

**LAST DAY
ANNUAL SESSION
December 22, 2022**

The meeting was called to order at 10:00 a.m. by Chairman of the Board, Lawrence Dolhof.

ROLL CALL: All Legislators were present, except Legislator Chartrand and there were 9 other persons present.

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

Chairman Dolhof declared the December 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: Thomas Osborne
Phil Hathway
Jeffrey Nellenback
Jessica Moser
Joshua Leviker

Dated: December 22, 2022

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

PUBLIC HEARING/PRIVILEGE OF THE FLOOR:

Chairman Dolhof opened the public hearing on CDBG Project #636CVHR50-22, the McNeil Apartments Project at 10:04 a.m. Planning Director, Casandra Buell reported on behalf of Snow Belt Housing Executive Director, Jaylyn Heames, that on April 14, 2022, Snow Belt was awarded CDBG-CV project number 636CVHR50-22 and has been administering the program as a sub recipient on behalf of Lewis County for the extensive renovation of McNeil Park Apartments in Copenhagen. McNeil Park Apartments is a 15-unit apartment building which is regulated by USDA and provides safe, subsidized housing options for low to moderate income residents who are also senior citizens or those who have been diagnosed with a disability.

McNeil Park provides a cost-effective alternative in which residents only pay 30% of their income for rent and utilities. This allows the most vulnerable residents in the community to receive safe and affordable housing. Rehabilitation efforts focused on the following improvements related to the environmental, structural, health, and safety deficiencies of the property: replacement of original wood siding with vinyl siding, replacement of roof, repair of interior walls, common area carpet, doors, and ceilings, repair of damaged and deteriorated sidewalks and parking lot deficiencies, replacement of all emergency exit signs, smoke detectors, heat detectors, nurse alarms, installation of fire alarm panel that auto-transmits emergencies to appropriate authorities, and added ADA compliant handsets to the exterior doors.

The existing tenants were not displaced during the duration of this work. The project is nearing completion and the following items are still under construction: installation of the emergency generator, finalizing the installation of the A/C units for each apartment, and repairing water damage to individual units. The inability to repair deficiencies such as these can result in code violations and/or closure of the property. All construction will allow for the better preparation and response to the outbreak of communicable diseases, such as the Covid-19 pandemic, in an LMI Senior/Disabled property by improving housing conditions and allowing tenants to safely shelter in place.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

There was nothing to report.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

There was nothing to report.

REPORTS OF STANDING COMMITTEES:

Legislator Osborne moved to authorize the two-year renewal policy from Midwest Employers Casualty Company at a fixed rate of \$72,468.00 per year for Excess Workers' Compensation Liability coverage, seconded by Legislator Virkler and carried.

Legislator Gilbert stated he had nothing to report from the General Services Committee.

Legislator Virkler stated she had nothing to report from the Health & Human Services Committee.

COUNTY MANAGER REPORT:

Mr. Piche reported that early this week he took the Watertown Daily Times representative around to all of the ongoing projects, Highway, DMV, and Social Services renovated building. Afterwards the reported went to the Hospital project. The local contractors were highlighted for working on these various projects and taking pride knowing they are bettering their hometown. Highway Superintendent and Emergency Management Director Bob Mackenzie are both expecting some bad weather this weekend and are preparing. In preparation for the impending storm Solid Waste Transfer sites in Lewis County will be closed on Saturday. Hopefully the emergency responders won't have to respond to anything, but they will be ready if needed.

COUNTY TREASURER REPORT:

Mr. Virkler stated that he had nothing to report.

REPORT OF THE FINANCE & RULES COMMITTEE:

RESOLUTION NO. 306 - 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 \$1,266,396.23 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 Leviker, seconded by Legislator Moroughan, and adopted on the 22nd day of December, 2022 pursuant to the following roll call vote:

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

NAYS: None

ABSENT: Chartrand

RESOLUTION NO. 307 - 2022
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND C&S ENGINEERS, INC. TO PROVIDE
PROFESSIONAL DESIGN AND CONSTRUCTION DOCUMENTS AND RELATED
SERVICES FOR MONUMENT SIGNS AT THE NEW HUMAN SERVICES BUILDING
AND HIGHWAY CAMPUS

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

WHEREAS, as part of its Facilities Improvement Project, the Lewis County Board of Legislators seeks to have new signs constructed at both the new Human Services Building on Outer Stowe Street, as well as at the Highway Department campus on East Road; and

WHEREAS, the C&S Engineers, Inc., (C&S), provided the County with a proposal to provide conceptual design and construction documents for a monument double sided digital sign for the Human Services Building, and a conceptual design and construction documents for a monument v shaped sign at the County Highway Facility, with the detailed scope of services to be provided for each, at a cost of \$15,000.00 (\$7,500 per sign); and

WHEREAS, upon the recommendation of the County Manager, the Board of Legislators seeks to accept the sign design and construction services and documents as set forth in C&S' proposal dated August 25, 2022 for the Human Services and Highway facility campuses;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with C& S Engineers, Inc., 499 Col. Eileen Collins Blvd, Syracuse, NY 13212, to provide professional architectural/engineering design and construction support services for a digital double sided monument sign at the Human Services Building and a v shaped monument sign at the County Highway facility as outlined in the proposal dated August 25, 2022, at a cost of \$15,000.00 (\$7,500 per sign & location).

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include provisions for C&S to provide the County with preliminary conceptual designs, foundational plans and details, electrical drawings and specifications, coordination with the County Manager and Construction Team, review of shop drawings, and the related services set forth in the scope of work proposal.

Section 3. That the Lewis County Board of Legislators directs the Treasurer to utilize funds from HAR reserve for these fees.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon review and approval by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 308 - 2022
RESOLUTION RE-APPOINTING MEMBERS
TO THE COMMUNITY SERVICES BOARD
ALCOHOL and SUBSTANCE ABUSE SUBCOMMITTEE

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

BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby re-appoints Matthew Morrow of Lowville, NY as a member of the Lewis County Community Services Board Alcohol and Substance Abuse Subcommittee for a four-year term.

Section 2. That the term of said appointment shall be effective from January 1, 2023 through December 31, 2026.

Section 3. That the Board of Legislators hereby appoints Anna Platz of Lewis County Public Health to fulfill the unexpired term of Chris Paige as a member of the Lewis County Community Services Board Alcohol and Substance Abuse Subcommittee.

Section 4. That the term of said appointment shall be effective from December 22, 2022 through December 31, 2025.

Section 5. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 309 - 2022
RESOLUTION RE-APPOINTING MEMBER
TO THE COMMUNITY SERVICES BOARD AND
THE DEVELOPMENTAL DISABILITIES SUBCOMMITTEE

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

BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby re-appoints Rose Larkins of Turin, NY as a member of the Lewis County Community Services Board and Developmental Disabilities Subcommittee for a four-year term.

Section 2. That the term of said appointments shall be effective from January 1, 2023 through December 31, 2026.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 310 - 2022
RESOLUTION RE-APPOINTING MEMBERS
TO THE COMMUNITY SERVICES BOARD
DEVELOPMENTAL DISABILITIES SUBCOMMITTEE

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

BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby re-appoints Erin Largett of Castorland, NY as a member of the Lewis County Community Services Board Alcohol and Substance Abuse Subcommittee for a four-year term.

Section 2. That the term of said appointment shall be effective from January 1, 2023 through December 31, 2026.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 311 - 2022
RESOLUTION AMENDING RESOLUTION NO. 282-2022 TO CORRECT AMOUNT
PAYABLE TO SAMUEL LIVINGSTONE, MD FOR AUTOPSY AND FORENSIC
PATHOLOGY SERVICES IN 2023

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

WHEREAS, pursuant to Resolution No. 282-2022, the Board of Legislators authorized a renewal agreement with Dr. Samuel Livingstone to provide forensic pathologist consultations and autopsies on behalf of the Coroner in the amount of \$28,500 in 2023, with payment of \$1,335.00 per autopsy, if more than 20 for the year; and

WHEREAS, the Coroner/DA negotiated the 2023 renewal contract for \$29,800, with payment of \$1,400/autopsy if more than 20 for the year; and

WHEREAS, the Coroner/DA seeks to have the Board of Legislators authorize this amendment in rates to Resolution No. 282-2022;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby amends Resolution No. 282-2022 to increase the compensation amount payable to Samuel Livingstone, MD for pathology and autopsy services in 2023 from \$28,500 to \$29,800, and if there are more than 20 autopsies for the year, payment of \$1,400 per additional autopsy.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver said Agreement and any required revisions thereto, upon review and approval of the County Attorney.

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

Moved by Legislator Virkler , seconded by Legislator Moser , and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 312 - 2022
RESOLUTION RE-APPOINTING DEMOCRATIC
COMMISSIONER OF ELECTIONS

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

WHEREAS, the term of Lindsay Burriss as Democratic commissioner of Elections is due to expire on December 31, 2022; and

WHEREAS, Lewis County Democratic Committee Chair Ed Murphy has submitted a certificate of recommendation for her re-appointment.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints Lindsay Burriss of New Bremen, NY as the Democratic Commissioner of Elections for a two-year term.

Section 2. That the term of said appointment shall be effective from January 1, 2023 through December 31, 2024.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 313 - 2022
RESOLUTION RE-APPOINTING REPUBLICAN
COMMISSIONER OF ELECTIONS

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

WHEREAS, the term of Ann M. Nortz as Republican Commissioner of Elections is due to expire on December 31, 2022; and

WHEREAS, Lewis County Republican Committee Chair Michael Young has submitted a letter recommending her re-appointment.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints Ann M. Nortz of Lowville, NY as the Republican Commissioner of Elections for a two-year term.

Section 2. That the term of said appointment shall be effective from January 1, 2023 through December 31, 2024.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler , seconded by Legislator Moser , and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 314 - 2022
RESOLUTION RE-APPOINTING MEMBER TO
LEWIS COUNTY ETHICS BOARD

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

BE IT RESOLVED as follows:

Section 1. That pursuant to Local Law No. 5-2005 "Lewis County Ethics Law" the Board of Legislators hereby re-appoints Dennis Mastascusa of Lowville, NY as a Republican representative member on the Lewis County Ethics Board for a three-year term.

Section 2. That the term of said appointment shall be effective from January 1, 2023 through December 31, 2025.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 315 - 2022
RESOLUTION AUTHORIZING INTERFUND LOAN FINANCING
AND MEMORANDUM OF UNDERSTANDING
BETWEEN COUNTY OF LEWIS AND
LEWIS COUNTY HIGHWAY DEPARTMENT FOR
COUNTY MACHINERY EQUIPMENT PURCHASES

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

WHEREAS, the Lewis County Highway Department purchases various heavy duty machinery equipment and vehicles under its capital equipment plan. The purchase of trucks and heavy machinery generally entails lease-to-own five year agreements with annual installments with interest; and

WHEREAS, pursuant to Resolution No. 97-2022, the Board authorized the issuance of a serial bonds in the amount of \$600,000 with maximum maturity of 15 years to finance the costs of machinery and apparatus for the highway department operations, with the intent to pay off the indebtedness with installment payments in five (5) years; and

WHEREAS, the Treasurer, Highway Superintendent and Purchasing Director seek to have the Board of Legislators authorize an interfund loan of up to \$1,000,000 in 2023, using Fund Balance, to the County Machinery Fund for the Highway Department for the purpose of purchasing multiple items of machinery and other heavy equipment in 2023, for a five (5) year repayment period with annual installment payments at no interest. The interfund loan and agreement will save the County the costs of increasing interest rates with outside funding sources and legal fees involved in bonding for same; and

WHEREAS, the list of machinery and equipment anticipated and planned by the Lewis County Highway Department for purchase in 2023, with estimated costs is as follows:

2023 Freightliner Haul Truck	\$ 194,500.00
2023 Western Star 49X Snowplow	\$ 295,000.00
2023 John Deere 700L Dozer	\$ 250,000.00
2023 Western Star 49X Snowplow	\$ 327,000.00

The Highway Superintendent anticipates applying the proceeds from the sale of the equipment being replaced to the costs of these items; and

WHEREAS, the Superintendent of Highways requests that the Board authorize the Treasurer to transfer \$1,000,000.00 from the County's General Fund to the County Machinery Fund for the purpose of providing funds for the machinery and

equipment purchases scheduled or required in 2023 for highway operations and maintenance responsibilities, in consideration of the Highway Department's agreement via a Memorandum of Agreement/Understanding (MOU), to repay the monies advanced in annual installment payments over a five (5) year period, with no interest; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize the transfer of funds described above and an MOU between the County and Superintendent of Highways for repayment of the funds with no interest, in annual payments over five (5) years;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes a Memorandum of Understanding between the Lewis County Highway Department and the County of Lewis wherein the County agrees to advance the sum of up to \$1,000,000.00 from the General Fund to the County Machinery Fund for the purpose the Highway Department's purchase of machinery and equipment scheduled in 2023 under its capital project plan, in consideration of the Highway Superintendent's agreement to repay the County for the funds advance, with no interest, payable in annual installments over a five (5) year period.

Section 2. The Lewis County Board of Legislators hereby authorizes the Treasurer to transfer the amount of \$1,000,000 from the General Fund using fund balance, to the County Machinery Fund for the above-described purposes upon full execution of the MOU.

Section 3. That the Chairman of the Board of Legislators or the Vice-Chairman be and the same is hereby authorized to execute and deliver such Agreement upon such form as may be approved by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 316 - 2022
RESOLUTION RE-APPOINTING MEMBERS TO
LEWIS COUNTY GENERAL HOSPITAL
BOARD OF MANAGERS

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

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby recommends re-appointment of Marguerite Mastascusa of Lowville, NY; Philip McDowell of Lowville, NY; and Cheryl Steckly of Croghan, NY, as members of the Lewis County General Hospital Board of Managers for a five-year term.

Section 2. That the term of said appointments shall be effective from January 1, 2023 through December 31, 2027.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 317 - 2022
RESOLUTION RE-APPOINTING MEMBERS TO
JUNKYARD REVIEW BOARD

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints Paul Kafline of Lowville, NY; and Joseph Chaisson of West Leyden, NY as members of the Lewis County Junkyard Review Board for a five-year term.

Section 2. That the term of said appointments shall be effective from January 1, 2023 through December 31, 2027.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler , seconded by Legislator Moser , and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 318 - 2022
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND PARK STRATEGIES, LLC TO PROVIDE
PROFESSIONAL GOVERNMENT RELATIONS ADVOCACY, REPRESENTATION
AND STRATEGIES OBO LEWIS COUNTY BEFORE
NEW YORK STATE GOVERNMENT

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

WHEREAS, the Lewis County Board of Legislators has invested considerable time and effort over many years to engage various legislative and executive members representing New York State Government, with the unique Lewis County environment, community and needs; the County's priorities and stated objectives, including but not limited to recreational tourism and economic development initiatives; and

WHEREAS, in order to have more successful, supportive results from NY State stakeholders and decision makers, and pursuant to Resolution No. 312 - 2021, the County engaged the services of Park Strategies, LLC, of Albany, NY, a professional firm who is experienced and qualified to represent, advocate and provide local government perspectives before New York State government, tailored to the specific goals and initiatives of Lewis County; and

WHEREAS, the Board of Legislators seeks to renew this contract for another one year term commencing January 1, 2023, at the same rate of compensation, i.e., \$60,000.00 for a twelve-month period, payable in monthly installments of \$5,000.00;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves a renewal Agreement with Park Strategies, LLC, of 111 Washington Avenue, Suite 600, Albany, NY 12207 to provide professional government advocacy on behalf of the County of Lewis as its representative before New York State government, tailored to the specific goals and initiatives identified by the County, including but not limited to economic development, outdoor recreation and tourism, especially involving ATV/UTV use and access, health care, and other initiatives important for the growth of Lewis County, at a cost of \$60,000.00 for a twelve-month term (\$5,000.00 per month) commencing January 1, 2023.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon review and approval by the County Attorney.

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

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 319 - 2022
RESOLUTION RE-APPOINTING MEMBERS TO
OFFICE FOR THE AGING ADVISORY COUNCIL

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints Jerry Flanders of Copenhagen, NY as the District No. 3 representative; Bruce Chapman of Beaver Falls, NY as the District No. 4 representative; Rose Ross of Lowville, NY as the District No. 5 representative; and John Karelus of Lowville, NY as the District No. 7 representative as members of the Lewis County Office For Aging Advisory Council for three-year terms.

Section 2. The term of said appointments shall be effective from January 1, 2023 through December 31, 2025.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler , seconded by Legislator Moser , and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 320 - 2022
RESOLUTION APPOINTING MEMBER TO
PLANNING BOARD

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints John Lehman of Croghan, NY as a member of the Lewis County Planning Board for a term of three-years.

Section 2. That the term of said appointment shall be effective from January 1, 2023 through December 31, 2025.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 321 - 2022
RESOLUTION RE-APPOINTING MEMBERS TO
HEALTH SERVICES ADVISORY COMMITTEE

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints Lewis County Commissioner of Social Services, Jennifer Jones of Beaver Falls, NY; and Lewis County Emergency Management Assistant, Jennifer Maracchion of Constableville, NY as members of the Health Services Advisory Committee for a four-year term.

Section 2. That the term of said appointments shall be effective from January 1, 2023 through December 31, 2026.

Section 3. That this resolution shall take effect immediately

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 322 - 2022
RESOLUTION TO RE-APPOINT MEMBER TO
SOIL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints Brian Reape of Denmark, NY, as the Farm Bureau representative on the Lewis County Soil & Water Conservation District Board of Directors for a three-year term.

Section 2. That the term of said appointment shall be effective from January 1, 2023 through December 31, 2025.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 323 - 2022
RESOLUTION AUTHORIZING WAIVER OF COUNTY SURCHARGE FEES RELATED
TO THE LOWVILLE ACADEMY'S DEMOLITION OF THE STRUCTURE ON
BOSTWICK STREET IN ORDER TO BUILD
AN ADDITIONAL PARKING FACILITY

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

WHEREAS, in order to expand its parking areas for employees, students, parents, and visitors to the school, the Lowville Academy and School (Lowville Academy), recently purchased improved property on Bostwick Street which will be converted to a parking lot; and

WHEREAS, the Lowville Academy Chair of the Board of Education and the Superintendent of the School request that the County, through the Lewis County Solid Waste Department waive its surcharge fees (Tipping Fees) for direct haul to DANC for this demolition project. The addition of this property for parking will benefit the residential and business community by providing another parking area for school functions and alleviating parking on various streets; and

WHEREAS, the Board of Legislators wishes to authorize this waiver of its tipping fee surcharge in order to assure the viability of this school parking expansion project which will benefit the local community;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby agrees and authorizes the Director of Lewis County Solid Waste to waive the county-added surcharge (tipping fees) for the School District's contracted hauler, solely for the demolition of the structure located at 5524 Bostwick Street, Lowville, NY in order for the property to be renovated as and for an additional parking facility.

Section 2. That the Lewis County Board of Legislators hereby agrees to and authorizes this waiver in order to benefit the local residential and business community in providing another parking area for school functions and reducing parking on the streets.

Section 3. That the Director of Solid Waste is hereby authorized to make, execute, seal and deliver such document(s) as may be required to give effect to this authorization, pending approval by the County Attorney.

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

Moved by Legislator Virkler , seconded by Legislator Moser , and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 324 - 2022
RESOLUTION AUTHORIZING COUNTY TREASURER
TO CORRECT ERRORS ON TAX ROLLS

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

WHEREAS, Section 554(9) of the Real Property Tax Law authorizes this Board of Legislators, by resolution, to delegate authority to perform said corrections to an appropriate official, who is either empowered to authorize payment of bills prior-to-audit by the Board of Legislators, or to an official responsible for the payment of bills upon audit by the Board of Legislators, provided said correction is \$2,500 or less; and

WHEREAS, the Director of Real Property Tax Service Agency has requested approval for said procedure for 2023.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That pursuant to Real Property Tax Law Section 554(9) the Lewis County Treasurer is hereby authorized to perform the duties set forth in Section 554(9) of the Real Property Tax Law when the recommended correction is \$2,500 or less, during calendar year 2023.

Section 2. That the Lewis County Treasurer, in performing such duties, shall be governed by the provisions of Section 554 of the Real Property Tax Law and shall submit required reports in accordance with Section 554.

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

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 325 – 2022
RELEVYING UNPAID SCHOOL TAXES AND
VILLAGE TAXES ON ASSESSMENT ROLLS

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

WHEREAS, the various school districts and villages within the County of Lewis have made their return of unpaid school taxes and village taxes to the County Treasurer as required by law.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Treasurer is hereby authorized to re-levy such returned school taxes and village taxes on the individual parcels as listed on the school returns and the village return to the corresponding parcels listed on the 2021 Assessment Rolls for the seventeen (17) Towns in Lewis County.

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

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 22nd day of December, 2022.

**RESOLUTION NO. 326 - 2022
LEVYING TAXES AND ASSESSMENTS FOR
ANNUAL TOWN BUDGETS AND
CORRECTIONS TO TAX ROLLS**

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

WHEREAS, pursuant to Section 116 of the Town Law, there has been presented to this Board of Legislators a duly certified copy of the Annual Budget of each of the several towns of the County of Lewis for the fiscal year beginning January 1, 2023.

BE IT RESOLVED, that there shall be and hereby is assessed and levied upon and collected from the taxable property situated in the following named towns the amounts indicated below as specified in the budgets of the respective towns as follows:

<u>Town</u>	<u>Town-Wide</u>	<u>Outside Village</u>
Croghan	\$797,701.00	\$520,617.00
Denmark	645,128.00	328,031.00
Diana	682,287.00	
Greig	762,359.00	
Harrisburg	140,328.13	
Lewis	643,434.00	
Leyden	342,728.00	142,612.00
Lowville	699,005.00	193,513.00
Lyonsdale	373,145.00	204,323.00
Martinsburg	372,037.00	
Montague	210,045.00	
New Bremen	729,175.00	365,769.00
Osceola	362,759.00	
Pinckney	395,758.00	
Turin	501,596.00	102,864.00
Watson	1,153,644.00	
West Turin	501,786.00	182,958.00

BE IT FURTHER RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the real property liable therefor within the respective fire, fire protection, water health and electric light districts in the following towns indicated below, the following amounts for the purpose of such districts as specified in the respective annual budgets.

Croghan:

Fire Protection District	\$153,765.00
Beaver Falls Fire District	72,737.26
Beaver Falls Light District	6,000.00
Relevied Water and Sewer	50,672.25
Denmark:	
Castorland Fire Protection District	68,605.00
W Carthage Fire	23,828.00
Copenhagen Fire - Castorland	15,215.00
Copenhagen Fire - Rutland	16,680.00
Copenhagen Fire - West Carthage	26,672.00
Relevied Sewer	413.02
Ag Conversion Penalty	3,190.33
Diana:	
Fire Protection District	142,365.00
Natural Bridge Fire District	3,252.00
Natural Bridge Light District	225.00
Diana Water	22,836.47
Diana Light	18,000.00
Greig:	
Fire Protection District - 3G	85,780.30
Brantingham Water Control	1,800.00
Harrisburg:	
Fire Protection District	24,559.08
Lewis:	
Fire Protection District	44,232.00
Leyden:	
Fire Protection District & Ambulance	29,775.00
Lowville:	
Fire Protection	32,339.00
Water/Sewer Relevy	68,676.45
Agriculture Conversion Penalty	1,069.11
Lyonsdale:	
Lyons Falls & Port Leyden Fire Protection Districts	38,655.00
Lyonsdale Light	1,050.00
Martinsburg:	

Fire Protection District	126,773.00
Glenfield Light District	5,800.00
Martinsburg Light District	4,800.00
Martinsburg Water	4,661.85
Water/Sewer Relevies	14,749.26
Ag Conversion Penalty	2,789.52
Montague:	
Fire Protection	9,910.00
New Bremen:	
New Bremen Fire District	78,629.00
Beaver Falls Fire District	53,762.74
New Bremen Fire Protection District	17,088.00
Lighting District	10,800.00
Water Relevy	4,180.01
Osceola:	
Fire Protection District	47,000.00
Library	7,500.00
Pinckney:	
Fire Protection District & Ambulance	15,000.00
Turin:	
Fire Protection	43,810.00
Watson:	
Fire Protection	60,352.00
Watson Light	3,299.94
Water District	32,907.22
West Turin:	
Turin Fire Protection	17,906.00
Constableville Fire Protection	43,910.00

BE IT FURTHER RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the real property tax all corrections to Tax Rolls as authorized by the Board of Legislators by the County Treasurer and Real Property Tax Director.

Croghan	\$ 571.43
Denmark	\$ 116.01
Diana	\$ 109.50

Greig	\$ 321.86
Harrisburg	\$ 0.17
Lewis	\$ 269.80
Leyden	\$ 522.64
Lowville	\$ 538.19
Lyonsdale	\$ 178.90
Martinsburg	\$ 109.66
Montague	\$.16
New Bremen	\$ 289.51
Osceola	(\$ 0.21)
Pinckney	\$ 0.14
Turin	(\$ 0.02)
Watson	\$ 323.08
West Turin	\$ 111.39

BE IT FURTHER RESOLVED, that such taxes and assessments when collected shall be paid to the Supervisors of the several towns in the amounts as shown in this resolution for distribution by them in the manner provided by law.

Moved by Legislator Virkler , seconded by Legislator Moser , and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 327 - 2022
RESOLUTION AUTHORIZING THE SUPERVISOR
OF EACH TOWN IN THE COUNTY OF LEWIS TO ADD
TO THEIR TAX WARRANT THE 2023 COUNTY TAX
APPORTIONED TO EACH

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

BE IT RESOLVED as follows:

Section 1. That the Supervisor of each Town in Lewis County hereby are authorized and directed to add the amount of the apportioned 2023 County Tax to the warrant payable to the Tax Collector of their Town, and that the sums collected be paid to the Treasurer of Lewis County and shall be paid pursuant to Law.

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

Moved by Legislator Virkler , seconded by Legislator Moser , and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 328 - 2022
RESOLUTION TO SCHEDULE
2023 ORGANIZATIONAL MEETING

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

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 151, subd. 1 of the County Law, the Lewis County Board of Legislators hereby schedules their 2023 Organizational Meeting to be held on Tuesday, January 3, 2023 to begin at 5:00 p.m.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 329 - 2022
RESOLUTION AUTHORIZING LEWIS COUNTY TO PARTICIPATE
IN AND ACCEPT FY2020 HAZMAT GRANT FUNDS AWARDED
TO JEFFERSON COUNTY, AS LEAD AGENCY UNDER
NYS DIVISION OF HOMELAND SECURITY & EMERGENCY SERVICES

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

WHEREAS, Jefferson County submitted an application New York State Division of Homeland Security and Emergency Services (“DHSES”) under the FY2020 Hazmat Targeted Grant Program (CFDA 97.067), as lead agency in a consortium which includes Lewis County Emergency Management, to be used for Hazmat eligible equipment and expenses identified under the Grant; and

WHEREAS, Jefferson County recently received notice of an award under this funding program in the amount of \$56,300.00; with Lewis County earmarked to receive \$12,500.00 of the Grant funds, which will be used for the HazMat Decon team, including signs for scene safety for hazmat and emergency scenes in order to restrict traffic and avert pedestrian access and flow; and

WHEREAS, the Board of Legislators seeks to accept the portion of the this grant award funding (\$12,500.00) for Lewis County Emergency Management and to appropriate same into that Department’s 2023 budget as FY20 HazMat Grant;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes Lewis County to participate in the FY2020 Hazmat Grant Program (CFDA 97.067) awarded to Jefferson County as lead agency, with Lewis County participation in the award funds in the amount of \$12,500.00 earmarked for the Lewis County Emergency Management Department.

Section 2. That the term of the contract and award expenditure period is from October 1, 2022 through August 31, 2023.

Section 3. That the Lewis County Treasurer is directed to add and appropriate the amount of \$12,500.00 to the 2023 Emergency Management budget, to be labeled FY20 HazMat Grant for grant audit purposes.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute any agreements or other documents which may be required by Jefferson County or DHSES to give effect to receipt of these Grant funds.

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

Moved by Legislator Virkler, seconded by Legislator Osborne, and adopted on the 22nd day of December, 2022. Legislator Nellenback abstained.

RESOLUTION NO. 331 - 2022
RESOLUTION APPOINTING MEMBERS TO
LABOR-MANAGEMENT SAFETY COMMITTEE

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

WHEREAS, the Labor-Management Safety Committee created by Resolution 144-2016, provides a forum of communication between public officers and employees, to enhance health and safety procedures through quarterly review of actual occurrences, identifying hazards and promoting safety throughout the collective workplace operations.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints the following individuals to represent Management on the Labor-Management Safety Committee for a two-year term: Workers' Compensation Administrator, Cassandra Moser; County Human Resources Director, Caitlyn Smith; Lewis County General Hospital Director of Emergency Preparedness & Security, Bobbi Jo Kahl; and Lewis County Town Superintendent's Association representative, Tom Widrick.

Section 2. That the Lewis County Board of Legislators hereby appoints the following individuals, recommended by the CSEA Labor Union, to represent Labor on the Labor-Management Safety Committee for a two-year term: CSEA Labor Relations Specialist, Brenda Harwood; County CSEA representative, Cody O'Donnell; Lewis County General Hospital CSEA representative Jim Aucter.

Section 3. That the term of said appointments shall be effective from January 1, 2023 through December 31, 2024.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Virkler, seconded by Legislator Moser, and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 332 - 2022
PRELIMINARY CLASSIFICATION OF PROPOSED PURCHASE OF
REAL PROPERTY AS A TYPE I ACTION FOR PURPOSES OF THE
NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT

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

WHEREAS, the County of Lewis (the "County") desires to acquire certain inactive real property owned by Mohawk, Adirondack & Northern Railroad Corporation, The Lowville & Beaver River Railroad Company, and Genesee Valley Transportation Co., Inc. (collectively, the "Railroad") for use in connection with the County's multi-use recreational trails initiative; and

WHEREAS, the real property in question is comprised of approximately 48 separate parcels, totaling more than 250 acres and improved with upwards of 30 miles of mostly inactive railroad lines in four (4) distinct rail corridor sections: 1) the "Carthage Line", running in a northerly direction from the Lowville to Carthage (Jefferson County); 2) the "Croghan Line" running in a northeasterly direction from Lowville to Croghan; 3) the "Village of Lowville" line, running north to south in and through the Village of Lowville; and 4) the Village of Lyons Falls" line, running southerly from the County's multi-use trail through the Village of Lyons Falls to and part of the south side of McAlpine Street; and

WHEREAS, the Railroad commenced an action in U.S. District Court for the Northern District of New York in response to the County's exercise of its authority to conduct a pre-acquisition inspection connected with the County's rail corridor acquisition initiative; and

WHEREAS, following mediated settlement discussions and a Memorandum of Understanding between the County and the Railroad, in which the parties agreed to work toward the conveyance of these corridors in consideration of the sum of \$2,500,000., the County is in the process of negotiating the terms of the purchase and sale agreement to acquire fee title to the Railroad Property described above (the "Proposed Agreement"); and

WHEREAS, the County desires to comply with the requirements of the State Environmental Quality Review Act ("SEQRA") and its implementing regulations set forth at 6 NYCRR Part 617 (the "Regulations"), with respect to the Proposed Purchase Agreement.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

Section 1. That the Lewis County Board of Legislators hereby preliminarily classifies the Proposed Agreement as a Type I Action under SEQRA.

Section 2. That the Lewis County Board of Legislators hereby declares its intent to serve as lead agency purposes of a coordinated review under SEQRA of the Proposed Agreement and Property Acquisition.

Section 3. That the Lewis County Board of Legislators hereby directs the County Attorney to prepare the Full Environmental Assessment Form, with the assistance of the Lewis County Soil and Water Conservation District Manager; and hereby authorizes the County Attorney to prepare and send the required notices with Part 1 of the FEAF to all approval and/or interested agencies of the County's intention to serve as lead agency under this action.

Section 4. That the Chairman or Vice-Chairman is hereby authorized to execute Part 1 of the FEAF as prepared by the County Attorney.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Virkler, and adopted on the 22nd day of December, 2022.

RESOLUTION NO. 333 - 2022
RESOLUTION APPOINTING MEMBERS TO
TRAFFIC SAFETY BOARD

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

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby re-appoints Robert Mackenzie and Jennifer Maracchion of Lewis County Fire and Emergency Management as members of the Lewis County Traffic Safety Board for a three-year term.

Section 2. That the Lewis County Board of Legislators hereby appoints Stephen Ragner of NYS Department of Transportation, Lowville, as a member of the Lewis County Traffic Safety Board for a three-year term.

Section 3. That the term of said appointments shall be effective from January 1, 2023 through December 31, 2025.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Osborne, and adopted on the 22nd day of December, 2022.

OTHER BUSINESS:

Legislator Hathway announced that he would not be running for re-election, so 2023 will be his last year serving on the board. Chairman Dolhof thanked him for his service.

County Attorney, Joan McNichol reported that the Annual Holiday Basket Raffle was a success this year, thanking Amanda Lawton and Cassandra Moser for running the event and doing an incredible job. The amount raised for the Food Pantry in memory of Dan Taylor was \$2,000, the most that has ever been raised since the start in 2014. She concluded by thanking all the Departments for the baskets that were donated and all of the employees who bought tickets.

County Manager, Ryan Piche handed out a copy of the proposed 2023 Committee Goals for discussion. Last year it helped to keep committee meeting focused and on task, with many of the items being completed. This is the role of government, setting the general direction for the legislative agenda for next year. Legislator Virkler voiced her opinion that the following items should be added: Social Services move back to the newly renovated building; Public Health app roll-out as part of the Public Health Improvement Plan; continue to focus on improving childcare options by trying to engage KinderCare or another reputable company by finding possibly locations for set-up; County-wide Complete Streets Plan, Panning Director, Casandra Buell stated that it is in the works for 2023; and Initiative to fill vacant positions both in the county and hospital.

Legislator Moroughan felt it was important to get the Maternity Ward up and running again. Legislator Moser stated that she was told it was unlikely to have it up and running by April 2023. Legislator Gilbert voiced his opinion that even though the maternity ward doesn't make money it is important to have and without it the hospital doesn't quite feel like a hospital. There was further discussion about filling vacant positions in both the county and the hospital. Ryan Piche stated that there are many counties out there now having comprehensive employee salary survey's done from top to bottom and rather than do our own maybe Lewis County can gather some of their information to assess how our employees' wages are in comparison. He warned that in order to fix some of the problem the board will need to be willing to seriously look at wage levels and the possibility of increasing them. Legislator Virkler voiced that se was in favor of this.

Legislator Gilbert felt that 2022 has been an incredibly productive year as many of the goals were accomplished. There was discussion about looking into the recreation patrol situation over the next few weeks with the Sheriff, Board and staff members to try and come up with a solution.

Mr. Mike Young was asked if he had any words of wisdom for the Board, he thanked the board for their continued support of the hospital as it has been a tough year. As the Hospital Board Chair, he agreed that salaries and quality of life in Lewis County are tough decisions to have. It is a challenging environment to hire people and even recruit them. Nurses are desperately needed and hard to come by. The hospital pavilion is going to look great when the project is completed so now the goal will be to fill positions in order to have all departments running. Due to the regulations that came out regarding Nursing homes the hospital is working on resolving staffing issues there as well. Mr. Young concluded by offering to help in anyway possible to move the Rails to Trails project forward.

At 10:36 a.m. Chairman Dolhof closed the public hearing.

At 10:37 a.m. with no other business to come before the board Legislator Hathway made a motion to adjourn, seconded by Legislator Virkler, and carried.