

REGULAR MEETING
October 4, 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, except Legislator Osborne who had been excused. There were 13 other persons present.

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

Chairman Dolhof declared the September 6, 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: Phil Hathway
Jeffrey Nellenback
Jessica Moser
Joshua Leviker

Dated: October 4, 2022

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

PUBLIC HEARING/PRIVILEGE OF THE FLOOR:

Chairman Dolhof opened the public hearings at 5:04 p.m. on Introductory Local Law No. 3-2022 "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", Introductory Local Law No. 4-2022 "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)", and Demolition and Removal of building located at 5507 Trinity Avenue, Lowville, NY 13367. County Attorney Joan McNichol stated that she would wait until prior to the closing of the public hearing to make remarks on the demolition and removal of building located at 5507 Trinity Avenue, Lowville, NY 13367.

Legislator Hathway reported about an initiative in the Town of Diana where an anonymous donor came forward to fund the purchase of LED lights to give out to the residents in an effort to help lower their electric bills. The LED lights were available for pick up at the Harrisville Hardware store and had 4 bulbs in a pack. There were 480 packs handed out, which would save each household \$16.00 per year, equating to a total annual savings of \$7,680.00. The bulbs have a ten-year life span which would save a total of \$76,800.00, minus the cost of the bulbs at \$2,571.91 gives a total net savings of \$74,228.09 over the span of ten years. That works out to be a 2,886% return on investment. It will also reduce the CO2 emissions by 173 tons over

the next ten year. Legislator Hathway was proud of the initiative and thankful to the anonymous donor who came forward to help make this happen.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Resolutions were received by Oswego County and Niagara County “In Opposition to New York State Actions Restricting 2nd Amendment Rights.” A resolution from Cayuga County was received “Advocating for maintaining a sixty (60) hour work week for farm workers.” Correspondence was received from Mr. Kevin Kapfer, voicing his dissatisfaction with law enforcement efforts on the Lewis County trail system, citing his estimated average of one death per month between snowmobiles and ATVs.

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 home located at 9740 Main Street, in the Town of Croghan which cites the property as unsafe, unfit for human occupancy, and therefore condemned.

REPORTS OF STANDING COMMITTEES:

Legislator Gilbert moved to authorize Brian Hanno, Purchasing Director to create and send out an RFQ for engineer services on the Public Safety Building parking lot renovation project, seconded by Legislator Virkler and carried.

Legislator Chartrand announced that on September 6th, Mr. Robert Fargo was hired as the new Director of Facilities for the hospital and comes with 28 years of experience in the field. The Employee of the Month was Jacqueline Pate, RN. Swing bed admissions were the highest in August. Purchase Services were over budget due to traveling nurses in several departments. The Adirondack Edge and Circle Drive have been opened up again, they were temporarily closed due to some construction work. The project continues to be on track with an estimated completion date of December 2023. The hope is to have a roof on before the end of November or December.

PROJECT MANAGER REPORT:

Nick Garito reported that everything is going very well with the facilities improvement projects. The Social Services building has been completely gutted and the exterior walls are going up, plumbing is being worked on inside, then the interior walls will be started. The Maintenance building is having the interior walls put in. The Cold Storage building is coming next month and the foundation for the main highway garage is being worked on.

COUNTY MANAGER REPORT:

Ryan Piche reported that Bob Mackenzie, Director of Emergency Management was selected as the 2022 Lewis County Community Health Hero, if anyone is interested in attending

the event on October 26th the county will have a table. There have been two adoptions in the last couple of months and earlier today was one of them. The caseworker even brought a cake to help the new family celebrate, even though we don't have many adoptions in the county it is always a nice thing to see and experience. There is a late resolution tonight for public comments on reEnergy facility on Fort Drum is due before next month. The event at the Elks Lodge last night, regarding this subject was well attended. There are over 24 logging businesses in Lewis County and that is important to Lewis County who needs to make their opinion known to the state, which is what the resolution provides. The projects are moving along very quickly and if anyone would like a tour just to reach out.

Legislator Chartrand thanked everyone who helped at the Employee Appreciation Luncheon and especially Caitlyn Smith, Director of Human Resources for suggesting that some food get taken up to Solid Waste for the employees who couldn't make it. When the food was delivered the employees were incredibly thankful.

COUNTY TREASURER REPORT:

Eric Virkler reported that sales tax quarterly adjustments will occur this month which could have a negative impact. The first of two payments will be received in 2 days with the other coming later in the month. Legislator Hathway questioned what the rates are with Three + One, Eric stated that he wasn't sure off the top of his head but explained that their guidance and analysis has been invaluable. The interest rates have changed quite a bit as they used to be 0.45%, but then went up to 1.7% and now are around 4%. Using NYCLASS for investing has also helped.

Chairman Dolhof stated that he didn't mean to make it seem as though the LED lightbulb handout in Harrisville wasn't a good idea because he believes that it is a great idea and maybe other Towns, or Villages can think about doing something similar. He then asked for any public comments on either of the local laws or the property on Trinity Ave. County Attorney, Joan McNichol stated that the property located at 5507 Trinity Avenue in Lowville is an abandoned 2 family structure that is unsafe. The foundation is crumbling, the roof is in bad condition and leaking, interior walls and ceiling are failing, there is no running water, and has filth and debris on all the floors. It is the recommendation from our Codes Department for the Board of Legislators to declare it unsafe and order for it to be demolished and removed so the site can be remarketed. The cost and expenses associated with the demolishing and removal of the structure will be added to the assessed taxes per Local Law No. 2-2007. She then stated that the property did have an environmental lien on it held by NYS DEC in the amount of \$24,677.00 due to a spill but if someone were to do the required remediation the lien could be remedied. The owner of the property is in an assisted living facility.

Legislator Chartrand moved to follow the recommendation of the Codes Department and have the building demolished, and the structure removed with any costs or expenses added to the assessed taxes per Local Law No. 2-2007 and requested that this motion be reduced into a resolution, seconded by Legislator Leviker and carried.

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

REPORT OF THE FINANCE AND RULES COMMITTEE:

RESOLUTION NO. 219 - 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 \$3,339,298.50 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 Gilbert , seconded by Legislator Virkler , and adopted on the 4th day of October, 2022, pursuant to the following roll call vote:

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

NAYS:

ABSENT: Osborne

**LOCAL LAW (INTRODUCTORY NO. 5-2022)
COUNTY OF LEWIS**

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

**A LOCAL LAW PROVIDING FOR ONE TIME EMPLOYEE RETENTION INCENTIVE
PAYMENT FOR
CERTAIN EXEMPT APPOINTED EMPLOYEES**

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

SECTION 1.

The 2022 Compensation Plan of the County of Lewis shall be amended to provide for a one-time employee retention incentive payment for certain exempt appointed employees. This one-time incentive payment is a 3% addition to the 2022 compensation of the appointed employees who have a fixed term of office, and who are in the middle of their terms, thereby increasing their 2022 compensation by the following amounts, but which shall not be added to their base pay:

<u>FIXED TERM APPOINTED OFFICIALS</u>	<u>RETENTION INCENTIVE PAYMENT</u>
Clerk of the Board	\$ 1,861.50
Commissioner, Department of Social Services	\$ 2,766.66
Director of Human Resources/Personnel Officer	\$ 2,697.69
Director of Real Property Tax Service	\$ 1,861.50
Superintendent of Highways	\$ 2,559.75
<u>POLITICAL APPOINTED OFFICIALS</u>	
Commissioners (2), Board of Elections	\$ 1,480.74
	\$ 1,480.74

SECTION 2.

This Local Law is subject to a permissive referendum and shall take effect forty-five (45) days after the adoption hereof and all legal requirements having been met.

RESOLUTION NO. 220 - 2022
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 5 - 2022), COUNTY OF LEWIS

Introduced by Legislator 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 October 4, 2022, a proposed Local Law entitled " A LOCAL LAW PROVIDING FOR ONE TIME EMPLOYEE RETENTION INCENTIVE PAYMENT FOR CERTAIN EXEMPT APPOINTED EMPLOYEES."

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on November 1, 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, 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 Hathway, seconded by Legislator Virkler, and adopted on the 4th day of October, 2022.

RESOLUTION NO. 221 - 2022
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 5 – 2022, COUNTY OF LEWIS

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on September 6, 2022, directing that a public hearing be held by said Board on October 4, 2022, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on 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”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on September 28, 2022, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 3–2022), County of Lewis, being “A LOCAL LAW TO AMEND LAW NO. 5 OF THE YEAR 2012, COUNTY OF LEWIS IN RELATION TO THE IMPLEMENTATION OF REAPPORTIONMENT WITHIN THE COUNTY OF LEWIS” be and the same hereby is designated as Local Law No. 5–2022, County of Lewis.

Section 2. That Local Law No. 5–2022, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Virkler, seconded by Legislator Hathway, and adopted on the 4th day of October, 2022, pursuant to the following roll call vote:

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

NAYS:

ABSENT: Osborne

RESOLUTION NO. 222 - 2022
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS
AND CHIMERA INTEGRATIONS, LLC FOR
ANNUAL FIRE AND ALARM MONITORING AND INSPECTIONS AND
INSTALLATION OF DOOR SECURITY SYSTEMS
AT THE GLENFIELD SCHOOL COMPLEX

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

WHEREAS, the Lewis County Buildings and Grounds Department received a proposal from Chimera Integrations, LLC, of 6035 Taft Road, Ste 102, Syracuse, NY 13212, for annual fire alarm inspection (\$750.00) and annual fire alarm monitoring services (\$300.00), together with installation of door security services(\$ 9,520.00) at the Glenfield School Complex; and

WHEREAS, the services proffered by Chimera are from August, 2022 through July, 2023; and

WHEREAS, the Lewis County Board of Legislators seeks to accept the proposal and authorize an agreement to provide these fire alarm inspection and door security installation services;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby accepts the proposal and authorizes an agreement with Chimera Integrations, LLC for annual fire alarm inspection and monitoring, and installation services for door security at the Glenfield School Complex, from August, 2022 through July, 2023 for a total cost of \$10,570.00, payable upon proper invoices and services rendered.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments thereto, upon such terms and conditions as may be approved by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 4th day of October, 2022.

RESOLUTION NO. 223 - 2022
RESOLUTION AUTHORIZING THE RECLASSIFICATION OF
CLEANER POSITION IN
BUILDINGS AND GROUNDS DEPARTMENT

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

WHEREAS, the Collective Bargaining Agreement between the County and CSEA provides for the union to request reallocation of titles in the CSEA salary grade plan; and

WHEREAS, CSEA requested reclassification for the Cleaner position within Buildings and Grounds from Grade 4 to Grade 14 in alignment with the Custodial Worker position; and

WHEREAS, the Supervisor of Buildings and Grounds and the Human Resources Director have identified duties and other factors which support the reclassification;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators of the County of Lewis authorizes the following reclassification of the Cleaner position in the Buildings and Grounds Department:

<u>ABOLISH</u> Cleaner	<u>SALARY</u> Grade 4 (\$13.97 - \$16.13)
<u>CREATE</u> Custodial Worker	Grade 14 (\$17.28 - \$20.23)

Section 2. That the Board of Legislators authorizes the Supervisor of Buildings and Grounds to move the existing and vacant cleaner positions to the position of custodial worker and adjust work accordingly.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 4th day of October, 2022.

RESOLUTION NO. 224 - 2022
RESOLUTION APPOINTING WYATT WAGNER
TO THE COMMUNITY SERVICES BOARD AND
THE DEVELOPMENTAL DISABILITY SUBCOMMITTEE

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

WHEREAS, the Lewis County Community Services Board shall have nine members appointed by the Lewis County Board of Legislators pursuant to Mental Hygiene Law § 41.11;

WHEREAS, the Lewis County Community Services Board and Developmental Disabilities Subcommittee have vacant positions.

WHEREAS, the candidate has experience in the field of mental hygiene, including mental health, alcohol and substance abuse, and developmental disabilities.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the appointment of Wyatt Wagner of Lowville, to the Lewis County Community Services Board and Developmental Disabilities Subcommittee for the term of October 5, 2022 through December 31, 2025.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 4th day of October, 2022.

RESOLUTION NO. 225 - 2022
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY CLERK AND INFO QUICK SOLUTIONS (“IQS”)
FOR COMPUTER SERVICES

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

WHEREAS, the County of Lewis, through the County Clerk’s Office wishes to renew the agreement with Info Quick Solutions (“IQS”) to provide continuing professional services to provide for all hardware and support for database, server, workstations, as well as recording software and pistol permit software and related support and maintenance in order to assure that the public documents and records are adequately stored, retained and accessible; and

WHEREAS, IQS also provides web services, support, billing and collections for the County Clerk’s web Revenue Sharing 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 hereby authorizes the renewal Agreement by and between the County of Lewis acting by and through the County Clerk, with Info Quick Solutions (“IQS”) to provide services for records management, which includes hardware, software, support and maintenance for a term commencing January 1, 2023 and continuing through December 31, 2027 at a cost of \$3,620.00 per month (\$43,440.00 annually).

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments thereto, upon such form as may be approved by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 4th day of October, 2022.

RESOLUTION NO. 226 - 2022
RESOLUTION AUTHORIZING ONE-YEAR RENEWAL
AGREEMENT BETWEEN THE COUNTY OF LEWIS AND
ICU SECURITY & PRIVATE INVESTIGATIONS FOR
UNARMED SECURITY GUARD SERVICES AT THE
DEPARTMENT OF MOTOR VEHICLES BUILDING

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

WHEREAS, the County of Lewis, on behalf of the Lewis County Department of Motor Vehicles (“DMV”) desires to renew the agreement with ICU Security & Private Investigations (“ICU”) for unarmed security guard services at the Lewis County DMV building located on East State Street, Lowville, NY; and

WHEREAS, the Lewis County Clerk desires to enter into a one-year renewal agreement for security guard services in 2023 at a rate of \$33.50 per hour, the prevailing wage rate for security guards in the North Country area, all inclusive of taxes, insurance, disability, and any other costs and expenses associated with providing said service. The hours are 8:30 a.m. to 4:00 p.m. Monday through Friday on the days DMV is open, or as the County Clerk may otherwise direct. The hours shall not exceed 7.5 per day or 37.5 per week; and

WHEREAS, the Board of Legislators wishes to authorize the agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a one-year renewal agreement between the County of Lewis, by and through the Lewis County Clerk, and ICU Security & Private Investigations for unarmed security guard services at the Lewis County DMV building located on East State Street, Lowville, NY.

Section 2. That the term of the Agreement shall be from January 1, 2023 through December 31, 2023, at a cost not to exceed \$33.50 per hour, all inclusive of taxes, insurance, disability, benefits and any other costs and expenses associated with providing said service. The security guard is to provide said services between the hours of 8:30 a.m. to 4:00 p.m., Monday through Friday on the days DMV is open, or as the County Clerk may otherwise direct. The hours shall not exceed 7.5 per day or 37.5 per week.

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

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

Moved by Legislator Hathway , seconded by Legislator Virkler , and adopted on the 4th day of October, 2022.

RESOLUTION NO. 227 - 2022
RESOLUTION TO TRANSFER FUNDS
County Road

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

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved to take place in the County Road accounts for reappropriation of funds for equipment purchases from CHIPS funding.

Decrease Expenditures:

D0512000 495120 CR Capital Improvement Materials	\$81,283.00
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Increase Expenditures:

D0501000 290900 CR Misc Equipment	\$81,283.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 4th day of October, 2022.

RESOLUTION NO. 228 - 2022
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO LEWIS COUNTY GENERAL HOSPITAL

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

BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Lewis County General Hospital, to create the following positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Unit Helpers (4)	Full-time	\$13.20 - \$16.56/hour

Section 2. That the following position is hereby amended from part-time to full-time:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Clinic LPN (1)	Full-time	\$19.32 - \$24.72/hour

Section 3. That the within resolution shall be effective immediately.

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 4th day of October, 2022.

RESOLUTION NO. 229 - 2022
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BOARD OF DIRECTORS

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

WHEREAS, pursuant to subdivision 2 of Section 856 of the General Municipal Law the Board of Legislators established an Industrial Development Agency (IDA) Board of Directors, which shall consist of not less than three (3) nor more than seven (7) members who shall be appointed by the governing body and who shall serve at the pleasure of the appointing authority; and

WHEREAS, an IDA Board of Directors vacancy exists due to the resignation of Legislator Ronald Burns.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Jessica Moser of Denmark, New York, as their representative on the Lewis County Industrial Development Agency Board of Directors.

Section 2. That said appointment shall be effective September 6, 2022 for an indefinite term.

Section 3. That the within resolution shall be effective immediately.

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 4th day of October, 2022.

RESOLUTION NO. 230 - 2022
RESOLUTION AUTHORIZING AGREEMENT
WITH M.A. POLCE CONSULTING, INC. FOR
CYBER SECURITY POLICY CONSULTING SERVICES

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

WHEREAS, the I.T. Director sought quotes from qualified professional cyber security consultants to assist in the developing up to date cyber security policy documents for the County; and

WHEREAS, M.A. Polce Consulting, Inc. (MA Polce), of 401 Phoenix Drive, Rome, NY 13441, provided a comprehensive scope of work proposal and quote for such professional consulting services, in the amount of \$14,555.50 based upon time and materials at the rate of \$205.00 per hour. MA Polce is approved on the State GSA Services Contract list under Contract # 47QTCA18DOOBJ; and

WHEREAS, the Board of Legislators seeks to accept this proposal and enter into an agreement for the scope of services set forth in the proposal dated September 9, 2022;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes an agreement with M.A. Polce Consulting, Inc., of 401 Phoenix Drive, Rome, NY , to provide consulting services to develop and update the County's cyber security policy documents, at a cost up to \$14,555.00 based upon hourly time and material charges of \$205.00.

Section 2. That the services shall commence upon a fully executed agreement, and be completed upon the number of hours specified , or upon ten (10) days written notice of termination by either party

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

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

Moved by Legislator Hathway , seconded by Legislator Virkler , and adopted on the 4th day of October, 2022.

RESOLUTION NO. 231 – 2022
RESOLUTION IN OPPOSITION TO NEW YORK STATE ACTIONS
RESTRICTING 2nd AMENDMENT RIGHTS

Introduced by Chairman Lawrence Dolhof, Lewis County Board of Legislators.

WHEREAS, Lewis County has a long, proud history of staunchly supporting the 2nd Amendment of the United State Constitution; and

WHEREAS, in the wake of the evil, heinous actions against defenseless persons at Tops Market in Buffalo, the New York State Legislature seized on that terrible tragedy to rush through 10 new laws that are meant to erode the rights of legal gun owners and punish the legal & legitimate businesses in the firearms industry; and

WHEREAS, shortly thereafter, the *Bruen* Decision was handed down from the United States Supreme Court striking down the restrictive nature of laws limiting and pertaining to Pistol Permits in New York State; and

WHEREAS, in response to *Bruen*, the New York State Senate and Assembly, rushed to pass S.51001 & A.41001 that essentially gutted the law-abiding rights of permitted citizens across New York State to carry their concealed firearms; and

WHEREAS, as county legislators, we take an oath of office to uphold the Constitution. These new laws are unconstitutional, in that these laws are over-reaching, a flagrant violation of the constitutional rights of our citizens, taking away their ability to protect themselves and their loved ones, and creating a bureaucratic boondoggle that ultimately seeks to disarm our law-abiding residents who have pistol permits or who seek pistol permits.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators is committed to pursuing all legislative and legal remedies, either alone or in concert with other like-minded counties and organizations, to overturn these unconstitutional laws which adversely affect the law-abiding rights of our residents and business owners.

Section 2. That the Lewis County Board of Legislators is strongly opposed to this new “*rushed through*” gun control Legislation and the unfair and unconstitutional changes made to the concealed carry gun permitting process, and therefore calls for its immediate repeal.

Section 3. That the Clerk of the Board is hereby requested to send copies of this resolution to the NYSAC leadership, NYS Governor Kathleen Hochul, leaders of

the NYS Senate and Assembly, and all others deemed appropriate who will join together to overturn these laws.

Section 4. This resolution shall take effective immediately.

Moved by Legislator Chartrand , and seconded by Legislator Leviker .

Legislator Hathway thanked Chairman Dolhof for putting this resolution forward. Legislator Chartrand requested that County Manager, Ryan Piche reach out to the surrounding counties to let them know that the board is supportive of this initiative to overturn these unconstitutional laws restricting 2nd amendment rights.

The resolution was then adopted on the 4th day of October, 2022.

RESOLUTION NO. 232 - 2022
RESOLUTION AUTHORIZING AGREEMENTS
BETWEEN OFFICE FOR THE AGING AND
VARIOUS PROVIDERS FOR PROGRAM SERVICES

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

WHEREAS, the Lewis County Office For The Aging wishes to enter into agreements with various providers to utilize their services for the elderly residents in Lewis County; 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 hereby authorizes Agreements between the County of Lewis and the following various providers for program services for the elderly in the amounts herein set forth:

CONTRACTOR	PURPOSE	AMOUNT
Campany, McArldle & Randall, PLLC	Legal Services	\$150.00 per hr.
Double Play Community Center	Evidenced Based Physical Programs and Workshops	\$576.00 per session-Aquatics \$225.00 per session-Walk w/Ease \$640.00 per class - Tai Chi
Doyle Security Systems	Lifenet Services	\$15.00 Standard Landline Unit \$20.00 Cellular Unit \$20.00 Landline Unit with Fall Pendant \$25.00 Cellular Unit with Fall Pendant \$35.00 Mobile GPS Pendant \$40.00 Mobile GPS Pendant with Fall Detection \$5.00 2 nd Pendant for Spouse or Caregiver
U.S. Care Systems, Inc. (Caregiver Services)	Respite	\$27.62 per hour
U.S. Care Systems, Inc. (EISEP/CSEM Program)	Housekeeping (In-Home Personal Care)	\$27.62 per hr. for Level I \$28.03 per hr. for Level II

Volunteer Transportation Center of Jefferson County, Inc.	Transportation Services	\$1,500.00 per month
Seniors Helping Seniors	Housekeeping/Chore, Respite & "Heavy Chore" Services for Homebound, Ill, or Disabled Residents	\$27.62 per hour
Plan-It Staffing	Consumer Directed In-Home Services under EISEP & CSE	\$23.75 per hour – Entry Level \$26.25 per hour - Experienced
Harris Courts, Inc.	Meal Site Facility	\$200.00 per month
United Church of Copenhagen	Meal Site Facility	\$160.00 per month
Maple Ridge Center, Inc.	Meal Site Facility	\$1,400.00 per month

Section 2. That the Agreements shall be for the term commencing on January 1, 2023 through December 31, 2023; with the exception of Harris Courts, Inc., Maple Ridge Center, Volunteer Transportation Center of Jefferson County, Inc., and Campany, McArdle & Randall PLLC, which shall be for two (2) year terms commencing on January 1, 2023 through December 31, 2024. The County share amount in all contracts is 25% and the State/Federal share amount is 75%.

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreements and any amendments thereto, pending approval by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 4th day of October, 2022.

RESOLUTION NO. 233 - 2022
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY OFFICE FOR THE AGING AND
CAREGIVERS HOME HEALTH CARE
TO PROVIDE PERSONAL CARE AIDES/HOMEMAKER SERVICES
FOR OFA CLIENTS

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

WHEREAS, Lewis County Office for the Aging (“OFA”) desires to enter into an agreement with Caregivers Home Health Care, 2465 Sheridan Drive, Tonawanda, NY 14150, to designate two (2) of its qualified Aide staff to provide home personal care aides/homemaker services to OFA clients in Lewis County, with a minimum of 30 hours per week, per Aide, but up to a maximum of 40 hours per week, per Aide, as authorized; and

WHEREAS, the rate of pay for these home health care aides servicing OFA’s EISEP/CSE eligible clients is at the rate of \$40 per hour pursuant to authorized assignment by OFA and upon submission of itemized monthly statements of detailed services provided; and

WHEREAS, the Board of Legislators wishes to authorize this agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Office For the Aging with Caregivers Home Health Care, of Tonawanda, NY 14150, to designate two (2) qualified home health aides to provide personal care aides/homemaker services for eligible OFA clients under its EISEP and CSE respite programs.

Section 2. That the term of this agreement shall be from January 1, 2023 through December 31, 2023 at a cost of \$40/hr for said services, with a minimum of 30 hours/week/aide to a maximum of 40 hours/week/aide. This agreement may be renewed annually upon mutual written agreement of the parties.

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

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

Moved by Legislator Hathway , seconded by Legislator Virkler , and adopted on the 4th day of October, 2022.

RESOLUTION NO. 234 - 2022
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS
AND SHI INTERNATIONAL FOR PROGRAMMING SERVICES RELATIVE TO A
LEWIS COUNTY PUBLIC TRANSPORTATION PRESENCE ON THE TRANSIT APP**

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

WHEREAS, the County of Lewis is working on including Lewis County Public Transportation route and real-time bus location information on the Transit App; and

WHEREAS, the County of Lewis will need to retain the services of a software service company to deploy the required GTFS-rt data from its fleet to the app; and

WHEREAS, the Board of Legislators wishes to obtain the services of an existing Sourcwell vendor, SHI International (via Swiftly), to provide the required real-time passenger information module along with the live operation, rider alerts, and on-time performance modules; and

WHEREAS, the cost of this three-year service and module agreement will not exceed \$55,732.10, payable in implementation installments as set forth in the proposal quote;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a three-year agreement from December 1, 2022 through November 30, 2025, with SHI International (via Swiftly) made available by the Sourcwell – Technology Catalog Solutions Contract No. 081419-SHI not to exceed \$55,732.10, to provide the software and implementation services necessary for Lewis County Public Transportation presence on the Transit App.

Section 2. That the Chairman of the Board of Legislators or the Vice-Chairman be and the same is hereby authorized to execute, seal and deliver such Agreement and any amendments thereto, upon such terms as may be approved by the County Attorney.

Section 3. That within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 4th day of October, 2022.

RESOLUTION NO. 235 - 2022
AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY AND
NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION TO PROVIDE
ROUND 3 REIBURSEMENT FUNDS FOR ELIGIBLE SEPTIC AND CESSPOOL
REPLACEMENT PROJECTS IN LEWIS COUNTY

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

WHEREAS, the Clean Water Infrastructure Act of 2017 established the State Septic System Replacement Fund Program (a grant program to counties), to allow for participating counties to reimburse eligible property owners for a portion of costs to improve/replace cesspools and septic systems that impair or threaten waterbodies; and

WHEREAS, in 2021, the County was accepted into the program with funding of \$85,000.00 by authority of the Board of Legislators, and execution of the System Replacement Program Participation Agreement with EFC. Under the terms of the agreement, the County could seek disbursement from EFC to reimburse qualifying property owners up to 50% of the eligible costs of eligible septic/cesspool improvements/replacements. The agreement required the County to create a plan to notify eligible property owners of the potential funding and process requirements, and named the Director of Planning as point person and the County Manager as the alternate under the program; and

WHEREAS, the County Manager has received notification that the County has been accepted into Round 3 of this Grant, increasing the funding from \$85,000.00 to \$275,000.00 for such eligible projects commencing September 1, 2022 through December 31, 2026; and

WHEREAS, the Board of Legislators wishes to authorize said agreement and continue participation in this funding reimbursement program;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes an updated and superseding agreement between the County of Lewis, by and through the Lewis County Planning and Community Development Department, and NYS Environmental Facilities Corporation to participate in Round 3 of the State Septic System Replacement Grant Fund Program.

Section 2. That the County Manager is hereby authorized to make, execute, seal and deliver said Agreement and any amendments or additional round grants, pending review and approval by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 4th day of October, 2022.

RESOLUTION NO. 236 - 2022
RESOLUTION REGARDING SEQRA REVIEW OF A
NEW TRAIL TO BE ADDED TO THE LEWIS COUNTY ATV/OHV
TRAIL SYSTEM AND DECLARING NO SIGNIFICANT IMPACT
(JOSEPH P. VANHANDEL PROPERTY AND CERTAIN PORTIONS OF BURDICK'S
CROSSING ROAD AND LYONS FALLS ROAD)

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

WHEREAS, the Lewis County Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles/Off Highway Vehicles is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

WHEREAS, the Board of Legislators has heretofore conducted an extensive evaluation of the potential environmental impacts associated with the development of a county-wide ATV/OHV trail system pursuant to 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

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement ("DGEIS") and a Final GEIS (collectively the "GEIS"), the Board of Legislators accepted the GEIS as complete and on January 29, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board's conclusions and determinations, based upon the facts and analysis contained in the GEIS; and

WHEREAS, upon completion of its SEQRA review, the Board of Legislators formally established the Lewis County Trail System (herein "Trail System") by adopting Local Law No. 2-2009, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM", which was amended and re-established pursuant to Local Law No. 3-2019; and

WHEREAS, both Local Law No. 3-2019 and the Statement of Findings contemplate future amendments to the Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments, and in particular, the procedures for amending the GEIS in compliance with SEQRA prior to amending the Trail System; and

WHEREAS, the Director of Recreation, Forestry and Parks has presented the Board of Legislators with a request to add off-road trails on properties owned by Joseph P. VanHandel, located on the Burdick's Crossing Road (CR 36) in the Town of

Greig, parcel number 290.02-01-13.100, and 4577 Lyons Falls Road (CR 76), in the Town of Greig, parcel number 290.02-01-14.000, to the ATV/OHV Trail System; and opening approximately .2 miles on the Burdick's Crossing Road from the current trail to connect the trail to the VanHandel property and opening approximately 250 feet on the Lyons Falls Road from the trail on the VanHandel property to connect to the current trail; and

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed trails, roads and properties, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators received a report from the Soil and Water Conservation District detailing their investigations and findings with respect to the proposed trails on Joseph P. VanHandel's properties in the Town of Greig, and the opening of the sections of the Burdick's Crossing Road and Lyons Falls Road to connect the new trail, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and Statement of Findings;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. Based upon its review and analysis of the data contained in the Report and the Specific Environmental Review and Assessment Statement on the trails identified, the Board of Legislators hereby finds and determines that:

- a. The Report adequately sets forth the relevant and material facts necessary for the Board of Legislators to make a decision;
- b. The Report adequately describes the consultant's investigations and analysis as to any significant adverse impacts and necessary mitigations for the specific sites;
- c. The Report's findings are consistent with the criteria identified and set forth in the GEIS and the Statement of Findings;
- d. The investigation and analysis of the sites described does not reveal any environmental impacts that were either not addressed or were not adequately addressed in the GEIS and the Statement of Findings.

Section 2. As a consequence of these determinations, the Board of Legislators hereby finds and declares that the addition of Joseph P. VanHandel's properties, in the Town of Greig, known as tax map parcels 290.02-01-13.100 and 290.02-01-14.000, to the Lewis County Trail System, together with the opening of approximately .2 miles of the Burdick's Crossing Road and approximately 250 feet on the Lyons Falls Road to connect to this new trail, will not result in a significant environmental impact.

Section 3. The Board of Legislators further finds and declares that pursuant to 6 NYCRR Part 617.10(d), a Supplemental Findings Statement need not be filed, and

no further action need be taken with regard to the County's environmental review of the sites identified and therefore, the Board has completed its lead agency responsibilities under SEQRA with regard to these sites.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Hathway , seconded by Legislator Virkler , and adopted on the 4th day of October, 2022.

RESOLUTION NO. 237 - 2022
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 4 – 2022, COUNTY OF LEWIS

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on September 6, 2022, directing that a public hearing be held by said Board on October 4, 2022 from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on 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)”; and

WHEREAS, notice of said public hearing, along with notice of the public hearing on adding portions of the VanHandel property to the trail system was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on September 28, 2022, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and the addition of the VanHandel property to the trail system; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 4-2022), County of Lewis, being “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 and the same hereby is designated as Local Law No. 4-2022, County of Lewis.

Section 2. That Local Law No. 4-2022, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and

informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Virkler , seconded by Legislator Leviker , and adopted on the 4th day of October, 2022, pursuant to the following roll call vote:

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

NAYS:

ABSENT: Osborne

RESOLUTION NO. 238 - 2022
RESOLUTION TO INCORPORATE
JOSEPH P. VANHANDEL PROPERTY
INTO THE LEWIS COUNTY ATV/OHV TRAIL SYSTEM

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

WHEREAS, the Lewis County Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles/Off Highway Vehicles is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

WHEREAS, the Board of Legislators has heretofore conducted an extensive evaluation of the potential environmental impacts associated with the development of a county-wide ATV/OHV trail system pursuant to 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

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement (“DGEIS”) and a Final GEIS (collectively the “GEIS”) and accepted the GEIS as complete on January 29, 2009. The Board of Legislators issued a written Statement of Findings setting forth the Board’s conclusions and determinations, based upon the facts and analyses contained in the GEIS; and

WHEREAS, upon completion of its SEQRA review, the Board of Legislators formally established the Lewis County Trail System (herein “Trail System”) by adopting Local Law No. 2-2009, “A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM”, which was amended and re-established pursuant to Local Law No. 3-2019; and

WHEREAS, both Local Law No. 3-2019 and the Statement of Findings contemplate future amendments to ATV/OHV Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments and additions; and

WHEREAS, the Recreation, Forestry and Parks Director has presented the Board of Legislators with a request to add properties owned by Joseph P. VanHandel, which are located in the Town of Greig, identified as parcel numbers 290.02-01-13.100 and 290.02-01-14.000 to the Lewis County Trail System, along the Burdicks Crossing Road and Lyons Falls Road; and by adding these properties to the trail system the trail system can be connected to VanHandel’s property by incorporating the opening of approximately .2 miles on the Burdick’s Crossing Road and approximately 250 feet on the Lyons Falls Road; and

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed properties, county roads, and trail, pursuant to the Statement of Findings issued by the Board of Legislators on January 29, 2009 and the procedures set forth in Local Law No. 3-2019; and

WHEREAS, the Board of Legislators contemporaneously herewith completed its review under SEQRA with respect to the properties, the opening of a portion of the Burdick's Crossing Road and Lyons Falls Road to connect to the trail identified on VanHandel's property above; and based upon an investigation and analysis conducted by the Soil and Water Conservation District, has found and determined that adding these properties and the opening of certain portions of the named roads to the Lewis County ATV/OHV Trail System will not result in a significant environmental impact; and

WHEREAS, the owner of the properties, Joseph P. VanHandel, has executed an Access Agreement with the County of Lewis by and through the Director of Recreation, Forestry and Parks, that permits the County to enter upon his properties for the purpose of constructing and maintaining the ATV/OHV trail that will be open to the public and part of the County's ATV/OHV trail system;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The trail located on the above referenced properties, owned by Joseph P. VanHandel, which are located in the Town of Greig, identified as parcel numbers 290.02-01-13.100 and 290.02-01-14.000 and more fully described in the Supplemental Statement prepared by the Soil and Water Conservation District, is hereby deemed incorporated into and made a part of the Lewis County Trail System.

Section 2. The Lewis County Board of Legislators hereby authorizes the addition of the Joseph P. VanHandel properties to the Lewis County ATV/OHV Trail System, and authorizes amendment to the maps of the Lewis County Trail System as the same are published on the Lewis County website and elsewhere to include the trail described herein, together with such other and further actions as may be necessary to administer and maintain such trail consistent with the Lewis County ATV Trail Plan, the GEIS and Statement of Findings, and Local Law No. 3-2019.

Section 3. That the Director of Recreation, Parks and Forestry is authorized to make, execute and deliver such additional Access Agreements for the aforesaid properties, upon approval of the County Attorney as to form.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 4th day of October, 2022.

RESOLUTION NO. 239 - 2022
RESOLUTION TO AUTHORIZE “I LOVE NY” CAMPAIGN MATCHING FUNDS
AND DESIGNATE LEWIS COUNTY CHAMBER OF COMMERCE
AS THE COUNTY’S AGENT TO SUPERVISE
PROMOTION AND MARKETING OF THE CAMPAIGN

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

WHEREAS, in order to enhance and promote tourism within New York State, the NY Empire State Development Corporation offers to match local municipality contributions to the “I Love NY” promotional and marketing campaigns; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize and appropriate \$50,000.00 in matching funds to demonstrate its commitment to the “I Love NY” promotional campaign for 2023; and

WHEREAS, the Lewis County Board of Legislators seeks to designate the Lewis County Chamber of Commerce as the agent to supervise the promotion and marketing of the “I LOVE NY” campaign, and to market the benefits of Lewis County tourism with utilization of the County’s 2023 matching funds as well as the State’s committed funds; and the Board seeks to enter into an Agreement with the LC Chamber of Commerce to provide such services as the designated agent of the County under this State program.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby commits to appropriate \$50,000.00 in matching local funds toward the 2023 “I LOVE NY” promotional and marketing tourism campaign in Lewis County.

Section 2. That the Board of Legislators hereby designates the Lewis County Chamber of Commerce as the County’s agent to supervise and conduct the promotional and marketing programs for Lewis County tourism under the 2023 campaign, with the utilization of the aforesaid County matching funds as well as the State’s committed funds to the campaign, and endorses the application by the Chamber for matching funds under the program.

Section 3. That the Board of Legislators authorizes an Agreement with the Lewis County Chamber of Commerce to act as the County’s agent under the 2023 “I LOVE NY” campaign, and to perform the services of promoting and marketing the benefits of tourism in the County of Lewis with the funds so provided under the campaign, for the period from January 1, 2023 through December 31, 2023.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreement and any and all other

necessary papers and documents in connection with the application and program, pending approval by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 4th day of October, 2022.

RESOLUTION NO. 240 - 2022
RESOLUTION AUTHORIZING A
MEMORANDUM OF UNDERSTANDING BETWEEN
LEWIS COUNTY DEPARTMENT OF RECREATION, FORESTRY & PARKS
AND BOARD OF COOPERATIVE EDUCATIONAL SERVICES (BOCES) FOR
ACCESS TO COUNTY PROPERTY FOR FORESTRY STUDENTS TO PARTICIPATE
IN BOCES INTERNSHIP PROGRAM

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

WHEREAS, the Lewis County Department of Recreation, Forestry and Parks (“LCRFP”) is responsible for all Lewis County reforestation property; and

WHEREAS, the Board of Cooperative Educational Services (“BOCES”) provides an Internship Program for their students who are in a program in the field of natural resource management, conservation and forestry. The forests, fields and streams serve as their primary classrooms as they gain practical hands-on experience in the forest industry; and

WHEREAS, LCRFP desires to partner with the BOCES program by having LCRFP participate in the BOCES Internship Program for projects, including but not limited to various building, maintenance and forestry activities, under the terms and conditions of BOCES Internship Program. In addition, the LCRFP desires to grant BOCES access to the County’s reforestation property in order to provide its students with forests, fields, and streams to gain practical hands-on experience in the forest industry. Some of the projects may consist of building lean-to’s, building trails, and creating signs; and

WHEREAS, the Board of Legislators wishes to accept such program and provide such authorization;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Understanding between the Lewis County Department of Recreation, Forestry and Parks and the Board of Cooperative Educational Services to enable its students to gain hands-on field experience by providing access to County reforestation property to BOCES for management, conservation and educational experiences and activities by its students. The Director of LCRFP shall be provided with prior notice and shall authorize all dates, locations and scheduled activities by the students. BOCES students must be properly supervised by BOCES personnel at all times, with BOCES being solely and fully liable for any and all claims associated with said activities.

Section 2. That the term of this Agreement shall be from September 1, 2022 and continue through August 31, 2023, with annual renewal upon mutual written agreement.

Section 3. That the LCRFP Department is authorized to participate in the Internship Program, provided there is no cost to the County and provided that BOCES is fully insured for such activity and will indemnify and hold the County harmless with respect to any and all claims by its participants.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators together with the Director of Recreation, Forestry and Parks are hereby authorized to make, execute, seal and deliver such Agreement and any renewals, upon approval by the County Attorney as to form and content.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 4th day of October, 2022.

RESOLUTION NO. 241 – 2022
SUPPORT OF THE SNOWMOBILE TRAIL
DEVELOPMENT AND MAINTENANCE FUND

Introduced by Legislator Leviker, member of the General Services Committee.

WHEREAS, snowmobiling is a key contributor to Lewis County's winter tourism industry, bringing significant spending by snowmobilers supporting our restaurants and small businesses, with this industry contributing up to \$868 million annually to the Upstate New York economy; and

WHEREAS, Lewis County snowmobile clubs maintain over 504 miles of trails throughout the County, and 10,500 miles of trails statewide; and

WHEREAS, the maintenance of the snowmobile trails in Lewis County is undertaken almost entirely by volunteers who are members of snowmobile clubs; and

WHEREAS, we must ensure that Lewis County's snowmobile trail infrastructure is in a condition to welcome snowmobilers who rely on safe and well maintained trails for their family and friends; and

WHEREAS, since 1987, the New York State Snowmobile Trail Development and Maintenance Fund has been utilized by municipalities and their snowmobile club partners to properly groom and maintain local snowmobile trails, including through the purchase of necessary grooming equipment which has significantly increased of late; and

WHEREAS, registration fees which support the Fund, have not been increased since 2004 despite the significant increase in the costs of maintenance and grooming. The NYS Snowmobile Association and its member clubs seek to increase the snowmobile registration fees in order to provide the additional funding the municipalities and snowmobile club partners desperately need to continue the outstanding volunteer work club members do for this major winter recreational sport and tourist attraction to Upstate New York; and

WHEREAS, snowmobiling is marketed by the State as one of its main winter attractions and tourism features; and

WHEREAS, the Lewis County Legislators support an increase in the snowmobile registration fees, for appropriate distribution to the municipalities and snowmobile club partners in Upstate New York through the NYS Snowmobile Trail Development and Maintenance Fund to support the time and financial investments made by our local snowmobile clubs to develop and maintain the pristine snowmobile trails in Lewis County;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators supports an increase in the snowmobile registration fee proposed by the NYS Legislature to be paid into the NYS Snowmobile Trail and Maintenance Fund for distribution to the municipalities and snowmobile clubs in Upstate New York so that they may continue the exceptional work by their volunteers to develop, groom and maintain the snowmobile trails.

Section 2. That the Clerk of the Board is directed to forward certified copies of this Resolution to Governor Hochul and the majority and minority leaders of the New York State Senate and Assembly, and all others deemed appropriate to receive same.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 4th day of October, 2022.

RESOLUTION NO. 242 - 2022
RESOLUTION TO APPROPRIATE FUNDS
E911

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved to take place in the E911 accounts for additional PSAP grant funds:

Increase Revenue:

A0302000 331400 PSAP	\$12,255.00
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Increase Expenditure:

A0302000 290900 Misc Equipment	\$12,255.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway , seconded by Legislator Virkler , and adopted on the 4th day of October, 2022.

RESOLUTION NO. 243 - 2022
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS 911 OPERATIONS AND
INTEGRATED SYSTEMS UNDER THE FY21 SICG GRANT FUNDS FOR
MICROWAVE POINT TO POINT LINK UPGRADES

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

WHEREAS, the New York State Division of Homeland Security and Emergency Services recently notified the County of its approval of the quote of \$60,149.36 from Integrated Systems, as an acceptable single source procurement, for the County's proposed upgrade to its microwave point to point link that connects the Main Dispatch Center to the Backup Center and main county building as a redundant connection for its 911 vital functions and system; and

WHEREAS, Integrated Systems, 50 Victor Heights Parkway, Victor, NY 14564 has familiarity with the County's point to point system and the closest vendor available and able to respond for repairs, if necessary; and

WHEREAS, funding for this upgrade project will be covered under the FY21 SICG Radio grant (Project # S121-1016-E00), payable from budget line 3020-291806; and

WHEREAS, the Board of Legislators seeks to authorize the agreement and funding source for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes an Agreement between the County of Lewis, by and through the Lewis County 911 Operations, and Integrated Systems to provide the installment and equipment costs associated with the upgrade of the Microwave Point to Point Link system that serves as a redundant connection for the 911 functions and systems, at a cost of \$60,149.36, for the scope of services identified in the proposal dated August 12, 2022, and which shall be payable from the FY21 SICG Radio Grant fund, budget line 3020-291806;

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreement, and any amendments, addenda or appendices required under said funding, pending review and approval by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 4th day of October, 2022.

RESOLUTION NO. 244 - 2022
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN LEWIS COUNTY
DEPARTMENT OF SOCIAL SERVICES AND NRCIL, BETHEL CHURCH AND
CATHOLIC CHARITIES FOR WARMING CENTER SERVICES FOR THE 2022/2023
“CODE BLUE” SEASON

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

WHEREAS, the pursuant to NYS Office of Temporary and Disability Assistance (OTDA), the Lewis County Department of Social Services (DSS) is charged with housing the homeless when the temperature is below 32 degrees (including the wind chill factor), known as “Code Blue.” The expenses incurred for Code Blue services are 100% reimbursed by OTDA pending the approval of the Code Blue Plan; and

WHEREAS, the Commissioner received quotes and offers from various local entities to assist with finding a proper location to allow the homeless to seek shelter over night in a warming center where they can rest, have access to bathrooms, food and basic services; and

WHEREAS, the Bethel Church of the Nazarene, at 7476 State Rte 12, Lowville NY 13367 has offered its gathering room for Code Blue recipients to use from approximately October 1, 2022 to April 1, 2023, during the 2022/2023 cold season, at a rent of \$10,000 for the season, inclusive of heat, electric, wifi, kitchen appliances and equipment, television, other small amenities and damages. NRCIL (Northern Regional Center for Independent Living), Jackson Street, Lowville, NY has offered to provide the proper staffing over night at the warming center location, at a cost of \$112,102.00; and Catholic Charities of Lewis County, Blue Street, Glenfield, NY has agreed to provide the furnishings, supplies and other incidentals at the warming center at a cost of \$12,000.00; and

WHEREAS, the Board of Legislators wishes to authorize these agreements and creation of this temporary warming center in order for LCDSS to meet its obligations under Code Blue conditions;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes separate agreements with: 1) Bethel Church to provide the warming center location at its building at 7476 State Rte 12, Lowville NY 13367, during the hours of 7PM-7AM during the 2022/2023 “Code Blue” season to enhance DSS’ responsibilities to provide the homeless with a safe and warm location overnight, at a cost of \$10,000.00 for the season; 2) NRCIL to provide the proper staffing of this warming center during its hours of operation at a cost of \$112,102.00; and 3) Catholic Charities

of Lewis County to provide supplies, furnishings and other incidentals at the center, at a cost of \$12,000.00

Section 2. That this Warming Center and the agreements required for same is established for the 2022-2023 Code Blue Season.

Section 3. That the Chairman of the Board of Legislators together with Commissioner of the Department of Social Services is hereby authorized to make, execute, seal and deliver such Agreements, pending approval by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 4th day of October, 2022.

RESOLUTION NO. 245 - 2022
RESOLUTION AUTHORIZING AN EXTENSION
AGREEMENT BETWEEN THE COUNTY OF LEWIS AND
ICU SECURITY & PRIVATE INVESTIGATIONS FOR
ARMED SECURITY GUARD SERVICES AT THE
DEPARTMENT OF SOCIAL SERVICES BUILDING

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

WHEREAS, the County of Lewis, on behalf of the Lewis County Department of Social Services (“DSS”), entered into an agreement dated September 2, 2020 with ICU Security & Private Investigations (“ICU”) pursuant to Resolution No. 241-2020, for armed security guard services for the DSS building located on Outer Stowe Street, Lowville, NY; and

WHEREAS, this was for the term commencing November 1, 2020 through October 31, 2021 at a cost not to exceed \$82,836.75, inclusive of 2,232 hours at regular pay and no more than 25 hours overtime pay; with an additional extension from November, 2021 through October, 2022, at the same cost; and

WHEREAS, DSS desires to extend the agreement for another one year period commencing November 1, 2022 through October 31, 2023, at an annual cost of \$82,836.75, but subject to a possible modification as a result in a change in the NYS Department of Labor prevailing wage rates effective July 1, 2023; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an additional one-year extension Agreement between the County of Lewis, by and through the Lewis County Department of Social Services, with ICU Security & Private Investigations for armed security guard services for the temporary DSS building located on Main Street, Glenfield, NY and DSS building located on Outer Stowe Street, Lowville, NY after renovations are complete.

Section 2. That the term of the Agreement shall be from November 1, 2022 through October 31, 2023, at a cost of \$ 82,836.75, with possible prevailing wage adjustment. DSS will receive 75% reimbursement of this expense through Federal and State funding sources, with the local County share being 25%.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement and any prevailing wage amendment, pending approval by the County Attorney.

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

Moved by Legislator Hathway , seconded by Legislator Virkler , and adopted on the 4th day of October, 2022.

RESOLUTION NO. 246 - 2022
RESOLUTION TO APPROPRIATE FUNDS
SOLID WASTE

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

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Solid Waste accounts for additional revenue and associated expenditures incurred over the preliminary budget related to one large municipal disposal project:

Increase Revenue:

ES816000 321300 Refuse & Garbage	\$500,000.00
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Increase Expenditure:

ES 816000 490290 Refuse Expense	\$500,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway , seconded by Legislator Virkler , and adopted on the 4th day of October, 2022.

RESOLUTION NO. 247 - 2022
UPDATED DESIGNATION OF DEPOSITORIES

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

WHEREAS, Section 212 of the County Law, General Municipal Law Section 10, and the County's Investment Policy provide that the Board of Legislators shall designate one or more depositories for deposit of all monies received by the County Treasurer, and specify the maximum amount which may be kept on deposit in each depository; and

WHEREAS, the Treasurer seeks to have the Board of Legislators update the amounts on deposit in the designated depositories for County monies, with the addition of Carthage Federal Savings and Loan Association;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the following named banks, banking associations or trust company(s) be designated as depositories for County of Lewis monies up to the maximum amount as set opposite each named:

Community Bank N.A.	\$40,000,000.00
Key Bank of Central NY N.A.	\$25,000,000.00
JP Morgan Chase Bank	\$25,000,000.00
RBC Wealth Management	\$40,000,000.00
Chemung Canal Trust Company	\$25,000,000.00
NYCLASS	\$25,000,000.00
Carthage Savings and Loan Association	\$10,000,000.00

Section 2. That the Clerk of the Board is authorized and directed to file a certified copy of this resolution in the office of the Lewis County Clerk.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 4th day of October, 2022.

RESOLUTION NO. 248 - 2022
RESOLUTION AWARDBING BIDS AND AUTHORIZING AGREEMENTS BETWEEN
THE COUNTY OF LEWIS AND FOUR (4) SEPARATE PRIME CONTRACTORS
IDENTIFIED FOR THE DMV/BOE RENOVATION PROJECT

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

WHEREAS, the County of Lewis engaged C&S Companies (C&S) as the professional engineering design and construction support services consultants for the DMV/BOE Building Renovation Project as part of the 2022 Facilities Improvement Project, with KT Construction Consulting Co., Inc. (KT) serving as the County's Resident Project Representative for the renovations, improvements and additions at the DMV building location; and

WHEREAS, a Request for Proposals (RFP) was compiled and distributed by C&S, with bid proposals returned on September 27, 2022 for four (4) separate contracts under the project, i.e., General Construction, Mechanical Construction, Plumbing Construction, and Electrical Construction, as more fully set forth in the RFP; and

WHEREAS, on September 27, 2022 at 3:30 pm the County received and opened a total of eighteen (18) bid proposals under the four categories of construction in response to the RFP; and

WHEREAS, all bid proposals were reviewed and analyzed by the engineer/architect consultant, KT, and Director of Buildings and Grounds and considered by the Board; and

WHEREAS, the consultants and reviewing staff recommend that the Board award the bids to the lowest responsive bidder in each contract category as follows:

Contract No. 1 - General Construction:	
Powis Contracting Inc., Copenhagen, NY -	\$ 1,660,000.
Contract No. 2 - Mechanical Construction:	
Hyde-Stone Mechanical Contractors, Inc., Watertown, NY -	\$ 258,000.
Contract No. 3 - Plumbing Construction:	
Hyde-Stone Mechanical Contractors, Inc., Watertown, NY -	\$ 46,680.
Contract No. 4 - Electrical Construction:	
S.C. Spencer Electric, Inc., Constableville, NY -	\$ <u>301,000.</u>

for a total award of \$2,265,702.00 for the four (4) separate contracts;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby determines that the following companies provide the best value for the County as defined under Local Law No. 2-2013, at a firm price with the lowest responsible bid in each of the contract categories, for the 2022 DMV/BOE Renovation Project as outlined in the RFP.

Section 2. The Lewis County Board of Legislators hereby awards four (4) individual bids to the following companies at the following bid amounts:

Contract No. 1 - General Construction:	
Powis Contracting Inc., Copenhagen, NY -	\$ 1,660,000.
Contract No. 2 - Mechanical Construction:	
Hyde-Stone Mechanical Contractors, Inc., Watertown, NY -	\$ 258,000.
Contract No. 3 - Plumbing Construction:	
Hyde-Stone Mechanical Contractors, Inc., Watertown, NY -	\$ 46,680.
Contract No. 4 - Electrical Construction:	
S.C. Spencer Electric, Inc., Constableville, NY -	\$ <u>301,000.</u>

Section 3. That the Lewis County Board of Legislators hereby authorizes contracts to be entered into with each identified awarded bidder set forth above, for the identified materials and construction services described, in accordance with the specifications, conditions, contract completion requirements and fee schedule set forth in the RFP and the addenda thereto; at the cost set forth above for each identified contract, with the total cost of all four contracts amounting to \$2,265,702.00, with extensions of contract completion at the option of the County.

Section 4. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreements and any extensions, upon such terms and conditions as may be approved by the County Attorney.

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

Moved by Legislator Virkler , seconded by Legislator Chartrand .

Legislator Nellenback stated that he had received concerns from some of his constituents about why the county would be choosing to build a building for the DMV and Board of Elections when they own the old Glenfield Elementary school, which could be utilized for the same purpose. The idea of utilizing the old Glenfield Elementary School building would save a significant amount of money rather than building new. Chairman Dolhof indicated that the Board of Elections is required by NYS law to be inside the Village o Lowville limits (the county seat). Legislator Nellenback suggested that the DMV could be moved to the old Glenfield Elementary School building to save some money.

Chairman Dolhof explained that the purpose of the DMV/Board of Election building is to relocate the Board of Elections there as the DMV is already set up and seems to be working well in that location. Legislator Virkler stated that the Lewis County IDA will be working to send out a RFQ to see what potential businesses might want to utilize that building.

The resolution was then adopted on the 4th day of October, 2022. Legislator Nellenback was opposed.

RESOLUTION NO. 249 - 2022
RESOLUTION PROVIDING COMMENT TO THE PUBLIC SERVICE COMMISSION IN
SUPPORT OF REENERGY HOLDINGS LLC REQUEST FOR BIOENERGY
GENERATION COMPENSATION AS
RENEWABLE ENERGY SYSTEM.

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

WHEREAS, since 2004 and the inception of New York's renewable energy policy, the Public Service Commission considered biomass as a renewable energy resource; and

WHEREAS, in 2019, the State passed the Climate Leadership and Community Protection Act (CLCPA), with its stated goal to reduce greenhouse gas emissions 100% by 2050, and with a 40% reduction in climate pollution by 2030 by investment in renewable energy systems. That legislation failed to recognize biomass energy facilities as falling under the renewable energies definition; and

WHEREAS, the 2019 legislation included the formation of the Climate Action Council, a committee to review and consider the viability and role of bioenergy under this new legislation, *inter alia*, large scale biomass energy systems, especially in upstate regions where biomass systems provide economic support and development to the region. The 2019 law and Council continue to take a very narrow approach and view of biomass energy facilities and a renewable energy definition to the detriment of the North Country economy; and

WHEREAS, in March, 2022, the Lewis County Board of Legislators adopted a Resolution to support Senator Patty Ritchie's S-1861 Bill and Assemblyman Kenneth D. Blankenbush's A-09127 Bill geared as a carve-out to the 2019 law to address the viability and importance of continuing the biomass facility at Fort Drum as environmentally friendly and a renewable energy source by its conversion from coal-fired burning to biomass-fired electric generating, supplied by using sustainable forest management practices and guidelines outlined by the DEC; and

WHEREAS, biomass facilities, including the one at Fort Drum, support the Lewis County local economy, with many of its residents' economically dependent upon the biomass facilities in sustaining jobs related directly and indirectly to the wood industry and forests in the North Country. In the last 12 months, ReEnergy Holdings spent \$3.5 million with 43 Lewis County vendors connected to its biomass facilities; and

WHEREAS, the NYS Public Service Commission set a 60 day comment period as a result of the petition filed by ReEnergy Holdings LLC to request the Commission

commence a proceeding to compensate bioenergy generation for the environmental benefits it provides the State; and

WHEREAS, the ReEnergy facility located at Fort Drum provides energy security and resiliency to Fort Drum, thereby enhancing this installation's military value to the Army and Department of Defense, and places the base at the forefront of the nation's military goals for sustainability. The facility is certified by the Sustainable Forestry Initiative, as its feedstock for the biomass energy is sourced from local logging professionals throughout the North County who utilize best management practices; and

WHEREAS, the continuation of compensation for the environmental attributes provided by ReEnergy's bioenergy facility at Fort Drum is critical to energy security and resiliency for Fort Drum, and will support the Lewis County economy for those dependent upon the Fort Drum bioenergy facility for their livelihood; and

WHEREAS, while one-third of the energy generation from this bioenergy facility meets 100% of Fort Drum's needs, the remaining two-thirds generation goes into the grid contributing to New York's renewable energy goals.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby supports the efforts of Reenergy Holdings LLC to continue its bioenergy system at Fort Drum, and urges the Public Service Commission to recognize and financially compensate bioenergy generation, as provided by ReEnergy at the Fort Drum installation, for the environmental and economic benefits it provides to the State as well as the local communities in the North Country, including the County of Lewis.

Section 2. That the Lewis County Board of Legislators calls upon the PSC to consider expansion of the definition of "renewable energy" to include bioenergy facilities that utilize wood or herbaceous matter harvested by sustainable forest management practices.

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

Section 4. That the Clerk of the Board is directed to forward a certified copy of this resolution to Michelle L. Phillips, Secretary of the Public Service Commission, NYS Senator Patty Ritchie, NYS Assemblyman Kenneth D. Blankenbush, and all others deemed appropriate by the Board of Legislators.

Moved by Legislator Hathway , seconded by Legislator Chartrand .

Legislator Hathway stated that the loggers and logging industry in Lewis County is vitally important and has been for years. What the state is trying to do is very short sighted and he appreciates this resolution being put forward.

Chairman Dolhof gave a brief history of the 2008 law that the state passed for Climate Leadership Goals and how that has negatively affected not only our County but surrounding counties. There are over 25 businesses in Lewis County that are related to the logging industry. By removing bioenergy as renewable energy, businesses have went under as they are no longer receiving the tax credits. The logging industry not only is a huge part of Lewis County, but also helps control the health of our forests by chipping the debris left so that new and young growth can flourish.

Legislator Nellenback felt that the property taxpayers who have received income from logging their land and chipping some of the wood will also be negatively affected by this.

The resolution was then adopted on the 4th day of October, 2022.

RESOLUTION NO. 250 - 2022
RESOLUTION DIRECTING DEMOLITION, REMOVAL AND SITE CLEAN UP
OF AN UNSAFE BUILDING PURSUANT TO LOCAL LAW NO. 2-2007,
(TOWN/VILLAGE OF LOWVILLE)

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," (herein "Unsafe Building Law"), 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, by Resolution No. 197-2022, the Board of Legislators ordered that Nadine M. Delles and/or her legal representatives, appear before the Board of Legislators on October 4, 2022 at 5:00 p.m. to Show Cause why the Board should not Order said owner or her legal representative to: 1) immediately repair and removal all violations and defects and secure said structure, or 2) to demolish and remove the building located on the parcel, in accordance with all laws and regulations, including any regulations required by the NYS Department of Environmental Conservation; and subject to the outstanding judgment and environmental lien of the State; and

WHEREAS, pursuant to Local Law No. 2-2007, the owner was served with due notice of the hearing, by personal service and by regular mail. A Notice of the Hearing was securely affixed upon the unsafe building/structure; and

WHEREAS, on October 4, 2022, no one appeared before the Board of Legislators, on behalf of the owner, nor was there any written communication received by the County. The County Attorney spoke on behalf of the Lewis County Code Enforcement Department and read into the record the critical information on the condition of the property as set forth in the report of the Code Enforcement Officer, the attempts to have the owner or her representative, if any address same, the procedural steps and notice requirements to which the County complied under the Local Law, and the recommendation for the Board to find that this is an unsafe structure and order its demolition and removal, with the costs and expenses of same to be assessed against the property as additional taxes, as more fully set forth in Local Law No. 2-2007;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby finds and determines in accordance with Local Law No. 2-2007, the report of the Lewis County Code Enforcement Officer, and after the opportunity of the owner or her representative to be heard at the hearing on October 4, 2022, 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. A Notice as described in Section 7 of Local Law No. 2-2007 and copy of Resolution No. 197-2022 was duly served upon Nadine M. Delles and any known legal representatives.
3. That consistent with the information contained in the Report of the Code Enforcement Officer, the Board finds and determines that the residential structure located at 5507 Trinity Avenue, Lowville, NY is abandoned, unsecured, has foundational damage, structural damage to the roof, has failed ceiling and wall finishes, filth and feces on the floors, lacks smoke detectors and water; is damaged and dilapidated to the point of being unsafe, unfit for human occupancy, a danger to anyone who may attempt to enter, beyond repair, and therefore should be demolished and removed as set forth in Local Law No. 2-2007.
4. 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 statutory interest and penalties pursuant to Navigation Law Article 12, for remediation expenses undertaken and incurred by the New York State Environmental Protection and Spill Compensation Fund identified as Spill Number 13-00515, which remains an environmental lien on the premises.

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

ORDERS AND DECREES, that this residential structure located at 5507 Trinity Avenue, Lowville, NY shall be demolished and removed, with all costs and expenses of same to be assessed against the land on which it is located as additional assessed taxes as more fully set forth in Local Law No. 2-2007, with the right of the County to commence a special proceeding to collect the costs of demolition, including legal expenses, if necessary; and further

ORDERS AND DECREES that the Code Enforcement Officer shall cause such building with additional structures to be demolished and removed either

by County employees or by contract, provided that any contract for demolition and removal of a building in excess of \$20,000.00 shall be awarded through competitive bidding; and further

ORDERS AND DECREES, that in the event that all of the costs and expenses of same shall be assessed against the land upon which it is located; and it is further

ORDERED AND DECREED that Notice of this Decision and Order shall be served upon the owner and/or any legal representative by mailing a certified copy of this Resolution to her, at any known addresses, including the last known address according to the records on the property.

Section 3. A copy of these Findings and Decision of the Board of Legislators 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 Leviker, and adopted on the 4th day of October, 2022.

OTHER BUSINESS:

At 5:48 p.m. with no other business to come before the board Legislator Virkler made a motion to adjourn, seconded by Legislator Chartrand and carried.