

REGULAR MEETING
April 4, 2023

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 Hathway who had been excused. There were 28 other persons present.

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

Chairman Dolhof declared the March 7, 2023 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
Jeffrey Nellenback
Joshua Leviker
Jessica Moser

Dated: April 4, 2023

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

PROCLAMATIONS:

Clerk of the Board read a proclamation commemorating April as Fair Housing Month and a certified copy was handed out to Brit Abbey. Then she read a proclamation commemorating April as Child Abuse Prevention month and a certified copy was handed out to Jennifer Jones, Social Services Commissioner.

PRIVILEGE OF THE FLOOR:

Ms. Laurie Widrick – 5285 Outer Stowe Street, Lowville thanked Snow Belt Housing for speaking with residents of that area to help them better understand the project. Ms. Widrick still believes strongly that the cost of this project is just too high for the minimal amount of individuals it will house. Money used on this project, even from a grant, is still taxpayer money. She felt strongly that a site where growth was possible, and less traffic would be much better suited for this type of project. The street is used as a green space where people can enjoy nature.

The Ridge View Hotel is a much better location as it has 60 units that can be converted to 30 apartment like units for less than \$1,000,000.00. The hotel can be purchased for \$4.2 million, making the purchase and the renovation less than \$5.2 million, which is far less than the \$13 million being proposed. This homeless housing project is going to help the most vulnerable

people in our community which should be a good enough reason to take it off the tax role. Another possible location was on the hill next to the TOPS plaza where they could walk to get their groceries, get gas and have access to fast food. This area should be explored too.

One of the reasons that the Stowe Street location is proposed is because it would be right next to DSS for services, but after talking with a DSS employee a lot of the work is done over the phone. Some of the visits that would take place are minimal and only within the first 60 days. There is public transportation available to get clients to these appointments. In the hotel there are office spaces, a large room in the basement for group meetings, and security already built in. The Village of Lowville hasn't approved the Stowe Street site for municipal water yet. She urged the Board to look at the hotel site as a possibility because of the reduced cost, safety, and space for growth.

Mr. Michael Comet – 5379 Stowe Street, Lowville stated that he rises in opinion not necessarily in opposition like the media portrayed last time. His comments were based on many unanswered questions. He urged the board to actually listen to the concerns from the residents of Stowe Street. It seems that the Stowe Street location has been the front runner in most conversations, but what about the Andover House or the Glenfield school location. These two locations are also options for this project but all everyone hears is Stowe Street, why? One question is will this project be solely for Lewis county residents or will the county seek yet another revenue stream by importing from other counties? There is quite a bit of scuttlebutt out there about unhoused people from outside the county because services are so readily available here.

Another question is what will the facility be limited to for occupancy? How long of a stay can one person expect? Is this going to become permanent housing, or will it be temporary housing until someone can get back on their feet? Who will negotiate the length of stay for occupants? He grew up in Watertown, low-income housing and homeless housing was there, and now those neighborhoods have dwindled down to vacant properties and run down properties. If it is permanent housing, who pays for the rent? To think that this will not be a burden on the taxpayers is foolish. All money comes from somewhere and typically it comes from the taxpayer, even if it is cloaked in a different funding source. Why have the Town and Village not been approached about this project yet?

What plan is in place to make sure residents are seeking employment, assistance and trying to make forward progress? Who will make sure residents use this facility as a hand-up rather than a hand-out? What assurance do residents have about the security of this facility? Would each legislator want this facility to be located within 3 minutes of your house? He urged the board to come out and ask the residents their concerns on this project, listen to your constituents.

Mr. Eric Fredenburg – 5375 Stowe Street, Lowville thanked the legislators for letting him speak. He wanted to address the board not in objection of this project but in objection to this proposed site. This is the third busiest street in the Village of Lowville. The Sheriff's Department sends deputies up and down that hill for emergencies at high rates of speed, will that be a safe situation for anyone out walking? Adding more people to the street will make the

congestion worse than it already is. There has been one fatality over the years, how many more will occur? This site is so close to the ARC facility, which has residents who are already at a disadvantage. This will place some good but maybe some not so good people right on top of the ARC is a major concern. This is not the right street for this project.

Ms. Laurie Rowsam – 5425 Stowe Street, Lowville began by thanking the board for their time once again. She has been in contact with Legislator Chartrand to get more clarification on how meetings run and how to get questions answered. She was told that she can ask questions to county employees but not a legislator directly. She asked Ryan Piche about a quote that was in a February 21st article where he stated that “Stowe Street was really removed from the residential core of the community but it is walkable and still close to services” and asked what possible impacts did he think this project would have on the neighborhood or surrounding facilities?

Chairman Dolhof stated that this meeting is not intended to be a dialogue. Laurie apologized and went on to state that she felt that quote was personally offensive and insulting as she views herself and her street as part of the core of the community. She thanked Jaylynn Heames, Director of Snow Belt Housing for the effort of emailing back and forth with her to answer questions. She has no doubt that there is a real sense of wanting to genuinely help those that will be housed in this building. In this process she has learned that there will be restrictions on the people who can be housed here, which has alleviated some of her safety and security concerns. Anyone that is a sex offender or a criminal history involving violent crime will not be allowed to be housed here. She pointed out that these criteria must be adhered to because everyone knows how difficult it is to remove someone from established housing. The supportive services that are being looked into are very expensive but are necessary to get someone back on their feet and able to live independently and be a positive part of the community.

She has worked as school counselor for several years and takes her job working with kids very seriously. She doesn't want to stand in the way of anyone giving support and services to someone in need. One point that was made at the community meeting was that if a homeless person knows where they can lay their head at night why would they risk committing a break-in knowing they would lose that security, which Laurie agreed to if the person was a rational thinker, however this might not be the case with someone who has an active drug addiction or someone with a serious mental health illness. If that line of thinking were true and having a roof over your head would lead to no crime then the United States would be a relatively safe place, sadly that is not true.

Another comment that was made at the community meeting was that these people already live in our Village and there is not a high level of crime. Laurie thought that could possibly be true but the model that is being looked at will include people from throughout the county under one roof and there is no way to necessarily know how things will go once they are grouped together in the same building. You can't assume that their behavior will remain the same, especially those with drug addictions or mental health issues. The most important safety measure will be the proposed 24-hour support through state funding. She knows through her job experience how unreliable state funding can be. What happens if the state funding stops, this should be considered when choosing a location. Laurie stated that she had come across a few

articles that had many contradictions which left her confused and she would be happy to continue, or she offered to come back in May to finish. Chairman Dolhof once again stated that this time is not meant to be a discussion period but more of a chance to see how local government works.

Legislator Gilbert recommended that Ms. Rowsam or anyone else who wants to can submit any questions in email form to the Clerk of the Board which will then be distributed to all legislators for review. Ryan Piche offered to meet with Ms. Rowsam if she had specific questions for him. Laurie concluded by asking the board to consider her information as well as the concerns of other residents in any decision before it is made.

CLERK OF THE BOARD REPORT:

There were several adopted resolutions that were received over the past month from outside counties like Cattaraugus, Cayuga, Chemung, Chenango, Columbia, Delaware, Franklin, Greene, Madison, Orleans, Schuyler, Sullivan, and Yates. Certificates of appreciation were mailed to Tyler Mashaw and Rich McLane for their quick thinking and lifesaving skills. On February 14th, these two members of the Three G Volunteer Fire Department noticed a fellow firefighter having a medical emergency. While they waited for an ambulance to arrive, they desperately performed CPR, checking for a pulse until one was regained and he began breathing on his own. The fellow firefighter was then taken to the hospital and has since made a full recovery.

A letter was received from Mr. Glen Gagnier of Croghan, NY who was in favor of the Homeless Housing and Assistance Program application by explaining that as responsible adults, we have a duty and moral obligation to help those less fortunate and we should not ignore a humanitarian problem because of some dissent. He closed by urging support for this project and application.

Senior Code Official Ward Dailey submitted a letter regarding a condemned property located at 10002 State Route 12 in the Village of Copenhagen that the owner of record be directed to obtain a building permit and complete alterations or be directed to demolish the single-family residence and to remediate and clear the site of any debris.

Real Property Tax Director, Candy Akin and County Treasurer, Eric Virkler submitted applications for refund or credit of real property taxes for property owned by Christmas & Associates and 3 properties owned by Peter & Sandra Jones. Sealer of Weights & Measures, Brian Mooney submitted his February Summary of Field Service Report which has been placed on file.

REPORTS OF STANDING COMMITTEES:

Legislator Osborne reported that the County Clerk's Office has completed 198 Passport transactions to date in 2023, which indicates people are once again comfortable with travel. The DMV did 2,072 in-person transactions in the month of March and have met the internet sales threshold of \$165,000 a month earlier than in 2022. The new online records access fees for the

public have been implemented, including the \$5.00 pay per view which requires no subscription. The Driver's License Suspension Reform Act that took effect no longer allows Town Justices to revoke a license for nonpayment of fines, instead they must convert the fines into Civil judgements to collect. County Clerk, Jake Moser is scheduled to give a presentation to County Magistrates on how to access and search for judgements on the county online record system.

Legislator Osborne moved to authorize the Insurance Renewal package policy from NYMIR at an annual cost of \$240,786.16 from April 5, 2023 to April 5, 2024, seconded by Legislator Virkler and carried.

Legislator Gilbert reported that after months of anticipation, the Solid Waste crew has moved into the new scale house at the Lowville Transfer Station. Director, Kip Turck moved into his office on Thursday, March 30th. The transfer station was temporarily closed on Friday, March 31st to move the computer equipment from the old scale house to the new scale house. The new scale house was open for business for the first day on April 1st. Principal Account Clerk, Denise Yost will be moving to her new office tomorrow. The best part about the department being in one place is that the communication will be improved, and public services made better. He thanked all the employees for their patience and hard work in getting this project completed. He was pleased to report another successful project has been completed for the taxpayers of Lewis County.

Legislator Gilbert moved to award the striping bid to Seneca Pavement Markings, Inc. in accordance with the tabulation of all bids prepared by the Highway Superintendent and placed on file with the Clerk of the Board for the period of April 1, 2023 through March 31, 2024, seconded by Legislator Osborne and carried.

Legislator Gilbert moved to award hot asphalt mix based on project location in accordance with the tabulation of all bids prepared by the Highway Superintendent and placed on file with the Clerk of the Board, for the period of April 1, 2023 to March 31, 2024, seconded by Legislator Moser and carried.

Legislator Gilbert moved to award bids for liquid bituminous to Midland Asphalt Materials, Inc., Vestal Asphalt, Suit-Kote, and Gorman Bros, Inc.; for re-profiling, filling cracks and quick set slurry seal to Suit-Kote and Gorman Bros, Inc.; and for micro-surfacing to Suit-Kote, all in accordance with the tabulation of all bids prepared by the Highway Superintendent and placed on file with the Clerk of the Board for the period of April 1, 2023 through March 31, 2024, seconded by Legislator Chartrand and carried.

Legislator Virkler started off by stating that it is National Public Health week and thanked the Lewis County team for keeping our community safe and healthy. She reported that Lewis County Community Services received funding from the NYS Office of Addictions and Supports (OASAS). These funds are intended to combat opiate addiction. In 2023, the dollars will be used to install Nalox boxes (Narcan Emergency kits) in all 5 school districts; to reduce barriers to accessing services by supporting transportation for people going to treatment; and a public service campaign intended to educate our residents and reduce stigma around opiate/drug addiction.

Legislator Chartrand announced that the January employee of the month for the hospital was Darcy Zehr, Physical Therapist. The 2022 employee of the year was Philip Snow, Leisure Time Activities. There was a proclamation in honor of retiree Michelle Beagle, Transcriptionist, who retired from the health system in February 2023. They wished Ms. Beagle a happy and healthy retirement and to enjoy her time volunteering, operating, and managing her Run Spirit Walk Orchards, writing and photography.

There were 17 cards that were presented that have not been used therefore they were abolished. The auditors from Fust Charles Chambers will be presenting the 2022 audit as the next Finance Committee meeting in April. There was a loss of \$63,235, compared to a budgeted loss of \$290,240 for the month of February. The year-to-date loss was \$414,290 versus a budgeted loss of \$644,849. Other operating revenue was under budget due to less 340b and prescriptions. Salaries were under budget due to fewer staff and supplies were over budget due to more implant costs.

The project oversight committee reported that the project remains on schedule with a completion date in early 2024. They continue to have scheduling issues with the electrical switches. The switches are scheduled to arrive on May 23rd. The fire proofing hurdle has been cleared and there has been a lot of progress on the new addition. The new addition having heat over the winter allowed them to get ahead on some of the interior work. Mr. Cayer received a letter from a grateful patient at LCHS who received excellent care. He especially wanted to thank Dr. Tuttle-Malone for coordinating his treatments with ENT surgeon Dr. Chahfe, the nursing staff in Ambulatory, East Wing and ICU, the hospital Pharmacy staff who coordinated with Dr. Tuttle-Malone to adjust the antibiotic dosage and finally a special thanks to the Admissions staff who worked through a raft of paperwork and doctor's orders. He truly felt like he was treated like family.

PROJECT MANAGERS REPORT:

Mr. Jim Garito reported that the atmosphere on the projects is good, which is great considering most contractors towards the end are ready to be done and move on but because this project means something to them as local workers, they are proud and take ownership in the new buildings. Mr. Nick Garito reported that the missing main breaker for the DSS building should be coming in any week. The furniture is being installed and finishing touches are going on in the DSS building. The Maintenance Garage is waiting for a main breaker but is otherwise coming along nicely. The new Highway Garage has gone up quickly with the exterior up and interior beginning soon, some of the site work has begun as well.

COUNTY MANAGER REPORT:

Ryan Piche reported that tentatively May 24th will be the ribbon cutting for the new DSS building with an open house to follow. The idea is to have these events take place prior to moving in employees so that all areas can be open for visitors to see.

COUNTY TREASURER REPORT:

Eric Virkler reported that he would be available for any questions regarding his monthly report and that the Auditors were on site and everything went well.

REPORT OF THE FINANCE AND RULES COMMITTEE:

RESOLUTION NO. 76 - 2023
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 \$3,279,666.28 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 Moroughan , seconded by Legislator Virkler , and adopted on the 2nd day of May, 2023 pursuant to the following roll call vote:

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

NAYS: None

ABSENT: Moser

RESOLUTION NO. 77 - 2023
RESOLUTION TO TRANSFER & APPROPRIATE FUNDS
Capital Reserve

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

BE IT RESOLVED, as follows:

Section 1. That the following budget transfers take place in the Capital Reserve accounts from Fund Balance:

Transfer from:

A0 005990 Fund balance	\$2,900,000.00
------------------------	----------------

Transfer to:

A0990100 991200 To County Road	\$1,200,000.00
A0990100 992300 Building and Grounds	\$1,700,000.00

Section 2. In coordination with the transfer above, the following budget appropriations take place to establish the funding in the following Capital Reserve projects:

Increase Revenue:

D0501000 350310 Local	\$1,200,000.00
-----------------------	----------------

H0162000 350310 Local	\$1,700,000.00
Project HED PSB Parking Lot	

Increase Expenditures:

D0515000 495151 County Road Surface Treatment	\$1,200,000.00
---	----------------

H0162000 499900	\$1,700,000.00
Project HED PSB Parking Lot	

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2nd day of May, 2023.

RESOLUTION NO. 78 - 2023
RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS
WITH REFERENCE TO DISTRICT ATTORNEY OFFICE

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

WHEREAS, the District Attorney's Office is tasked with increased discovery compliance demands in all criminal matters which require additional workloads; and

WHEREAS, legal related work experiences in the DA's office can benefit current and post college and graduate students interested in legal careers, and can build the pool of potential professionals to consider future public employment in Lewis County; and

WHEREAS, the District Attorney seeks to hire a temporary legal assistant with available personnel funds due to the resignation of the full-time Senior Assistant District Attorney that has created a need for additional staff given recruitment difficulty for that position;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the District Attorney's office to create the following temporary position through December 31, 2023, at the following compensation rate:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Legal Assistant	Temporary	\$16.00/hour

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2nd day of May, 2023.

RESOLUTION NO. 79 - 2023
RESOLUTION TO TRANSFER FUNDS
Coroner's Department

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

WHEREAS, the Lewis County Health Systems has received a proposal from Mortech Manufacturing, of Azusa, CA for the specialized, upgraded equipment for the morgue required by the Coroner's office at the Lewis County General Hospital, in an amount of \$107,000.00, inclusive of equipment, shipping and installation;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes the following transfers to take place from Regular Contingency to Coroner Department accounts to provide funding for morgue equipment and installation costs for the renovated LCHS morgue:

From:

A0199000 499900 Contingency	\$107,000.00
-----------------------------	--------------

To:

A0118500 290900 Coroner Misc. Equipment	\$107,000.00
---	--------------

Section 2. That the Treasurer is authorized to reimburse the LCHS for its purchase and installation of this equipment using these funds from the Coroner Department.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2nd day of May, 2023.

RESOLUTION NO. 80 - 2023
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND SQUAD 9 LLC TO IMPLEMENT A DOMESTIC
TERRORISM AND TARGETED VIOLENCE PREVENTION PLAN

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

WHEREAS, New York State Governor Kathy Hochul signed Executive Order Number 18: Preventing and Responding to Domestic Terrorism. This Order mandates that every county in New York State develop and maintain a plan to identify and resolve threats of domestic terrorism; and

WHEREAS, NYS-DHSES provides the County, through its Emergency Management Department with Grant funds to develop a Domestic Terrorism Plan, which includes funding for professional consulting services; and

WHEREAS, Squad 9 LLC (Squad 9) has submitted a proposal to provide prevention strategies that include an awareness campaign, a reporting mechanism, and a management team that can identify, assess, and manage the potential risk posed by a person on a pathway to violence, as more fully set forth in its proposal service agreement dated March 10, 2023; and

WHEREAS, Squad 9's sole source proposal indicates provision of these services at a cost of \$ 23,600.00 for the scope of services described, with completion by December 31, 2023; and

WHEREAS, the Board of Legislators wishes to authorize such Services and Agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement with Squad 9 LLC of 65 Falling Brook Rd. Fairport, NY 14450 to develop and implement a Domestic Terrorism Plan required by the State at a cost of \$23,600.00 plus \$120.00/hour for consultation services commencing May 2, 2023 through December 31, 2023.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver such Agreement and any extension thereof, pending 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 2nd day of May, 2023.

RESOLUTION NO. 81 - 2023
RESOLUTION TO SUBMIT APPLICATION AND PROJECT PLANS FOR
FY2023 SHSP – SLETPP ALLOCATION GRANT
AND APPROPRIATE FUNDS

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

WHEREAS, the Lewis County Director of Emergency Management submits annual on-line applications for grant funding provided by the US Department of Homeland Security, Federal Emergency Management Agency (FEMA), administered through the NYS Division of Homeland Security and Emergency Services (DHSES), including the FY 2023 State Homeland Security Program grant (FY2023 SHSP); and

WHEREAS, the County received notification of an allocation amount of \$46,946.00 under the FY2023 SHSP (to include SLETPP), to be determined upon review of the application and project plans for said grant funds, consistent with the federal guidelines; and

WHEREAS, the Director of Emergency Management seeks the authorization to submit the application with a plan for these funds to be used for the livescan maintenance contract (\$3,051) and \$43,895 towards equipment by emergency management and law enforcement. Under the grant guidelines, 35% (\$16,431) of the grant funds must be allocated to support law enforcement terrorism prevention activities (SLETPP); and

WHEREAS, the Lewis County Board of Legislators seeks to authorize the application submission, accept the award and appropriate the funds;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators acknowledges the FY2023 SHSP allocation notification by US Homeland Security and FEMA in the amount of \$46,946.00 for the identified activities set forth in the guidelines, and authorizes the Director of Emergency Management to submit the application and any proposed project uses for the grant funds.

Section 2. The Lewis County Board of Legislators authorizes the Chairman or Vice-Chairman to execute any grant contract and additional documents required upon notice of the grant award; authorizes the appropriation of the grant award amount and directs the Lewis County Treasurer to set up the appropriate accounts under the Emergency Management Department budget.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2nd day of May, 2023.

RESOLUTION NO. 82 - 2023
RESOLUTION AUTHORIZING A FUEL STORAGE RENTAL AGREEMENT BETWEEN
THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION
AND THE LEWIS COUNTY HIGHWAY DEPARTMENT

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

WHEREAS, the County of Lewis, by and through the Lewis County Highway Department (“County”) wishes to provide fuel storage space in support of its highway maintenance responsibilities for the New York State Department of Transportation (“NYSDOT”) pursuant to Section 12 of the Highway Law; and

WHEREAS, the fuel stored will consist of both gasoline and diesel fuel to be stored at the County’s facility located at Route 812, Lowville, NY and will be available to the State twenty-four hours per day; and

WHEREAS, the agree will contain a provision for the State to Pay the County for use of its fuel storage facilities the sum of the weighted monthly average cost per gallon paid by the county for such gasoline and diesel fuel actually used by the State, plus \$0.10 per gallon; not to exceed a total of \$905,000.00 for the five year period without further authorization, together with such other relevant terms and conditions to protect the County; and

WHEREAS, the Lewis County Board of Legislators seeks to enter into this fuel storage rental agreement with NYS DOT;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves a five-year Fuel Storage Rental Agreement between the County of Lewis, by and through the Lewis County Highway Department, and the New York State Department of Transportation, pursuant to which NYSDOT will pay the sum of the weighted monthly average cost per gallon paid by the County for such gasoline and diesel fuel actually used by NYSDOT plus \$0.10 per gallon, stored at the County’s facility located at Route 812, Lowville, NY, and available to the State twenty-four hours each day.

Section 2. That this Agreement is for the period commencing July 1, 2023 and ending June 30, 2028.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and all other ancillary documents related 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 2nd day of May, 2023.

RESOLUTION NO. 83 - 2023
RESOLUTION TO APPROPRIATE FUNDS
Highway Department

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

BE IT RESOLVED as follows:

Section 1. That the following 2023 budget appropriation take place in the Highway Department Accounts for additional revenue received from the sale of surplus equipment:

Increase Revenue:

DM513000 326650 Machinery Sale of Equipment	\$89,000.00
---	-------------

Increase Expenditure:

DM513000 223300 Machinery Vehicles	\$89,000.00
------------------------------------	-------------

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

Moved by Legislator Hathway , seconded by Legislator Virkler , and adopted on the 2nd day of May, 2023.

RESOLUTION NO. 84 - 2023
RESOLUTION AUTHORIZING INTERSHIPS IN DEPARTMENTS UPON
APPROVAL OF COUNTY MANAGER

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

WHEREAS, various Departments in Lewis County government can provide work experiences to benefit current college and graduate students who may consider future public employment in their respective fields, while building the pool of potential young professionals to consider Lewis County as a career and life destination; and

WHEREAS, a Department Head who did not budget for an intern, but who has sufficient available personnel funds in his/her budget, may seek permission to hire an intern from the County Manager (whose position provides for hiring and firing responsibilities); and

WHEREAS, it is proposed that the Board authorize the County Manager to amend the County compensation plan to approve non-budgeted intern requests of a Department, provided that the Department Head brings the matter to the County Manager at a monthly pre-agenda meeting and demonstrates that the funding is available under his or her budget, or that it will be paid through another funding source such as Careers Here;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County Manager to amend the Compensation Plan of the County to approve and create non-budgeted, temporary intern position requests on a case-by-case basis, with the proof by the Department that funding for the intern is available under its budget or payable through another funding source.

Section 2. That the County Manager shall keep a record of such non-budgeted intern positions approved and provide same to the Board of Legislators on a monthly basis.

Section 3. That the County Attorney is directed to create any and all agreements and forms as may be required to give effect to these temporary intern positions.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2nd day of May, 2023.

RESOLUTION NO. 85 - 2023
RESOLUTION URGING APPROVAL OF HOME RULE REQUEST
AND TO ADOPT NEW YORK STATE SENATE BILL NO. S06346
AND ASSEMBLY BILL NO. A06552

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

WHEREAS, by Resolution No. 68-2023, the Board of Legislators of Lewis County requested Home Rule Legislation that would allow the County of Lewis to continue to impose an additional one percent (1%) local sales tax for the period beginning December 1, 2023 and ending November 30, 2025; and

WHEREAS, the County of Lewis continues to experience budgetary pressures that justify an extension of the time in which it may impose such additional sales tax, and such additional sales tax revenue will enable the Board of Legislators to mitigate the need for increased property taxes; and

WHEREAS, said legislation has been introduced in both houses of the State Legislature, as Senate Bill No. S06346 and Assembly Bill No. A06552 respectively; and

WHEREAS, Article 9, § 2(B) (2) of the New York State Constitution and Section 40 of the Municipal Home Rule Law require a home rule request be made to the State Legislature before the bills may become law;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby makes this Home Rule request to the State Legislature to enact the following: New York State Senate Bill No. S06346 and the Assembly Bill No. A06552:

TITLE OF BILL: An act to amend the tax law, in relation to extending the authorization granted to the County of Lewis to impose an additional one percent of sales and compensating use taxes.

PURPOSE: To authorize Lewis County to impose an additional one percent of sales and compensating use taxes.

SUMMARY OF PROVISIONS: Authorizes Lewis County to impose an additional one percent sales and compensating use tax until November 30, 2025. Effective date is December 1, 2023.

Section 2. The Clerk of the Board is hereby directed to forward certified copies of this Resolution to State Senator Mark Walczyk and Assemblyman Kenneth Blankenbush.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2nd day of May, 2023.

RESOLUTION NO. 86 - 2023
RESOLUTION AUTHORIZING AGREEMENT WITH DEVELOPMENT AUTHORITY OF
THE NORTH COUNTRY FOR PROFESSIONAL CONSULTANT AND PROJECT
MANAGEMENT SERVICES IN POTENTIAL REDEVELOPMENT OR DEMOLITION OF
THE FORMER LYONS FALLS SCHOOL

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

WHEREAS, the County of Lewis, by and through the Planning Department, seeks to secure the professional services of DANC in its decision to move forward with final environmental assessment of the former Lyons Falls School located at 6832 McAlpine Street, Lyons Falls, NY 13368, to determine its potential redevelopment and rehabilitation or its demolition, depending upon the environmental and structural analysis ; and

WHEREAS, the County has an Order from the Supreme Court allowing for its legal access of the building for environmental and structural testing and assessment; and

WHEREAS, DANC is familiar with the structure and has the expertise to assist the County in its plan to redevelop this condemned structure, if warranted, or to have it demolished if final analysis and assessment so indicate; and

WHEREAS, DANC has submitted a proposal to the County to offer its technical services in analysis of this building and its potential remediation or demolition, with a scope of services outlined in three (3) phases as a path to redevelopment:

Phase 1: includes property visual assessment to determine what if any additional hazardous material testing and engineering services may be required depending upon the condition and contents; consultant services for material testing company, assisting county staff with procuring the services identified; and analysis of the results of the previously completed environmental reports and tests to generate redevelopment alternatives, with a report generated with project scope and budge estimates.

Phase 2: assist in bid phase services if remediation of the building is determined to be appropriate, including compiling bid documents and facilitating in the bid process.

Phase 3: construction phase services in which the DANC will oversee the demolition or remediation contract, provide periodic inspections of construction along with other duties through closeout as set forth in the Proposal; and

WHEREAS, the costs outlined by DANC for Phase 1 services will not exceed \$8,000.00, and would be completed within ninety days of notice to proceed. Phase 2 and Phase 3 services are to be determined, depending upon the assessment analysis and decision on whether to redevelop/remediate or demolish and the estimated costs of each; and

WHEREAS, the Planning Director and County Attorney request and recommend that the Board authorize Phase 1 of this proposal, with the option to return to the Board for further authorization of additional services outlined by DANC under Phases 2 and or 3, after completion and analysis of Phase 1 assessments;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement with DANC to provide assessment and project management services to assist in the County's decision to finalize the foreclosure on the Lyons Falls School, in the Village of Lyons Falls, New York and take title to same in order to take the steps for redevelopment and remediation or demolition of the building, as the analysis and cost estimates may dictate.

Section 2. That the Lewis County Board of Legislators authorizes the Phase 1 scope of services outlined by DANC, for a total cost not to exceed \$8000.00, payable from the Planning Department budget. Any additional services as outlined for Phase 2 and or 3 shall be brought forth to the committee and Board for further discussion and authorization, including the source of funding for any additional services proposed by DANC.

Section 3. That the Chair or Vice-Chair 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 this Resolution shall take effect immediately.

Moved by Legislator Hathway , seconded by Legislator Virkler , and adopted on the 2nd day of May, 2023.

RESOLUTION NO. 87 - 2023
RESOLUTION AUTHORIZING NBRC CATALYST GRANT APPLICATION FOR
BROADBAND INFRASTRUCTURE EXPANSIONS BY DANC

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

WHEREAS, the Development Authority of the North Country (DANC) seeks to submit an NBRC Catalyst Grant Application for up to \$3,000,000.00 in broadband infrastructure expansion projects on behalf of Lewis, Jefferson, and St. Lawrence Counties; and

WHEREAS, it is anticipated that the costs of the Lewis County projects planned to be funded under this Grant should not exceed \$1,000,000.00, with the County's local share match not to exceed \$250,000.00; and

WHEREAS, if awarded funding under this grant, the Planning Department envisions projects to expand fiber optic systems in the town of Diana, Low Orbit Satellite Equipment for unreachable, unserved households and/or businesses, and installation of fixed wireless equipment on the Lewis County 911 Gomer Hill Tower; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize DANC to submit the application, with the County's local share cost commitment capped at \$250,000.00; and if awarded said funding to authorize the agreements for same and appropriate the funds;

NOW, THEREFORE BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes DANC to apply for an NBRC Catalyst Grant on behalf of Lewis County for broadband infrastructure expansion projects in order to advance broadband services to households and businesses for Lewis County Projects for up to \$1,000,000.00 in grant funding, with up to \$250,000.00 as the Lewis County local share cost commitment (a combination of in-kind services and cash).

Section 2. That the Director of Planning or the Chair of the Board of Legislators be and the same is hereby authorized to execute the application and any other documents required for submission of the application by DANC.

Section 3. That in the event the County is awarded grant funds, the Board of Legislators hereby authorizes acceptance of the award and authorizes the Chair or Vice Chair to execute the grant agreement with NBRC, an agreement with DANC, and any other documents required to give effect to this Project, upon review and approval of 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 2nd day of May,2023.

RESOLUTION NO. 88 - 2023
RESOLUTION AUTHORIZING GRANT APPLICATION TO
UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) FOR COSTS OF
PURCHASING AND INSTALLING ELECTRIC VEHICLE (EV) CHARGING STATIONS

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

WHEREAS, the County of Lewis, by and through the Lewis County Planning and Community Development Department, desires to apply for the USDOT Charging and Fueling Infrastructure (CFI) Discretionary Grant Program to assist with the costs of purchasing and installing EV Charging stations across Lewis County; and

WHEREAS, the proposed grant funding will assist the Planning and Community Development Department to construct EV Charging infrastructure along public roads and in publicly accessible locations to provide an alternative fuel transportation system; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this application, and if awarded funding, to appropriate the funds;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County of Lewis, by and through the Lewis County Planning and Community Development Department, to submit a grant application to USDOT to secure funding (ranging from \$500,000.00 to \$15,000,000.00) to assist with the costs of purchasing and installing EV Charging Stations throughout Lewis County.

Section 2. That the Chair or Vice Chair of the Board of Legislators be and the same is hereby authorized to sign and authorizes the Director of Planning and Community Development to submit the application and any required documents under the application upon review of the Director of Planning and Community Development.

Section 3. That in the event the County is awarded grant funds, the Board of Legislators hereby, authorizes the Chair or Vice-Chair to execute any grant agreement and other documents required to accept the award upon review and approval of the County Attorney; and directs the Treasurer to appropriate the awarded funds into approved accounts.

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

Moved by Legislator Hathway , seconded by Legislator Virkler , and adopted on the 2nd day of May, 2023.

RESOLUTION NO. 89 - 2023
RESOLUTION ADJUSTING PRESCHOOL PROVIDER SERVICE RATES
WITH LEWIS COUNTY PUBLIC HEALTH DEPARTMENT

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

WHEREAS, the Lewis County Board of Legislators is authorized to approve a rate list for Preschool Special Education Service Providers; and

WHEREAS, in order to meet the growing demand of children that need these services in the County, the changes are provided as such to make the rates competitive with the intention of enticing other providers to contract with the County to combat the waitlist of students. The former and proposed rates are as such:

Service	Former Rate Individual	Proposed Rate Individual	Former Rate Group	Proposed Rate Group
Aid 1:1	\$9.00	\$17.00	\$7.00	\$8.50
Audiology	\$355.00	\$177.50	\$300.00	\$100.00
Psychological	\$64.00	\$100.00	\$53.00	\$75.00
Occupational Therapy	\$64.00	\$74.00	\$54.00	\$65.00
Physical Therapy	\$64.00	\$74.00	\$54.00	\$65.00
Physical Therapy Assistant	\$43.00	\$55.00	\$27.00	\$47.00
Speech Therapy	\$64.00	\$74.00	\$53.00	\$65.00

WHEREAS, the Director of Public Health seeks to have the Lewis County Board of Legislators authorize and approve this list of proposed rates for preschool related services, effective July 5, 2023;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators authorizes and approves an amendment to the Preschool Special Education Provider Agreements to change their pay rates, effective July 5, 2023.

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

Moved by Legislator Hathway, seconded by Legislator Virkler, and adopted on the 2nd day of May, 2023.

RESOLUTION NO. 90 - 2023
RESOLUTION AWARDED BID AND AUTHORIZING AN AGREEMENT WITH
CLIMATE CONTROL MECHANICAL OF NY FOR PURCHASE OF
WALK-IN FREEZER FOR JAIL KITCHEN

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

WHEREAS, the Lewis County Purchasing Director recently sent out a Request for Proposals (RFP) for the purchase of a walk-in freezer for the jail kitchen; and

WHEREAS, the Clerk of the Board and Purchasing Director were present on April 12, 2023 at 2:00 pm to open one (1) bid received in response to the RFP; and

WHEREAS, after review and consideration of the proposal, in accordance with the specifications and scope of work set forth in the RFP, the Purchasing Director recommends awarding the bid to Climate Control Mechanical of NY, 3751 Woodpecker Lane, Mannsville, NY 13661, the only bidder, at \$31,647.00 for a walk-in freezer in accordance with specifications set forth in the RFP; and

WHEREAS, the Board of Legislators seeks to award the bid to Climate Control Mechanical of NY and authorizes an agreement for the specified walk-in freezer and related services to be provided in accordance with the RFP;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby awards the bid and authorizes an Agreement with Climate Control Mechanical of NY, of Lowville, NY, 13367 for the walk-in freezer described in the RFP for the jail kitchen, in accordance with the specifications and requirements set forth in the RFP.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include all conditions and requirements set forth in the RFP together with inclusion of any and all additional terms and conditions recommended by the County Attorney, at a cost not to exceed \$31,647.00 and warranty on labor, and factory warranty on equipment for one year, panels for fifteen years after installation, payable \$15,823.50 down, and 15,823.50 after completion.

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement and any amendments thereto, upon review and 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 2nd day of May, 2023.

RESOLUTION NO. 91 - 2023
RESOLUTION IN SUPPORT OF NORTHERN FEDERAL CREDIT UNION'S
APPLICATION FOR DESIGNATION OF A BANKING DEVELOPMENT DISTRICT
IN THE TOWN OF DIANA AREA

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

WHEREAS, the Lewis County Board of Legislators is aware of Northern Federal Credit Union's ("BANK") intent to open a full-service banking facility in Harrisville, New York, and its plan to apply to the NYS Department of Financial Services for a Banking Development District ("BDD") designation in the Town of Diana, NY area; and

WHEREAS, the designation and approval of the BDD by New York State will provide the Bank with a NYS deposit of up to \$10 million at the new branch to assist in supporting its financial viability in the short term; and

WHEREAS, Northern Federal Credit Union provides a source of capital for local businesses to promote job creation; provides a source of capital for mortgages, to increase home ownership and allow for home improvement; provides services that allow individuals to cash checks, pay bills and transmit money more readily and cheaply than other types of financial institutions such as check cashers; and helps people create wealth through savings programs and other banking services; and

WHEREAS, the NYS Banking Development District (BDD) program aims to reduce the number of unbanked and underbanked New Yorkers, to enhance access to credit for consumers and small businesses, to reduce the reliance on alternative providers of financial services and to promote an asset building consciousness; and

WHEREAS, the Lewis County Board of Legislators supports the Bank's application for NYS BDD designation approval and is desirous of Northern Federal Credit Union opening a full-service branch office in Harrisville to service the residents and businesses in this area of the County; and

WHEREAS, such designation will not prohibit other financial institutions from opening offices/branches in the Town of Diana area, nor prohibit other banks from applying for and receiving approval for an additional BDD designation.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators supports Northern Federal Credit Union's application to New York State Department of Financial Services for a Banking Development District designation in the Town of Diana, New York area.

Section 2. That the Chairman or Vice Chairman is authorized to execute any documents which may be required to indicate the County's support of the Bank's application, upon review and approval of the County Attorney.

Section 3. That the Clerk of the Board is directed to forward a certified copy of this Resolution to the President and CEO of Northern Federal Credit Union.

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

Moved by Legislator Chartrand, seconded by Legislator Osborne, and adopted on the 2nd day of May, 2023.

OTHER BUSINESS:

At 5:56 p.m. Legislator Virkler moved to enter into Attorney Client Privilege session at the recommendation of the County Attorney, Joan McNichol, for an update on legal matters, seconded by Legislator Nellenback and carried.

At 6:24 p.m. Legislator Chartrand moved to enter regular session, seconded by Legislator Virkler and carried.

There being no other business to come before the Board, Legislator Gilbert made a motion to adjourn the meeting at 6:25 p.m., seconded by Legislator Chartrand and carried.