



OFFICE OF THE BOARD OF
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Cassandra Moser
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TO: Media

FROM: Cassandra Moser, Clerk of the Board

DATE: June 2, 2023

The Board of Legislators will meet on **Tuesday, June 6, 2023 at 5:00 p.m.** for the regular monthly meeting which will be held in the Legislative Board Chambers at the Courthouse in Lowville, NY. Enclosed are proposed resolutions for action. Any other business may be conducted.

There will be a brief presentation from EFPR Group on the 2022 Lewis County Financials during the meeting.

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

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

RESOLUTION NO. 92 – 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 \$3,971,362.85 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. 93 - 2023

**RESOLUTION AWARDING BID AND AUTHORIZING AGREEMENT BETWEEN THE
COUNTY OF LEWIS AND CENTRAL PAVING INC. FOR THE
PSB PARKING LOT RENOVATION PROJECT**

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

WHEREAS, the County (with the assistance of its engineering consultant, GYMO) sent out a Request for Proposals to qualified companies for general construction and rock removal services for the repair and renovation of the PSB parking lot, as more fully described in the RFP; and

WHEREAS, bid proposals were returnable on May 25, 2023 at 2:00 pm, at which time they were opened by the GYMO Consultant, with the Purchasing Director, Clerk of the Board, Director of Buildings and Grounds, and others present; and

WHEREAS, the three (3) bids received were reviewed and analyzed by GYMO Architecture, Engineering and Land Surveying DPC with the Director of Buildings & Grounds, with the Director recommending that the bid be awarded to Central Paving Inc., 4247 Acme Road, Frankfort, NY 13340, as the qualified, responsive low bidder in the amount of \$800,000.00 for general construction and rock removal services as more fully set forth in the bid proposal dated May 25, 2023;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid for parking lot renovation and improvements at the PSB pursuant to the RFP to Central Paving Inc., 4247 Acme Road, Frankfort, NY in the amount of \$800,000.00 (General Construction- \$730,000.00; Rock Removal-\$70,000.00).

Section 2. That the Lewis County Board of Legislators hereby authorizes a contract to be entered into with Central Paving Inc, for the identified professional services in each listed phase in accordance with the specifications, conditions, start and completion dates set forth in the RFP.

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

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

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

RESOLUTION NO. 94 - 2023

**RESOLUTION AWARDING BID AND AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND INDEPENDENT COMMERCIAL
CONTRACTORS, INC. FOR DEMOLITION AND SITE CLEANUP
OF THE CONDEMNED PROPERTY ON TRINITY AVENUE**

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

WHEREAS, pursuant to resolution number 250-2022 the Board of Legislators direct the demolition, removal and site cleanup of Tax Map No. 212.08-01-06.000, 5507 Trinity Avenue, Lowville NY, as an unsafe structure and danger to the community. Upon the Owner's failure to remedy the unsafe structure, the Board directed the Code Department to issue an RFP for demolition and site cleanup services; and

WHEREAS, 5 bids received were opened on May 18, 2023 at 2:00 pm. The County Purchasing Director, Clerk of the Board, County Attorney, County Manager and two (2) Legislators were present to open the bids. After careful review of the bids the Code Enforcement Officer recommends that the Board award the contract to the lowest bidder, Independent Commercial Contractors, Inc., of Lorraine, NY, to provide the services at a cost of \$19,800.00 according to the terms and specifications as set forth in the RFP; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with Independent Commercial Contractors, Inc., with offices at 27004 Loomis Road, Lorraine, NY 13659, to provide demolition, proper removal and site cleanup for Tax Map No. 212.08-01-06.000, 5507 Trinity Avenue, condemned site in Lowville, NY, in accordance with the terms and conditions of the RFP and all Federal, State and Local laws and regulations, at a cost of \$19,800.00.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include all conditions, requirements and terms recommended by the County Attorney, with the services to be undertaken and completed on or before July 31, 2023.

Section 3. That the Lewis County Board of Legislators authorizes the County to pay the tipping fee costs for removal of the hazardous material and debris and the Air Monitoring testing expenses required for demolition and removal.

Section 4. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreements and any amendments or change orders thereto, upon review and approval by the County Attorney.

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

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

RESOLUTION NO. 95 - 2023

**RESOLUTION PURSUANT TO LOCAL LAW NO. 2-2007
FINDING AND DETERMINING THAT AN UNSAFE STRUCTURE
SHALL BE DEMOLISHED AND REMOVED
AND TO SET HEARING FOR FINAL ORDER
(VILLAGE OF PORT LEYDEN)**

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

WHEREAS, pursuant to Local Law No. 2-2007, entitled, "A LOCAL LAW PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS, UNSAFE EQUIPMENT AND COLLAPSED STRUCTURES," the Board of Legislators is empowered to take certain actions in connection with the investigation and enforcement of buildings and structures that are deemed to be unsafe; and

WHEREAS, pursuant to Section 5 of the Law, a Lewis County Code Enforcement Officer conducted an investigation of the premises known as Tax Map No. 353.12-02-14.000, 7091 West Main Street, in the Village of Port Leyden, owned by Green Chip Investors LLC, and determined that the structure is unsafe and issued a comprehensive report to the Board of Legislators on December 12, 2022, with an updated statement dated May 8, 2023, including a recommendation, *inter alia*, that the structure be demolished and removed; and

WHEREAS, Section 4 of the Law states that the provisions of the law apply to any building or structure located within the County where the Village or Town has relinquished to the County the responsibility of administering the uniform code(s). The County performs enforcement services of the uniform code(s) on behalf of the Village of Port Leyden; and

WHEREAS, the Code Enforcement Officer reported that the commercial building is unsafe, in disrepair, damaged; with a failing foundation and an outward bulge in the east wall creating an unsafe condition and potential collapse. Due to roof leaks and lack of repairs, the second floor system has failed. The structure is unfit for human occupancy and is definable as unsafe. This building is a danger to anyone who may attempt to enter and has the potential of a complete or partial collapse. More than 18 months have passed since the structure was condemned with no regular communication from the owner, nor any indicated efforts showing any repairs to the structure. The Code Enforcement Officer has condemned the structure and appropriately posted same; and

WHEREAS, the conclusion and recommendation of the Code Enforcement Officer is for the Lewis County Board of Legislators to determine and find that the building is an unsafe and dangerous structure as described in the Local law; that it cannot be safely repaired and should be demolished, with the debris properly

removed, together with any other service which may subsequently be deemed necessary for the health and safety of the public.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby finds and determines in accordance with the reports of the Lewis County Code Enforcement Officer that:

1. The herein described building is unsafe and constitutes a public nuisance and a danger to the safety, health and welfare of the community; and
2. It is the opinion of the Board of Legislators that the building must be properly demolished and removed from the premises.
3. Directs that a Notice as described in Section 7 of Local Law No.2-2007 and copy of this Resolution and Decision be served upon Greenchip Investors, LLC and all others deemed appropriate who may have an interest in the property.

Section 2. That by reason of such findings, the Board of Legislators hereby:

ORDERS, that members of Greenchip Investors, LLC appear before this Board of Legislators on July 5, 2023 at 5:00 p.m. to Show Cause before this Board why it should not Order the owner to hire a company to 1) Close and secure the structure, if exposed, and to property demolish and remove the building located on parcel Tax Map No. 353.12-02-14.000, 7091 West Main Street, in the Village of Port Leyden, Town of Leyden, Lewis County, New York in accordance with all laws and regulations, including any regulations required by the NYS Department of Environmental Conservation; and further

ORDERS AND DECREES, that in the event that the Owner fails to appear before this Board or fails to comply with any Orders of this Board, that the Board of Legislators provide for its demolition and removal and assess all expenses thereof against the land on which it is located, and to commence a special proceeding to collect the costs of demolition, including legal expenses, if necessary; and further

ORDERS AND DECREES that Notice of this Finding and Decision, together with the statement of particulars as required under Section 7 of Local Law No. 2-2007 shall be served upon the owner of record and any other interested parties not less than five (5) business days prior to the hearing date set forth above, in accordance with Section 8 of the Local Law, said notice to contain as follows:

1. a description of the premises;
2. a statement of the particulars in which the building or equipment is deemed unsafe or dangerous;
3. an order outlining the manner in which the building or equipment is to be made safe and secure, or demolished and removed;
4. a statement that the securing or removal of such building shall commence within thirty (30) days of the service of the notice and shall be completed within sixty (60) days thereafter, unless, for good cause shown, such time shall be extended;
5. a date, time and place for a hearing before the Board of Legislators in relation to such dangerous or unsafe building, which hearing shall be scheduled not less than five (5) business days from the date of service of the notice; and
6. a statement that in the event of neglect or refusal to comply with the order to secure or demolish and remove the building or equipment, the Board of Legislators is authorized to provide for its demolition and removal, to assess all expenses thereof against the land on which it is located and if required, to institute a special proceeding to collect the costs of demolition, including legal expenses.

Section 3. A copy of the notice served as provided herein shall be filed in the office of the Lewis County Clerk.

Section 4. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 96 - 2023

**RESOLUTION PURSUANT TO LOCAL LAW NO. 2-2007
FINDING AND DETERMINING THAT AN UNSAFE STRUCTURE
SHALL BE DEMOLISHED AND REMOVED
AND TO SET HEARING FOR FINAL ORDER
(TOWN OF WATSON)**

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

WHEREAS, pursuant to Local Law No. 2-2007, entitled, "A LOCAL LAW PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS, UNSAFE EQUIPMENT AND COLLAPSED STRUCTURES," the Board of Legislators is empowered to take certain actions in connection with the investigation and enforcement of buildings and structures that are deemed to be unsafe; and

WHEREAS, pursuant to Section 5 of the Law, a Lewis County Code Enforcement Officer conducted an investigation of the premises known as Tax Map No. 214.03-01-15.000, 312 Number Four Road, in the Town of Watson, owned by Joseph P. Mathys, and determined that the structure is unsafe and issued a comprehensive report to the Board of Legislators on October 28, 2021 with an updated report on May 8, 2023, including a recommendation, *inter alia*, that the structure be demolished and removed; and

WHEREAS, Section 4 of the Law states that the provisions of the law apply to any building or structure located within the County where the Village or Town has relinquished to the County the responsibility of administering the uniform code(s). The County performs enforcement services of the uniform code(s) on behalf of the Town of Watson; and

WHEREAS, the Code Enforcement Officer reported that the residential building is unsafe, in disrepair, damaged; with a partially collapsed roof and open doors and windows. The structure is unfit for human occupancy and is definable as unsafe. This building is a danger to anyone who may attempt to enter. More than 18 months have passed since the structure was condemned with no communication from the owner and no visual efforts showing any repairs to the structure. The Code Enforcement Officer has condemned the structure and appropriately posted same; and

WHEREAS, the conclusion and recommendation of the Code Enforcement Officer is for the Lewis County Board of Legislators to determine and find that the building is an unsafe and dangerous structure as described in the Local law; that it cannot be safely repaired and should be properly demolished with the debris properly removed, together with any other service which may subsequently be deemed necessary for the health and safety of the public.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby finds and determines in accordance with the report of the Lewis County Code Enforcement Officer that:

1. The herein described building is unsafe and constitutes a public nuisance and a danger to the safety, health and welfare of the community; and
2. It is the opinion of the Board of Legislators that the building must be properly demolished and removed from the premises.
3. Directs that a Notice as described in Section 7 of Local Law No.2-2007 and copy of this Resolution and Decision be served upon Joseph P. Mathys and any others deemed appropriate who may have an interest in the property.

Section 2. That by reason of such findings, the Board of Legislators hereby:

ORDERS that Joseph P. Mathys appear before this Board of Legislators on July 5, 2023 at 5:00 p.m. to Show Cause before this Board why it should not Order said Owner to hire a company to 1) to close and secure the structure, if exposed, and to properly demolish and remove the building located on the parcel identified as Tax Map No. 214.03-01-15.000, 312 Number Four Road in the Town of Watson, in accordance with all laws and regulations, including any regulations required by the NYS Department of Environmental Conservation; and further

ORDERS AND DECREES, that in the event that the Owner fails to appear before this Board or fails to comply with any Orders of this Board, that the Board of Legislators provide for its demolition and removal and assess all expenses thereof against the land on which it is located, and to commence a special proceeding to collect the costs of demolition, including legal expenses, if necessary; and further

ORDERS AND DECREES that Notice of this Finding and Decision, together with the statement of particulars as required under Section 7 of Local Law No. 2-2007 shall be served upon the Joseph P. Mathys not less than five (5) business days prior to the hearing date set forth above, in accordance with Section 8 of the Local Law, said notice to contain as follows:

1. a description of the premises;
2. a statement of the particulars in which the building or equipment is deemed unsafe or dangerous;
3. an order outlining the manner in which the building or equipment is to be made safe and secure, or demolished and removed;
4. a statement that the securing or removal of such building shall commence within thirty (30) days of the service of the notice and shall be completed within sixty (60) days thereafter, unless, for good cause shown, such time shall be extended;
5. a date, time and place for a hearing before the Board of Legislators in relation to such dangerous or unsafe building, which hearing shall be scheduled not less than five (5) business days from the date of service of the notice; and
6. a statement that in the event of neglect or refusal to comply with the order to secure or demolish and remove the building or equipment, the Board of Legislators is authorized to provide for its demolition and removal, to assess all expenses thereof against the land on which it is located and to institute a special proceeding to collect the costs of demolition, including legal expenses.

Section 3. A copy of the notice served as provided herein shall be filed in the office of the Lewis County Clerk.

Section 4. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 97 - 2023

**RESOLUTION AMENDING THE COMPENSATION PLAN
WITH REFERENCE TO COMMUNITY SERVICES DEPARTMENT**

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

WHEREAS, the Community Services Department (“CS”), the Local Government Unit (“LGU”) is tasked with development and administration of a local comprehensive plan for services for mentally challenged residents and other in need of services who are identified as high-need patients as such term is defined by the Commissioner of Mental Health, including but not limited to programs under assisted outpatient treatment and single point of access (SPOA); and

WHEREAS, since 2022, CS has been assigned to oversee additional programs including but not limited to NYS OMH Vet Peer-to-Peer Program, OASAS Opioid Settlement Abatement Funds, and the County Opioid settlement fund distributions, and assistance in development of the Medication Assisted Treatment (“MAT”) program mandated for the incarcerated in the Lewis County Jail; and

WHEREAS, the Community Services Director seeks to hire a permanent Mental Health Program Coordinator position, payable from funds made available from: NYS Federal Salary sharing, OMH Vet Peer -to- Peer funds, OASAS Opioid Abatement Litigation funds and the County Opioid Litigation funds;

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 Community Services Department to create the following permanent position at the following compensation rate:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Mental Health Program Coordinator	Full-time	Grade 5 Management Exempt \$47,082 - \$59,286

Section 2. That the Lewis County Board of Directors authorizes and directs the Treasurer to make the appropriate budget transfers from the identified funding sources into the proper expense lines under Community Services.

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 98 - 2023

**RESOLUTION AUTHORIZING AGREEMENT FOR PER DIEM NURSING SERVICES
UNDER THE MEDICATION-ASSISTED TREATMENT (MAT) PLAN FOR
INCARCERATED INDIVIDUALS SUFFERING FROM
SUBSTANCE ABUSE DISORDERS**

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

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

WHEREAS, pursuant to Resolution No. 34- 2023, the Board of Legislators authorized agreements with Credo for MAT counseling, inmate assessment, treatment planning, and prescribing and monitoring of methadone to IPs in that program; and

WHEREAS, the CS Director seeks to have an agreement with the Lewis County Health System (LCHS) to provide nurses from its staff who volunteer their nursing services at the Lewis County Jail under the MAT program, on a per diem basis, to dispense and monitor medications prescribed to IPs. It is anticipated that each session will be from 2-6 hours, with request for coverage generally on weekends, holidays, and on days during the week when the jail nurse is on benefit time. LCHS will be paid \$150.00 per hour for a nurse provided; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes an agreement with LCHS and the County of Lewis o/b/o the Lewis County Sheriff's Department to provide volunteer nurses from its nursing staff to serve for daily sessions from 2-6 hours as needed, to monitor and dispense medications prescribed to IPs under the MAT program. The expected need for these nurses are for weekends, holidays and on days during the week when the jail nurse is on benefit time.

Section 2. That the agreement for these per diem nursing services shall provide for the County to pay to LCHS the sum of \$150.00 per hour, for a one-year term commencing upon full execution of the agreement, with the right to annual renewals upon mutual written agreement.

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

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

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

RESOLUTION NO. 99 - 2023

**RESOLUTION TO ADOPT CERTAIN RECOMMENDATIONS OF THE
EMS AD HOC COMMITTEE**

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

WHEREAS, in January, 2022, the Chairman of the Lewis County Board of Legislators formed the Ad Hoc Committee for Emergency Medical Services (EMS) to study the issues driving the significant decline in the number of EMS volunteers in recent years, and with issuing specific recommendations to improve the sustainability of local EMS services in Lewis County; and

WHEREAS, the Ad Hoc Committee submitted its report dated May 9, 2023 to the General Services Committee for discussion at the May 12, 2023 meeting. The Ad Hoc Committee found, *inter alia*, that the six (6) in-county EMS agencies and four (4) outside agencies who also cover parts of Lewis County, respond to approximately 2,600 EMS call per year in Lewis County - 1,500 of which are handled by volunteers; that EMS calls outpace fire calls in the County six-to-one. In addition, the volume and length of each EMS call has increased considerably along with the increase in time and reporting requirement burdens on the time commitment of EMS providers. In considering potential solutions, the Ad Hoc Committee reviewed numerous strategies and plans implemented by other counties, recognizing, however, that the uniqueness of Lewis County in its geography, low call volume and high percentage of Medicaid/Medicare patients would not lend itself to a centralized EMS provider with "stations"; and

WHEREAS, the Ad Hoc Committee found that the best model for rural, sparsely populated Lewis County is continuation of the volunteer EMS model, with specific provisions of support from the County as set forth in the Report; and

WHEREAS, the General Services Committee recommends that the Board of Legislators adopt the specific legally authorized policies and goals in its report, after review by the County Attorney;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators applauds the hard work and thoughtful analysis of the Ad Hoc Committee members in tackling a comprehensive, forward-looking plan for the provision of EMS services in Lewis County.

Section 2. The Lewis County Board of Legislators salutes all of the volunteer EMS providers who service Lewis County residents in their time of need and encourages other residents to devote their time to train and volunteer for this necessary service.

Section 3. The Lewis County Board of Legislators hereby adopts the following goals and policies identified by the Ad Hoc Committee to support and sustain volunteer EMS services in Lewis County, with the intention of periodically reviewing and developing additional actions which may be taken to sustain volunteer EMS services. The Board authorizes the following expenditures in attaining said goals:

Goal #1) Support volunteer EMS services and agencies by:

a. A one-time disbursement of \$245,000.00 to the eight (8) EMS agencies in Lewis County toward capital expenditures. Said disbursement to be determined by the number of ambulances owned by each agency:

<i>Beaver Falls Amb (1)</i>	<i>\$ 17,500</i>
<i>Constableville Amb (1)</i>	<i>\$ 17,500</i>
<i>Harrisville Rescue Squad (1)</i>	<i>\$ 17,500</i>
<i>JS Koster Hose Co. Amb (1)</i>	<i>\$ 17,500</i>
<i>LC Search & Rescue (7)</i>	<i>\$122,500</i>
<i>Lyons Falls Amb (1)</i>	<i>\$ 17,500</i>
<i>Turin Amb (1)</i>	<i>\$ 17,500</i>
<i>West Leyden Amb (1)</i>	<i>\$ 17,500</i>
Total One-Time Distribution:	\$ 245,000

b. County will engage a county-wide consultant for a county-wide EMS Medical Director, at a cost of **\$5,000.00 per year**, to manage and administer medical director sign-off on PCRs and narcotic inventories under the Lewis County Emergency Management Department budget.

c. Update and amend Lewis County Local Law, effective January 1, 2024, which allows for a 10% non-capped reduction in assessed real property valuation for volunteer firefighters and EMS providers, with all updated State law changes.

Goal #2) Increase the number of EMS service providers in Lewis County by:

a. Assist BOCES with a one-time capital cost payment of **\$60,000.00** to assist in the launch and implementation of a new two-year EMS program for high school juniors and seniors.

b. Continue supporting new EMS providers by annual reimbursement **up to \$5,000.00/yr** for classroom materials, textbooks, workbooks and other training and class studymaterials required for certification of EMS providers. (The County already implemented this through the Lewis County Emergency Management Department budget).

Section 4. This Resolution shall take effect immediately.

Section 5. The Clerk of the Board is directed to forward copies of this Resolution to the Lewis County EMS providers, the clerks of the Towns and Villages, Stephen J. Todd, District Superintendent of Jefferson-Lewis BOCES, and all others the Board may designate.

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

RESOLUTION NO. 100 - 2023

**RESOLUTION APPROVING AGREEMENT BETWEEN
COUNTY OF LEWIS OBO LEWIS COUNTY HIGHWAY DEPARTMENT
AND C&S ENGINEERS, INC. FOR ENGINEERING SERVICES FOR THE COMPLETE
STREETS PROJECT**

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

WHEREAS, the Lewis County Highway Department desires to enter into an agreement with C&S Engineers, Inc. ("C&S"), authorized on the New York State list of professional engineers for engineering services for the design and other services for the rehabilitation of Blue Street/ Main Street/ CR 41 under this Complete Streets Project; and

WHEREAS, the Lewis County Highway Superintendent budgeted this project under its CHIPS funding. C&S has provided a detailed proposal dated April 13, 2023, with the professional scope of basic services proffered for this project in an amount not to exceed \$171,724. The scope of work includes preliminary design, concept design with public information meeting, report on Design and Environmental Screening, Final Design Activities, and Grant Administration assistance; and

WHEREAS, the Lewis County Board of Legislators wishes to accept such services and authorize the Professional Services Agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis by and through the Lewis County Highway Department and C&S Engineers, Inc. to provide the design and other scope of services related to the Complete Streets Project on Blue Street and Main Street/ CR 41 in the Hamlet of Glenfield, New York, at a cost of \$171,724 as more fully set forth in the proposal dated April 13, 2023.

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 pending approval.

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

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

RESOLUTION NO. 101 - 2023

**RESOLUTION TO AWARD BID TO TIOGA CONSTRUCTION CO., INC.
FOR THE REPLACEMENT OF WEST ROAD CULVERTS OVER
MILL CREEK AND MILL CREEK TRIBUTARY
IN THE TOWN OF TURIN**

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

WHEREAS, the County has commenced a project known as the replacement of West Road Culverts over Mill Creek and Mill Creek Tributary and sent out request for bids; and

WHEREAS, six (6) sealed bids received were publicly opened on May 2, 2023 at 10:00 a.m. on the Second Floor Board Room at the Lewis County Courthouse, 7660 North State Street, Lowville, New York; and

WHEREAS, the Highway Superintendent recommends that the County award the bid to Tioga Construction Co., Inc. the lowest qualified bidder, to perform the culvert replacements outlined in the bid specifications in the total amount of \$825,000.00 (\$313,000.00 over Mill Creek Tributary and \$512,000.00 over Mill Creek); and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid to and authorizes a contract with Tioga Construction Co., Inc., Herkimer, NY in the amount of \$825,000.00 (\$313,000.00 for Mill Creek Tributary, \$512,000.00 for Mill Creek), payable through CHIPS reimbursement, for the replacement of West Road Culverts over Mill Creek and Mill Creek Tributary in the Town of Turin.

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. 102 - 2023

**RESOLUTION AUTHORIZING SUPPLEMENT 1 TO AGREEMENT BETWEEN
LEWIS COUNTY o/b/o HIGHWAY DEPARTMENT
AND FISHER ASSOCIATES FOR MARSHEY ROAD OVER WEST BRANCH
OSWEGATCHIE BRIDGE PROJECT**

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

WHEREAS, pursuant to Resolution No. 38-2021, the Lewis County Board of Legislators authorized consultant agreements necessary for the Marshey Road over West Branch Oswegatchie River Bridge Replacement Project (PIN 775399, BIN 3339960) in the Town of Diana, County of Lewis to widen the single-lane Pony Steel truss bridge into two lanes of traffic, accommodate pedestrians and allow for full load capacity of the bridge. Resolution No. 284-2022 included additional funding from Marchiselli funds which lower the County's local share amount; and

WHEREAS, the County contracted with Fisher Associates for consulting services on December 15, 2021 to provide surveys, environmental screenings, preliminary and final design development, right of way services, SEQRA compliance assistance, and site plan submission and approval from NYS DOT, at a cost not to exceed \$290,000.00; and

WHEREAS, Fisher Associates has provided the Highway Superintendent with Supplement No. 1, dated April 24, 2023 to add costs and expenses for Sub-Consultant Services of Hartgen Archeological Associates, Inc., including mitigation services required and related to compliance under the National Historic Preservation Act; at a cost not to exceed \$26,000.00; and

WHEREAS, the Board of Legislators wishes to accept such services and authorize this supplement to the consultant contract;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes Supplement No. 1 to the Agreement between the County of Lewis by and through the Lewis County Highway Department and Fisher Associates, Rochester, NY 14607 to provide Sub-Consultant Services related to National Historic Preservation Act compliance for this bridge as set forth in the April 24, 2023 proposal, at a cost not to exceed \$26,000.00; (\$20,800.00 (80%) payable from federal funds, \$3,900.00 (15%) payable from Marchiselli funds, and \$1,300.00 (5%) payable from the Highway Capital Projects account.)

Section 2. That pursuant to Resolution No. 38-2021, the Lewis County Highway Superintendent is hereby authorized to make, execute, seal, and deliver

such amendment to the Consultant Agreement, pending approval by the County Attorney.

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

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

RESOLUTION NO. 103 - 2023

**RESOLUTION AUTHORIZING PURCHASE OF 7777 N. STATE STREET,
LOWVILLE, NY BY THE COUNTY OF LEWIS
ACTING ON BEHALF OF THE LEWIS COUNTY HEALTH SYSTEM**

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

WHEREAS, the Lewis County Health System (LCHS) CEO and Board of Managers seek to have the Lewis County Board of Legislators purchase the residential property adjoining the LCHS campus, known as 7777 N. State Street, Lowville, NY, identified as Tax Map Parcel # 195.19-01-05.000, approximately 0.34 acres in size, including the single-family ranch structure with an attached garage, fixtures and any other improvements thereon, for the intended hospital use under its Capital Plan, including its use house per diem medical professionals working at LCHS; and

WHEREAS, the property was recently appraised for \$230,000.00, with the hospital and owner agreeing to a purchase price of \$240,000.00; and

WHEREAS, the LCHS Board of Managers, by Resolution has approved the purchase of this property at the above negotiated price, payable from the LCHS's financial resources as recommended by the hospital's Capital Improvement Oversight Committee, and request the Lewis County Board of Legislators to exercise its authority pursuant to the General Municipal Law and County Law to approve this purchase and enter into a contract of sale for same;

NOW THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby approves and authorizes the purchase of the approximately 0.34-acre residential property located at 7777 N. State Street, Lowville, NY, Tax Map No. 195.19-01-05.000, including the buildings, fixtures and improvements thereon, on behalf of and for continued use and operation by the Lewis County Health System (Lewis County General Hospital), for its intended uses under the hospital's Capital Improvement Plan.

Section 2. The Board of Legislators hereby directs the County Attorney to take all customary action and legal steps for the purchase of the property and transfer of title for same by means of a Warranty or Bargain and Sale Deed, at a price of \$240,000.00, with customary adjustments and expenses associated thereto for the protection of the County's acquisition, payable by and from LCHS financial resources.

Section 3. The Chair or Vice-Chair of the Board of Legislators is hereby authorized to execute and deliver such purchase contract and other transfer documents as may be required, upon such form(s) as approved by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator ____, seconded by Legislator ____, and adopted by the following roll call vote:

AYES:

NAYS:

ABSENT:

RESOLUTION NO. 104 - 2023

**RESOLUTION APPOINTING MEMBER TO
JUNKYARD REVIEW BOARD**

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

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints James Dicob of New Bremen, New York, as a member of the Lewis County Junkyard Review Board.

Section 2. That the 5-year term of said appointment shall be retro-active from January 1, 2023 through December 31, 2027.

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

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

RESOLUTION NO. 105 - 2023

**RESOLUTION AUTHORIZING THE SALE OF FORMER GLENFIELD SCHOOL
PROPERTY (5960 MAIN STREET, GLENFIELD, NY) TO ROCHESTER'S
CORNERSTONE GROUP LTD. FOR HOUSING DEVELOPMENT**

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

WHEREAS, pursuant to Resolution No. 31-2022, the County of Lewis purchased the Glenfield Elementary School property, 5960 Main Street, Glenfield, NY, approximately 8 acres of land now identified as Tax Map No. 259.04-04-08.100 (herein, the "Property") in 2022 for temporary public use for the County's operations and services while renovations and improvements are made to its existing buildings; and

WHEREAS, the County purchased the property from LasComp Institute of IT for \$315,000.00. Since the purchase, the County housed the Social Services and Office for the Aging Departments, along with the Soil and Water District offices at this location while the major renovations were undertaken at the Social Services building on Outer Stowe Street; and

WHEREAS, pursuant to Resolution No. 288 - 2022, the Board authorized an MOU with the Lewis County Development Corporation (LCDC) to market this property for innovative economic development and re-uses for this property and structure. The LCDC sent out a Request for Expressions of Interest (RFEI) and received a formal proposal from Rochester's Cornerstone Group Ltd. ("Cornerstone"), of Rochester, NY, for development of the property for a minimum of 50 affordable housing units; and

WHEREAS, Cornerstone's proposal is contingent upon *inter alia* its ability to obtain necessary governmental approvals, tax credits and funding awards to acquire, develop and operate its intended development of the property for a minimum of 50 affordable residential units, at a purchase price of \$300,000.00, but with closing and transfer of title not likely to close until on or about December 31, 2024 given the complex funding applications anticipated; and

WHEREAS, the County anticipates its Social Services and OFA Departments to be relocated into the newly renovated Human Services building in Lowville in or about June, 2023, with the Soil and Water District office remaining at the Glenfield School until the end of 2023, with the building thereafter no longer necessary for public use; and

WHEREAS, the LCDC and Naturally Lewis request that the Board of Legislators enter into this conditional sale of the Glenfield School Property to Cornerstone for \$300,000.00 and provide for this opportunity for needed affordable housing and the economic benefits of this development in Lewis County;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby finds and declares that the County's property located at 5960 Main Street, Glenfield, NY, identified as tax map parcel # 259.04-04-08.100 on the March 1, 2023 roll, commonly referred to as the Glenfield School Property will no longer be necessary for public use by the end of 2023, and therefore desires to grant, sell, convey and transfer the same pursuant to Local Law No. 1-1991 and County Law §215.

Section 2. That the Lewis County Board of Legislators hereby authorizes and approves the sale of the Glenfield School Property, identified as Tax Map No. 259.04-04-08.100 to Rochester's Cornerstone Group LTD, Rochester, NY for the sum of \$300,000.00, contingent upon governmental approvals, tax credits and grant fundings for which the Purchaser will apply in order to develop the property for affordable housing units for seniors.

Section 3. That the transfer of title shall be by quitclaim deed and shall take place on or about December 31, 2024, pursuant to conditions and provisions to be more formally set forth in a Purchase Agreement acceptable to both parties.

Section 4. That the County Attorney is directed to negotiate and prepare a purchase agreement with the Cornerstone, and take all necessary steps for same and the final closing of title and transfer of ownership.

Section 5. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver any and all contracts, deeds, easements, or other papers and documents necessary to complete the transaction.

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

Moved by Legislator ___, seconded by Legislator ___, and adopted by the following roll call vote:

AYES:

NAYS:

ABSENT:

RESOLUTION NO. 106 - 2023

**RESOLUTION IN SUPPORT OF REMOVAL OF RPTL §480-a
TAX BURDEN ON LOCAL TOWNS**

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

WHEREAS, section 480-a of the Real Property Tax Law (RPTL) allows for a substantial real property tax exemption to property owners who have privately owned forest land in New York State, through enrollment in a program administered by the New York State Department of Environmental Conservation; and

WHEREAS, forest lands provide benefits statewide (clean water, clean air, open space), however, the local municipality has no discretion to approve, deny or limit the exemption, regardless of local impacts; and there is no statewide provision for reimbursement of lost property tax revenue from the exempted forested property; and

WHEREAS, the cost-shift burden of this property tax exemption is borne entirely by the other taxable property owners in each of the towns where the 480-a lands are located; and

WHEREAS, the current 480-a program was enacted in 1976 and has not been updated since, even though over the last 30 years, several reports have documented the issues with forest tax laws and proposed recommendations to improve the program and lessen the burden on the Town; and

WHEREAS, Lewis County local municipalities that have high amounts of forest land generally have smaller tax bases, such as in the Town of Osceola, making it more difficult for the remaining non-exempt property owners to absorb the lost taxes from the exempted properties; and

WHEREAS, increasing taxes on other forest landowners in towns with high 480-a enrollment has the unintended consequence of causing those forest landowners to subdivide and sell lots to pay for increasing property taxes, or to enroll in the program themselves, if eligible, therein exacerbating the impact of the program on the local municipalities; and

WHEREAS, rising property values may increase the value exempted year after year, making the shifted property tax burden even greater; and

WHEREAS, in the Town of Osceola, (the Lewis County Town most impacted by 480-a because of its large forest parcels and lack of other taxable industry), 61 parcels are currently enrolled in 480-a, with \$57,952.63 in town property tax

revenue being shifted to non-480-a owners in the town, representing 15.9% of Osceola's entire tax levy; and

WHEREAS, the Town Board in Osceola has adopted a Resolution requesting that the State of New York amend 480-a of the RPTL and remove the property tax burden of this exemption from local taxing jurisdictions and place it on all New York taxpayers who benefit from these lands remaining in forested conditions;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators supports the Town of Osceola position on RPTL § 480-a, which calls on the NYS Governor and Legislature to amend this law and remove the property tax burden from the local town and other taxing jurisdictions as a result of the tax exemptions provided therein, and disperse the tax burden from these exemptions upon on all New York taxpayers who benefit from the intended environmental benefits of these lands remaining in forested conditions, i.e., clean air, clean water, and open spaces for wildlife.

Section 2. The Lewis County Clerk of the Board is directed to provide copies of this Resolution to Governor Kathleen Hochul, State Senator Mark Walczyk, Assemblyperson Ken Blankenbush, and all others the Board deems appropriate.

Section 3. This Resolution shall take effect immediately.

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

RESOLUTION NO. 107 - 2023

**RESOLUTION TO APPROPRIATE FUNDS
Planning Department**

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation take place for payback funds in the CDBG account (CL 069100) to the Planning Department to be used for various community projects:

Increase Revenue:

A0802000 327088 Planning Admin Other	\$1,021.47
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Increase Expenditure:

A0802000 495500 Planning Projects	\$1,021.47
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Section 2. That the within resolution shall take effect immediately.

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

RESOLUTION NO. 108 - 2023

RESOLUTION AUTHORIZING FIRST AMENDMENT TO PAYMENT IN LIEU OF TAX AGREEMENT (PILOT) BY AND WITH THE COUNTY OF LEWIS INDUSTRIAL DEVELOPMENT AGENCY (IDA), PPM ROARING BROOK LLC (COMPANY), AND THE AFFECTED TAXING JURISDICTIONS (COUNTY OF LEWIS, TOWN OF MARTINSBURG AND LOWVILLE CENTRAL SCHOOL DISTRICT) FOR THE ROARING BROOK WIND FARM PROJECT

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

WHEREAS, PPM ROARING BROOK, LLC, an affiliate of Iberdrola (the “Company”) entered into a PAYMENT IN LIEU OF TAX AGREEMENT (PILOT) with the County of Lewis Industrial Development Agency (IDA) and the affected tax jurisdictions, i.e., the County of Lewis, the Town of Martinsburg and the Lowville Central School District, dated November 12, 2012 for the installation and acquisition of up to an 80.0 megawatts (MW) wind turbine project in the Town of Martinsburg known as the ROARING BROOK WIND FARM PROJECT; and

WHEREAS, the Company sought to renegotiate the financial terms of the Pilot Agreement in order to better position itself for funding so that the Project could move forward. The IDA and taxing jurisdictions agreed to an amendment to the financial terms of the PILOT in 2016; said terms including but not limited to a base annual PILOT payment of \$8,000 per MW for thirty (30) year payments; an escalator increase to the base payment of 10% in five-year increments commencing with the sixth PILOT payment; an increase in the base PILOT payment of 2% per year commencing with the 21st year; and an additional incentive payment of \$400 per MW in any calendar year where the average annual real-time locational based marginal price for electricity in Zone E is in excess of \$45 per MWh; all as more fully set forth in the proposed Financial Term Sheet; and

WHEREAS, the IDA and Roaring Brook seek to enter into certain modifications to the existing PILOT in order to change the initial payment date of the PILOT payment to correspond with appropriate taxable status dates for the town/county and school, i.e., May 31, 2023, and thereafter for the payment date to be January 31st commencing in 2024, all as set forth in the 1st Amendment to Payment in Liew of Tax Agreement dated April 1, 2023; and

WHEREAS, the Board of Legislators seeks to accept said modifications and execute the First Amendment PILOT.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the 1ST Amendment to Payment in Liew of Tax Agreement dated April 1, 2023, which modifies the payment dates for the annual PILOT payments from Roaring Brook to and for the IDA and taxing jurisdictions therein named.

Section 2. The Chair or Vice-Chair, of the Lewis County Board of Legislators is hereby authorized to execute, seal and deliver such 1st Amendment to PILOT dated April 1, 2023 and any other instruments as may be necessary to effectuate inclusion of the Amendment, subject to review by the County Attorney.

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

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

RESOLUTION NO. 109 - 2023

**RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN LEWIS COUNTY
DEPARTMENT OF PUBLIC HEALTH
AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK, INC.**

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

WHEREAS, the Lewis County Department of Public Health wishes to enter into an Agreement with Transitional Living Services of Northern New York, Inc. ("TLS") to provide psychological services to qualifying children in the preschool special education program at the pre-approved NYSED rates; 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 an Agreement with Transitional Living Services of Northern New York, Inc. ("TLS") for the purpose of providing psychological services to qualifying children in the preschool education program.

Section 2. That the term of this agreement shall be from July 5, 2023 through July 4, 2024 under the pre-approved NYSED rates for same, with automatic annual renewal unless either party notifies the other in advance.

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendments/extensions thereto, 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. 110 - 2023

**RESOLUTION AUTHORIZING SETTLEMENT AGREEMENT IN PENDING TAX
ASSESSMENT CHALLENGES BY CITY OF ROME AGAINST TOWN OF LEWIS
ASSESSOR, BOARD OF ASSESSORS AND BOARD OF ASSESSMENT REVIEW
AND APPROPRIATING REFUND**

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

WHEREAS, in 2012, the County established a policy for County participation in legal challenges related to large commercial/industrial real property tax assessments brought against local Towns, Town Assessors and Town Boards of Assessment Review; and

WHEREAS, the Board of Legislators authorized the County Attorney to continue participation with counsel for the Town of Lewis and Adirondack Central School District in the on-going tax assessment complaints brought by the City of Rome (City) in Supreme Court, County of Lewis, challenging the assessments on the Boyd Dam and Reservoir located in the Town of Lewis (Tax Map Nos. 416.00-01-27.100 and 416.00-01-04.000) for property tax years 2018 through 2022; and

WHEREAS, the matter has been scheduled for trial in September, 2023. The parties reached a tentative settlement of the pending tax year challenges, with settlement of the fair market value of the parcels (subject to application of the annual equalization rate) through 2037. The settlement includes outstanding refunds payable to the City by the three (3) taxing jurisdictions for the years 2018 – 2022 set at \$750,000.00; said stipulation of settlement to be “SO ORDERED” by the Court;

NOW THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby accepts and approves a stipulation of settlement of the pending tax assessment challenges brought by the City of Rome against the Town of Lewis, et al, for the 2018 through 2022 assessment years, with refunds for overpayment of same established at \$750,000.00 at no interest, with the County’s share determined to be \$190,158.00.

Section 2. The Lewis County Board of Legislators approves the settlement terms to include establishment of the fair market value amounts of said parcels for the 2023 through 2037 assessment years (to be subject to application of the annual equalization rate to arrive at the actual annual assessment for each year) in the following amounts:

2023	\$9,530,000.00	2025	\$8,500,000.00	2027	\$7,500,000.00
2024	\$9,000,000.00	2026	\$8,000,000.00	2028	\$7,500,000.00

2029	\$7,100,000.00	2032	\$6,450,000.00	2035	\$5,950,000.00
2030	\$7,100,000.00	2033	\$6,300,000.00	2036	\$5,850,000.00
2031	\$6,600,000.00	2034	\$6,100,000.00	2037	\$5,800,000.00

Section 3. The Lewis County Board of Legislators authorizes and directs the Treasurer to appropriate sufficient funds from the Fund Balance for Surety Aid to pay the County's share of the refunds owing to the City of Rome (\$ 190,158.00) under the terms of the So Ordered settlement after Notice of Entry; and to pay the County's one-third (1/3) share of any outstanding balances owing to the taxing jurisdictions' retained experts in the matter for trial reports, testimony and expert consultation, upon review of said bills and fees by the County Attorney.

Section 4. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to execute the stipulation of settlement and any other required documents to give effect to this settlement, upon review and approval of the County Attorney as to its terms and conditions.

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

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

RESOLUTION NO. 111 - 2023

RESOLUTION IN SUPPORT OF NYS SENATE BILL NO. S7024 AMENDING VARIOUS LAWS TO RAISE THE MAXIMUM WEIGHT LIMIT FOR ALL-TERRAIN VEHICLES AND UPDATE FEE SCHEDULE FOR ATV REGISTRATION

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

WHEREAS, outdoor recreation, including ATV/UTV recreational trail riding, is a vital part of the Lewis County economy; and

WHEREAS, the Lewis County Board of Legislators has advocated for years for the NYS Legislature to amend the State Finance and Vehicle & Traffic Laws to address this vital and growing industry throughout the State, and in particular, the upstate counties in New York; and

WHEREAS, the current weight limit of 1,000 pounds for ATVs as defined under the VTL, is sorely obsolete and counter-productive in realizing the financial revenues which can be generated by increasing the weight limit for these off road vehicles which are prevalent throughout the state. Advances in technology and design have resulted in these vehicles being of greater weight, but not posing any greater negative environmental impact by same. The primary causes of environmental damage from ATVs or UTVs or any off-highway vehicle are poor driving habits, riding in unsuitable areas and recklessness. Lewis County, working with its ATV club partners, has created an extensive, safe, and environmentally sound ATV trail system that is constantly repaired, maintained and inspected to eliminate environmental damage; and

WHEREAS, the increase in weight limitation to 2,000 pounds will actually afford other populations, such as the elderly, families with young children, and the infirm to have the ability to ride safely as a passenger in a side-by-side/UTV and experience our beautiful trails, forests and wilderness. Further, these changes will increase sales revenue for both the State (sale of new vehicles in New York) and in our local economies. Because of NY's obsolete 1,000 pound weight limitation, many ATV enthusiasts are purchasing and registering these vehicles out of state; a tremendous loss of sales tax revenue and registration fees to NYS. Increasing the weight limit and increasing the fee registration will result in more users registering their vehicles in New York and will generate more revenue to the State; and

WHEREAS, ATVs both a working tool and a means of recreation in Lewis County. ATV trail riding is a positive financial activity for both the State and local economies; and their legal use should be fully supported by the State regulatory structure; and

WHEREAS, NYS Senator John W. Mannion, representing the 50th Senate District, has introduced Senate Bill No. 7024 to amend State Finance Law § 95-e and Vehicle & Traffic Law §§ 2281 & 2282 to raise the weight limit for ATVs to 2,000 pounds, and to update and increase the registration fees of ATVs as follows:

1,000 lbs or less vehicle -	\$15.00/yr - each individual resident registration
	\$19.50/yr - each individual nonresident registration
1,100-1,500 lbs -	\$40.00/yr – resident registration
	\$52.00/yr – nonresident registration
1,500- 2,000 lbs -	\$60.00/yr – resident registration
	\$78.00/yr - nonresident registration

Portions of the difference collected in the fee amounts in the former laws and the new laws will be deposited into the NYS autism awareness and research fund and some into the dedicated highway and bridge trust fund; and

WHEREAS, the Board of Legislators seeks to support Senator Mannion and others who recognize the need for changes to the laws which are having an adverse effect on this growing industry and the upstate local economies who depend upon outdoor recreational activities, including ATV recreational riding;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby applauds NYS Senator John W. Mannion and supports the amendments he proposes to the laws which will increase ATV weight limits to 2,000 pounds and adjust registration fees as set forth in Bill Number S7024, and encourages the State Senate, Assembly and Governor to act on this Bill with all due haste.

Section 2. That the Lewis County Board of Legislators directs that a copy of this resolution be forwarded to Governor Kathleen Hochul, Senators John W. Mannion and Mark Walczak, Assemblypersons Ken Blankenbush and Billy Jones, the NYS Senate Majority and Minority Leaders, NYS Assembly Majority and Minority Leaders, NYSAC and any other State or Local Agencies or Municipalities the Chairman deems appropriate.

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

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

RESOLUTION NO. 112 - 2023

**RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND
CORNELL COOPERATIVE EXTENSION OF LEWIS COUNTY**

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

WHEREAS, the Lewis County Department of Social Services (“DSS”) wishes to enter into a renewal Agreement with Cornell Cooperative Extension of Lewis County (“Cooperative Extension”) to provide supportive and rehabilitative services that include parent education services to families whose children have been named in a child abuse and/or maltreatment report, who have been assessed at risk of foster care placement, who are in foster care and whose placements could be shortened through the provision of such services, or families who are below 200% of the Federal Poverty Limit and evidence an ability to benefit from parent education services in accordance with criteria established by Department Regulations; and

WHEREAS, Cooperative Extension is a recognized agency with the experience and capacity to offer parenting programs, at a flat fee of \$5,125.00 per month, per family. Total payments under the agreement would not exceed \$61,500.00 per calendar year; 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 a renewal Agreement between the County of Lewis, by and through the Lewis County Department of Social Services and Cornell Cooperative Extension of Lewis County to provide supportive and rehabilitative services that may include:

- parent education services to families whose children have been named in a child abuse and/or maltreatment report.
- children who have been assessed at risk of foster care placement,
- children who are in foster care and whose placements could be shortened through the provision of such services.
- families who are below 200% of the Federal Poverty Limit and evidence an ability to benefit from parent education services in accordance with criteria established by Department Regulations.

Section 2. That the term of this Agreement shall be from June 1, 2023 through May 31, 2024 at a flat fee of \$5,125.00 per month per family for all clients referred by DSS with an open case, with the total amount not to exceed \$61,500.00 per year. The local share cost of these services is 38% after Federal and State (62%) reimbursements.

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, 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. 113 - 2023

RESOLUTION TO APPROPRIATE FUNDS FOR WORKFORCE INNOVATION AND OPPORTUNITY ACT

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

BE IT RESOLVED, as follows:

NOA#PY-21-2 thru 22-4

Section 1. That the following funds be appropriated for Program Year 2021 and 2022 for the period July 1, 2021 through June 30, 2024 for the Adult and Dislocated Worker programs per the Notice of Obligational Authority (NOA), #PY21-2 thru 22-4, dated May 02, 2023 through the New York State Department of Labor.

Increase Expenditures:

DISLOCATED WORKER

CD629100.110100 Wages	\$ 8,500.00
CD629100.801000 Retirement	\$ 900.00
CD629100.803000 FICA	\$ 500.00
CD629100.499900 OJT/CRT	\$ 7,624.51

ADULT

CD629200.110100 Wages	\$ 40,500.00
CD629200.490900 Contractual exp	\$ 1,300.00
CD629200.801000 Retirement	\$ 10,000.00
CD629200.803000 FICA	\$ 4,500.00
CD629200.804000 Workers Comp	\$ 800.00
CD629200.806000 Health Ins	\$ 13,000.00
CD629200.807000 Dental Ins	\$ 150.00
CD629200.499900 OJT/CRT	\$ 57,604.03

Increase Revenue:

WIOA REVENUE	CD629300.347910	\$145,378.54
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Section 2. That the following funds be appropriated for Program Year 2022 for the period April 1, 2022 – June 30, 2024 for Youth Services per the Notice of Obligational Authority (NOA PY22-01), dated 07/07/2022 through the New York State Department of Labor, in the amount of \$48,688.85.

Increase Expenditures:

CD629000.110100 WIA Youth Personal Serv.	\$27,000.00
CD629000.490900 Youth WIA	\$ 330.00
CD629000.801000 WIA Youth Retirement	\$ 2,400.00

CD629000.803000	WIA Youth FICA	\$ 2,400.00
CD629000.804000	WIA Youth Workers Comp	\$ 450.00
CD629000.806000	WIA Youth Health	\$ 1,500.00
CD629000.807000	WIA Youth Dental	\$ 150.00
CD629000.499900	WIA Youth Expenditures	\$ 14,458.85

Increase Revenue:

CD629300.347910	WIOA Revenue	\$ 48,688.85
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Section 3. That the within resolution shall take effect immediately.

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

RESOLUTION NO. 114 - 2023

**RESOLUTION TO APPOINT MEMBER TO
SOIL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS**

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

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Fred Munk of Lowville, New York to fulfill the un-expired term of Jennifer Myers as the Member-at-Large to the Lewis County Soil & Water Conservation District Board of Directors.

Section 2. That the term of said appointment shall be from June 7, 2023 through December 31, 2023, with the intention of re-appointment for another 3 year term.

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

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

RESOLUTION NO. 115 - 2023

RESOLUTION IN OPPOSITION TO DRAFT LEGISLATION THAT AMENDS NEW YORK STATE SOIL AND WATER CONSERVATION DISTRICT LAW

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

WHEREAS, the Watershed Health Coalition (WHC) has drafted legislation proposing sweeping changes to New York State Soil and Water Conservation District Law, Environmental Conservation Law, and Agriculture and Markets Law; and

WHEREAS, the Lewis County Legislature was notified by the Lewis County Soil and Water Conservation District (LCSWCD) of the proposed amendments to New York State Soil and Water Conservation District Law that governs the established bylaws for all 58 Districts in New York State; and

WHEREAS, the WHC has proposed amendments shifting priorities of Soil and Water Conservation Law by replacing the Grange voting member with a Northeast Organic Farming Association member; the non-inclusionary act of eliminating Grange and Farm Bureau members from Soil and Water Conservation District boards, and moving from two appointed County Legislative representatives on SWCD boards to an open election, as well as the refocusing of priorities to "Watershed Health"; and

WHEREAS, the proposed District law amendments would adversely impact the Lewis County Soil and Water Conservation District's management of environmental issues, local land and watershed stewardship, and county operations; and

WHEREAS, New York State's Soil and Water Conservation Districts have existed for over 70 years, are governed locally by a Board of Directors with local representation, and were established to implement local needs throughout the diverse geographical regions of the state. These Conservation Districts provide all counties in New York State with environmental services, including but not limited to, climate resiliency; watershed monitoring; soil health protection; sediment and erosion control; nutrient reduction; stormwater management; invasive species management; forestry health, water quality improvement, education and technical training, green infrastructure; and technical assistance for landowners, municipalities, and the state; and

WHEREAS, Soil and Water Conservation Districts have been and are both inclusionary and equitable in their assistance of farms, landowners, and other beneficiaries of their programs; and

WHEREAS, waves of legislation and outside influence continue to increase the level of difficulty faced by agricultural producers in creating food for the population

and the ability of Soil and Water Conservation Districts to implement best management practices, programs, and services; and

WHEREAS, altering the structure of Soil and Water Conservation District boards would have a negative impact on the ability to make decisions through informed, local partners on the very issues that these Districts address daily; and

WHEREAS, Conservation District Law was established to provide a framework that allows the County to choose its unique representation. Any change to the current form of Soil and Water Conservation Districts and the Soil and Water Conservation Committee as proposed by the WHC would be detrimental not only to the agricultural community, but to landowners and the larger business community in Lewis County; and

WHEREAS, the New York Association of Conservation Districts passed a resolution mandating their consultation, and that of the New York Conservation District Employees' Association, when an agency or group proposes amendments to District Law; and

WHEREAS, the New York State Grange established policy opposes changing the current make-up of Soil and Water Conservation District boards and any regulations that would change the scope of their work; and

WHEREAS, the New York State Farm Bureau opposes any alteration to New York State Law that would change the mission and function of Soil and Water Conservation Districts without input from County Boards of Supervisors, County Legislatures, New York Farm Bureau, the New York State Grange, New York State Department of Agriculture and Markets, and the four-way partnership (Natural Resources Conservation Service, New York Association of Conservation Districts, Soil and Water Conservation Committee, and Conservation District Employees' Association) of the Soil and Water Conservation District system;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators supports the work of the Soil and Water Conservation District in its current form.

Section 2. The Lewis County Board of Legislators emphatically opposes the changes to the Soil and Water Conservation Law, Environmental Conservation Law, and Agriculture and Markets Law proposed by the Watershed Health Coalition because of the devastating effect of same on producers, landowners, businesses, and the environment in Lewis County.

Section 3. This Resolution shall take effect immediately.

Section 4. The Clerk of the Board is directed to forward certified copies of this resolution to the NYS Governor Kathy Hochul, NYS Senator Mark Walczyk, NYS Assemblypersons Ken Blankenbush and Robert Smullen, Commissioner Richard Ball, NYS Department of Agriculture and Markets, and any others the Board deems appropriate.

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

RESOLUTION NO. 116 - 2023

STANDARD WORK DAY AND REPORTING RESOLUTION

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

BE IT RESOLVED, that the County of Lewis hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by this official to the Clerk of this body:

Title	Name	Standard Work Day	Term Begins/Ends	Days/Month
Elected Officials				
Legislator	Joshua P. Leviker	6	1/1/2022-12/31/2023	3.56
Legislator	Jessica L. Moser	6	8/3/2022-12/31/2023	Not Submitted
Appointed Officials				

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