



OFFICE OF THE BOARD OF LEGISLATORS
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TO: Media

FROM: Cassandra Moser, Clerk of the Board

DATE: September 29, 2023

The Board of Legislators will meet on Tuesday, October 3, 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. 177 - 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 \$2,019,556.10 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:

LOCAL LAW (INTRODUCTORY NO. 1 – 2023)

COUNTY OF LEWIS

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

A LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-c (A/K/A “2% TAX CAP”) FOR THE LEWIS COUNTY 2024 BUDGET

BE IT ENACTED by the Board of Legislators of the County of Lewis as follows:

SECTION 1. TITLE

This Local Law shall be known as “**A LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-c (A/K/A “2% TAX CAP”) FOR THE LEWIS COUNTY 2024 BUDGET.**”

SECTION 2. LEGISLATIVE FINDINGS

The Board of Legislators for the County of Lewis hereby finds and determines that the anticipated budgetary needs for fiscal year 2024 require that Lewis County adopt the appropriate legislation necessary to override the tax levy limit established by General Municipal Law § 3-c, and more commonly referred to as the “2% tax cap”.

SECTION 3. ENACTMENT AUTHORITY

This Local Law is adopted pursuant to authority provided in section 10 of the Municipal Home Rule Law of the State of New York as well as the specific authority found in General Municipal Law § 3-c[5].

SECTION 4. OVERRIDE AUTHORIZATION

The Board of Legislators be and the same is hereby authorized to adopt a budget for fiscal year 2024 that exceeds the “tax levy limit” as that term is defined and calculated pursuant to the provisions of General Municipal Law § 3-c.

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION NO. 178 - 2023

**FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 1-2023), COUNTY OF LEWIS**

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators, a proposed Local Law entitled "LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2024 BUDGET."

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing for the above proposed Local Law will be held on November 7, 2023, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York to hear all persons for or against such local law.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

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

LOCAL LAW (INTRODUCTORY NO. 2 - 2023)

COUNTY OF LEWIS

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

A LOCAL LAW OF THE COUNTY OF LEWIS PROVIDING PARTIAL REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO SECTION 466-A OF THE REAL PROPERTY TAX LAW

BE IT ENACTED by the Board of Legislators of the County of Lewis as follows:

SECTION 1. TITLE

This Local Law shall be known as “**A LOCAL LAW OF THE COUNTY OF LEWIS PROVIDING PARTIAL REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO SECTION 466-A OF THE REAL PROPERTY TAX LAW.**”

SECTION 2. LEGISLATIVE FINDINGS

- (a) The Lewis County Board of Legislators finds it appropriate to recognize the efforts of those who have dedicated their time and at times risked their lives in the service of their communities by volunteering to serve as a member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service.
- (b) The Lewis County Board of Legislators finds and determines that attracting and retaining quality volunteer firefighters and emergency medical personnel is one of the most critical problems facing a number of communities in Lewis County and that maintaining effective emergency protection depends on the ability to train and retain volunteers.
- (c) The Board of Legislators finds and determines that it is essential for the County and its municipalities to provide partial real property tax exemptions as an incentive to attract new volunteers and help combat a persistent and alarming decline in the number of volunteers serving as active responders to fire and medical emergencies, unless recruits are found to replace retiring volunteers and seasoned members are encouraged to continue their volunteer service, the health and safety of citizens served by the volunteer firefighter and emergency medical personnel corps may be jeopardized.

- (d) The Board of Legislators further finds and determines that real property tax exemptions are an appropriate way to recognize the personal sacrifices and dedication of these community-spirited men and women who unselfishly give their time and risk their safety to protect their neighbors.
- (e) The purpose of this Local Law is to repeal Local Law No. 9-2005 and to adopt the real property tax exemptions provided for volunteer firefighters and emergency medical personnel in accordance with updated Section 466-a of the Real Property Tax Law:

SECTION 3. REAL PROPERTY TAX EXEMPTION

Real property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service or such enrolled member and spouse residing in the County of Lewis shall be exempt from taxation to the extent of Ten percent (10%) of the assessed value of such property for County purposes, exclusive of special assessments.

SECTION 4. QUALIFICATIONS

Such exemption shall only be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance services if:

- (a) the applicant resides in the County of Lewis and is a member of an incorporated volunteer fire company or fire department or incorporated voluntary ambulance service which provides service within the village, town or school district.
- (b) the real property which is the subject of such exemption is the primary residence of the applicant.
- (c) the real property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this Local Law.
- (d) the applicant has obtained and displayed a certificate issued by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulatory service indicating that the applicant has been an enrolled member of such incorporated volunteer fire company, ambulance worker, or fire department for at least two years.

SECTION 5. TWENTY-YEAR ACTIVE MEMBER SERVICE

Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty years of active service, and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by this section for the remainder of his or her life as long as his or her primary residence is located within the County of Lewis.

SECTION 6. UN-REARRIED SURVIVING SPOUSES OF VOLUNTEERS KILLED IN THE LINE OF DUTY

An un-remarried spouse of a volunteer firefighter or volunteer ambulance worker killed in the line of duty may receive the real property tax exemption if:

- (a) Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated volunteer ambulance service who was killed in the line of duty; and
- (b) Such deceased volunteer had been an enrolled member for at least five years; and
- (c) Such deceased volunteer had been receiving the exemption prior to his or her death.

SECTION 7. UN-REARRIED SURVIVING SPOUSES OF VOLUNTEERS WITH AT LEAST TWENTY YEARS OF SERVICE

An un-remarried spouse of a deceased volunteer firefighter or volunteer ambulance worker with twenty years of service may receive the real property tax exemption if:

- (a) Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated volunteer ambulance service; and

- (b) Such deceased volunteer had been an enrolled member for at least twenty years; and
- (c) Such deceased volunteer and un-remarried spouse had been receiving the exemption of such property prior to the death of such volunteer.

SECTION 8. APPLICATION PROCESS

- (a) Applications for such exemption shall be filed with the assessor of the town on or before the taxable status date on a form as prescribed by the New York State Commissioner for the Office of Real Property Tax Services.
- (b) The assessor of the town shall have the duty and responsibility of procuring and filing a copy of such certification prior to granting the exemption provided for by this Local Law.

SECTION 9. NO DIMINUTION OF CURRENT BENEFITS

No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of law on the effective date of this Local Law shall suffer any diminution of such benefit because of the provisions of this Local Law.

SECTION 10. EFFECTIVE DATE

This local law shall take effect on January 1, 2024, and shall apply to taxable status dates occurring on or after such date.

SECTION 11. REPEAL OF PRIOR LOCAL LAW

This Local Law replaces and repeals Local Law No. 9-2005.

RESOLUTION NO. 179 - 2023

**FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 2 -2023), COUNTY OF LEWIS**

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators, a proposed Local Law entitled "A LOCAL LAW OF THE COUNTY OF LEWIS PROVIDING REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO SECTION 466-A OF THE REAL PROPERTY TAX LAW."

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing for the above proposed Local Law will be held on November 7, 2023, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York to hear all persons for or against such local law.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

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

RESOLUTION NO. 180 - 2023

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS
AND CHIMERA INTEGRATIONS, LLC FOR
UPGRADES TO EXISTING CARD ACCESS CONTROLS AT THE PSB**

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

WHEREAS, the Lewis County Buildings and Grounds Department received a proposal from Chimera Integrations, LLC, with offices at 29777 Gardnerville Road, Evans Mills, NY 13637 to upgrade existing card access controls to the existing doors at the Public Safety Building, adding seven new doors to the access control system, installing a new reader at the Gate location to control gates, and all hardware and installation required for these improvements as set forth in the proposal received by the Director of Buildings and Grounds on June 15, 2023, at a total cost of \$39,630.00; and

WHEREAS, the services proffered by Chimera shall commence upon execution of the agreement and be completed by December 31, 2023; and

WHEREAS, the Lewis County Board of Legislators seeks to accept the proposal and authorize an agreement to provide for these necessary services;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby accepts the proposal and authorizes an agreement with Chimera Integrations, LLC for upgrades to existing card access controls for existing doors at the PSB, addition of new 7 new doors to the Access Control System, installation of a Reader at the new Gate location, together with all other access control equipment additions required, with labor for installation, programming and testing included as set forth in the proposal dated June 15, 2023, at a cost of \$39,630.00, and said services to be completed by December 31, 2023.

Section 2. That the Chairman, or Vice-Chairman, 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 3. That the within resolution shall take effect immediately.

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

RESOLUTION NO. 181 - 2023

**RESOLUTION AUTHORIZING A RENEWAL AGREEMENT WITH
J. ARTHUR SEALCOATING & CONTRACTING FOR
SNOW PLOWING AND ADDING LAWN CARE SERVICES AT
NINE EMERGENCY 911 TOWER SITES**

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

WHEREAS, J. Arthur Sealcoating & Contracting with offices located at 7550 East State Street, Lowville, NY, 13367, provided snow plowing removal services at the County's nine 911 tower sites; and

WHEREAS, the County desires to enter into a renewal agreement with J. Arthur Sealcoating and Contracting, for snow removal and to add lawncare services in the other seasons, including but not limited to brushhogging and weed control measures at all nine 911 tower sites starting the Fall of 2023 through the Fall of 2025, at a cost of \$ 48,900/year (\$29,150 for snow plowing and \$19,750 for lawncare); 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 with J. Arthur Sealcoating and Contracting, 7550 East State Street, Lowville, NY, 13367 for snow removal, lawn care, and related services at all nine 911 Tower Sites identified as:

1. Number 3 Road, Lowville
2. Sears Pond Road, Montague
3. Hayes Road, Copenhagen
4. Long Pond Road, Croghan
5. St. Rt. 3, Harrisville
6. Marmon Road, Lyonsdale
7. Brenon Road, Turin
8. Zeigler Road, Leyden
9. Osceola Road, Osceola

Section 2. That the term of this agreement shall commence on October 1, 2023 through September 30, 2025, at a cost of \$48,900.00 per year.

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. 182 - 2023

**RESOLUTION TO APPROPRIATE FUNDS
Capital Project**

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 budget appropriation of the net revenue of \$83,226.06 received from the online auction sale of the Champion gravel pit property pursuant to Resolution No. 189 - 2022 into the HAL reserve fund for environmental projects and cleanups:

<u>Increase Revenue:</u>	
H0809000 350310	\$83,226.06
Interfund Transfers	

<u>Increase Expenditure:</u>	
H0809000 499900	\$83,226.06
Project HAL	

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

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

RESOLUTION NO. 183 - 2023

**RESOLUTION DIRECTING THE DEMOLITION AND REMOVAL
OF AN UNSAFE BUILDING PURSUANT TO LOCAL LAW NO. 2-2007,
(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," (herein "Unsafe Building Law"), 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 such Local Law, the Lewis County Code Enforcement Officer conducted an investigation of the premises known Tax Map No. 321.15-01-11.000, currently owned by Ignacio Ahumada, and determined that the structure is unsafe and issued a report to the Board of Legislators on July 24, 2023; and

WHEREAS, the Code Enforcement Officer reported that the structure is a residential structure located at 6314 East Main Street, Village of Turin, which has been abandoned, unsecured, has foundational damage, and structural damage to the roof. Overall, the building is damaged and dilapidated due to lack of maintenance and care and is definable as an unsafe structure, that is unfit for human occupancy and a danger to anyone who may attempt to enter. The Code Enforcement Officer has condemned the structure and appropriately posted same; and

WHEREAS, the Code Enforcement Officer concludes in his report that this building is unsafe and poses an unsafe condition to the general public. It is the Code Enforcement Officer's recommendation that the structure should be completely demolished and removed; and

WHEREAS, by Resolution No. 158-2023, the Board of Legislators ordered and decreed that the Owner of said building appear before this Board of Legislators on October 3, 2023 at 5:00 p.m. and Show Cause before this Board why it should not Order said Owner to immediately demolish and remove the building located on the parcel identified as Tax Map No. 321.15-01-11.000, 6314 East Main Street, in the Village of Turin, County of Lewis; and that in the event that the Owner fails to comply with such Order or fails or refuses to demolish or remove said building, and related debris, 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 if required to collect the costs of demolition, including legal expenses; and

WHEREAS, the Owner was given due notice of the hearing before this Board and confirmed receipt of same by his telephone communication with the County Attorney on September 26, 2023. He was also served with the documents by regular mail service. A Notice of the Hearing was securely affixed upon the unsafe building on September 20, 2023; and

WHEREAS, the Owner did/did not appear for the hearing before the Lewis County Board of Legislators on _____, 2023;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby finds and determines as follows:

- (a) That Ignacio Ahumada is the Owner of the premises known as Tax Map No. 321.15-01-11.000, located at and designated as 6314 East Main Street, in the Village of Turin, County of Lewis;
- (b) That the Lewis County Code Enforcement Officer duly inspected said premises, condemned the structure, and declared that the building located on said premises was unsafe and not repairable and should be properly demolished and removed;
- (c) That the structure is abandoned, unsecured, has foundational damage, structural damage to the roof, and is unfit for human occupancy and a danger to anyone who may attempt to enter;
- (d) That the Board of Legislators received the report of the Code Enforcement Officer dated July 24, 2023, and agrees with his findings;
- (e) That pursuant to Local Law No. 2 – 2007, on October 3, 2023, at its regular meeting the Board of Legislators determined that the building was unsafe, constitutes a public nuisance, and a danger to the safety, health, and welfare of the community; and that the building must be demolished and removed from the premises;
- (f) That Ignacio Ahumada has received due notice of these proceedings;
- (g) That the building located on the premises known as Tax Map No. 321.15-01-11.000, located at 6314 East Main Street, Village of Turin, County of Lewis is unsafe, constitutes a public nuisance and a danger to the safety, health, and welfare of the community and must be immediately demolished and removed;

Section 2. That by reason of such findings, it is hereby

ORDERED AND DECREED that Ignacio Ahumada, Owner of premises known as Tax Map No. 321.15-01-11.000 and located at and designated as 6314 East Main Street, in the Village of Turin, County of Lewis, shall immediately demolish and remove the building located thereon; and it is further

ORDERED AND DECREED that Ignacio Ahumada, shall immediately commence proper removal of the building within thirty (30) days if service of notice of this order; and shall complete same within sixty (60) days thereafter; and

ORDERED AND DECREED, that in the event that Ignacio Ahumada fails or refuses to commence the demolition process in accordance with this Resolution, the Code Enforcement Officer shall cause such building to be demolished and removed either by County employees or by contract, provided that any contract for demolition and removal of a building in excess of \$20,000.00 shall be awarded through competitive bidding; and it is further

ORDERED AND DECREED, that in the event that the County provides for the demolition and removal of such building, all of the costs and expenses of same shall be assessed against the land upon which it is located; and it is further

ORDERED AND DECREED that a certified copy of this resolution and orders shall be given to Ignacio Ahumada, Owner of such building by personal service and by certified mail to him at his last known address as shown by the record of the receiver of taxes.

Section 3. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 184 - 2023

**RESOLUTION TO APPROPRIATE FUNDS
Community Service**

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation take place in the Community Services Accounts for the increase in funds due to additional State Aid. Specifically State Aid was increased by annualization of the 5.4% COLA which was effective on 4/1/2022 and the 4% COLA which was effective on 4/1/2023. In addition to the COLA, Supported Housing received a one-time payment of \$31,800 plus a stipend increase of \$31,800 and a one-time School Based Clinic enhancement was received for \$25,968.

Section 2. That the following adjustment take place in the Community Services Accounts for the increase in funds due to a modification in State Aid disbursement.

Increase Revenues:

A0432400 334922 NRCIL	\$ 41,908.00
A0431800 334922 TLS	\$149,010.00
A0432200 334922 ARC OMH	\$ 1,435.00
A0432500 334921 MVPS	\$ 11,154.00
A0433500 334912 LCCS-JAIL BASED	\$ 3,972.00

Increase Expenditures:

A0432400 422800 NRCIL	\$ 41,908.00
A0431800 422800 TLS	\$149,010.00
A0432200 422800 ARC OMH	\$ 1,435.00
A0432500 422800 MVPS	\$ 11,154.00
A0433500 488105 LCCS-JAIL BASED	\$ 3,972.00

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

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

RESOLUTION NO. 185 - 2023

**RESOLUTION AUTHORIZING RENEWAL AGREEMENT
BETWEEN LEWIS COUNTY COMMUNITY SERVICES AND
RUBENZHAL, KNUDSEN & ASSOCIATES**

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

WHEREAS, the Community Services Board (CSB) is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the CSB is responsible to provide local or unified mental health services and facilities directly and/or by contract for the provision of those services by other units of local or state government, by voluntary agencies or by professionally qualified individuals; and

WHEREAS, the CSB has reviewed the proposal for the following provider of mental health services and has determined that these services are necessary to meet the needs of the community at a reasonable cost; and

WHEREAS, the Community Services Board has met to consider the proposed agreement with the following service provider and requests that the Board of Legislators authorize a two-year renewal for the identified amounts for evaluations and court testimony in CPL 730 matters;

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 and the following provider for CPL 730 psychological services, in the amounts set forth for the period of January 1, 2024 through December 31, 2025:

CONTRACTOR	PURPOSE	AMOUNT
Rubenzahl, Knudsen & Associates	CPL 730 Psychological Services	\$150.00 per hour for psychological exams \$175.00 per hour for court testimony Not to exceed \$700.00 per examination

Section 2. That the term of said Agreement shall be from January 1, 2024 through December 31, 2025.

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement and any modifications 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. 186 - 2023

RESOLUTION AUTHORIZING THE COUNTY TO JOIN THE BROOME COUNTY PURCHASING ALLIANCE FOR MEDICARE BENEFIT PLANS

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

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

WHEREAS, Broome County allows participation in BCPA by 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 Health Committee members have further investigated this plan; have had the County third party health administrators and CSEA union leadership investigate the Plan, with all confirming that this Plan is equivalent or better than the current Plan, and will produce savings to eligible retiree members as well as to the County; and

WHEREAS, the Treasurer seeks to have the County of Lewis join in the BCPA MAPD Program in order to receive the preferred pricing and coverage for current and future Medicare eligible retiree members;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes and agrees to have the County 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 the shared services savings anticipated from joining the Alliance shall be deposited into the County Health Insurance Fund.

Section 5. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 187 - 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 Kenneth Johnson of Carthage, New York, as a member of the Lewis County Junkyard Review Board to fill the unexpired term of Joseph Chaisson.

Section 2. That the 5-year term of said appointment shall be effective from September 5, 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. 188 – 2023

RESOLUTION ESTABLISHING NEW FINANCIAL GOALS

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

WHEREAS, since 2015, the County Manager(s) established basic financial goals and guidelines when presenting the annual budget to the Board of Legislators for its consideration. Those goals include: maintaining a minimum fund balance of 10% of both County and LCHS operations; maintaining an “A+” credit rating; maintaining current county service levels; and reduced reliance on fund balance for operations; and

WHEREAS, now as he prepares the 2024 tentative budget, the County Manager seeks to have the Board of Legislators review and update the County’s financial goals in light of a fund balance of approximately \$27 million dollars; and

NOW, THEREFORE, BE IT RESOLVED as follows,

Section 1. The Lewis County Board of Legislators hereby establishes the following financial goals in its decisions pertaining to budgets, expenditures and county tax rates:

- a. Lewis County will maintain a fund balance between 10% and 30% of its annual operations.
- b. Lewis County Health Systems will maintain a fund balance of at least 16% of its annual operations.
- c. Be cognizant of financial decisions that will enable the County to maintain its A+ Credit Rating.
- d. Invest at least 3% of operating budget into capital equipment and projects each year.
- e. Maintain a debt ratio of no greater than 50% of the constitutional limit allowed for counties.

Section 2. That this Resolution shall take effective immediately.

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

RESOLUTION NO. 189 - 2023

RESOLUTION IN SUPPORT OF SENATE BILL S7645 TO REPEAL CERTAIN PROVISIONS OF THE EXECUTIVE LAW ESTABLISHING A FEE FOR BACKGROUND CHECKS ON CERTAIN FIREARM AND AMMUNITION PURCHASES

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

WHEREAS, Senate Majority Leader Andrea Stewart-Cousins' Bill S51001, referred to as the "Concealed Carry Improvement Act" (CCIA), amended a number of laws in relation to licensing and other provisions pertaining to firearms. This Bill was signed into law by Governor Hochul on July 1, 2022; and

WHEREAS, said Act includes regulations that allow the State to have oversight over background checks for firearms and ammunition purchases; and

WHEREAS, said Act amended the state executive law by adding a new section 228, authorizing the New York State Police to run national instant criminal background (NICS) checks and to serve as the point of contact rather than utilizing the current NICS background check system; and

WHEREAS, said Act also creates a new bureau within the State Police, financed by new "background check fees" upon purchasers to cover the costs associated with performing state background checks; and

WHEREAS, this provision of the so-called CCIA has resulted in onerous background check fees upon citizens equal to \$2.50 for every ammunition purchase and \$9.00 for every firearm purchase, with the potential for increases without legislative approval; and

WHEREAS, Senator Mark Walczyk has sponsored Senate Bill S.7645, in order to repeal Subdivision 5 of Section 228 of the Executive Law of S51001 relating to the background check fees for firearms and ammunition as included in the CCIA;

NOW, THEREFORE, BE IT RESOLVED as follows,

Section 1. The Lewis County Board of Legislators hereby applauds and supports Senator Walczyk and his sponsorship of Senate Bill S7645, to repeal certain provisions of Section 228 of the Executive Law, which established fees for background checks on certain firearm and ammunition purchases, and amends state finance law, in relation to the source of funds for the background

check fund.

Section 2. That certified copies of this Resolution be forwarded to Governor Hochul, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Mark Walczyk, Assemblyman Ken Blankenbush and any other person, institution or agency the Board deems appropriate to move this Bill.

Section 3. That is Resolution shall take effect immediately.

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

RESOLUTION NO. 190 - 2023

RESOLUTION SETTING DATE OF PUBLIC HEARING WITH REFERENCE TO THE EIGHT-YEAR REVIEW OF AGRICULTURAL DISTRICT NO. 6

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

WHEREAS, PURSUANT TO Section 303 (a) of the Agriculture and Markets Law, the County Legislative Body is required to review a district eight years after its creation and every eight years thereafter; and

WHEREAS, the Lewis County Board of Legislators authorized and set the Public Comment Period for the Lewis County Agricultural District No. 6 eight-year review process for September 1, 2023 through September 30, 2023, and authorized incorporation of the 2023 annual inclusion process and thirty-day open enrollment period during and simultaneously with the eight-year review process and directed that public notices for the eight-year review contain notice of incorporation of the 2023 annual inclusion process pursuant to Resolution No. 145-2023; and

WHEREAS the County of Lewis Director of Planning and Community Development provided the appropriate notices and surveys to the property owners in Agricultural District No. 6, and is accepting and answering any questions pertaining to this Agricultural District's timelines, review and modification process; and

WHEREAS, municipalities and landowners within the district may propose a modification of the District by filing such a proposal with the Lewis County Planning and Community Development Department or the Clerk of the Lewis County Board of Legislators, Cassandra Moser, at 7660 North State Street, Lowville, NY 13367 from October 1, 2023 through October 31, 2023; and

WHEREAS, the Planning and Community Development Department will gather the information and comments received during the review process, together with requests for inclusion and/or removal after the comment period ends, and provide a Report to the Lewis County Board of Legislators during the public comment period at the public meeting of this Board of Legislators to be held on December 5, 2023; and

WHEREAS, the Director of Planning and Community Development seeks to have the Lewis County Board of Legislators now set the public hearing for this Agricultural District No. 6 eight-year review.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and sets the public hearing for Agricultural District No. 6 eight-year review to be held on December 5, 2023 at 5:00 PM at the County Courthouse, Second Floor Board of Legislators Chambers, 7660 North State Street, Lowville, New York 13367, for the purpose of receiving public comment regarding the eight-year review of Agricultural District No. 6.

Section 2. That the Lewis County Planning and Community Development Department is hereby directed to publish an appropriate notice in the Watertown Daily Times and that such notice shall contain the information required by law.

Section 3. That the resolution shall take effect immediately.

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

RESOLUTION NO. 191 - 2023

RESOLUTION SETTING 3 PUBLIC HEARING DATES FOR COUNTY-WIDE SHARED SERVICES INITIATIVE

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

WHEREAS, the Lewis County Manager can convene a Shared Services Panel consisting of representatives from the statutorily permitted local government entities within the county to develop a new County-Wide Shared Services Plan through the New York State County-Wide Shared Services Initiative (CWSSI) program; and

WHEREAS, the NYS CWSSI program's goal is to save property taxpayers money by identifying collaborative opportunities for shared services between as many local government entities as possible; and

WHEREAS, the Shared Services Panel must work together to develop and approve a Plan through intergovernmental cooperation to find new opportunities to share and coordinate services; and

WHEREAS, the NYS CWSSI program process requires the facilitation of input through a minimum of three (3) public hearings within the county prior to the submission of the Plan to a vote of the Panel; and

WHEREAS, if the County develops and submits an eligible 2024 Plan, NYS CWSSI funds can provide a state match for the net savings resulting from the shared services actions included in an approved and transmitted Plan.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and sets three (3) public hearings for the Lewis County 2024 Shared Services Plan to be held on November 7, 2023 at 5:00 PM, December 5, 2023 at 5:00 PM, and December 12, 2023 at 10:00 AM, at the County Courthouse, Second Floor Board of Legislators Chambers, 7660 North State Street, Lowville, New York 13367, for the purpose of receiving input and testimony on the Plan from the public, civic, business, labor, and community leaders.

Section 2. That the resolution shall take effect immediately.

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

RESOLUTION NO. 192 - 2023

**RESOLUTION TO APPOINT THE NEW YORK STATE DEPARTMENT OF
TRANSPORTATION OFFICE OF DIVERSITY AND OPPORTUNITY (ODO)
EQUITABLE BUSINESS OPPORTUNITIES (EBO) RESPONSIBLE LOCAL OFFICIAL**

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

WHEREAS, the New York State Civil Rights compliance management internet-based application, Equitable Business Opportunities (EBO) is used to manage the Federal DBE contract goals and State MWBE and SDVOB contract goals; and

WHEREAS, all contracts funded by New York State Department of Transportation or the Federal Transit Administration are required to be managed in EBO; and

WHEREAS, transit contracts are making the transition into EBO and the first phase of this process is to appoint an EBO Administrator for Lewis County Public Transportation contracts;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints Samantha Brown as the Lewis County Equitable Business Opportunities (EBO) Responsible Local Official.

Section 2. Samantha Brown, as the Responsible Local Official, will be the Equitable Business Opportunities Administrator.

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 193 - 2023

**RESOLUTION TO AUTHORIZE “I LOVE NY” CAMPAIGN MATCHING FUNDS
AND DESIGNATE LEWIS COUNTY CHAMBER OF COMMERCE
AS THE COUNTY’S AGENT TO SUPERVISE
PROMOTION AND MARKETING OF THE CAMPAIGN**

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

WHEREAS, in order to enhance and promote tourism within New York State, the NY Empire State Development Corporation offers to match local municipality contributions to the “I Love NY” promotional and marketing campaigns; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize and appropriate \$50,000.00 in matching funds to demonstrate its commitment to the “I Love NY” promotional campaign for 2023; and

WHEREAS, the Lewis County Board of Legislators seeks to designate the Lewis County Chamber of Commerce as the agent to supervise the promotion and marketing of the “I LOVE NY” campaign, and to market the benefits of Lewis County tourism with utilization of the County’s 2023 matching funds as well as the State’s committed funds; and the Board seeks to enter into an Agreement with the LC Chamber of Commerce to provide such services as the designated agent of the County under this State program.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby commits to appropriate \$50,000.00 in matching local funds toward the 2023 “I LOVE NY” promotional and marketing tourism campaign in Lewis County.

Section 2. That the Board of Legislators hereby designates the Lewis County Chamber of Commerce as the County’s agent to supervise and conduct the promotional and marketing programs for Lewis County tourism under the 2023 campaign, with the utilization of the aforesaid County matching funds as well as the State’s committed funds to the campaign, and endorses the application by the Chamber for matching funds under the program.

Section 3. That the Board of Legislators authorizes an Agreement with the Lewis County Chamber of Commerce to act as the County’s agent under the 2023 “I LOVE NY” campaign, and to perform the services of promoting and marketing the benefits of tourism in the County of Lewis with the funds so provided under the campaign, for the period from January 1, 2023 through December 31, 2023.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreement and any and all other necessary papers and documents in connection with the application and program, 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. 194 - 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 Legislative Special 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:

A0101000 419900 Special Contingency \$85,000.00

To:

A0315000 450800 Jail Inmate Board \$85,000.00

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

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

RESOLUTION NO. 195 – 2023

**RESOLUTION TO TRANSFER FUNDS FOR
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

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

NOA #PY22-5

Section 1. That the following funds be transferred for Program Year 2022 for the period 07/01/2022 through 06/30/2024 from the Dislocated Worker program to the Adult Program per the Notice of Obligational Authority (NOA), PY22-5, dated 06/30/2023 through the New York State Department of Labor.

Decrease Expenditure:

CD629100 499900 Dislocated Worker CRT/OJT	\$8,500.00
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Increase Expenditure:

CD629200 499900 Adult CRT / OJT	\$8,500.00
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Section 2. That the within shall take effect immediately.

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

RESOLUTION NO. 196 - 2023

**RESOLUTION TO APPROPRIATE FUNDS FOR
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

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

NOA #PY23-1

Section 1. That the following funds be appropriated for Program Year 2023 for the period 04/01/2023 through 06/30/2025 for the Youth program per the Notice of Obligational Authority (NOA), PY23-1, dated 04/01/2023 through the New York State Department of Labor.

Increase Revenue:

CD629300 347910 WIA Revenue	\$37,705.08
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Increase Expenditures:

CD629000 490900 Youth WIA	\$ 250.00
CD629000 801000 WIA Youth Retirement	\$ 360.00
CD629000 499900 WIA Youth Expenditures	\$ 37,095.08

Section 2. That the within shall take effect immediately.

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

RESOLUTION NO. 197 - 2023

**RESOLUTION TO APPROPRIATE FUNDS FOR
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

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

NOA #PY23-2

Section 1. That the following funds be appropriated for Program Year 2023 for the period 07/01/2023 through 06/30/2025 for the Adult and Dislocated Workers program(s) per the Notice of Obligational Authority (NOA), PY23-2, dated 08/03/2023 through the New York State Department of Labor.

Increase Revenue:

CD629300 347910 WIA Revenue	\$ 42,701.14
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Increase Expenditures:

CD629200 110100 Adult Wages	\$ 15,277.27
CD629100 110100 DW Wages	\$20,000.00
CD629100 499900 WIA DW Checkbook	\$ 7,423.87

Section 2. That the within shall take effect immediately.

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