

**REGULAR MEETING**  
**September 6, 2022**

The meeting was called to order at 5:00 p.m. by Chairman of the Board, Lawrence Dolhof.

Roll Call: All Legislators were present. There were 16 other persons present.

Chairman Dolhof asked Legislator Gilbert for the Invocation, followed by the Pledge of Allegiance to the Flag.

Chairman Dolhof declared the August 2, 2022 meeting minutes approved by general consent.

**REPORT OF THE FINANCE AND RULES COMMITTEE:**

The Finance and Rules Committee had met and recommended to waive the rules to allow action on late resolutions.

Signed by: Thomas Osborne  
Phil Hathway  
Jeffrey Nellenback  
Jessica Moser  
Joshua Leviker

Dated: September 26, 2022

Legislator Virkler moved to waive the rules, seconded by Legislator Moroughan and carried.

**PUBLIC HEARING/PRIVILEGE OF THE FLOOR:**

Chairman Dolhof opened the public hearing on CDBG Project #636CVPF9-21, Lewis County LMI Broadband Connections Project at 5:02 p.m. Planning Director, Casandra Buell, stated that in September 2021, Lewis County was awarded \$747,790.00 to provide fixed wireless broadband services to three LMI communities; the Town of Lyonsdale, Village of Port Leyden and Census Tract 9502 in the Town of Diana. After 12-months of coordinated efforts between the Development Authority of the North Country, Lewis County Planning & Community Development, Lewis County Building and Grounds, Lewis County 911 Services, Tectonic Engineering, Hudson Valley Wireless, and the Lewis County Manager, we are close to optimizing the wireless service. Incredibly, we have come in under budget and have requested an extension through April 2023 to utilize the balance of the funds to directly benefit LMI households. While this project has had its share of the roadblocks and challenges, the team at the helm has utilized the CDBG funds awarded to provide the very best service and opportunities to users within reach of this service. We're excited to get the ball rolling.

Legislator Hathway stated an interesting thing is happening on September 10<sup>th</sup> at Harrisville Central School. Prior to the annual soccer kickoff tournament of six teams (including South Lewis), the soccer field will be dedicated to Coach Rick Bearor. Rick has coached soccer for the last 42 years and counting. Not surprisingly, he is considered the coach with the most

wins in all of Section 10. He also coached baseball and basketball at times and taught for 36 years. Rick retired from school in 2010 but continues to give back as a Judge in the Town of Pitcairn. Another interesting side note is that the two previous judges there, Jon Hall and Jim Manchester, services 40 years and 39 years respectfully. He will be filling some pretty big shoes. The Town of Diana area is very appreciative of all Rick has done, and continues to do, mentoring the young people.

#### PRESENTATION OF COMMUNICATIONS AND NOTICES:

Resolutions were received by Orleans County “Proposing the Repeal or Amendment of Election Laws in so far as they adversely affect Smaller Counties”, and “Support of Senate Bill S9509 to Eliminate the Farm Laborers Wage Board created through the Farm Workers Fair Labor Practices Act”. A resolution from Seneca County was received “Opposing NYS Legislation (S.51001/A.41001) as being an Unconstitutional Attack on Rights of Law-Abiding Citizens by Restricting Legally Authorized Concealed Carry Gun Permits & Banning Concealed Carry in Public”. Mr. Scott Tyler, landowner in Lewis County, wrote to the Board stating his opposition to the Rails to Trails project citing the negative impact on a key economic foundation which is agriculture. He is also opposed to the use of “eminent domain” to seize the property but to also using valuable taxpayer dollars to turn them into recreational trails.

#### REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received the monthly Treasurer’s report; monthly Highway & Solid Waste Audit reports. They also received a report from Senior Code Official, Ward Dailey on a 1955 mobile home located at 8419 Stony Lake Truck Road, in the Town of Watson which cites the property as unsafe, unfit for human occupancy, and therefore condemned.

Brian Mooney, Director of Weights & Measures, submitted the June, July, and August 2022 monthly reports which have been placed on file with the Clerk of the Board.

#### REPORTS OF STANDING COMMITTEES:

Legislator Osborne moved to authorize Real Property Tax Director, Candy Akin to continue to pay the \$3,800.00 renewal cost for the Tax Collection System out of her account line on behalf of each participating Town and Village, seconded by Legislator Chartrand and carried.

Legislator Gilbert moved to authorize Buildings & Grounds Supervisor, Matt O’Connor to create and send out an RFP for renovation of the jail floor, seconded by Legislator Leviker and carried.

Legislator Gilbert explained that the next two motions were regarding change orders and asked the board members to refer to the Change in Scope Review Form that County Manager, Ryan Piche, had passed out. He then asked Ryan for a more in-depth explanation. Ryan stated that the first was PCO-010 which deals with the foundation drainage at Cold Storage. He reminded everyone that there was a requirement to get additional permission from the NYS DOT for the county to utilize a driveway that had been used in the past, part of the requirement of

getting approval for that driveway was to add an additional drain behind the Cold Storage building. The second is PCO-007 which is a credit of \$146,959.00 for DSS roof changes. C&S had designed a new roof with specific insulation which is having significant supply change issues. The existing insulation was looked over thoroughly and seems to be in good shape and therefore is going to be re-used on the new building roof. Both Change Orders are going to be processed through the allowances for the job, so they are deducting the amounts from the contingency. Mr. Jim Garito clarified that the credit will be a change order deduct to reduce the contract amount and the add will be used from the allowance in the contract.

Legislator Gilbert moved to accept Change Order #1 (PCO-010) for an additional \$22,460.00 to change the foundation drainage at the Highway Cold Storage building due to a requirement from the NYS DOT driveway permit, and request that the Clerk of the Board reduce this into a resolution for the record, seconded by Legislator Leviker and carried.

Legislator Gilbert moved to accept Change Order #2 (PCO-007) for a credit of \$146,959.00 due to being able to re-use most of the DSS roof insulation which has been tested and is found to be in good shape, instead of the new insulation which is no longer available, and request that the Clerk of the Board reduce this into a resolution for the record, seconded by Legislator Hathway.

Legislator Gilbert questioned if this change would affect the life span on the roof, Mr. Jim Garito stated that it shouldn't. He also stated that the Change Order for the drainage would be less than stated because the way the bid documents were worded the contractor isn't allowed overhead profit, bring the amount closer to \$21,400.00. The motion was then carried.

Legislator Gilbert moved to authorize Phase II of the Agricultural Sustainability Study with Cort Consulting, Inc. at an amount not to exceed \$60,000.00 and request that the Clerk of the Board reduce this into a resolution for the record, seconded by Legislator Moroughan. Legislator Gilbert questioned if the county was going to get something back on this, Ryan responded that the verbal response from the Lowville Producers Co-op was to keep moving forward on this. This would be for Phase 2 and maybe more specific engineering services or project manager. The motion was then carried.

Legislator Gilbert moved to authorize Purchasing Director, Brian Hanno to create and send out an RFQ for engineering services related to the Agricultural Sustainability project, seconded by Legislator Virkler and carried.

Legislator Chartrand announced that the July employee of the month was Johnna Lane, Physician Office Assistant. The nomination was from a couple who stated that the employee had compassion, commitment to her job, and patience. The husband had a recent ailment that required him to be seen and the employee went above and beyond explaining what steps he needed to take for his upcoming visit. Any questions he had she answered with clarity and compassion. After the visit he needed to be referred to another hospital and she was quick to take care of this referral, while providing constant communication with both of us. She also followed up multiple times after the referral had been completed to make sure we didn't need

any further assistance. Her skills do not end with her patient interactions, she is always pleasant and always willing to help with any questions or concerns her co-workers may have.

Legislator Chartrand went on to mention a recent interaction with someone that bothered him. This person commented that county employees don't work very hard and that's why the nomination was read which shows that employees do work hard, going above and beyond when needed. Ms. Bea Grouse, President of HANYS visited LCHS Board of Managers and gave a brief presentation, which Legislator Chartrand had passed out to each legislator. There was an update on the \$2 million capital campaign given that explained the use of \$250,000.00 to help them reach out and solicit individual donations.

There was a loss of \$1,142,708 for the month of July, which brings the year-to-date loss to \$1,619,626 versus a budgeted loss of \$368,059. There were lower admissions on the inpatient side for the month of July. Each patient is coded which corresponds to the amount the hospital can collect, and many have been just in for observation which doesn't pay much.

The Emergency Department remains incredibly busy with close to 1,000 visits a month. The hospital is currently in the process of purchasing a new CT scanner at a cost of approximately \$850,000 and will take up to six months to implement and install. They are also in the process of replacing the analyzer in the Laboratory at a cost of approximately \$350,000 which will be able to run more tests and will have built-in redundancy with two lines. Both items are already built into this year's budget.

Legislator Hathway stated that he listened to the HANYS presentation, which Ms. Grouse did a good job on, but felt it was unfortunate that politics were spoken about more than helping the people. It was more about the election and what the outcomes would mean, which was unfortunate. Mr. Cayer responded that he appreciated that perspective but when you have a trade group like HANYS who represents all of health care and has to work with the Federal and State delegation, as well as the Executive Branch, politics do enter the equation in relation to which party has control. This was the first time HANYS has ever come to Lewis County, and they were able to lead a generative discussion with the Board of Managers. Many citizens of the state believe we are in a post Covid phase and in reality, the county and state is still in the active phase with admissions to the hospital every day.

Legislator Chartrand pointed out that Lewis County Public Health is still reporting our weekly covid numbers on the county website even though the news and paper are no longer reporting it.

#### PROJECT MANAGER REPORT:

Jim Garito stated that this was the 5<sup>th</sup> or 6<sup>th</sup> month since the construction began and everything is going well. He has met with several county employees including Buildings & Grounds Supervisor, Matt O'Connor; Highway Superintendent, Timothy Hunt; Social Services Commissioner, Jenny Jones; and many of the Legislators. From the contractor's perspective, this shows that the county cares about these projects and there is a great team effort feel. Nick Garito gave a brief update on where things stood from a construction standpoint. The Wash Bay

manzamine is up and the interior fit out is now being worked on, Cold Storage building should be completed by early November with the Highway Garage not far behind. The electrical services will be completed sometime this month. The Department of Social Services building is completely gutted, and the rebuild is in progress. The DMV/BOE project is out for bid. Jim Garito pointed out that when the electrical panels show up they will be installed at that point.

#### COUNTY MANAGER REPORT:

Ryan reported that the projects, construction, and move to Glenfield has been the main priority over the last month. Everyone seems to be settled in better at Glenfield now. The Open House held at Glenfield was a success, which just shows the flexibility and ingenuity of the county employees and managers. The budget continues to be worked on with himself and Eric Virkler, with round one complete, the second round will soon begin. The timeline will be that at the September Committee meetings, the Capital requests and Personnel requests will be presented and discussed as well as the future of the Veterans Services Agency. Ryan pointed out that the President of HANYs would be like the President of NYSAC coming to Lewis County, which is a huge honor and shows that Mr. Cayer has good connections.

#### COUNTY TREASURER REPORT:

The Tax Foreclosure auction was very successful. There are still a few bidders who need to finalize the process but even if those sales fall through the outcome will still be more than budgeted. Legislator Chartrand questioned what happens if the high bidder doesn't finalize the process, Eric responded that they could contact the next highest bidder to see if they would be interested.

Chairman Dolhof closed the public hearing at 5:34 p.m., with no other comments being offered.

#### REPORT OF THE FINANCE AND RULES COMMITTEE:

**RESOLUTION NO. 192 – 2022**  
**AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$4,194,980.85 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Virkler, seconded by Legislator Chartrand, and adopted on the 6<sup>th</sup> day of September, 2022.

AYES: Osborne, Chartrand, Nellenback, Virkler, Leviker, Moser, Moroughan, Gilbert, Hathway and Dolhof.

NAYS:

ABSENT:

**LOCAL LAW (INTRODUCTORY NO. 3 - 2022)  
COUNTY OF LEWIS**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

**A LOCAL LAW TO AMEND LOCAL LAW NO. 5 OF THE YEAR 2012 IN RELATION TO  
THE IMPLEMENTATION OF REAPPORTIONMENT  
WITHIN THE COUNTY OF LEWIS**

**BE IT ENACTED** by the Board of Legislators of the County of Lewis as follows:

**Section 1. TITLE**

This Local Law shall be known as “**A LOCAL LAW TO AMEND LOCAL LAW NO. 5 OF THE YEAR 2012 IN RELATION TO THE IMPLEMENTATION OF REAPPORTIONMENT WITHIN THE COUNTY OF LEWIS**”

**Section 2. LEGISLATIVE FINDINGS AND PURPOSE**

- A. Pursuant to Section 206 of Local Law No. 5-2012 (and Local Law No. 3-2003), the Board of Legislators appointed a commission to evaluate the existing county legislative districts for equity and representation in relation to population within six (6) months after the publication of the results of the regular federal census taken in Lewis County in 2020 (the “Commission”).
- B. Upon a review of the 2020 Census conducted by the United States Census Bureau, and comparing the same to the 2010 Census the Commission recommended that due to population changes occurring within the County of Lewis that the Legislative Districts be amended.
- C. The purpose of this Local Law is to amend Local Law No. 5-2012 (therein amending Local Law No. 3-2003 with respect to reapportionment of Legislative Districts) in order to reapportion the County Legislature of the County of Lewis in conformity with the “one person, one vote” concept as interpreted by State and Federal Court Decisions so that Lewis County will be in compliance with the United States Constitution and the New York State Constitution.

**Section 3. AMENDMENT TO ARTICLE I, SECTION 205 OF LOCAL LAW NO. 5-2012**

Article I, Section 205 of Local Law No. 5-2012, entitled “Districts” is hereby amended by deleting the contents thereof and substituting the following language:

**Section 205 Districts**

A. For the purpose of electing county legislatures, Lewis County shall continue to be divided into ten (10) districts. One county legislator shall be elected to the county legislature of Lewis County for each of said districts.

The ten (10) districts within the County of Lewis are hereby revised and are comprised as follows:

| <b>LEGISLATIVE DISTRICTS - COUNTY OF LEWIS</b> |                             |          |   |
|--|-----------------------------|----------|---|
| <b>DISTRICT</b>                                | <b>ESTIMATED POPULATION</b> | <b>%</b> | <b>TOWNS (BY POPULATION)</b>  |
| 1  | 2,609                       | 98.1     | Diana (1,610); Croghan (999)  |
| 2  | 2,656                       | 99.9     | Croghan (2,198); New Bremen (458)   |
| 3  | 2,626                       | 98.9     | Denmark (2,626)   |
| 4  | 2,679                       | 100.7    | New Bremen (2,327); Lowville (352)  |
| 5  | 2,682                       | 100.9    | Lowville (2,682)  |
| 6  | 2,693                       | 101.3    | Watson (1,477); Lowville (1,216)  |
| 7  | 2,722                       | 102.4    | Martinsburg (1,316); Turin (768);<br>Lowville (638)                                       |
| 8  | 2,645                       | 99.5     | West Turin (1,692); Harrisburg (480);<br>Montague (97); Pinckney (313);<br>Lyonsdale (63) |
| 9  | 2,611                       | 98.2     | Watson (325); Greig (1,179);<br>Lyonsdale (1,107)   |
| 10   | 2,659                       | 100.0    | Leyden (1,572); Lewis (844);<br>Osceola (243)   |

B. The boundaries of said Districts are more particularly described in Schedule “A”, with attached map, annexed hereto.

#### **Section 4. EXISTING LAWS CONTINUED**

Except as otherwise provided in this Local Law, all existing state, county, local and other laws or enactments, including special acts having the force of law, shall continue in force until lawfully amended, modified, superseded, or repealed. In particular, all terms and provisions contained in Local Law No. 3-2003, except as specifically amended herein, shall remain in full force and effect.

#### **Section 5. EFFECTIVE DATE**

This Local Law is subject to a permissive referendum pursuant to Municipal Home Rule Law Section 10 (1) (a) (13) and therefore shall not take effect until forty-five (45) days after its adoption.

In the event that within forty-five (45) days after its adoption there be filed with the Clerk of the Board a petition protesting against the within Local Law, signed and authenticated as required by Municipal Home Rule Law Section 24(1)[a] by qualified electors of such local government, registered to vote therein at the last preceding general election, in number equal to at least ten per centum of the total number of votes cast for governor at the last gubernatorial election in such local government, then this Local Law shall not be effective until approved by the affirmative vote of a majority of the qualified electors of the local government voting on a proposition for its approval.

## 2022 Lewis County Legislative Geographic Boundaries

### **District No. 1**

The Town of Diana, and the portion of the Town of Croghan bounded and described as follows:

Beginning at a point marking the intersection of the Black River and Spencer Creek, running thence easterly and northerly along the centerline of Spencer Creek to a point marking the intersection of Spencer Creek and a small stream running north. Thence along a small stream northeasterly to a point marking the intersection of the small stream and Old State Road, (County Route No.6). Thence easterly along the centerline of Old State Road to the intersection of centerlines of Old State Road and Long Pond Road. Thence easterly along the centerline of Long Pond Road to the intersection of centerlines of Long Pond Road and Taylorville Road. Thence along the centerline of Taylorville Road to a point marking the intersection of the centerline of Taylorville Road and the east line of the Massena-Marcy 765 KV Transmission line easement. Thence northerly along the easterly line of the Massena-Marcy 765 KV Transmission line easement to a point marking the intersection of the Massena-Marcy 765 KV Transmission line easement and the centerline of Long Pond Road. Thence easterly along the centerline of Long Pond Road to a point marking the intersection of centerlines of Long Pond Road and Fish Creek Road. Thence easterly along the centerline of Fish Creek Road to a point marking the intersection of centerlines of Fish Creek Road and Soft Maple Reservoir Loop Road. Thence easterly along the centerline of Soft Maple Reservoir Loop Road to a point marking the intersection of centerlines of Soft Maple Reservoir Loop Road and Fish Creek View Drive. Thence easterly along the centerline of Fish Creek View Drive to a point marking the intersection of centerlines of Fish Creek View Drive and Fish Creek View Drive Ext. Thence southerly along the centerline of Fish Creek View Drive Ext. to a point marking the intersection of centerlines of Fish Creek View Drive Ext. and Soft Maple Reservoir Loop Road. Thence southerly along the centerline of Soft Maple Reservoir Loop Road to a point marking the intersection of the Soft Maple Reservoir Loop Road and the boundary line between the Towns of Croghan and Watson. Thence northeasterly along the boundary line between the Towns of Croghan and Watson to the point where the boundary line between the Towns of Croghan and Watson intersect the eastern boundary of Lewis County. Thence northerly along the eastern boundary line of the Town of Croghan (also being part of the boundary line between the Counties of Lewis and Herkimer). Thence westerly along the boundary line between the Towns of Diana and Croghan to the point where the boundary line between the Towns of Diana and Croghan intersect the western boundary of the County of Lewis. Thence southerly, westerly, southerly, and westerly along the western boundary line of the Town of Croghan (also being part of the boundary between the Counties of Lewis and Jefferson) to a point in the centerline of the Black River. Thence southerly along the centerline of the Black River, marking the

boundary line between the Towns of Croghan and Denmark to the point of beginning.

## **District No. 2**

The portions of the Towns of Croghan and New Bremen bounded and described as follows:

Beginning at a point marking the intersection of the Black River and Spencer Creek, running thence easterly and northerly along the centerline of Spencer Creek to a point marking the intersection of Spencer Creek and a small stream running north. Thence along a small stream northeasterly to a point marking the intersection of the small stream and Old State Road, (County Route No.6). Thence easterly along the centerline of Old State Road to the intersection of centerlines of Old State Road and Long Pond Road. Thence easterly along the centerline of Long Pond Road to the intersection of centerlines of Long Pond Road and Taylorville Road. Thence along the centerline of Taylorville Road to a point marking the intersection of the centerline of Taylorville Road and the east line of the Massena-Marcy 765 KV Transmission line easement. Thence northerly along the easterly line of the Massena-Marcy 765 KV Transmission line easement to a point marking the intersection of the Massena-Marcy 765 KV Transmission line easement and the centerline of Long Pond Road. Thence easterly along the centerline of Long Pond Road to a point marking the intersection of centerlines of Long Pond Road and Fish Creek Road. Thence easterly along the centerline of Fish Creek Road to a point marking the intersection of centerlines of Fish Creek Road and Soft Maple Reservoir Loop Road. Thence easterly along the centerline of Soft Maple Reservoir Loop Road to a point marking the intersection of centerlines of Soft Maple Reservoir Loop Road and Fish Creek View Drive. Thence easterly along the centerline of Fish Creek View Drive to a point marking the intersection of centerlines of Fish Creek View Drive and Fish Creek View Drive Ext. Thence southerly along the centerline of Fish Creek View Drive Ext. to a point marking the intersection of centerlines of Fish Creek View Drive Ext. and Soft Maple Reservoir Loop Road. Thence southerly along the centerline of Soft Maple Reservoir Loop Road to a point marking the intersection of the Soft Maple Reservoir Loop Road and boundary line between the Towns of Croghan and Watson. Thence southwesterly along the boundary line between the Towns of Croghan and Watson to a point marking the intersection of Towns of Croghan, Watson and New Bremen. Thence westerly along the boundary line of the Town of Croghan to the centerline of a small stream. Thence southerly along the centerline of a small stream to a point marking the intersection of a small stream and the centerline of Beecher Road. Thence northwesterly along the centerline of Beecher Road to a point marking the intersection of centerlines of Beecher Road and Soft Maple Road. Thence westerly along the centerline of Soft Maple Road to a point marking the intersection of centerlines of Soft Maple Road and Kirschner Road, (County Route No. 60). Thence westerly along the centerline of Kirschner Road, (County Route No. 60),

to a point marking the intersection of centerlines of Kirscherville Road and Williams Street. Thence southerly and westerly along the centerline of Williams Street to a point in the corporate boundary line of the Village of Croghan and the Town of New Bremen boundary line. Thence Southerly, westerly, and northerly along the corporate boundary line of the Village of Croghan to a point marking the intersection of the corporate boundary line of the Village of Croghan with the boundary line between the Towns of New Bremen and Croghan. Thence westerly along the boundary line between the Towns of New Bremen and Croghan to a point in the centerline of the Beaver River. Thence westerly along the centerline of the Beaver River to a point marking the intersection of centerlines of the Beaver River and the Black River. Thence northerly along the centerline of the Black River to the point of beginning.

### **District No. 3**

The Town of Denmark.

### **District No. 4**

The portions of the Towns of New Bremen and Lowville bounded and described as follows:

Beginning at a point marking the intersection of boundary lines between the Towns of New Bremen, Croghan, and Watson, running Thence westerly along the boundary line between the Towns of New Bremen and Croghan to a point in the centerline of a small stream. Thence southerly along the centerline of a small stream to a point marking the intersection of a small stream and the centerline of Beecher Road. Thence northwesterly along the centerline of Beecher Road to a point marking the intersection of centerlines of Beecher Road and Soft Maple Road. Thence westerly along the centerline of Soft Maple Road to a point marking the intersection of centerlines of Soft Maple Road and Kirscherville Road, (County Route No. 60). Thence westerly along the centerline of Kirscherville Road, (County Route No. 60), to a point marking the intersection of centerlines of Kirscherville Road and Williams Street. Thence southerly and westerly along the centerline of Williams Street to a point in the corporate boundary line of the Village of Croghan and the Town of New Bremen boundary line. Thence southerly, westerly, and northerly along the corporate boundary line of the Village of Croghan to a point marking the intersection of corporate boundary line of the Village of Croghan, and the boundary line between the Towns of New Bremen and Croghan. Thence westerly along the boundary line between the Towns of New Bremen and Croghan to a point in the centerline of the Beaver River. Thence westerly along the centerline of the Beaver River to a point marking the intersection of centerlines of the Beaver River and the Black River. Thence southerly along the centerline of the Black River to a point marking the intersection of the centerline of the Black River and the boundary lines of the Towns of New Bremen, Denmark, and Lowville. Thence westerly along the

boundary line between the Towns of Lowville and Denmark to a point marking the intersections of the Towns of Lowville, Denmark, and Harrisburg. Thence southerly along the boundary line between the Towns of Lowville and Harrisburg to a point in the centerline of Number Three Road, (County Route No. 14). Thence southeasterly along the centerline of the Number Three Road, (County Route No. 14), to a point marking the intersection of centerline of the Number Three Road, (County Route No. 14), Rice Road and Buell Road. Thence easterly along the centerline of the Buell Road to a point marking the intersection of centerlines of Buell Road and State Route No. 26. Thence southerly along the centerline of State Route 26 to a point marking the intersection of centerlines of State Route 26 and Ebbly Road. Thence easterly along the centerline of Ebbly Road to a point marking the intersection of centerlines of Ebbly Road and Emi Lane. Thence easterly along the centerline of Emi Lane to a point marking the intersection of the centerline of Emi Lane and a small stream. Thence easterly along the centerline of the small stream to a point in the centerline of East Road. Thence southerly along the centerline of the East Road to a point marking the intersection of centerlines of East Road and the centerline of the Lowville and Beaver River Railroad. Thence northerly and easterly along the centerline of the Lowville and Beaver River Railroad to a point in the centerline of the Black River. Thence southerly along the centerline of the Black River to a point marking the intersection of the centerline of the Black River, with the boundary line between of the Towns of New Bremen and Watson. Thence easterly along the boundary line between the Towns of New Bremen and Watson to a point marking the southeasterly corner of the boundary line of the Town of New Bremen and an angle point in the Town of Watson boundary line. Thence northerly along the boundary line between the Towns of New Bremen and Watson to the point of beginning.

#### **District No. 5**

The portion of the Town of Lowville bounded and described as follows:

Beginning at a point marking the intersection of centerlines of River Street, Stowe Street, and South State Street: Running thence easterly along the centerline of River Street to a point marking the intersection of centerlines of River Street, East State Street, Ross Road, and Number Four Road, (County Route No. 26). Thence easterly along the centerline of Number Four Road, (County Route No. 26), to a point in the corporate boundary line of the Village of Lowville. Thence along the corporate boundary line of the Village of Lowville northerly, easterly, northerly, westerly, northerly, westerly, southwesterly, westerly, southerly, southwesterly, and southeasterly to a point in the centerline of Outer Stowe Street, (County Route No. 31). Thence southwesterly (along the centerline of County Route 31), southeasterly, easterly, northerly, westerly, northerly, and northeasterly along the corporate boundary line of the Village of Lowville to a point in the centerline of Mill Creek. Thence easterly along the centerline of Mill Creek to a point marking the

intersection of centerlines of Mill Creek and Stowe Street. Thence easterly along the centerline of Stowe Street to the point of beginning.

### **District No. 6**

The portions of the Towns of Watson and Lowville bounded and described as follows:

Beginning at a point in the boundary line between the Towns of New Bremen and Watson in the centerline of Erie Canal Road, thence southerly along the centerline of Erie Canal Road to a point marking the intersection of centerlines of the Erie Canal Road and the centerline of the Independence River. Thence southerly along the centerline of the Independence River to a point in the centerline of Donnattsburg Road, thence southerly along the centerline of Donnattsburg Road, to a point in the boundary line between the Towns of Watson and Greig. Thence westerly along the boundary line between the Towns of Watson and Greig to a point in the centerline of the Black River. Thence northerly along the centerline of the Black River, being the boundary line between the Towns of Watson and Martinsburg, to a point marking the intersection of the boundary lines of the Towns of Watson, Martinsburg, and Lowville. Thence westerly along the boundary line between the Towns of Lowville and Martinsburg to a point in the centerline of State Route 12. Thence northwesterly along the centerline of State Route 12 to a point in the southern corporate boundary line of the Village of Lowville. Thence along the corporate boundary line of the Village of Lowville northwesterly, westerly, northwesterly to a point in the centerline of Mill Creek. Thence easterly along the centerline of Mill Creek to a point marking the intersection of centerlines of Mill Creek and Stowe Street to a point marking the intersection of centerlines of River Street, Stowe Street, and South State Street. Thence easterly along the centerline of River Street to a point marking the intersection of centerlines of River Street, East State Street, Ross Road, and Number Four Road, (County Route No. 26). Thence easterly along the centerline of Number Four Road, (County Route No. 26), to a point in the corporate boundary line of the Village of Lowville. Thence along the corporate boundary line of the Village of Lowville northerly, easterly, northerly, westerly, northerly, westerly, southwesterly to a point in the centerline of Number Three Road, (County Route 14). Thence northwesterly along the centerline of Number Three Road, (County Route 14), to a point marking the intersection of centerlines of Number Three Road, (County Route 14), and Buell Road. Thence easterly along the centerline of Buell Road to a point in the centerline of State Route 26. Thence southerly along the centerline of State Route 26 to a point marking the intersection of centerlines of State Route 26 and Ebbly Road. Thence easterly along the centerline of Ebbly Road to a point marking the intersection of centerlines of Ebbly Road and Emi Lane. Thence southerly along the centerline of Emi Lane to a point in the centerline of a small stream. Thence easterly along the centerline of a small stream to a point in the centerline of East Road. Thence southerly along the centerline of East Road to a point marking the intersection of

centerlines of East Road and the Lowville and Beaver River Railroad. Thence northerly and easterly along the centerline of the Lowville and Beaver River Railroad to a point in the centerline of the Black River. Thence southerly along the centerline of the Black River to a point marking the boundary line between the Towns of Watson and New Bremen. Thence easterly along the boundary line between the Towns of Watson and New Bremen to the point of beginning.

### **District No. 7**

The Towns of Martinsburg and Turin, and the portion of the Town of Lowville bounded and described as follows:

Beginning at a point in the centerline of NYS Route 12 at the intersection of NYS Route 12 and the boundary line between the Towns of Lowville and Martinsburg, running northwesterly along the centerline of State Route 12 to a point in the southern corporate boundary line of the Village of Lowville. Thence along the corporate boundary line of the Village of Lowville northwesterly, westerly, northwesterly, southwesterly, southerly, easterly, southerly, westerly, northwesterly, northeasterly (along the centerline of County Route 31), northwesterly, northeasterly, northerly, easterly, and northeasterly to a point in the centerline of Number Three Road, (County Route 14). Thence northwesterly along the centerline of Number Three Road, (County Route 14) to a point in the boundary line between the Towns of Lowville and Harrisburg. Thence southerly along the boundary line between the Towns of Lowville and Harrisburg to a point where the boundary line between of the Towns of Lowville and Harrisburg intersects the boundary line of the Town of Martinsburg. Thence easterly along the boundary line between the Towns of Lowville and Martinsburg to the point of beginning.

### **District No. 8**

The Towns of Pinckney, Harrisburg, Montague, and West Turin, and the portion of the Town of Lyonsdale which is within the corporate boundaries of the Village of Lyons Falls in the Town of Lyonsdale.

### **District No. 9**

The Town of Greig, the Town of Lyonsdale, except the portion of the said Town which is within the corporate boundaries of the Village of Lyons Falls in the Town of Lyonsdale, and the portion of the Town of Watson being bounded and described as follows:

Beginning at a point in the Lewis County boundary line marking the intersection of the boundary line between the Towns of Greig and Watson and the boundary line between the Counties of Lewis and Herkimer; thence running northerly along boundary line of the Town of Watson (also being part of the boundary line between

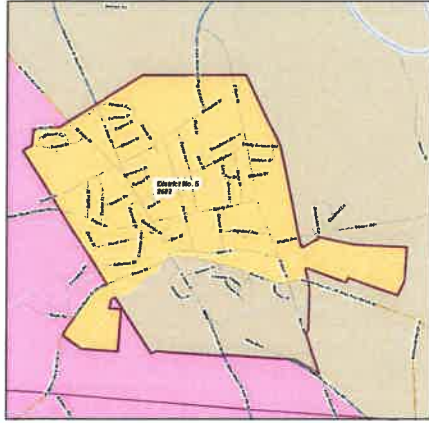
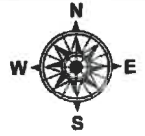
the Counties of Lewis and Herkimer) to a point marking the intersection of the boundary line between the Towns of Watson and Croghan. Thence southwesterly along the boundary line between the Towns of Watson and Croghan to a point marking the intersection of boundary line between the Towns of Croghan and New Bremen. Thence continuing southwesterly along the boundary line between the Towns of Watson and New Bremen to an angle point in said Towns' boundaries. Thence easterly along the boundary line between the Towns of Watson and New Bremen to a point in the centerline of Erie Canal Road. Thence southerly along the centerline of Erie Canal Road to a point marking the intersection of centerlines of the Erie Canal Road and the centerline of the Independence River. Thence southerly along the centerline of the Independence River to a point in the centerline of Donnattsburg Road, thence southerly along the centerline of Donnattsburg Road, to a point in the boundary line between the Towns of Watson and Greig, thence easterly, northerly, and easterly along the boundary line between the Towns of Watson and Greig to the point of beginning.

**District No. 10**

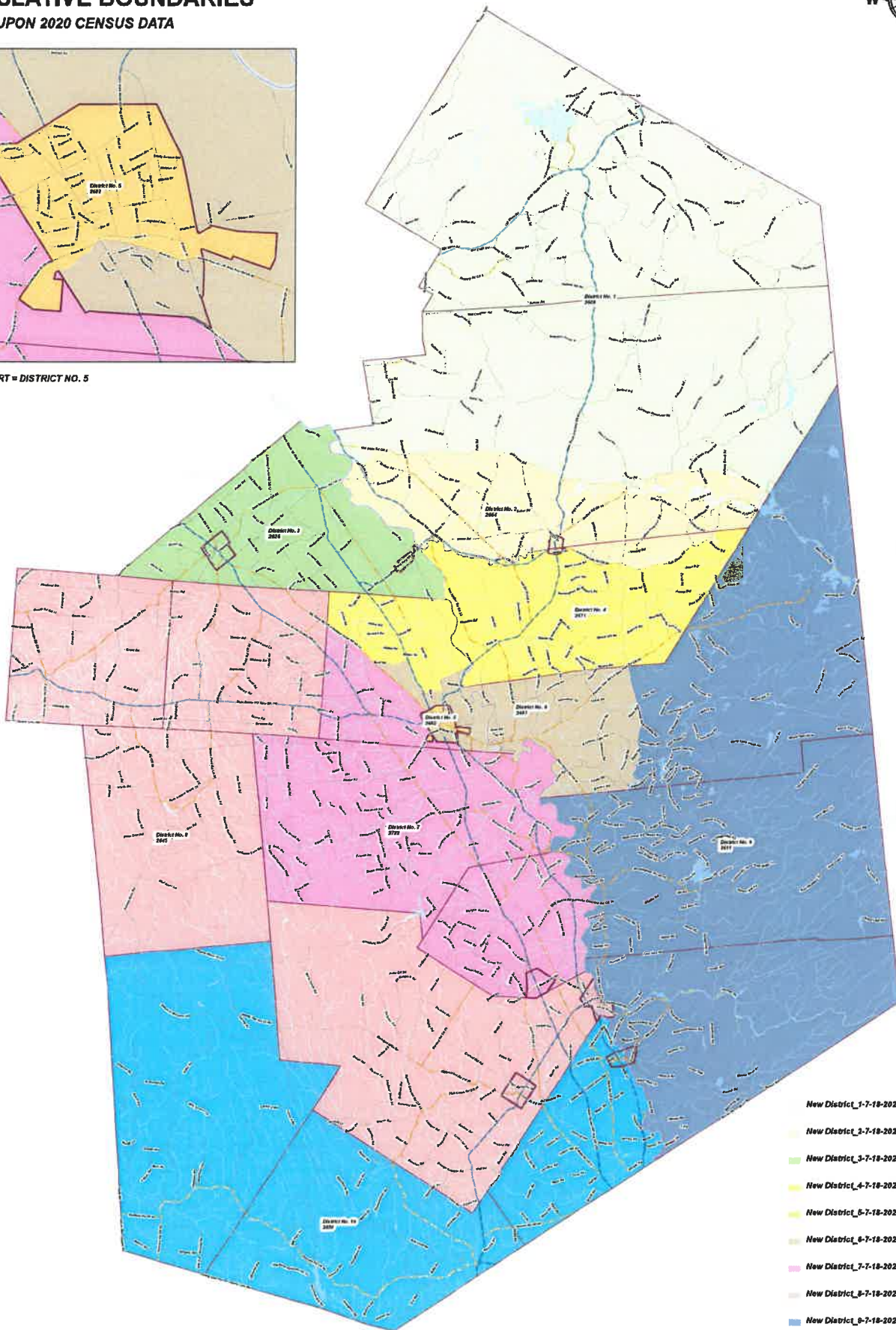
The Towns of Osceola, Lewis, and Leyden.

# LEWIS COUNTY NY LEGISLATIVE BOUNDARIES

BASED UPON 2020 CENSUS DATA



INSERT = DISTRICT NO. 5



- New District\_1-7-18-2022 = 2609
- New District\_2-7-18-2022 = 2604
- New District\_3-7-18-2022 = 2626
- New District\_4-7-18-2022 = 2671
- New District\_5-7-18-2022 = 2682
- New District\_6-7-18-2022 = 2693
- New District\_7-7-18-2022 = 2722
- New District\_8-7-18-2022 = 2645
- New District\_9-7-18-2022 = 2610
- New District\_10-7-18-2022 = 2659

**RESOLUTION NO. 193 - 2022**  
**FIXING DATE OF PUBLIC HEARING ON LOCAL LAW**  
**(INTRODUCTORY LOCAL LAW NO. 3 - 2022), COUNTY OF LEWIS**

Introduced by Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on September 6, 2022, a proposed Local Law entitled "A LOCAL LAW TO AMEND LOCAL LAW NO. 5 OF THE YEAR 2012, COUNTY OF LEWIS IN RELATION TO THE IMPLEMENTATION OF REAPPORTIONMENT WITHIN THE COUNTY OF LEWIS".

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on October 4, 2022, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**LOCAL LAW (INTRODUCTORY NO. 4-2022)  
COUNTY OF LEWIS**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

**A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE/OFF-HIGHWAY VEHICLE  
OPERATION ON APPROXIMATELY .2 MILES OF  
CERTAIN PORTIONS OF BURDICK'S CROSSING ROAD (CR 36) AND  
APPROXIMATELY 250 FEET OF A CERTAIN PORTION OF  
LYONS FALLS ROAD (CR 76)**

**BE IT ENACTED** by the Board of Legislators of the County of Lewis as follows:

**SECTION I. TITLE**

This Local Law shall be known as “A Local Law Permitting All-Terrain Vehicle/Off-Highway Vehicle Operation on approximately .2 miles of certain portions of Burdick’s Crossing Road (CR 36) and approximately 250 feet of a certain portion of Lyons Falls Road (CR 76)”.

**SECTION II. PURPOSE**

The purpose of this Local Law is to amend the designation of certain highways or portions thereof within the County Highway system as being open for travel by all-terrain vehicles/off-highway vehicles pursuant to the authority granted in Section 2405 of the Vehicle and Traffic Law of the State of New York.

**SECTION III. DEFINITIONS**

For purposes of this Local Law, the terms hereinafter identified shall have the meanings indicated:

- (a) The term “County” shall refer to the County of Lewis.
- (b) The term “ATV” shall refer to an “all-terrain vehicle” as defined in Section 2281(1) of the Vehicle and Traffic Law of the State of New York. The term “OHV” shall refer to “off-highway vehicle” and shall have the same meaning as set forth in Local Law No. 3-2019.
- (c) The term “Trail System” shall refer to the Lewis County Trail System, as adopted and administered pursuant to Local Law No. 2-2009; as amended and re-established pursuant to Local Law 3-2019, entitled, “**A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 AND RE-ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM**”, and as the same may be amended from time to time.

- (d) The term “ATV Code” shall refer to the Lewis County ATV Code which sets forth the local rules and regulations pertaining to the operation of ATV’s and/or OHV’s on public property pursuant to Local Law No. 3–2009, entitled “A LOCAL LAW ESTABLISHING THE LEWIS COUNTY ATV CODE,” and as the same may be amended from time to time.
- (e) The term “CR” shall mean County Route and is used to describe or designate the highway as owned by the County of Lewis and maintained by the Lewis County Highway Department.

#### **SECTION IV. LEGISLATIVE FINDINGS**

The Board of Legislators hereby makes the following findings:

1. That Board of Legislators has carefully reviewed a Memorandum from the County Attorney detailing the legal obligations of the Board when considering opening a County highway or portion thereof to ATV use.
2. The Board of Legislators has also reviewed a report from the Director of Recreation, Parks and Forestry which Described the Amended Designation of ATV/OHV Trails and Interconnecting County Roads for Use by ATV’s/OHV’s identifying the segments of CR 36 and CR 76 that are proposed to be opened to ATV traffic and providing a description of the trail or areas that are adjacent to such road portions and the justification for same as required by Vehicle & Traffic Law § 2405.

The Board of Legislators has commenced a review of the potential adverse impacts the opening of the proposed interconnecting portions of this County Road, consistent with Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations (“NYCRR”) implementing Article 8 (collectively referred to hereinafter as “SEQRA”) and after an investigation and analysis conducted by the Director of Soil & Water, finds and determines that adding these portions of CR 36 and CR 76 to the Lewis County Trail System will not result in a significant environmental impact.

3. The Board of Legislators has also reviewed the most recent annual ATV/OHV Activity Report as compiled by the Lewis County Sheriff’s Department, indicating a high level of usage for this part of the ATV/OHV trail system.
4. The County Highway Superintendent has reviewed the portion of CR 36 (Burdick’s Crossing Road) and the portion of CR 76 (Lyons Falls Road) that are proposed to be opened to ATV/OHV traffic, and has provided the Board with his written opinion that such road portions thereof are presently

opened to all classes of motor vehicle traffic and that opening said road portions hereof to ATV/OHV traffic will not significantly impact traffic safety at this locality.

5. In light of all the information submitted, reviewed and/or received during the public hearing, the Board of Legislators hereby determines and finds that due to the termination of the access agreement with Darren Pominville and the removal of the trail therefore, from his property on Burdick's Crossing (CR 36) and Lyons Falls Road (CR 76), it is otherwise impossible for ATV's/OHV's to continue access from Route 12 and connect to the Lewis County Off Road Trail System by access now at the VanHandel property (Tax Parcel # 290.02-01-13.100), without opening additional portions of CR 36 and CR 76 to the trail system as follows: a portion of CR 36 to be opened a total distance of .2 miles from where the trail was on the Pominville property to the Northeast corner of VanHandel's property; and an additional portion of CR 76 to be opened, approximately 250 feet from where the trail was on the Pominville property to the Trail location on the Southeast section of VanHandel property.

#### **SECTION V. AMENDED DESIGNATION OF HIGHWAYS**

The following portions of County Highway 36 and County Highway 76 are hereby designated as OPEN to travel by ATV's/OHV's, and/or as subsequently amended thereto:

- a. That certain portion of Burdick's Crossing Road (CR 36), from where the trail had been accessed on the Pominville property (290.00-01-03.176), a distance of .2 miles East on Burdick's Crossing Road to the off-road recreational trail on property owned by Joseph P. VanHandel (290.02-01-13.100);
- b. That certain portion of Lyons Falls Road (CR 76), from where the trail had been accessed on the northeast corner of the Pominville property (290.00-01-03.176), a distance of approximately 250 feet north on Lyons Falls Road to the off-road trail on property now owned by Joseph P. VanHandel (290.02-01-13.100.;

#### **SECTION VI. CONDITIONS AND RESTRICTIONS**

- A. All of the conditions, restrictions, rules and regulations contained in or adopted pursuant to Article 48-C of the Vehicle and Traffic Law of the State of New York shall apply with respect to the operation of ATV's/OHV's within the areas designated in the preceding Section V.

- B. The road segments set forth above shall be deemed incorporated into the Lewis County ATV/OHV Trail System and subject to the conditions, restrictions, rules and regulations set forth in Local Law No. 3-2019 entitled, **“A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 AND RE-ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM”**, as well as Local Law No. 3-2009, entitled, **“THE LEWIS COUNTY ATV CODE”**, as the same may be amended from time to time.
  
- C. The road segments set forth above shall have signage posted to direct ATV/OHV riders to ride on the paved road and not on the stone shoulder of the road.

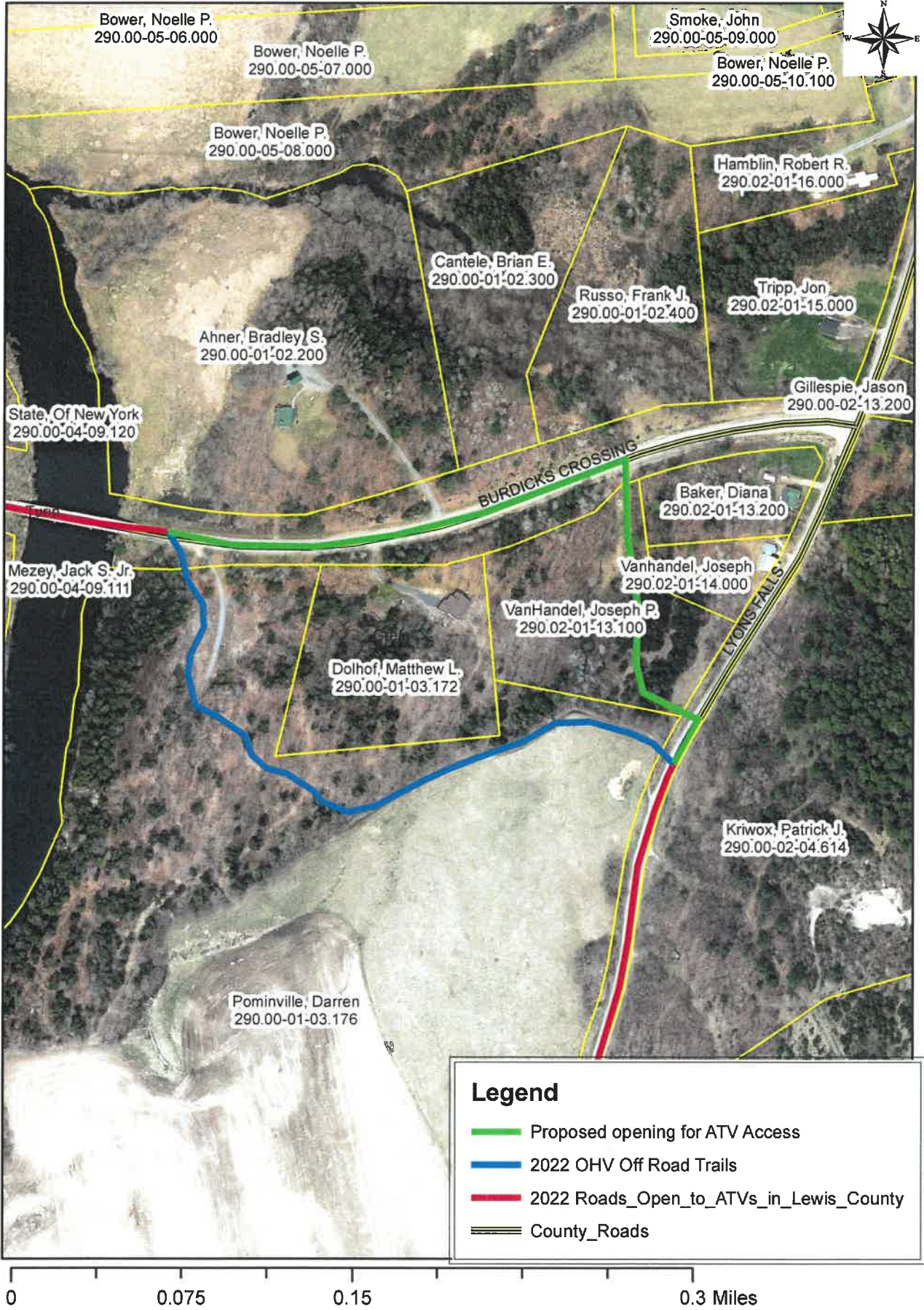
### **SECTION VII. SEPARABILITY**

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

### **SECTION VIII. EFFECTIVE DATE**

This Local Law shall take effect immediately upon filing with the Secretary of State.

# 2022 Burdicks Crossing and Lyons Falls Roads - VanHandel Trail



**RESOLUTION NO. 194 - 2022**  
**FIXING DATE OF PUBLIC HEARING ON LOCAL LAW**  
**(INTRODUCTORY LOCAL LAW NO. 4- 2022), COUNTY OF LEWIS**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on September 6, 2022, a proposed Local Law entitled "A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE/OFF-HIGHWAY VEHICLE OPERATION ON APPROXIMATELY .2 MILES OF CERTAIN PORTIONS OF BURDICK'S CROSSING ROAD (CR 36) AND APPROXIMATELY 250 FEET OF A CERTAIN PORTION OF LYONS FALLS ROAD (CR 76)".

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on October 4, 2022, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 195 - 2022**  
**RESOLUTION AUTHORIZING AMENDMENT TO CONTRACT BETWEEN LEWIS  
COUNTY AGRICULTURE SUSTAINABILITY COUNCIL AND CORT CONSULTING  
GROUP, INC. TO PROVIDE FOR ADDITIONAL PHASE 1 FUNDING**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, pursuant to Resolution No. 210-2019, the Lewis County Board of Legislators established the Lewis County Agriculture Sustainability Council (“Council”), whose purpose is to develop and execute a Lewis County Agriculture Sustainability Action Plan, with a goal to alleviate the hurdles confronting Lewis County Farmers and Growers by creating a competitive agriculture and farming culture and cultivation of a robust and sustainable agribusiness for the farmers in Lewis County; and

WHEREAS, pursuant to Resolutions No. 45-2021 and 341-2022, the Board of Legislators authorized funding up to \$67,500.00 payable to Cort Consulting Group, Inc. (Cort), the awarded company for Phase 1 consulting services under the RFP; and

WHEREAS, during the Phase 1 process, the Ag Council and Cort determined that securing market data, research and analytical consulting and ad hoc report from Information Resources, Inc., (IRI), of Chicago, IL, would benefit the phase 1 services and proposed plan; and

WHEREAS, the cost of the research and data services provided by IRI is \$6,325.00. The Ag Sustainability Council requests that the Board of Legislators authorize an amendment to the contract with Cort and provide an increase in payment for Phase 1 services from \$67,500.00 to \$73,825.00 (an additional \$6,325.00) to reimburse Cort for the cost of the data services provided by IRI;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an amendment to the contract with Cort Consulting Group, Inc. to increase the amount payable thereto by an additional \$6,325.00 for Phase 1 services, to reimburse Cort for the research and data services provided by Information Resources, Inc. under Phase 1 of this project.

Section 2. That the Lewis County Board of Legislators directs that the Lewis County Treasurer transfer an additional \$6,325.00, from special legislative contingency to the Planning Department’s 2022 community services line account in order to fully fund this contract amendment.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such amendment together with the Chair/President of the Council, as may be approved by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 196 - 2022**  
**RESOLUTION AUTHORIZING AGREEMENT WITH TRANE FOR COURTHOUSE**  
**HEATED SIDEWALK PROJECT – CONTROL PANELS**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Board of Legislators awarded a bid and contract to Northern Pioneer Contractors, Inc. in the amount of \$163,500.00 to install new heated sidewalks, boiler and related equipment along the Courthouse building pursuant to the scope of work and specifications set forth in the RFP; and

WHEREAS, the RFP indicated that the County would separately contract with its vendor, Trane Building Services for the purpose of providing the control panels required to connect the heated sidewalk equipment to the heating system in the Courthouse Building; and

WHEREAS, the Director of Buildings and Grounds has received a verbal quote from the vendor that the costs of the control panels required for the project will be \$8,000.00, and requests that the Board authorize a contract for this service and equipment under the project;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes an agreement with Trane Building Services to provide and install the control panels required for the heated sidewalk project at the Courthouse Building, at a cost of \$8,000.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute the Agreement and any other required documents relating to same, upon review by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 197 - 2022**  
**RESOLUTION PURSUANT TO LOCAL LAW NO. 2-2007**  
**FINDING AND DETERMINING ACTION TO BE TAKEN**  
**ON AN UNSAFE STRUCTURE AND TO SET PUBLIC HEARING**  
**(VILLAGE OF LOWVILLE PROPERTY)**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, pursuant to Local Law No. 2-2007, entitled, "A LOCAL LAW PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS, UNSAFE EQUIPMENT AND COLLAPSED STRUCTURES," the Board of Legislators is empowered to take certain actions in connection with the investigation and enforcement of buildings and structures that are deemed to be unsafe; and

WHEREAS, pursuant to Section 5 of the Law, a Lewis County Code Enforcement Officer conducted an investigation of the premises known as Tax Map No. 212.08-01-06.000, in the Village of Lowville, owned by Nadine M. Delles, who determined that the structure is unsafe and issued a comprehensive report to the Board of Legislators on July 12, 2022, including a recommendation, *inter alia*, that the structure be demolished and removed; and

WHEREAS, Section 4 of the Law states that the provisions of the law apply to any building or structure located within the County where the Village or Town has relinquished to the County the responsibility of administering the uniform code(s). The County performs enforcement services of the uniform code(s) on behalf of the Village of Lowville; and

WHEREAS, the Code Enforcement Officer reported that this is a two-family residential structure located at 5507 Trinity Avenue, that it is abandoned, unsecured, has foundational damage, structural damage to the roof, failed ceiling and wall finishes, filth and feces on the floors, lacking smoke detectors and water to provide for sanitation and cooking. Overall, the building is damaged and dilapidated due to lack of maintenance and care and is definable as an unsafe structure, unfit for human occupancy and a danger to anyone who may attempt to enter. The Code Enforcement Officer has condemned the structure and appropriately posted same; and

WHEREAS, in further compliance with the Local Law, the Code Enforcement Officer reports that there is an outstanding Judgment By Confession executed August 27, 2019 under Index No. EFCA 2019-000319, in favor of the State of New York against Nadine M. Delles, for the sum of \$24,677.21, plus interest at 9% per annum and statutory penalties pursuant to Navigation Law Article 12, for remediation expenses under New York State Environmental Protection and Spill Compensation Fund, identified by the State as Spill Number 13-00515; and

WHEREAS, the County Attorney has contacted the New York State Attorney General's Oil Spill/Environmental Lien Department and New York State Comptroller's Oil Spill Fund Department to advise them of the condition of the property, the County's determination on the unsafe condition of the structure, and to confirm the status of the State's environmental lien on the property. The outstanding environmental lien will remain on the property after any action by the County; and

WHEREAS, the recommendation of the Code Enforcement Officer is for the Lewis County Board of Legislators to determine and find that the building is an unsafe and dangerous structure as described in the Local Law, that the structure should be demolished and the site cleared and made ready for future development and use, subject to the outstanding environmental lien of the State;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby finds and determines in accordance with the report of the Lewis County Code Enforcement Officer that:

1. The herein described building is unsafe and that the building constitutes a public nuisance and a danger to the safety, health and welfare of the community; and
2. Unless evidence to the contrary is presented at the subsequent hearing in this matter, the Board of Legislators will direct that the building be demolished and property removed from the premises, with the State environmental lien remaining on the property; and
3. A Notice as described in Section 7 of Local Law No. 2-2007 and copy of this Resolution and Decision be served upon Nadine M. Delles and any of her legal representatives.

Section 2. That by reason of such findings, the Board of Legislators hereby:

ORDERS that Nadine M. Delles and/or her legal representatives appear before this Board of Legislators on October 4, 2022 at 5:00 p.m. to Show Cause before this Board why it should not Order said Owner to immediately demolish and remove the building located at 5507 Trinity Avenue, Lowville, New York (Tax Map No. 212.08-01-06.000); and further

ORDERS AND DECREES, that in the event that the Owner fails to appear before this Board or fails to comply with any Orders of this Board, that the Board of Legislators provide for its demolition and removal and assess all expenses thereof against the land on which it is located, and to commence a

special proceeding to collect the costs of demolition, including legal expenses, if necessary; and further

ORDERS AND DECREES that Notice of this Finding and Decision, together with the statement of particulars as required under Section 7 of Local Law No. 2-2007 shall be served upon the Owner, Nadine M. Delles not less than five (5) business days prior to the hearing date set forth above, in accordance with Section 8 of the Local Law.

Section 3. A copy of the notice served as provided herein shall be filed in the office of the County Clerk.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 198 - 2022**  
**RESOLUTION AUTHORIZING ADDITIONAL EASEMENTS TO NIAGARA MOHAWK**  
**POWER CORPORATION AT THE COUNTY'S HIGHWAY GARAGE PROPERTY**  
**(ROUTE 812 AND EAST ROAD) AND**  
**ACCEPTANCE OF ELECTRIC SERVICE PROPOSAL FROM NATIONAL GRID**  
**FOR THE SITE IMPROVEMENT PROJECT**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the County of Lewis is owner of property along Route 812 on East Road, Lowville, NY, being a part of tax parcel No. 195.00-01-14.1, and known as the County's Highway Garage campus; and

WHEREAS, as part of the County's facilities improvement projects, significant improvements and renovations have been undertaken at the Highway Garage property. Niagara Mohawk Power Corporation (NMPC) seeks to trench and connect existing anchor, poles and a service point within the County's land, and to install a new pole and overhead primary wires on adjoining neighbors' properties in an approximate 20 foot width area considered the easement area on the County's and neighbors' lands as shown of the sketch entitled WR#23-22-30571490, as a permanent easement area for the purpose of providing improved services to the County and others serviced in the area; and

WHEREAS, the proposed easement will not interfere with the County's uses of its property located thereon, and in fact, the grant of the easement to NMPC is necessary in order for the County to complete its improvement project; and

WHEREAS, National Grid has submitted an electric service proposal to the County under WR 30571490, for installation of the new pole and 3 phase primary underground to pad transformer at the new outdoor services building at the Highway property at 7362 East Road, Lowville, NY, at an estimated cost of \$7,478.25; and

WHEREAS, the Lewis County Board of Legislators seeks to comply with these easement requests and service cost proposal.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes the granting of a perpetual easement from the County of Lewis to Niagara Mohawk Power Corporation on the County's property located on East Road, Lowville, NY, and being part of Tax Map Parcel No. 195.00-01-14.1, commonly known as the County Highway Garage Campus, East Road, Lowville, NY, for the purpose of NMPC to construct, reconstruct, relocate, extend, repair, maintain and operate its utility lines, transformers trenching, pads, and other communication facilities upon, over, under and across approximately twenty (20) feet in width throughout the extent of the

easement area as described on NMPC Easement Area sketch entitled "WR #23-22-30571490, and for the County to undertake and secure the authorizations of two adjoining neighbors to execute the easements in order for the County's improvement project at this location to be completed and operable.

Section 2. The Board of Legislators further authorizes acceptance of the electric service proposal from National Grid for installation of a new pole and 3 phase primary underground service to the pad transformer, to complete the application process with NG and to pay the costs of electric service project identified as WR30571490, and to pay the costs of installation of electric service at the property, currently estimated to be \$7,500.00.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is authorized to make, execute, seal and deliver such NMPC easements, applications for electric service through NG, and any other related documents, additional easements, and additional service installation costs from NG upon project completion subject to review and approval the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 199 - 2022**  
**RESOLUTION APPROPRIATING FUNDING FROM NYS UNDER VETERANS PEER  
SUPPORT PROJECT AND AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY o/b/o COMMUNITY SERVICES DEPARTMENT  
AND MENTAL HEALTH ASSOCIATION OF JEFFERSON COUNTY TO PROVIDE  
SERVICES UNDER THE PROJECT**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Director of Lewis County Community Services was informed that NYS Office of Mental Health has provided \$100,000.00 in funding under the Joseph P. Dwyer Peer Support Project budget to Lewis County to develop and/or expand peer support and outreach services for veterans in the County; and

WHEREAS, the Director seeks to engage the services of the Mental Health Association in Jefferson County, Inc., (MHA) to integrate its Vet peer-to-peer outreach services to Lewis County veterans. MHA will extend the range and availability of its crisis vehicle into Lewis County, utilize its current crisis materials to assist Lewis County in development of the program, including staff as needed, transportation through mobile crisis vehicle, peer-based emotional support, emergency supplies, veteran advocacy and referrals, faith-based veteran clergy/spiritual support, and reporting of outcomes and other services identified, in consideration of the payment of \$25,000.00 for said services from September, 2022 through December, 2022, or as may be extended by the Director; and

WHEREAS, the Director of Community Services requests that the \$100,000.00 be appropriated into the proper Community Services Accounts; that the Board of Legislators authorize an agreement with MHA to provide said services in consideration of the sum of \$25,000.00 from said funding, and any amendments thereto;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the Lewis County Community Services Director and Mental Health Association of Jefferson County, Inc., located at 425 Washington Street, Watertown, NY 13601 to provide Veteran Peer to Peer Outreach Services for veterans in Lewis County consistent with the NYS Joseph P. Dwyer Veterans Peer Support Project goals and mission, for the time period of September, 2022 through December, 2022, and as may be extended by the Director, in consideration of the payment of \$25,000.00 from said funding source.

Section 2. That the Lewis County Board of Legislators hereby directs the Treasurer to appropriate the \$100,000.00 funding and deposit same into the appropriate Community Services accounts.

Section 3. That the Board of Legislators hereby authorizes the Director of Community Services to make, execute, seal and deliver such Agreement and any extensions thereto, according to such terms and provisions as the County Attorney may recommend.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 200 - 2022**  
**RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT BETWEEN**  
**LEWIS COUNTY o/b/o COMMUNITY SERVICES DEPARTMENT**  
**AND TLS AND AGREEMENT WITH FDRHPO TO PROVIDE SINGLE POINT OF**  
**ACCESS (SPOA) SERVICES SET FORTH BY OMH ONE-TIME FUNDING AWARD**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the Director of Lewis County Community Services was informed that NYS Office of Mental Health is providing one-time funding up to \$25,000 to County Mental Health Departments to expand, improve or implement the Systems of Care (SOC) approach in partnership with other local cross-systems partners to promote access to care for children, youth, and young adults with serious emotional disturbance (SED); and

WHEREAS, pursuant to Resolution No. 268-2021, the Lewis County Board of Legislators authorized an agreement with Transitional Living Services of NNY to provide community-based programs, one of which is Single Point of Access (SPOA) services; and

WHEREAS, the SPOA process helps Local Governmental Units achieve community-based mental health systems that are cohesive and well-coordinated in order to serve those individuals most in need of services. The SPOA process provides for the identification of individuals most in need of services, and manages service access and utilization; and

WHEREAS, the Director of Community Services seeks to amend the current agreement with Transitional Living Services of NNY (TLS) and provide it with \$1,500.00 from this one-time funding for its SPOA Coordinator to complete the grant deliverables (separate and apart from SPOA requirements) including, but not limited to: setting up SOC meetings; create meeting agendas and monitor meeting attendance; organize training and informational sessions for school personnel; complete required grant reporting; conduct SOC steering committee meetings; and organize wraparound meetings with SPOA members and high-need children and families; and

WHEREAS, the Director also seeks authorization to enter into an agreement with Fort Drum Regional Health Planning Organization (FDRHPO) to pay \$3,500.00 from this one-time funding to provide the following system of care services: work with SOC steering committee to develop a SOC stakeholder feedback questionnaire to monitor data on the effectiveness of the SOC framework; work with the steering committee to develop an annual satisfaction survey for the SOC framework for those who have accessed services, for both service providers and service recipients; organize and facilitate a listening forum, soliciting input about on how to improve

engagement of children and families; and create a summary report on the listening event; and

WHEREAS, the Board of Legislators wishes to authorize such funding and amendments and agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Modification Agreement between the County of Lewis by and through the Lewis County Community Services Department and Transitional Living Services of NNY to receive \$1,500 from the OMH \$25,000.00 one-time funding to expand or implement the Systems of Care services that promote access to care for children, youth, and young adults with serious emotional disturbance as described in the grant deliverables for the time period of September 1, 2022 through December 31, 2022, and as may be extended by the Director in compliance with the Grant funding requirements.

Section 2. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County Community Services Department and Fort Drum Regional Health Planning Organization to provide system of care grant deliverables set forth by the Director, in consideration of the payment of \$3,500.00 from said funding.

Section 3. That the Board of Legislators hereby authorizes the Director of Community Services to make, execute, seal and deliver such amendment to the TLS Agreement, and Agreement with FDRHPO, according to such terms and provisions as the County Attorney may recommend.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 201 – 2022**  
**RESOLUTION RESCINDING RESOLUTION NO. 191-2022**  
**(APPOINTMENT OF SUPERINTENDENT OF HIGHWAYS)**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the Lewis County Board of Legislators desires to rescind Resolution No. 191-2022 wherein Timothy Hunt was appointed to a four-year term ending August 7, 2026 as the Lewis County Superintendent of Highways in error; and

WHEREAS, pursuant to Resolution No. 144-2021, the Lewis County Board of Legislators appointed Timothy Hunt to a full four-year term ending November 16, 2024;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby rescinds Resolution No. 191-2022 and the same shall be deemed null and void and no longer in effect.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 202 - 2022**  
**RESOLUTION AUTHORIZING AMENDMENT TO THE FIBER OPTIC**  
**NETWORK SERVICE AGREEMENT BETWEEN DEVELOPMENT**  
**AUTHORITY OF THE NORTH COUNTRY (DANC)**  
**AND LEWIS COUNTY**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis entered into a Service Agreement with the Development Authority of the North Country (DANC) dated August 5, 2014, to install and provide fiber optic data network connectivity for the County's communications and network systems, which has been amended from time to time for upgrades in service and additions to the fiber optic system for the County; and

WHEREAS, the Director of Information Technology has reviewed the network infrastructure needs across all locations with the facilities improvement projects, including the addition of the property on East State Street, Lowville, where DMV is located and where renovations will be undertaken to house DMV as well as the Board of Elections. The Director requested a quote from DANC to provide a new fiber optic circuit to the County's network for this site; and

WHEREAS, DANC has provided a quote to add a new fiber optic circuit at this location which will provide 1 Gbps service, at a cost of \$9,000.00, and with \$200/month in maintenance fees of the circuit under a five (5) year term; and

WHEREAS, the Board of Legislators wishes to authorize an amendment to the continuing service agreement with DANC to provide for installation of this additional fiber optic circuit and the monthly maintenance fees for same for a five year period.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes an amendment/ change order to the Service Agreement entered into with the Development Authority of the North Country (DANC) to install and service a new fiber optic connectivity circuit and monthly maintenance services at the East State Street property where DMV and BOE will be housed, identified as DANC Service Order NLEW2200, at a cost of \$9,000.00, with monthly maintenance charges of \$200.00 for a five (5) year period from when the circuit is activated and in use.

Section 2. That this cost is payable from Project HAR.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such change order forms

and/or Amendment and any other documents required, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 203 - 2022**  
**RESOLUTION AUTHORIZING AMENDMENT TO GRANT CONTRACT WITH**  
**NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES**  
**UNDER THE FIVE-YEAR STATEWIDE EXPANSION OF**  
***HURRELL-HARRING* TO ACCEPT BUDGET AND WORKPLAN**  
**FOR YEAR FOUR FUNDING**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, County Law Article 18-B directs each county to adopt a plan to provide legal counsel to persons charged with a crime or who are entitled to counsel pursuant to Family Court Act § 262 and who are financially unable to obtain counsel; and

WHEREAS, the County of Lewis received a five-year Statewide Expansion of *Hurrell-Harring* grant award from the New York State Office of Indigent Legal Services in the amount of \$2,160,347.43, (Contract Number CSTWIDEHH23), for the provision of funds to assist the County in improving the quality of indigent legal services according to the Budget and Work Plan schedules set forth in the Grant Contract; and

WHEREAS, this grant money reflects the total funding for Lewis County to supplement and not to supplant any state and local funds for three written plans (counsel at arraignment, quality improvement and caseload relief) submitted by the Office of Indigent Legal Services (ILS) on December 1, 2017 pursuant to the 2017 amendment to County Law § 722-e and enactment of Executive Law § 832 (4) (“Statewide Expansion of *Hurrell-Harring* Reform”); and

WHEREAS, the initial contract contained a line item Budget and Work Plan for the first year of this five-year contract for \$144,023.16 (April 1, 2018 to March 31, 2019). Amendments to the contract were authorized for years two and three, pursuant to approved budgets and work plan funding of \$288,046.32 (April 1, 2019 to March 31, 2020) and \$432,069.49 (April 1, 2020 to March 31, 2021); and

WHEREAS, the County has received approval for an amendment which reflects the budget and work plan for Year Four, funding of \$576,092.65 covering the period of April 1, 2021 to March 31, 2022); and

WHEREAS, the Board of Legislators seeks to accept this budget and work plan for Year Four and execute the amendments required to give effect to the fourth year funding under this Grant;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an amendment to the grant contract by and between the County of Lewis and New York State Office of Indigent Legal Services to accept year four funds in the amount of \$576,092.65 under the five-year Statewide Expansion of *Hurrell-Harring* grant award (Contract Number CSTWIDEHH23) to assist the County in improving the quality of indigent legal services provided.

Section 2. That the year four funds are for the term commencing and retroactive to April 1, 2021 and ending March 31, 2022 as set forth in the second year Budget Plan attachment.

Section 3. That the Chairman or the Vice-Chairman of the Board of Legislators be and the same are hereby authorized to execute and deliver such agreement and any amendments and/or extensions thereto to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 204 - 2022**  
**RESOLUTION AUTHORIZING FIVE YEAR CONTRACT WITH**  
**LEWIS DEFENDERS, PLLC FOR INDIGENT LEGAL SERVICES**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, County Law §722 directs each county to adopt a plan to provide legal counsel to persons charged with a crime or who are entitled to counsel pursuant to Family Court Act §262 and who are financially unable to obtain counsel (herein “public indigent legal defense services”); and

WHEREAS, County Law §722(2) authorizes a county to provide representation through a corporation, voluntary association, or organization permitted to practice law under the authority of § 495 of the Judiciary Law, which includes organizations who have as their primary purpose the furnishing of legal services to indigent persons; and

WHEREAS, in light of its continuing statutory duty to provide legal counsel for the indigent pursuant to County Law §722-A and Family Court Act §262, the Board of Legislators desires to enter into a five-year contract with Lewis Defenders, PLLC to provide public defense legal services in the first instance in the amount of \$316,676.00 for 2023, and with 2% increases each year through 2027;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby approves the plan to provide public defense legal services through a five-year contract with LEWIS DEFENDERS, PLLC, Lowville, NY 1336, effective January 1, 2023 through December 31, 2027.

Section 2. That the annual cost of such legal services shall be \$316,676.00 for year 2023, with 2% annual increases to each year from 2024 through 2027. Such services shall include but not be limited to providing a licensed attorney for legal representation for the indigent in Lewis County Family Court, Lewis County Court, and the Town and Village Courts, including arraignments.

Section 3. That the Chairman or the Vice-Chairman of the Board of Legislators be and the same are hereby authorized to execute and deliver such agreement to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 205 - 2022**  
**RESOLUTION AUTHORIZING CONTRACT WITH**  
**MCCLUSKY LAW FIRM, LLC**  
**TO PERFORM CONFLICT DEFENDER SERVICES**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, County Law §722 directs each county to adopt a plan to provide legal counsel to persons charged with a crime or who are entitled to counsel pursuant to Family Court Act §262 and who are financially unable to obtain counsel (herein “indigent legal services”); and

WHEREAS, contemporaneously herewith, the Board of Legislators is authorizing a five (5) year agreement with Lewis Defenders, PLLC to provide indigent legal defense services in the first instance for eligible residents of the County; and

WHEREAS, it is necessary to appoint an attorney/firm to assist in providing the statutory legal assistance to those eligible individuals where Lewis Defenders, PLLC has a conflict of interest and/or where there are more than one defendant/respondent on a case entitled to legal assistance; and

WHEREAS, in light of its continuing statutory duty to provide legal counsel for the indigent pursuant to County Law §722-A and Family Court Act §262, the Board of Legislators desires to authorize a one year agreement with the McClusky Law Firm, LLC to perform legal services in these circumstances as the Public Conflict Defender in those instances where the Lewis Defenders, PLLC has a conflict of interest and/or where more than one public defender is required;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby approves a one year Agreement with to provide conflict defender services through the McClusky Law Firm, LLC (herein, “Conflict Defender”), of 8 Main Street, P.O. Box 97, Adams, New York 13605 to provide conflict defender services in those instances where the primary public defense firm is authorized to act, but has a conflict of interest and/or where more than one public defender assignment is required, commencing January 1, 2023 through December 31, 2023.

Section 2. That the all-inclusive cost of such services to be provided by the McClusky Law Firm as the Conflict Defender shall not exceed \$100,000.00, payable in monthly installments of \$8,333.33. Such services include but are not limited to providing qualified, licensed attorneys for timely legal representation of eligible indigent residents in Lewis County Family Court, Lewis County Court, and Town and

Village Courts, with the maintenance of an office in Lewis County suitable to meet with eligible defendants/respondents assigned.

Section 3. That the Chairman or the Vice-Chairman of the Board of Legislators be and the same are hereby authorized to execute and deliver such agreement, and any amendments thereto, to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

Section 4. This Resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 206 - 2022**  
**RESOLUTION AUTHORIZING CONTRACT BETWEEN THE**  
**COUNTY OF LEWIS AND NEW YORK STATE**  
**OFFICE OF INDIGENT LEGAL SERVICES**  
**(GRANT DISTRIBUTION #13)**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, County Law Article 18-B directs each county to adopt a plan to provide legal counsel to persons charged with a crime or who are entitled to counsel pursuant to Family Court Act § 262 and who are financially unable to obtain counsel; and

WHEREAS, the County of Lewis received notice of a grant award from the New York State Office of Indigent Legal Services in the amount of \$56,964.00 (“Distribution #13”), Contract Number C130022, upon submission of a three-year plan demonstrating that the funding provided will be used to improve the quality of indigent representation in criminal defense and family court matters; and

WHEREAS, the Board of Legislators wishes to accept the grant and enter into the contract for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves a contract by and between the County of Lewis and New York State Office of Indigent Legal Services (ILS) to provide grant funds in the amount of \$56,964.00 under Distribution #13 to assist the County in improving the quality of indigent legal services provided and directs the County Attorney to consult with Lewis Defenders, and submit a three-year plan to Indigent Legal Services for this funding.

Section 2. That the term of Contract No. C130022 is effective January 1, 2023 through December 31, 2025, and as may be extended.

Section 3. That the Chairman or the Vice-Chairman of the Board of Legislators be and the same are hereby authorized to execute and deliver said agreement and any amendments and extensions thereto, to effectuate the purpose of this Resolution, upon such form as approved by the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 207 - 2022**  
**RESOLUTION AUTHORIZING REVISED LIST OF RATES FOR AGREEMENTS**  
**BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND VARIOUS PROVIDERS**  
**FOR PRESCHOOL SPECIAL EDUCATION PROGRAMS**  
**FOR THE SCHOOL YEAR 2022-2023**

Introduced by Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, pursuant to Resolution No. 131-2021, the Lewis County Board of Legislators authorized agreements with agencies and independent contractors who provide services to the Preschool Special Education Program for children with special education and health care needs for the period beginning July 1, 2021 that will automatically renew each year unless the contract is terminated by either party upon ninety (90) days written notice; and

WHEREAS, the Lewis County Public Health Department received a revised list of proposed rates from the State of New York Education Department for these services and agreements thereto for 2022-2023. Under the revised rate list, the half hour rate for Interpreter Services increased to \$42.50 per half hour, and Audiology Services increased to \$355.00 per half hour as set forth below on the revised rate sheet, to be submitted to the State of New York Education Department for approval:

| COUNTY LIST OF APPROVED RATES FOR PRESCHOOL RELATED SERVICES<br>(2022-2023) |                                       |                                  |  |
|---|---------------------------------------|----------------------------------|--|
| Service   | Maximum Individual Rate Per Half Hour | Maximum Group Rate Per Half Hour | Maximum Coordinator Rate Per Half Hour |
| Aide – 1:1 Related Services   | \$ 9.00                               | \$ 7.00                          |  |
| Assistive Technology Services   | \$55.00                               | \$40.00                          |  |
| Audiology   | <b>\$355.00</b>                       | <b>\$300.00</b>                  |  |
| Coordination  | \$38.00                               | \$25.00                          | \$38.00                                |
| Counseling Services   | \$44.00                               | \$37.00                          | \$38.00                                |
| School Health Services/Nurse  | \$36.00                               | \$28.00                          |  |
| <b>Interpreter</b>  | <b>\$42.50</b>                        | <b>\$32.50</b>                   |  |
| Music Therapy   | \$57.00                               | \$43.00                          |  |
| Orientation and Mobility  | \$64.00                               | \$39.00                          |  |
| Occupational Therapy  | \$64.00                               | \$53.00                          | \$38.00                                |
| Occupational Therapy Assistant  | \$55.00                               | \$33.00                          |  |
| Play Therapy  | \$64.00                               | \$53.00                          |  |
| Parent Counseling & Training  | \$44.00                               | \$40.00                          | \$38.00                                |
| Psychological Services  | \$64.00                               | \$53.00                          |  |
| Physical Therapy  | \$64.00                               | \$53.00                          | \$38.00                                |
| Physical Therapy Assistant  | \$43.00                               | \$27.00                          |  |

|                              |         |         |         |
|------------------------------|---------|---------|---------|
| School Social Work           | \$55.00 | \$33.00 |         |
| Speech Therapy               | \$64.00 | \$53.00 | \$38.00 |
| Teacher of Hearing Impaired  | \$56.00 | \$35.00 |         |
| Teacher of Visually Impaired | \$53.00 | \$33.00 | \$38.00 |

WHEREAS, the Lewis County Board of Legislators seeks to approve said revised rate schedule, pending approval of the State, and to authorize amendments to the agreements with the providers to reflect the revised rates, and to authorize an agreement with Citi BOCES who provides audiology services for the Preschool Special Education Program for children with special education and health care needs;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the proposed revised rate list for services for the 2022/2023 school year, pending approval by the State of New York Education Department; and upon approval from the State, the Board authorizes amendments to the agreements with the agencies and independent contractors who provide such services to the Preschool Special Education Program, to reflect the revised rates.

Section 2. That the Lewis County Board of Legislators hereby authorizes the addition of Citi BOCES to the list of authorized providers, and authorizes agreement with same to provide audiology services for the Preschool Special Education Program commencing August 1, 2022 through August 30, 2023, and authorizes the Chairman or Vice-Chairman of the Board of Legislators to make, execute, seal and deliver such Agreement, upon review and approval by the County Attorney.

Section 3. That the Lewis County Board of Legislators hereby authorizes the Lewis County Public Health Director to execute any amendments pertaining to these rate revisions, pending review and approval of the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 208 - 2022**  
**RESOLUTION RENEWING INTERGOVERNMENTAL AGREEMENT**  
**BETWEEN LEWIS COUNTY SOLID WASTE DEPARTMENT AND THE**  
**ONEIDA HERKIMER SOLID WASTE MANAGEMENT AUTHORITY FOR**  
**PROCESSING AND MARKETING OF RECYCLABLES**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, the County of Lewis, by and through the Lewis County Solid Waste Department (LCSWD), desires to renew the recycling Agreement with the Oneida Herkimer Solid Waste Management Authority (“OHSWMA”). OHSWMA is a public benefit corporation under the New York State Public Authorities Law, with offices located at 1600 Genesee Street, Utica, NY, to provide for processing and marketing of residential recyclable materials delivered from Lewis County; and

WHEREAS, OHSWMA is expressly empowered under Public Authorities Law § 2049-EE (8) to contract with other counties to receive residential recyclable materials originating from other counties, and by doing so is performing an essential governmental function by its receipt, processing and marketing of residential recyclable materials originating from Lewis County; and

WHEREAS, the County of Lewis generates significant residential recyclable materials at its facilities which need to be processed and marketed for the benefit of all Lewis County residents; and

WHEREAS, the County of Lewis possesses the requisite equipment and permits to transport residential recyclables to OHSWMA Recycling Center on Leland Avenue, Utica, NY, and OHSWMA has been permitted by the DEC to receive and process these materials; and

WHEREAS, this intergovernmental agreement is intended to reduce the County’s costs associated with processing and marketing of residential recycling materials; and

WHEREAS, the Board of Legislators seeks to enter into this renewal Agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a renewal Intergovernmental Recycling Service Agreement between the County of Lewis by and through the Lewis County Solid Waste Department and the Oneida Herkimer Solid Waste Management Authority to process and market residential recyclables from Lewis County.

Section 2. That said Agreement shall be for the period beginning January 1, 2023 through December 31, 2027, with the County to pay OHSWMA monthly fees at the rate of \$80.41/ton for 2023, with an annual increase of 2% on the per ton rate of recyclable materials delivered to OHSWMA for processing and marketing, and with the County to receive credit for revenues realized from the sale of sorted, recyclable materials less residue rates as set forth in the Agreement.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, and any non-financial amendments thereto, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 209 - 2022**  
**RESOLUTION TO APPROPRIATE FUNDS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved to provide additional funding for broadband expansion projects.

Decrease:

|                        |                |
|------------------------|----------------|
| A0 005990 Fund balance | \$1,000,000.00 |
|------------------------|----------------|

Increase Reserve:

|  |                |
|--|----------------|
| Capital Reserve HEB                        |                |
| A0990100 992100 To Capital County Projects | \$1,000,000.00 |

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand , seconded by Legislator Virkler .

Legislator Chartrand asked Casandra Buell, Director of Planning what areas are currently being addressed through the CDBG grant funding, Casandra Buell responded that there are many areas being covered some through the CDBG grant, others through the wireless hot spots, and several through county funding. Hudson Valley is the company that is currently doing the infrastructure work and should be reaching out to residents. If any constituents would like to know more or have questions about their specific area, they should contact the Lewis County Planning Department at (315) 376-5919.

Legislator Gilbert questioned if there was data being gathered that might help identify areas with less than adequate internet access, Casandra Buell responded that the free Wi-Fi hot spots located in various Villages around the county have a survey question as part of the sign-in process so that can be used to gather data. She concluded by stating that any question can be used and can be updated daily. She welcomed legislators to reach out to her with any survey questions they might want to use for their area.

The resolution was then adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 210 - 2022**  
**RESOLUTION TO APPROPRIATE FUNDS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriations is hereby approved to replenish General Contingency and Special Contingency funds for the remainder of 2022.

Decrease:

|                        |               |
|------------------------|---------------|
| A0 005990 Fund balance | \$ 200,000.00 |
|------------------------|---------------|

Increase Expenditures:

|   |               |
|---|---------------|
| A0101000 419900 BOL Special Contingency | \$ 50,000.00  |
| A0199000 499900 General Contingency     | \$ 150,000.00 |

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 211 - 2022**  
**RESOLUTION AUTHORIZING ONE-TIME RETENTION INCENTIVE PAYMENT TO**  
**ELIGIBLE CURRENT EMPLOYEES**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, an important factor driving the recent increased inflation rate is the tight labor market. Stability in employment is a cornerstone of government functioning; and

WHEREAS, the County recognizes the excellent team of employees who work hard to serve the public every day. The County also recognizes the difficulties of its employees during this inflationary period, including the increase in the cost of goods and services; and

WHEREAS, the County seeks to provide a one-time retention incentive payment to most current employees. Employees who began the year with the County, but who are no longer employed, are ineligible. Interns, seasonal employees, employees of Lewis County Health System, election examiners and other election-day poll works, the County Manager, County Attorney, and elected officials are not eligible for the payment; and

WHEREAS, the one-time retention incentive payment will be equivalent to 3% of the individual employee's 2022 base annual earnings, excluding additional hours and overtime. All salaries and hourly rates are based on the position compensation established by the 2022 budget, or by collective bargaining agreements in place for the 2022 fiscal year. The chart below explains how payments will be calculated:

| <b>Employment Category</b>                      | <b>Retention Payment Calculation</b>   |
|---|--|
| Salaried  | 3% of total annual salary for position   |
| Full-Time Hourly (40-hours/week)                | 3% of hourly rate for position multiplied by 2,080   |
| Full-Time Hourly (35-hours/week)                | 3% of hourly rate for position multiplied by 1,820   |
| Part-Time Hourly (anything below 35-hours/week) | 3% of hourly rate for position multiplied by two times the hours worked from January 1, 2022 to July 1, 2022 |

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves a one-time retention incentive payment to current employees, except those identified above as ineligible; said payment being equivalent to 3% of the employee's 2022 base annual earnings, excluding additional hours and overtime. The total incentive cost is not estimated to exceed \$464,700.00.

Section 2. That the Board of Legislators authorizes and directs the Treasurer's office to perform and calculate the exact payments to eligible employees with the

assistance of the HR Director and County Manager; and directs the County Attorney to draft any Local Law which may be required for incentive payments to Appointed Officials subject to specific terms.

Section 3. That the Board of Legislators authorizes and approve the Treasurer to make the following budget appropriation:

Decrease:

|                        |               |
|------------------------|---------------|
| A0 005990 Fund balance | \$ 500,000.00 |
|------------------------|---------------|

Increase Expenditure:

|   |               |
|---|---------------|
| A0101000 419900 BOL Special Contingency | \$ 500,000.00 |
|---|---------------|

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Virkler , seconded by Legislator Gilbert .

County Attorney, Joan McNichol stated that Human Resources Director, Caitlyn Smith has connected with the Union Presidents which have all agreed to the retention payment, but under the collective bargaining agreement there does need to be a MOU that both parties sign off on before payments can be made to employees.

Legislator Osborne stated that he had heard from several constituents who strongly believed that county employees should not get a retention payment because they already have good benefits and jobs, instead they would like to see the county cut taxes. Legislator Osborne tried to explain to them that if the legislators were to cut taxes by the amount that they are spending on a one-time retention payment residents would barely even notice. He did suggest that maybe the payment should be limited for those making less than \$45,000 a year, to help reduce the total cost.

The resolution was then adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 212 - 2022**  
**RESOLUTION AUTHORIZING ONE-TIME FUNDING TO LEWIS COUNTY TOWNS  
AND VILLAGES AS A RESULT OF FUEL COST INCREASES**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the recent increase in the rate inflation, due in part to the increase in fuel costs, has caused local municipalities to experience increased fuel costs for highway operations and public safety emergency services; and

WHEREAS, the County seeks to provide a one-time financial assistance to its Towns and Villages in recognition of the increased fuel costs experienced in 2022. The County devised a formula for this one-time distribution payment based upon a formula which considered taking the average of one-third the municipality's population, one-third its assessed value, and one-third its total road mileage;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the following one-time financial assistance payment to Lewis County Towns and Villages due to the increased fuel costs experienced in 2022:

| TOWN/VILLAGE | Final Allocation |                  |
|--------------|------------------|------------------|
|              | Percent of Total | Total to be Sent |
| CROGHAN      | 11.7%            | \$ 58,351        |
| NEW BREMEN   | 7.7%             | \$ 38,646        |
| V. LOWVILLE  | 7.4%             | \$ 36,905        |
| WATSON       | 7.0%             | \$ 35,049        |
| MARTINSBURG  | 6.9%             | \$ 34,595        |
| DIANA        | 6.3%             | \$ 31,696        |
| GREIG        | 6.3%             | \$ 31,500        |
| DENMARK      | 6.2%             | \$ 31,034        |
| WEST TURIN   | 5.6%             | \$ 28,090        |
| LOWVILLE     | 5.4%             | \$ 27,176        |
| LYONSDALE    | 3.8%             | \$ 19,221        |
| LEYDEN       | 3.8%             | \$ 18,937        |
| LEWIS        | 3.3%             | \$ 16,714        |
| HARRISBURG   | 3.0%             | \$ 14,941        |
| TURIN        | 2.9%             | \$ 14,544        |
| PINCKNEY     | 2.2%             | \$ 11,185        |
| OSCEOLA      | 2.0%             | \$ 9,764         |
| MONTAGUE     | 1.8%             | \$ 8,790         |

|                   |               |                   |
|-------------------|---------------|-------------------|
| V. COPENHAGEN     | 1.3%          | \$ 6,588          |
| V. LYONS FALLS    | 1.3%          | \$ 6,548          |
| V. CROGHAN        | 1.2%          | \$ 6,246          |
| V. PORT LEYDEN    | 1.1%          | \$ 5,261          |
| V. CASTORLAND     | 0.6%          | \$ 3,191          |
| V. CONSTABLEVILLE | 0.6%          | \$ 3,080          |
| V. TURIN          | 0.4%          | \$ 1,947          |
| <b>TOTAL</b>      | <b>100.0%</b> | <b>\$ 500,000</b> |

Section 2. That the Board of Legislators authorizes and directs the Treasurer to make the following budget appropriation for these payments:

Decrease:

A0 005990 Fund balance \$ 500,000.00

Increase Expenditure:

A0101000 490900 BOL Misc Expense \$ 500,000.00

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Hathway.

Legislator Osborne stated he had heard from several residents and a Town Official that didn't think this was necessary as they have received more than enough pandemic money.

The resolution was then adopted on the 6<sup>th</sup> day of September, 2022. Legislator Gilbert and Legislator Leviker abstained.

**RESOLUTION NO. 213 - 2022**  
**RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN**  
**LEWIS COUNTY TREASURER'S DEPARTMENT**  
**AND SYSTEMS EAST, INC.**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis, by and through the Lewis County Treasurer's Department, desires to enter into a renewal agreement with Systems East, Inc. for the purpose of providing software support and maintenance services for its tax collection system, including software application enhancements, revisions, web and cloud-based hosting for the Department's data processing plan; and

WHEREAS, the Board of Legislators wishes to accept such services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes a renewal agreement with Systems East, Inc. to provide software support, maintenance services, web and cloud-based hosting services for the Treasurer's data processing plan and tax collection system, for the period of January 1, 2023 through December 31, 2023, at a cost not to exceed \$8,508.00.

Section 2. That Eric Virkler, Lewis County Treasurer, is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 214 - 2022**  
**RESOLUTION TO TRANSFER REMAINING FUNDS**  
**AND CLOSE CAPITAL DSS BUILDING AND**  
**HIGHWAY BUILDING RESERVE ACCOUNTS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

BE IT RESOLVED, as follows:

Section 1. That the HAB – DSS Building and HAA – Highway Building Capital accounts be closed and all funds be appropriated.

**HAB – DSS Building**

Increase Revenues:

Project HAB

|                          |              |
|--------------------------|--------------|
| H0162000 330970 NYS      | \$640,000.00 |
| H0162000 324010 Interest | \$ 30,103.11 |

Decrease Revenue:

Project HAB

|                         |              |
|-------------------------|--------------|
| H0162000 350310 Cty Shr | \$209,849.88 |
|-------------------------|--------------|

Increase Expenditure:

Project HAB

|                          |              |
|--------------------------|--------------|
| H0162000 499900 Contract | \$460,253.23 |
|--------------------------|--------------|

**HAA – Highway Building**

Decrease Revenue:

Project HAA

|                         |              |
|-------------------------|--------------|
| H0162000 350310 Cty Shr | \$481,309.08 |
|-------------------------|--------------|

Increase Revenue:

Project HAA

|                          |              |
|--------------------------|--------------|
| H0162000 324010 Interest | \$ 13,358.68 |
|--------------------------|--------------|

Decrease Expenditures:

Project HAA

|                          |               |
|--------------------------|---------------|
| H0162000 499900 Contract | \$ 369,520.01 |
| H0990100 499900 Cty Shr  | \$ 98,430.39  |

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 215 - 2022**  
**RESOLUTION TO TRANSFER REMAINING FUNDS**  
**AND CLOSE CAPITAL E911 PROJECT**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

BE IT RESOLVED, as follows:

Section 1. That the HM Capital Account for the E911 Project be closed and all funds be appropriated.

Decrease Revenue:

Project HM

|                       |              |
|-----------------------|--------------|
| H0302000 333970 State | \$ 63,655.39 |
|-----------------------|--------------|

Decrease Expenditure:

Project HM

|                          |              |
|--------------------------|--------------|
| H0302000 499900 Contract | \$ 63,655.39 |
|--------------------------|--------------|

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Virkler, and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 216 - 2022**  
**RESOLUTION AUTHORIZING CHANGE ORDER NO. 10 TO AGREEMENT WITH**  
**BETTE & CRING FOR FOUNDATION DRAINAGE WORK AT 7357 EAST ROAD,**  
**LOWVILLE, UNDER THE HIGHWAY FACILITIES PROJECT**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, Bette & Cring, was awarded the construction contract for the new Highway Facilities project, including the Cold Storage building; and

WHEREAS, the Department of Transportation approved the driveway permit but required additional foundation drainage around the Cold Storage building which was not part of the original scope of work; and

WHEREAS, Bette & Cring submitted a proposed Change Order No. 10 to its existing contract to perform additional foundation drainage work around the Cold Storage building, at a cost not to exceed \$26,460.00 for the additional labor, materials and costs as outlined in its proposal dated August 31, 2022;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an amendment (Change Order No. 10) to the Agreement with Bette & Cring, to perform additional foundation drainage work around the Cold Storage building, as set forth in its proposal/change order No.10 dated August 31, 2022, at a cost not to exceed \$22,460.00.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Change Order No. 10 as an amendment to the Agreement, upon review and approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Gilbert , seconded by Legislator Leviker , and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 217 - 2022**  
**RESOLUTION AUTHORIZING CHANGE ORDER NO. 07 TO AGREEMENT WITH**  
**BETTE & CRING FOR ROOF WORK AT 5473 OUTER STOWE STREET, LOWVILLE,**  
**UNDER THE HUMAN SERVICES BUILDING RENOVATION PROJECT**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, Bette & Cring, was awarded the construction contract for the Human Services building renovation project; and

WHEREAS, the type of insulation that was outlined in the bid documents is no longer available, instead the existing insulation was thoroughly tested and found to be in good condition and re-usable; and

WHEREAS, Bette & Cring submitted a proposed Change Order No. 07 to its existing contract to re-use the existing roof insulation on the Human Services building, allowing for a credit of \$146,959.00 for the reduced costs as outlined in its proposal dated June 23, 2022;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an amendment (Change Order No. 07) to the Agreement with Bette & Cring, to re-use the existing roof insulation on the Human Services building, as set forth in its proposal/change order No.07 dated June 23, 2022, allowing for a credit of \$146,959.00.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Change Order No. 10 as an amendment to the Agreement, upon review and approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Gilbert , seconded by Legislator Hathway , and adopted on the 6<sup>th</sup> day of September, 2022.

**RESOLUTION NO. 218 - 2022**  
**RESOLUTION AUTHORIZING CONTRACT BETWEEN LEWIS COUNTY**  
**AGRICULTURE SUSTAINABILITY COUNCIL AND CORT CONSULTING GROUP,**  
**INC. UNDER THE COUNCIL'S "DAIRY RESILIENCY PROJECT" FOR PHASE 2**

Introduced by Legislator Ian Gilbert, Chair of the General Services Committee.

WHEREAS, pursuant to Resolution No. 210-2019, the Lewis County Board of Legislators established the Lewis County Agriculture Sustainability Council ("Council"), whose purpose is to develop and execute a Lewis County Agriculture Sustainability Action Plan, with a goal to alleviate the hurdles confronting Lewis County Farmers and Growers by creating a competitive agriculture and farming culture and cultivation of a robust and sustainable agribusiness for the farmers in Lewis County; and

WHEREAS, pursuant to Resolution No. 341-2021, the Board of Legislators authorized increasing funding up to \$67,500.00 for Phase 1 of the Council's project, and awarding the contract to Cort Consulting Group, Inc. of 111 Rossmore Drive, Malvern, PA 19355 for services including identification of market opportunities, processing/storage capabilities, development of business plans, recommendations for potential financial funding sources and structures; and

WHEREAS, Cort Consulting submitted its final report in June, 2022 which included an analysis of the market, recommendations for potential future investments, and business plan and case for the construction of a powder plant; and

WHEREAS, the Board of Legislators seeks to authorize a contract with Cort Consulting, Inc. for Phase 2 of the Council's project, with funding up to \$60,000.00 for services including enhancing the ongoing working relationship with Kraft Heinz and the Lowville Coop and the County; exploring partnership relationships with Kraft Heinz and other large regional dairy processors to enhance milk utilization and balancing; analyzing IRI market data to better understand the growth of the cream cheese market and possibly other markets to better position any future investment; continue to develop the business plan for the proposed powder plant; evaluate other enhancements to the strategy and plant design to improve the profitability of the proposed facility; consider other products for potential partnerships and/or investors; and any other tasks identified as desired or needed;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes funding Phase 2 of the Lewis County Agricultural Sustainability Council's "Dairy Resiliency Project", up to and not to exceed \$60,000.00, and authorizes a contract

with Cort Consulting Group, Inc., of 111 Rossmore Drive, Malvern, PA 19355 for professional consulting services outlined under Phase 2 of the project.

Section 2. That the Lewis County Board of Legislators directs that the Lewis County Treasurer transfer \$60,000.00 from special legislative contingency to the Planning Department's 2022 community services line account in order to fully fund this contract.

Section 3. That the Lewis County Board of Legislators authorizes and directs the Lewis County Attorney to assist the Council in review and/or draft of the terms and provisions of the Phase 2 professional consulting contract to be entered between the parties.

Section 4. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such agreement together with the Chair/President of the Council, as may be approved by the County Attorney.

Section 5. That the within resolution shall take effect immediately.

Moved by Legislator Gilbert, seconded by Legislator Moroughan, and adopted on the 6<sup>th</sup> day of September, 2022.

OTHER BUSINESS:

At 5:45 p.m. with no other business to come before the board Legislator Virkler made a motion to adjourn, seconded by Legislator Chartrand and carried.