



OFFICE OF THE BOARD OF
LEGISLATORS
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Cassandra Moser
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TO: Media

FROM: Cassandra Moser, Clerk of the Board

DATE: March 3, 2023

The Board of Legislators will meet on **Tuesday, March 7, 2023 at 5:00 p.m.** for the regular monthly meeting which will be held in the Legislative Board Chambers at the Courthouse in Lowville, NY. Enclosed are proposed resolutions for action. Any other business may be conducted.

There will be a public hearing for comments on:

- The request and recommendations of the Lewis County Agricultural and Farmland Protection Board, for inclusion of the parcel located in the Town of Lowville, Tax Map Parcel No. 212.00-01-16.128 owned by Bradymore, LLC.

The meetings will be streamed live on the YouTube channel "Lewis County" listed as:

<https://www.youtube.com/c/LewisCountyNY>

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Lewis County is an equal opportunity provider and employer. Complaints of discrimination should be made known to the Lewis County Board of Legislators.

RESOLUTION NO. 31 - 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 \$ 5,065,296.09 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 __, seconded by Legislator __, and adopted pursuant to the following roll call vote:

AYES:

NAYS:

ABSENT:

RESOLUTION NO. 32 - 2023

**RESOLUTION AUTHORIZING SERVICE AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND TK ELEVATOR CORPORATION FOR MAINTENANCE
SERVICES OF THE FOUR ELEVATORS IN THE COURTHOUSE BUILDING**

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

WHEREAS, the County of Lewis entered into a contract with ThyssenKrupp Elevator Corporation (now known as TK Elevator Corporation “TKE”) on December 19, 2019 pursuant to Resolution No. 507-2019 for the purpose of providing maintenance elevator equipment services for the four (4) elevators in the Lewis County Courthouse for the term beginning January 1, 2020 through December 31, 2022; and

WHEREAS, TKE has submitted a proposal to provide the four (4) elevators in the building with maintenance services which include physical inspections and examinations of parts and equipment, adjustments as needed, testing, and trouble-shooting as set forth in the service agreement, for a three (3) year period commencing January 1, 2023 through December 31, 2025, at a discounted cost of \$15,316.92 for the first year, subject to annual increases up to 5% annually but with a discount of 4% if paid annually ; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a three (3) year elevator service agreement with TK Elevator Corporation, E. Syracuse, NY to service the four elevators in the Courthouse Building (3 on the court side and 1 on the county side) at a discounted cost of \$15,316.92 for the first year, and subject to up to 5% increases in years two and three, but with up to 4% credit if fee is paid annually.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver such Service Agreement and any annual renewal statement, pending approval by the County Attorney.

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 33 - 2023

**RESOLUTION AWARDING BID AND AUTHORIZING AN AGREEMENT WITH
MIKE'S APPLIANCES FOR PURCHASE OF MULTIPLE APPLIANCES FOR LEWIS
COUNTY CAPITAL PROJECT IMPROVEMENTS**

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 multiple GE or equivalent appliances for various departments under the Capital Project Improvements undertaken by the County; and

WHEREAS, the Clerk of the Board and Purchasing Director were present on February 17, 2023 at 2:00 pm to open four (4) bids received in response to the RFP; and

WHEREAS, after review and consideration of the proposals, in accordance with the specifications and scope of work set forth in the RFP, the Purchasing Director recommends awarding the bid to Mike's Appliances, 7604 N. State Street, Lowville, NY 13367, the lowest bidder, at \$16,916.00 for twenty (20) various appliances in accordance with specifications set forth in the RFP; and

WHEREAS, the Board of Legislators seeks to award the bid to Mike's Appliances and authorizes an agreement for the specified appliances 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 Mike's Appliances, of Lowville, NY, 13367 for the multiple appliances described in the RFP for various Lewis County Departments under the County's Capital Projects budget, 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 \$16,916.00 and warranty on parts & labor for one year after installation, payable in installments upon delivery of each item.

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

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 34 - 2023

**RESOLUTION AWARDING BIDS AND AUTHORIZING AGREEMENTS BETWEEN
THE COUNTY OF LEWIS AND CREDO COMMUNITY CENTER FOR THE
TREATMENT OF ADDICTIONS TO PROVIDE COUNSELING AND PRESCRIBING
SERVICES, AND AN AGREEMENT WITH LAWRENCE J. PALINSKI, FNP TO
PROVIDE MEDICAL ASSESSMENTS, PRESCRIBING AND OVERSIGHT SERVICES
UNDER THE MEDICATION-ASSISTED TREATMENT (MAT) PLAN FOR
INCARCERATED INDIVIDUALS SUFFERING FROM
SUBSTANCE ABUSE DISORDERS**

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

WHEREAS, the Lewis County Director of Community Services sent out a Request for Proposals for qualified entities to provide services outlined in chapter 432 of the 2021 Laws of New York, which require the County to develop a medication-assisted treatment and transition services plan for incarcerated persons (IP) who suffer from substance abuse disorders as defined under the law; and

WHEREAS, bid proposals were opened on November 10, 2022 at 2:00 pm by the Clerk of the Board with the Director of Community Services, Purchasing Director and Legislator Hathway present. All bid proposals were reviewed and analyzed by the Director of Community Services and County Manager in consultation with the Lewis County Sheriff and staff as well as the County Attorney; and

WHEREAS, the Director of Community Services recommends that the Board award Credo Community Center for the Treatment of Addictions (Credo) the contract for MAT counseling, inmate assessment, treatment planning and the prescribing and monitoring of methadone to inmates in the program, all as more fully identified in the RFP, at a cost of \$63,873 for 2023, plus fees for service with respect to the methadone prescribing and monitoring; and

WHEREAS, the Director of Community Services recommends that the Board award Lawrence J. Palinski, FNP (Palinski) the contract for medication prescribing other than methadone, assessment of and recommendation of admission into the MAT program for inmates who screen positive for substance abuse, development of policies, internal procedures and their annual review, at a cost of \$86,667 from May, 2023 through December 31, 2023, plus planning time at the rate of \$125/hr; and

WHEREAS, the Credo bid award of \$63,873 is covered under State OASAS funding through the Director of Community Services, with any additional costs for services and expenses above being the responsibility of the County. The compensation for all services provided by Palinski are 100% payable by the County;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid and authorizes a contract for MAT inmate counseling, assessment, treatment planning and methadone prescribing and provision of same to Credo, of Watertown, NY, in the amount of \$63,873 plus fees for services as outlined by the Community Services Director in consultation with Credo, retroactive to January 1, 2023 through December 31, 2023.

Section 2. The Lewis County Board of Legislators hereby awards the bid and authorizes a contract for MAT non-methadone medication prescribing services, including inmate assessment, induction/prescribing all MAT non-methadone medication, to Lawrence J. Palinski, of Westerville, NY 13486, in the amount of \$86,667 plus planning time at \$125/hr., from May 1, 2023 through December 31, 2023.

Section 3. That the Chair, or Vice-Chair, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments thereto, together with execution of the Agreement(s) by the Director of Community Services and Lewis County Sheriff, upon such terms and conditions as may be recommended by the County Attorney.

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 35 - 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 Senior Assistant District Attorney submitted his resignation effective February 5, 2023; and

WHEREAS, the District Attorney seeks to have this ADA continue in a temporary, part-time legal service as an ADA until another full-time ADA is hired or until December 31, 2023; whichever event first occurs in order to continue legal assistance in meeting discovery compliance and communications with counsel and courts in pending cases. Compensation would be at \$40.00 per hour for no more than 12 hours per week;

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, effective and retroactive to February 6, 2023 through December 31, 2023 or until another full-time ADA is hired, whichever event first occurs, with hours not to exceed 12 hours per week

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Part-Time Assistant District Attorney	Temporary	\$40.00/hour

Section 2. That the Board of Legislators hereby declares that no additional funding for this part-time, temporary position will be authorized in 2023.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 36 - 2023

**RESOLUTION AUTHORIZING INCREASE TO
HEALTH INSURANCE PREMIUMS FOR THE PLAN YEAR
COMMENCING JUNE 1, 2023**

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

WHEREAS, the County of Lewis (the "County"), has a self-funded health insurance program known as the Lewis County Health Plan ("Plan"), with premiums that support coverage of claims for County (including LCHS) employees, spouses, dependents and retirees eligible for health insurance; and

WHEREAS, the Lewis County Treasurer, in his capacity as the Plan Administrator, together with the County Manager, HR Director, and Administrators from LCHS, hold periodic meetings with the health insurance committee along with GKG, the county consultants for plan design and insurance management and Milliman, the county's actuarial consultant on the Plan, to assess and ascertain an appropriate premium equivalent for Plan participants in order to sustain the benefits and payout of claims under the Plan; and

WHEREAS, the health insurance committee has been monitoring the health insurance fund balance over the past year, with the County Manager indicating in his 2023 proposed budget that an increase in premiums would likely be required in 2023 in order to sustain the payout of increased claims under the plan; and

WHEREAS, the health insurance fund balance is now reduced to \$1,922,000 with health claims continuing to exceed premiums. Upon review and analysis of the plan and fund balance, and upon the recommendations of Milliman in its January 30, 2023 evaluation, the Committee recommends that the Board of Legislators increase the health insurance premium equivalents by 15%;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby approves the Plan Administrator's and Health Insurance Committee's recommendation to increase all health insurance premiums by 15% for the plan year beginning June 1st, 2023 (reflected in May, 2023 paychecks) in order to stabilize the health insurance fund balance.

Section 2. That this Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 37 - 2023

**RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 4 TO
CONTRACT NO. D036200 BETWEEN NEW YORK STATE DEPARTMENT OF
TRANSPORTATION AND LEWIS COUNTY FOR THE TRANSPORTATION
FEDERAL-AID BRIDGE REPLACEMENT PROJECT
(PIN 775387) KNOWN AS COUNTY ROUTE 29 (WEST ROAD)
OVER WHETSTONE CREEK.**

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

WHEREAS, the Bridge Replacement Project known as West Road over Whetstone Creek (PIN 775387; BIN 3340230) (the “Project”) in the Town of Martinsburg, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, as provided for in the Agreement with NYS DOT, the PE and/or ROW Incidental and Acquisition work performed by the municipality for the federal aid-eligible construction project covered by the agreement, the costs of such work that are approved in writing by DOT, applicable to the federal aid and Marchiselli aid construction work shall be credited following FHWA’s construction phase closeout audit of the Project costs that are eligible for federal aid and Marchiselli aid; and

WHEREAS, the County of Lewis advanced the Project by its commitment of 100% of the federal and non-federal share of project costs. NYSDOT now requires Supplemental Agreement No. 4 to incorporate additional funding of \$24,000.00 for the Final Design phase and to include approved 2023-2024 Marchiselli funds to the project; and

WHEREAS, pursuant to this Supplemental Agreement, the Final Design phase has increased Federal and State Marchiselli funding by \$24,000.00, which reduce the County’s local share costs from \$16,000.00 to \$14,525.00;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes Supplemental Agreement No. 4 to the Agreement with NYS DOT for Bridge Contract No. D036200, known as County Rt. 29 (West Road) over Whetstone Creek, PIN 775387/BIN 3340230, to add funding to the Final Design phase, inclusive of approved 2023-2024 Marchiselli funding.

Section 2. That the total Final Design Phase funding costs are increased and approved to \$290,500.00 (Federal share of \$232,400; State Marchiselli share of \$43,575; and County local share cost reduction to \$14,525).

Section 3. That the Lewis County Board of Legislators hereby authorizes the Treasurer to appropriate the additional \$24,000.00 in funding for this project, and directs the Treasurer to make the proper adjustments to the accounts pertaining to the Federal, State and Local share costs for these phases of the project.

Section 4. That in the event the full federal and non-federal share costs of the project exceed the amount appropriated, the Chair shall convene the Lewis County Board of Legislators as soon as possible to appropriate said excess amount upon notification from the NYS DOT.

Section 5. That the Chair, or in his absence, the Vice-Chair of the Lewis County Board of Legislators, is authorized to execute Supplemental Agreement No. 4 and all necessary agreements, certifications, or reimbursement requests with the NYSDOT in connection with this Project.

Section 6. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

Section 7. That the within Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 38 - 2023

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS
AND PRESENTATION CONCEPTS CORPORATION FOR TECHNOLOGY
UPGRADES IN THE LEGISLATIVE CHAMBER**

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

WHEREAS, the Lewis County Information Technology Department received three (3) quotes from qualified entities whose IT equipment is on the State's approved list for the purchase and installation of new cameras, microphones, speakers and other items required for the County to upgrade the technology system in the Board's Legislative Chamber; and

WHEREAS, the IT Director vetted all three potential vendors and their proposals, and presented a summary to the members of the Board; and

WHEREAS, the IT Director recommends accepting the proposal from Presentation Concepts Corporation (PCC) with offices at 6517 Basile Rowe, East Syracuse, NY 13057, to purchase and install new cameras, microphones, speakers, a projector, and other items as more fully set forth in its proposal to upgrade and revitalize the Board Room, for a total cost of \$98,165.00; and

WHEREAS, the services proffered by PCC are anticipated to be completed by the end of Fall, 2023, and will be funded from the IT Capital Reserve "HAE" Account; and

WHEREAS, the Lewis County Board of Legislators seeks to accept the quote and authorize an agreement with PCC to provide for these upgrades and installation services;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby accepts the quote and authorizes an agreement with Presentation Concepts Corporation of East Syracuse, NY, to purchase and install new cameras, microphones, speakers, a projector, and other items in the Lewis County Legislative Chamber as set forth in the proposal dated February 10, 2023, at a cost of \$98,165.00, with such equipment and services to be completed by the end of Fall, 2023.

Section 2. That the Chair, or Vice-Chair, of the Board of Legislators is hereby authorized to make, execute, seal, and deliver such quote approval, Agreement and any other documents required to give effect to this project, upon such terms and conditions as may be approved by the County Attorney.

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 39 - 2023

RESOLUTION TO APPROPRIATE FUNDS AND PAY TAX ASSESSMENT REFUND

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

WHEREAS, pursuant to Resolution No. 32-2022, the Board of Legislators authorized an appropriation from fund balance for surety aid related to the payment of tax assessment refunds for the years 2013 – 2017 pursuant to the Decision and Order of the Court in the City of Rome tax assessment litigation pertaining to the Boyd Dam in the Town of Lewis; and

WHEREAS, on or about February 25, 2022, a check in the amount of \$292,721.37 was tendered to the attorney for the City of Rome for the County's share of tax refunds with interest, plus one-third of the Court costs, as the County and other taxing jurisdictions calculated the refunds for the relevant period set forth in the Decision; and

WHEREAS, counsel for the City held the check and disputed the refund calculations, ultimately returning the check to the County in August, 2022, in furtherance of its dispute of the refund amount, despite the County and other taxing jurisdictions affirming that any discrepancy would be paid, once resolved; and

WHEREAS, the disputed amount was conferenced with the Court from March, 2022 through August, 2022, with final submissions on the issue received by the Court in September, 2022. The Court rendered a decision on February 10, 2023 and determined that refunds are ordered to be paid on full value without adjustment by the State equalization rate in excess of 100% and without the deduction of interest on the payments previously tendered but not accepted. In essence, all interest on the recalculated refunds are to be paid by the taxing jurisdictions without consideration or credit for the amounts tendered to the City's attorney nearly a year ago; and

WHEREAS, with the assistance of the Real Property Director, the amount owing for said refunds from the County together with interest through March 13, 2023 amounts to \$345,842.62, plus payment of one-third court costs of \$1,169.12 and one -third of appeal printing costs of \$863.34 for a total of \$347,875.08; and

WHEREAS, the County Attorney requests that the Board rescind Resolution No. 32-2022, and authorize an appropriation from fund balance in the amount of \$347,875.08 to pay to Goldman Attorneys PLLC, as attorneys, the County's share of the tax refunds and court ordered costs for the years 2012 – 2017 as and for the City of Rome's overpayment of the taxes paid for those years;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section I. That the following budget appropriation is hereby approved in the Legislative Department to appropriate funds from Fund Balance for Surety Aid related to the Decision and Order of the Court in the City of Rome tax assessment litigation, to pay tax assessment refunds with costs and statutory interest through March 13, 2023 for the years 2012 - 2017:

Decrease Fund:

A0 005990 Fund balance	\$ 347,875.08
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Increase Expenditure:

A0101000 492800 BOL Tax Surety Aid	\$ 347,875.08
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Section 2. That the Treasurer's office is directed to issue a check made payable to "Goldman Attorneys PLLC, as attorneys" in the amount of \$347,875.08, as the City of Rome's tax refunds with interest and costs pursuant to the Decision of the Court for tax years 2012 through 2017.

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 40 – 2023

**RESOLUTION AUTHORIZING THE COUNTY TO ‘OPT IN’ TO THE NATIONWIDE
OPIOID SETTLEMENT AGREEMENTS WITH PHARMACEUTICAL
MANUFACTURERS AND PHARMACIES**

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

WHEREAS, the County has participated in statewide litigation against manufacturers and distributors of opioids. The State of New York has also participated in a nationwide lawsuit against named manufacturers and pharmacies, with settlements now reached in that litigation with respect to Teva and Allergan (Manufacturers) and three pharmacies (CVS, Walgreens and Walmart); and

WHEREAS, under the nationwide lawsuit, local political subdivisions are referred to as “subdivisions” under the settlement agreement. Since NYS is a named participant under the lawsuit, the subdivisions are entitled to “opt in” to each settlement agreement with the named defendants. The County has already entered into settlement agreements with Teva and Allergan under the state lawsuit. In order to participate and receive a portion of the settlement funds payable by each named defendant, the County must exercise its option by executing an “opt in” document together with other implementation/participation forms and document by April, 2023; and

WHEREAS, the Board of Legislators seeks to participate in the settlement with named defendants under the nationwide opioid lawsuit and exercise its participation by “opting in”;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators approves and authorizes “opt in” participation in the settlement agreements and funds by the named manufacturers and pharmacies under the nationwide opioid lawsuit in which the State of New York is a participating entity.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Chairman of the Board, or his designee, to execute the opt in participation form and any other settlement term sheets and agreements required for participation in the settlements, upon review by the County Attorney.

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 41 - 2023

**RESOLUTION AUTHORIZING FUNDING CONTRIBUTION FOR NECESSARY
RENOVATIONS TO THE LEWIS COUNTY AGRICULTURAL SOCIETY
FAIRGROUND'S GRANDSTAND**

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

WHEREAS, the Lewis County Fairgrounds, owned and operated by the Lewis County Agricultural Society ("Ag Society"), is the home of the annual Lewis County Fair, the ice skating rink, the farmer's market, and many other community activities, users and uses; and

WHEREAS, the Ag Board has identified the scope of work and estimate of costs required for the Grandstand and track retaining walls renovations, amounting to approximately \$500,000.00. The Ag Society is intending and in the process of submitting grant applications and sending charitable donation letter requests to cover the costs of this necessary project; and

WHEREAS, the Board of Legislators understands how vital the Fairgrounds, and in particular, the historic Grandstand plays in the annual County Fair and other large events enjoyed by Lewis County residents. The Board supports this necessary investment for the benefit of the entire Lewis County community, and seeks to contribute toward the funding for same;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves the payment of \$100,000.00 to the Lewis County Agricultural Society to be used specifically toward the costs and expenses of the Grandstand and track retaining wall renovations.

Section 2. That the Lewis County Board of Legislators authorizes and directs the Treasurer to transfer the total amount of \$100,000.00 from Fund Balance for this payment.

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 any agreement or document required to give effect to this Resolution upon review by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 42 - 2023

RESOLUTION AUTHORIZING INCLUSION OF CERTAIN AGRICULTURALLY VIABLE LAND INTO A CERTIFIED AGRICULTURAL DISTRICT AND NEGATIVE DECLARATION DETERMINATION

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

WHEREAS, the Lewis County Board of Legislators, in accordance with Chapter 303b of the Laws of 2003 amending NYS Agricultural and Markets Law, designated an annual thirty (30) day review period starting on November 15 and closing December 15, 2022, in which a landowner may submit requests for inclusion of predominately viable agricultural land within a Certified Agricultural District; and

WHEREAS, the Lewis County Planning and Community Development Department received one (1) application for inclusion of properties into Agricultural District # 6. This parcel is located in the Town of Lowville, Tax Map Parcel No. 212.00-01-16.128 owned by Bradymore, LLC, (approximately 2.3 acres); and

WHEREAS, the Lewis County Agricultural and Farmland Protection Board (LCAFPB) reviewed the application for inclusion of a property into Agricultural District #6 and submitted their recommendation to the Lewis County Board of Legislators that the property be placed into the certified agricultural district; and

WHEREAS, Short Environmental Assessment Forms for the Unlisted Actions has been prepared by the Director of Planning and Community Development on behalf of the County of Lewis Board of Legislators as the lead agent for this Ag Inclusion property for determination of the environmental impact of same, with a conclusion and determination that the identified parcel's inclusion will not result in any significant adverse environmental impact; and

WHEREAS, the Lewis County Board of Legislators, in accordance with Chapter 303b of the Laws of 2003 amending NYS Agricultural and Markets Law, conducted a public hearing to consider the request and recommendations of the Lewis County Agricultural and Farmland Protection Board and Planning Department on March 7, 2023 at 5:00 p.m.; and

WHEREAS, the Lewis County Board of Legislators, having held the public hearing and having heard any statements or comments from the public on the request and recommendations of the Lewis County Planning and Community Development Department and Lewis County Agricultural and Farmland Protection Board, seeks to adopt the recommendations of the Director of Planning and Community Development and declare a negative environmental impact for each parcel, and place these properties into a certified agricultural district;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Chairman of the Board to execute the Short Environmental Assessment Forms prepared by the Planning and Community Development Department declaring that these Actions and Applications will not result in any significant adverse environmental impacts.

Section 2. That the Lewis County Board of Legislators adopts the recommendations of the Lewis County Agricultural and Farmland Protection Board and Planning and Community Development Department, and places the following parcel of land located in the Town of Lowville, Tax Map Parcel No. 212.00-01-16.128 owned by Bradymore, LLC, (approximately 2.3 acres) into certified Agricultural District # 6.

Section 3. That the Chairman or Vice Chairman is authorized to execute any other documents to give effect to this resolution, upon review and approval of the County Attorney.

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 43 - 2023

RESOLUTION AUTHORIZING LEASE AGREEMENT WITH WPBS, HUDSON VALLEY WIRELESS AND THE COUNTY OF LEWIS TO LEASE SPACE ON THE WPBS TOWER AND SITE FOR THE BROADBAND PROJECT

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

WHEREAS, the County's Broadband Expansion Project includes the use of existing tower structures in order to expand broadband connectivity to unserved and underserved Lewis County residents and businesses. While the County was able to use their existing towers for some of their fixed wireless expansion projects, in order to serve the target populations in the Towns of Pinckney, Harrisburg, and Denmark, tower spaced would need to be leased; and

WHEREAS, WPBS has a tower located at 1773 Route 194 in the Town of Pinckney, NY which the County seeks to lease along with its Broadband partner, Hudson Valley Wireless, to bring fixed wireless broadband to that area; and

WHEREAS, WPBS is willing to lease space on the tower, subject to a structural analysis to be undertaken by WPBS to confirm that the tower will be able to properly and safely function with the additional equipment proposed for the tower under the broadband expansion; and

WHEREAS, if the tower passes the structural analysis with this additional load, WPBS is willing to lease the proper space to the County and Hudson Valley Wireless at the following rates over for the six (6) year period:

Year 1 -	\$14,820 (\$1,235/mo.)
Year 2 -	\$15,265 (\$1,272/mo.)
Year 3 -	\$15,723 (\$1,310/mo.)
Year 4 -	\$16,194 (\$1,350/mo.)
Year 5 -	\$16,680 (\$1,390/mo.)
<u>Year 6 -</u>	<u>\$17,180 (\$1,432/mo.)</u>
Total:	\$95,862

It is proposed that the County pay the entire six-year amount (\$95,862) in one lump sum, with Hudson Valley Wireless' share of \$16,200 to be deducted from their final bill to the County under the NBRC grant; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this three-way lease agreement with WPBS and Hudson Valley Wireless, for the use of identified space on the WPBS Tower and its equipment shelter space located on 1773 Route 194, Copenhagen, NY, at the monthly/annual rates set forth above for a six-

year term, to commence upon the start of installation of equipment on the tower, with payment upon confirmation of proper operation of the County and HVW equipment.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County to enter into a lease agreement with WPBS and its broadband partner, Hudson Valley Wireless to rent space on the tower and ground shelter on the WPBS Tower located at 1773 Route 194, Copenhagen, NY after a structural analysis confirms the ability to add this additional load and signals to the Tower for the County's broadband expansion equipment and system.

Section 2. That the lease agreement shall be for a six-year term commencing upon the start of installation of the County and HVW equipment and wiring on the site. Payment shall be made upon satisfactory testing required by the County to confirm operation of the system and connections, with the County having the option to pay in a lump sum or annually in accordance with the lease fee set forth above, together with such other terms and conditions as the County Attorney may recommend.

Section 3. That the Chair or Vice-Chair is hereby authorized to execute, seal and deliver said Lease Agreement(s), and any other documents and forms required to give effect to same, upon such terms and conditions as approved by the County Attorney.

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 44 - 2023

**RESOLUTION AWARDING BID AND AUTHORIZING CONTRACT BETWEEN
THE COUNTY OF LEWIS AND BARTON & LOGUIDICE, D.P.C. TO PROVIDE
PROFESSIONAL PROJECT PLANNING AND ENGINEERING SERVICES FOR THE
COUNTY-WIDE COMPLETE STREETS PROJECT**

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

WHEREAS, the Director of Planning and Community Development Department, in consultation with the Public Health Agency and Highway Department sent out an RFP for professional planning and engineering services for a county-wide complete streets plan in recognition of the 2022 Community Health Assessment which demonstrates significant evidence, need and demand, as more fully outlined and set forth in the RFP; and

WHEREAS, five (5) bid proposals were opened on February 13, 2023 at 2:00 pm. The Planning Director, Deputy Director of Public Health and Superintendent of Highways carefully reviewed the bid submissions and assessed the criteria. After careful consideration and review, this team recommends that the Board of Legislators award the bid and contract to the lowest bidder, Barton & Loguidice, DPC, of 120 Washington Street, Suite 100, Watertown, NY 13601 to complete RFP Tasks 1-4 & 7 at a cost not to exceed \$56,137.00, with an option to complete Task 5 at a cost not to exceed \$28,184, and an option to complete Task 6 at a cost not to exceed \$130,592, with the project expected to conclude on or about December 31, 2023; and

WHEREAS, the Planning and Community Development Department has budgeted \$150,000 for this project, and will work with Public Health and the Highway Department to obtain funding options to complete shovel ready mockups for all eleven (11) municipalities listed in the RFP under Task 6; and

WHEREAS, the Board of Legislators seeks to accept this recommendation, award the bid and contract with Barton & Loguidice for planning and engineering services for the complete streets project;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement with and awards the bid under the County-Wide Complete Streets Project to Barton & Loguidice, DPC, of Watertown, NY 13601, to provide planning and engineering professional services as outlined in the RFP and as they present in their bid proposal dated February 10, 2023, at a cost of \$56,137 for Tasks 1-4 & 7; with options to complete Task 5 at a cost of \$28,184; and complete Task 6 at a cost of \$130,592.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include provisions for B&L to provide reports to the County Departments involved in the project, with an anticipated completion date on or about December 31, 2023.

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 extensions or modifications thereto, upon review and approval by the County Attorney.

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 45 - 2023

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
DEPARTMENT OF PUBLIC HEALTH AND
VOLUNTEER TRANSPORTATION CENTER, INC.**

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

WHEREAS, the Department of Public Health wishes to enter into an Agreement with Volunteer Transportation Center, Inc., a New York Not-for-Profit corporation with a principal place of business located at 24685 State Route 37, Watertown, NY 13601, to provide transportation services to Pre-School special needs children of Lewis County; and

WHEREAS, the County is responsible for 100% of the cost, with LCPH submitting reimbursement to the State for 59.5%, or submitting to Medicaid for said services if the child is Medicaid eligible; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis by and through the Lewis County Department of Public Health and Volunteer Transportation Center, Inc., to provide transportation services to Pre-School for special needs children of Lewis County for the term commencing March 1, 2023 through February 28, 2023, at a cost of \$8.00 per child per trip (\$16.00 round trip) plus IRS mileage rate, with automatic one year renewal terms unless terminated 90 days prior.

Section 2. That the Chair or Vice-Chair of the Board of Legislators together with the Public Health Director are hereby authorized to make, execute, seal and deliver such Agreement, upon such from as may be approved by the County Attorney.

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 46 – 2023

**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS
AND PICTOMETRY INTERNATIONAL CORP D/B/A EAGLEVIEW**

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

WHEREAS, the County of Lewis entered into a contract with Pictometry International Corp D/B/A Eagle View in 2008 for the purpose of using aerial digital imaging technology to map applications for 911 services, public safety, emergency operations, planning, real property functions, and other municipal government application at County and local levels; and

WHEREAS, Pictometry International provides ortho and oblique imagery which enhances the government’s ability to handle emergencies, disasters, planning, measuring and research tools of the latest technology; and

WHEREAS, the Director of Real Property Tax Services received a quote and description of services to be performed by Pictometry over a six (6) year period, to update aerial imagery to include vertical and oblique images and to provide “pictometry connect viewer licenses” to utilize the imagery through a hosted web service. This service would include two aerial flights (Spring of 2023 and Spring of 2026) for mapping applications and functions, at a total cost of \$306,545.00 in annual installments of \$51,090.83, and was approved in the 2023 Capital Budget; and

WHEREAS, the Board of Legislators wishes to authorize said Agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement with Pictometry International Corporation for updated aerial imagery services and viewer licenses to utilize the imagery through a hosted web services, said services to include two aerial imagery flights (Spring, 2023 and Spring, 2026), at a cost of \$306,545.00, payable in annual installments of \$51,090.83 commencing 2023 through 2028, as more fully set forth in the proposal.

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 other documents required to give effect to the agreement, pending approval by the County Attorney.

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 47 - 2023

**RESOLUTION ACCEPTING ADDITIONAL PERMANENT
EASEMENT TO THE COUNTY FOR ITS TRAIL SYSTEM**

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

WHEREAS, the County of Lewis has developed its ATV/OHV trail system by a combination of trails developed from public and private properties; and

WHEREAS, the Director of Recreation, Forestry and Parks secured an access agreement from Gregory E. Grower and Sharon E. Grower, the owners of approximately 158 acres in the Town of Leyden, known as parcel number 402.00-01-09.113, to have access to the property to construct, use and maintain designated trails on the property. By Resolution No. 246-2019, the trails on the Grower property were incorporated into the Lewis County ATV/OHV trail system, subject to the landowner's right to terminate access rights. By Resolution No. 172-2020, the owners granted a permanent easement to the County of approximately .54 acres of their property to the ATV/OHV trail system; and

WHEREAS, the owners now seek to gift another portion of their property to the County of Lewis, for recreational trail use for addition to the ATV/OHV trail system, for a permanent right of access and use for the County trail system, by granting a permanent easement for same. Attached as Exhibit "A" is a map depicting the additional easement area and location running from a point on the east side of Fitch Road and winding through parcel 402.00-01-09.113 as depicted on the attached map, approximately 1.1+/- acres; said trail being approximately 16 feet wide; and

WHEREAS, the Lewis County Board of Legislators seeks to accept this additional permanent easement and formally recognize Gregory Grower and Sharon Grower for their generosity and support of the Lewis County Trail System by this additional gifted permanent easement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby gratefully accepts the gift of an additional permanent easement which shall run with the land, to the County of Lewis, on a portion of the property identified in "Exhibit A" located on the east side of Fitch Road and part of parcel number 402.00-01-09.113 in the Town of Leyden, from landowners Gregory Grower and Sharon Grower, to be used, repaired, adjusted and maintained by the County's Recreation, Forestry and Parks Department as part of the County ATV/OHV trail system, pursuant to the steps required to add this easement area to the County's ATV/OHV Trail System.

Section 2. That the easement area shall include provision for the County of Lewis to have the right and access to approximately 1.1+/- acres, with the trail being approximately 16 feet in width, and identified as the easement area for use as an ATV/OHV trail area maintained and used by the County under its Lewis County Trail System.

Section 3. That the easement document shall be duly recorded and appropriately indexed with the Lewis County Clerk's Office upon review by the County Attorney.

Section 4. That the Director of Recreation, Forestry and Parks is directed to take any steps and actions required to add this easement property to the County's ATV/OHV trail system upon recording of the easement.

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

Moved by Legislator ____, seconded by Legislator ____, and adopted.

Exhibit A - Tax Parcel 402.00-01-9.113



RESOLUTION NO. 48 - 2023

**RESOLUTION AUTHORIZING GRANT OF PERMANENT RECREATIONAL
EASEMENT ON THE COUNTY'S GLENFIELD SCHOOL PROPERTY
FOR THE COUNTY'S TRAIL SYSTEM**

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

WHEREAS, the County of Lewis has developed its ATV/OHV trail system by a combination of trails developed from public and private properties; and

WHEREAS, the Director of Recreation, Forestry and Parks seeks to have the County place a permanent recreational trail easement, with a width of 16 feet, a distance of approximately 0.2 miles on the County's property located at 5960 Main Street, Glenfield, NY, Town of Martinsburg, commonly referred to as the old Glenfield School, Tax Parcel Nos. 259.04-04-08.000 and 259.04-03-12.000, as depicted on the attached Map; starting from the southwest corner of the property boundary on Main Street, and running east along the said property boundary to River Street; said easement providing for the County to have the right of access and use to maintain the easement property for recreational purposes in perpetuity; and

WHEREAS, all steps required for adding county property to the trail system pursuant to Local Law No. 3- 2019 will be undertaken with the grant of this easement; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize the grant of this permanent easement for its intended use as an addition to the Lewis County trail system;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the grant of a permanent easement on its property located at 5960 Main Street, Glenfield, NY, Town of Martinsburg, commonly known as the Old Glenfield School, Town of Martinsburg, Parcel Nos. 259.04-04-08.000 and 259.04-03-12.000, with a general description running southeast along the southwest corner of the property on Main Street, south and east along the property boundary to River Street; a distance of approximately 0.2 acres and a width of 16 feet, as depicted on the attached map; and subject to a survey of the easement area depicted.

Section 2. That the easement area shall include provision for the County of Lewis to have the right of access and use of the approximate 0.2 +/- acres, to develop and maintain an approximate 16 ft. wide trail, subject to compliance with any required steps set forth in the County's trail system local law for addition of same to the trail system.

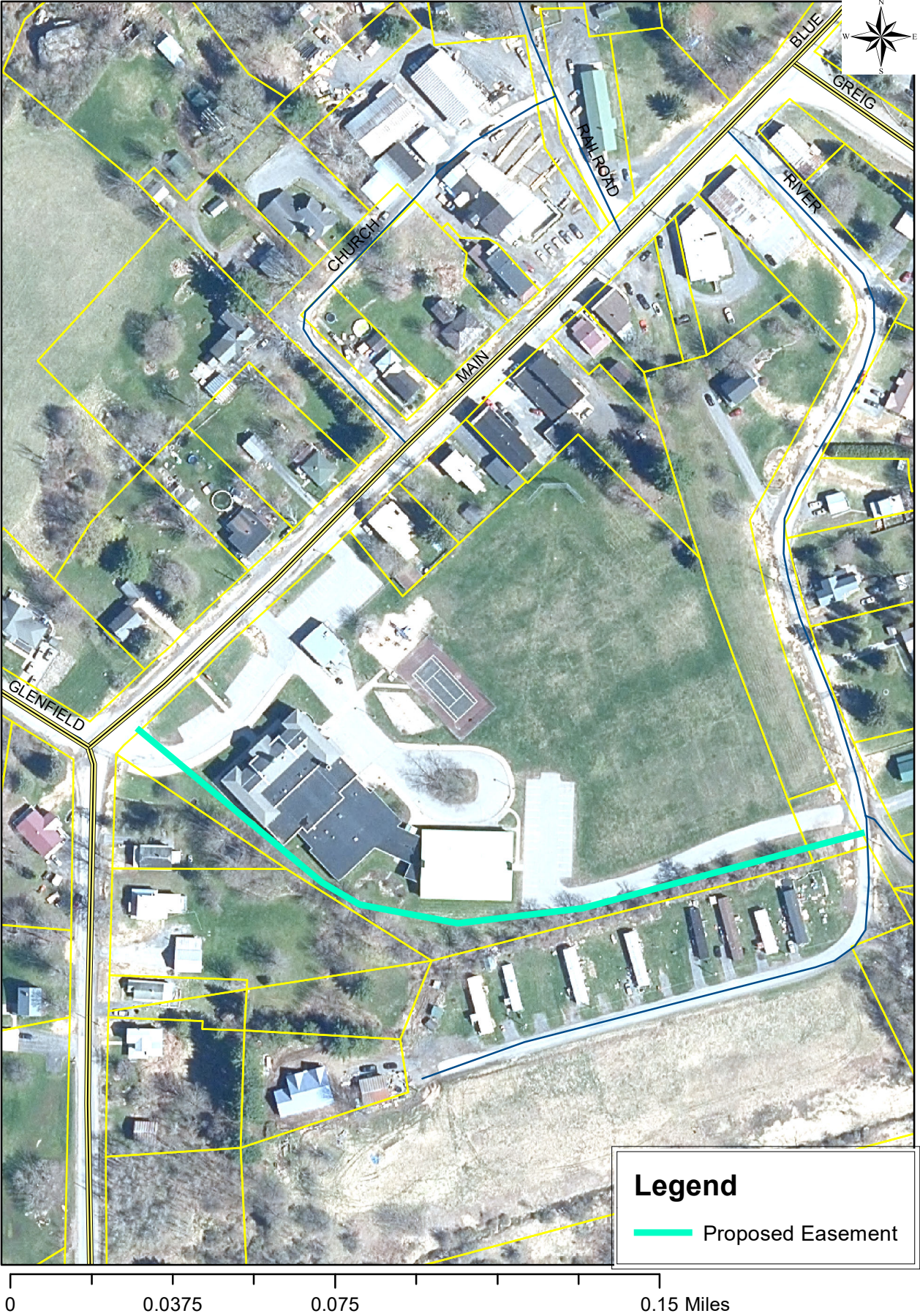
Section 3. That the easement and survey documents shall be duly recorded and appropriately indexed with the Lewis County Clerk's Office upon review by the County Attorney.

Section 4. That the Director of Recreation, Forestry and Parks is directed to take any steps and actions required to add this easement property to the County's ATV/OHV trail system.

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

Moved by Legislator ____, seconded by Legislator ____, and adopted.

Exhibit A - Tax Parcel 259.04-04-8.0



RESOLUTION NO. 49 - 2023

RESOLUTION AUTHORIZING ONE-TIME FUNDING AND AGREEMENTS WITH LEWIS COUNTY SNOWMOBILE CLUBS

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

WHEREAS, snowmobiling (and the businesses that support this sport), is one of the main recreational activities supporting Lewis County tourism and the local economy, especially during the winter months; and

WHEREAS, the snowmobile clubs in Lewis County play a vital part in grooming trails and marketing Lewis County as an exceptional area to enjoy the sport and surroundings. Snowmobile enthusiasts invest in the local economy through patronizing our eating and drinking establishments, purchasing goods, supplies and food at our local businesses, and in purchasing properties for their seasonal enjoyment; and

WHEREAS, in recognition of the hard work provided by club members to benefit Lewis County snowmobiling and the local economy and development, it is requested that the Board of Legislators provide a one-time payment of \$9,000.00 to be equally divided among the nine (9) Lewis County snowmobile clubs to assist in their continued grooming of the snowmobile trails and marketing of Lewis County as one of the premier snowmobiling areas in New York State, in consideration of the clubs providing the County with statistical data on trail usage and activities for the snowmobile season;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the following one-time payment of \$1,000.00 to each of the named Lewis County snowmobile clubs:

Barnes Corners Sno-Pals Inc.
Brantingham Snowmads Inc.
Long Pond Sno Sled Club, Inc.
Lost Trail Snowmobile Club Inc.
Missing Link Snowmobile Club Inc.
Osceola Snowmobile Assn.
Southern Tug Hill Sno-Riders, Inc.
Turin Ridge Riders Snowmobile Club Inc.
Valley Sno Travelers of Lewis County Inc.

Section 2. That the Lewis County Board of Legislators authorizes and directs the Treasurer to transfer the total amount of \$9,000.00 from Legislative

Contingency for the \$1,000.00 payment to each named club upon execution of the agreement:

Decrease Expenditure:

A0101000 419900	\$9,000
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Increase Expenditure:

A0714100 499900	\$9,000
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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.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 50 - 2023

AUTHORIZING OPENING OF CERTAIN PORTIONS OF COUNTY ROADS FOR ATV SPECIAL EVENT

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

WHEREAS, Barnes Corners Sno-Pals Snowmobile Club (herein “Event Sponsor” or “Sno Pals”), has filed an application under the County Event Law and requests that the Lewis County Board of Legislators open and/or confirm the opening of the following County Roads for a one-day ATV event on April 22, 2023;

- CR 2 - Seven by Nine Road, from NYS Rte 177 south to County Line;
- CR 18 - Cronk Road; from Whitesville Road, East to the end of the County Road and where the Town of Pinckney’s Cronk Road begins;
- CR 21- Whitesville Road; From NYS Rte 177 to Jefferson County Line;
- CR 194 - Barnes Corners Road; from CR 21 Whitesville Road to Corey Road
- CR 27 - Sears Pond Road; from Boshart Road to CR 28 Liberty Road;
- CR 28 - Liberty Road; From Factory Road to CR 27 Sears Pond Road;
- CR 29 - West Road; from intersection with Gardner Road to the intersection of Flat Rock Road;
- CR 45 - Mackay Road; from Town of Turin portion of the road to Highmarket Road;
- CR 48 - Highmarket Road; from CR 45 Mackay Road to Byrons Corners Road;
- CR 51 - West Road; from State Route 26 to Gomer Hill Road

and possible opening of the following road, contingent upon weather conditions and snow levels, as determined by the Director of Recreation, Forestry & Parks (hereinafter “Director”) in consultation with the Lewis County Superintendent of Highways, in their discretion:

- CR 29 West Road; from Flat Rock Road to Keener Hill Road; and

WHEREAS, Vehicle and Traffic Law § 2408 and the accompanying regulations promulgated by the Department of Motor Vehicles (15 NYCRR 103.8) provide that no person may hold a special event involving ATV’s without first obtaining the written permission of the government agency or agencies having jurisdiction over the event; and Lewis County Local Law No. 5-2020 requires the sponsor of an event on county roads, trails or other county property to fill out an application and abide by the County’s authority to establish safety requirements with respect to protection of the participants and observers for any event for which a permit is required; and

WHEREAS, the Event Sponsor has filled out a special event application received by the Director, has met with members of the General Services committee, certain Departments and Town representatives to describe steps they have and will

implement in an effort to lessen potential road, property, and participant injury and damage from the “Snirt Run” event; and

WHEREAS, Sno Pals has indicated to the Board of Legislators and Town representatives that the proposed road rally event for permitted ATV & UTV’s, will have a prescribed route and an alternative route of travel over various County and town roads throughout Lewis County on April 22, 2023, depending upon weather conditions and road conditions in existence for the day of the event, for the purpose of raising funds for the Event Sponsor and for the enjoyment of participants; and

WHEREAS, the Event Sponsor has made similar requests to several townships within Lewis County to obtain their permission to open town roads for this one day event; and

WHEREAS, the request by the Event Sponsor has been reviewed by the Director of Recreation, Forestry & Parks, the Lewis County Highway Superintendent, The Emergency Management Services Director, and the Lewis County Sheriff’s office; and

WHEREAS, as a condition precedent to granting permission to the Event Sponsor to hold the event as requested, Sno Pals has agreed to enter into an agreement with the County and to abide by its terms and conditions;

NOW, THEREFORE, BE IT RESOLVED, as follows:

- Section 1. The Board of Legislators finds and determines that this action is a “Type II” action for purposes of the State Environmental Quality Review Act, and the regulations promulgated thereunder, more particularly, 6 NYCRR § 617.5(15) which provides that “minor temporary uses of land having negligible or no permanent impact on the environment” do not require further environmental review. This finding is expressly made upon the following considerations:
- A. That the Event Sponsor represents and warrants that this is a “road only” event and that all promotional materials provided before, during and after the event, including flyers, maps, and website material will clearly state that participants in the event are only allowed to operate their ATV’s on designated roads, and that riding on any other roads, trails or private property is strictly prohibited.
 - B. That the Event Sponsor shall meet with the Director and other designated County and Town officials within two weeks prior to the event to assess each road to ascertain current conditions and look for vulnerable areas adjoining the designated roads such as

depth of snow, ditches, streams and wetlands that may be at risk if the traffic volume is too great for the designated road. The Event Sponsor will put barriers and proper signage in place where requested to ensure that the routes for ATV traffic are clearly identified and that traffic from the Event will be directed to remain on the designated roads.

- C. That one of the goals of the pre-event assessment is to determine where volunteers will be needed to direct vehicle operators and to ensure that the rules of the event are followed and that participants stay on their appointed routes in the event they are unclear as to where to proceed. The Event Sponsor agrees to provide an adequate number of volunteers to be designated in those areas to direct traffic and be able to assist participants that may be blocking traffic so that those waiting can pass safely and on the designated road.
- D. That the Event Sponsor will provide an easy to read map for use by the participants that clearly outlines the route(s) specifically designated for this event. The final map and alternate map to be used must be approved in form and substance by the Director prior to being published or distributed to the public.
- E. The Event Sponsor shall assure that all participants in the event sign consent forms with the Event Sponsor that they agree to stay on the roads specifically designated for the SNIRT Run, and shall not travel on the road shoulders or off-road trails. It should be noted in this consent form that violators of the Event rules and regulations, including any and all laws may be subject to criminal prosecution, and that such violators may be held liable for any and all damages caused by their actions in areas not relating to the designated roads set forth in the SNIRT Run maps.
- F. The Event Sponsor will be responsible to clean up the roads and road crossings of debris and mud tracked onto the roads by the participants. The Event Sponsor will be responsible for repair of private property and municipal property damaged by participants.
- G. All promotional materials will clearly state that the permission granted herein for ATV operators to participate in the SNIRT Run event is for 6:00 a.m. to 8:00 p.m. only on Saturday, April 22, 2023. Anyone operating an ATV outside those time limits will be subject to prosecution. The Event Sponsor agrees to ride the designated SNIRT Run route at 7:30 p.m. to assure that any ATV operator

remaining on the roads is advised that the event is concluded at 8:00 p.m., and that they must remove their ATV's from the roads by that time.

- H. That the Event Sponsor shall meet with the Director and other designated County and Town officials after the event to conduct a post-event assessment of the roads. During this post-event assessment, the parties will determine what actions are needed to mitigate any issues that have arisen as a result of the event, and to plan for such measures that may be needed for any future event.
- I. That each of these sub-paragraphs "A" through "H" shall be incorporated into the Event Sponsor's written Agreement with the County.

Section 2. In consideration of the agreement of the Event Sponsor to terms set forth in this Resolution and such other and additional terms as may be incorporated into the Event Agreement, the Board of Legislators hereby authorizes the operation of ATV's on the following County roads or portions thereof for a one day special all-terrain vehicle (ATV) road rally event to be held on April 22, 2023:

- CR 2 - Seven by Nine Road, from NYS Rte 177 south to County Line;
- CR 18 - Cronk Road; from Whitesville Road, East to the end of the County Road and where the Town of Pinckney's Cronk Road begins;
- CR 21- Whitesville Road; From NYS Rte 177 to Jefferson County Line;
- CR 194 - Barnes Corners Road; from CR 21 Whitesville Road to Corey Road
- CR 27 - Sears Pond Road; from Boshart Road to CR 28 Liberty Road;
- CR 28 - Liberty Road; From Factory Road to CR 27 Sears Pond Road;
- CR 29 - West Road; from intersection with Gardner Road to the intersection of Flat Rock Road;
- CR 45 - Mackay Road; from Town of Turin portion of the road to Highmarket Road;
- CR 48 - Highmarket Road; from CR 45 Mackay Road to Byrons Corners Road;
- CR 51 - West Road; from State Route 26 to Gomer Hill Road

and possible opening of the following road, contingent upon weather conditions and snow levels, as determined by the Director of Recreation, Forestry & Parks in consultation with the Lewis County Superintendent of Highways, in their discretion:

- CR 29 West Road; from Flat Rock Road to Keener Hill Road; and

Section 3. The permission granted herein is specifically conditioned upon Barnes Corners Sno-Pals Snowmobile Club entering into a written agreement with the County of Lewis whereby:

1. Barnes Corners Sno-Pals Snowmobile Club agrees to defend, indemnify and hold the County of Lewis, its officers, agents and employees harmless from any injury, loss, claim, liability, lawsuit, damage, penalty, fine, assessment or judgment, cost or expense of whatsoever nature, relating to, arising out of or occurring in connection with the use of the County roads identified herein for or during the event, including without limitation injuries, losses, claims, liabilities, lawsuits, etc., incurred by reason of injury to person(s) or property, environmental impacts/damage or any other action or special proceeding arising out of or in any way connected with the conduct of the event or the use of those portions of County Roads for such event;
2. Barnes Corners Sno-Pals Snowmobile Club agrees to provide proof that it has obtained general liability insurance insuring such event in an amount not less than \$1,000,000 for injuries including wrongful death to any one person and in an amount not less than \$2,000,000 on account of any one occurrence, with property damage insurance of not less than \$1,000,000.00 for property damage claim coverage; and with said policy naming the County of Lewis, as an additional primary insured; and
3. Such other terms as the Board of Legislators, in consultation of County Attorney may deem acceptable.

Section 4. The Board of Legislators reserves the right to rescind this Resolution and the Agreement contemplated herein in the event that the Event Sponsor fails to comply with the conditions set forth in this Resolution or as contained in the Event Agreement. In the event that the Board takes such action, it will notify the Event Sponsor in writing immediately of the rescission and the reasons for taking such action.

Section 5. That the Chairman of the Board of Legislators, or in his absence, the Vice- Chairman, be and the same is hereby authorized to execute and deliver such written agreements or other documents as may be necessary to carry out the terms of this Resolution.

Section 6. That this Resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 51 – 2023

**RESOLUTION AUTHORIZING FIVE-YEAR AGREEMENT WITH E. F. JOHNSON
FOR REMOTE TECHNICAL SUPPORT SERVICES OF THE
E911 RADIO EMERGENCY COMMUNICATIONS SYSTEM**

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

WHEREAS, the County of Lewis seeks to enter into a five-year renewal support Agreement with E. F. Johnson Company for remote technical support services for the 911 system and to provide remote support to Lewis County and its contracted Local Service Provider, United Radio, which includes access to a 24/7 telephone line for answering technical queries and assistance with troubleshooting system hardware and software covered by the support agreement; and

WHEREAS, EF Johnson has provided a quote and scope of the remote support services it will render over the five year period, at a cost of \$157,500 (\$31,500 per year) from March 1, 2023 through February, 2028; and

WHEREAS, the cost of this service is payable under the radio grant funds; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a renewal Agreement with E. F. Johnson Company to provide annual remote technical support services for the 911 system at a cost of \$157,500 (\$31,500/yr.) for a five-year period, in accordance with the proposal dated February 14, 2023.

Section 2. That the term of the agreement for services is from March 1, 2023 through February, 2028, and payable from the radio grant funds.

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form(s) as may be approved by the County Attorney.

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 52 - 2023

**RESOLUTION AUTHORIZING TWO-YEAR AGREEMENTS WITH THE
COPENHAGEN CENTRAL SCHOOL DISTRICT, SOUTH LEWIS CENTRAL SCHOOL
DISTRICT AND HARRISVILLE CENTRAL SCHOOL DISTRICT
AND THE COUNTY OF LEWIS TO CONTINUE THE PROVISION OF
A SCHOOL RESOURCE OFFICER FOR EACH DISTRICT**

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

WHEREAS, pursuant to Resolution No. 182 - 2022 the Board of Legislators authorized a one-year agreement between the County by and through the Lewis County Sheriff's Department and the Copenhagen Central School District, South Lewis Central School District and the Harrisville Central School District to provide a School Resource Officer (SRO) from the Lewis County Sheriff's Road Patrol Unit for a 12 month term during the 2022/2023 school year, September 1, 2022 through August 31, 2023, at a cost payable to the County of Lewis from each School District representing 100% the actual costs and expenses of the SRO assigned, including but not limited to salary, overtime when working as SRO, full contractual benefit costs and expenses, and full fringe benefit costs and expenses, with the Deputy then reporting to the Sheriff's office for expected assignment to recreation patrol duty on days when not serving as SRO; and

WHEREAS, the Superintendents of these school districts are in the process of developing their annual school budgets and seek to solidify continuation of the SRO in their respective schools, and to enter into a multi-year agreement upon the same terms and conditions; and

WHEREAS, the Board of Legislators seeks to approve the SRO agreements;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators authorizes two-year Agreements between the County of Lewis with the Lewis County Sheriff's Department and the Copenhagen Central School District, South Lewis Central School District and Harrisville Central School District, respectively, to continue the provision of the a School Resource Officer (SRO) from the Lewis County Sheriff's Road Patrol Unit for a 12 month term during the 2023/2024 and 2024/2025 school year terms, i.e. from September 1 through August 31 of each year, at a cost payable to the County of Lewis from each School District representing 100% the actual costs and expenses of the SRO assigned, including but not limited to salary, overtime when working as SRO, full contractual benefit costs and expenses, and full fringe benefit costs and expenses, with the Deputy then reporting to the Sheriff's office for expected assignment to recreation patrol duty on days when not serving as SRO.

Section 2. That the Chair or Vice-Chair of the Lewis County Board of Legislators, and the Lewis County Sheriff, are hereby authorized to make, execute, seal and deliver said Agreements upon such terms and conditions as may be approved by the County Attorney.

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 53 - 2023

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE LEWIS COUNTY
DEPARTMENT OF SOCIAL SERVICES AND PRATT NORTHAM FOUNDATION
TO SERVE AS ADMINISTRATOR OF THE
PRATT NORTHAM - CAREERS HERE PROGRAM**

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

WHEREAS, the Pratt Northam Foundation (“PN”) whose mission is to serve the Black River Valley communities from Boonville to South Carthage, established a grant devoted to providing funds for student intern employment positions known as the “Careers Here” Program. PN requests that the Lewis County Department of Social Services administer the program without remuneration for such services; and

WHEREAS, the Lewis County Commissioner of Social Services is willing to assist this program and accept the designation as Administrator of PN’s Careers Here Program, and agrees to do so without payment of an administrative fee; and

WHEREAS, under the program, PN agrees to provide funding for students for a total of 350 hours per student at the wage rate up to \$15.50 per hour, together with applicable FICA expenses for the 2023/2024 term. PN will provide the Careers Here grant in a single check in or about June, 2023. Both parties will evaluate the number of positions for college students and BOCES students year by year leaving flexibility to adjust for the needs of sites that are applying and the number of students that are hired; and

WHEREAS, DSS will administer the plan and have the employers (both government and private) who participate in the program execute agreements for each student intern position; and

WHEREAS, the Board of Legislators seeks to authorize DSS to serve as administrator of this program for PN and to execute the agreements required to give effect to same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Lewis County Department of Social Services to serve as fund recipient and administrator of the Pratt Northam “Careers Here” Program for student intern employment positions for a one-year term, without remuneration for said administrative services.

Section 2. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County Department of Social Services and the Pratt Northam Foundation for DSS to serve as Administrator of the PN Careers Here Program and the Foundation's funding for this program.

Section 3. That the term of this Agreement shall be effective and retroactive to March 1, 2023 through February 28, 2024, unless terminated by either party upon sixty (60) days prior written notice to the other.

Section 4. That the Lewis County Treasurer is authorized to appropriate the revenue received from Pratt Northam and transfer said funds into the appropriate accounts.

Section 5. That the Lewis County Commissioner of Social Services is hereby authorized to execute the Agreement with PN to administer the Program, as well as the individual contracts between the Lewis County DSS as administrator and participating employer and intern, subject to the approval and review by the County Attorney.

Section 6. That the within resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 54 – 2023

**RESOLUTION TO TRANSFER FUNDS
Department of Social Services**

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

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved from Legislative Special Contingency to Social Services accounts for the special engineering study for Temporary and Permanent Housing Feasibility Study:

From:

A0101000 419900 BOL Spec. Cont.

\$30,700.00

To:

A0601000 490900 DSS Misc. Expense

\$30,700.00

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 55 - 2023

**RESOLUTION AWARDING BID AND AUTHORIZING AN AGREEMENT WITH
UNIFIRST AND COUNTY OF LEWIS OBO LEWIS COUNTY HIGHWAY & SOLID
WASTE DEPARTMENTS FOR UNIFORM SERVICE**

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

WHEREAS, the Highway and Solid Waste Departments sent out an RFP for bids on providing uniform services for their Departments; and

WHEREAS, two (2) bids received were opened on February 15, 2023, Highway Superintendent, Fiscal Manager, Purchasing Director, Clerk of the Board and others in attendance. Upon review and analysis of the bid proposals receive the Highway Superintendent and Director of Solid Waste, in consultation with the Purchasing Direct recommend awarding the bid to Unifirst, of Liverpool, NY 13088, the lower responsible bidder for per item rates for uniform shirts, pants, jackets, shop towels, maintenance fee, no service charge, for a three year contract with no more than a 1% increase per year, and the right of the County to terminate without penalty or charge; and

WHEREAS, the estimated annual cost for the uniforms and related charges is \$4,000.00; and

WHEREAS, the Lewis County Board of Legislators wishes to award the bid and contract based upon this recommendation;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby awards the bid and authorizes a three-year contract with Unifirst, 103 Luther Avenue, Liverpool, NY 13088 for uniform services as described in the RFP, at the per item rates set forth in the bid proposal dated February 3, 2023, estimated to cost \$4,000.00 per year with no more than a 1% annual increase in said rates.

Section 2. That the Lewis County Board of Legislators authorizes a three-year contract with Unifirst for the identified uniform services and materials in accordance with the specifications and scope of services set forth in the proposal, together with any additional terms and conditions recommended by the County Attorney.

Section 3. That the Chairman or Vice- Chairman is hereby authorized to make, execute, seal and deliver such Agreement and any amendments thereto, upon such terms and conditions as a may be approved by the County Attorney.

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 56 - 2023

RESOLUTION APPROVING CORRECTION OF TAX BILL

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

WHEREAS, pursuant to the franchise agreements between Time Warner Cable, TCI, and the Towns of Croghan, Denmark, Diana, Greig, Lewis, Leyden, Lowville, Lyonsdale, Martinsburg, New Bremen, Watson, and West Turin which allowed them to deduct from taxes the franchise paid to the Towns,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That payment be accepted as follows:

		Amount Paid:	Charge to Town:
Croghan	538.00-08-06.000	2703.99	598.71
	538.00-05-06.000	300.43	66.52
	538.00-08-00.000	564.21	155.74
Denmark	552.00-03-00.000	180.54	89.45
	552.00-05-00.000	20.51	10.17
Diana	552.00-05-08.000	899.49	388.80
Greig	542.02-07-09.000	3231.49	1226.42
Lewis	550.00-10-11.000	255.15	250.35
Leyden	550.00-07-12.000	595.84	190.90
	550.00-10-12.000	293.47	94.02
	550.00-07-00.000	89.28	34.91
Lowville	550.00-05-00.000	735.16	227.92
	550.00-05-13.000	2671.15	660.80
Lyonsdale	550.00-07-00.000	290.25	127.77
	550.00-07-00.000	48.91	21.53
Martinsburg	542.02-05-15.000	1736.97	723.56
New Bremen	552.00-08-02.000	2412.07	729.20
	542.05-08-05.000	148.73	54.89
	552.00-08-00.000	9.65	4.99
Watson	542.02-08-21.000	2139.15	1390.19
	542.02-07-21.000	3251.51	2113.08
	542.02-05-21.000	3165.94	2057.48
West Turin	550.00-07-00.000	164.04	71.12
	550.00-07-00.000	<u>75.90</u>	<u>32.91</u>
		25983.83	11321.43

Section 2. That the County Treasurer is hereby directed to adjust, apportion, and charge back such amount in the manner prescribed by law. The amount to charge the Towns is \$11,321.43.

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

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 57 – 2023

RESOLUTION CALLING ON GOVERNOR HOCHUL TO REMOVE PART M OF ARTICLE VII REVENUE BILLS FROM THE 2024 EXECUTIVE BUDGET

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

WHEREAS, the Governor announced the NYS 2024 Executive Budget on February 1, 2023, which includes Article VII Revenue Bills; and

WHEREAS, Article VII Revenue Bills includes Part M, adding a new section 989 of the Real Property Tax Law (RPTL) titled “Distribution of surplus in tax enforcement proceedings”. This budget legislation proposes that when a tax delinquent property is foreclosed upon by the county and sold, any money the county receives that exceeds the liability amount (e.g., overdue taxes, penalties, interest, mortgage liens, etc.) will be returned to the property owner, minus applicable administrative costs to the local government; and

WHEREAS, this proposed budget legislation should be removed from the Governor’s FY 2024 Budget for numerous reasons, including: (1) it is unconstitutional since Article VIII, Section 1 of the NYS Constitution restricts a county from giving any money to or in aid of any individual, private corporation or association or private undertaking; (2) it is unfair to lien holders since all liens are cut off by Section 1131 of Article 11 of the RPTL at the time an interested party fails to redeem or answer, which time occurs prior to the County taking title and selling the parcel; (3) it is practically impossible for a county to accurately account for all administrative costs associated with enforcement of taxes for numerous parcels during a two - three year time period involving subcontractors and staff from multiple departments; (4) it is unclear whether litigation costs incurred in enforcement under Article 11 are included; (5) the number of unpaid, delinquent parcels are likely to increase with owners knowing that they do not have to pay lien holders and others by allowing the property to go to foreclosure sale; (6) the proposed budget legislation does not address the common circumstance where there is no “prior owner” who responds or the prior owner is deceased with no estate to accept any surplus payment; and (7) the proposed budget legislation is unfair to the majority of property owners in the County who timely pay their taxes and/or properly sell their homes when they no longer desire to own; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators calls upon the Governor to remove Part M of the Revenue Bills from the FY 2024 Executive Budget.

Section 2. That this Resolution shall take effect immediately.

Section 3. That the Clerk of the Board is directed to forward certified copies of this resolution to Governor Hochul, Senator Mark Walczyk, Assemblyperson Kenneth Blankenbush, the Majority and Minority leaders of the State Senate and Assembly, New York State Association of Counties, and any other party deemed necessary and appropriate.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 58 - 2023

RESOLUTION TO AUTHORIZE INTER-MUNICIPAL AGREEMENTS WITH JEFFERSON COUNTY TO SHARE SERVICES AND THE POSITIONS OF DIRECTOR OF WEIGHTS AND MEASURES AND VETERAN SERVICES

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

WHEREAS, Lewis County is tasked with providing veterans services for residents of the county. Upon the resignation of the Director of Veterans Services in 2022, the county seeks to secure such services by an Inter-Municipal Agreement (IMA) with Jefferson County's Veterans Services Agency for the benefit of Lewis County veterans, pursuant to Article 5-G of the General Municipal Law; and

WHEREAS, the Jefferson County Veterans Services Agency has the staffing and communication equipment to provide for knowledgeable officers from its staff to be in the Lewis County Veteran's affairs office two (2) days per week, and available by email and telephone on the other weekly days; and

WHEREAS, the counties seek to enter into an IMA to share the services, powers and functions of a Director of Veterans Services for Lewis County Veterans for a two-year (2) period commencing and retroactive to January 1, 2023 through December 31, 2024. The IMA shall provide for Lewis County to reimburse Jefferson County on a quarterly basis, for 38% of the net costs of its Veteran's Services Department, including the costs in salary, benefits, training, office supplies, travel, postage, and less any revenue, state aid and other government assistance received by Jefferson County under this Department; and

WHEREAS, Article 16 of the NYS Agriculture and Markets Law sets forth the county's obligations for a director of weights and measures and the powers and duties of said director. Section 180 of the law allows for two or more counties to enter into an intermunicipal agreement, and pursuant to Article 5-G of the General Municipal Law, to share the functions, powers, and duties of one director of weights and measure to serve both counties; and

WHEREAS, pursuant to Resolution No. 418 - 2016 Lewis and Jefferson Counties entered into an IMA to share the services, powers and functions of a Director of Weights and Measures by having the Jefferson County Director (and/or Assistant Director) provide sealer of weights and measures services in and for Lewis County. Both Counties seek to continue Sealer and Weights shared services for an additional three (3) years pursuant to an IMA wherein Lewis County will reimburse Jefferson County for 38% of its Weights and Measures Department net costs, including the costs in salary, benefits, training, office supplies, seals, device reports,

equipment, less revenue, state aid and other government assistance received by Jefferson County under this Department; and

WHEREAS, according to the 2023 adopted budget of Jefferson County for its Veterans Services Department applicable costs, expenses, and revenue/aid, Lewis County's 38% share of the \$126,041 net costs is \$47,896; and the Lewis County 38% share of the \$120,582 net applicable costs for Jefferson County's Sealer of Weights and Measures is \$45,822; and

WHEREAS, the Lewis County Board of Legislators seeks to enter into these IMAs with Jefferson County to share the functions and services of a Veterans Services Director and Sealer of Weights and Measures for Lewis County;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes Intermunicipal Agreements by and between Lewis County and Jefferson County to: 1) share the functions and services of the Jefferson County's Veterans Services Director and staff for the benefit of Lewis County Veterans; and 2) share the functions and services of the Jefferson County's Sealer of Weights and Measures for the benefit of Lewis County.

Section 2. That the IMA for Veteran's services shall be for a two (2) year period from and retroactive to January 1, 2023 through December 31, 2024, with the ability to extend such shared services by mutual agreement and to provide for Jefferson County's Veteran's Director or Assistant Director to service Lewis County Veterans, including office hours in the Lewis County Office two (2) days per week, with the ability to email and/or communicate with staff by telephone on the other three (3) days of the week in order to schedule appointments and/or discuss matters with staff, as more fully set forth in the IMA; and

Section 3. That the IMA for Jefferson County to share the functions and services of its Director of Sealer of Weights and Measures shall be for a three (3) year period commencing and retroactive to January 1, 2023 through December 31, 2025, with the ability to extend such shared services by mutual agreement according to the terms and conditions as more fully set forth in the IMA; and

Section 4. That the IMAs shall provide for Lewis County to reimburse Jefferson County on a quarterly basis for 38% of the applicable costs for salaries, benefits, training, office supplies, travel, postage, and less any revenue, state aid and other government assistance received by Jefferson County under the Department to arrive at the annual adopted budget amounts applicable for calculation of Lewis County's 38% share, payable in quarterly installments.

Section 5. That the Chairman, or Vice-chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement upon such form as may be approved by the County Attorney.

Section 6. That the within resolution shall take effect immediately.

Moved by Legislator __, seconded by Legislator __, and adopted.

RESOLUTION NO. 59 - 2023

**RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND NCACOMP, INC. FOR
WORKERS' COMPENSATION ADMINISTRATION SERVICES**

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

WHEREAS, the County of Lewis "(County)" is duly qualified as self-insured under the Workers' Compensation Law of the State of New York and desires to retain NCAComp, Inc. ("NCA") to provide claims administration, medical management, return-to-work, and other agreed upon services for its Workers' Compensation program; and

WHEREAS, NCA is duly licensed by the State of New York as a Workers' Compensation Benefits Third Party Administrator and has the experience, staff, and facilities necessary to provide the claims administration services desired by the County; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through NCAComp, Inc. to provide third party claims administration services for the County's self-insured Worker's Compensation Plan.

Section 2. That the term of this Agreement shall be from March 1, 2023 through February 29, 2028 at the following annual amounts: \$53,124.00 through February, 2024; \$55,250.00 through February, 2025; \$57,460.00 through February, 2026; \$59,758.00 through February, 2027; and \$62,150.00 through February, 2028.

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

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

Moved by Legislator __, seconded by Legislator __, and adopted.