



OFFICE OF THE BOARD OF LEGISLATORS
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TO: Media

FROM: Cassandra Moser, Clerk of the Board

DATE: July 28, 2023

The Board of Legislators will meet on **Tuesday, August 1, 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.

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

RESOLUTION NO. 136 - 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 \$3,076,276.00 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. 137 - 2023

**RESOLUTION APPOINTING MEMBER TO
COMMUNITY SERVICES BOARD**

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

WHEREAS, the Lewis County Community Services Board shall have nine members appointed by the Board of Legislators pursuant to Mental Hygiene Law § 41.11;

WHEREAS, a seat became open upon the early resignation of Scott Mathys; and

WHEREAS, the Community Services Board recommends Mark Waterhouse due to his experience in the field of mental hygiene, including mental health, alcohol and substance abuse, and developmental disabilities to fill the unexpired term of Scott Mathys;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Mark Waterhouse, as a member of the Lewis County Community Services Board to fill the un-expired term of Scott Mathys.

Section 2. That the term of said appointment shall be effective August 1, 2023 through December 31, 2024.

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 138 - 2023

**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO THE HIGHWAY DEPARTMENT**

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

BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Highway department for the following:

<u>ABOLISH</u> Carpenter	<u>STATUS</u> Full-time	<u>SALARY</u> Grade 21 (\$21.10 - \$24.65)
<u>CREATE</u> Heavy Equipment Operator (HEO)	<u>STATUS</u> Full-Time	<u>SALARY</u> Grade 21 (\$21.10 - \$24.65)

Section 2. That this resolution shall take effect immediately.

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

RESOLUTION NO. 139 - 2023

**RESOLUTION TO TRANSFER FUNDS
Human Resources Department**

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

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved to transfer funds in the amount of \$50,000.00 from Contingency to Human Resources Legal account line for increased negotiation and arbitration costs.

From:

A0199000 499900 Contingency \$ 50,000.00

To:

A043100 490200 HR Legal \$ 50,000.00

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

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

RESOLUTION NO. 140 - 2023

**RESOLUTION RE-APPOINTING DIRECTOR OF
HUMAN RESOURCES/PERSONNEL OFFICER**

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

WHEREAS, the term of the Director of Human Resources/Personnel Officer is six (6) years, by appointment of the Board of Legislators pursuant to CSL § 15(1)(b); and

WHEREAS, the term of the current Director, Caitlyn K. Smith will expire on August 18, 2023, and the Board seeks to re-appoint her to a full six (6) year term;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby re-appoints Caitlyn K. Smith of Turin, NY as the Lewis County Director of Human Resources/Personnel Officer, for a six (6) year term commencing on August 19, 2023 and terminating on August 18, 2029.

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

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

RESOLUTION NO. 141 - 2023

RESOLUTION AUTHORIZING APPLICATIONS AND AWARDS, IF GRANTED, BY THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT UNDER NY FOWARD AND NATIONAL GRID BROWNFIELD PROJECT FUNDING

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

WHEREAS, the Planning and Community Development Department seeks to submit applications to NY Forward (NYF) and National Grid Brownfield Project (NGBP) Funding for contaminated and abandoned properties, specifically including but not limited to the County's recently acquired decommissioned Lyons Falls School on McAlpine Street, Lyons Falls by Tax Foreclosure; and

WHEREAS, the NGBP funding is geared towards assisting with demolition, clean-up and reuse of contaminated and abandoned properties in order to progress redevelopment because left untouched, such sites pose continuing environmental, legal and financial burdens to the community and taxpayers; and

WHEREAS, the NYF Program goals include growth in local property tax base, creating an active downtown with a strong sense of place, and building a diverse population, with residents and workers supported by complementary diverse housing and employment opportunities; and

WHEREAS, the maximum allowable Grant under the NGBP funding is \$300,000; and the NYF grant application amount will be based upon the estimates developed by DANC for roof replacement, debris removal, and focused remediation of the decommissioned Lyons Falls School; and

WHEREAS, if awarded funding under these grants, the Planning and Community Development Department envisions use of these funds to include, but not limited to remediation activities, roof replacement, stabilization, debris clean-up, re-use expenses, electric and gas infrastructure improvements, and Phase I and II environmental site assessments, as necessary, for the decommissioned Lyons Falls School remediation; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize the Planning and Community Development Director to submit the applications online and, if awarded such funding, to authorize the agreement(s) for same and appropriate the funds;

NOW, THEREFORE BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Planning and Community Development Director to submit the applications for the NY Forward and National Grid Brownfield Project grant funding programs on behalf of Lewis County for remediation, roof replacement, stabilization, debris clean-up, and reuse activities for the decommissioned Lyons Falls School on McAlpine Street, Lyons Falls, NY, up to the maximum amount of funding under each grant based upon the cost estimates developed by DANC.

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

Section 3. That in the event the County is awarded grant funds under either or both of these funding streams, the Board of Legislators hereby authorizes acceptance of the award(s), authorizes the Treasurer to appropriate the funds, and authorizes the Chair or Vice Chair to execute the grant agreement(s), 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 __, seconded by Legislator __, and adopted.

RESOLUTION NO. 142 - 2023

RESOLUTION AUTHORIZING LEWIS COUNTY TO APPLY FOR USDOT RURAL AND TRIBAL ASSISTANCE PILOT PROGRAM

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

WHEREAS, the County of Lewis, by and through the Planning and Community Development and Highway Departments, desires to apply for up to \$320,000 to complete engineering designs on complete streets projects as well as trail and active transportation infrastructure under the USDOT Rural and Tribal Assistance Pilot Program; and

WHEREAS, the application proposes funding to assist the Lewis County Highway Department in the design and engineering of complete streets projects in pre-identified communities with Lewis County infrastructure and/or rights-of-way; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization, infrastructure upgrades, and pedestrian safety efforts and does not require cost-sharing or matching of the grant funds; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this application by and through the Director of Planning and Community Development;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes the Planning and Community Development Department to sign and submit the online application to USDOT for up to \$320,000 in Rural and Tribal Assistance Pilot funding for the design and engineering of complete streets projects as well as trail and active transportation infrastructure.

Section 2. That the Chair or Vice Chair of the Board of Legislators be and the same is hereby authorized to, if awarded, accept the funding, sign contract documents, and appropriate the funding to the Lewis County Highway Department.

Section 4. That this resolution shall take effect immediately.

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

RESOLUTION NO. 143 -2023

RESOLUTION AUTHORIZING FUNDING APPLICATION TO NEW YORK STATE DEPARTMENT OF TRANSPORTATION ACCELERATED TRANSIT CAPITAL (ATC) PROGRAM FOR THE LEWIS COUNTY PUBLIC TRANSPORTATIONS SYSTEM

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

WHEREAS, the Accelerated Transit Capital (ATC) program administered by the New York State Department of Transportation (NYSDOT) provides funding intended to support capital projects for public transportation to rehabilitate, restore and modernize public transit assets; and

WHEREAS, under the Lewis County Public Transportation System (LCPT), the Planning and Community Development Department seeks to submit an application to NYSDOT under the ATC program to use the \$44,220 already allocated to the system towards the match requirements of three (3) new buses and any other system capital needs; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this application and accept said funding upon approval from NYSDOT.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes an application to the NYSDOT Accelerated Transit Capital (ATC) program for funding to be used towards the purchase of three (3) new bus and any other system capital needs as identified by the Lewis County Planning and Community Development Department.

Section 2. That the Chair or Vice Chair of the Board of Legislators be and the same is hereby authorized to executive, seal and deliver such online application and other required documents for this funding and, if awarded, accept the funding, sign contract documents, and appropriate the funding to Bus Operations.

Section 4. That this resolution shall take effect immediately.

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

RESOLUTION NO. 144 - 2023

**RESOLUTION AWARDING BID AND AUTHORIZING CONTRACT BETWEEN
THE COUNTY OF LEWIS AND GILL CREATIVE INDUSTRIES TO PROVIDE
PROFESSIONAL DESIGN, PRODUCTION, AND INSTALLATION
OF 6 FULL BUS WRAPS**

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

WHEREAS, the Director of Planning and Community Development Department, in consultation with the Purchasing Department sent out an RFP for professional design, production, and installation of six (6) full vinyl bus wraps that meet NYSDOT and USDOT standards for vehicle wraps with an optional price per bus in 2024 and 2025, as more fully outlined and set forth in the RFP; and

WHEREAS, five (5) bid proposals were opened on July 27, 2023, at 10:00 am. The Planning Director, Director of Purchasing, Clerk of the Board, and County Attorney carefully reviewed the bid submissions and assessed the criteria. After careful consideration and review, the Planning Director recommends that the Board of Legislators award the bid and contract to the lowest bidder, Gill Creative Industries, of 1040 Bradley Street, Watertown, NY 13601 to provide the bus wrap services at a cost not to exceed \$36,000.00, with the project expected to conclude on or about September 1, 2023; and

WHEREAS, the Board of Legislators seeks to accept this recommendation, award the bid and contract with Gill Creative Industries for design, production, and installation services for six (6) buses to be vinyl wrapped to cover 3 sides of each vehicle;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby awards the bid to and authorizes an agreement with Gill Creative Industries, of Watertown, NY 13601, to provide design, production, and installation of bus wrap services as outlined in the RFP in accordance with their bid proposal dated July 27, 2023, at a cost of \$36,000.00, to be completed on or about September 1, 2023.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver said Agreement and any extensions or modifications thereto, upon review and approval by the County Attorney.

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

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

RESOLUTION NO. 145 - 2023

RESOLUTION AUTHORIZING AND SETTING A PUBLIC COMMENT PERIOD FOR LEWIS COUNTY AGRICULTURAL DISTRICT NUMBER 6 EIGHT-YEAR REVIEW, WITH INCORPORATION OF THE 2023 ANNUAL INCLUSION REVIEW

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

WHEREAS, the County of Lewis has approximately 246,809 acres in its NYS-certified agricultural district designated as “Lewis County Agricultural District No. 6”. In accordance with Chapter 303a of the NYS Agricultural and Markets Law, Lewis County Agricultural District No. 6 is required to undergo review and modification as part of the eight-year review process; and

WHEREAS, as part of the eight-year review process, the Lewis County Agricultural Development Board (Agriculture and Farmland Protection Board-“LCAFPB”) members seek public comment, *inter alia*, on the nature and status of farming and farm resources within the District, objectives of the District, the degree of coordination between local laws, ordinances, rules and regulations that apply to farm operations in such district, and review of lands to be removed and added to the District as a result of this review and landowner’s written requests for same; and

WHEREAS the County of Lewis seeks to conduct its 2023 annual inclusion process and thirty-day open enrollment period (Ag & Markets Law § 303b) during and simultaneously with the eight-year review process, and will provide information and notice to landowners wishing to add land to the agricultural district to submit the request during the eight-year review period; and

WHEREAS, the LCAFPB, through the Lewis County Director of Planning and Community Development, seeks to have the Lewis County Board of Legislators set the public comment period for Lewis County Agricultural District No. 6 and incorporate proper notice of the 2023 annual inclusion process therein; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators of the County of Lewis authorizes and sets the Public Comment Period for the “Lewis County Agricultural District No. 6” eight-year review process for September 1, 2023 through September 30, 2023.

Section 2. That the Board of Legislators of the County of Lewis hereby further authorizes the incorporation of the 2023 annual inclusion process and thirty-day open enrollment period to coincide with the eight-year review process and directs that all public notices for the eight-year review contain notice of incorporation of the 2023 annual inclusion process.

Section 3. That the Board of Legislators of the County of Lewis authorizes the Lewis County Director of Planning and Community Development to receive and answer any questions pertaining to the Agricultural District No. 6 Review and Modification process and timelines, and to post all public notices in a timely fashion required to give effect to this Resolution.

Section 4. That the resolution shall take effect immediately.

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

RESOLUTION NO. 146 - 2023

**RESOLUTION AWARDING BID AND AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND PARAGON CONSTRUCTION
FOR THE CONSTRUCTION OF A PAVILION AT
SINGING WATERS PARK**

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

WHEREAS, the Recreation, Forestry and Parks Department sent out a Request for Proposals for the construction of a pavilion at Singing Waters Park, a County owned facility, according to the terms and specifications as set forth in the RFP, returnable on July 20, 2023; and

WHEREAS, present for the bid openings were the Clerk of the Board, Director of Purchasing, the County Legislators, and County Attorney, with 5 bid responses received and opened; and

WHEREAS, after review and consideration of the proposals, the Director of Recreation, Forestry and Parks recommends awarding the bid to Paragon Construction, the lowest bidder at a price of \$48,500.00, in accordance with the specifications and scope of work set forth in the RFP; and

WHEREAS, the Board of Legislators seeks to award the bid to Paragon Construction and authorizes an agreement for the specified 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 authorizes and approves an Agreement with Paragon Construction, Brantingham, NY 13312, to construct a pavilion at Singing Waters Park in the Town of Greig, 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 of \$48,500.00 for the term commencing upon execution of the agreement through October 31, 2023.

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

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

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

RESOLUTION NO. 147 2023

**RESOLUTION TO APPROPRIATE FUNDS
FOR SNOWMOBILE TRAIL PROGRAM
2022-2023 Season**

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

BE IT RESOLVED as follows:

Section 1. That the following appropriations take place in the Snowmobile Trails account for the 2022-2023 Snowmobile Award:

Increase Revenue:

A0714100 338202 State Aid	\$154,149.00
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Increase Expenditure:

A0714100 499900 Expense	\$154,149.00
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Section 2. That the funds will be passed on the Snowmobile Association when received.

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

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

RESOLUTION NO. 148 - 2023

**RESOLUTION TO TRANSFER FUNDS
Sheriff's Office - Jail**

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

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators authorizes the following 2023 budget transfer from Contingency to the Jail Inmate Board account. This is to provide additional funding due to high costs for boarding out inmates due to the Jail HVAC project and the new MAT program:

From:

A0199000 499900 Contingency \$100,000.00

To:

A0315000 450800 Jail Inmate Board \$100,000.00

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

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

RESOLUTION NO. 149 - 2023

**RESOLUTION AUTHORIZING SALE OF TAX FORECLOSED, LAND-LOCKED
PARCEL TO NEW OWNER**

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

WHEREAS, in accordance with Real Property Tax Law Section 1166 (RPTL §1166) and Lewis County Local Law No. 6-2004, the County, as a tax district, is authorized to sell and convey real property it acquires by virtue of a foreclosure proceeding brought pursuant to Article 11 of the RPTL, upon approval by a majority of the governing body; and

WHEREAS, in 2012, the County became vested with the title to real property tax parcel no. 322.00-01-16.000 in the Town of West Turin, as part of property on Cherry Street assessed to Joanne Ostrander, along with tax map parcel no. 322.14-03-02.100); and

WHEREAS, the owner had two (2) tax bills for this property because one parcel was in the Village and one parcel was in the Town; and

WHEREAS, the owner of the main parcel listed the property (including the small land-locked piece) for sale, with a tentative closing date in the beginning of September, 2023. Upon notice of the County's title to the small parcel, the prospective new owner, Oliver Beckford Jr., of Great Bend, NY, seeks to pay the past due taxes owing on same (\$232.58), and have the County provide a quitclaim deed transferring its interest in this small parcel to him; and

WHEREAS, The County seeks to comply with same since this small parcel is landlocked, was originally part of the property of the prior owner, and serves no County interest and should be placed back on the tax rolls; and

WHEREAS, the Board of Legislators seeks to approve this transfer of title to Oliver Beckford Jr. for land-locked parcel no. 322.00-01-16.000;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Lewis County Board of Legislators hereby approves and authorizes the transfer by Quitclaim Deed, of land-locked tax map parcel # 322.00-01-16.000, Town of West Turin, County of Lewis, to Oliver Beckford Jr., in consideration of the payment of \$232.58 for delinquent taxes owing on same, in accordance with RPTL and Lewis County Local Law No. 6-2004.

Section 2. That the County Attorney is directed to prepare the quitclaim deed and other documents required for said transfer, and deliver same to the named purchaser upon payment in full of the outstanding delinquent taxes, i.e., \$232.58.

Section 3. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Deed and transfer documents approved and prepared by the Lewis County Attorney.

Section 4. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 150 - 2023

**RESOLUTION SETTING 2024
WORKERS' COMPENSATION APPORTIONMENT
FOR LEWIS COUNTY SELF-INSURANCE PLAN**

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

WHEREAS, the Board of Legislators recognizes the importance to foster an overall safety culture by emphasizing workplace safety and injury prevention; and

WHEREAS, in accordance with that philosophy the Board of Legislators allocates a proportionate assessment based on reported claims experience for employer accountability; and

WHEREAS, as a standard industry practice, a portion of the assessment shall be based on the ratio of payroll for each participating entity.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby sets the computation for the 2024 workers' compensation participant assessments of the Lewis County Self-Insurance Plan; et al 50% of the assessment shall be apportioned to claims experience based on actual expenses in 2020, 2021 and 2022, hereby capped at \$55,000 for any one claim per annum; 30% shall be based on proportionate 2022-2023 gross payroll figures, and the remaining 20% shall be computed on proportionate full property valuation.

Section 2. That the within resolution shall take effect immediately

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