



OFFICE OF THE BOARD OF LEGISLATORS
7660 North State Street
Lowville, NY 13367
P: 315-376-5355
F: 315-376-5445

Lawrence L. Dolhof
Chairman
larrydolhof@lewiscounty.ny.gov

Cassandra Moser
Clerk of the Board
cassandramoser@lewiscounty.ny.gov

TO: Media

FROM: Cassandra Moser, Clerk of the Board

DATE: August 30, 2023

The Board of Legislators will meet on **Tuesday, September 5, 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. 153 - 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 \$4,200,338.61 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. 154 - 2023

**RESOLUTION AUTHORIZING FIVE-YEAR
AGREEMENT BETWEEN COUNTY OF LEWIS AND
THE UNIFIED COURT SYSTEM
FOR COURT CLEANING AND MINOR REPAIRS SERVICES**

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

WHEREAS, the NYS Unified Court System (“UCS”) seeks to enter into a five-year agreement with the County of Lewis for the purpose of providing cleaning services for the interior of the Lewis County Court House (“Court Facilities”), as well as minor and emergency repairs, and preventive building and property maintenance services for the facility; and

WHEREAS, counties and cities are required by law to furnish and maintain adequate court facilities for use by trial courts in the State of New York; and

WHEREAS, Chapter 686 of the Laws of 1996 invests the State of New York with the fiscal responsibility of managing the interior cleaning and maintenance of Court Facilities, and with the ability to cover the costs of same. Further, these laws require the State to contract with political subdivisions of the State to compensate the municipality for cleaning and repairs of court facilities; and

WHEREAS, the proposed five-year agreement proffered by NYS Unified Court System would be effective and retroactive to April 1, 2023 for a maximum of five (5) years through March 31, 2028 unless terminated sooner or extended. The five-year term shall consist of annual periods, each of which shall have its own maximum amount of monetary reimbursement by UCS to the County established by mutual agreement; and

WHEREAS, the County has provided and submitted the annual compensation reimbursement budget and scope of services the County shall perform for the first year (April 1, 2023 through March 31, 2024), at a cost of \$114,639.00, which has been accepted by UCS; and

WHEREAS, the Board of Legislators seek to authorize and approve this five-year Agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves a five-year Agreement between the County of Lewis, by and through the Buildings and Grounds Department, and the NYS Unified Court System, for the provision of cleaning services for the interior of the Lewis County Court House

("Court Facilities"), as well as minor and emergency repairs, and preventive building and property maintenance services for the period retroactive to April 1, 2023 through March 31, 2028, with annual periods, and an annual compensation amounts payable to the County. The first annual amount for the period of April 1, 2023-March 31, 2024 is approved at \$114,639.00.

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

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 155 - 2023

**RESOLUTION AUTHORIZING A CHANGE ORDER TO THE AGREEMENT WITH
BETTE & CRING FOR THE DSS BUILDING RENOVATION UNDER THE FACILITIES
IMPROVEMENT PROJECTS**

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

WHEREAS, Bette & Cring was awarded the construction contracts for the DSS Renovation Project; and

WHEREAS, Bette & Cring submitted a potential change order (#057), to address changing the door handles to panic bars and adding a handicapped accessible door opener to the new DSS facilities, at a cost of \$22,958.00 for the additional labor, materials and expenses as outlined in its revised proposal dated July 26, 2023; and

WHEREAS, the Board of Legislators seeks to authorize the change order;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves a Change Order to the Agreement with Bette & Cring, and the changing of the door handles to panic bars and adding a handicapped accessible door opener required on the DSS building, at a cost of \$22,958.00, as set forth in the submitted documentation.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Change Order as amendments to the Agreement with Bette & Cring 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. 156 - 2023

RESOLUTION AUTHORIZING EXTENSION OF KT CONSTRUCTION & CONSULTING CO., INC. AGREEMENT AND AUTHORIZING LUMP SUM PAYMENT FOR ADDITIONAL PROFESSIONAL SERVICES

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

WHEREAS, the County of Lewis contracted with KT Construction & Consulting Co., Inc. ("KT") to provided professional services as the Resident Project Representative for the County's various facilities projects commencing December 1, 2021 through November 30, 2023; and

WHEREAS, KT provided additional services outside the identified scope of services set forth in the agreement, including generating month progress reports, change orders, etc; and

WHEREAS, the County seeks to, modify the agreement to : 1) extend the term from November 30, 2023, by having KT continue to provide the services on a monthly basis commencing December 1, 2023, at the rate of \$21,305.00 per month until final close out by the County, anticipated to be in or about the end of February, 2024; and 2) to pay KT the sum of \$14,025.00 as a lump sum payment for past and future additional services provided outside the scope set forth in the agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves a modification of the Agreement with KT Construction & Consulting Co, Inc., to extend the term beyond November 30, 2023, by KT continuing to provide said professional services on a monthly basis commencing December 1, 2023 until the County determines final close out of their services, at the monthly compensation rate of \$ 21,305.00.

Section 2. That the Lewis County Board of Legislators authorizes an immediate lump sum payment to KT in the amount of \$14,025.00 for past and future additional services outside the contracted scope of services it has and will continue to provide until final termination of the modification agreement.

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Modification/Extension Agreement, 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. 157 - 2023

RESOLUTION AUTHORIZING ONE-YEAR RENEWAL AGREEMENTS BETWEEN THE COUNTY OF LEWIS AND ICU SECURITY & PRIVATE INVESTIGATIONS FOR UNARMED SECURITY GUARD SERVICES AT THE DEPARTMENT OF MOTOR VEHICLES AND THE SOCIAL SERVICES BUILDING

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee, and Legislator Lisa Virkler, Chair of the Health & Human Services Committee.

WHEREAS, the County of Lewis, on behalf of the Lewis County Department of Motor Vehicles (“DMV”) and Lewis County Department of Social Services (“DSS”), desires to renew the agreements with ICU Security & Private Investigations (“ICU”) for unarmed security guard services at the Lewis County DMV building located on East State Street, Lowville, NY and the DSS building located on Outer Stowe Street, Lowville, NY; and

WHEREAS, the Lewis County Clerk and the Lewis County Commissioner of DSS desire to enter into one-year renewal agreements for security guard services in 2023 at a rate of \$33.50 per hour year at the DMV and \$36.50 per hour at the DSS building, the prevailing wage rate for security guards in the North Country area, all inclusive of taxes, insurance, disability, and any other costs and expenses associated with providing said service. The hours for DMV are 8:30 a.m. to 4:00 p.m. Monday through Friday on the days DMV is open, or as the County Clerk may otherwise direct. The hours shall not exceed 7.5 per day or 37.5 per week. The hours for DSS are 8:30 a.m. to 4:30 p.m. Monday through Friday on the days the DSS building is open or as the Commissioner may otherwise direct, inclusive of 2,080 hours at regular pay and no more than 20 hours of overtime pay; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes separate one-year renewal agreements between the Lewis County Clerk, and the Lewis County Commissioner of the Department of Social Security, with ICU Security & Private Investigations for unarmed security guard services at their respective buildings.

Section 2. That the term of the Agreement with the DMV shall be from January 1, 2024 through December 31, 2024, at a cost not to exceed \$33.50 per hour, all inclusive of taxes, insurance, disability, benefits, and any other costs and expenses associated with providing said service, 8:30 a.m. to 4:00 p.m., Monday through Friday

on the days DMV is open, or as the County Clerk may otherwise direct. The hours shall not exceed 7.5 per day or 37.5 per week.

Section 3. The term of the Agreement with DSS shall be from November 1, 2023 through December 31, 2024 (14 months to end at same date as DMV Agreement), at a cost not to exceed \$36.50 per hour, all inclusive of taxes, insurance, disability, benefits, and any other costs and expenses associated with providing said service, 8:30 a.m. to 4:30 p.m., Monday through Friday on the days the DSS building is open or as the Commissioner may otherwise direct.

Section 4. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver said Agreement, pending approval by the County Attorney.

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

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

RESOLUTION NO. 158 - 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 TURIN)**

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. 321.15-01-11.000, 6314 East Main Street, in the Village of Turin, owned by Ignacio Ahumada, and determined that the structure is unsafe and issued a comprehensive report to the Board of Legislators on July 24, 2023, including a recommendation, *inter alia*, that the structure be demolished and removed; and

WHEREAS, Section 4 of the Law applies 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 Turin; and

WHEREAS, the Code Enforcement Officer reported that the Residential building is abandoned, unsafe, in disrepair, and damaged; with a failing foundation and structural damage to the roof, creating an unsafe condition. The structure is unfit for human occupancy and is definable as unsafe. This building is a danger to anyone who may attempt to enter. 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 Ignacio Ahumada 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 Ignacio Ahumada appear before this Board of Legislators on October 4, 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. 321.15-01-11.000, 6314 East Main Street, in the Village of Turin, 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, 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. 159 - 2023

**RESOLUTION APPOINTING MEMBER TO
COMMUNITY SERVICES MENTAL HEALTH SUBCOMMITTEE**

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 on the Community Services Mental Health Disorder Subcommittee upon the early resignation of Crystal Collette; and

WHEREAS, the Community Services Board recommends Ashley Wilson due to fill the unexpired term of Crystal Collette;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Ashley Wilson, as a member of the Lewis County Community Services Mental Health Subcommittee to fill the un-expired term of Crystal Collette.

Section 2. That the term of said appointment shall be effective September 5, 2023 through December 31, 2024.

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 160 - 2023

**RESOLUTION TO APPROPRIATE FUNDS
Community Services Department**

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

BE IT RESOLVED, as follows:

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

Decrease:

A0 005990 Fund balance	\$200,000.00
------------------------	--------------

Increase:

A0433500 490100 Professional Services	\$200,000.00
---------------------------------------	--------------

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

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

RESOLUTION NO. 161 - 2023

**RESOLUTION AUTHORIZING LEWIS COUNTY FIRE COORDINATOR
TO FORM A COUNTY-WIDE FIRE POLICE TASK FORCE**

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

WHEREAS, the assistance of volunteer Fire Police at dangerous scenes and fireground operations can benefit the safety of residents in the community, and free up fire department volunteers; and

WHEREAS, the Lewis County Fire Coordinator seeks to form a County-Wide Fire Police Task Force from volunteer fire departments to respond to firegrounds and emergency scenes as needed, to assist in restricting, re-routing, and guiding citizens around dangerous scenes and fireground operations, thereby keeping fire department volunteers and emergency responders focused on the emergency at hand; and

WHEREAS, the volunteer members of this task force will be individuals highly trained and dedicated to the safety of Lewis County residents by performing duties related to securing areas around firegrounds and emergency scenes to keep all safe; and

WHEREAS, members of this task force would respond when the Lewis County Dispatch Center summons the Fire Police Task Force to respond to emergency scenes;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Lewis County Fire Coordinator to form a County-Wide Volunteer Fire Police Task Force from trained volunteers in the County to perform the duties to secure and protect emergency responders, firefighters and the general public around emergency scenes and fireground operations, including but not limited to temporary restriction of road use, re-routing of traffic, and general guidance and safety.

Section 2. That this volunteer Task Force shall be reportable to the Lewis County Fire Coordinator and the Lewis County Fire Police Association. The Fire Coordinator shall develop the requirements of said volunteers and the expected duties and procedures to be followed when called to respond to emergency situations. The Fire Coordinator shall maintain annual statistics as to the activities of the Task Force and provide same to the Board of Legislators and County Manager.

Section 3. That the Lewis County Manager is hereby authorized to execute any documents to promote the formation of the Lewis County Fire Police Task Force, upon review by the County Attorney.

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

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

RESOLUTION NO. 162 - 2023

**RESOLUTION AUTHORIZING SUPPLEMENT AGREEMENT NO. 1 BETWEEN LEWIS
COUNTY HIGHWAY DEPARTMENT AND
BARTON & LOGUIDICE FOR CR 21 OVER GULF STREAM
(PIN 7753.95; BIN 1039780)**

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

WHEREAS, the Lewis County Board of Legislators adopted Resolution No. 158 - 2020 authorizing the Bridge Replacement on CR 21 over Gulf Stream (PIN 775395; BIN 1039780) in the Town of Pinckney, County of Lewis for the Barton & Loguidice to provide Preliminary Engineering/Design and Right-Of-Way (ROW) Incidentals Phases of the Project at a cost of \$253,000.00; and

WHEREAS, the Lewis County Highway Department (hereinafter "Highway Department") desires to enter into Supplemental Agreement No. 1 with Barton & Loguidice (hereinafter "B&L"), for additional engineering for the Design and Construction phases of the project for the anticipated 20-week construction duration at an additional cost of 240,000.00 as set forth in Supplemental No. 1; and

WHEREAS, in connection with a federal-aid project funded through the New York State Department of Transportation ("NYSDOT") identified as CR 21 over Gulf Stream, the Lewis County Highway Department desires to have B&L provide additional engineering services for the Design and Construction Phases regarding the bridge replacement project (PIN 775395; BIN 1039780); and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes Supplemental Agreement No. 1 between the County of Lewis and Barton & Loguidice to provide additional engineering services for the Design and Construction Phases regarding the bridge replacement project identified as CR 21 over Gulf Stream (PIN 775395; BIN 1039780).

Section 2. That the term of the Agreement is from July 6, 2023 through December 31, 2024 for the additional amount not to exceed \$240,000.00(with 80% eligible for Federal funds and 20% non-federal funds), for a total cost of \$493,000.00 to Barton & Loguidice for this project.

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

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

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

RESOLUTION NO. 163 - 2023

RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 2 TO THE CONTRACT BETWEEN THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) AND LEWIS COUNTY FOR THE TRANSPORTATION FEDERAL-AID BRIDGE REPLACEMENT PROJECT (PIN 7753.95) KNOWN AS CR 21 OVER GULF STREAM

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

WHEREAS, a Project for the Bridge Replacement known as CR 21 over Gulf Stream (PIN 775395; BIN 1039780) (the “Project”) in the Town of Pinckney, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, pursuant to Highway Law § 10 (34-a) and section 15 of Chapter 329 of the Laws of 1991 as amended by section 9 of Chapter 330 of the Laws of 1991, as further amended by chapter 57 of the Laws of New York of 2014, the State has established the “Marchiselli” Program, which provides certain State-aid for Federal aid highway projects not on the State highway system with project eligibility for Marchiselli Program funds determined by NYS DOT. This project is being funded with Federal Surface Transportation Program (STP) and Marchiselli funds; and

WHEREAS, the County of Lewis advanced the Project by authorizing a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering/Design and Right-Of-Way (ROW) Incidentals Phases of the Project by Resolution No. 140-2020 adopted June 2, 2020; and

WHEREAS, the Superintendent of Highways received notice from the NYS DOT that the County will receive additional funding of \$25,000.00 Engineering/Design Phase of the project for Final Design, which covers eligible costs incurred on or after September 5, 2023; and

WHEREAS, in order for the County to receive the full, additional reimbursement, a “Supplemental Agreement No. 2 to D040143” must be executed;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes the Chair of the Board of Legislators to execute “Supplemental Agreement No. 2 to D040143” for the Final Design Phase funding of the project.

Section 2. That the Chair of the Lewis County Board of Legislators, or in his absence, the Vice-Chair of the Board, is authorized to execute all additional necessary supplemental agreements on behalf of the Lewis County Board of

Legislators with the New York State Department of Transportation in connection with this Project.

Section 3. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to Supplemental Agreement No. 2 to D040143, in connection with the Project.

Section 4. That \$25,000.00 shall be appropriated in the Capital Bridge Program to facilitate the Final Design Phase for the Bridge Replacement on CR 21 Over Gulf Stream (PIN 775395; BIN 1039780) in the Town of Pinckney. The following accounts shall be recognized to facilitate the funding of this project:

<u>Increase Revenues:</u>	
H0512000 345970 Federal	\$ 20,000.00
H0512000 335910 State	\$ 3,750.00
H0512000 350310 Local	\$ 1,250.00
Project HAQ	

<u>Increase Expenditures:</u>	
H0512000 499900	\$ 25,000.00
Project HAQ	

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

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

RESOLUTION NO. 164 - 2023

**RESOLUTION TO APPROPRIATE FUNDS
Highway Department**

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

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation be approved in the County Road accounts for additional revenue expected from the NYS CHIPS program:

Increase Revenue:

D0501000 335011 CHIPS revenue	\$ 222,600.00
-------------------------------	---------------

Increase Expenditure:

D0512000 485120 Capital Improvement Materials	\$ 222,600.00
---	---------------

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

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

RESOLUTION NO. 165 - 2023

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
COUNTY OF LEWIS OBO LEWIS COUNTY HIGHWAY DEPARTMENT
AND BARTON & LOGUIDICE FOR DESIGN AND BIDDING
PROFESSIONAL SERVICES AND TO SEND OUT AN RFP FOR
THE CULVERT REPLACEMENT PROJECT
- PINE GROVE ROAD -**

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

WHEREAS, the Lewis County Highway Department desires to enter into an agreement with Barton & Loguidice (B&L), authorized on the New York State list of professional engineers with the engineering expertise for culvert repair projects, to provide design and construction bidding documents services with respect to the box culvert replacement project located on Pine Grove Road in Watson, NY; and

WHEREAS, Barton & Loguidice has provided a detailed proposal dated June 26, 2023, with the professional scope of services and phases proffered for this project at maximum compensation of \$35,800.00; and

WHEREAS, the Highway Superintendent seeks to have the Board of Legislators authorize a contract with B&L for these professional services, and to authorize an RFP for public bidding of the construction phase of the project with the assistance of B&L; and

WHEREAS, the Lewis County Board of Legislators wishes to accept such services and authorizes a contract with B&L and bidding for this project;

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 Barton & Loguidice to provide engineering services necessary for the design, bidding and construction phases of the culvert replacement project located on Pine Grove Road in Watson, New York, at a cost of \$35,800.00 as more fully set forth in the proposal dated June 26, 2023.

Section 2. That the Lewis County Board of Legislators authorizes the Highway Superintendent to send out an RFP for public construction bidding of the project with the professional assistance of Barton & Loguidice.

Section 3. 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 4. That the within resolution shall take effect immediately.

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

RESOLUTION NO. 166 - 2023

**RESOLUTION AUTHORIZING PARTICIPATION IN BROOME COUNTY
PURCHASING ALLIANCE FOR MEDICARE DRUG BENEFIT PLANS**

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

WHEREAS, Broome County has secured contracts with United Health Care for Medicare Advantage and Prescription Drug Benefit Plans (MAPD plans) for Medicare primary retirees of the participating entities of the Broome County Purchasing Alliance (BCPA); and

WHEREAS, Broome County allows participation of other interested municipalities pursuant to General Municipal Law § 119-o; and

WHEREAS, each participating municipality who joins the BCPA will enter into its own contract with United Health Care to receive the preferred pricing and coverage provided to the alliance; and

WHEREAS, the Lewis County Treasurer seeks to have the County of Lewis participate in the BCPA MAPD Program in order to receive the preferred pricing and coverage for Medicare primary retirees;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes and agrees to have the County participate and join with Broome County and other participating municipalities in the BCPA for Medicare Advantage and Prescription Drug Benefit Services for its eligible retirees.

Section 2. That the Lewis County Board of Legislators directs and authorizes the Lewis County Treasurer to provide Broome County, via its secure and confidential BCPA Portal, with the information required to facilitate account registration including, but not limited to, census information of Medicare primary retirees including date of birth, gender and zip code; a copy of current Plan Description and Benefit Summary along with this resolution.

Section 3. That the Treasurer, Chairman or Vice-Chairman is authorized to execute any agreements, documents, or papers as may be necessary to implement the intent of this resolution, and to protect the privacy and confidentiality of information being provided, upon review by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 167 - 2023

**RESOLUTION ESTABLISHING AND ADOPTING
INFORMATION SECURITY POLICIES**

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

WHEREAS, the Information Technology Director, in consultation with the County Manager, Human Resources Director, Clerk of the Board, and County Attorney have developed comprehensive Information Security and Use policies, which are commonly followed in the public sector; and

WHEREAS, the attached policies, address general Information Security principles and practices, acceptable use of technology, security awareness training, data classification, active monitoring on premises, and electronic systems, and are recommended for adoption by the Lewis County Board of Legislators for approval; and

WHEREAS, the Board of Legislators wishes to accept and adopt said policies;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and adopts the attached Information Security for Lewis County Employees as presented and recommended to the Board of Legislators by the Director of Information Technology.

Section 2. That the Clerk of the Board is directed to add the policies to the administrative and employee handbooks, upon such form as may be approved by the County Attorney and Human Resource Director.

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

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

RESOLUTION NO. 168 - 2023

**RESOLUTION AWARDING BID AND AUTHORIZING CONTRACT BETWEEN
THE COUNTY OF LEWIS AND CLOUDPERMIT SOFTWARE TO PROVIDE
PERMITTING COMMUNITY DEVELOPMENT SOFTWARE**

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

WHEREAS, the Director of Planning and Community Development Department and the Code Enforcement Department, in consultation with the Purchasing and Information Technology Department sent out an RFP for professional software development to manage building permits, code enforcement, and planning/zoning applications, as more fully outlined and set forth in the RFP; and

WHEREAS, six (6) bid proposals were opened on April 6, 2023, at 2:00 pm. The Director of Purchasing, Planning Director and Senior Codes Enforcement Officer reviewed the bid submissions and assessed the criteria. After careful consideration and review, the IT Director, Planning Director and Code Enforcement Officer recommend that the Board of Legislators award the bid and contract to the most qualified bidder, whose product and price addresses the best interests of the County and its security needs. CloudPermit Software, of 11911 Freedom Drive, Reston, Virginia 20190 to provide this multi-departmental software at a cost not to exceed \$47,900.00 for the first year, and \$44,000.00 for years 2-5; and

WHEREAS, the Board of Legislators seeks to accept this recommendation, award the bid and contract to CloudPermit Software for the purchase of community development software to manage building permits, code enforcement, and planning/zoning applications;

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 CloudPermit, of Reston, Virginia 20190, to provide community development software as outlined in the RFP in accordance with their bid proposal dated April 6, 2023, at a cost of \$47,900.00 for year 1, and \$44,000.00 for years 2-5, commencing 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. 169 - 2023

RESOLUTION AUTHORIZING COUNTY PARTICIPATION AND EXPENSE SHARING IN TAX ASSESSMENT LEGAL CHALLENGES BY ERIE BOULEVARD HYDROPOWER, LP, AND LAKESIDE BEAVER FALLS, LLC AGAINST TOWN OF CROGHAN AND BOARD OF ASSESSMENT REVIEW

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

WHEREAS, pursuant to Resolution 269-2012, the County established a policy for County participation in legal challenges to real property tax assessments brought against local Towns, Town Assessors and Town Boards of Assessment Review; the County can play an important and additional role in defending legal challenges to valid real property tax assessment through participation in the defense of said assessments; and

WHEREAS, two (2) separate assessment challenges have been brought against the Town of Croghan, Town Assessor and Board of Assessment Review in the Supreme Court, County of Lewis by: 1) Erie Boulevard Hydropower, L.P., for parcels identified as Tax Map Nos. 119.00-01-01.000; 102.00-02-13.100; 103.00-01-18.210; 103.00-01-29.100; 104.00-01-21.000; and 118.00-01-30.100, with total assessments of \$19,602,856 alleging that the total assessment on all of the six (6) identified parcels should be reduced to \$9,039,699; a difference of \$10,563,157 in assessment; and by 2) Lakeside Beaver Falls, LLC, for parcels identified as Tax Map Nos. 128.00-04-15.300; 128.16-03-08.112; and 651.05-08-02.260, with total assessments of \$3,399,980 alleging that the total assessments should be reduced to \$1,902,375; a difference of \$1,497,605; and

WHEREAS, the Town of Croghan and the Beaver River Central School District have appeared in the actions and have requested that the County join the actions as a third party Intervenor, and share in the expert and appraisal costs; and

WHEREAS, the Town and School have secured the expert appraisal services of Brian D. Fogg, LLC, of Whitefield, New Hampshire as the taxing jurisdictions' expert appraiser experienced in hydro-powered property appraisals; and

WHEREAS, the Lewis County Attorney has reviewed these two (2) assessment challenges and is of the opinion that they meet the criteria set forth in the County's policy, that participation is in the best interests of the County and its taxpayers, and thereby requesting that the Board affirmatively act by resolution to participate in these assessment challenge matters;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes the County Attorney to represent the County and appear in the two separate, pending tax assessment challenges brought by and pending by Erie Boulevard Hydropower, L.P. and Lakeside Beaver Falls, LLC against the Town of Croghan, Town Assessor and Board of Assessment Review, for the 2023 tax year (and any additional years which may be filed), and to have the County execute an expense sharing agreement with the other taxing jurisdictions affected, whereby the County will pay one-third of the expert fees, and the County's pro rata share of any refunds determined to be owing in the matter.

Section 2. Any amounts payable by the County for its share of the expert fee costs or refunds, if any, shall be payable from

Section 3. The Chairman, or the Vice-Chairman, of the Board of Legislators be and the same is hereby authorized to make, execute, seal and deliver such documents or instruments as may be necessary to effectuate such agreements, subject to the 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. 170 - 2023

**RESOLUTION AWARDING BID AND AUTHORIZING AN AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND
ALTA PLANNING + DESIGN, INC. FOR MASTER PLAN & DESIGN SERVICES
FOR COUNTY'S RAIL TRAIL DEVELOPMENT**

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

WHEREAS, the County has contracted with Mohawk, Adirondack & Northern Railroad Corporation and The Lowville & Beaver River Railroad Company to purchase the rail corridors that span from the Village of Lowville, Lowville North to Croghan, Lowville North to Carthage, and parcels in the Village of Lyons Falls, to develop these rail lines into a combination of recreational trails that preserve the County's rich history of recreational activity, that stimulate economic and community development, and that provide a safe space for residents and visitors recreate; and

WHEREAS, the Recreation, Forestry, and Parks Department and Planning Department sent out a Request for Proposals to qualified and experienced design/engineering firms to provide professional services for the development of a Rail Trail Master Plan for the approximate 31 miles of abandoned rail corridors the County seeks to develop, including but not limited to a feasibility study to address potential segmenting for best uses, environmental and structural reviews, community input, and 30% engineering design; and

WHEREAS, the County received eight (8) bids in response, which were opened on June 8, 2023 with the Director of the Recreation, Forestry and Parks, Lewis County Highway Superintendent, Director of Planning, Purchasing Director, County Manager, Clerk of the Board, County Treasurer, a few County Legislators, and County Attorney all present; and

WHEREAS, after initial review of the submissions in accordance with the criteria matrix developed by the County for review of these professional services for this long-term project, the reviewing team then narrowed the field to four (4) potential candidates for further analysis and interviews; and

WHEREAS, after further inquiry and interviews of 4 bidders, and after carefully considering their proposals, experience, community outreach and participation strategy methods, and scope of work in accordance with the criteria developed by the County in determining its best interests, the reviewing team recommends that the Board award the bid to Alta Planning + Design, Inc., Troy, NY, at a cost not to exceed of \$579,560.00; as the most qualified bidder in the best interests of the County 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 Alta Planning + Design, Inc., 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 awards the bid and authorizes an Agreement with Alta Planning + Design, Inc., 1801 6th Ave, Suite 204, Troy, NY 12180, to provide professional design, consultation and engineering services in completing a Rail Trail Master Plan in accordance with the specifications and requirements set forth in the RFP and all tasks and scope of services as outlined in its scope of services/tasks and proposal.

Section 2. That the award herein is for professional services and based upon all criteria in the best interests of the County, in accordance with the detailed criteria developed by County staff to properly assess and analyze the professional services proposals, including but not limited to consideration of bid amount, in order to make an award in the best interests of the County.

Section 3. That the Lewis County Board of Legislators authorizes said agreement to include all conditions and requirements set forth in the RFP together with inclusion of any and all additional terms and conditions recommended by the County Attorney, at a cost not to exceed \$579,560.00 for all tasks and scope of services with a final version of the Master Plan to be completed within twelve (12) months from commencement.

Section 4. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver said Agreement, pending approval by the County Attorney.

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

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

RESOLUTION NO. 171 - 2023

**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO THE SHERIFF'S OFFICE**

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

WHEREAS, the impending retirement of the 911 Operations Coordinator has created the opportunity for succession planning and job reclassification within the Dispatch unit; and

WHEREAS, certain duties shall be separated to create a position in which the primary duties would be to supervise and support the day-to-day operations of 911 dispatch with backup to the 911 Operations Coordinator;

NOW, THEREFORE, 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 Sheriff's Office to:

<u>CREATE</u>	<u>STATUS</u>	<u>SALARY</u>
Dispatcher-Corrections Officer Working Supervisor	Permanent Full-Time	Grade 20 (\$23.31-\$25.56)

Section 2. That the Sheriff is hereby authorized to fill the Dispatcher-Corrections Officer Working Supervisor position effective immediately.

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 172 - 2023

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY
OBO THE DEPARTMENT OF SOCIAL SERVICES AND NRCIL
FOR A WARMING CENTER FACILITY AND SERVICES FOR
THE 2023/2024 “CODE BLUE” SEASON**

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

WHEREAS, the Commissioner of the Department of Social Services (DSS) sent out a Request For Proposals (RFP) to obtain Warming Center Facility and Staffing Services to provide homeless with a warm location overnight for up to 12 hours, 7 days a week, when the temperature is below 32 degrees, pursuant to NYS Office of Temporary and Disability Assistance “Code Blue” mandate for the 2023/24 season, as outlined in the RFP for Lewis County DSS; and

WHEREAS, one (1) bid proposal was received and opened on August 22nd, 2023 at 2:00 p.m. After careful consideration and review, the Commissioner of DSS recommends that the Board of Legislators award the bid to Northern Regional Center for Independent Living, Inc. (NRCIL) with offices in Watertown and Lowville, NY, to provide the facility, staffing services and amenities of a Warming Center as outlined in the RFP at a cost not to exceed \$140,314.00, with the center and services open and available from October 1, 2023 to May 1, 2024;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes a contract between the County o/b/o LC DSS and NRCIL to provide facility, amenities, and staffing services for a Warming Center for overnight stays by the homeless for up to 12 hours, 7 days a week, from October 1, 2023 to May 1, 2024, at a cost not to exceed \$140,314.00; the warming center will assist in meeting the NYS Code Blue mandates required to be provided by LC DSS.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any related and necessary documents or instruments, 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. 173 - 2023

**RESOLUTION AUTHORIZING AGREEMENTS
BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND VARIOUS FOSTER CARE AGENCIES**

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

WHEREAS, the Lewis County Department of Social Services wishes to enter into agreements with various foster care agencies to utilize their services of foster care, emergency respite care, post placement, residential, educational and treatment services; and

WHEREAS, the following agencies are authorized by the New York State Office of Children and Family Services to provide these services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes agreements between the County of Lewis, by and through the Department of Social Services, and the following agencies for the provision of foster care services, emergency respite care, post placement, and residential, educational and treatment services:

Berkshire Farm Center & Services for Youth – Located in Canaan, NY
Cayuga Home for Children – Located in Auburn, NY
Children’s Home of Jefferson County – Located in Watertown, NY
Elmcrest Children’s Center – Located in Syracuse, NY
Hillside Children’s Home – Located in Rochester, NY
House of the Good Shepherd – Located in Utica NY
Northeast Parent & Child Society- Located in Albany, NY
St. Anne Institute – Located in Albany, NY
William George Agency – Located in Freeville, NY

Section 2. That the term of these agreements shall be from January 1, 2024 through December 31, 2025 at a per diem cost not to exceed the Maximum Aid Rate established by the State. There is no local share cost until costs exceed the foster care block grant and then the local share is approximately 25% for residential foster care and is based on the eligibility of the client. The State share is approximately 25% and Federal share is approximately 50%.

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreements, 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. 174 - 2023

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND THREE + ONE, LLC**

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

WHEREAS, professionals from Three + One, LLC, presented an overview of their “Cash Vest” program to the Lewis County Treasurer, which provides a liquidity and treasury analysis of the County’s cash accounts along with management data to assist in earning the maximum amount of interest possible without sacrificing safety or liquidity; and

WHEREAS, Three + One will provide quarterly liquidity analysis and reports to enable the County to obtain maximum returns on investments and bank products, at a cost of \$17,775.00 per year (payable in quarterly installments). Termination of the agreement can be imposed after the first twelve months with 30-day notice; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the contract with THREE + ONE, LLC, 180 Office Parkway, Pittsford, NY 14534, to provide liquidity and treasury analysis and management data and programming outlined in its “CashVest” program proposal, to assist the County Treasurer in the management of the County’s cash investments for maximum return.

Section 2. That the annual cost of this service is \$17,775.00, payable in four (4) quarterly installments, from the County Treasurer’s budget, with the first installment due after the initial CashVest analysis is presented, and quarterly thereafter. The agreement may be terminated after the first 12 months upon 30 days’ notice.

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

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

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

RESOLUTION NO. 175 - 2023

**RESOLUTION IN MEMORIAM OF
CRAIG P. BRENNAN**

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

WHEREAS, **Craig P. Brennan**, of Deer River, New York, recently departed this life on August 23, 2023 surrounded by his loving family; and

WHEREAS, **Craig P. Brennan** served as the Lewis County Legislator for District 3 by appointment on September 23, 2013, and thereafter went on to be elected and re-elected as District 3 Representative from January 1, 2014 through December 31, 2017; and

WHEREAS, during his legislative tenure Craig served as Chairman of various Board committees, including Transportation and Solid Waste, Taxation, Information Management, Elections, Agriculture, Ways & Means, Buildings & Grounds, and County Clerk. He also represented the County on the Industrial Development Agency (IDA) Board, and served as its Chair for a period of time; and

WHEREAS, Craig was congenial, respectful, and open to fresh ideas and visions that would increase economic development in the County and improve the lives of its residents; and

WHEREAS, it is proper for us as friends, acquaintances and members of this Board of Legislators to record our recognition and appreciation for the sincere, generous and valuable services rendered by our former colleague **Craig P. Brennan**.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That as an enduring record and mark of respect to the memory of **Craig P. Brennan**, a true friend and honorable public servant and official, this resolution shall be printed in the official record of the proceedings of the Board of Legislators of the County of Lewis with a copy thereof forwarded to the family of **Craig P. Brennan**.

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