

**REGULAR MEETING**  
**February 2, 2021**

The meeting was called to order at 5:00 p.m. by the Chairman of the Board Lawrence Dolhof.

Roll Call: All Legislators were present virtually as well as 8 other persons present.

Chairman Dolhof lead the Pledge of Allegiance to the Flag.

Chairman Dolhof welcomed Congresswoman Elise Stefanik and praised her for working tirelessly and advocating for Lewis County as well as the North Country Region as a whole.

Congresswoman Stefanik thanked Chairman Dolhof for the opportunity to connect with the Lewis County Legislators and update them. Last year she advocated for multiple Covid relief packages, one of which passed at the end of December, offers \$325 billion for small business through the Paycheck Protection Program (PPP) funding; \$5 billion to assist NYS Schools in the year 2021; \$170 million to assist Higher Education institutions; \$140 million for Hospitals in the North Country. There is a legislative issue that is being worked on in order to maintain the Critical Care Access designation for Lewis County General Hospital through a bipartisan bill which she reintroduced and will continue to advocate strongly for its adoption.

Congresswoman Stefanik gave an update on the Canadian border which has impacted many business and residents. She is advocating for more certainty and strongly metrics in a bipartisan effort to safely reopen the border, making sure CDP officers are vaccinated. The bill that was passed in December provides billions of dollars for vaccines. Vaccine distribution continues to be a problem for the North Country as the State is making the decision on where and how the vaccines are distributed and where the State vaccine sites are. She will continue to put pressure on the States Elected officials to make sure the vaccine is being distributed fairly to rural communities in the North Country. She will be reaching out to the President to request that cancer patients be prioritized in the CDC guidance with relation to vaccinations. There is ongoing discussion on the Democratic Covid relief package versus the Republican Covid relief package, both of which include aid to states and local government.

Legislator Hathway thanked Congresswoman Stefanik and her office staff for helping a resident of his district who reached out for help due to a real need. Congresswoman Stefanik reiterated that anyone who needs assistance can reach out to her office at any time.

Upon the request of Chairman Dolhof the Clerk of Board read Resolution No. 30-2021 entitled "Resolution in Support of Proposed "Protecting Rural Access to Care Act" Legislation introduced and Co-Sponsored by Congresswoman Stefanik and Congressman Delgado" which will be moved on later in the meeting. Chairman Dolhof thanked Congresswoman Stefanik again for joining the meeting and then excused her.

Chairman Dolhof declared the January 5, 2021 meeting minutes approved by general consent.

## REPORT OF THE FINANCE AND RULES COMMITTEE:

The Finance and Rules Committee had met and recommended to waive the rules to allow action on late resolutions.

Signed by: Ronald Burns  
Thomas Osborne  
Ian Gilbert  
Gregory Kulzer  
Phil Hathway

Dated: February 2, 2021

Legislator Hathway made a motion to waive the rules, seconded by Legislator King, and carried.

## PRESENTATION OF COMMUNICATIONS AND NOTICES:

A resolution was received from Cattaraugus County Opposing Closure of Gowanda Correctional Facility

## REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received the January 2021 Treasurer's report and Highway & Solid Waste Audit reports. Real Property Director Candy Akin and Country Treasurer Eric Virkler have filed approved applications for 2020 corrected tax rolls for property owners Kurt & Penny Dittl.

Brian Mooney submitted the December 2020 Sealer of Weights and Measurers activity reports which have been placed on file with the Clerk of the Board.

## REPORTS OF STANDING COMMITTEES:

Legislator King made a motion to authorize Highway Superintendent Timothy Hunt to send out an RFP for stone & gravel bids, seconded by Legislator Chartrand and carried.

Legislator King made a motion to authorize Sheriff Carpinelli to refill one (1) full-time Deputy Sheriff position effective immediately, seconded by Legislator Osborne and carried. Legislator Burns opposed.

Legislator King asked County Manager Ryan Piche for clarification on when this position came up. Ryan explained it was at the same time the full-time position came up. Legislator King made a motion to authorize Sheriff Carpinelli to refill one (1) part-time Deputy Sheriff position effective immediately, seconded by Legislator Osborne and carried. Legislator Burns opposed.

Legislator King made a motion to authorize District Attorney Leanne Moser to refill one (1) full-time Assistant District Attorney effective immediately, seconded by Legislator Virkler and carried. Legislator Gilbert abstained.

Legislator King clarified that the reason it took so long to refill the Sheriff's positions was that there was additional information requested from him and discussion on whether the position should be refilled or if the funds should be spent on hiring someone who could assist with the pandemic.

Legislator Moroughan made a motion to authorize Social Services Commissioner Jennifer Jones to refill one (1) full-time Caseworker position due to resignation effective immediately, second by Legislator Chartrand and carried.

Legislator Moroughan made a motion to authorize Social Services Commissioner Jennifer Jones to refill one (1) full-time Fraud Investigator position due to resignation effective immediately, seconded by Legislator Virkler and carried.

Legislator Moroughan made a motion to authorize Social Services Commissioner Jennifer Jones to refill one (1) full-time Employment and Training Assistant position effective immediately, seconded by Legislator Hathway and carried.

Lewis County General Hospital CEO Jerry Cayer reported that 51% of the Hospital staff have been vaccinated, 35% have signed a declination letter stating they do not wish to get the vaccine; 12% are currently undecided; and 2% are no longer employed with the Hospital. Mr. Cayer plans to follow up with each of the undecided employees. The second dose clinics are going very well and Public Health has been great to partner with on this.

Mr. Cayer spoke about the Medicare Compare website which allows residents to view quality reports, which address both quality and patient satisfaction for services provided at the hospital. Lewis County General Hospital is currently receiving 3 out of 5 stars, which shows the improvement in 2020.

#### COUNTY MANAGER REPORT:

Ryan reported that our counties Covid active cases went from 250 down to 125 cases, he attributed this to community members and the commercials that the Board approved putting out. To date there have been over 2,000 vaccines given to Lewis County residents. Public Health received 300 additional vaccines this week and there will be more information coming out on how residents can access those.

The State Budget has been watched closely and the fiscal year end as of March 31, 2021. The state still has a 4.8 billion dollar shortfall, but the good news for counties is that the 20% withholding on various funding streams from the State will change to only a 5% cut. The State is counting on 1.2 billion dollars in Medicaid savings. The 2022 fiscal year begins on April 1, 2021 and that budget has a 15 billion dollar gap, which will be decreased by 3.6 billion dollars in spending cuts including 5% cuts to local governments; delayed implementation of tax cuts, which should equate to a savings of 2 billion dollars; and 4.5 billion dollars in unrestricted aid, although they are asking the Federal Government for the full 15 billion.

There will be a 20% reduction in AIM program, which will hurt the Towns and Villages as it was just cut two years ago by 20%. The State sales tax diversion payment for the AIM program will still remain the same for the counties. The Governor has proposed to legalize adult use cannabis, which will require in depth discussions locally on how to handle this for different zoning. One benefit of the legalization is that there will be local sales tax on this which could create additional revenue.

Another positive in the proposed 2022 State budget is that it will renew the ISEP funding to assist those residents that are on a waiting list for home care assistance. Another thing to look out for is that the State is going to extend prevailing minimum wages for renewal energy projects greater than 25 megawatts, like wind and solar, which will affect upcoming projects in Lewis County. The Downtown Revitalization Initiative (DRI) funding has been restored, so we will be submitting another application in hopes of receiving the award for our region.

One update from the Federal Government is the expansion of FMAP funding, which is basically our share of Medicaid Administration funds, and it is being expanded into Quarter 3 of 2021 with an enhanced payment to county governments. This will also reduce our IGT payments from 50% down to 43%. The Governor is proposing regional jails and a 1% cut in Medicaid across the board. There are many agencies in Lewis County who depend on Medicaid reimbursement.

Legislator Kulzer asked if the County was moving forward with the clinic this week and Ryan explained that they were, but the details are still being worked out and a press release will go out to the public prior to the event. Legislator Kulzer stated that he would be volunteering at the clinic. Legislator Osborne asked if the number of vaccines that were given included the Kinney's numbers as well, Ryan responded that it did. Chairman Dolhof clarified that the press release for the vaccine clinic was moved from tomorrow to Thursday.

#### COUNTY TREASURER REPORT:

Treasurer Eric Virkler highlighted the sales tax information with a 2020 total to date of \$12,847,730.74, which is just a little below the total for 2019 but there is one last payment expected which could surpass the 2019 amount. Eric explained making a one time change that would start including the last payment of the previous year into the current year which is how NYSAC budgets. It would keep things consistent with NYSAC but he will check with the Auditors to see if this makes sense as it is a change to past accounting practices.

The investments seem to be doing well and hopefully we will see the results of those changes in the upcoming months. Legislator Hathway asked that if Eric presents this sales tax payment change to please explain what the advantages would be. Eric explained how it was done in the past and that it would just be changing it to follow the way NYSAC reports payments to keep it consistent going forward.

#### REPORT OF THE FINANCE AND RULES COMMITTEE:



**RESOLUTION NO. 11 – 2021**  
**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 \$ 1,992,093.07 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 King, seconded by Legislator Kulzer, and adopted on the 2<sup>nd</sup> day of February, 2021 by the following roll call vote:

AYES: Chartrand, Gilbert, Moroughan, Burns, Kulzer, Virkler, Osborne, Hathway, King, Dolhof

NAYS:

ABSENT:

**RESOLUTION NO. 12 - 2021**  
**RESOLUTION AUTHORIZING AGREEMENT**  
**BETWEEN THE COUNTY OF LEWIS AND**  
**FOURTH COAST INC-ST. LAWRENCE ENGINEERING DPC**  
**FOR THE PUBLIC SAFETY BUILDING HVAC SYSTEM PROJECT**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the Buildings & Grounds Supervisor sought input from the General Services Committee to have Fourth Coast Inc.- St. Lawrence Engineering, DPC from Clayton, NY, to provide professional engineering consultation services for a study and report phase of the PSB HVAC system Project, to include a review the BC&A report on the PSB HVAC system, review and evaluation of the system with options for boiler replacement, AC equipment replacement, and to provide a summary report and cost estimates for alternatives, as more fully set forth in their proposal letter dated July 30, 2020, at an anticipated cost not to exceed \$20,000.00. The proposal does not include fees for design, bidding documents and construction phase engineering/consultant work; and

WHEREAS, the committee authorized moving forward with Fourth Coast to review and inspect the HVAC system with cost estimates for upgrade or replacement alternatives; and

WHEREAS, the Board of Legislators wishes to accept such professional services and enter into an agreement for same;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves an Agreement between the County of Lewis and Fourth Coast Inc – St. Lawrence Engineering DPC, with offices at 745 Graves Street, Clayton, NY 13624, to provide a Study and Report Phase of professional scope of services on the PSB HVAC system, including, but not limited to review of design drawings, data, airflow data and capacities, temperature controls, indoor air quality and purification, boiler function and efficiency, to be summarized in a report with cost estimates for alternatives.

Section 2. That the term of the agreement is retroactive to August, 2020 and shall continue through March, 2021, at a cost not to exceed \$20,000.00, based upon hourly rates set forth in the proposal dated July 30, 2020.

Section 3. That the Chairman, Vice-Chairman of the Board of Legislators, or the County Manager 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 Kulzer , seconded by Legislator Osborne , and adopted on the 2<sup>nd</sup> day of February, 2021.

**RESOLUTION NO. 13 – 2021**  
**RESOLUTION APPOINTING MEMBER TO**  
**SUBSTANCE USE DISORDER SUB-COMMITTEE OF**  
**COMMUNITY SERVICES BOARD**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Scott Mathys of Lowville, NY as a member of the Substance Use Disorder Sub-Committee of the Community Services Board.

Section 2. That the term of said appointment shall be effective January 1, 2021 through December 31, 2024.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Kulzer , seconded by Legislator Osborne , and adopted on the 2<sup>nd</sup> day of February, 2021.

**RESOLUTION NO. 14 - 2021**  
**RESOLUTION APPROVING PLACEMENT OF A STOP SIGN ON THE**  
**PARKER ROAD AT THE INTERSECTION OF COUNTY ROUTE 27**  
**IN THE TOWN OF MONTAGUE**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, pursuant to NYS Vehicle and Traffic Law § 1651, the County Superintendent of Highways may, *inter alia*, designate any intersection of a county road with another county road or town highway as a stop intersection and order like signs at the entrances to such intersection; and

WHEREAS, the General Services Committee has reviewed with the Highway Superintendent a proposed change to the orientation of a road sign at the intersection of Parker Road and County Route 27 in the Town of Montague; and

WHEREAS, the Town of Montague, by Resolution, authorized the placement of a stop sign on the Parker Road where it intersects with County Route 27, and the County Superintendent of Highways supports and recommends placement of the stop sign at that location upon approval of the Board of Legislators;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves and directs the placement of a stop sign on the Parker Road where it intersects with County Route 27 in the Town of Montague.

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

Moved by Legislator Kulzer , seconded by Legislator Osborne , and adopted on the 2<sup>nd</sup> day of February, 2021.

**RESOLUTION NO. 15 - 2021**  
**RESOLUTION TO TRANSFER FUNDS**  
**County Highway Department**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2021 budget transfer be approved in the Highway Department accounts for various annual lease payments, funds will be transferred from Project HAD Capital Equipment H0990100 499900:

Increase Revenue:

DM513000 350310	\$132,051.16
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Increase Expense:

DM513000 223300	\$132,051.16
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Kulzer , seconded by Legislator Kulzer , and adopted on the 2<sup>nd</sup> day of February, 2021.

**RESOLUTION NO. 16 - 2021**  
**RESOLUTION ESTABLISHING AND ADOPTING**  
**COVID-19 PANDEMIC ACCRUED BENEFIT TIME POLICY**

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

WHEREAS, as a result of COVID-19 pandemic and executive orders affecting the Lewis County government workforce, a number of employees who have assisted in the pandemic response have been unable to utilize accrued vacation and personal benefit time; and

WHEREAS, the attached policy, which addresses the options employees who have assisted in the pandemic response and subsequently lost accrued vacation and personal benefit time, has been created for consideration by the Lewis County Board of Legislators for approval and adoption; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves and adopts the COVID-19 Pandemic Accrued Benefit Time Policy as presented to the Board of Legislators by the Director of Human Resources.

Section 2. That the Director of Human Resources is hereby directed to distribute copies of same to employees by email or hard copy.

Section 3. That the Clerk of the Board is directed to add the policy to the Administrative Manual and Personnel Handbook, and any other appropriate manual, upon such form as may be approved by the County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of February, 2021.



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### **Lewis County COVID-19 Pandemic Accrued Benefit Time Policy**

The intent of this policy is to provide dedicated employees who have assisted in the COVID-19 pandemic response and have maxed out on the accrued vacation and personal benefit time in 2020 with the ability to recover that foregone time. Notwithstanding the foregoing, employees should be mindful of the personal benefits of using vacation time as provided by the County, even during the pandemic demands so that vacation time is not lost.

The current Lewis County Vacation Policy allows employees to accumulate vacation time as follows: Accumulated vacation time will be permitted up to a maximum of 30 days which equals 210 hours for 35 hour a week full-time employees and 240 hours for 40 hour a week full-time employees. The maximum accumulated vacation time for part-time employees shall be 12 days which equals 84 hours for 7 hour per day employees and 96 hours for 8 hour per day employees.

Employees who have assisted in the pandemic response and subsequently lost accrued vacation and personal benefit time will have the opportunity to:

(A) Be eligible to receive the lost accrued vacation and personal benefit time as a result of COVID-19 work from the time Lewis County entered into a State of Emergency, March 16, 2020\* in a one-time lump sum payment. Employees will be required to fill out a payout request form (due by 2/12/21) to be approved by their Department Head, the Human Resource Director, and the County Manager.

A separate check will be issued with payroll for this activity. This payment will be considered an additional payment and will be taxed accordingly; **OR**

(B) Be eligible to rollover the lost accrued vacation and personal benefit time from March 16, 2020\* into a separate vacation bank. If not used, this accrued time will expire on December 31, 2021. Employees seeking to create a time bank will be required to fill out a request form (due by 2/12/21) to be approved by their Department Head, the Human Resource Director, and the County Manager.

Additionally, employees who assist in the pandemic response and have reached their maximum accrual for vacation time will have the opportunity for a one-time option to sell back one week (5 days) of vacation time to allow for continued accruals. An employee seeking to sell back time will be required to fill out a request form (2/12/21) to be approved by their Department Head, the Human Resource Director, and the County Manager.

A separate check will be issued with payroll for this activity. This payment will be considered an additional payment and will be taxed accordingly.

**\*Date of eligibility for lost time will be no earlier than 3/16/20 and will not extend beyond 2/12/21, and will be determined by the employee's role and time spent on COVID-19 efforts that prevented the use of vacation time. The final decision will be with the County Manager.**

**RESOLUTION NO. 17 - 2021**  
**RESOLUTION TO APPROPRIATE FUNDS**  
**Information Technology Department**

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

BE IT RESOLVED as follows:

Section 1. That the following 2021 budget appropriation take place to the Capital Data Processing account, with funds being transferred from A0990100 994000:

Increase Revenue:

H0990100 3530310	\$ 50,000
Project HAE	

Increase Expense:

H0990100 499900	\$ 50,000
Project HAE	

Section 2. That the following 2021 budget transfer be approved in the Information Technology Department accounts for purchases related to a network server project with an estimated cost of \$128,000.00, with funding to come from Project HAE Capital Equipment H0990100 499900:

Increase Revenue:

A0168000 350310 Interfund transfers	\$128,000.00
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Increase Expense:

A0168000 221700 IT Computer	\$119,500.00
A0168000 490100 IT Prof Services	\$ 8,500.00

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of February, 2021.

**RESOLUTION NO. 18 - 2021**  
**RESOLUTION TO SET A PUBLIC HEARING WITH REFERENCE TO**  
**INCLUSION OF AGRICULTURALLY VIABLE LAND INTO THE CERTIFIED**  
**AGRICULTURAL DISTRICT # 6**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the Lewis County Board of Legislators, in accordance with § 303-b of the Agricultural and Markets Law, designated November 15 to December 15 as the annual thirty (30) day review period in which a landowner may submit requests for inclusion of predominately viable agricultural land within a Certified Agricultural District; and

WHEREAS, the Lewis County Planning Department received two (2) applications for inclusion of properties into Agricultural District # 6 located in the Town of New Bremen, Tax Map Parcel No. 165.00-01-23.000 owned by Charles R. Farney, John A. Farney and Timothy J. Baker (approximately 47.3 acres); and Tax Map Parcel No. 148.00-01-11.120 owned by Timothy J. Baker and Amy Baker, (approximately 37.12 acres); and

WHEREAS, the Planning Department duly forwarded the applications to the Lewis County Agricultural and Farmland Protection Board, who conducted a site visit to verify that the parcels proposed are “viable agricultural land,” and meet the eligibility requirements for inclusion into a Certified Agricultural District and to thereafter report to the Lewis County Board of Legislators with a recommendation for or against inclusion; and

WHEREAS, in accordance with § 303-b of the Laws of 2003 amended NYS Agricultural and Markets Law, the Lewis County Board of Legislators seeks to set the public hearing to consider these requests;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on March 2, 2021 at 5:00 p.m. for the purpose of receiving public comment to consider the requests and recommendations of the Lewis County Agricultural and Farmland Protection Board, for inclusion of the two (2) properties located in the Town of New Bremen, Tax Map Parcel No. 165.00-01-23.000 owned by Charles R. Farney, John A. Farney and Timothy J. Baker (approximately 47.3 acres) and Tax Map Parcel No. 148.00-01-11.120 owned by Timothy J. Baker and Amy Baker (approximately 37.12 acres), into Agricultural District # 6.

Section 2. That the hearing will be held virtually at the Board’s regular meeting on Tuesday, March 2, 2021 at 5:00 p.m. Anyone wishing to comment should go to the county’s webpage at [www.lewiscounty.org](http://www.lewiscounty.org) and look in the calendar section at the bottom of the page for the link to join the meeting (the link will be posted the day before the scheduled meeting).

Section 3. 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 Kulzer, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of February, 2021.

**RESOLUTION NO. 19 - 2021**  
**RESOLUTION TO SET PUBLIC HEARINGS TO**  
**OBTAIN PUBLIC INPUT WITH REFERENCE TO TWO SEPARATE**  
**COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATIONS**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis desires to submit two (2) Consolidated Funding Applications for Community Development Block Grants (CDBG) for a microenterprise grant fund program in an amount not to exceed \$200,000.00, and for CDBG Community Planning funding for countywide Housing Needs Assessment and Market Analysis in order to develop effective strategies that address current and future housing needs for all income levels; and

WHEREAS, citizen participation requirements of the programs mandate the County to conduct public hearings prior to submission of applications for the purpose of obtaining citizens' views and responding to proposals and questions; and

WHEREAS, the Board of Legislators wishes to set the simultaneous public hearings on these applications to obtain the views of citizens on proposed funding prior to submission of the applications;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby sets a virtual public hearing (as a result of temporary restrictions on large gatherings due to COVID-19) to solicit the views of County of Lewis citizens regarding: 1) Consolidated Funding Applications for Community Development Block Grant applications for a small business loan/grant in an amount not to exceed \$200,000.00; and 2) CDBG Community Planning funding for a countywide Housing Needs Assessment and Market Analysis in an amount not to exceed \$50,000.00 (with the required 5% cash local match paid from 2021 Community Development Funds).

Section 2. That the hearings will be held virtually and simultaneously at the Board's regular meeting on Tuesday, March 2, 2021 at 5:00 p.m. Anyone wishing to comment should go to the county's webpage at [www.lewiscounty.org](http://www.lewiscounty.org) and look in the calendar section at the bottom of the page for the link to join the meeting (the link will be posted the day before the scheduled meeting).

Section 3. That public notice of the hearings shall be advertised in accordance with law at least seven (7) days prior to the hearing date.

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of February, 2021.

**RESOLUTION NO. 20 - 2021**  
**RESOLUTION APPOINTING MEMBER TO**  
**LEWIS COUNTY FAIR HOUSING TASK FORCE**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, by Resolution No. 508-2016, the Lewis County Board of Legislators designated the Lewis County Planning Director as the Lewis County Fair Housing Officer and HUD Section 3 Coordinator, and authorized the Planning Director to engage in activities required to maintain compliance with HUD regulations and implementation of fair housing education and enforcement resources; and

WHEREAS, pursuant to the 2016 report, fair housing education and enforcement resources were identified, *inter alia*, as areas to be improved upon in Lewis County, with the recommendation that not only the County Planning Director be named the local fair housing officer, but to also establish a fair housing task force comprised of representative members with affiliated interests in housing, (*such as* representative from the office for the aging, mortgage lenders, real estate sales, non-profit housing, religious organizations, apartment rental agencies, housing construction industry, trade laborers); and

WHEREAS, the task force will assist to promote fair housing choice for all persons in the County and reaffirm a commitment to equal opportunity for residents to live in safe, decent housing;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby appoints Jaylyn Yuhas-Heames, Executive Director of Snow Belt Housing Company, Inc. to replace Cheryl L. Shenle-O'Neill on the Lewis County Fair Housing Task Force.

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of February, 2021.

**RESOLUTION NO. 21 - 2021**  
**RESOLUTION APPROPRIATING FUNDS FOR 2020/2021 STOP DWI PROGRAM**  
**AND AUTHORIZING STIPEND FOR ADMINISTRATIVE ASSISTANT SERVICES**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, Vehicle & Traffic Law § 1197 authorizes the development of a program to coordinate the efforts of interested parties and agencies in the formulation and execution of alcohol traffic safety programs including enforcement, adjudication, rehabilitation and education; and

WHEREAS, in 2019, the Lewis County Board of Legislators designated Matthew Morrow (now Director of Probation) as the DWI Coordinator for Lewis County, and approved a stipend of \$5,000.00 in monthly installments to be paid to him for said additional services; and

WHEREAS, the County STOP-DWI program is completely funded by revenues received from DWI fines and grant funding from the NYS STOP-DWI Foundation, Inc. The county program is submitted to the State for approval, with monies under the program only to be spent on DWI related expenses and administration of the program; and

WHEREAS, in October, 2020, the Probation Director was advised that the county program would be entitled to \$17,000.00 in grant funds for use under Crackdown Enforcement activities for the period from October, 2020 through September, 2021, which the Director seeks to appropriate at this time; and

WHEREAS, the 2021 Probation Department budget included a stipend of \$1,200.00 in compensation to be paid to the Administrative Assistant, for the additional administrative services provided under the NYS STOP-DWI program, to be paid in monthly installments commencing and retroactive to January, 2021; and

WHEREAS, the Lewis County Board of Legislators seeks to appropriate the NYS crackdown grant funds and authorize the administrative stipend;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves a 2021 stipend of \$1,200.00 to be paid in monthly installments retroactive to January, 2021, to the Administrative Assistant in the Probation Department, to perform such administrative tasks as outlined in the STOP-DWI program developed by the Probation Director and approved by New York State, consistent with VTL § 1197.

Section 2. That the following appropriation take place in the STOP DWI accounts for NYS STOP-DWI October, 2020 – September, 2021 “Crackdown” grant funds:

Increase Revenue:

A0331500 333110 Traffic Safety Grant

\$17,000.00

Increase Expense:

A0331500 492400 DWI Safety Grant

\$17,000.00

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of February, 2021.

**RESOLUTION NO. 22 - 2021**  
**RESOLUTION AUTHORIZING AGREEMENT**  
**BETWEEN DEPARTMENT OF PROBATION AND**  
**RUBENZAHL, KNUDSEN & ASSOCIATES PSYCHOLOGICAL SERVICES, P.C.**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the Lewis County Probation Department (“LCPD”) wishes to enter into an Agreement with Rubenzahl, Knudsen & Associates Psychological Services, P.C., to provide sex offender evaluations and counseling services for individuals and psychological evaluations and treatment for juvenile delinquents/adolescent offenders when required; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Lewis County Probation Department, and Rubenzahl, Knudsen & Associates Psychological Services, P.C., to provide sex offender evaluations and counseling services for individuals and psychological evaluations and treatment for juvenile delinquents/adolescent offenders when required.

Section 2. That the term of this agreement shall be January 1, 2021 through December 31, 2021 at the following fees:

SEX OFFENDER ASSESSMENT AND THERAPY	PSYCHOLOGICAL SERVICES FOR JUVENILE DELINQUENTS
\$75.00 per session for group therapy	\$90.00 per hour for therapy
\$110.00 per hour for individual therapy	\$125.00 per hour for psychological evaluations
\$550.00 per completed sex offender assessment (Youth & Adult)	\$75.00 per hour for clients receiving group treatment
	\$150.00 per hour for expert court testimony
	\$90.00 per session, to include RKPS presence at monthly clinical treatment team meeting if applicable

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

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of February, 2021.

**RESOLUTION NO. 23 – 2021**  
**RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS**  
**WITH REFERENCE TO PUBLIC HEALTH AGENCY**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, as a result of Covid-19 pandemic and the increase in positive cases in Lewis County requiring contact tracing, quarantining and monitoring under the Lewis County Public Health Agency, the Public Health Director requests immediate workload assistance by the hiring of temporary per diem staff;

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 Public Health Agency to create and authorize the following temporary positions, commencing February 3, 2021 for a period of six months and subject to re-evaluation of need for continuation up to a maximum of eighteen (18) months, with no benefits, at the following compensation rates:

<u>TITLE</u>	<u>STATUS</u>	<u>COMPENSATION RATE</u>
Public Health Program Assistants (5)	Temporary Per Diem	\$18.00/hour

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of February, 2021.

**RESOLUTION NO. 24 - 2021**  
**RESOLUTION AUTHORIZING PUBLIC PARKING LOT LEASE**  
**WITH DIANA LAND MANAGEMENT, LLC**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, Diana Land Management, LLC is the owner of certain real property, located near the intersection of Goose Pond Road and Snowmobile Trail S84B in the Town of Diana, a portion of which is used as a public parking area for recreational users; and

WHEREAS, the County desires to enter into an agreement with the owner to lease the designated area on its property as a public parking area for recreational users, so that the recreational public can have a safe parking area off of the road; and

WHEREAS, the owner has graciously offered the property for lease by the County for this public purpose without monetary consideration;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves a lease between Diana Land Management, LLC and the County for the purpose of using the following premises as recreational public parking, to commence upon execution of the agreement and continue until mutual agreement otherwise:

On a portion of the land owned by Diana Land Management, LLC located at the intersection of Goose Pond Road and Snowmobile Trail S84B, identified as Tax Map No.: 021.00-01-06.200, and being approximately .25 acres.

Section 2. The Chairman or the Vice-Chairman be and the same is hereby authorized to execute and deliver such agreement upon such terms as may be approved by the County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of February, 2021.

**RESOLUTION NO. 25 - 2021**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN**  
**LEWIS COUNTY SHERIFF'S DEPARTMENT**  
**AND TRANSITIONAL LIVING SERVICES**  
**OF NORTHERN NEW YORK**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, pursuant to Correction Law § 500-c, the Lewis County Sheriff ("Sheriff") is responsible for the custody of inmates in the Lewis County Public Safety Building; and

WHEREAS, in such capacity, the Sheriff is charged with providing mental health counseling or other related mental health services for the inmates in the Sheriff's custody; and

WHEREAS, Transitional Living Services of Northern New York ("TLS") has offered to continue those services for the inmates at Lewis County Public Safety Building; and

WHEREAS, the Sheriff requests the Board of Legislators authorize a renewal contract with Transitional Living Services of Northern New York for said service;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract by and between the County of Lewis and Transitional Living Services of Northern New York, to provide mental health counseling or other related mental health services for the inmates in the Sheriff's custody for the term beginning January 1, 2021 and ending December 31, 2021 at a cost of \$150.00 per hour with two (2) regularly scheduled sessions on Tuesday's 8:00 a.m. to 9:00 a.m., and Thursday's from 8:00 a.m. to 10:00 a.m.; together with other terms and provisions set forth in the agreement.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as may be approved by the County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of February, 2021.

**RESOLUTION NO. 26 - 2021**  
**RESOLUTION TO APPROPRIATE FUNDS**  
**Solid Waste Department**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2021 budget amendments take place in the Solid Waste Department accounts for various changes to improve accounting information within Munis:

Increase Expenses:

ES816000 490500 SW Recycling Exp	\$ 70,000.00
ES816000 490700 SW Refuse Exp	\$940,000.00

Decrease Expenses:

ES816000 490100 SW Professional Serv	\$940,000.00
ES816000 490900 SW Misc Exp	\$ 56,288.00
ES816000 430300 SWUtilities	\$ 1,000.00
ES816000 430400 SW Fuel Oil	\$ 2,000.00
ES816000 440700 SW Oper Supplies	\$ 5,480.00
ES816000 460300 SW Bldg Repairs	\$ 1,000.00
ES816000 460500 SW Equip Repairs	\$ 1,000.00
ES816000 470100 SW Vehicle Repairs	\$ 3,232.00

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

Moved by Legislator Kulzer , seconded by Legislator Osborne , and adopted on the 2<sup>nd</sup> day of February, 2021.

**RESOLUTION NO. 27 – 2021**  
**RESOLUTION APPOINTING MEMBER TO**  
**TRAFFIC SAFETY BOARD**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Timothy Hunt, Lewis County Highway Superintendent, Lowville, New York 13367, to fill the un-expired term of Warren Shaw as a member of the Lewis County Traffic Safety Board:

Section 2. That the term of said appointment shall be effective from February 3, 2021 through December 31, 2021.

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of February, 2021.

**RESOLUTION NO. 28 – 2021**  
**RESOLUTION TO TRANSFER FUNDS**  
**ENTERPRISE VEHICLE LEASES**

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

BE IT RESOLVED as follows:

Section 1. That the following 2021 budget transfers are hereby approved in Department Accounts for annual Enterprise vehicle lease payments, utilizing Project HAD Capital Equipment H0990100 499900 (for General Fund and Highway Fund only):

**GENERAL FUND**

Increase Revenue:

A0100000 350310 Inter-fund transfers	\$13,950.00
A0601000 336100 DSS State Admin	\$13,950.00
A0601000 346100 DSS Fed Admin	\$27,900.00
A0100000 350310 Inter-fund transfers	\$9,300.00
A0100000 350310 Inter-fund transfers	\$4,500.00
A0100000 350310 Inter-fund transfers	\$17,500.00
A0100000 350310 Inter-fund transfers	\$14,700.00
A0100000 350310 Inter-fund transfers	\$10,500.00
A0100000 350310 Inter-fund transfers	\$7,800.00
A0100000 350310 Inter-fund transfers	\$58,000.00
A0100000 350310 Inter-fund transfers	<u>\$5,900.00</u>
	\$184,000.00

Increase Expense:

A0601000 223400 DSS Vehicle Lease	\$55,800.00
A0314000 223400 Probation Vehicle Lease	\$9,300.00
A0101000 223400 Legislative Vehicle Lease	\$4,500.00
A0677200 223400 Office For Aging Vehicle Lease	\$17,500.00
A0401300 223400 Public Health Vehicle Lease	\$14,700.00
A0362000 223400 Building Codes Vehicle Lease	\$10,500.00
A0162000 223400 Bldgs & Grnds Vehicle Lease	\$7,800.00
A0311000 223400 Sheriff Vehicle Lease	\$58,000.00
A0661000 223400 Weights and Measures Veh Lease	<u>\$5,900.00</u>
	\$184,000.00

**HIGHWAY FUND**

Increase Revenue:

DM513000 350310	\$118,500.00
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Increase Expense

DM513000 223400	\$118,500.00
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SOLID WASTE ENTERPRISE

Increase Revenue  
ES816000 350310

\$ 6,300.00

Increase Expense  
ES816000 223400

\$ 6,300.00

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

Moved by Legislator Kulzer , seconded by Legislator Osborne , and adopted on the 2<sup>nd</sup> day of February, 2021.

**RESOLUTION NO. 29 - 2021**  
**RESOLUTION TO WAIVE ALL MARCH, 2021 HEALTH INSURANCE PREMIUM**  
**CONTRIBUTIONS FOR ALL PARTICIPANTS IN**  
**THE LEWIS COUNTY HEALTH PLAN**

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

WHEREAS, the County of Lewis established and maintains the Lewis County Health Plan; a self-funded health insurance program for its employees and eligible retirees; and

WHEREAS, pursuant to Resolution No. 512-2018, the Lewis County Board of Legislators approved and adopted the Plan Administrator's (Treasurer) and County Manager's recommendation for an annual analysis and review of the LC Health Plan by the county administration in consultation with its Third Party Administrators, based upon an analysis of medical and pharmacy claims along with budget data on national and regional trends; and

WHEREAS, the health insurance committee met with its Third Party Administrators, with the Treasurer reporting that the internal service fund has a balance of approximately \$8,200,000.00, with a recommended minimum of \$4,000,000; that the 2021 budget did not increase the health care premiums; and that a waiver of premium payments by all participants for two (2) pay periods in March, 2021 was recommended and warranted; and

WHEREAS, the health insurance committee requests that the Lewis County Board of Legislators authorize a waiver of premium contributions to the health insurance plan for the pay periods in March, 2021 for all participants, including active employees (Hospital and County), eligible retirees, and the County/Hospital as employers; all of whom are all participants in the plan;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves and authorizes a waiver of premium contributions to the Lewis County Health Plan by all participants in the plan for the month of March, 2021 (two bi-weekly pay periods).

Section 2. That the Treasurer's office is directed to make such adjustments as indicated by this waiver.

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

Moved by Legislator Kulzer, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of February, 2021.

**RESOLUTION NO. 30 - 2021**  
**RESOLUTION IN SUPPORT OF PROPOSED “PROTECTING RURAL ACCESS TO CARE ACT” LEGISLATION INTRODUCED AND CO-SPONSORED BY CONGRESSWOMAN STEFANIK AND CONGRESSMAN DELGADO.**

Introduced by Legislator Philip Hathway, District 1 Representative.

WHEREAS, the Lewis County General Hospital/ Lewis County Health System (LCHS) plays a vital role in providing local access to critical health care services for Lewis County residents and their neighbors in other North Country communities; and

WHEREAS, without the Critical Access Hospital designation and certification, LCHS is subject to the loss of enhanced reimbursement rates, which are critically important and essential to LCHS being able to operate and provide healthcare services in our rural community. Without this designation and financial support, Lewis County patients would have to travel long distances to receive vital care; and

WHEREAS, in 2015 the Centers for Medicaid and Medicare Services (CMS), made a policy change that narrows the eligibility criteria for hospitals to certify or recertify as Critical Access Hospital (CAH) under the 15-mile, secondary road standard. The distance change in the regulations cause the North Country rural hospitals who provide these essential healthcare services to be in danger of losing their certification/recertification and funding as a Critical Access Hospital, including LCHS; and

WHEREAS, the proposed legislation introduced by Congresspersons Stefanik and Delgado, known as the “Protecting Rural Access to Care Act” (PRACA) will permanently restore the pre-2015 distance standard and requirement for Critical Access Hospitals designations for certification or recertification; will require notice and comment to be held before any future regulation changes to designation criteria; and will ensure that unless any formal update to distance criteria is finalized, hospitals seeking Critical Access Hospital certification/recertification will proceed under the pre-2015 standard; and

WHEREAS, the LCHS Chief Executive Officer and the Board of Managers are in favor of this legislation and urge the Lewis County Board of Legislators to voice their support of same as well;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby supports the “Protecting Rural Access to Care Act”, and applauds Congresswoman Stefanik and Congressman Delgado in co-sponsoring this legislation, which will allow the LCHS to be recertified as a Critical Access Hospital based upon distance standards set prior to 2015, and thereby allow LCHS to receive vital enhanced reimbursement rates necessary for the hospital to continue operations and healthcare services in rural Lewis County.

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

Section 3. That the Clerk of the Board is directed to forward a certified copy of this resolution to US Congresswoman Elise Stefanik, US Congressman Antonio Delgado, the Majority and Minority Leaders of the US Senate and US House of Representatives, and all others deemed appropriate by the Board of Legislators.

Moved by Legislator Hathway, seconded by Legislator Osborne, and adopted on the 2<sup>nd</sup> day of February, 2021.

OTHER BUSINESS:

There being no other business to come before the Board, Legislator Chartrand made a motion to adjourn the meeting at 5:54 p.m., seconded by Legislator King and carried.