

REGULAR MEETING
May 2, 2023

The meeting was called to order at 5:02 p.m. by Chairman of the Board, Lawrence Dolhof.

Roll Call: All Legislators were present, except Legislator Moser who had been excused. There were 19 other persons present.

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

Chairman Dolhof declared the April 4, 2023 meeting minutes approved by general consent.

REPORT OF THE FINANCE AND RULES COMMITTEE:

The Finance and Rules Committee had met and recommended to waive the rules to allow action on late resolutions.

Signed by: Thomas Osborne
Philip Hathway
Jeffrey Nellenback
Joshua Leviker

Dated: May 2, 2023

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

PROCLAMATIONS:

Clerk of the Board read proclamations commemorating May as Mental Month and a certified copy was handed out to Lucy Jo Tuttle of NRCIL; commemorating May as National Foster Care month and a certified copy was handed out to Jennifer Jones, Social Services Commissioner; In Honor of National Hospital Week and a certified copy was handed out to Jerry Cayer, CEO of LCHS.

PUBLIC HEARINGS:

AT 5:10 p.m. Chairman Dolhof opened up the public hearings for CDBG Project# 636ME980-21, Lewis County Microenterprise Program; CDBG Project# 636HO133-20, Lewis County Homeownership Program; and CDBG Project# 636HR134-20, Lewis County Housing Rehabilitation Program.

Brittany Davis, with the Lewis County IDA, subrecipient of CDBG Microenterprise funds gave the following quick update on the program. In 2021, Lewis County was awarded \$200,000 in CDBG microenterprise funds. Under this program they were able to provide grants up to \$30,000.00 to microenterprises of 5 or fewer employees, meeting the National Objective of

serving low to moderate income individuals, in priority industries of food and beverage, downtown business and tourism and recreation related business.

They rebranded the program and turned it into a business plan competition where the best plans had the chance at competing for grant funds to go towards the purchase of furniture, fixtures, equipment, or machinery. The Launch Lewis County Grant Program was initiated in early 2022. We received 21 short-form applications, to assess eligibility and project scope. We sent 21 applicants into the required Entrepreneurial Training Course through the Watertown Small Business Development Center, as required by New York State. We then received 13 final applications and business plans, which were reviewed by the Grant committee in June 2022.

From there the committee awarded the following 9 projects and grant awards based on project scope, feasibility and economic impact: \$30,000 to Sterling Valley Maple in Croghan; \$30,000 to the Tack Shack in Glenfield; \$20,000 to munch in Lowville; \$20,000 to Simmons Tree Farm in Copenhagen; \$20,000 to Randalls Corner General Store in Belfort; \$20,000 to Vanilla Bean Bake Shop in Lowville; \$20,000 to the World Famous Osceola Hotel in Osceola; \$10,000 to Cogumelo Mushrooms in Natural Bridge; and \$10,000 to Grassroot Meats in Lowville. There is a plan to file for a 6-month extension of the program with NYS to allow some of our projects more time for completion. Overall, it has been a successful process and we look forward to partnering with Lewis County to apply for more funding in the future.

Jaylyn Heames, Executive Director of Snow Belt Housing Company, Inc. read her public comments for CDBG Project# 636HO133-20. Lewis County entered into a subrecipient agreement with Snow Belt Housing Company, Inc. on June 24, 2021 in order to administer the 2020 Lewis County Direct Homeownership Assistance Community Development Block Grant ("CDBG"). The agreement stipulated that all funds must be expended within 24 months (by June 24, 2023).

The grant application was awarded in the amount of \$377,239.00 and anticipated that 9 low- and moderate-income households would be assisted with the purchase of their first home located in Lewis County by providing a buy-down on the mortgage, payment of most closing costs, and assistance to rehabilitate the housing unit to ensure that it meets code and HQS (Housing Quality Standards), as developed by the U.S. Department of Housing & Urban Development (HUD).

The grant was awarded for a total of \$225,000.00 to assist homeowners with the purchase of their home and awarded a total of \$96,000.00 dedicated to construction costs. The program is now nearing completion and 7 homeowners have closed on their homes, benefiting a total of 25 people, and all homes are in various stages of construction with scheduled completion dates by the end of June, 2023.

The following are details related specifically to the projects assisted with the 2020 Lewis County Direct Homeownership Assistance CDBG Funds:

- The average down payment and closing costs assistance provided was \$24,218.61.
- The average mortgage of \$86,532.57 and an average purchase price of \$104,071.43.
- The average repair cost for the seven homes is \$10,128.57 with ranges from \$1,500.00 to

\$15,500.00.

- There was no displacement as the homes that were purchased were all vacant.
- The program is truly a countywide program as two homes were located in the village of Castorland, one in Glenfield, two in Lowville, one in Port Leyden and one in Turin.

She then went on and read her public comments for CDBG Project# 636HR143-20. Lewis County entered into a sub recipient agreement with Snow Belt Housing Company, Inc. on June 24, 2021 in order to administer the 2020 Lewis County Housing Rehabilitation Community Development Block Grant (“CDBG”). The agreement stipulated that all funds must be expended within 24 months (by June 24, 2023).

The grant application was awarded in the amount of \$610,064.00 and anticipated that 14 substandard homes, located on scattered sites throughout the County, would be rehabilitated for a total construction cost of \$522,200. The program is now nearing completion and 13 rehabilitation projects have been completed and 4 more are scheduled to be completed by the end of June, 2023.

The Program’s purpose is to provide low- and moderate-income households with grant funding in order to improve the health, safety, energy efficiency and accessibility of their homes. All projects must meet NYS Code, the U.S. Department of Housing & Urban Development (HUD) Housing Quality Standards and the Environmental Protection Agency guidelines, to include Lead Based Paint Hazard regulations. Each project included an Energy audit in partnership with Lewis County Opportunities, lead based paint risk assessments and clearances for homes built prior to 1978, and also included radon testing.

The following are details related specifically to the projects completed with the 2020 Lewis County Housing Rehabilitation CDBG Funds:

- The rehabilitation work completed included all single-family housing units.
- All contractors live in Lewis County.
- There was no permanent displacement or relocation of homeowners.
- 70% of the projects consisted of female head of households, 35% were senior citizens and 2 of the projects included accessibility modifications.
- The construction costs ranged from \$10,175.00- \$39,000 and the average construction cost was \$21,803.32.
- Households that were assisted lived in the following municipalities: 2 Boonville, 2 Croghan, 1 Denmark, 1 Diana, 4 Lowville, 1 Lyonsdale, 3 Martinsburg, 1 New Bremen, 1 Osceola, 1 Port Leyden, and 1 in West Turin.

PRIVILEGE OF THE FLOOR:

Nichole Turck introduced herself and stated that she is running for Lewis County Sheriff, and she would be available after the meeting if anyone wanted to speak with her.

CLERK OF THE BOARD REPORT:

Cattaraugus County submitted a resolution titled – Opposing Senate Bill 6282, Franklin County submitted a resolution titled – In Support of Efforts to Improve Probation and Alternatives to Incarceration in New York State to Protect the Public and Reduce reliance on Prisons, Jails and Detention.

Legislators received the NYS Mortgage Tax Semi-Annual Report for the period of October 1, 2022 through March 31, 2023 in the total amount of \$172,032.35. The Chairman of the Lewis County Board of Legislators directs the County Treasurer to pay the respective amount due to the Towns, Villages, and County, according to the foregoing schedule, pursuant to the provisions of Section 261 of the Tax Law.

**APPORTIONMENT OF MORTGAGE TAX
October 1, 2022 through March 31, 2023**

	<u>KEY</u>	<u>VALUATION</u>	<u>AMOUNT</u>
Town of Croghan		419,610,875	19,317.53
Village of Croghan	0.025015888	20,993,877	<u>495.64</u>
			19,813.17
Town of Denmark		337,786,467	15,080.73
Village of Castorland	0.026026428	17,582,751	431.61
Village of Copenhagen	0.064599514	43,641,683	<u>1,071.30</u>
			16,583.64
Town of Diana		206,006,373	12,822.07
Town of Greig		266,263,292	14,836.22
Town of Harrisburg		106,216,870	3,804.56
Town of Lewis		88,611,069	1,158.76
Town of Leyden		123,383,433	8,195.95
Village of Port Leyden	0.063821669	15,749,073	<u>558.74</u>
			8,754.69
Town of Lowville		466,674,092	22,190.51
Village of Lowville	0.291899685	272,444,041	<u>9,147.58</u>
			31,338.09
Town of Lyonsdale		127,464,428	9,985.25
Village of Lyons Falls	0.041397372	10,553,385	444.85

Village of Port Leyden	0.029386129	7,491,372	<u>315.78</u> 10,745.88
Town of Martinsburg		257,156,318	4,924.52
Town of Montague		41,907,003	429.90
Town of New Bremen		205,760,058	23,989.52
Village of Croghan	0.038609429	15,888,557	<u>963.42</u> 24,952.94
Town of Osceola		60,678,017	1,245.71
Town of Pinckney		47,870,918	122.13
Town of Turin		114,741,473	4,928.80
Village of Turin	0.059882859	13,742,095	<u>313.95</u> 5,242.75
Town of Watson		248,490,218	9,238.32
Town of West Turin		166,970,589	5,094.51
Village of Constableville	0.051995486	17,363,434	312.96
Village of Lyons Falls	0.101599478	33,928,249	<u>611.53</u> 6,019.00
<u>GRAND TOTAL</u>			<u>\$172,032.35</u>
To County of Lewis			<u>\$86,016.24</u>

Thomas Osborne, Chair
Philip Hathway
Jeffrey Nellenback
Joshua Leviker
Finance & Rules Committee

Dated: May 2, 2023

Building and Fire Codes Official Jonathan Roes submitted a letter regarding a condemned property located at 4961 State Route 410 in the Village of Castorland. Sealer of Weights and Measures, Brian Mooney submitted his March Summary of Field Service Report which has been placed on file.

REPORTS OF STANDING COMMITTEES:

Legislator Osborne reported that the Lewis County Board of Elections has been working on several projects over the last month. They have completed the redistricting of all election districts and updated 19,437 voter records for the upcoming 2023 election season. They have received and processed 141 designating petitions for county, town and village offices. The Office has started to distribute independent petition information which will be filed by candidates no later than May 30th. They have also programmed and held the Village of Lowville election on March 21st and have begun preparing for the Lewis County School District elections to be held on May 16th and the upcoming county wide primary election to be held on June 27th.

Legislator Gilbert reported that on April 17th, Elk Specialty Flooring was able to get started on the new epoxy floor for the inmate area of the jail. The project lasted 2 weeks and was finished on Friday, April 28th. The floor looks great and will hold up for a long time from the daily use of the building. Now that the floor is complete, ENI, our mechanical contractor is moving ahead with the replacement of the HVAC system. During that time, we will be working on numerous renovations including a new watch desk area for the corrections officers and changes for the bathroom in dispatch. Today in the packet as all of you know is a resolution awarding the bid for the replacement of the walk-in freezer and this is consistent with our goal to get as much work as possible while the inmates are out boarded. He is optimistic that once these projects are completed the jail will be a much nicer physical state than what it was before. Hopefully this will also create a better workplace for our correction officers and dispatch employees.

Legislator Virkler reported that the Lewis County Office for the Aging has partnered with Blooming Health which is an automated communication system. Enrollees in this platform can receive timely reminders about wellness programs or support groups, weather related delays or cancellations, and answer surveys to express their aging needs and provide feedback on OFA services. Enrollees choose how they wish to receive these reminders (landline, email, or text messages) or out at any time. There is no charge to the enrollees for this service or to the county. If it is a phone call it will come from Kaylee Rhodes at OFA. Lastly, OFA has great salads available for those over the age of 60 through their Free Evening Meal program.

Legislator Chartrand reported that the Fund for Hope has given \$40,000 to 57 people in 2022 for travel expenses related to their cancer treatment. Lewis County Hospice received \$14,051 in restricted donations for Lewis County Hospice in 2022. The Capital Campaign Quiet Phase is from May 2022 through May 2023 and the Public Phase is from June 2023 through June 2024. The Capital Campaign has raised \$1 million to date and have \$1.4 million left to raise. The hospital applied for a \$730,000 FEMA grant to purchase a new generator which should be announced soon.

The hospital is working on installing a new public address system, will replace medical air pumps facility wide, will add a new air conditioning unit in the lab area to accommodate the additional heat load of the new analyzer, is completing the cat scan room renovation, and has completed the radiology room renovations. In the Emergency Department the “Left Without

Being Seen” numbers in quarter 1 of 2023 have been reduced largely due to nurse rounding with patients and keeping them updated. The hospital is in the process of initiating a more robust discharge process with more of a “team approach”, including better communication for patients and families.

There was a gain of \$168,053 versus a budgeted loss of \$28,606 for the month of March. The year-to-date loss is \$246,237 versus a budgeted loss of \$673,455. Mr. Musnicki who is on the Project Oversight Committee reported a completion date in early 2024. Mr. Cayer offered to conduct tours of the project in groups of 2-3, if anyone is interested. The tours take about 45 minutes typically. Legislator Chartrand took part in one about a week ago and really enjoyed it and recommends that anyone interested just reach out to Mr. Cayer.

There is a current Lab Outreach Program which is regarding the lease at Lowville Medical Associates and the rumor is that the hospital took that away from them, which is not true. Lowville Medical Associates reached out to the hospital and asked for help because they weren’t making any money. The hospital will now share a phlebotomist, who will work at this location conducting blood draws. The samples will then be couriered back to the laboratory for on-site testing.

Mr. Jerry Cayer, LCHS CEO reported that he shared with the Board of Managers the 2023 – 2025 Strategic Priorities and the supporting document which is the 2023 Measures of Success and is waiting for their approval. He thanked the Board of Legislators for their support of the LCHS building project, that this is a generational investment to ensure that health care will be available to our community for decades not just for next year or the year after. There will be a new physician who will be joining LCHS later this summer or into early fall. The hospital needed to invest in this project for a couple of reasons, one being that the building was old and rather outdated, but also to be competitive when recruiting physicians, nurses and other ancillary support.

The judicious design of the addition and renovations has been focused more on what is necessary for safe patient care and quality patient care that’s appropriate for a rural health system, in other words not a lot of glass and brass. There has been an increase in our nurse recruiting efforts by Kerry Herbine, Marcy Teal and Jessica Skiff. He then introduced Kerry Herbine and his wife Denise, Chief Operating Officer to the committee members.

Legislator Hathway commented on the recruiting effort for maternity staff in urban areas was pretty cool and outside of the box thinking, Mr. Cayer responded that the goal is to use digital signage in Queens and the Elmhurst sector schools area which has about a dozen OB GYN practices and a large hospital. The focus is on why someone should consider Lewis County by promoting a safe community, fresh air, great schools, and a wonderful environment. This allows doctors and nurses who have just finished a tough shift to see that there is an alternative to being in a high stress environment in a large city. This media campaign just started but it will be interesting to see the results.

PROJECT MANAGERS REPORT:

Mr. Jim Garito reported that the excellent quality of work up at the Social Services building is above industry standards and what he is used to. There are several reasons for this, one is that there is no stacking of trades, where the electrician is working on top of the plumber and carpenter in a small space. Another reason is the lack of worker density, not having a crowded job site. The building was finished under natural and permanent light versus poly on windows and temporary light bulbs in the middle of the room. The schedule is getting tighter and tighter on the buildings, but they are pushing hard on the contractors to get things finished up. He concluded by recommending that anyone who wants should visit the Social Services building to see the transformation as it is a very high-quality job.

Mr. Nick Garito reported that last week at the DMV project there was an inspection to ensure that the engineers are happy with the work above the ceiling before that gets buttoned up. This week the contractors will address any items and then ceilings will go up. Doors and finishes will be worked on and then the outside work will be started. At the Social Services Building minor finishing touches are happening but that project is mostly completed other than the last breaker which will hopefully be arriving soon. The Maintenance Garage is basically completed minus a few last-minute touches and finishings. The Highway facility is having walls and offices worked on, as well as site grading. The DOT work is in good shape too. In response to Legislator Hathway, Nick reported that the DOT does have a representative on site.

COUNTY MANAGER REPORT:

Ryan Piche, County Manager reported that there is a deal in Albany and the specifics of the budget will be debated among the legislature, but he expects the NYS budget to pass soon. The Enhanced FMAP funding that NYSAC was fighting for and is anticipated to cost our county an additional \$750,000 to \$800,000 per year, is now being reduced in stages, 25% reduction in 2023; 50% reduction in 2024; and 100% in 2025. Our tax cap is only around \$400,000 each year so this could be tough but doable.

The other part of the budget that is important is Part N which establishes a standardized assessment model for green energy projects. Obviously, Lewis County is home to many windmill projects and have developed friendly energy policies here which has allowed for mutual benefit from developers. Part N is the state usurping our authority to negotiate tax assessments and PILOTS with developers and it appears they have included this in the budget. Now the fight becomes making sure the language is in there to grandfather in existing projects.

The ribbon cutting ceremony for the Health Services Building is now being planned for May 31st due to the breaker issue. Thursday there is a ribbon cutting ceremony for the Number Three Wind Farm at 10:30 a.m. He thanked Eric Virkler and his staff for all the work they did in preparation for the 2022 audit which is now complete. The Auditors will be at the June 6th Board meeting to share their report. On May 17th the Economic Development Conference will be held at the Three Willows Conference Center and the county once again has reserved two tables. If anyone wants to attend, they should reach out to the Clerk of the Board. He concluded by thanking Crystal Collette for all her hard work with Lewis County OFA but is proud that she is taking the next step and will be working for the State in Albany.

COUNTY TREASURER REPORT:

Eric Virkler, Treasurer reported that April is a busy month with the audit and other reporting requirements but is happy to put that behind him. He thanked Ryan for his kind words about his staff and all their hard work. He concluded by mentioning that even though the increase in health insurance premiums will begin the Health Insurance Fund will need to be watched because it is getting low.

Chairman Dolhof closed all three public hearings at 5:50 p.m. with no other comments being offered.

REPORT OF THE FINANCE AND RULES COMMITTEE:

RESOLUTION NO. 76 - 2023
AUDITING AND ALLOWING CLAIMS

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

RESOLVED that the claims presented for payment in the total amount of \$3,279,666.28 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Moroughan , seconded by Legislator Virkler , and adopted on the 2nd day of May, 2023 pursuant to the following roll call vote:

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

NAYS: None

ABSENT: Moser

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

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

BE IT RESOLVED, as follows:

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

Transfer from:

A0 005990 Fund balance	\$2,900,000.00
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Transfer to:

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

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

Increase Revenue:

D0501000 350310 Local	\$1,200,000.00
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H0162000 350310 Local	\$1,700,000.00
Project HED PSB Parking Lot	

Increase Expenditures:

D0515000 495151 County Road Surface Treatment	\$1,200,000.00
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H0162000 499900	\$1,700,000.00
Project HED PSB Parking Lot	

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

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

Section 2. That this resolution shall take effect immediately.

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

<u>From:</u>	
A0199000 499900 Contingency	\$107,000.00
<u>To:</u>	
A0118500 290900 Coroner Misc. Equipment	\$107,000.00

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

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

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

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

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

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

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

BE IT RESOLVED as follows:

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

Increase Revenue:

DM513000 326650 Machinery Sale of Equipment	\$89,000.00
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Increase Expenditure:

DM513000 223300 Machinery Vehicles	\$89,000.00
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Section 2. That the within resolution shall take effect immediately.

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

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

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

Section 4. That this Resolution shall take effect immediately.

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

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

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

Section 4. That this Resolution shall take effect immediately.

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

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

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

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

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

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

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

NOW, THEREFORE BE IT RESOLVED, as follows:

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED as follows:

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

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

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

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

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

OTHER BUSINESS:

At 5:53 p.m. Legislator Chartrand moved to enter executive session at the recommendation of the County Attorney, Joan McNichol, for a personnel matter and potential property sale after a 5-minute break, seconded by Legislator Nellenback and carried.

At 6:40 p.m. Legislator Chartrand moved to enter regular session, seconded by Legislator Virkler and carried.

There being no other business to come before the Board, Legislator Nellenback made a motion to adjourn the meeting at 6:41 p.m., seconded by Legislator Osborne and carried.