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TO: Media

FROM: Cassandra Moser, Clerk of the Board

DATE: March 29, 2024

The Board of Legislators will meet on Tuesday, April 2, 2024 at 5:00 p.m. in the Courthouse 2nd Floor Legislative Board Chambers, Lowville, NY. Enclosed are proposed resolutions for action. Any other business may be conducted.

The meetings will be streamed live on the YouTube channel "Lewis County" listed as:
https://www.youtube.com/c/LewisCountyNY

RESOLUTION NO. 64 - 2024

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 \$2,867,068.77 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. 65 - 2024

**RESOLUTION TO APPROPRIATE FUNDS
Community Services Department**

Introduced by Legislator Jessica Moser, Chair of the Human Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the Community Services account line to appropriate funds from contingency for current and on-going care, maintenance and examination services to patients placed in NYS Office of Mental Health psychiatric facilities pursuant to County Criminal or Family Court Orders:

Decrease:

A0199000 499900 Contingency	\$150,000.00
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Increase:

A0433500 490100 Professional Services	\$150,000.00
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Section 2. That the within resolution shall take effect immediately.

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

RESOLUTION NO. 66 - 2024

RESOLUTION CALLING FOR THE SFY 2024-25 ENACTED BUDGET TO INCLUDE REFORMS TO '730' DEFENDANTS AND THE RETURN TO A 50-50 SHARE BETWEEN THE STATE AND COUNTY FOR THE COSTS OF RESTORATION PLACED DEFENDANTS

Introduced by Legislator Jessica Moser, Chair of the Human Services Committee.

WHEREAS, section 730 of the Criminal Procedure Law (CPL) provides that defendants charged with felonies who are mentally ill and/or developmentally disabled and who are determined by a court to be unable to understand the charges against them or participate in their own defense (often called "730's") are sent to New York State-operated forensic hospitals solely for the purpose of trying to restore them to competency so they can stand trial; and

WHEREAS, competency restoration provides necessary medications but primarily provides services such as courtroom training to familiarize the defendant with courtroom procedures so they can participate in their trial. Many judges incorrectly believe that by ordering a 730 commitment, they are helping the mentally ill or developmentally disabled person to get treatment; and

WHEREAS, in the cases for which restoration is appropriate, most defendants can generally be restored within 90-150 days. Unfortunately, however, there are also numerous situations where defendants have been kept in restoration for periods for years; and

WHEREAS, the Office of Mental Health (OMH) has diverged from agreements with the county mental health commissioners/directors of community services to provide specific and timely information on the clients/defendants ordered to restoration; and

WHEREAS, since the SFY 2020-21 budget, counties have been required to pay 100 percent of the OMH State Operations costs for individuals receiving court-ordered mental health competency restoration services at State-operated Forensic Psychiatric Centers; and

WHEREAS, the county cost of these services is over \$1,300 per day and the current statute does not require a timeline be established for a determination as to when a defendant is deemed to be unable to be restored; and

WHEREAS, the county cost of restoration for one defendant can be upwards of \$400,000 per year; and

WHEREAS, given the advances in the behavioral health field and the modernization of the criminal justice system, it is time for the State to reform the statutory authority governing competency restoration to ensure that only individuals who are appropriate subjects of 730 court orders are sent for restoration; AND for the State to return to a 50/50 share between the state and county for the costs of 730 restoration services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators calls for reforms to “730” legal provisions to include the following: a) make clear that restoration is not mental health treatment, so the judiciary is better informed that a 730 order does not treat underlying mental health conditions; b) establish specific criteria for 730 examiners so that the psychiatrist or psychologist conducting the psychiatric exam can tell the court whether or not there is a reasonable chance of restoration, thereby granting the court an opportunity to allow diversion to mental health treatment; c) limit the time defendants are ordered for restoration services and allow for individuals to be transferred to MHL Article 9 facilities if it is determined that a defendant is unable to be restored; and d) direct OMH to consistently follow their agreements with the county mental health commissioners/directors of community services to provide specific and timely information on the clients/defendants ordered to restoration.

Section 2. The Lewis County Board of Legislators calls upon the Governor and State Legislature to return to a 50/50 share between the State and County of the costs of individuals who are sent to State facilities for 730 restoration services.

Section 3. The Clerk of the Board is directed to forward copies of this Resolution to Governor Kathy Hochul and the Majority and Minority leaders of the New York State Legislature, and any other deemed appropriate to receive same.

Section 4. This Resolution shall take effect immediately.

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

RESOLUTION NO. 67 - 2024

**RESOLUTION AUTHORIZING SUPPLEMENT AGREEMENT NO. 2 BETWEEN
LEWIS COUNTY HIGHWAY DEPARTMENT AND
FOIT-ALBERT ARCHITECTURE, ENGINEERING & SURVEYING, P.C.
FOR CR 29 WEST ROAD BRIDGE OVER WHETSTONE CREEK
(PIN 7753.87; BIN 3340230)**

Introduced by Legislator Andrea Moroughan, Chair of the General Services Committee.

WHEREAS, the Lewis County Board of Legislators adopted Resolution No. 347-2019 authorizing the Bridge Replacement on CR 29 West Road Bridge over Whetstone Creek (PIN 7753.87; BIN 3340230) in the Town of Martinsburg, County of Lewis for Foit-Albert Architecture, Engineering & Surveying, P.C. (Foit-Albert) to provide engineering services for the P.E/Design phase of the bridge repair project at a cost of \$266,500.00; and

WHEREAS, the Highway Department desires to enter into Supplemental Agreement No. 2 with Foit-Albert for additional engineering services for the final Design and Construction Support phases of the project due to bridge replacement modification at an additional cost of 261,400.00 as set forth in Supplemental No. 2; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes Supplemental Agreement No. 2 between the County of Lewis and Foit-Albert Architecture, Engineering & Surveying, P.C. to provide additional engineering services for the Final Design and Construction Support phases of the bridge replacement project identified as CR 29 West Road Bridge over Whetstone Creek (PIN 7753.87; BIN 3340230).

Section 2. That the term of the Supplemental Agreement No. 2 is through December 31, 2024 for the additional amount not to exceed \$261,400.00 (with 80% eligible for Federal funds and 20% non-federal funds), for a total cost of \$527,900.00 to Foit-Albert for this project.

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 the within resolution shall take effect immediately.

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

RESOLUTION NO. 68 - 2024

**RESOLUTION AUTHORIZING INCREASES TO
HEALTH INSURANCE PREMIUMS FOR THE PLAN YEAR
COMMENCING JUNE 1, 2024**

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

WHEREAS, the Lewis 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, pursuant to Resolution No. 185 -2023 the Board of Legislators authorized the County to join the Broome County Health Alliance Plan for Medicare-eligible retirees; and

WHEREAS, the Lewis County Treasurer, in his capacity as the Health 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. The County Manager indicated in his 2024 proposed budget that an increase in premiums would likely be required for the June 1, 2024 effective health insurance year in order to sustain the payout of increased claims under the plan; and

WHEREAS, a number of high cost claims are continuing to be paid out, and the health insurance fund balance has been critically low, with health claims that continue to exceed premiums. Upon continued review and analysis of the plan and fund balance, and upon the recent analysis and projections of Milliman, the Committee recommends that the Board of Legislators increase the health insurance premium equivalents by the following: 26% for the Excellus PPO plan and 20% for the Simply Blue Hybrid and High Deductible plans;

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 (excluding Medicare eligible retirees) effective June 1st,

2024 (reflected in May, 2024 paychecks) in the following percentages: 26% for the Excellus PPO Plan, 20% for the Simply Blue Hybrid Plan, and 20% for the Simply Blue High Deductible Plan, in order to ensure plan premium equivalents cover claims and expenses and 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. 69 - 2024

**RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BOARD OF DIRECTORS**

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

WHEREAS, pursuant to Section 856 of the General Municipal Law, an Industrial Development Agency shall be a corporate government agency constituting a public benefit corporation; and

WHEREAS, the Industrial Development Agency Board of Directors shall consist of not less than three nor more than seven members, who shall be appointed by the governing Board of Legislators; and

WHEREAS, said members shall serve at the pleasure of the Board of Legislators.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Gerald Haenlin of Lowville, New York to the Lewis County Industrial Development Agency Board of Directors, to serve at the pleasure of the Board of Legislators.

Section 2. That said appointment shall be effective April 3, 2024, for an indefinite term.

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

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

RESOLUTION NO. 70 - 2024

**RESOLUTION AUTHORIZING LICENSING AND CONSULTING
AGREEMENTS BETWEEN SHI INTERNATIONAL CORP.
AND THE COUNTY OF LEWIS FOR THE COUNTY'S
MICROSOFT 365 ACCOUNT AND EMAIL SYSTEM,
AND PATCH MANAGEMENT AND REMOTE
SUPPORT SOFTWARE UNDER NINJA ONE PROGRAM**

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

WHEREAS, the Information Technology Director has identified additional needs and users for its Microsoft 360 software licensing program and wishes to obtain the services of SHI International, an existing state-approved contractor under OMNIA (Contract No. 2018011-02) to provide the necessary professional consulting and licenses to the upgrade and implementation of the Microsoft 365 program, accounts, and email service on the government sector. SHI offers monthly flexibility in the number of licenses and users; and

WHEREAS, the Director also wishes to obtain patch management and remote support software services under the company's "Ninja One" program.

WHEREAS, after consideration of the County's licensing needs the Director recommends and requests that the Board of Legislators authorize an agreement with SHI International Corp. to provide the consulting, licenses, and accounts required by the County for the Microsoft 365 Program and Account, inclusive of the email program and patch management and remote support software under the company's Ninja One program; and

WHEREAS, the cost of these services will not exceed \$39,860.00 for consulting, estimated \$80,000.00 for licensing, and \$6,876.00 for the Ninja One program, payable in monthly increments as set forth in the proposal quotes starting April 1, 2024 through December 31, 2024.

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators agrees to enter into agreements with SHI International Corp. effective April 1, 2024, through December 31, 2024, for consulting services (\$39,860.00); software licenses & products under Microsoft 365 with cloud hosting (\$80,000.00); and for the Ninja One program (\$6,876.00) to provide patch management and remote support software with the right to terminate the agreement at any time.

Section 2. That the monthly cost is \$32.14 (M365 G3), \$13.39 (Visio P2), \$8.93 (O365 G1), \$8.58 (EMSS G3), and \$3.57 (EO P1), per user for the five (5) different types of licenses and number of users each Department may require, estimated not to exceed \$80,000.00 on an annual basis.

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 the within resolution shall take effect immediately.

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

RESOLUTION NO. 71 - 2024

**RESOLUTION OPPOSING SENATE BILL S8461A
KNOWN AS THE “SPORTING RANGE GOOD NEIGHBOR ACT”**

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

WHEREAS, there is a Bill pending in the NYS Senate Committee on Consumer Affairs and Protection to amend the environmental Conservation Law to establish the “Sporting Range Good Neighbor Act”; and

WHEREAS, the Act would require skeet field tracts at shooting ranges to be a minimum of 600 yards by 300 yards with the shooting semicircle located in the middle of the long side; and if unable to comply, the range would be required to construct an appropriate backstop, and covered by a roof, to prevent lead migration outside of the designated skeet field tract. The skeet field cannot include a wetland or open water source; and

WHEREAS, this proposed legislation is both unnecessary and burdensome for the numerous fish and game clubs in Lewis County and other upstate communities who have for decades, maintained outdoor shooting ranges as good stewards. There are over 3,600 registered athletes on more than 140 teams in the NYS High School Clay Target League who depend upon the ability to practice and hold competition events at these local clubs. This proposed legislation would end up closing these clubs and closing these student leagues; and

WHEREAS, this Bill is based upon misinformation as to the trajectory of skeet shots, and the reason why most trap and skeet fields have been operating for decades without the need of this additional legislation. Participants are shooting shotguns with small lead pellet loads which are only capable of traveling a maximum distance of 150- 200 yards. In addition, most clubs, especially those in Lewis County, reclaim the expended pellets for reuse. If club members don’t do it themselves, there are companies who go to some clubs, sweep the fields to reclaim and sell the shot for reuse; and

WHEREAS, the common practice in sweeping and reclaiming the shot negates any thought that a club would design its shooting field with a stream or water source where the shot would fall; and

WHEREAS, this proposed restrictive law demonstrates, once again, the short-sightedness of those who support this unnecessary legislation, and the adverse effects it will have upon small, rural communities in upstate New York where most of these fish and game clubs have been operating for decades, without causing any danger or lead contamination to waterways; and

WHEREAS, this proposed legislation will cause severe hardship on the clubs, members and schools who depend upon the fish and game clubs for this very popular recreational sport in Lewis County and the North Country with no empirical evidence that the mandates and restrictions are necessary;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators vehemently opposes NYS Senate Bill S 8461A and its unrealistic and arbitrary restrictions and requirements for outdoor shooting ranges and their skeet field tracts.

Section 2. The Lewis County Board of Legislators calls upon the sponsor and supporters of this Bill to examine the real life impacts and financial realities this overly restrictive legislation will have on the fish and game clubs, high school clay target teams and league when these clubs, who have been operating for decades and already practicing good stewardship, are forced to close because of unnecessary and costly backstops required under this legislation.

Section 3. The Lewis County Board of Legislators calls upon the New York State Senate and Assembly to oppose this legislation if it moves out of committee for vote on the floor.

Section 4. This Resolution shall take effect immediately.

Section 5. That the Clerk of the Board is directed to forward copies of this resolution to Governor Hochul, Senator Mark Walczyk, Assemblyperson Kenneth Blankenbush, the Majority and Minority leaders of the State Senate and Assembly, and any others deemed necessary and proper.

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

RESOLUTION NO. 72 - 2024

**RESOLUTION URGING NEW YORK STATE TO REDUCE THE COST OF
STATE-MANDATED PROGRAMS ON LOCAL TAXPAYERS**

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

WHEREAS, despite the state capping the local share of Medicaid—and assuming the growth—New York State continues to rely on county taxpayers to balance its books; and

WHEREAS, even with this Medicaid growth cap in place, the 57 counties and New York City have provided \$139 billion in local taxes to pay for the state-designed and-controlled program since 2005; and

WHEREAS, each year going forward, counties will need to raise \$7.6 billion in local taxes to pay a share of the costs of the state’s Medicaid program that is growing at an unsustainable rate and has been for many years; and

WHEREAS, this state-mandated local share is unprecedented nationwide and more than all counties in the country combined are forced to pay for general Medicaid program costs; and

WHEREAS, New York State is one of only a few that require counties to pay the bulk of the costs of the state general assistance program (Safety Net). Since 2005, counties and New York City have provided \$25.2 billion in local tax revenues to support the state’s Safety Net Program; and

WHEREAS, since 2005, counties and New York City have provided \$7.5 billion in local taxes to support indigent defense services, a federal and state constitutional requirement the state has shifted to counties and New York City; and

WHEREAS, only 15 states require their counties to pay a significant share of indigent defense costs, and few come close to the share and amount of local funds required of New York counties; and

WHEREAS, since 2005, counties and New York City have provided \$12.6 billion in local tax revenues to support the state’s Preschool Special Education program. Counties pay just over 40 percent of Preschool Special Education costs for 3–5-year-olds, in addition to 10 percent of summer school special education services for K-12 students. Few counties nationwide pay for or provide educational services; and

WHEREAS, counties and New York City also provide local tax revenues in support of the state budget for dozens of other programs, with the State Legislature

and Governor having shifted a record amount of new costs to county taxpayers in the last few years, forcing local taxpayers to spend \$14 billion in locally raised taxes in 2024 to pay for a significant portion of the costs of state-designed and-controlled programs, a 30 percent increase since SFY 2021; and

WHEREAS, the record amount of locally generated taxes paid by New Yorkers that directly fund state programs each year is more than the entire general fund spending of 29 individual states; and

WHEREAS, for the 57 counties outside of New York City, the new cost shifts and added spending requirements imposed over the last two years by the state will approach \$600 million annually. These recurring costs include the intercept of federal Medicaid funding that for 20 years has been set aside by Congress for county fiscal relief, state-imposed double-digit rate increases for preschool special education and foster care programs, a doubling of rates for criminal indigent defense costs, and higher pension costs; and

WHEREAS, these increases are equal to 11 percent of the entire county property tax levy for 2023 and will have to be supported with higher local taxes or service cuts in the future; and

WHEREAS, as recent as 2021, New York State shifted the entire cost of Criminal Procedure Law (CPL) 730 exams and placements to county taxpayers; and

WHEREAS, since 2005, counties and New York City have been required under state law to raise over \$184 billion in local taxes to pay for state programs that most counties across the country do not fund, hindering New York's economic competitiveness, driving significant job and population loss that has been accelerating in recent years, and fueled New York's housing affordability crisis; and

WHEREAS, all of these cost shifts have been used to provide relief to the state financial plan but does so by essentially substituting more regressive local taxes for the more progressive state tax structure, which has a direct and negative impact on local taxpayers and affordability in New York State.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators joins with the New York State Association of Counties (NYSAC) and urges the State Legislature and Governor Hochul, to, at a minimum, freeze the growth in county costs for all state mandated programs, and to include significant new funding to reduce or eliminate the \$14 billion in annual payments counties make for state-mandated programs as part of the SFY 2025 Budget and beyond.

Section 2. The Clerk of the Board is directed to forward copies of this

resolution to Governor Kathy Hochul, the majority and minority leaders of the New York State Legislature, and all others deemed necessary and proper.

Section 3. This Resolution shall take effect immediately.

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

RESOLUTION NO. 73 - 2024

**RESOLUTION AWARDING BID AND AUTHORIZING CONTRACT BETWEEN
THE COUNTY OF LEWIS AND LABELLA ASSOCIATES TO PROVIDE
PROFESSIONAL SERVICES FOR THE REZONING OF THE TOWN OF WATSON**

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

WHEREAS, the Director of Planning and Community Development Department, in consultation with the Purchasing Department, and The Town of Watson, sent out an RFP for professional services to develop updated zoning and subdivision regulations in the Town of Watson to encourage and promote future redevelopments that help promote well-planned and well-placed public spaces, walkable neighborhood designs, and integrate clean energy resources and related incentives as more fully outlined and set forth in the RFP; and

WHEREAS, four (4) bids proposal was opened on March 8, 2024 at 2:00 pm. The Planning Department staff and Purchasing Director 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 most qualified bidder under the criteria, Labella Associates, of 20 Elm Street, Glens Falls, NY 12801 to complete the RFP Tasks at a cost not to exceed \$94,450.00, with the project expected to conclude on or about October 31, 2025; and

WHEREAS, the Planning and Community Development Department and the Town of Watson have budgeted \$4,722.00 each for this project, and have received funding in the amount of \$85,005.00 through the NYS Smart Growth Grant; and

WHEREAS, the Board of Legislators seeks to accept this recommendation, and award the bid and contract to Labella Associates for this 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 this Town of Watson Rezoning Project to Labella Associates of Glens Falls, NY, to complete the scope of work as outlined in the RFP and as they present in their bid proposal dated March 8, 2024, at a cost not to exceed \$94,450.00.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include provisions for Labella Associates to provide reports to the County Departments involved in the project, with an anticipated completion date on or about October 31, 2025.

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, and authorizes the Treasurer to appropriate the funds, 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. 74 - 2024

**RESOLUTION TO SET PUBLIC HEARING FOR PUBLIC INPUT WITH REFERENCE
TO ROUND 8 RESTORE NY FUNDING**

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

WHEREAS, the County of Lewis is eligible to apply for Round 8 of the Restore NY Communities Initiative Municipal Grant Program funding administered by the Empire State Development Corporation (ESDC); and

WHEREAS, the Board of Legislators wishes to discuss the potential application and relative Property Assessment List for the redevelopment of 6832 McAlpine Street, Lyons Falls prior to the preparation of a Restore NY application; and

WHEREAS, the public hearing must be held prior to submission of an application;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators of Lewis County authorizes a public hearing to be held and set for May 7th, 2024 at 5:00 p.m. at the Lewis County Courthouse Board of Legislators Chambers, 7660 North State Street, Lowville, New York 13367 to solicit the views of County of Lewis citizens regarding a Round 8 Restore NY Application for the redevelopment of 6832 McAlpine Street, Lyons Falls in an amount not to exceed \$2,000,000.

Section 2. That public notice of the hearing shall be advertised in accordance with law at least seven (7) days prior to the hearing date.

Section 3. That within resolution shall take effect immediately.

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

RESOLUTION NO. 75 - 2024

**RESOLUTION TO TRANSFER and APPROPRIATE
Stop DWI Reserve FUNDS**

Introduced by Legislator Jessica Moser, Chair of the Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation take place in the Stop DWI accounts to transfer funds from Stop DWI Reserve A0 008890 (balance as of 12/31/2023 is \$77,537) and appropriate these funds to be used for a Probation/Stop DWI vehicle acquisition. This purchase was included in the 2024 capital budget and will use a combination of County capital and Stop DWI funds.

Increase Revenue:

A0331500 326151 Stop DWI VIP Revenue \$33,000.00

Increase Expenditure:

A0 331500 223300 Stop DWI Vehicles \$33,000.00

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

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

RESOLUTION NO. 76 - 2024

**RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND BIRNIE BUS TOURS, INC.,
PRESCHOOL SPECIAL EDUCATION TRANSPORTATION SERVICES**

Introduced by Legislator Jessica Moser, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Public Health Agency (“LCPH”) is tasked with providing transportation services for eligible pre-school special education children to center based services, and desires to enter into an agreement with Birnie Bus Tours, Inc. to provide said services when requested; and

WHEREAS, the Board of Legislators wishes to accept such services and authorize a contract for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement by and through the Lewis County Public Health Agency and Birnie Bus Tours, Inc. to provide transportation services for pre-school special education children eligible for same, as requested.

Section 2. That said Agreement shall be for the period of April 1, 2024 through June 30, 2025 with annual automatic renewals, based upon the following fee rates:

<u>Rate Per Child</u>	<u>Caravan Style</u>	<u>Type A Yellow Van</u>	<u>Type A Wheelchair Van</u>
1 st Student	\$515.00	\$531.00	\$575.00
Additional Students	\$ 38.00	\$ 38.00	\$ 38.00

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement together with the Director of Public Health, pending 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. 77 - 2024

**RESOLUTION TO AWARD BID
AND AUTHORIZE CONTRACT WITH
PRENTISS & CARLISLE MANAGEMENT COMPANY, INC.**

Introduced by Legislator Andrea Moroughan, Chair of the General Services Committee.

WHEREAS, the County through the Recreation, Forestry, & Parks Department commenced the Lewis County Timber Sale process by sending out an RFP for the value of forest products located in the Lewis County reforestation area, known as Hough Memorial Forest, 8562-8586 State Route 812, in the Town of New Bremen, Tax Map Parcel No. 163.00-02-38.100; and

WHEREAS, two (2) sealed bids received were publicly opened on March 8, 2024 at 2:30 p.m. on the Second Floor Board Room at the Lewis County Courthouse, 7660 North State Street, Lowville, New York; and

WHEREAS, the Director of Recreation, Forestry & Parks recommends that the County award the bid to Prentiss & Carlisle Management Company, Inc., 9866 Starr Hill Road, Remsen, NY 13438 who offered the highest price for the forest products located at the Hough Memorial Forest, in the total amount of \$22,000.00;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid and authorizes a contract with Prentiss & Carlisle Management Company, Inc., Remsen, NY for the term of April 3, 2024, through April 30, 2026, in the amount of \$22,000.00 payable for the harvesting of timber at 8562-8586 State Route 812, in the Town of New Bremen, Tax Map Parcel No. 163.00-02-38.100 (Hough Memorial Forest).

Section 2. That the Chair or Vice-Chair of the Lewis County Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, any related and necessary documents or instruments, and amendments thereto 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. 78 - 2024

**RESOLUTION CALLING ON THE GOVERNOR TO COMPLETE ENHANCED
FEDERAL MEDICAL ASSISTANCE PERCENTAGE RECONCILIATIONS
THAT ARE YEARS OVERDUE AND PROVIDE A FULL ACCOUNTING OF FUNDS
OWED TO COUNTIES AND A SCHEDULE FOR RELEASE OF THESE FEDERAL
FUNDS**

Introduced by Legislator Jessica Moser, Chair of the Human Services Committee.

WHEREAS, the funding to support the Medicaid program is provided by a combination of federal, state and local resources; and

WHEREAS, the state requires the counties (and New York City) to contribute \$7.6 billion annually to pay for the federal and state defined and controlled program; and

WHEREAS, additionally, counties and New York City also voluntarily contribute about \$1 billion annually to draw down available federal funds to support publicly owned or supported nursing homes, clinics, and hospitals; and

WHEREAS, the local share the state requires counties and New York City to pay is the highest of any state in the country; and

WHEREAS, this large local funding share for Medicaid and other state programs is a major contributor to New York's high local tax burden compared to other states; and

WHEREAS, under the Affordable Care Act (ACA) and the COVID era the federal government provided an enhanced Medicaid matching share (eFMAP), which has saved New York state billions of dollars; and

WHEREAS, the state has utilized a methodology that provides 80 percent of these estimated federal savings to counties in the year the costs accrue followed by a reconciliation in the following year of the remaining 20 percent of savings; and

WHEREAS, for the first three years after enactment of the Affordable Care Act the state followed through on a relatively timely basis with the initial pass through of savings based on 80 percent of the estimated value of these federal savings to counties; and

WHEREAS, the last completed reconciliation and transfer of federal savings owed to counties was for state fiscal year 2015-16 with the reconciliation being implemented in December of 2020; and

WHEREAS, as of February 1, 2024, counties are waiting on seven years of unfinished reconciliations; and

WHEREAS, the New York State Association of Counties has submitted FOIL requests on behalf of all counties for federal COVID eFMAP savings distributed to counties. Federal COVID eFMAP savings are mandated to be shared with counties under federal law; and

WHEREAS, because the state is withholding these federal funds it requires counties to reserve funds locally to make up for the loss, meaning local taxes have been kept higher than they need to be over multiple years, or local services are scaled back or eliminated;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators joins in and supports the New York State Association of Counties (NYSAC) efforts to urge the Governor to complete these unfinished reconciliations as soon as possible and to provide counties a full accounting of the federal funds owed, and to take immediate steps to release the funds to localities; and

Section 2. The Clerk of the Board is directed to forward copies of this resolution to Governor Kathy Hochul, the majority and minority leaders of the New York State Legislature, and all others deemed necessary and proper.

Section 3. This Resolution shall take effect immediately.

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

RESOLUTION NO. 79 - 2024

RESOLUTION OPPOSING THE GOVERNOR'S SFY2025 BUDGET PROPOSAL TO SHIFT MORE COSTS TO COUNTIES BY MANDATING HIGHER SPENDING FOR CHILD WELFARE SERVICES IN THE FLEXIBLE FUNDING FOR FAMILY SERVICES (FFFS) BLOCK GRANT

Introduced by Legislator Jessica Moser, Chair of the Human Services Committee.

WHEREAS, over the last 15 years the state has devolved away from its historic and constitutional responsibilities of providing social services and support for low-income families and children, as demonstrated through significant reductions in state financial support for these programs, thereby shifting state costs and responsibilities to counties; and

WHEREAS, the SFY 2025 proposed budget continues the trend of shifting social services costs to counties by requiring additional local spending of \$75 million for child welfare services within the capped Flexible Fund for Family Services (FFFS) which is already underfunded; and

WHEREAS, these increased county costs are partially offset with temporary federal funding that will likely not continue, which will force higher costs on county taxpayers on a recurring basis; and

WHEREAS, state funding shifts have increased county social services costs by hundreds of millions of dollars annually because the state requires that all services still be provided in full, often including new and more comprehensive service levels, but with less state resources; and

WHEREAS, the steady pullback in state funding support has been expansive and includes cutting state matching support for child welfare from 65 percent to 62 percent; and

WHEREAS, state funding support for the Safety Net Program was cut from 50 percent to 29 percent, offset with the addition of temporary federal aid that gradually disappeared leaving the full burden on counties; and

WHEREAS, state funding support for the Foster Care Block Grant was cut by \$62 million in state fiscal year 2018, a 14 percent reduction; and

WHEREAS, the SFY 2023 adopted budget also included provisions to settle longstanding litigation against the state related to foster care rates paid to foster parents, forcing counties to fully fund more than \$200 million in rate increases; and

WHEREAS, the steady pullback in state funding support also includes cuts in state matching funds to adoption subsidies, food stamp administration, and youth detention and treatment;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators joins with the New York State Association of Counties (NYSAC) in opposition to cost shifts in critical social services programs from the State to counties.

Section 2. The Lewis County Board of Legislators calls upon and urges the State to realize that the best way to support services for children and families is to restore state matching support for Safety Net programs to 50 percent and restore child welfare state funding support to 65 percent.

Section 3. The Clerk of the Board is directed to send copies of this Resolution to Governor Kathy Hochul, the majority and minority leaders of the New York State Legislature, and all others deemed necessary and proper.

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

RESOLUTION NO. 80 - 2024

RESOLUTION URGING THE NYS GOVERNOR AND LEGISLATURE TO ENSURE THAT LOCAL SOCIAL SERVICE COMMISSIONERS ARE DIRECTLY INVOLVED IN DISCUSSIONS TO REDUCE COSTS IN THE MEDICAID PROGRAM

Introduced by Legislator Jessica Moser, Chair of the Human Services Committee.

WHEREAS, the Governor's SFY 2025 Budget acknowledges that Medicaid spending growth is unsustainable and cost containment actions must be implemented; and

WHEREAS, total spending for New York's Medicaid program is projected to exceed \$100 billion in SFY 2025, when county and NYC contributions are included; and

WHEREAS, the New York State Division of Budget (DOB) projects that before any state budget actions for SFY 2025 are taken into account Medicaid would run a state share funding deficit of \$735 million in SFY 2025, growing to \$2.23 billion in SFY 2026; and

WHEREAS, there are projections of \$1.2 billion in targeted savings, but \$400 million is undefined in the budget, with \$200 million expected from long term care services, and \$200 million from other actions; and

WHEREAS, county social services commissioners and their staff are deeply involved in administering different components of Medicaid, including long term care services at the direction of the New York State Department of Health (DOH), adhering to state regulations and guidelines; and

WHEREAS, because of this involvement county social services commissioners can offer valuable insight into achieving savings in Medicaid including long term care service delivery;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators joins with the New York State Association of Counties (NYSAC) and calls on the Governor, Department of Health, the Legislature, and other stakeholders to include representatives from local social services commissioners to participate in discussions to find recurring savings in Medicaid, including but not limited to long term care services.

Section 2. The Clerk of the Board is directed to forward copies of this resolution to Governor Kathy Hochul, the New York State Department of Health, and

all others necessary and proper.

Section 3. This Resolution shall take effect immediately.

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

RESOLUTION NO. 81 - 2024

RESOLUTION URGING THE GOVERNOR AND LEGISLATURE TO BECOME TRUE PARTNERS IN ADDRESSING HOMELESSNESS BY FOCUSING ON STANDARD OF NEED WHICH MUST INCLUDE THE RESTORATION OF 50/50 COST SHARING FOR SAFETY NET PROGRAMS, AND PROVIDE ACTUAL BRICK AND MORTAR SOLUTIONS BY MAKING PERMANENT HOUSING THE CENTRAL FOCUS

Introduced by Legislator Jessica Moser, Chair of the Human Services Committee.

WHEREAS, homelessness and housing affordability continue to be major concerns across the state. The COVID-19 pandemic made the situation worse through increased rental rates, decreased housing supply and an increased reliance on temporary housing assistance in shelters and motels; and

WHEREAS, in the post pandemic era, counties are experiencing a decline in the number of landlords that will rent to the clientele local social service districts serve; and

WHEREAS, the state's unprecedented reduction in fiscal support implemented over a decade ago when the state reduced its Safety Net program support from 50 percent to 29 percent has only made the situation worse; and

WHEREAS, state shelter allowances provided by the state are so low today that homeless clients cannot compete in the current housing market; and

WHEREAS, the net effect of low shelter rates for individuals and families that have been displaced and are residing in temporary housing is that current shelter allowances serve as a barrier to moving to permanent housing; and

WHEREAS, the homeless population is facing new problems as the needs of families have become more complicated; and

WHEREAS, regardless of family size and demographics, many of those facing homelessness or seeking emergency shelter can have challenging medical needs, mental health and substance abuse issues, some are registered sex offenders, and still others are state prison parolees or on probation; with some facing several of these challenges at the same time; and

WHEREAS, the state requires counties to fund 71 percent of costs for Safety Net individuals and 100 percent of the costs of administering these programs; and

WHEREAS, local social service districts focus scarce resources on achieving permanent housing, preventing homelessness, and providing temporary placement;

and

WHEREAS, counties maintain that preventing homelessness in the first place is the best way to keep families safe and secure; that while it is important to provide help in a crisis, it is better policy to maintain stability and prevent emergencies by providing sufficient resources up front;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators calls on the Governor and State Legislature to prioritize permanency in housing and to update rental allowances and the standard of need which have not been properly updated in decades to fully address the dramatic growth in housing, energy, and food costs; and to restore the Safety Net State share to 50% of said costs.

Section 2. The Lewis County Board of Legislators believes that the State should work with counties in developing a public education campaign to ensure people better understand the plight of families and individuals struggling with homelessness and how everyone can benefit by helping them achieve stable housing in our communities, including acknowledgement that counties need brick and mortar solutions to existing housing problems.

Section 3. The Lewis County Board of Legislators urge the State to coordinate a timely transition to supportive housing for the highest need individuals with mental health and substance abuse issues in collaboration with OTDA, other state agencies, and local social services districts; especially those that have been repeatedly homeless and in need of supportive placements overseen by OMH, OASAS, OPWDD and DOCCS.

Section 4. The Clerk of the Board is directed to forward copies of this resolution to Governor Kathy Hochul, the Office for Temporary Disability Assistance and all others deemed necessary and proper.

Section 5. This Resolution shall take effect immediately.

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

RESOLUTION NO. 82 - 2024

RESOLUTION TO APPOINT YOUTH BUREAU DIRECTOR

Introduced by Legislator Jessica Moser, Chair of the Human Services Committee.

WHEREAS, the 2024 budget created a full-time Youth Services Coordinator position for which the incumbent would also serve as the Lewis County Youth Bureau Director; and

WHEREAS, the full-time Youth Services Coordinator position has been filled and will assume the duties required of the Youth Bureau; and

WHEREAS, the current Youth Bureau Director, Deanna Edick, and Youth Bureau Assistant, Ramona Carpenter, have both submitted their resignation letters effective April 2, 2024;

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby designates and appoints Caitlin Lawler as the Lewis County Youth Bureau Director effective April 3, 2024, for the term of her employment.

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

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