

TO: Tom Osborne, Chair; Jeff Nellenback, Vice-Chair; Herb Frost III; Vincent Nortz; and Barry Lyndaker.

FROM: Cassandra Moser, Clerk of the Board

DATE: April 11, 2024

SUBJECT: Finance & Rules Committee Agenda

Please let this correspondence serve as notification that the Finance & Rules Committee will meet on Tuesday, April 16th at 3:00 p.m. in the Board of Legislators' Chambers. Following is a list of agenda items for the meeting which will be streamed live at [Lewis County - YouTube](#).

Minutes:

Approve March 19, 2024, committee minutes if no amendments.

Presentations/Discussion Items:

None.

Draft Resolutions:

1. Authorizing grant application for Round 8 Restore NY Funding for up to \$2,000,000.00 to redevelop the decommissioned Lyons Falls Elementary Facility and, if awarded, will administer the grant in accordance with all applicable rules and regulations established by ESDC.
AYE ___ NAY ___
2. Authorizing agreement with Development Authority of the North Country for professional consultant and project management services in redevelopment of the former Lyons Falls school at a total cost not to exceed \$12,000.00.
AYE ___ NAY ___
3. Appropriating payback funds from CDBG in the amount of \$5,607.43 to Planning & Community Development account line to be used for various community projects.
AYE ___ NAY ___
4. Awarding bid and authorizing contract between the County of Lewis and Tetra Tech, Inc. to update FEMA-Compliant Lewis County Hazard Mitigation Plan at a cost not to exceed \$137,732.00.
AYE ___ NAY ___
5. Awarding bid and authorizing contract between the County of Lewis and Adirondack Operations, LLC Environmental Consulting to complete a professional hazardous

material study on all buildings for Toobro, LLC's Cheese Dairy Plant in the Town of New Bremen at a cost not to exceed \$22,268.00.

AYE ____ NAY ____

6. Authorizing settlement in pending tax assessment challenge by Erie Boulevard Hydropower, L.P. against the Town of Croghan, for the 2020, 2021, 2022 and 2023 proceedings, with refunds payable by the County for overpayments for said years, determined to be approximately \$93,000.00; and further approves the agreed upon terms pertaining to the application of RPTL 727 for the assessments on the subject properties for the 2024, 2025, and 2026 assessment rolls.

AYE ____ NAY ____

Motions:

None.

Executive Session:

1. Update on the County's cyber security posture. These are matters which will imperil government security and safety if disclosed.

Informational Items:

1. Monthly Department reports are attached for your review.

If any committee member has inquiries regarding agenda items, please do not hesitate to contact me.

cc:	County Clerk/Records Mngt.	JCC Education Center
	Economic Development	Planning & Community Development
	Human Resources	Purchasing
	Information Technology	Real Property Tax
	Insurance/Workers' Compensation	Treasurer

RESOLUTION NO. __ - 2024

**RESOLUTION AUTHORIZING GRANT APPLICATION FOR
ROUND 8 RESTORE NY FUNDING TO REDEVELOP THE
DECOMMISSIONED LYONS FALLS ELEMENTARY FACILITY**

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

WHEREAS, the County of Lewis, through the Planning and Community Development Department, desires to apply for up to \$2,000,000 in financial assistance through Round 8 of the Restore NY Program; and

WHEREAS, the County of Lewis is eligible for grant funding under Round 8 of the Restore NY Communities Initiative Municipal Grant Program; and

WHEREAS, the County of Lewis has considered proposals that qualify for funding under the program and has selected one project to be included in an application that will be submitted to Empire State Development Corporation (ESDC) as follows:

Redevelopment of 6832 McAlpine Street, Lyons Falls. The project will renovate the 4.5-acre property with a 16,032 square foot building into a mixed-use residential/commercial building.

WHEREAS, this project is consistent with all existing local plans, the proposed financing is appropriate for the project, the project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities in Lewis County; and

WHEREAS, if awarded, the grant requires a commitment of a 10% match from the awardee, which will be provided by the developer chosen through the Request for Expressions of Interest (RFEI) process that is expected to occur in the fall of 2024; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization and planning efforts completed during the BOA process; and

WHEREAS, a public hearing was held on May 7th, 2024 to receive public comment and input with respect to the Restore NY Application and the Property Assessment List, which was also posted in the Watertown Daily Times for 3 consecutive days, before the submission of an application;

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

Section 1. That the Lewis County Board of Legislators will sponsor and hereby authorizes an application for up to \$2,000,000.00 in Restore NY funding to redevelop 6832 McAlpine Street, Lyons Falls and, if awarded, will administer the grant in accordance with all applicable rules and regulations established by ESDC.

Section 2. That the Chairman or Vice Chairman of the Board of Legislators be and the same is hereby authorized to sign and submit the application prepared by the Planning and Community Development Department for the above-named project.

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

Section 4. That this Resolution shall take effect immediately.

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

RESOLUTION NO. __ - 2024

**RESOLUTION AUTHORIZING AGREEMENT WITH DEVELOPMENT AUTHORITY OF
THE NORTH COUNTRY FOR PROFESSIONAL CONSULTANT AND PROJECT
MANAGEMENT SERVICES IN REDEVELOPMENT OF
THE FORMER LYONS FALLS SCHOOL**

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

WHEREAS, the County of Lewis, by and through the Planning & Community Development Department, seeks to continue the professional services agreement with DANC in its decision to move forward with final environmental remediation stages of the former Lyons Falls School located at 6832 McAlpine Street, Lyons Falls, NY 13368; and

WHEREAS, DANC is familiar with the structure and has the expertise to assist the County in its plan to redevelop this condemned structure; and

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

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

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

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

WHEREAS, the costs outlined by DANC for Phase 1 services have been completed and the project has progressed to Phase 2 and Phase 3 services which will be utilized to redevelop/remediate the building; and

WHEREAS, the Planning Director and County Attorney request and recommend that the Board authorize Phase 2 & 3 of the DANC proposal;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. With the recent completion of Phase 1 of the DANC TSA, the Lewis County Board of Legislators authorizes the Phase 2 & 3 scope of services outlined by DANC, for a total cost not to exceed \$12,000.00, payable from the Planning & Community Development Department budget. Any additional services and costs as outlined for Phase 2 and or 3 shall be brought forth to the committee and Board for further discussion and authorization, including the source of funding for any additional services proposed by DANC.

Section 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. __ - 2024

**RESOLUTION TO APPROPRIATE FUNDS
PLANNING AND COMMUNITY DEVELOPMENT**

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

BE IT RESOLVED, as follows:

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

Increase Revenue:

A0802000 327088 Planning Admin Other	\$ 5,607.43
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Increase Expenditure:

A0802000 495500 Planning Projects	\$ 5,607.43
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Section 2. That the within resolution shall take effect immediately.

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

RESOLUTION NO. __ - 2024

**RESOLUTION AWARDING BID AND AUTHORIZING CONTRACT BETWEEN
THE COUNTY OF LEWIS AND TETRA TECH, INC. TO UPDATE FEMA-COMPLIANT
LEWIS COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN**

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

WHEREAS, Lewis County applied for and was awarded \$120,000 in funding from the Building Resilient Infrastructure and Communities (BRIC) program through New York State Division of Homeland Security & Emergency Services (NYS DHSES) to complete an update of the 2020 Lewis County Hazard Mitigation Plan; and

WHEREAS, the Director of Planning and Community Development Department, in consultation with the Purchasing Department, sent out an RFP for the development of a Lewis County Multi-Jurisdictional Hazard Mitigation Plan; and

WHEREAS, three (3) bid proposals were opened on March 29th, 2024 at 2:00 pm. Planning Department staff and the Purchasing Director carefully reviewed the bid submissions and assessed the criteria. After careful consideration and review, this team recommends that the Board of Legislators award the bid and contract to Tetra Tech, Inc. of 2301 Lucien Way, Suite 120 Maitland, Florida 32751, to complete the RFP Tasks in the best interests of the County. Tetra Tech has abundant experience with updating Hazard Mitigation Plans for county government in New York State under DHSES guidelines, is familiar with the Lewis County Hazard Mitigation original plan, and offers an online portal in its proposal allowing municipal representatives to log in and update various actions identified to be undertaken. This portal will streamline the planning process in between hazard mitigation updates; a beneficial efficiency to the plan. These additional benefits are the basis for the recommendation to award the bid to Tetra Tech as the best value to the County, at a cost not to exceed \$137,732; and

WHEREAS, the Planning and Community Development Department has budgeted the required 25% match of \$34,433 for this project, and has received funding in the amount of \$103,299 through the NYSDHSES Program; and

WHEREAS, the Board of Legislators seeks to accept this recommendation, award the bid and contract with Tetra Tech, Inc. for this project;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement with and awards the bid under the Lewis County Multi-Jurisdiction Hazard

Mitigation Plan project to Tetra Tech, Inc., of 2301 Lucien Way, Suite 120 Maitland, Florida 32751, to complete the RFP Tasks at a cost not to exceed \$137,732.

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 and authorizes the County Treasurer to make any appropriations needed.

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

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

DRAFT

RESOLUTION NO. __ - 2024

**RESOLUTION AWARDED BID AND AUTHORIZING CONTRACT BETWEEN
THE COUNTY OF LEWIS AND ADIRONDACK OPERATIONS, LLC
ENVIRONMENTAL CONSULTING TO PROVIDE A PROFESSIONAL HAZARDOUS
MATERIAL SURVEY FOR TOOBRO, LLC'S CHEESE DAIRY PLANT
7750 STATE ROUTE 12 IN THE TOWN OF NEW BREMEN**

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

WHEREAS, the Development Authority of the North Country (DANC), in consultation with the Director of Planning and Community Development Department, sent out an RFP for a professional hazardous material survey for the seven structures which comprise the abandoned cheese dairy plant, formerly known as TooBro Cheese LLC Manufacturing Facility, located at 7750 State Route 12, New Bremen, NY as more fully outlined and set forth in the RFP; and

WHEREAS, three (3) bid proposals were opened on March 26, 2024 at 10:00 pm. Consultants from DANC along with the Director of Planning carefully reviewed the bid submissions and assessed the criteria. They recommend that the Board of Legislators award the bid and contract to the lowest bidder, Adirondack Operations, LLC (ADK OPS Environmental Consulting) of 9541 Belfort Road, Croghan, NY to complete the pre-demolition survey with samplings as outlined in the RFP, at a cost not to exceed \$22,268.00, with the project to commence upon legal access to the site; and

WHEREAS, the Planning and Community Development Department has the funding for this environmental study in its community budget account line; and

WHEREAS, the Board of Legislators seeks to accept this recommendation and award the bid and contract to ADK OPS Environmental Consulting for this project;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement with and awards the bid to A Adirondack Operations, LLC (ADK OPS Environmental Consulting), of Croghan, NY 13327, to complete a hazardous materials study on all buildings on the cheese dairy property in New Bremen, NY, as outlined in the RFP, and pursuant to their bid proposal dated March 25, 2024, at a cost not to exceed \$22,268.00.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include provisions for ADK OPS to provide study and testing reports as outlined in the RFP for potential redevelopment of the site.

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 extensions or modifications thereto, upon recommendation of the County Attorney.

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

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

DRAFT

RESOLUTION NO. __ - 2024

RESOLUTION AUTHORIZING SETTLEMENT AND REFUNDS IN PENDING TAX ASSESSMENT CHALLENGE BY ERIE BOULEVARD HYDROPOWER, L.P. VS TOWN OF CROGHAN, AT AL

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

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

WHEREAS, the Board of Legislators authorized the County Attorney to continue participation with counsel for the Town of Croghan in the on-going tax assessment complaints brought by Erie Boulevard Hydropower, L.P. (Erie Blvd) in Supreme Court, challenging the assessments for various parcels located in the Town of Croghan (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) for property tax years 2020/21, 2021/22, 2022/23 and 2023/24; and

WHEREAS, the parties reached a tentative settlement of the proceedings by stipulating to assessment reductions on the final assessment roll for the years 2020, 2021, 2022 and 2023, and with the parties agreeing to the application of the provisions of RPTL 727 for the 2024, 2025 and 2026 assessment rolls as specifically modified in the proposed stipulation of settlement; and

WHEREAS, pursuant to the settlement terms and calculations of reduced assessments, there are refunds owing to Erie Blvd by the County, without interest, in the amount of approximately \$93,000.00. In addition, the County will be responsible for payment/reimbursement of one-third (1/3) of the appraisal expert's fee, estimated to be approximately \$9,000.00;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby accepts and approves the stipulation of settlement terms proposed by the parties in the pending tax assessment challenges brought by Erie Boulevard Hydropower against the Town of Croghan, et al, for the 2020, 2021, 2022 and 2023 proceedings, with refunds payable by the County for overpayments for said years, at no interest, determined to be approximately \$93,000.00.

Section 2. The Lewis County Board of Legislators further approves the agreed upon terms pertaining to the application of RPTL 727 for the assessments on the subject properties for the 2024, 2025 and 2026 assessment rolls.

Section 3. The Lewis County Board of Legislators confirms its prior authorization for the County to pay/reimburse one-third (1/3) of the appraiser expert fee incurred in the matter, upon submission of said invoices and receipts to the County Attorney from the appraiser and/or Town and School District, if they have paid the fee.

Section 4 The Lewis County Board of Legislators authorizes and directs the Treasurer to appropriate sufficient funds from Contingency for Surety Aid to pay the County's share of the refunds owing to Erie Boulevard Hydropower, L.P. and the County's one-third share of the taxing jurisdictions' retained expert, upon review and approval by the County Attorney of the amounts owing.

Section 5. The Lewis County Board of Legislators hereby authorizes the County Attorney to execute the stipulation of settlement and any other required documents to give effect to this settlement.

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

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

MARCH 2024-Monthly Report

- DMV had a total of 2,240 transactions for the month.
- DMV has successfully selected 2 candidates for the two open positions. One has already started and the other will start towards the end of April.
- The Lewis County Deputy County Clerk continues to assist DMV daily during this time of being short staffed and new staff training.
- Wait times at DMV have increased with the staff shortage and training of new staff. I anticipate this will carry on until all new staff can be brought up to speed. We have been communicating with customers about the potential longer wait times.
- County Clerk’s Office continues to work with the Department of State receiving and receipting the new Notary Public applications and renewals through the new State Portal System.
- We have been working with State DMV with the new accounting system and account withdraws that will start on April 1st.
- County Clerk’s Office has been making preparations for fine receipting with the Courts for a new law that will be taking effect on April 1, 2024 that has to do with DWI fines. The initial impact seems to be very minimal, but the foundation will be set for any changes that will occur.

Budget Report

2024REVISED EXPENSE	YTD EXPENSE	2024 REVISED REVENUE	GROSS YTD REVENUE	NET YTD REVENUE
\$690,583.00	\$141,733.90	\$748,500.00	\$92,991.38	\$(48,742.52)

DMV Transactions and Revenue to Lewis County

PLATES ISSUED	PLATES SURRENDERED	SNOWMOBILE	ATV	EDL	TOTAL REVENUE
397	285	13	23	107	\$17,142.23

Clerk’s Office Transactions and Revenue to Lewis County

DEEDS	MORTGAGES	COURT DOCKET LIST	PISTOL TRANSACTIONS	JUDGEMENT TRANSCRIPTS	TOTAL REVENUE
94	106	652	141	19	\$78,989.37

Monthly Report to Legislators

MARCH 2024 - INFORMATION TECHNOLOGY

Projects

Device Rollout

The majority of budgeted, new devices are purchased at the beginning of the year. Through the month of March, the total provisioned percentage surpassed 85%. The remaining devices to be provisioned are mostly earmarked for employees that are net new and yet to start working for the county.

New Phone System

During the month of March, IT met with DSS multiple times to plan the final phase of the phone rollout. The phones should be transitioning in early April. We expect there to be some minor inconveniences and hiccups during this change as users get accustomed to new hardware and options. Overall, based on the prior deployments, IT is confident that the transition should be smooth and that the whole county will be on the new system by the end of April.

NeoGov – HR Management System

IT working alongside HR to rollout the comprehensive HR management system. The rollout of all its features are expected to take many months. It should fundamentally change how the department gets its work done and how employees access important HR information.

Up Next

New technology adoption and security maturity are major themes in 2024 as we continue to modernize our infrastructure to maintain high levels of systems availability and enabling new, better, and/or more efficient ways to service Lewis County constituents.

Thank you,

Conner Biolsi



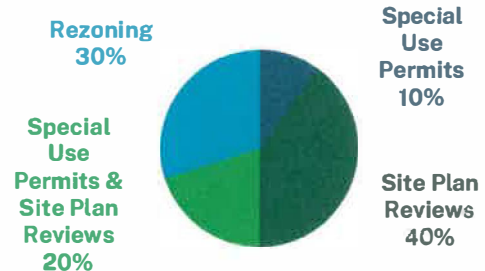
TO: Finance and Rules Committee

SUBJECT: April 16, 2024 Committee Meeting Report → May 7, 2024 BOL Meeting

Dockets

- Submit Round 8 Restore NY funding request for former Lyons Falls Elementary School
- Authorize TSA w/DANC for Phase 2 & 3 services for former Lyons Falls Elementary School-\$12,000
- Appropriate \$5,607.43 in payback CDBG program income funds to the Planning Dept.
- Award bid for Stevens Block NYMS Downtown Stabilization
- Award bid to complete FEMA-compliant update to Hazard Mitigation Plan
- Award consultant for Hazard Materials Survey of Cheese Factory Hill

**2024
239-M REVIEWS**



Lewis County Planning Board

6 reviews were completed for the April 18th meeting:

- Village/Town of Lowville – Site Plan Review
- Town of Leyden – Solar Moratorium
- Town of Lyonsdale – Moratorium on Commercial and Industrial Facilities
- Town of Lyonsdale – Solar Moratorium
- Town of Turin – Special Use Permit & Site Plan Review
- Town of Martinsburg - Special Use Permit

Department Updates

- Continuing to assist Volunteer Fire Departments across the county on NYS DSHES V-Fire Grants Applications.
- All broadband projects awarded to the County have been completed and grant closeout documents have been submitted. Further advancements have been made in the following areas:
 - Working with DANC to finalize the dark fiber build-out for the NBRC Catalyst Project
- Received the required MWBE Waiver for the County-wide Shared Services Initiative Project Implementation project. An informational session for municipal officials has been scheduled for May 6th to showcase the funding opportunities available for digital codification, websites, and emails.
- Developing four (4) Restore NY grant applications to restore and/or redevelop vacant properties across Lewis County.
- Working with Tug Hill Commission to facilitate a ZBA & Planning Board Training Workshop on April 11th

Public Transportation

- Submitted the 2023 LCPT 5311 Report as required by FTA and NYSDOT
- Preparing RFPs for Micro-transit Services and Transportation Operator Services
- Updated the 2024 Rider's Guides with updates to the Old Forge Route, JCC Connector, and Lowville Loop
- Total March Ridership: 2,631 – A decrease of 13% from March 2023
- Facebook Insights: New Followers: 13 | Total Followers: 990

Budget:

2024 budget for 8020-Planning and 5630-Bus Operations are on target

April 2024 Purchasing Department Report

We just recently opened these 2 bids, and they are both being reviewed before further action is taken.

RFP2024-106 Downtown Stabilization Project Steven's Block

RFP 2024-107 Hazard Mitigation Plan Update

On April 18th we will open bids replacement of various overhead doors at the courthouse and PSB Complex as part of the 2024 capital budget.

May 2nd is the planned bid opening for the reconstruction of Blue St. in Glenfield.

We are also working on the following items:

911 Towers Security Locks and Cameras

Demolition of House on the Osceola Road that is in the highway right of way.

There is currently a surplus auction that ends on April 19th with many items from the Highway Department. There is also plans for another auction for some surplus equipment from Recreation, Forestry, and Parks.

As always, please reach out if you have any questions.



Brian Hanno

Lewis County Purchasing Director

April 2024

Budget Report:

19.9% of the 2024 department budget has been used.

New Business:

RPTL §575-b Solar and Wind Model; Assessors and County Directors using the solar/wind valuation model provided by NYS are seeing an increase in the project value in the 2024 Model versus the prior years. I have seen an increase in the full value for projects here as well.

Assessors are finishing their field work and inputting values on the 2024 assessment roll. I will report next month on the 2024 tentative county taxable values.

Sales:

Sales are continually updated and are posted on the website around the 1st of each month. For the month of March, 96 transfers were processed consisting of 116 parcels, of which 7 were split parcel transfers.

911:

We have assigned and/or corrected 23 numbers since the March 2024 report.

End of Report

Workers' Compensation March 2024 Report

EXPENDITURES	3/1/24-3/31/24	TOTAL TO DATE	% USED
Administration	\$ 8,748.90	\$ 116,522.53	63.81%
Compensation & Medical Payments	\$ 113,039.71	\$ 221,766.34	28.07%
WCB Assessments	\$ -	\$ 26,751.97	16.72%

REVENUE			
State Reimbursements/Refunds	\$ -	\$ 25,830.39	20.66%
C.D. Interest*	\$ -		0.00%

*reported on a yearly basis

No. of incidents reported in March: 5

Total No. of current year incidents: 14

Number of claims with Compensation Payments

