur pursuant to Article 5 of the Real Property Tax Law and is recommending that the taxes be corrected,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes Real Property Tax Law correction of taxes, as follows:

Name:	Gouverneur Wrestling Club, Inc
St. Lawrence County:	Gouverneur
Tax Roll Year:	2025
Tax Map No.:	159.004-1-17
Original Bill:	\$6,685.49
Corrected Bill:	0
Reason:	Real Property Staff did not apply the Wholly Exempt Non Profit Exemption to this property.

Mr. Hull moved to adopt Resolution No. 129-2025, seconded by Mr. Smithers, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

April 7, 2025

Finance Committee: 3-24-2025

RESOLUTION NO. 130-2025

AUTHORIZING THE CHAIR TO SIGN A CONTRACT FOR THE DEPARTMENT OF HIGHWAYS TO PROVIDE FUEL SERVICES TO THE VILLAGE OF CANTON

By Mr. Hull, Chair, Finance Committee

WHEREAS, the Village of Canton uses a fleet of motor vehicles to provide various services for the Village throughout the year, and

WHEREAS, the fuel system of the County, located at the Department of Highways, has the capacity to provide fuel to the Village of Canton fleet, allowing them a significant cost savings (HR051304-441FI, HR027705-550GR), and

WHEREAS, this contract shall become effective on April 1, 2025, and shall expire on June 30, 2027,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract for the Department of Highways to provide fuel services to the Village of Canton, upon approval of the County Attorney.

Mr. Hull moved to adopt Resolution No. 130-2025, seconded by Mr. Lightfoot, and Mr. Webster, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

Finance Committee: 3-24-2025

RESOLUTION NO. 131-2025

RESCINDING RESOLUTION NO. 296-2024 AND AUTHORIZING THE CHAIR TO SIGN A FIVE (5) YEAR CONTRACT EXTENSION WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE SNOW AND ICE CONTROL AGREEMENT ON STATE HIGHWAYS

By Mr. Hull, Chair, Finance Committee

WHEREAS, Resolution No. 296-2024 authorized a four (4) year Agreement (HS023025 55000) with New York State Department of Transportation entitled “Snow and Ice Agreement” with certain municipalities as subcontractors (HS051444 465CO), and

April 7, 2025

WHEREAS, the term of the 2024-2029 Snow and Ice Agreement is five (5) years and the present term of the Agreement expired on June 30, 2024,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a five (5) year contract extension with the New York State Department of Transportation for the Snow and Ice Control Agreement on State Highways, upon approval of the County Attorney, and

BE IT FURTHER RESOLVED that the Board of Legislators authorizes the approval of agreements with the municipalities that perform snow and ice control as subcontractors of St. Lawrence County.

Mr. Hull moved to adopt Resolution No. 131-2025, seconded by Mr. Smithers, and Mr. Webster, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

Finance Committee: 3-24-2025

RESOLUTION NO. 132-2025

**AUTHORIZING THE CHAIR TO SIGN AN AGREEMENT BETWEEN THE
DEPARTMENT OF SOCIAL SERVICES AND THE SHERIFF'S OFFICE FOR THE
PROVISION OF SECURITY SERVICES AT THE HAROLD B. SMITH BUILDING**

By Mr. Hull, Chair, Finance Committee

WHEREAS, the contract with Securitas is nearing its term and Resolution No. 7-2025 was passed in January 2025 for the opportunity to create a new title in the Sheriff's Office and pilot a new model of security with part-time Special Patrol Officer (SPO) Positions, and

WHEREAS, the Sheriff's Office is hiring Special Patrol Officers (SPO) to for the provision of security services at the Harold B. Smith Building, Monday through Friday from 7:30 am through 4:30 pm, as well as any other time deemed necessary, and

WHEREAS, SPOs will conduct security screenings; respond to in-progress incidents in and around the Harold B. Smith Building; as well as coordinate and assist law enforcement and medical personnel when necessary, and

WHEREAS, the Agreement will provide the Sheriff's Office with the authority to assume responsibility for the security of the Harold B. Smith Building and the safety of the individuals in it, and

April 7, 2025

WHEREAS, the Village of Canton will maintain jurisdiction over the location and the Special Patrol Officers will assist if there is a need for the Village Police Department to respond,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign an Agreement between the Department of Social Services and the Sheriff's

Office for the provision of security services at the Harold B. Smith Building (DAA60104 430SS), upon approval of the County Attorney.

Mr. Hull moved to adopt Resolution No. 132-2025, seconded by Mr. Webster, Mr. Burke, Mr. Reagen, and Ms. Curran, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

Finance Committee: 3-24-2025

RESOLUTION NO. 133-2025

**AUTHORIZING THE CHAIR TO SIGN AN APPLICATION TO THE EMPIRE
STATE DEVELOPMENT COUNTY INFRASTRUCTURE GRANT PROGRAM
AND COMMITTING MATCHING FUNDS**

By Mr. Hull, Chair, Finance Committee

WHEREAS, funds are available for county-led infrastructure projects across the State of New York through the Empire State Development (ESD) County Infrastructure Grant Program, and

WHEREAS, the County Courthouse Complex and H.B. Smith Building are subject to flooding during significant rain events, and

WHEREAS, the County has investigated flood mitigation options and is further aware that the Village of Canton is planning a significant update to storm water infrastructure in the area immediately surrounding this County property, and

WHEREAS, Empire State Development has confirmed the eligibility of a project to increase resiliency of the Village storm water system and to harden public infrastructure, and

WHEREAS, this program offers up to \$500,000 for such projects and requires equal matching funds,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign an application to the ESD County Infrastructure Grant Program, and

April 7, 2025

BE IT FURTHER RESOLVED that the Board of Legislators authorizes the Chair to sign any documentation necessary for the application, administration, reporting and close-out of this project, upon approval of the County Attorney, and

BE IT FURTHER RESOLVED that the Board of Legislators commits funds of up to \$225,000 toward the required local match, and

BE IT FURTHER RESOLVED that the Board of Legislators authorizes payment of the required \$250 application fee by wire transfer to Empire State Development Corporation.

Mr. Hull moved to adopt Resolution No. 133-2025, seconded by Mr. Gennett, and Ms. Curran, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

Finance Committee: 2-24-2025

RESOLUTION NO. 134-2025

**ADOPTING LOCAL LAW D (NO.) FOR THE YEAR 2025, "AMENDING THE
SANITARY CODE OF THE ST. LAWRENCE COUNTY
PUBLIC HEALTH DEPARTMENT"**

By Mr. Hull, Chair, Finance Committee

BE IT ENACTED, by the Legislature of the County of St. Lawrence as follows:

ARTICLE 1: SHORT TITLE, GENERAL DEFINITIONS, GENERAL PROVISIONS

A. Short Title

1. The rules and regulations herein contained together with any and all amendments thereto shall constitute and comprise the Sanitary Code of the St. Lawrence County Health Department and be known and may be cited as the St. Lawrence County Sanitary Code.

B. General Definitions

1. Whenever used in this Sanitary Code, unless otherwise expressly stated or unless the context or subject matter requires a different meaning, the following terms shall have the respective meanings hereafter set forth or indicated:

- i. "Board" shall mean the Board of Health of St. Lawrence County.
- ii. "Code" shall mean the St. Lawrence County Sanitary Code.
- iii. "County" shall mean the County of St. Lawrence.
- iv. "Department" shall mean the Department of Health of the St. Lawrence County

Health District.

v. “Director” shall mean the Director of Public Health of the St. Lawrence County Health Department or his/her duly authorized representative.

vi. “Health District” shall mean the St. Lawrence County Health District (the area of St. Lawrence County) established pursuant to the provisions of Section 340 of the Public Health Law.

vii. “Municipality” shall mean a city, town, village or special district located within St. Lawrence County.

viii. “Permit” shall mean a written license and/or an authorization to carry on a specified activity or activities as regulated by the St. Lawrence County Sanitary Code, the New York State Sanitary Code, or the New York State Public Health Law, and includes any written approval issued by the Director.

ix. “Permit Application Fee” shall mean the monetary fees to cover a portion of the cost of issuing the permit.

x. “Permittee” shall mean a person who holds a valid permit issued by the Director.

xi. “Person” shall mean an individual, group of individuals, partnership, firm, corporation, association, county, city, town, or village or improvement district, and include the plural as well as the singular.

xii. “Public Place” shall mean any place or premises wherein the general public is or may be invited, regardless of whether or not such place is owned, maintained or operated by a private organization or agency, but shall not be construed as conferring jurisdiction over a state or federal agency.

xiii. “Sanitary Code” shall mean and comprise the rules and regulations now or hereafter formulated, promulgated and adopted by the Board of Health of the St. Lawrence County Health District pursuant to Section 347 of the Public Health Law.

xiv. “State” shall mean the State of New York.

xv. “State Sanitary Code” shall mean the rules and regulations promulgated by the Public Health Council of the State of New York and designated as the State Sanitary Code.

C. Applicability; Legal Effect

1. The provisions of the Sanitary Code shall be in force throughout St. Lawrence County.
2. The provisions of the Sanitary Code shall have the force and effect of law.
3. The St. Lawrence County Sanitary Code shall be supplemental to the State Public Health Law, the State Sanitary Code and other New York State laws, and shall supersede all local ordinances heretofore or hereafter enacted or promulgated which are inconsistent with the provisions of this Code.
4. It shall be the duty of the Board and the Director to enforce every provision of the Sanitary Code.
5. Nothing herein contained shall be construed to restrict the power of any city, town or village to adopt and enforce additional or existing ordinances relating to health and sanitation, provided that such ordinances are not inconsistent with the provisions of the New York State Public Health Law or the State Sanitary Code.

D. Legal Presumptions; Evidence, Reports as Evidence

1. As provided by the Public Health Law, certified copies of the Sanitary Code shall be received in evidence in all courts and proceedings in the state.

2. As provided by the Public Health Law, every rule, regulation, order and direction adopted by the Board shall state the date on which it takes effect and a copy thereof signed by the Director shall be filed as a public record in the Department, in the State Department of Health and in the office of the St. Lawrence County Clerk and shall be published in such manner as the Board may from time to time determine. No such rule, regulation, or order of direction shall be effective prior to filing as a public record in the New York State Department of Health.

3. As provided by the Public Health Law, the written reports of state and local health officers, inspectors, code enforcement officers, law enforcement officers, environmental conservation officers, investigators, nurses and other representatives of state and local health officers on questions of fact pertaining to, concerning or arising under and in connection with complaints, alleged violations, investigations, proceedings, action, authority and orders related to the enforcement of the Sanitary Code, the Public Health Law, the State Sanitary Code or any local health regulation shall be presumptive evidence of the facts so stated therein, and shall be received as such in all courts and places.

E. Construction

1. This Sanitary Code is intended to be consistent with applicable federal and state law and shall be construed, whenever necessary, to achieve such consistency.

2. This Sanitary Code shall be liberally construed for the protection of health and safety in the Health District.

F. Severability of Provision

1. In the event that any provision of this Sanitary Code is declared unconstitutional or invalid, or the application thereof to any person or circumstance is held invalid, the applicability of such provision to other persons and circumstances and the constitutionality or validity of every other provision of the Sanitary Code shall not be affected thereby.

ARTICLE 2: ADMINISTRATION AND ENFORCEMENT

A. The Board of Health; Officers, Meetings

1. The purpose of the St. Lawrence County Board of Health is to prevent disease and untimely death, and to promote good health within the county. This is accomplished through an organized effort and the coordination with community agencies, private physicians, and other health care providers.

2. Members of the Board of Health of St. Lawrence County shall be appointed by the County Board of Legislators. The members of the Board of Health serve at the pleasure of the County Board of Legislators. The County Board of Legislators shall select one of the legislators to serve as a voting member on the Board of Health. The Board of Health shall have not less than seven (7) and not more than eight (8) voting members. At least one of the Board

of Health members shall be a physician licensed to practice in the state of New York, and two of whom shall be a physician, nurse practitioner, physician assistant, or any combination thereof licensed to practice in the state of New York.

i. The voting members of the Board of Health shall be appointed for six (6) year terms, and they are eligible to be re-appointed for an indefinite number of consecutive terms. To preserve continuity, the terms of the voting members shall be staggered.

3. Annually the Board of Health shall elect a President and Vice-President for a term of one (1) year and shall designate the County Public Health Director to act as its Secretary. At least one of the two elected officers must be a physician in accordance with Public Health Law. The election shall take place at the January annual meeting. The term of office shall be from one annual meeting until the next or until new officers take office. The President shall preside at all meetings of the Board of Health and shall be its official head. The Vice-President shall assist the President in the performance of his/her duties and substitute during his/her absence. The Secretary shall be the custodian of all official records and correspondence and see that a record of activities is kept.

4. The Board of Health shall meet at least 8 times per year. The President of the Board may schedule special meetings for urgent matters requiring the action of the Board of Health with at least 24 hours prior notice to each member. An annual meeting shall be held during the month of January each year.

i. A quorum shall be the presence of at least half (1/2) of the voting members of the Board.

ii. A designated staff person shall record minutes of each Board of Health meeting and shall include a record of attendance. After approval of the minutes, they shall be kept on file at the Department of Health.

iii. Members of the public may provide public comment at a Board of Health meeting for a maximum of three (3) minutes per person. The total time allotted for public comments at a Board of Health meeting shall be limited to thirty (30) minutes.

5. The Board of Health shall be vested with the powers and duties as set forth in Article III of the New York State Public Health Law and such other articles as may be applicable.

i. Annually the Board of Health shall direct the Public Health Director to submit to the St. Lawrence County Administrator an estimate of expenditures and revenues for the following year as required by law.

ii. The members shall serve on a committee for a special purpose when appointed by the President of the Board.

iii. The Board of Health shall require an annual report of expenditures by the St. Lawrence County Department of Health from the Public Health Director.

iv. The Board of Health may adopt or revise the St. Lawrence County Sanitary Code in accordance with the New York State Public Health Law.

6. The Board of Health shall appoint a Public Health Director, qualified in accordance with the NYCRR Volume 10 (A) 11.180, to administer the public health programs for the County of St. Lawrence under the direction of the St. Lawrence County Board of Health. The Public Health Director is appointed subject to the approval of the New York State Health Department and the confirmation of the St. Lawrence County Board of Legislators

i. The Public Health Director may recommend contracts for provisions of therapeutic services subject to approval by the St. Lawrence County Administrator and Board of

Legislators.

ii. The Public Health Director shall employ and supervise the personnel of the St. Lawrence County Health Department subject to the approval of the Board of Health and the County Administrator. He/she is responsible for enforcement of the St. Lawrence County Sanitary Code as well as the New York State Sanitary Code and Public Health Law. He/she is responsible for sanitary surveillance, public health promotion, and distribution of information about disease prevention. He/she must secure prompt reporting of communicable diseases as well as birth and death registrations. He/she is required to report the annual expenditures of the

Department of Health to the County Administrator. He/she shall also serve as chairperson on the County's Public Health Emergency Preparedness Committee and oversee planning and response for public health emergencies including communicable disease and terrorism events.

7. These bylaws shall be reviewed and/or revised by the Board of Health annually.

i. Changes to the bylaws require written notification to the voting members at least one (1) week before a meeting of the Board of Health, and approval of the changes requires at least a two-thirds (2/3) majority vote for adoption at the meeting.

B. The Board and Director; Quasi-Judicial Powers

1. As provided by the Public Health Law, the Board or the Director may:
 - i. Issue subpoenas which shall be regulated by the civil practice laws and rules;
 - ii. Compel the attendance of witnesses;
 - iii. Administer oaths to witnesses and compel them to testify;
 - iv. Designate, by resolution, one of its members to sign and issue subpoenas;
 - v. Appoint one or more Hearing Officers as shall be necessary to carry out its functions and duties. The Hearing Officer shall have the same powers possessed by the Board to hold hearings and shall make findings of fact and recommendations to the Board;
 - vi. Issue warrants to any peace officer of any municipality in the County to apprehend and remove such person or persons subject to its orders or regulations;
 - vii. Prescribe and impose penalties for the violation of, or failure to comply with any provision of the Sanitary Code, of the provisions of the State Sanitary Code as provided for in Article 2.0, to be sued for, and recovered by it in any court of competent jurisdiction;
 - viii. Make such orders and regulations as may be deemed necessary for the suppression of nuisances or other matters in its judgment is detrimental to public health; and to publish or post same in any such manner deemed appropriate; and,
 - ix. Maintain actions in any court of competent jurisdiction to restrain by injunction violators of their orders, rules and regulation of the Board, or otherwise to enforce such orders and regulations.

C. Director; General Powers

1. As provided by the Public Health Law, the Director shall:
 - i. Promote the spread of information as to the cause, nature and prevention of prevalent diseases, and the preservation and improvement of health;
 - ii. Take such steps as may be necessary to secure prompt and complete reports by physicians of reportable diseases;
 - iii. Attend conferences called by the State Commissioner of Health or his/her authorized

representatives; and,

iv. Enforce within the Health District the provisions of the Public Health Law, State Sanitary Code, and Sanitary Code.

v. Appoint an officer or employee of the Department to exercise any of the above referenced powers or actions.

D. Filing a Public Health Nuisance Complaint

1. The St. Lawrence County Public Health Department will make every effort to resolve public health complaints and Public Health Nuisances that fall within its authority. The Board of Health needs citizen participation to assist in the prevention and elimination of hazards to the public health. Both St. Lawrence County Board of Health and citizens have a responsibility in this effort to maintain a healthy environment. The Public Health Nuisance complaint process can be a vital part of this effort when it is used appropriately.

2. A concerned citizen should take the following two steps prior to filing a formal complaint with the Public Health Department:

i. Ask if the complaint condition is health related. The enforcement ability of Public Health is limited to conditions which threaten the public health. A condition may certainly be a nuisance to you, but it may not be a public health nuisance. See further articles to determine if the condition is covered under the county regulation.

ii. Address your concerns to the offending party, and try to work out a solution directly. If you attempt to resolve the problem this way, but are unsuccessful, then it may be appropriate to file a complaint using the appropriate complaint form.

3. A complaint must be submitted in writing in the manner and form as prescribed by the public health department, unless it is deemed appropriate by the Director of Public Health that a circumstance warrants accepting a submission other than in writing.

4. The complaint form, established and approved by the Public Health Director, should be filled out in full with directions to the property and the details of the complaint conditions. The complaint must be signed, and an address and daytime phone number provided. It is important that the inspecting sanitarian be able to contact the complainant if more information is needed. Signed complaints will be given priority. Anonymous complaints will be investigated when time is available. Please complete, sign, date and mail to the Public Health Department at the noted address.

5. If you have concerns about signing the form, or becoming identified by a public records request honorable by law, contact a trustee in your township to file the complaint. Options to investigate, legally enter property and fully resolve are severely limited by anonymous complaints. Contact information must be provided to actively investigate actionable complaints.

6. Complaints are generally investigated in the order in which they are received. Turnaround time is usually a week to ten days, but may be less, depending on the number of complaints received.

7. Once a Public Health Nuisance complaint is filed with our office it becomes a public record. Anyone may obtain a copy of a complaint file upon request.

E. Inspections; General

1. During their regular business hours, the Director may inspect any premises, matter, or

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thing, subject to the provisions of this Sanitary Code and the State Sanitary Code.

2. The authorized representatives of the Department may, during their business hours, inspect any record required to be kept pursuant to the Public Health Law, State Sanitary Code, or the Sanitary Code.

F. Inspections; Interference

1. No person shall interfere with, obstruct or refuse to allow an employee or authorized representative of the Department to enter upon and inspect any premises, place or thing within the jurisdiction of the Department, in the discharge of his/her official duties or Department business.

2. No person shall interfere with, obstruct, harass, molest, resist, or refuse to cooperate with any representative of the Department in the discharge of his/her official duties.

G. Inspection; Taking Samples

1. The Director may take and remove any substance or thing or any necessary part or portion thereof from any premise or place as a sample for investigation or evidence when in the opinion of such representative such substance or thing may be dangerous or detrimental to public health.

H. Notices; Postings

1. Notices shall be in the English Language, provided, however, if the Department is of the opinion that the person or persons to whom a required warning, notice or instructional sign is addressed may not understand the English Language, the Department may require that such warning, notice or sign shall appear legibly both in English and other designated languages.

2. No person shall remove, mutilate, conceal, obstruct or tear down any notice or placard of the Department posted in or on any premises or public place without written permission of the Director or his/her designee.

I. Service of Notice

1. Unless otherwise expressly provided by the Public Health Law, by any other provision of this Sanitary Code, or by the State Sanitary Code, service of Notice of Hearings shall be made in the manner prescribed for personal service of a summons as set forth in the New York State Civil Practice Law and Rules or by registered or certified mail. If service is to be made upon an infant, incompetent, partnership, corporation, governmental subdivision, board or commission, it shall be made upon the person or persons designated to receive personal service pursuant to Article Three of the New York State Civil Practice Law and Rules.

J. Enforcement Office Conferences

1. The Director or his/her designee may conduct an office conference to address, rectify, and/or correct any application, complaint, circumstances or alleged violation of this Sanitary Code or the State Sanitary Code.

2. Such conference shall be scheduled for a specific date and time, with notice provided to

the person or persons concerned. The Respondent may attend any such conference with legal representation, in their discretion and at their expense.

3. Notice for such conference shall set forth the date and time and place of the conference; the name of the person or persons concerned; the purpose of the conference; and general

specification with reference to the particular provisions of this Sanitary Code, State Sanitary Code, Public Health Law or other health law or rule or regulation involved, if any.

4. On the day of the conference, the Director or his/her designee shall note the names and addresses of the persons appearing at such conference and shall thereafter proceed with the business of the conference.

5. Nothing herein contained shall preclude the Department from taking any action which may be deemed appropriate or advisable in the circumstances, other than conducting such conference.

6. The person who conducted the conference shall make and file a report with the Board of Health.

7. Subsequent to the office conference, the Director may do one of the following:

- i. Enter into a stipulation with the person(s) concerned, which shall be reviewed by the Board of Health and with Board of Health final approval, shall become a final order.
- ii. Set the matter down for a formal hearing.
- iii. Direct that any other action shall be taken as authorized by law or this Sanitary Code.

K. Hearings

1. The Board or the Director may move to hold a formal hearing on any application, complaint, circumstance, or alleged violation of the Public Health Law, Sanitary Code and any other rule, regulation or code under jurisdiction of the Department. For purposes of such hearing, the Board or Director shall appoint a Hearing Officer, who shall be an attorney licensed in New York State.

2. Unless otherwise provided in the Public Health Law or Sanitary Code, such hearings shall be on at least fifteen (15) days notice to the person or persons concerned.

3. The Notice of Hearing shall set forth:

- i. The time and place of the hearing;
- ii. The purpose of the hearing;
- iii. Charges and violations complained of, if any, with specific reference to the provisions and section of the Public Health Law, State Sanitary Code, and the Sanitary Code involved;
- iv. The right to present evidence;
- v. The right to examine and cross-examine witnesses; and
- vi. The right to be represented by counsel

4. Witnesses shall be sworn in and testimony shall be recorded or transcribed by a certified court stenographer or transcriptionist. The copy of audio or digital recording of the hearing shall be provided within a reasonable time after the conclusion of the hearing, if requested by the hearing officer, the respondent or representative of the Department. The Director may employ the use of a Court stenographer or transcriptionist, with the cost for such being borne by the Department.

5. On the return day of the hearing, the Hearing Officer shall note the appearances of the

persons attending the hearing. All witnesses shall be sworn and testimony shall be recorded and/or transcribed.

6. The Hearing Officer shall thereafter recommend proposed findings of fact and conclusions, thereafter, the Board or the Director shall make a formal order, setting forth the determination, conditions, if any, to be complied with, and penalties, if any.

7. The order provided for in Article 2.J.6 shall be maintained in the Department and a copy thereof shall be served on all respondents.

8. Nothing herein contained shall preclude the Department from taking any other action, as may be prescribed by law, nor shall the Department be precluded from taking such other action by virtue of the order made pursuant to this section.

L. Hearings; Appearances

1. At any hearing conducted pursuant to this code, any party to the proceedings may appear personally with or without counsel and shall be given the opportunity to present evidence and to examine and to cross-examine witnesses. All appearances shall be noted on the official record of hearings.

2. At any hearing conducted pursuant to this code, if a party shall appear without counsel, the Hearing Officer shall advise such party of his/her right to obtain counsel and their sole expense; and that if he/she desires to proceed without counsel, that he/she may call witnesses, cross-examine witnesses, and produce evidence in his/her behalf.

M. Investigations; Hearings; Adjournments

1. The Hearing Officer may grant adjournments upon request of any party to the proceedings, provided that an adjournment shall not be for an indefinite period of time, but shall be set down for a certain day.

2. If any adjournment is requested in advance of the hearing date, such request shall be submitted to the Hearing Officer, in writing, and shall specify the reason for such request.

3. In considering an application for adjournment of a hearing, the Hearing Officer shall consider whether the purpose of the hearing will be affected or defeated by the granting of such adjournment. Further, the Hearing Officer shall consider whether the allegations involve any imminent public health or safety concerns.

N. Investigations; Hearings; Subpoenas

1. The Hearing Officer or the Director may issue subpoenas upon request of any party to the proceedings of any hearing.

O. Investigations; Hearings; Procedures

1. The Hearing Officer shall not be bound by the formal rules of evidence in the conduct of a hearing, but the determination shall be founded upon sufficient legal evidence to sustain it.

2. Upon the conclusion of a hearing, the Board or the Director shall take such action as it deems proper, and shall execute an order setting forth its findings and determinations.

3. The action of the Board or the Director may include the assessment of civil penalties as provided by law or this code.

4. An order of suspension or revocation of any permit or license may contain such provisions as to renewal or reinstatement as the Board or the Director shall direct.

5. The Board alone may direct a rehearing or require the taking of additional evidence, and may rescind or affirm a prior determination after such rehearing.

6. The minutes of a formal hearing shall be made available to all parties for examination at the office of the Department. Copies of the transcript of the hearing may be obtained at the Department's current rate for copying of records.

P. Post-Hearing Procedures

1. The Director shall serve upon the respondent(s) copies of findings of fact, conclusions and orders made as a result of a formal hearing.

2. Service of findings of fact, conclusions and order(s) shall be made in the manner prescribed for the service of Notice of Hearings.

3. The Director, without notice, may order service of notice by any means reasonably determined to give notice to the person or entity if service, after due diligence, cannot be made in a prescribed method as set forth in the CPLR of the State of New York.

Q. State and County Code Enforcement: Violations; Criminal Penalties

1. Any Person who violates, disobeys or disregards the terms of any lawful order or regulation of the State Sanitary Code, the Sanitary Code, this Code, or the Board shall be subject to the imposition of a civil penalty by the Board, not to exceed the maximum civil penalty set forth by NYS Public Health Law § 309(1)(f) for each single violation or failure or omission to act.

2. As provided by Section 348 of the Public Health Law, the provisions of this code shall have the force and effect of law and any non-conformance or non-compliance with any provision thereof shall constitute a violation punishable on conviction which may include a term of imprisonment not exceeding fifteen (15) days.

3. As provided by Section 229 of the Public Health Law, the provisions of the State Sanitary Code shall have the force and effect of law and the non-compliance or non-conformance with any provision thereof shall constitute a violation punishable on conviction which may include a term of imprisonment not exceeding fifteen (15) days.

4. The penalty provided in this section may be recovered by an action brought by the Director or Board in any Court of competent jurisdiction.

S. Willful Violation of Health Laws

1. As provided by Section 12-b of the Public Health Law, a person who willfully violates or refuses or omits to comply with any lawful order or regulation prescribed by the Board or Director, is guilty of a misdemeanor; except, however, that where such order or regulation applies to a tenant with respect to his/her own dwelling unit or to an owner occupied one (1) or two (2) family dwelling unit, such person is guilty of an offense for the first violation

punishable by a fine not to exceed fifty dollars (\$50.00) and for a second or subsequent violation is guilty of a misdemeanor punishable by a fine not to exceed -one hundred dollars(\$100.00) or by imprisonment not to exceed six (6) months or by both such fine and imprisonment.

2. A person who willfully violates any provision of this chapter, or any regulation lawfully made or established by any public officer or board under authority of this chapter, the

punishment for violating which is not otherwise prescribed by this chapter or any other law is punishable by imprisonment not exceeding one year or by a fine not exceeding two thousand (\$2,000.00) dollars or by both.

T. Separate Violation

1. Each day or part of a day on which the violation occurs shall constitute a separate violation.

U. Violation of Public Health Laws or Regulations; Penalties and Injunctions

1. As provided by Section 12 of the Public Health Law, any person who violates, disobeys or disregards any term or provision of the Public Health Law, Sanitary Code, any order of the Board or of any lawful notice, order or regulation pursuant thereto for which a civil penalty is not otherwise expressly prescribed by law, shall be liable to the County for a civil penalty not to exceed one thousand dollars (\$1000.00) for every such violation.

2. The penalty provided for in subdivision one (1) of this section may be recovered by an action brought by the Board or Director in any court of competent jurisdiction.

3. Nothing in this section contained shall be construed to alter or repeal any existing provisions of the law declaring such violations or any of them to be misdemeanors or felonies or prescribing the penalty therefore.

V. Enforcement; Violations, other than by Prosecution

1. The Department may seek to obtain the voluntary compliance with this code by way of notice, warning or educational means.

2. This Section shall not be construed to require that such non-compulsory methods must be employed or attempted before proceedings by way of compulsory or other legally prescribed procedures.

W. Permits and Licenses; Operation with Permit

1. The Director shall have the authority and power to order the cessation of operations or construction of any business, establishment, or facility required by the code to obtain a permit.

2. The Director may employ the assistance of law enforcement officers and other officials as provided by the provisions of the Public Health Law and other applicable statutes and rules and regulations to enforce the order herein provided for.

3. The owner or operator of any business, establishment, or facility closed or directed to

cease operation or construction pursuant to this section shall be entitled to a hearing to be held within a reasonable time if the owner or operator of the facility requests a hearing, in writing, within ten (10) days of the order of the Director.

X. Duty to Comply

1. Compliance with the regulation or any portion thereof shall not relieve any person of the duty comply with other municipal, State, or Federal Laws and regulations.

ARTICLE 3: PERMITS AND LICENSES

A. Permits and Licenses; Applications

1. Application for a permit or the renewal of a permit shall be made on forms furnished by the Department and shall contain all information called for by said forms and include the required application fees.

2. Application for a permit or for the renewal of a permit shall be accompanied by such other information, evidence or documentation as the Department may require or as may be provided by the code.

3. A permit issued to a particular person, or for a designated place, purpose, or vehicle, shall not be valid for use by any other person, or for any other place, purpose or vehicle than that designated therein. Such permits or written approvals may contain general and specific conditions and every person who shall have obtained a permit or written approval, as herein required, shall conform to the conditions prescribed in said permit or written approval, and to the provisions of the Code.

4. In addition to the information specifically required to be submitted to the Department, or if no specific information is required for certain permits, the Department shall require the following information:

i. The name, residence and business address of the applicant; and, if the applicant is a partnership or group, the name of each partner or member and, if the applicant is a corporation, the name of each officer and director(s) of the corporation;

ii. Information concerning the applicant, its individual members or officers, relating to education, training or experience, and history of prior criminal conviction, including violations and offenses, other than motor vehicle offenses, record of insolvency or bankruptcy, and copy of a driver's license or non-driver identification.

iii. Proof of Worker's Compensation Coverage or signed attestation that such insurance is not required;

iv. The ability of the applicant, or of its individual members or officers, to read and write English or provide an interpreter;

v. For the initial permit application, a written official document or a statement issued by the appropriate municipal authority having jurisdiction and concern with the zoning laws, ordinances, or regulations of the municipality in the operation, facility, premises, or use for the permit is sought stating that the operation, facility, activity, premises or use, if permitted, will not violate any existing zoning law, ordinance or regulation of such municipality;

vi. Application for a permit or for the renewal of a permit shall be accompanied by such other information, evidence or documentation as the Department may require, or as may be

otherwise provided by the code.

5. Application for a permit or for the renewal of a permit shall be made by and signed by:

- i. In the case of an individual who is to be the permittee, by the individual or his/her representative duly authorized in writing; or,
- ii. In the case of a partnership, by a general partner or a representative of the partnership duly authorized in writing; or,
- iii. In the case of an unincorporated association or group, by an officer or representative duly authorized in writing of the association or group authorizing the making of such application; or, corporation, who shall submit a certified copy of a resolution of the board of

directors of the corporation, authorizing the making of such application and designating the duly authorized officer or representative to act on behalf of the corporation;

iv. In the case of a municipality, other than the county, by the executive officer or representative duly authorized in writing.

6. Every individual application for a permit or for renewal of a permit shall be eighteen (18) years of age or over; and, in the case of a partnership application, the partner signing the application shall be eighteen (18) years of age or over.

7. Application for a permit or for renewal of a permit shall constitute an agreement that the permittee assumes responsibility for the operation, conduct and maintenance of the activity authorized by the permit, in accordance with the provisions of the Sanitary Code and the conditions required by the permit, and to inspections pertaining thereto.

8. Application for a permit or for renewal of a permit shall constitute consent to fully inspect and investigate the premises including but not limited to: the collection and analysis of samples, testing, photographing and/or videotaping, and interviewing.

B. Permit Applications; Fees

1. The fees as adopted by the Board for various permits must be paid at the time of application for the permit.

2. Application for a permit or for the renewal of a permit shall be accompanied by all outstanding fees and/or previous violation fines, as relating to prior County Sanitary Code enforcement actions levied against the specific facility owner making application for a permit.

3. The Director may also establish and charge reasonable fees for the filing in his/her office of required reports, plans or necessary documents.

C. Permits and Licenses; Posting; Expiration

1. Every permit shall expire on the date stated on the permit and may only be extended by the Department, in writing, for a specified limited time not to exceed sixty (60) days.

2. Every permittee shall apply for a renewal of a permit no later than sixty (60) days prior to the expiration date of such permit unless otherwise required by this code, the State Sanitary Code, or the Public Health Law.

3. It is the responsibility of the permittee to contact the Department for necessary forms for the renewal of permit.

4. A permittee shall comply with the conditions contained in the permit and the provisions and requirements of this code, the Department, the State Sanitary Code, and the Public Health Law under which such permit was issued.

5. Every permit shall be kept on the premises designated or covered by the permit and shall be posted in a conspicuous place on such premises in such manner as to be clearly visible to the public. It shall be available for inspection at all times by the Department.

6. Permits shall remain the property of the Department and shall be surrendered to a duly authorized representative of the Department on demand upon the expiration thereof or when suspended or revoked as herein provided.

D. Permits and Licenses; Not Transferable

1. Any attempted or purported transfer of a permit to a person not designated as the permittee therein, or for a purpose or place or vehicle not authorized by such permit, shall be cause to revoke such permit.

2. In the event of a reorganization of a permitted entity, the Department may approve, in writing, the continuation of an activity authorized by a permit provided that such change of organization has been duly recorded with the Department within ten (10) days after such change of organization and the Department receives acceptable proof that the reorganized entity is the legal successor to the permitted entity.

3. In the event that the facility is transferred to new ownership and/or operator, if applicable, the owner/operator must improve the facility to meet all applicable current codes prior to this Department issuing a permit.

E. Permits and Licenses; Suspension and Revocation

1. The Board may suspend or revoke a permit for violation or non-conformance with the conditions or requirements of the permit or provisions of the code under which such permit was issued.

2. The Board may suspend or revoke a permit for cause after due notice and hearing.

F. Permits and Licenses; Refusal to Issue

1. Except as may be otherwise provided in the Public Health Law or the State Sanitary Code:

i. The Department may refuse to issue a permit or a renewal thereof when the application is incomplete or not accompanied by the required fee, if any;

ii. The Department may refuse to issue a permit or renewal thereof when the applicant fails to provide information required by the Department;

iii. The Department may refuse to issue a permit or renewal thereof if the application or investigation thereof indicates to the Department that the activity, operation or premises to be covered by the permit applied for does not meet the requirements of the code or other provisions of law; or that the maintenance, conduct or operation of such activity, operation or premises does not meet the requirements or provisions of the law or may result in a public health hazard or in a condition which may be dangerous or harmful to health and life;

2. Except upon the express written authorization of the Board, no permit shall be issued to a person who previously had a permit revoked, within the preceding six (6) months, nor to a person who was an officer, director, owner or operator of an entity whose permit was revoked

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within the preceding six (6) months;

3. Approval of an application for a permit shall be denied for any sufficient or competent reason, including but not limited to any of the following:

i. The proposed construction, location, purpose, business or other act is in violation of the provisions of the Public Health Law, the State Sanitary Code, this code or any local municipal law, ordinance or regulation;

ii. Inaccurate, incomplete, false or misleading information stated in the application, including any plans or other data submitted in support thereof;

iii. Failure of the applicant to demonstrate competency to perform to the satisfaction of the Department;

iv. Conviction in a court of competent jurisdiction of a violation of the Public Health Law, the State Sanitary Code, this code, or any local municipal law, ordinance or regulation within the preceding six (6) months; provided, however, that the Board may waive the application of this provision upon evidence satisfactory to the Board that the convictions are not likely to be repeated, or for other good and substantial reason or reasons;

v. Failure to correct any existing violations or deficiencies pertaining to any particular place, vehicle or business after service of written notice thereof, whether or not related to the pending application.

4. Notwithstanding any other provision of this Code to the contrary, the Department shall not issue or renew any permit required under this Code to any person who has an outstanding and/or overdue fee, fine and/or unpaid civil penalty imposed by the Department pursuant to provisions of State Public Health Law, State Sanitary Code or the St. Lawrence County Sanitary Code.

G. Permits and Licenses; Denial; Suspension; Revocation; Forfeiture; Effective Date

1. Except as may otherwise be ordered by the Board or by the Director, the denial of a permit or certificate of approval or the suspension or revocation of a permit or certificate of approval, shall become final upon notice thereof to the applicant or permittee concerned.

2. Service of a notice of denial or refusal to issue a permit or certificate of renewal shall be made in the manner provided in the code (Article 2.H) for the service of a notice of hearing.

3. A permit or written approval shall terminate upon service of a written notice from the Department and hearing and be considered forfeit and shall become null and void under any of the following circumstances:

i. That the process of construction or the operation involved reveals conditions otherwise than as indicated in the approved plans and application; or,

ii. That the construction or operation involved is in violation of any ordinance or regulation of any duly constituted government authority or any political subdivision thereof; or,

iii. That the construction or operation involved is otherwise than in accordance with standards, rules, and regulations pertaining to such construction or the conditions of a permit or written approval issued pursuant to the provisions of the Public Health Law, the State Sanitary Code, or this Code; or,

iv. That no action has been taken under such permit or written approval within the period specified in the permit or if no period is specified, within a period of one (1) year following the date of issuance thereof, or within a period beyond which the purpose, need or usefulness of

the permit or written approval no longer exists,
whichever is shorter.

H. Permits and Licenses; Denial Appeal

1. Unless otherwise provided in the Public Health Law or State Sanitary Code, whenever the Department refuses to issue a permit or a renewal thereof or a certificate of approval and no hearing has been had in the matter, the applicant may appeal such action to the Director or Board by serving a notice of appeal in writing on the Department addressed to the Director or to the Board within ten (10) days following the service of notice of denial or refusal to issue the permit.

2. The Notice of Appeal shall set forth in detail the basis for the appeal and shall contain:

- i. The full name of the applicant, permittee or party affected;
- ii. The type of permit or certificate of approval for which the application was made or the nature of the action complained of;
- iii. The place of business listed in the application to which the appeal relates;
- iv. The statement that the applicant or permittee or other party affected appeals to the Board to review the action of the Department; and,
- v. The signature of the applicant, permittee or party affected, or if the permittee or party affected is not the individual signature and title of a party or other individual of the partnership or group, or of an officer of a corporate applicant permittee or party affected.

3. Unless otherwise provided in the Public Health Law, within ten (10) days following service of the notice of appeal, the applicant, permittee or party affected shall submit a memorandum addressed to the Director or to the Board containing his/her objection to the action of the Department.

4. The Board may, without hearing, reverse, modify or affirm the action of the Department or may require a hearing upon notice as provided in Article 2 of this code.

I. Operation Without a Permit

1. The Board or Director may issue a written notice to be served upon the person or permittee involved, or upon any person connected with or working in or about an operation to cease the operation, whereupon the operation shall immediately cease, under the following circumstances:

- i. The process of the operation involved reveals conditions otherwise than as indicated in the approved plans and application, and permits as issued; or
- ii. The operation involved is in violation of any ordinance or regulation of any duly constituted government authority or any political subdivision; or,
- iii. The operation involved is otherwise than in accordance with standards, rules and regulations pertaining to the condition of a permit or written approval issued pursuant to the provisions of the Public Health Law, the Environmental Conservation Law within the jurisdiction of the Department, the State Sanitary Code or this Code.

J. Service of Notice

1. Service of the written notice shall be made in the manner prescribed in Article 2.H for the service of notice of hearings.

ARTICLE 4: GENERAL SANITATION

A. Definitions

1. “Container” shall mean any device in which material is stored, transported, treated, disposed of, or otherwise handled.

2. “Garbage” shall mean putrescible solid waste, including animal and vegetable waste resulting from the handling, storage, sale, preparation, cooking or serving of foods and not subject to regulation by the St. Lawrence County Flow Control Law. Garbage originates primarily in home kitchens, stores, markets, restaurants and other places where food is stored, prepared or served.

3. “Hazardous Material” shall mean a material or combination of materials which, because of its quantity, concentration, use, physical, chemical, infectious, or radiological characteristics and/or effects, constitute a nuisance or public health hazard and not subject to regulation by the St. Lawrence County Flow Control Law.

4. “Hazardous Waste” shall mean a waste or combination of wastes which, because of its quantity, concentration, or physical, chemical, infectious, or radiological characteristics and/or effects, may constitutes a nuisance or public health hazard and not subject to regulation by the St. Lawrence County Flow Control Law.

5. “Public Health Nuisance” shall mean any activity or failure to act that adversely affects Public Health.

6. “Offensive Material” shall mean any, garbage, refuse, rubbish, hazardous material, hazardous waste, septage, sewage sludge, sludge, stabilized sludge or any substance or liquid dangerous or detrimental to health not subject to regulation by the St. Lawrence County Flow Control Law.

7. “Person” shall mean any individual, firm, public or private corporation, association, partnership, institution, political subdivision, government agency, public body, joint stock association, trust, estate, or other group of individuals or combination of the foregoing, or any legal entity whatsoever, and includes the plural as well as the singular.

8. “Public Health Hazard” shall mean a condition, potential condition, event or sequence of events, deemed by the Director, which may impact or threaten the health of the public.

9. “Refuse” shall mean all waste material including, but not limited to; incinerator residue, street sweepings, blood, fecal matter, manure, dead animals and offal.

10. “Rubbish” shall mean solid or liquid waste material including, but limited to, paper and paper products, rags, furniture, cans, crockery, plastic cartons, plastics, chemicals, paint, greases, sludges, oils and some petroleum products, wood, demolition materials, and tires not subject to regulation by the St. Lawrence County Flow Control Law.

11. “Septage” shall mean the contents of a privy, septic tank, cesspool, chemical toilet, either liquid or solid state or other individual sewage treatment facility which receives domestic sewage wastes.

12. “Sewage Sludge” shall mean the accumulated semisolid suspension of solids deposited from waste waters.

13. “Sludge” shall mean any solid, semisolid or liquid waste generated from a municipal, commercial or industrial waste water treatment plant, water supply treatment plant or air pollution control facility. Sludge does not include the treated effluent from a wastewater treatment plant.

14. “Stabilized Sludge” shall mean sludge that has been treated by a process to reduce putrescibility, significantly reduce pathogenic organisms, and except for lime stabilization, reduce the volatile solids content. Acceptable stabilization processes are defined in 40 CFR Part 257, U.S. Environmental Protection Agency, Code of Federal Regulations.

15. “Vehicle” shall mean any motor vehicle, water vessel, railroad car, airplane, or other means of transporting offensive material, including hazardous waste.

B. Removal and Transportation

1. No person shall remove or transport or permit the removal or transportation of any offensive material, garbage, hazardous material, hazardous waste, refuse, septage, sewage sludge, sludge or stabilized sludge except in such a manner and in or by such conveyance as will prevent the creation of a nuisance or the loss or discharge of such material. All such material shall be so handled, covered, or treated that it cannot be released, leached or migrated or be accessible to rodents, flies, or other insects or create a nuisance. All vehicles and implements used in connection therewith shall be kept in a non-offensive and sanitary condition and when not in use shall be stored or kept as to not create a nuisance.

C. Storage and Disposal

1. No person shall allow any offensive material to be deposited, stored or held on any premises or place or in any building or structure unless such material is treated, screened, covered, or placed as not to create a nuisance detrimental to health. All containers for the storage of such material shall completely confine the material, shall be rodent and insect proof, and shall be kept in a non-offensive and sanitary condition at all times. All offensive material shall be buried at such distance from any source of water supply or be disposed of at other places so that water supplies will not be subject to pollution or where a nuisance will not be created subject to regulations for the protection of public water supplies adopted pursuant to the provisions of the Public Health Law. Such material shall not be discharged into streams, ponds, or other bodies of water or onto the surface of the ground except with the special permission of the Department or unless a permit is issued in accordance with the provisions of law.

D. Water Supplies

1. No person shall have contracted, undertaken or who is bound by the terms of a lease or any agreement to supply water for any habitable building owned thereby shall shut off or cause to be shut off such water supply so as to result in an unsanitary condition. Whenever a public water supply is available, no other supply shall be furnished for drinking and domestic purposes unless such other supply shall be potable.

2. The Director may order the treatment, abandonment, sealing, or posting, at his/her

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discretion, of any water supply not of a safe, sanitary quality.

ARTICLE 5: NUISANCES

A. Nuisances; Director's Duty to Investigate

1. The Director shall receive and investigate all complaints concerning nuisances, or causes of danger or injury to life and health in the Health District and may request such complaints to be made in writing in accordance with this Article, Part 8 of the State Sanitary Code and Title 1 of Article 13 of the Public Health Law.

B. Nuisances; Investigation; Reports

1. The Director may enter to inspect or examine upon or within any place or premises where nuisances or conditions dangerous to life and health are occurring or are reasonably believed to be occurring, or which are reasonably believed to be the cause of nuisances existing elsewhere.

2. The owners, agents and/or occupants of any premises shall permit sanitary examinations and inspections to be made pursuant to the provisions of this Article, Part 8 of the State Sanitary Code, and Title 1 of Article 13 of the Public Health Law.

3. The Director shall furnish the owners, agents and/or occupants of the premises with a written statement of the results and conclusions of any examination or inspection conducted pursuant to this article.

C. Nuisances; Abatement and Suppression

1. The Board and/or Director may order the suppression and removal of all nuisances and conditions detrimental to life and health found to exist within the Health District.

2. The Board and/or Director may, in the event of non-compliance with any such order, enter upon the premises to remove or suppress such nuisance, condition, or matter to which said order relates.

3. The expenses of such removal and abatement shall be paid and may be collected in the manner prescribed in Public Health Law 1306, 1307, and 1308

4. The owner of any dwelling is responsible for remediation of an insect infestation.

5. No dogs, cats, fowl, hogs, goats, cows, horses or other animal shall be kept in a manner which creates a public health nuisance.

6. Dead Animals - A dead domestic or farm animal shall be buried a minimum of 2 feet below grade or disposed of in a sanitary manner, at least 200 ft from any water source (i.e., water supply, wetland, river, stream, or surface water source), by its owner within seventy-two (72) hours after its death or after its carcass has been discovered unless otherwise approved by the Department.

D. Nuisances; Enforcement

1. Any non-compliance or non-conformance with an order issued by the Director pursuant to this Article shall constitute a violation of the provisions of the Sanitary Code and may be subject to the imposition of a civil penalty pursuant to Section 309 of the Public Health Law.

ARTICLE 6: DWELLINGS

A. Definitions

1. “Dwelling” means any building, house structure, vehicle or portion thereof, which is occupied, in whole or part, or intended to be used as a home, residence, living or sleeping place of one or more human beings, either permanently or temporarily, and not regulated under any other article of this Sanitary Code.

2. “Dwelling Unit” means any room or group of rooms, within a dwelling, which are used or intended to be used by one or more persons for living and sleeping with or without facilities for cooking and eating.

3. “Extermination” means the control and elimination of insects, rodents, vermin or other pests by eliminating their harborage places; by removing or making inaccessible material that may serve as their food; by poisoning, spraying, fumigating, trapping, or by any other recognized and legal pest elimination methods approved by the County or State authority having such administrative authority.

4. “New York State Code” means the New York State Uniform Fire Prevention and Building Code.

5. “Building Inspector and Local Codes Enforcement Officers” means the Municipal Officials who enforce the New York State Code in their municipality.

B. Plumbing

1. Each and every plumbing fixture, pipe, drain, sewer and sewer connection in every habitable public or private building which is in whole or part leased by the owner or his agent or which is permitted to be used by patrons or the general public, shall be properly plumbed in accordance with the New York State Code, of sanitary design and construction and shall be repaired and maintained in a sanitary condition. The owner, operator or occupant of a building or dwelling or his/her agent in charge thereof shall have common use of a toilet shall be responsible for the satisfactory and sanitary maintenance of such toilet.

2. Every owner, agent, or tenant, who is responsible for the plumbing or sanitary facilities of a building or dwelling shall maintain each and every plumbing fixture, pipe, drain, sewer and sewer connection of such building or dwelling in a sanitary condition and shall remove blockages, repair leaks, and replace broken, worn or faulty fixtures or pipes which shall be the cause of an unsanitary condition.

C. Occupancy Without Sewerage Facilities

1. No person shall occupy any dwelling or vehicle as a place of habitation unless sanitary facilities for the disposal of sewage shall have been provided.

D. Rental of Dwelling Without Water Supply

1. No person shall lease or rent any dwelling or dwelling unit unless a safe supply of potable water is available.

E. Water Supply – Cutting Off

1. No owner or lessee of a dwelling, dwelling unit, apartment or business establishment shall cut or turn off the water supply or cause such water supply to be shut off except in case of necessity arising from a serious leak, public health hazard or bursting of pipes. In such cases, repairs shall be made and the water service restored promptly.

F. Connection to Public Sewer

1. Where a public sanitary sewer is available and accessible to a dwelling or habitable building, the owner of such dwelling or building shall connect such building to said sanitary sewer within one year of availability.

G. Garbage and Rubbish Disposal

1. Every dwelling and every dwelling unit shall be provided with a suitable receptacle(s) as may be necessary to contain all garbage and rubbish and all such receptacles shall be maintained in good repair. Receptacles for garbage shall be watertight and provided with tight fitting covers.

2. Every dwelling including the lot on which such dwelling is located shall be kept free from any excessive accumulation of offensive material.

3. Garbage must be disposed of in accordance with local ordinances and in any case in such fashion as not to serve as a breeding or harboring place for vermin, or to create a nuisance.

H. Flies, Insects, Rodents and Vermin

1. All means necessary or required shall be taken to eliminate vermin from any habitable building and to prevent the breeding or harboring of such vermin on the premises. Any poison or chemical used for the elimination of vermin must be used in accordance with the U.S. Department of Environmental Protection Agency (EPA) or the New York State Department of Environmental Conservation (DEC) laws and any other statute or regulation governing the use of such poison or chemical.

2. Responsibility for Extermination: Every occupant of a Dwelling containing a single Dwelling Unit shall be responsible for the extermination of any insects, rodents, vermin or other pests therein or on the Premises; the property owner shall be responsible for extermination ; property owner is responsible for the entire building if it is a multi unit dwelling (wordsmith) Notwithstanding the foregoing provisions of this section, whenever infestation is caused by failure of the Owner to maintain a Dwelling in a rat-proof or insect-proof condition, Extermination shall be the responsibility of the Owner. Whenever infestation exists in two (2) or more of the Dwelling Units in any Dwelling, or in the shared or public parts of any Dwelling containing two (2) or more Dwelling Units, Extermination thereof shall be the responsibility of the Owner. When Extermination is required, the Owner shall use a New York State License/Certified Pesticide Applicator/Technician, unless waived by the Department.

I. Unsanitary Building

1. When the Director determines that any building, dwelling or part thereof is so unsanitary as to be unfit for human habitation or shall cause an unsanitary condition on or adjacent to the premises, a hearing can be scheduled with due notice to the owner. If at the hearing it is determined that the situation constitutes a nuisance or condition detrimental to life and health, the Director may issue an order requiring the owner to abate said nuisance or condition by placing said building or dwelling in a sanitary or habitable condition within a time specified in said order. Upon the failure of said owner to comply with said order, the Director may issue a further order to be affixed conspicuously upon such building or dwelling and served upon the occupant(s) or lessee(s) and upon the owner thereof or his or her agent requiring all persons to vacate such building or dwelling and to discontinue its use at such time as shall be stated in said order. Upon failure of such building or dwelling to be vacated within the time specified, the Board may issue a warrant to the County Sheriff directing that such building or dwelling be vacated and that all persons be removed and the County Sheriff shall forthwith execute such warrant pursuant to law.

J. Local Laws, Ordinances, Enforcement, and Criminal Penalties

1. In cases of matters involving or under the jurisdiction of the New York State Department of Health Environmental District Office and/or the Municipal Building Inspector or Codes Enforcement Officer, the New York State Department of Health Environmental District office and Municipal Building Inspector or Codes Enforcement Officer shall have primary enforcement jurisdiction per the scope of the respective regulatory authority.

2. In enforcing this Article, the Director will be guided by the Building Codes in effect in the municipality (city, town or village) in which such buildings are located, and such other state laws or regulations, as may apply.

3. The Director may request the assistance of a municipality's Building Inspector or Local Codes Enforcement Officer(s) to inspect properties in accordance with the New York State Code or to perform joint inspections of a property or properties with representatives of the Department.

4. Criminal penalties for violations of this Article shall be those provided for in Section 229 of the Public Health Law.

5. Civil penalties for violations of this Article shall be those provided in Sections 12 and 309 of the Public Health Law. Determinations with respect to violations and/or assessing of penalties shall be subject to review by the St. Lawrence County Health Department.

ARTICLE 7: SEWAGE SYSTEMS

A. Applicability

1. This Article shall apply to the construction and use of any new or modified sewage system designed to discharge sewage without the mixture of industrial or other wastes to the ground or surface waters of the County.

B. Definitions

1. “Applicable Water Quality Standards and Effluent Standards and Limitations,” means all State and Federal water quality standards and limitations to which a discharge is subject under the Federal Water Pollution Control Act, or under State law including but not limited to water quality standards, effluent limitations, standards of performance and pretreatment standards.

2. “Dwelling” means any building or structure which is wholly or partly used or intended to be used for living or sleeping by human occupants.

3. “Individual Sewage Treatment System” means a system of piping, tanks or other facilities for the on-site collection, treatment and disposal of sewage.

4. “Offensive Material” means any sewage, fecal matter, manure, offal, garbage, dead animals, meat wastes, pool waste water, any putrescible organic matter, the contents of sewage disposal systems (either liquid or solid state), or any substance or liquid dangerous or prejudicial to health, safety or general welfare, or gives rise to offensive odors as may be determined by the Director or his/her designee.

5. “Other Wastes” means shavings, bark, sand, lime, salt, ashes, petroleum products, tar, dye stuffs, acids, chemicals, and all other discarded matter not sewage, industrial wastes or offensive material which is determined by the Director to be dangerous or prejudicial to health and safety.

6. “Point Source” means any discernible, confined or discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel or other floating craft, from which pollutants are or may be discharged.

7. “Pollution Hazard” means a condition resulting from the entry of wastes into any of the waters of the County whereby;

i. The quality of such waters may be adversely affected in their use for bathing, drinking, culinary and other water supply uses; or

ii. A situation determined by the Director to be prejudicial to health and safety of the public is created.

8. “Privy” means any facility or structure provided for the storage or disposal of human excreta without water carriage.

9. “Reserve or Replacement Area” means the area on the site that is kept available for the future individual sewage treatment system should the primary individual sewage treatment system fail.

10. “Sanitary Sewer” means a system of piping or other facilities used for the collection and transportation of wastes to a community, individual, commercial or public sewage system under the control of the person owning or responsible for the community, individual, commercial or public sewage system or jurisdiction of the Department.

11. “Sewage” means water-carried human waste, human excreta and liquid or water carried waste and laundry wastes from residences and buildings (from water closets, lavatories, sinks, bathtubs, laundry tubs or devices, floor drains or other sanitary fixtures), together with such groundwater infiltration and surface water as may be present, without the admixture of industrial or other wastes.

12. “Sewage System” means all types of sewage related systems listed and defined in this Article (i.e., Commercial, Community, Individual, Public).

13. "SPDES" means New York State Pollutant Discharge Elimination System and all pertinent applications, forms, permits and reporting forms.

C. General Provisions

1. An abandoned septic tank, seepage pit, or other device or equipment for the treatment of sewage shall be cleaned and filled to the ground surface in a manner acceptable to the Department.

2. Roof water, foundation drain, cistern overflow, or surface or subsoil drainage shall not be discharged into any individual sewage treatment system.

3. No person shall construct or maintain a Sewage Treatment System, pipe, or drain in the County so as to expose or discharge the sewage contents therefrom to the atmosphere or onto the surface of the ground, by subsurface disposal, by groundwater injection or into any storm sewer, drain or roadside ditch, nor so as to discharge into any watercourse or body of water contained within or touching any part of the land within the County, unless approval for such discharge shall have been issued in accordance with the provisions of the New York State Environmental Conservation Law and the Department is satisfied that such discharges will not adversely affect public health or create a condition which is detrimental to public health.

D. Application, Approval and Permits

1. All Sewage Systems with a flow of one-thousand (1,000) gallons per day or greater under the jurisdiction of the NYSDEC shall be operated and maintained in accordance with required SPDES permits and any other approvals.

2. Individual sewage system construction or modification permits shall be obtained from the Local Code Enforcement Office in the municipality where the property is located.

E. Operation

1. Property owners are to maintain sewage systems such that they operate safely and do not create a nuisance.

G. Exposure of Sewage

1. No person shall construct or maintain any privy, cesspool, sewage treatment system, pipe or drain so as to expose or discharge the sewage contents or other deleterious liquid or matter therefrom to the atmosphere or on the surface of the ground or into any storm sewer or drain or so as to endanger any water course or body of water unless a permit for such discharge shall have been issued therefore by the New York State Department of Environmental Conservation and such discharge shall be made in accordance with the requirements thereof.

H. Harmful or Deleterious Substances

1. No person shall discharge or cause the discharge of, any harmful or deleterious substance to any Sanitary Sewer or Sewage System so as to endanger the use of or the materials of construction of such sewer or system or so as to result in the stoppage or other failure of the

Sewage System or subsequent sewage treatment, unless a permit and/or approval for such system or subsequent sewage treatment or a permit and/or approval for such discharge has been secured from the official agency having jurisdiction for such Sewage System or Sewage Treatment Works and such discharge conforms to the terms of such permit.

I. Construction of Article

1. Nothing contained in this Article shall be construed to mean that the Department has approved the functional ability or adequacy of the system or systems approved pursuant to the provisions of this Article.

2. The Director may, on written application and after review, grant a waiver or variance from a specific provision of this Article. A variance or waiver may be subject to appropriate conditions. A variance may include a time schedule for compliance where such variance is in harmony with the general purpose and intent of this Article.

J. Modifications of Director's Order

1. An order issued by the Director pursuant to this Article shall take effect with the period specified in the order.

2. The Director may postpone the effective date of an Order served pursuant to this Article, if such postponement will not result in an immediate danger to the public health; provided, however that no postponement shall be granted unless the Director has determined that the construction, change in treatment or other control measures which may be required to ensure compliance with the Order cannot be completed with the time prescribed by the original effective date because of physical or engineering difficulties, the shortage of necessary materials or equipment or other reasons acceptable to the Department.

ARTICLE 8: COMMUNICABLE DISEASE

A. Purpose

1. To assure the safety and well-being of the residents of St. Lawrence County through the reduction and/or prevention of the spread of communicable diseases through education and mandatory reporting of suspected or confirmed cases.

B. Definitions

1. "Communicable Disease" shall mean an illness caused by an infectious agent or its toxins that occurs through the direct or indirect transmission of the infectious agent or its products from an infected individual or via an animal, vector or the inanimate environment to a susceptible animal or human host.

C. Rabies

1. All persons shall comply with Article 21, Title 4 of the Public Health Law relating to Rabies and Part 2 of the State Sanitary Code relating to Rabies.

D. Reporting of Cases

1. The reporting of cases and the reduction and/or prevention of the spread of communicable disease shall be in accordance with the definitions and regulations found in Title 10, Chapter I, Part 2 of the New York Codes, Rules and Regulations and the New York Public Health Law Articles 21, 22 and 23.

E. Duty to Report (Physicians and Institutions)

1. Every physician shall immediately give notice (report) to the Department of every case of communicable disease in St. Lawrence County required by the Department to be reported.

2. If there is no physician in attendance on any case of communicable disease, it shall be the duty of the superintendent or other officer of an institution, householder, hotel or lodging housekeeper, or other person where such case occurs in St. Lawrence County, to give notice (report) to the Department of such case of communicable disease required by the Department to be reported.

ARTICLE 9: UNCONSTITUTIONALITY CLAUSE AND PROVISIONS FOR REVISIONS OR AMENDMENT

A. Unconstitutionality Clause

1. In the event any section, paragraph, sentence, clause or phrase of this Sanitary Code shall be declared unconstitutional or invalid for any reason, the remainder of said code shall not be affected thereby.

B. Provisions for Revision or Amendment

1. This Sanitary Code may be amended or revised by the Board of Health at any regular meeting of the Board provided that a legal notice of intent is published in the County's official newspaper at least ten (10) days prior to such regular meeting of the Board. Such notice shall contain the nature of the proposed change(s) and advise that copies of such change(s) are available upon request in the office of the Department.

ARTICLE 10: EFFECTIVE DATE

A. Every regulation of the Sanitary Code, unless otherwise specifically stated shall take effect immediately upon filing with the St. Lawrence County Clerk.

Mr. Hull moved to adopt Resolution No. 134-2025, seconded by Mr. Lightfoot, Ms. Curran, and Mr. Smithers, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

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RESOLUTION NO. 135-2025

**AUTHORIZING THE CHAIR TO SIGN AN ANNUAL SERVICE AGREEMENT
WITH TRANE U.S. INC. FOR HEATING, VENTILATION, AND AIR
CONDITIONING (HVAC) SERVICES FOR BUILDINGS AND GROUNDS**

By Mr. Hull, District 8

WHEREAS, St. Lawrence County Buildings and Grounds has specialized HVAC units throughout its facilities, including the Courthouse Complex, the Correctional Facility, the Surrogate Building, the Human Services Center, and the Public Safety Complex, and

WHEREAS, the County has contracted with TRANE US, Inc. (“TRANE”) for the maintenance of these units, and

WHEREAS, TRANE has updated the renewal documents for the period of January 1, 2025 to December 31, 2025 at a total cost of \$39,584 (BG016204 42202),

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign an annual service agreement with TRANE US, Inc. for heating, ventilation, and air conditioning (HVAC) services, upon approval of the County Attorney.

Mr. Hull moved to adopt Resolution No. 135-2025, seconded by Mr. Burke, Mr. Gennett, and Ms. Curran, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

RESOLUTION NO. 136-2025

**AUTHORIZING THE RESTRUCTURING OF INDIGENT DEFENSE IN
ST. LAWRENCE COUNTY TO INCLUDE: AUTHORIZING THE CHAIR TO SIGN A
LEASE AMENDMENT WITH LOT 21, INC. AND OPEN A SATELLITE OFFICE OF
THE PUBLIC DEFENDER IN OGDENSBURG, PAUSING THE OPERATIONS OF
THE OFFICE OF THE CONFLICT PUBLIC DEFENDER, RELOCATING THE
OFFICE OF INDIGENT DEFENSE AND AUTHORIZING CONTRACTS WITH
PROVIDERS TO AUGMENT THE ASSIGNED COUNSEL PROGRAM**

By Mr. Hull, Chair, Finance Committee

WHEREAS, under County Law 716-720, St. Lawrence County has maintained an Office of the Public Defender since 1990, along with a contract through the St. Lawrence County Bar Association for Assigned Counsel under County Law 722 and 18-A, and in 2004, the Office of the Conflict Defender was created, and

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WHEREAS, the Office of the Conflict Defender handled cases in an effort to decrease the overall cost to the County while providing an attorney staff to represent the indigent, and

WHEREAS, the challenge of recruiting and retaining attorneys and staff has proven challenging to the extent that the Office of the Conflict Defender and the Office of Indigent Defense are unable to be sufficiently staffed at the current time, and

WHEREAS, the remainder of cases handled by the Office of the Conflict Defender would be relocated in whole or in part to attorneys approved as panel attorneys for criminal or family matters through the Assigned Counsel Program, and

WHEREAS, the busiest courts in the County are in Ogdensburg and Massena, and it would benefit the staff to have a satellite office closer to the busy courts and there is currently space available at 206 Ford Street in Ogdensburg, and

WHEREAS, the recommendation for restructuring the Offices to meet the needs of the indigent population who are entitled to representation would be better served if the County were able to house indigent defense in the Office of the Public Defender, and

WHEREAS, additionally, if there were licensed attorneys or firms available and interested in accepting cases, the County would look to ensure competent and panel-approved attorneys were selected to take the cases formerly handled by the Office of the Conflict Defender,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the restructuring of indigent defense in St. Lawrence County to include: authorizing the Chair to sign a lease amendment with Lot 21, Inc. and open a satellite Office of the Public Defender in Ogdensburg, pausing the operations of the Office of the Conflict Public Defender, relocating the Office of Indigent Defense and authorizing contracts with providers to augment the Assigned Counsel Program, and

BE IT FURTHER RESOLVED that the cases that remain open previously handled by the Office of the Conflict Defender will be sent to the Assigned Counsel Program to panel attorneys approved to practice in criminal matters or family matters, and

BE IT FURTHER RESOLVED that the Board of Legislators authorizes the Chair to sign a lease amendment with Lot 21, Inc. to provide for space in 206 Ford Street, Ogdensburg, NY 13669 for operations of the Office of the Public Defender, and

BE IT FURTHER RESOLVED that the Chair be authorized to sign any grant contracts through New York State that require amendments to support operations to maximize revenue against expenses incurred, upon approval of the County Attorney, and

BE IT FURTHER RESOLVED that a review of operations will be provided to the

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Board of Legislators following six (6) months and one (1) year to ensure that representation continues to improve and that services are being provided.

Mr. Hull moved to adopt Resolution No. 136-2025, seconded by Mr. Lightfoot, and Ms. Curran, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

RESOLUTION NO. 137-2025

**APPOINTING THE DIRECTOR OF HUMAN RESOURCES
FOR ST. LAWRENCE COUNTY**

By Mr. Webster, District 11

Co-sponsored by Mr. Lightfoot, District 3; Mr. Fay, District 9

WHEREAS, on March 3, 2025, following a public hearing, Resolution No. 95-2024 adopted Local Law C (No. __), for the Year 2025 which officially established the Director of Human Resources, and

WHEREAS, Resolution No.181-2023 established the Position of Personnel Officer as a separate position from the Director of Human Resources, and

WHEREAS, following the fill of the Personnel Officer, a Search Committee was appointed and a search was conducted to find a suitable Director of Human Resources, and

WHEREAS, the recommendation to separate the roles required additional consideration, and after considering the roles serve seventy-two (72) agencies across St. Lawrence County, along with providing guidance to Departments related to implementation of personnel policies, along with handling the implementation of seven (7) union contracts, a determination of separating the roles was approved, and

WHEREAS, the Search Committee made a recommendation to pause the search in July 2024 and resumed consideration of a candidate for the Director of Human Resources and have now recommended that an appointment be made,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators hereby appoints Jonnie Dorothy as the Director of Human Resources at Band VII, Step 6 (\$121,398) through December 31, 2026.

Mr. Webster moved to adopt Resolution No. 137-2025, seconded by Mr. Smithers, Mr. Gennett, and Ms. Curran, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

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RESOLUTION NO. 138-2025

AUTHORIZING THE CHAIR TO SIGN A CONTRACT WITH C&S ENGINEERS, INC. FOR DESIGN AND PROJECT MANAGEMENT SERVICES FOR THE INTEROPERABILITY TOWER PROJECT IN POTSDAM

By Mr. Denesha, District 6

WHEREAS, Resolution No. 222-2023 authorized the construction of new telecommunication towers in the Cranberry Lake Fire District, the Town of Fine, and the Village of Potsdam in order to enhance emergency communications through the County, as part of the 2023 Interoperability Tower Project, and

WHEREAS, the County is preparing to construct the emergency communication site in Potsdam to include the installation of a new tower and an equipment shelter, and

WHEREAS, C&S Engineers, Inc. has submitted a proposal to provide the County engineering design and construction administration and inspection services for the Potsdam communications site,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators authorizes the Chair to sign a contract with C&S Engineers, Inc. for an amount not to exceed \$110,300 (X2Z36404 43007 21SI) for design and project management services for the Interoperability Tower Project in Potsdam, upon approval of the County Attorney.

Ms. Curran moved to adopt Resolution No. 138-2025, seconded by Mr. Webster, and Mr. Burke, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

RESOLUTION NO. 139-2025

RESOLUTION URGING GOVERNOR HOCHUL AND THE NEW YORK STATE LEGISLATURE TO AVOID INCREASING COSTS ON LOCAL GOVERNMENTS AND TO ADOPT A STATE SPENDING LIMIT COMPARABLE TO LOCAL MANDATES

By Mr. Denesha, District 6

Co-sponsored by Mr. Sheridan, District 4; Mr. Hull, District 8; Ms. Curran, District 15

WHEREAS, as elected officials and leaders of New York State, it is incumbent upon us to hold ourselves to the same standards that we profess to others, and

WHEREAS, this is a basic principle and an inherent element of the social contract, and

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WHEREAS, the New York State budget appears to have abandoned this principle by mandating counties and local governments stay within a two percent (2%) property tax cap, but often saddling counties with cost increases substantially beyond this two percent (2%) limit, and

WHEREAS, up to eighty percent (80%) of a county's total budget can be dedicated to paying for state and federal mandates, and

WHEREAS, we did not just stumble into this predicament but got here through a series of cost shifts from the state to counties starting with the State and federally defined Medicaid program, Persons in Need of Supervision, indigent legal defense, preschool special education, early intervention, probation and more stemming from the 1960's through today, and

WHEREAS, during the Great Recession, the State reduced reimbursements to counties by nearly \$400 million annually without reducing any of the costs of state-mandated programs, and without lowering state spending on other programs, and

WHEREAS, recent state budgets included a doubling of the hourly rate for 18-B attorneys, leaving counties to pay half the increase at a cost of about \$90 million annually, dramatically increased foster care rates with no state funding support approaching \$200 million, and the state permanently confiscating nearly \$700 million in annual federal Medicaid eFMAP benefits linked to the Affordable Care Act that had been passed through to counties for more than a decade, and

WHEREAS, the property tax cap was first implemented in response to high property taxes, which are a direct result of increases in state mandates, and

WHEREAS, since 2011, New York's budget has grown by over 80 percent, with the average annual increase in general fund spending of 7.7 percent since SFY 2020, and

WHEREAS, the State Division of the Budget acknowledges in recent financial plan documents that revenues from 2024 through 2028 are expected to grow at only 3.5 percent per year and that state spending rate will come in higher than revenue growth, and

WHEREAS, at the same time, unfunded state mandates have also grown by 37 percent since 2020 and it's important to note that when the state shifts costs to counties and localities, the true value of spending is actually hidden to taxpayers,

NOW, THEREFORE, BE IT RESOLVED that the Board of Legislators calls upon Governor Hochul and the New York State Legislature to regularly pass state budgets and other legislation that ensures we are truly making New York a more affordable place to live, work and raise a family, and

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BE IT FURTHER RESOLVED that the New York State Association of Counties believes the best way to accomplish this goal is to:

- Not increase costs on local governments, or, at a minimum, limit any increase in state-imposed costs on counties to no more than allowable tax cap growth;
- Require the state to stay within the same spending discipline it places on its local governments, and

BE IT FURTHER RESOLVED that copies of this resolution be sent to the counties of New York encouraging member counties to enact similar resolutions, and

BE IT FURTHER RESOLVED the New York State Association of Counties shall forward copies of this resolution to Governor Kathy Hochul, the New York State Legislature, and all others deemed necessary and proper.

Mr. Reagen moved to adopt Resolution No. 139-2025, seconded by Mr. Lightfoot, Mr. Webster, Ms. Curran, and Mr. Gennett.

Mr. Sheridan, Mr. Hull, and Ms. Curran asked to be added as co-sponsors to the resolution.

Motion carried by a voice vote with thirteen (13) yes votes, one (1) no vote (Haggard), and one (1) absent vote (Forsythe).

COUNTY ADMINISTRATOR'S REPORT:

The sales tax forms extending the County's one percent (1%) sales tax have been updated and re-submitted to the New York State Senate and Assembly.

Ms. Doyle thanked the Board for recognizing County Government Month. The offices in the Human Services Center, along with the Sheriff's Office are hosting an Open House on Thursday, April 24 from 4 p.m. – 8 p.m.

Staff and contractors are working diligently to finish the renovations at the Public Safety Complex. There is a water issue that persists, and the County will not be able to receive a Certificate of Occupancy until that is resolved. The Telecommunicators Week recognizes our telecommunicators and dispatchers that have been working hard in a temporary center for over a year while this renovation takes place.

On April 8th the windows replacement project bids will open to replace windows in the 1993 Courthouse, the Old Jail, and the Surrogate Building.

Resolution number twenty (20) on the agenda related to arrears payments will have an account number updated.

The IDA annual report was placed in legislators' mailboxes.

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Ms. Doyle expressed gratitude to the Board for supporting resolutions that authorize the movement of departments, as this allows the County to begin more renovations.

The Finance meeting on April 28th will include a first quarter financial update.

OLD/NEW BUSINESS: Mr. Reagen would like to call attention to the St. Lawrence County Industrial Development Agency's annual report, and encouraged everyone to look through it.

Mr. Gennett left the meeting at 7:52 p.m.

COMMITTEE REPORTS: There were no committee reports.

Ms. Haggard moved to go to Executive Session at 7:56 p.m., to discuss litigation, negotiations, personnel, and appointments, seconded by Mr. Burke, and carried by a voice vote with thirteen (13) yes votes, and two (2) absent votes (Forsythe and Gennett).

Mr. Gennett returned to the meeting at 7:56 p.m.

EXECUTIVE SESSION: Mr. Perkins moved to go to Open Session at 8:55 p.m., seconded by Mr. Hull, and Ms. Curran, and carried by a voice vote with fourteen (14) yes votes, and one (1) absent vote (Forsythe).

Mr. Denesha moved to appoint the following people to the following boards, seconded by Ms. Curran, and carried by a voice vote with fourteen (14) yes votes and one (1) absent vote (Forsythe).

Fire Advisory Board

- Thomas E. Schwahn, P.O. Box 215, Madrid 13660 (Term to expire: 4/7/2028)

St. Lawrence County Planning Board

- Brian S. Murray, 15 Church Street, Lisbon 13658 (Term to expire: 4/7/2028)

North Country Home Consortium Administrative Board

- Frederick J. Hanss, 16 School St, P.O. Box 94, Hannawa Falls 13647 (Term to expire: 4/7/2029)

Community Services Board

- William Rowsam, 500 State Street, Carthage 13619 (Term to expire: 12/31/2027)

Community Services OPWDD Subcommittee

- Tara Carr, 26405 Perch Lake Rd, Watertown 13601 (Term to Expire: 12/31/2028)

Youth Advisory Board

- Casey T. Canell, 325 East Main Street, Gouverneur 13642 (Term to expire: 12/31/2027)
- Joanne Sevick, 1533 CR 47, Winthrop 13697 (Term to expire: 12/31/2027)

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Community Services Alcohol and Substance Subcommittee

- Courtnie Toms, 156 Center Street, Massena 13662 (Term to expire: 12/31/2028)
- Anne Marie Snell, 689 Pumpkin Hill Road, Potsdam 13676 (Term to expire: 12/31/2028)

Community Services Mental Health Subcommittee

- Sarah Gordinier, 473B River Road East, Ogdensburg 13669 (Term to expire: 12/31/2028)

CHAIR'S APPOINTMENTS: On behalf of Chair Forsythe, Vice Chair Denesha appointed the following search committee:

Director of Emergency Services Search Committee: Mr. Denesha (Chair), Ms. Curran, and Ms. Terminelli. There are two (2) committee members still to be determined; one (1) will be from EMS and one (1) will be from fire services.

ADJOURNMENT: Vice Chair Denesha moved to adjourn the Full Board Meeting at 9:00 p.m., as there was no further business.