

REGULAR MEETING
March 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 and then declared the February 2, 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: March 2, 2021

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

PRIVILEGE OF THE FLOOR:

Chairman Dolhof opened the public hearing session at 5:04 p.m. on submitting a Community Development Block Grant application for the NYS Office of Community Renewal for a Countywide Housing Needs Assessment and Market Analysis; submitting a Community Development Block Grant application to the NYS Office of Community Renewal for a Microenterprise Grant Program; and Inclusion of Two (2) properties for Agricultural District #6.

The following information was given for the Community Development Block Grant public hearings: All comments received before and during this public hearing will be read into the record, however, comments may still be submitted up until March 4, 2021 at 5:00 p.m. to the Clerk of the Board at cassandramoser@lewiscounty.ny.gov or at 7660 North State Street, Lowville, NY 13367 in accordance with OCR guidelines.

Lewis County wishes to apply to the NYS Office of Community Renewal for funding through the Community Development Block Grant Program to develop a countywide Housing Needs Assessment and Market Analysis. This project will not only confirm and investigate existing housing issues, but it will define the appropriate solutions that address the county's needs. While housing needs for all income levels will be addressed, careful attention will be given to low-to moderate- income residents, including our seniors, homeless, disabled, labor force and young families. Recommendations from this study will provide public and private entities with the tools they need to leverage future grant initiatives and plan for future initiatives,

projects and development. The Lewis County Department of Planning and Community Development would be responsible for the administration and implantation of this \$50,000 grant, if awarded.

A Housing Needs Assessment and Market Analysis are needed to evaluate Lewis County's current housing inventory and any gaps or challenges related to affordability, access, and adequacy. Approximately 37.1% of Lewis County residents qualify as low- and moderate-income according to the 2011-2015 ACS 5-year estimate. Housing costs often disproportionately burden LMI individuals. Thus, a key goal of the assessment is to measure affordable housing availability, as well as its proximity to transportation, employment opportunities, and other important services and amenities. Detailed information on housing stock age and condition will guide investment and outreach for programs involving renovations, energy efficiency improvements, and clean energy upgrades to reduce residential utility costs and meet New York State's ambitious climate goals.

Lewis County is applying for \$200,000 in CDBG Microenterprise funding to establish a grant program for microenterprises, small businesses and entrepreneurs looking to expand or start their businesses. If awarded, the program will provide grants between \$5,000 and \$35,000 to microenterprises who meet low-to-moderate income guidelines or can create a new job to be made available to a low-to-moderate income individual.

The Lewis County IDA will be the subrecipient and administrator of this program, as they are in the final stages of closing out the existing 2018 CDBG Microenterprise Grant Program. From this program, grant funds have benefitted three new small businesses, and three existing businesses with equipment purchases to expand or start their businesses. If this application is awarded, the IDA will continue to market the program to small businesses and entrepreneurs to expand services, products, and jobs within Lewis County.

There were no public comments made or received at this time.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

A card was received from the Lyons Falls Historical Association thanking the Board of Legislators for the \$1,000,000 budget appropriation. The January 28, 2021 minutes from the Intercounty Legislative Committee of the Adirondacks were received.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received the February 2021 Treasurer's report and Highway & Solid Waste Audit reports. Real Property Director Candy Akin and County Treasurer Eric Virkler have filed approved applications for 2020 corrected tax rolls for property owners Crooked Lake Timber, LLC and Rensma Timberland, LP.

The 2020 Annual reports have been received from Board of Elections; Buildings & Grounds; Civil Service; Community Services; County Clerk; Emergency Management; Fire & Building Codes; Highway; Information Technology; Junkyard; Office For the Aging; Planning;

Probation; Real Property Tax; Solid Waste; Recreation, Forestry & Parks; Treasurer; Veterans Services Agency; Weights & Measures; and Workers' Compensation.

Brian Mooney submitted the January 2021 Sealer of Weights & Measures activity reports which have been placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator Osborne made a motion to approve the Insurance renewal package with Eastern Shore Associates through NYMIR for the period of April 5, 2021 through April 4, 2022 for a total premium of \$207,447.00 and to increase the Health Care Professional Liability deductible to \$25,000.00, seconded by Legislator Burns and carried.

Legislator King made a motion to authorize Highway Superintendent Timothy Hunt to send out an invitation for bid on hot asphalt and bulk oil, seconded by Legislator Osborne and carried.

Legislator King made a motion to award bids for sand, gravel, crushed stone, and concrete based on project location in accordance with the tabulation of all bids prepared by the Highway Superintendent and placed on file with the Clerk of the Board, for the period of April 1, 2021 through March 31, 2022, seconded by Legislator Kulzer and carried.

Legislator King made a motion to award the low bid for crushing of stone to Bartell Sand & Gravel in the amount of \$4.75 per cubic yard for the period of April 1, 2021 through March 31, 2022, seconded by Legislator Kulzer and carried.

Legislator King made a motion to authorize Sheriff Carpinelli to refill one (1) full-time Corrections Officer position due to retirement and any associated backfills effective immediately, seconded by Legislator Osborne and carried.

Legislator Moroughan made a to authorize Social Services Commissioner Jennifer Jones to re-fill one (1) full-time Senior Account Clerk position due to resignation effective immediately, seconded by Legislator Chartrand and carried.

Lewis County General Hospital CEO Jerry Cayer reported that the Building Project is in the Certificate of Need review process with the Public Health and Health Planning Council of the NYS Department of Health. This approval is required for the project to move forward and once approval is received it will take nearly two months to get all the appropriate signatures, but the project would be able to move forward. If the approval is not granted then the hospital would go before the Council in June, which would change the timetable of the project.

In order to not lose valuable time in the construction season the public announcement was posted and there was a pre-bid conference on February 23rd, a pre-bid walk through on February 27th, and bids are due by March 16th. It has been made clear to everyone interested in bidding that to move forward there has to be approval from the NYS Department of Health. The idea

behind having this parallel process is so that if and when approval is given the project is still on the current timetable and not delayed, with construction starting yet this spring.

The project manager or Clerk of the Works is now called Resident Project Representative as they represent the owner interest during the construction. After receiving proposals and reviewing them with the Board of Managers Planning Committee, C&S Companies was awarded the project. The Board of Managers Planning Committee is chaired by Donald Musnicki and includes John Lehman, Philip McDowell, Karen Rennie, and Sue Ross which allows direct oversight at the committee level on this project.

Legislator Kulzer questioned where the hospital was on their Critical Access designation as he thought that was needed to move the project forward. Jerry Cayer responded that Lewis County Health Systems is still a Critical Access hospital and have received communications that the administrative changes will happen in Washington that will verify our Critical Access standing. He reminded everyone that this stemmed from changes on the designation of secondary roads and assured everyone that before any bonding took place there would be clear assurances that the Critical Access standing will be in place. There would be many hospitals impacted by this if it isn't resolved.

Jerry reported that things are trending in the right direction regarding the pandemic. Today the hospital only has three Covid positive patients and one positive Nursing Home resident. There are four staff in isolation between the hospital and the nursing home and three more under quarantine. These are remarkable numbers, and they haven't been that low since early to mid-November. The hours at the Maple Ridge testing site have been decreased due to the low numbers. If this trend continues the Nursing Home should be able to open for visitation, the regulations state that there must be a two-week period from the last recovered positive resident. In the meantime, the staff have been doing window visits inside with a barrier between the resident and the visitor. Jerry acknowledged the hard work and dedication of the hospital staff during this pandemic.

There are 100 doses of the Moderna vaccine being delivered to the hospital this week which will be a focused clinic on employees who have changed their mind about getting the vaccine, new employees to the hospital, new residents of the nursing home, nursing home employees, and those that are homebound within our Certified Home Health Agency.

Legislator Hathway questioned if Jerry had any thoughts on the initiative Senator Griffo is doing with technology to allow nursing home residents to be able to facetime family. Jerry responded that due to the generosity of our local faith community and general community members they have received several donated iPads that are being used. Legislator Chartrand asked Jerry to speak to the new Johnson and Johnson vaccination and if the county will be receiving any. Jerry responded that the hospital may receive some in the future but will let County Manager Ryan Piche to report on that.

Jerry concluded by updating the Board that the hospital-based visitation restrictions, which is a common topic in the public, will likely be changing in April.

COUNTY MANAGER REPORT:

Ryan began by wishing the past Planning Director Frank Pace Happy Birthday. Ryan shared the county's Covid graphs, which are on the county's website, that show we are trending down. There has been 50.6% of first vaccine doses given to those 65 and older and 42.3% of second doses to that age group. To date there have been 3,982 first doses and 2,375 second doses in Lewis County. Vaccinations by site show that Lewis County Public Health and Lewis County Health System have given over 50% of all first dose vaccines which shows that the county is doing a good job for the community with the supplies we have been given. The Lowville Kinney Drugs site has done a remarkable job with 542 first dose vaccinations as well as the NYS Regional sites with 148 and the Potsdam site specifically with 123.

Ryan showed data that was collected which shows the zip code of people who have been vaccinated as well as the population of that zip code. Overall, 15% of the population in Lewis County have received their first dose of the vaccine. Several zip codes are trending around the 15% mark. The county has put in an order to New York State for 1,600 Johnson and Johnson vaccines, which equates to our share to the amount the state should be receiving. These vaccines are ideal for home bound individuals or those with a more transient lifestyle. If the county receives the requested Johnson and Johnson vaccine, Public Health will go out into the community to those that are homebound and also set up clinics in the most outlying places in the county. Hopefully this will allow a more mobile operation rather than the stationary operation that has been used.

Legislator Hathway questions what the anticipated timing of the Johnson and Johnson vaccine was. Ryan responded that the state supplies arrive Thursday and must be used in 5 days so relatively soon. Ryan referred to the zip code location data to point out that there are certain locations that are lacking in residents being vaccinated, like Turin, Port Leyden, and Copenhagen and asked that Legislators advocate to their respective residents to have them go online on the county's website and sign up for a vaccination through the pre-registration system. For those that don't have internet access they can call the Office for the Aging or Public Health to be assisted with getting their name on the list. The pre-registration system is working great because the number of doses received every week changes with such short notice, this gives Public Health the ability to set up a clinic in a short time frame and just go down the list contacting individuals.

Ryan showed everyone the pre-registration process on the county website. Chairman Dolhof pointed out the transportation section which allows individuals to indicate if they require transportation, which can be used to collect data on those that are homebound and need a visit by Public Health. Legislator Moroughan clarified that the eligible list is still Group 1A, Group 1B, Seniors 65+, and underlying health conditions. Ryan stated that once the Johnson & Johnson vaccine arrives in Lewis County those doses will be used to reach homebound individuals as it is a one-shot vaccine which makes it ideal for going out to various locations. Legislator Osborne voiced his opinion that the online system is working well and is easy to use. Legislator Virkler pointed out that residents should look at the lost of underlying medical conditions because many residents could qualify.

Legislator Chartrand questioned whether the tri-county control group was working on anything to push for local town, village and county employees to be put on the list as essential workers, especially DPW workers and plow drivers. Ryan responded that it has been discussed however NYS will not budge. There was discussion on whether a resolution should be drafted and sent into New York State pushing for expanding the eligible list to include DPW workers and plow drivers. Legislator Chartrand felt strongly that these individuals need to be protected and agreed to sponsor the resolution. Legislator Moroughan voiced her concerns for Kraft employees and mill workers who are working side by side and should be classified as an essential worker.

Ryan explained that eventually we are going to get through all the open eligible groups and other parts of the State will still be trying to get through them so it is something to keep in mind and that will need to be addressed at that point. He went on to point out that we don't want to bend the rules of who qualifies and who doesn't.

Legislator Chartrand made a motion to reduce the discussion on increasing eligibility to include certain groups of workers as essential into a resolution, seconded by Legislator Hathway and carried.

Ryan updated the board on the school situation in Lewis County as there has been discussion on whether to allow schools to go back to full in-person learning. The state guidance for school re-opening that was issued last fall is very specific and clear that social distancing, 6 feet of distance, must be observed at all times. If schools want to go back to in-person learning the state will have to address the guidelines, not the county. There is no way to put the normal number of kids on a bus while still observing the 6 feet of social distancing or to put the normal number of kids in a classroom with those guidelines. The state put the decision on the county health department for high-risk sports but that has been the only time the county has had a direct say in the operation of school districts. There is some feedback that residents feel the county should be able to allow schools to reopen and that is not the case. The county and the school districts must follow the NYS guidelines which indicate 6 feet of social distancing.

Ryan reported that the state budget is now a secondary issue due to everything that has transpired recently with the Governor but would typically be adopted by the end of April. The stimulus package has now passed the house and is now in the senate. This would mean about \$5.1 million in direct unrestricted aid to Lewis County if that passes. Legislator Gilbert thanked Ryan and Ashley for their work with the schools and reminded residents that ultimately everyone is beholden to the state for direction so they should voice their concerns not only to their local legislators but to their state representatives as well. He went on to point out that the one time the state did give the county authority to decide on high risk sports the county moved very quickly to authorize the season to move forward.

COUNTY TREASURER REPORT:

Treasurer Eric Virkler reported that the Budget Transfer policy has a minor change to it for clarification. The State Auditors should be onsite at the end of March, so the Treasurer's department is focused on that right now and closing out 2020. The amended Cash report was sent out recently with minor changes. Sales Tax change that was mentioned last month is on the

monthly report and shows that in 2019 there was \$12,908,000 booked in sales tax revenue, in 2020 using that same methodology there would be \$13,250,000 booked in sales tax revenue. The change that is suggested would allow the county to follow both NYSAC and state reporting, making it easier to match their reports to ours. The original methodology is to report January receipts and part of February receipts as well as back out of a portion of February as the previous year. Auditors and NYSAC have no issues with the change which is to not include the February receipts as prior year booked revenue. Ultimately this way will just be starting a new baseline in 2020.

Chairman Dolhof closed the public hearings at 6:00 p.m. after no public comments were received.

REPORT OF THE FINANCE AND RULES COMMITTEE:

**REPORT OF
FINANCE AND RULES COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

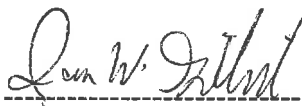
The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 762,972.06 and recommend that they be audited and allowed for the amounts claimed.



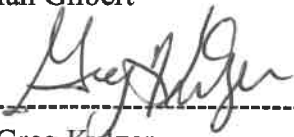
Thomas Osborne Chair



Ronald Burns Vice-Chair



Ian Gilbert Committee



Greg Kulzer Committee



Phil Hathway Committee

Dated: March 2, 2021

Approved on motion by Legislator Burns, seconded by
Legislator Chartrand, and carried.

RESOLUTION NO. 31 – 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 \$ 762,972.06 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 Hathway, seconded by Legislator Kulzer, and adopted on the 2nd day of March, 2021 by the following roll call vote:

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

NAYS: None

ABSENT: None

RESOLUTION NO. 32 - 2021
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
LEWIS COUNTY HIGHWAY DEPARTMENT, LEWIS COUNTY SOLID WASTE
DEPARTMENT, LEWIS COUNTY RECREATION, FORESTRY AND PARKS
DEPARTMENT, AND LEWIS COUNTY BUILDINGS AND GROUNDS DEPARTMENT
WITH LEWIS COUNTY GENERAL HOSPITAL OCCUPATIONAL MEDICINE

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

WHEREAS, the Lewis County Highway Department, Lewis County Solid Waste Department, Lewis County Recreation, Forestry and Parks Department and Lewis County Buildings and Grounds Department wish to enter into Agreements with Lewis County Health System Occupational Medicine for the purpose of random employee drug and alcohol testing for employees subject to same; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes Agreements between the Lewis County Highway Department, Lewis County Solid Waste Department, Lewis County Recreation, Forestry and Parks Department and Lewis County Buildings and Grounds Department with Lewis County General Hospital Occupational Medicine for the purpose of random employee drug and alcohol testing for employees subject to same.

Section 2. That this is for the term beginning January 1, 2021 and ending December 31, 2021 for the Company/Consortium Pricing Package at a rate of \$110.00 per employee. Additional fees will apply for “post-accident”; “reasonable suspicion”; and “follow-up drug and alcohol testing as well as onsite testing” as follows: DOT Drug Screen – \$110.00; Breath Alcohol Test – \$25.00; Breath Alcohol Confirmation Test – \$25.00; Onsite Testing – \$50.00 and after hours testing - \$200.00.

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

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 33 - 2021
RESOLUTION TO TRANSFER FUNDS
Buildings and Grounds

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 Buildings and Grounds accounts for the purchase of a lawnmower - funds will be transferred from Project HAD Capital Equipment H0990100 499900:

Increase Revenue:

A0100000 350310 Interfund transfers	\$10,699.00
-------------------------------------	-------------

Increase Expense:

A0162700 460500 JCC Rep and Maint Equip	\$10,699.00
---	-------------

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 34 - 2021
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO THE DISTRICT ATTORNEY

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the District Attorney Office to:

<u>ABOLISH</u>	<u>STATUS</u>	<u>SALARY</u>
Keyboard Specialist	Permanent Full-Time (35 hours)	Grade 9 (\$14.72-\$17.00)
 <u>CREATE</u>		
Administrative Assistant	Permanent Full-Time (40 hours)	Grade 15 (\$16.80-\$19.69)

Section 2. That the District Attorney is hereby authorized to fill the Administrative Assistant position, effective and retroactively to March 1, 2021.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 35 - 2021
RESOLUTION TO APPROPRIATE FUNDS
Highway

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

BE IT RESOLVED as follows:

Section 1. The County has received notice from New York State that the bridge project County Road 43 over Moose Creek (PIN 775389; BIN 3339700) is approved for Marchiselli program funds, with presentation of Supplemental Agreement -1.

Section 2. With this amendment, the following appropriations are approved in Highway accounts to reflect the Marchiselli program funds:

Increase Revenue:

H0512000 335910 STATE	\$ 23,700.00
Project HAQ	

Decrease Revenue:

HO512000 350310 Local	\$ 23,700.00
Project HAQ	

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 36 - 2021
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE NEW YORK STATE
DEPARTMENT OF TRANSPORTATION (NYSDOT) AND LEWIS COUNTY FOR THE
TRANSPORTATION FEDERAL-AID BRIDGE REPLACEMENT PROJECT
(PIN 775389) KNOWN AS CR 43 (EAST ROAD) OVER MOOSE CREEK**

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

WHEREAS, a Project for the Bridge Replacement known as CR 43 (East Road) over Moose Creek (PIN 775389; BIN 3339700) (the "Project") in the Town of Leyden, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

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

WHEREAS, the County of Lewis advanced the Project by authorizing a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering/Design and Right-Of-Way (ROW) Incidentals Phases of the Project by Resolution 221-2019 adopted July 2, 2019;

NOW, THEREFORE, BE IT RESOLVED by the Lewis County Board of Legislators, duly convened, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes the Chairman of the Board of Legislators to execute an agreement to the CR 43 (East Road) over Moose Creek Contract with NYSDOT, for the Right of Way Incidentals Phase (ROW) for the project.

Section 2. That the total estimated ROW Phase is \$10,500.00; therefore the Local Share equates to a deposit of \$2,100.00 and is hereby appropriated and made available to cover the cost of participation in the above phase of the project. The following accounts shall be recognized to facilitate the funding of this project:

Increase Revenue:

H0512000 350310 Local	\$2,100.00
Project HAQ	

Increase Expense:

H0512000 499900
Project HAQ

\$2,100.00

Section 3. That the Chairman of the Lewis County Board of Legislators, or in his absence, the Vice-Chairman of the Board, is authorized to execute all necessary agreements on behalf of the Lewis County Board of Legislators with the New York State Department of Transportation in connection with this Project.

Section 4. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 37 - 2021
RESOLUTION TO TRANSFER FUNDS
County Machinery

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

BE IT RESOLVED as follows:

Section 1. That the following 2021 budget transfer take place in the County Machinery accounts for the purchase of a 3.0 Cubic Yard Sander:

Increase Expense:

DM 513000 220600 Machinery Equip	\$5,900.00
----------------------------------	------------

Decrease Expense:

DM 513000 470100 Vehicle Repairs	\$5,900.00
----------------------------------	------------

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 38 – 2021
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO LEWIS COUNTY GENERAL HOSPITAL

Introduced by Legislator Richard Chartrand, Hospital Board of Managers' representative.

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 Lewis County General Hospital, to create the following positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Certified Nursing Assistant (2)	Full-time	\$13.98 - \$18.36/hour
Food Service Helper (2)	Part-time	\$12.89 - \$17.07/hour

Section 2. That the following positions are hereby abolished:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Certified Nursing Assistant (3)	Part-time	\$13.98 - \$18.36/hour
Senior Food Service Helper (1)	Full-time	\$18.33 - \$23.27/hour

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 39 - 2021
RESOLUTION AUTHORIZING AMENDMENT TO THE FIBER OPTIC
NETWORK SERVICE AGREEMENT BETWEEN DEVELOPMENT
AUTHORITY OF THE NORTH COUNTRY (DANC)
AND LEWIS COUNTY

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

WHEREAS, the County of Lewis entered into a Service Agreement with the Development Authority of the North Country (DANC) dated August 5, 2014, to install and provide fiber optic data network connectivity for the County's communications and network systems. Under the agreement, DANC provides fiber optics internet connectivity from the PSB building to the County Courthouse and connectivity is then provided from the Courthouse to Lowville Commons, the JCC Ed Center, with service to the Highway Garage, and service to the County's 911 tower and equipment shelter on the Number Three Road; and

WHEREAS, by Resolution No. 286 – 2020, Board of Legislators authorized upgrades in connectivity between the PSB to the Courthouse, which increased the monthly cost for service to \$930.00; and

WHEREAS, the Director of Information Technology has reviewed our network infrastructure needs across all locations, especially in light of the need for better internet service as a result of the pandemic and the implementation of upgraded telephone services through Westelcom. The Director seeks to again upgrade the fiber optic network connectivity services provided by DANC which will increase the monthly cost for services from \$930.00 to \$1,250.00; and

WHEREAS, the proposed upgrades in service include:

1. Upgrade speeds to the JCC building for offsite back-ups - Increase from 100 mbps to 500 mbps. (Monthly cost increase from \$200 to \$350.)
2. Upgrade courthouse to PSB and DSS connectivity to receive Westelcom 500mbps capacity and to continue cloud services for existing office 365, Teams and Zoom needs. – Increase from 400 mbps to 500 mbps. (Monthly cost increase from \$300 to \$350.)
3. Upgrade speeds at Highway Garage from 10 mbs to 100 mbs. (Monthly cost increase from \$80 to \$200.)

WHEREAS, the Board of Legislators wishes to authorize an amendment to the continuing service agreement to provide for these upgrades and increased monthly payments.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators authorizes an amendment or change orders to the Service Agreement entered into with the Development Authority of the North Country (DANC) dated August 5, 2014, to increase the fiber optic connectivity services under DANC Project #s 31204 (JCC) from 100 to 500 mbps; Project # 30010 (Courthouse) from 400 mbps to 500 mbps;

and Project # 30844 (Highway Garage) from 10 mbs to 100 mbs; for a total monthly increase in cost of \$320.00, effective upon execution of the change service order acknowledgement form, as an amendment to the Agreement. The total monthly charges by DANC for fiber optic network services is thereby increased from \$930/mo to \$1,250/mo.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such change order forms and/or Amendment and any other documents required, pending approval by the County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 40 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND C&S COMPANIES CONSULTING SERVICES INC.
TO PROVIDE PROFESSIONAL ARCHITECTURAL AND ENGINEERING CONCEPT
& DESIGN DEVELOPMENT SERVICES FOR THE LEWIS COUNTY 2022
FACILITIES IMPROVEMENT PROJECT

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

WHEREAS, the Lewis County Board of Legislators, with various participants from county departments and other interested parties, have invested considerable time in review of all county facilities; their conditions, uses, and upgrade need both structurally and for maximum efficiencies; and

WHEREAS, the Board has identified specific projects for facilities improvement, including, but not limited to:

1. Renovation and replacements to the DSS Building, both exterior and interior, including upgrading of HVAC, plumbing, electrical, lighting & flooring; and with a potential addition to house the Board of Elections.
2. A Buildings and Grounds Work Shop at the DSS site.
3. Renovations to designated areas of the existing Highway – Main Garage, including portions of HVAC, Plumbing & Electrical/Lighting Systems.
4. Replacement of the Cold Storage Building at Highway, with a New Building to house some additional offices; and

WHEREAS, the General Services Committee had C&S Companies present its review of the facilities and the potential renovations sought by the County. The committee requested that C&S provide a cost proposal for the Concept Development for the Projects discussed; and

WHEREAS, C&S has provided a detailed cost proposal and scope of architectural/engineering services for the facilities project for consideration by the Board of Legislators; and

WHEREAS, upon the recommendation of the General Services Committee, the Board of Legislators seeks to accept this proposal and authorize an agreement with C&S for professional architectural/engineering services as outlined in its proposal dated February 9, 2021;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with C&S Companies, 499 Col. Eileen Collins Blvd, Syracuse, NY 13212, to provide professional architectural/engineering concept development and design services, with site environmental and geotechnical engineering survey services, all as outlined in the proposal dated February 9, 2021, at a cost of \$114,460.00.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include a schedule of services commencing March 1, 2021, with submission of final updated conceptual drawings, project narrative and overall estimate of probable project cost on June 17, 2021.

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

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

Later in the meeting, Legislator Kulzer made a motion to reconsider the adoption of this resolution citing further discussion was needed, seconded by Legislator Chartrand.

Chairman Dolhof stated that professional services do not require to be put out to bid. The committee felt that C&S was the choice that they wished to move forward and that is the way it proceeded. Legislator Kulzer voiced his concern that spending \$114,000 should be put out to bid because other entities are looking for business and he was not impressed with the previous project on the East Road that was done by C&S Companies. Chairman Dolhof further stated that the amount of this contract is within the normal 10% range of the overall engineering budget for the scope of services.

Legislator Gilbert stated that he was inclined to agree with Legislator Kulzer that it should have been put out to bid however due to the tight timetable it would now slow the project down. Legislator Virkler asked Ryan to explain the history behind this decision. Ryan reviewed the recordings of the Committee meetings and felt that Legislator King had given multiple opportunities for fellow legislators to voice concerns, and although Legislator Kulzer did voice his concerns, Ryan felt that the majority wanted to move this forward which is what he did by asking C&S to follow up with a presentation and now this resolution. He also agreed that by not moving forward and starting the process over with putting out an RFP it would take at least two more months to get back to a point where there would be an agreement.

Legislator Kulzer again voiced his discontent with the East Road project. Ryan responded that he felt very satisfied with C&S and cited that they are doing a great job working on the hospital project. Legislator King voiced his opinions that it was brought up for discussion more than once and the consensus was to move it forward, and although Legislator Kulzer had concerns no one else felt the same way. Legislator Virkler asked for clarification that the legislators have been at this point in the past, there was some discussion that this was a new design, but the project was discussed in the past.

Legislator Chartrand asked for clarification on some of the figures as they didn't seem in line with the 10% cost portion at \$114,000, putting the Engineering Phase at over \$1 million. Ryan explained that this phase is to get the information necessary to come up with conceptual drawings.

Legislator Hathway pointed out that the agreement states part of the scope of services is for conceptual drawings are not to our likings at that point another company could be chosen.

The motion was then DEFEATED with a vote of 9 to 1 with Legislator Kulzer voting in favor and Legislators Chartrand, Hathway, Osborne, Moroughan, Virkler, Burns, Gilbert, King, and Dolhof against.

RESOLUTION NO. 41 - 2021
RESOLUTION CALLING FOR THE RESCISSION/REPEAL OF
NEW YORK STATE FIBER OPTIC RIGHT-OF-WAY FEE LAWS

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

WHEREAS, the 2019-2020 New York State budget contained language that enacted a right-of-way use and occupancy fee for any fiber optic cables located in or crossing a state-controlled right of way, and authorized the New York State Department of Transportation (DOT) to enter fee-bearing permits with fiber optic installers; and

WHEREAS, the 2019-2020 state budget also added Section 7 of the Transportation Corporation Law, allowing the DOT to charge fiber optic fees to corporations installing and operating the utility lines for fair-market use and occupancy of the state right-of-way; and

WHEREAS, in early 2020, organizations, businesses, legislators and residents of Northern New York became aware of the fee. In the rural counties of the North Country it is virtually impossible to install fiber optic cables for any distance without utilizing or crossing a state right-of-way; and development requirements within the Adirondack Park almost entirely preclude installation of broadband in any location other than an existing state right-of-way; and

WHEREAS, the coronavirus pandemic has caused more people to be working from home and more students to be learning from home, and has increased the use of telemedicine, thus magnifying the need for additional broadband services in unserved and underserved areas so rural residents can engage in everyday activities; and

WHEREAS, Governor Cuomo, in his 2021 State of the State address championed his Connectivity Agenda which includes, among other provisions, enactment of a requirement for affordable internet for low-income families and a series of actions to promote broadband build-out and market competition; and

WHEREAS, the Governor said, “Without affordable broadband, people are not just disconnected, they are disenfranchised. Broadband must be available to everyone, everywhere, and, in New York, we will make sure it is;” and

WHEREAS, the DOT fiber right-of-way fee is acting as a significant financial deterrent to broadband build-out in rural areas, with some projects already cancelled and others put on hold due to the fact that these fees will cost providers hundreds of thousands, and in some cases, millions of dollars annually; and

WHEREAS, earlier laws have been enacted that hinder the expansion of broadband into unserved and underserved communities. Recent Legislation has been introduced to repeal these counterproductive sections of law that prevent the expansion of affordable broadband services in unserved and underserved communities across New York.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators joins with the New York State Association of Counties (NYSAC) to formally oppose the enactment of the DOT right-of-way fees on fiber optic cable, and urges the Governor and the New York State Legislature to immediately rescind/repeal the right-of-way use and occupancy fees on fiber cable so that the Governor's pledge can be fulfilled, and so that expansion of the fiber network in the North Country can continue in order to serve critically unserved and underserved areas.

Section 2. That the Lewis County Board of Legislators specifically supports passage of New York Senate Bill 8858/Assembly Bill 10932 (2020) to repeal Section 24-e of the Highway Law and Section 7 of the Transportation Corporation Law in relation to reducing the cost of expanding broadband access.

Section 3. That this Resolution shall take effect immediately.

Section 4. That the Clerk of the Board is directed to forward copies of this Resolution to Governor Andrew M. Cuomo, the majority and minority leaders of the New York State Legislature, and all others deemed necessary and proper.

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 42 - 2021
RESOLUTION URGING GOVERNOR ANDREW M. CUOMO TO EXPAND TRUE
BROADBAND COVERAGE TO ALL NEW YORKERS

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

WHEREAS, Governor Andrew M. Cuomo, in his 2021 State of the State address, stated that more than 98 percent of New York's residences and businesses have access to one or more high-speed wired and/or wireless broadband services; and

WHEREAS, based on data gathered directly from schools, municipalities, and other organizations, there are large gaps in broadband service across rural and upstate New York, contradicting the Governor's statement; and

WHEREAS, maps developed by the Federal Communications Commission (FCC) misrepresent the accessibility of broadband service and are often referenced by agencies and grantees. Even in areas where broadband is purported to be available, the level of service is not sufficient to constitute true broadband access; and

WHEREAS, the prices for access to broadband in areas where it might be available is at such a high level or required to be part of other purchases, that it is inaccessible to many; and

WHEREAS, our residents need access to reliable and affordable broadband service for school, employment, telehealth, business, and social aspects of life; and

WHEREAS, as we have seen in the face of this pandemic, broadband serves a vital role in keeping businesses, local government, and schools open, and is necessary in breaking down the digital divide that creates groups of haves and have-nots not only within our state, but within our county; and

WHEREAS, broadband access provides a critical public infrastructure need for New York residents, towns, municipalities, counties, emergency services, and more.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators joins with the New York State Association of Counties (NYSAC) and calls upon Governor Cuomo and our Federal and State legislative delegations to work with the Federal Communications Commission (FCC), local leaders and officials to re-evaluate FCC broadband availability maps to reflect the true need and to include service gaps in broadband service across upstate, rural New York.

Section 2. The Lewis County Board of Legislators calls upon the Governor and our Federal and State legislative delegations to work to expand true broadband access to all areas of New York State, including rural, upstate New York, to ensure that this vital economic development infrastructure is expanded and offered at affordable pricing, to prevent the further isolation of those in need.

Section 3. That this Resolution shall take effect immediately.

Section 4. That the Clerk of the Board is directed to forward copies of this Resolution to Governor Andrew M. Cuomo, the New York Federal and State Legislative Delegations, and all others deemed necessary and proper.

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 43 - 2021
RESOLUTION AUTHORIZING ADDITIONAL PAYMENT AND AMENDED
AGREEMENT BETWEEN THE COUNTY OF LEWIS AND THE
TOWN OF WATSON - TOWN'S COMPREHENSIVE PLAN

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

WHEREAS, the County of Lewis, by and through the Lewis County Planning Department, entered into an Intermunicipal Agreement with the Town of Watson Planning Board ("Town") pursuant to Resolution No. 97-2020 for the Town to complete its Comprehensive Plan with the assistance and expertise of DANC, in consideration of the County contributing 60% (\$2,100) of the fees charged by DANC for their services in the project. The DANC fee was originally estimated to be \$3,500. ; and

WHEREAS, the Town's Comprehensive Plan has been completed and they have received an invoice in the amount of \$6,000 for DANC's professional services. This is a greater amount than the Town anticipated for the services by DANC. The Town respectfully requests the County to contribute 60% of the actual fee charged by DANC, which requires an additional \$1,500 payment; and

WHEREAS, the Board of Legislators seeks to authorize this additional contribution and amend the IMA to reflect same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes an amendment to the Intermunicipal Agreement with the Town of Watson Planning Board to provide for an additional \$1,500 contribution from the County toward the total \$6,000 fee charged by DANC for their services in developing the Town's Comprehensive Plan.

Section 2. That the Lewis County Board of Legislators authorizes and directs the Lewis County Planning Department to contribute an additional sum of \$1,500 to this cost, payable from its 2020 Community Development encumbered funds.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such amendment, upon such form(s) 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 Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 44 - 2021
AUTHORIZING APPLICATIONS FOR
COMMUNITY DEVELOPMENT BLOCK GRANTS

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

WHEREAS, the Board of Legislators has duly advertised and held virtual public hearings on March 2, 2021 at 5:00 p.m., and has considered the comments received pertaining to Consolidated Funding Applications for 1) 2020 Community Development Block Grant (CDBG) for small business loan/grant (\$200,000.00); and 2) 2020 CDBG Community Planning funding for a countywide Housing Needs Assessment and Market Analysis in an amount not to exceed \$50,000.00;

NOW, THEREFORE BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes the filing of two (2) separate Consolidated Funding Applications (CDBG Grants) for 1) 2020 CDBG grant for small business loans/grants in an amount not to exceed \$200,000.00; and 2) 2020 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 Chairman or Vice-Chairman of the Board of Legislators, be and the same is hereby authorized to make, execute, seal and deliver such applications, documents or writing, and any amendments thereto, as may be necessary to carry out the terms of this Resolution.

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 45 - 2021
RESOLUTION AUTHORIZING PHASE 1 FUNDING FOR THE LEWIS COUNTY
AGRICULTURE SUSTAINABILITY COUNCIL'S DAIRY RESILIENCY PROJECT

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

WHEREAS, pursuant to Resolution No. 210-2019, the Lewis County Board of Legislators established the Lewis County Agriculture Sustainability Council ("LCASC") and its by-laws, comprised of individuals representative of dairy farmers and various agriculture related businesses and agencies in Lewis County; and

WHEREAS, the stated purpose of the council's formation was to develop and execute a Lewis County Agriculture Sustainability Action Plan, with a goal to alleviate the hurdles confronting Lewis County Farmers and Growers by creating a competitive agriculture and farming culture and cultivation of a robust and sustainable agribusiness for the farmers in Lewis County; and

WHEREAS, in December 2020, council members presented their proposed "Dairy Resiliency Project" to the Board of Legislators, highlighting the importance of dairy and its impact on the local economy, community and way of life, with key factors that drive the dairy industry and the economic threats that local dairy farmers consistently face; and

WHEREAS, the council seeks funding up to \$59,000.00 from the County, for Phase 1 of this Project, for an in-depth study and analysis to assess and identify the current to longer-term regional market for dairy ingredients and by-products; to identify and prioritize key market opportunities in dairy ingredients and processing/storage capabilities; and to develop a robust business case and business plan, with 10-year financials and recommendations for potential sources and structures of public and private funding and financing; and

WHEREAS, the Phase 1 project and funding includes salaries for Cornell Cooperative Extension for Project Management and Administration, travel and meals, and the hiring of an external professional consultant to perform and deliver on the stated objectives identified in Phase 1; and

WHEREAS, the Board of Legislators seeks to authorize funding up to \$59,000.00 for Phase 1 of the Project, and to have the Council provide regular and periodic updates to review progress and spending under the Project as described;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes funding up to and not to exceed \$59,000.00 for Phase 1 of the Lewis County Agricultural Sustainability Council's "Dairy Resiliency Project", as outlined in its presentation on December 15, 2020 and February 16, 2021.

Section 2. That the Lewis County Board of Legislators hereby directs that the Lewis County Treasurer transfer \$59,000.00 from special legislative contingency to the Planning Department's 2021 community services line account.

Section 3. That the Lewis County Board of Legislators authorizes and directs the Lewis County Attorney to draft a Memorandum of Agreement between the County and LCASC with terms and provisions for periodic progress reports, monthly or other periodic financial invoices, and any other provisions consistent with the Council by-laws and the intent of this Resolution.

Section 4. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such MOA, as may be approved by the County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 46 - 2021
RESOLUTION AUTHORIZING INCLUSION OF CERTAIN AGRICULTURALLY
VIALE LAND INTO A CERTIFIED AGRICULTURAL DISTRICT AND NEGATIVE
DECLARATION DETERMINATION

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

WHEREAS, the Lewis County Board of Legislators, in accordance with Chapter 303b of the Laws of 2003 amending NYS Agricultural and Markets Law, designated a thirty (30) day review period starting on November 15, 2020 and closing December 15, 2020 in which a landowner may submit requests for inclusion of predominately viable agricultural land within a Certified Agricultural District prior to the County established review period; and

WHEREAS, the Lewis County Agricultural and Farmland Protection Board (LCAFPB) has two (2) applications submitted for review encompassing the following properties into Agricultural District # 6 located in the Town of New Bremen; Tax Map Parcel No. 165.00-01-23.000 now owned by Charles R. 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, a Short Environmental Assessment Form for an Unlisted Action has been prepared by the Director of Planning on behalf of the County of Lewis Board of Legislators as the lead agent for this "Ag Inclusion Project" for determination of the environmental impact of these parcels, with a conclusion and determination that inclusion will not result in any significant adverse environmental impact; and

WHEREAS, the Lewis County Board of Legislators, in accordance with Chapter 303b of the Laws of 2003 amending NYS Agricultural and Markets Law, conducted a virtual public hearing to consider the request and recommendations of the Lewis County Agricultural and Farmland Protection Board on March 2, 2021 at 5:00 p.m.; and

WHEREAS, the Lewis County Board of Legislators, having held the virtual public hearing and having heard any statements or comments from the public on the request and recommendations of the Lewis County Agricultural and Farmland Protection Board, seeks to adopt the recommendations of the LCAFPB, declare a negative environmental impact, and place these properties into a certified agricultural district;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators of the County of Lewis hereby authorizes the Chairman of the Board to execute the Short Environmental Assessment Form prepared by the Planning Department declaring that these Actions and Applications will not result in any significant adverse environmental impacts.

Section 2. That the Board of Legislators of the County of Lewis adopts the recommendations of the Lewis County Agricultural and Farmland Protection Board, and places

the following parcels of land in the Town of New Bremen, known as Tax Map Parcel No. 165.00-01-23.000 owned by Charles R. 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 certified Agricultural District # 6.

Section 3. That the Chairman or Vice Chairman is authorized to execute any other documents to give effect to this resolution, upon review and approval of the County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 47 - 2021
RESOLUTION TO SET PUBLIC HEARING TO ADOPT THE
2021 LEWIS COUNTY AGRICULTURAL ENHANCEMENT PLAN

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

WHEREAS, in 2019, County of Lewis, acting by and through the Lewis County Planning Department, entered into an agreement with Community Planning & Environmental Associates for professional consultant and planning services to assist with development of a Lewis County Agricultural and Farmland Protection Plan ("Plan"); and

WHEREAS, agriculture is critical not just to the County's economy, but to its rural landscape, community character, environment, and public health. The Lewis County stakeholders developed a proposed Plan under a mission to promote the sustainability and resiliency of farming in Lewis County. The proposed plan provides information about current agricultural conditions, a vision for the future, and a detailed set of strategies to be implemented over the next decade; and

WHEREAS, the Board of Legislators wishes to set a public hearing to hear any comment on the proposed Plan prior to further action on same;

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 the proposed Lewis County Agricultural and Farmland Protection Plan developed by the Planning Department and its consultant, Community Planning & Environmental Associates.

Section 2. That the hearing will be held virtually at the Board's regular meeting on Tuesday, April 6, 2021 at 5:00 p.m. Anyone wishing to comment should go to the county's webpage at 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). Comments may also be sent via email, mail or hand delivered on or before April 5, 2021 by 4:00 p.m. to the Clerk of the Board at cassandramoser@lewiscounty.ny.gov or at 7660 North State Street, Lowville, NY 13367. All comments received will be read into the record prior to any action by the Board.

Section 3. That public notice of the hearings shall be advertised in accordance with law at least five (5) days prior to the hearing date.

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 48 - 2021
RESOLUTION TO SET PUBLIC HEARING TO
OBTAIN PUBLIC INPUT WITH REFERENCE TO
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

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

WHEREAS, the County of Lewis is eligible to apply for the 2020 New York State Community Development Block Grant Program (NYS CDBG) administered by the Housing Trust Fund Corporation's (HTFC) Office of Community Renewal (OCR); and

WHEREAS, the Board of Legislators wishes to obtain the views of citizens on community development, housing needs and possible other activities, prior to the preparation of a CDBG application;

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 public hearing must be held prior to submission of an application.

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 a NYS CDBG Housing application for 2020 funds in an amount not to exceed \$1,000,000.00 with Snowbelt Housing as the Subrecipient.

Section 2. That the hearing will be held virtually at the Board's regular meeting on Tuesday, April 6, 2021 at 5:00 p.m. Anyone wishing to comment should go to the county's webpage at 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). Comments may also be sent via email, mail or hand delivered on or before April 5, 2021 by 4:00 p.m. to the Clerk of the Board at cassandramoser@lewiscounty.ny.gov or at 7660 North State Street, Lowville, NY 13367. All comments received by the deadline will be read into the record, however comments may still be submitted up until April 8, 2021 at 4:00 p.m. in accordance with OCR guidelines.

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 Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 49 - 2021
RESOLUTION AUTHORIZING CONTRACT BETWEEN THE
COUNTY OF LEWIS AND NEW YORK STATE
OFFICE OF INDIGENT LEGAL SERVICES
(GRANT DISTRIBUTION #11)

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

WHEREAS, County Law Article 18-B directs each county to adopt a plan to provide legal counsel to persons charged with a crime or who are entitled to counsel pursuant to Family Court Act § 262 and who are financially unable to obtain counsel; and

WHEREAS, the County of Lewis received notice of a grant award from the New York State Office of Indigent Legal Services in the amount of \$113,928.00 ("Distribution #11"), Contract Number C110022, for the provision of funds to assist the County in improving the quality of indigent legal services according to the Budget and Work Plan schedules set forth in the grant contract; and

WHEREAS, the Board of Legislators wishes to accept the grant and enter into the contract for same;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes and approves a contract by and between the County of Lewis and New York State Office of Indigent Legal Services (ILS) to provide grant funds in the amount of \$113,928.00 under Distribution # 11 to assist the County in improving the quality of indigent legal services provided.

Section 2. That the term of Contract No. C110022 is effective January 1, 2021 through December 31, 2023, and as may be extended.

Section 3. That the Chairman or the Vice-Chairman of the Board of Legislators be and the same are hereby authorized to execute and deliver said agreement and any amendments and extensions thereto, to effectuate the purpose of this Resolution, upon such form as approved by the County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 50 - 2021
RESOLUTION TO TRANSFER FUNDS
Sheriff's Office

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 Sheriff's Office accounts for the purchase of capital equipment – Dishwasher (\$10,000); Office Furniture (\$5,000); and Computer Equipment (\$7,000). These items were all included in the 2021 capital budget and the funds will be transferred from Project HAD Capital Equipment reserve H0990100 499900:

Increase Revenue:

A0100000 350310 Interfund transfers	\$22,000.00
-------------------------------------	-------------

Increase Expense:

A0315000 290900 Jail Misc Equip	\$10,000.00
A0311000 290900 Sheriff Misc Equip	\$ 5,000.00
A0311000 221700 Sheriff Computer Equip	\$ 7,000.00

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 51 – 2021
RESOLUTION TO APPROPRIATE
SNOWMOBILE TRAIL PROGRAM FUNDS
2020-2021 SEASON

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

BE IT RESOLVED as follows:

Section 1. That the following appropriation of the 2020-2021 State Snowmobile Trail funds is hereby approved in the Snowmobile Trails account:

Increase Revenue:

A0714100 338202 State Aid	\$291,732.00
---------------------------	--------------

Increase Expense:

A0714100 499900 Expense	\$291,732.00
-------------------------	--------------

Section 2. That the funds will be passed on to the Snowmobile Association upon receipt.

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

Moved by Legislator Kulzer , seconded by Legislator Burns , and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 52 - 2021
RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK, INC.

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

WHEREAS, the Lewis County Department of Social Services ("DSS") wishes to enter into a Memorandum of Agreement with Transitional Living Services of Northern New York, Inc. ("TLS") to renew the terms for TLS to provide the services of psychiatric and/or psychological evaluations of individuals receiving services from DSS; 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 approves the Memorandum of Agreement with Transitional Living Services of Northern New York, Inc. ("TLS") for the purpose of providing the services of psychiatric and/or psychological evaluations of individuals receiving services from DSS.

Section 2. That the term of this agreement shall be from January 1, 2021 through December 31, 2021 at a cost not to exceed \$158.00 (for those who are not covered by individual insurance) per psychiatric assessment, medical examination for employability assessment; for any person referred by DSS for an employability assessment that is not under the care of Behavior Health and Wellness Center ("BHWC"), BHWC will be paid at a rate of \$158.00 per assessment. Travel costs to and from case consultations/treatment plan meetings held outside the TLS office shall be paid at the IRS rate for business miles. The County amount is approximately 36%; Federal approximately 50%; and State approximately 14%.

Section 3. 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/extensions thereto, pending approval by the County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 53 - 2021
RESOLUTION RENEWING INTERGOVERNMENTAL AGREEMENT
BETWEEN LEWIS COUNTY SOLID WASTE DEPARTMENT AND THE
ONEIDA HERKIMER SOLID WASTE MANAGEMENT AUTHORITY FOR
PROCESSING AND MARKETING OF RECYCLABLES

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

WHEREAS, the County of Lewis, by and through the Lewis County Solid Waste Department (LCSWD), desires to renew the recycling Agreement with the Oneida Herkimer Solid Waste Management Authority ("OHSWMA") that was previously adopted pursuant to Resolution No. 449-2015 for a five (5) year term, (January 1, 2016 through December 31, 2020). OHSWMA is a public benefit corporation under the New York State Public Authorities Law, with offices located at 1600 Genesee Street, Utica, NY, to provide for processing and marketing of residential recyclable materials delivered from Lewis County; and

WHEREAS, OHSWMA is expressly empowered under Public Authorities Law § 2049-EE (8) to contract with other counties to receive residential recyclable materials originating from other counties, and by doing so is performing an essential governmental function by its receipt, processing and marketing of residential recyclable materials originating from Lewis County; and

WHEREAS, the County of Lewis generates significant residential recyclable materials at its facilities which need to be processed and marketed for the benefit of all Lewis County residents; and

WHEREAS, the County of Lewis possesses the requisite equipment and permits to transport residential recyclables to OHSWMA Recycling Center on Leland Avenue, Utica, NY, and OHSWMA has been permitted by the DEC to receive and process these materials; and

WHEREAS, this intergovernmental agreement is intended to reduce the County's costs associated with processing and marketing of residential recycling materials; and

WHEREAS, the Board of Legislators seeks to enter into this renewal Agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a renewal Intergovernmental Recycling Service Agreement between the County of Lewis by and through the Lewis County Solid Waste Department and the Oneida Herkimer Solid Waste Management Authority to process and market residential recyclables from Lewis County.

Section 2. That said Agreement shall be for the period beginning January 1, 2021 through December 31, 2022, with the County to pay OHSWMA monthly fees at the rate of \$77.29/ton for 2021, and increased by 2% beginning January 1, 2022 for each ton of recyclable materials delivered to OHSWMA for processing and marketing; and with the County to receive credit for

revenues realized from the sale of sorted, recyclable materials less residue rates as set forth in the Agreement.

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

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 54 - 2021
RESOLUTION DETERMINING LEAD AGENCY AND THAT THE PROPOSED
LOWVILLE TRANSFER STATION RENOVATION/ADDITION PROJECT WILL NOT
HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

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

WHEREAS, the Lewis County Solid Waste Department proposes to construct an addition to the existing Lowville solid waste transfer station in order to better serve the residents and businesses of Lewis County and provide more efficient transfer of waste to the ultimate disposal facility; and

WHEREAS, the Lewis County Board of Legislators seeks to establish itself as Lead Agency for the project, and to submit the building addition is an unlisted action for purposes of environmental review under SEQRA, as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.4; and

WHEREAS, pursuant to the SEQRA Regulations, the Lewis County Board of Legislators has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the SEQRA Regulations, and (b) examining the Short Environmental Assessment Form (SEAF) for the Project, including the facts and conclusions in Parts 1, 2 and 3 of the SEAF, together with other available supporting information, to identify the relevant areas of environmental concern;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby establishes itself as Lead Agency for the Project, in compliance with SEQRA requirements.

Section 2. That based upon an examination of the Short Environmental Assessment Form (SEAF) and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern along with the County's knowledge of the area surrounding the Project, the Lewis County Board of Legislators hereby determines that the Project will not have a significant adverse environmental impact, and that the Project will not require the preparation of a Draft Environmental Impact Statement.

Section 3. That as a consequence of such findings and declaration, and in compliance with the requirements under SEQRA, the Lewis County Board of Legislators, as Lead Agency, hereby authorizes and directs the Chairman of the Board, or the Vice-Chairman in his absence, to sign the SEAF Part 3- Determination of Significance indicating that a Negative Declaration has been issued for the Project, upon review by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 55 - 2021
RESOLUTION AWARDDING BIDS AND AUTHORIZING AGREEMENTS FOR THE
SOLID WASTE TRANSFER STATION REMODELING PROJECT BETWEEN
LEWIS COUNTY AND C&S TECHNICAL RESOURCES, INC. FOR GENERAL
CONSTRUCTION AND BETWEEN LEWIS COUNTY AND NORTHERN PIONEER
CONTRACTORS, INC. FOR ELECTRICAL CONSTRUCTION

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

WHEREAS, the Lewis County Solid Waste Department, with the assistance of Barton & Loguidice engineers, recently sent out Request for Proposals for: 1) General Construction bids, and 2) Electrical Construction bids pertaining to the improvements project at the Lowville Transfer Station; and

WHEREAS, the Solid Waste Director, the engineer consultant, County Manager and members of the General Services Committee opened the bids on February 17, 2021 at 10:00 am, considered the responses to the RFPs and recommend that the following be awarded the contracts:

1. For General Construction of the transfer station renovation/improvements project, the committee recommends awarding the contract to C&S Technical Resources, Inc., of Syracuse, NY, the lowest bidder, in the amount of \$ 1,233,000.00 for the general construction services outlined in the RFP; and
2. For Electrical Construction of the transfer station renovation/improvements project, the committee recommends awarding the contract to Northern Pioneer Contractors, Inc., of Glenfield, NY, the lowest bidder, in the amount of \$ 58,500.00; and

WHEREAS, the Board of Legislators seeks to award the bids and authorize contracts to the above entities, who were the lowest bidders.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby awards the Solid Waste Transfer Station renovation/improvements project bids to and authorizes agreements with:

- A. C&S Technical Resources, Inc., of Syracuse, NY, to provide general contracting services at the solid waste transfer station on Route 26, Lowville, NY, in accordance with the specifications and timeline set forth in the RFP, in the amount of \$1,233,000.00.
- B. Northern Pioneer Contractors, Inc., of Glenfield, NY, to provide electrical contractor services at the solid waste transfer station on Route 26, Lowville, NY, in accordance with the specifications and timeline set forth in the RFP, in the amount of \$58,500.00.

Section 2. That the Lewis County Board of Legislators hereby directs the Treasurer to transfer \$400,000.00 from Solid Waste Fund Balance and \$1,500,000.00 from the County General Fund Balance into a Solid Waste Capital Projects account.

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

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 56 - 2021
RESOLUTION ADOPTING BUDGET TRANSFER POLICY
FOR THE COUNTY OF LEWIS

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

WHEREAS, the Lewis County annual general fund budget is \$50,700,000, with 1% of that budget being \$500,000. The current policy allows a Department Head to transfer up to \$5,000 within the department's .4 (contractual expenses) line items, but does not allow for other transfers among other lines such as personnel (.1's), equipment and capital (.2's), benefits (.8's); and

WHEREAS, allowing for more approval authority by the County Manager and Treasurer for transfers within a Department's budget, with a more detailed policy for same, will improve operational functionality for the county and the departments, and will allow Legislators to focus on the greater issues of governance and vision for the County; and

WHEREAS, the Board of Legislators seeks to adopt this budget transfer policy for the County of Lewis;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators of the County of Lewis hereby adopts the attached Budget Transfer Policy and guidelines for transfers within the budget of a Department.

Section 2. That the Clerk of the Board is directed to add the policy to the Administrative Manual and any other appropriate manuals, upon such form as may be approved by the County Attorney.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Burns, seconded by Legislator Virkler.

Legislator Osborne made a motion to amend the Lewis County Budget Transfer Policy in Section C.1 to read "Any other transfers from .1 to other expense lines, except as set forth in section B above, require committee approval and Board resolution.", seconded by Legislator Burns and carried.

The resolution was then adopted on March 2nd, 2021.



LEWIS COUNTY BUDGET TRANSFER POLICY

The County Budget is developed with detailed input from Department Heads, their fiscal managers, and the County Manager on an annual basis. The expectation of the Board of Legislators is that all departments will conduct and account for their operations within the line items included in their budget. It is recognized that unexpected circumstances may develop, during the year, such as, price fluctuations, state estimate modifications between the time the budget is developed and actual expenditures are incurred, other unforeseen changes. Budget transfers are needed in certain circumstances, and this policy outlines how specific transfers will be authorized.

A. Process and System

1. With the capabilities provided by the County's Tyler Munis financial system, approvals are required within the accounting system rather than on paper. All budget transfers will undergo final review and approval by the Budget Officer (County Manager), County Treasurer or Deputy County Treasurer after other review and approval has previously been completed.
2. Department Heads are expected and relied upon to accurately identify and plan his/her fiscal needs as part of the annual budget preparation process. After adoption of the budget by the Board of Legislators, Department Heads are responsible for monitoring their operations to make sure that actual results meet budget expectations. When negative variances occur or are anticipated to occur, Department Heads will immediately take necessary actions to address and remedy those situations.
3. Definitions:
 - a. Object codes are designated within the Munis financial systems based on different categories of expense types. The expense object codes discussed in this policy are the following:
 - i. .1 - Personnel and Compensation
 - ii. .2 - Equipment
 - iii. .4 - Contractual expenses, for example professional services, travel, printing, postage, etc.
 - iv. .8 - Employee Benefits

B. Transfer Approval Levels

1. The details below outline the approvals required for each type of budget transfer.
 - a. Within a department or associated departments managed by the same Department Head:
 - i. Transfer of funds from .4 to .4 up to \$5,000 can be made with approval of that Department Head, with report of that activity by the Department Head in his/her monthly report to committee.
 - ii. Transfer of funds from .4 to .4 between \$5,001 and \$10,000 requires approval of the County Manager.

- iii. Transfer of funds from .4 to .4 over \$10,000 requires committee review and approval and Board resolution.
 - iv. Transfer of funds from .4 to .2 are allowed up to \$5,000 with approval of the County Manager. Amounts above \$5,000 require approval of committee and Board resolution.
 - v. Unused .1 or .8 funds in a department can be transferred to a .4 account to utilize contract services for a specific need, up to \$5,000 with approval of the County Manager. Above \$5,000 requires committee review, approval and Board resolution.
 - b. Any request for new or non-budgeted equipment, costing \$1,000 or more, requires approval of the County Manager. Below that amount, a department can purchase equipment using .2 funds if budgeted, with Department Head approval.
 - c. Transfer of funds within .1 accounts (from regular wages to overtime or vice versa, for example) can be made up to \$5,000 with County Manager approval. Above that amount requires committee review, approval and Board resolution.
2. Funds associated with capital purchase that are outlined in the annual capital budget plan will be transferred to the appropriate departmental capital line item after adoption of the budget, with a request from the department, and approval from the County Manager. The Department must also follow County Purchasing policy and any necessary proposal or bidding requirements.

C. Other Activities

- 1. Any other transfers from .1 to other expense lines, except as set forth in section B above, require committee approval and Board resolution.
- 2. Any transfers into a .1 from other expense lines require committee approval and Board resolution.
- 3. Any amounts / items approved as an annual Capital purchase that are not expended, are not allowed to be transferred to a different appropriation without committee approval and Board resolution.
- 4. Grant revenue and expenditure, not included in the approved budget, requires committee approval and Board resolution to appropriate the funding required.
- 5. Use of contingency expense lines requires Board resolution to transfer funds to another account.
- 6. Unexpected revenue for donations, small grants, or insurance refunds may be added to the budget by notice to the committee and Board resolution. If the dollar amount is less than \$10,000 these items will be reviewed by the Department Head and Treasurer and accepted as revenue without approval required.

Adopted by LC BOL:

Revised and Adopted :

RESOLUTION NO. 57 - 2021
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND REMEDY ANALYTICS

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

WHEREAS, the Lewis County Treasurer is the Plan Administrator for the County's health plans, tasked with management and review of the county's health plans and health funds; and

WHEREAS, Remedy Analytics, Inc., (Remedy) is a recognized consultant firm who will work on behalf of our health plan (Excellus) to analyze data related to pharmaceutical charges in relation to prices established in our Excellus plan; who will negotiate pharmaceutical prices on our behalf for better pharmacy charges, and seek refunds for incorrectly billed charges. Remedy will provide pharmacy benefit consulting services, vendor management support, auditing services, claims management services and other services as outlined in its Statement of Work provided to the Treasurer; and

WHEREAS, Remedy seeks a three year agreement with compensation based upon its ability to provide savings to the County, that is, Remedy seeks on a quarterly basis a fee equivalent to 20% of the unit cost savings calculated from the County's pharmacy benefits management (pbm) agreement;

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves a three year agreement with Remedy Analytics, Inc., with offices at 234 W. Florida Street, Suite 150, Milwaukee, WI 53204, to provide consultant services pertaining to the County's pharmaceutical provisions under its health plans, including data review and analysis, management services, benefit services, auditing services claims negotiation and management services to assist the Treasurer as the Health Plan Administrator and GKG in the costs associated with pharmaceutical benefits under the Plan, all as set forth in Remedy's proposed Statement of Work (SOW).

Section 2. That this is a three year agreement, with compensation to Remedy based upon its ability to provide savings to the County, with a fee payable on a quarterly basis equivalent to 20% of the unit cost savings calculated from the County's pharmacy benefits management (pbm) agreement;

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

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 58 - 2021
RESOLUTION TO APPROPRIATE FUNDS
VARIOUS CAPITAL RESERVE ACCOUNTS

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

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation take place to the Capital Equipment account to transfer funds budgeted in the general fund and appropriate these funds in the Capital HAC fund with transfer from A0990100 992300 (To Capital Buildings & Grounds):

Increase Revenue:

H0162000 350310	\$500,000.00
Project HAC	

Increase Expense:

H0990100 499900	\$500,000.00
Project HAC	

Section 2. That the following budget appropriation take place to the Capital County Road Striping account to transfer funds budgeted in the general fund and appropriate these funds in the Capital HAI fund with transfer from A0990100 992600 (To Capital Hwy):

Increase Revenue:

H0512000 350310	\$75,000.00
Project HAI	

Increase Expense:

H0512000 499900	\$75,000.00
Project HAI	

Section 3. That the following budget appropriation take place to the Capital Equipment account to transfer funds budgeted in the general fund and appropriate these funds in the Capital HAD fund with transfer from A0990100 992500 (To Capital Equipment):

Increase Revenue:

H0990100 350310	\$500,000.00
Project HAD	

Increase Expense:

H0990100 499900	\$500,000.00
Project HAD	

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

Moved by Legislator Kulzer , seconded by Legislator Burns , and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 59 - 2021
RESOLUTION APPROVING
AMENDMENT TO 2020 RESOURCE ALLOCATION PLAN
WITH NYS OFFICE OF CHILDREN AND FAMILY SERVICES FOR
YOUTH DEVELOPMENT PROGRAM FUNDS

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

WHEREAS, execution of an annual Resource Allocation Plan qualifies the County to receive funding from NYS Office of Children and Family Services (NYSOCFS) under its Youth Development Funding Programs by the County's engagement in comprehensive planning for youth services; and

WHEREAS, for 2020, NYSOCFS approved and allocated to the Lewis County Youth Board, \$30,000.00 in funds under the Safe Harbour Program and an allocation of \$21,115.00 in Youth Development Program funds under the 2020 Resource Allocation Plan approved by the Board of Legislators, as evidenced by Resolution Nos. 48-2020 and 78-2020; and

WHEREAS, the LC Department of Social Services recently received notification from OCFS of an additional \$2,284.00 in 2020 Youth Development Funds, which now requires an amendment to the 2020 Resource Allocation Plan to accept the increased allocation to the 2020 Allocation Plan;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves an amendment to the 2020 Resource Allocation Plan between the County of Lewis and the New York State Office of Children and Family Services ("OCFS") for the 2020 program year, by increasing the Youth Development Funds from \$21,115.00 to \$23,339.00, for a total 2020 allocation of \$53,399.00.

Section 2. That the following adjustments shall be made for this appropriation:

Increase Revenue:

A0731100 338201 Youth Bureau	\$2,284.00
------------------------------	------------

Increase Expense:

A0731100 440100 Youth Bureau expense	\$2,284.00
--------------------------------------	------------

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver any and all amendments that may be required under the 2020 Youth Development Funding Program and the County's Resource Allocation Plan.

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

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 60 - 2021
RESOLUTION TO APPOINT YOUTH BUREAU DIRECTOR AND YOUTH BUREAU
ASSISTANT AND AUTHORIZE STIPENDS FOR SAME

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby designates and appoints DEANNA EDICK, Lewis County Director of Services, to serve as the YOUTH BUREAU DIRECTOR for Lewis County, effective and retroactive to March 1, 2021.

Section 2. That the Lewis County Board of Legislators hereby approves a stipend of \$2,500.00 per year to be paid (payable in monthly installments) to Deanna Edick to perform such Youth Bureau Director duties for the County.

Section 3. That the Board of Legislators hereby designates and appoints RAMONA CARPENTER, Lewis County Senior Keyboard Specialist, to serve as the YOUTH BUREAU ASSISTANT for Lewis County, effective and retroactive to March 1, 2021.

Section 4. That the Lewis County Board of Legislators hereby approves a stipend of \$2,000.00 per year to be paid (payable in monthly installments) to Ramona Carpenter to perform such Youth Bureau Assistant duties for the County.

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

Moved by Legislator Kulzer seconded by Legislator Burns, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 61 - 2021
RESOLUTION IN MEMORIAM OF
JACK T. BUSH

Introduced by Legislator Lawrence L. Dolhof, Chair of the Board of Legislators.

WHEREAS, **Jack T. Bush** of Brantingham, New York, recently departed this life on February 6, 2021; and

WHEREAS, **Jack T. Bush** was selected by the electorate of District No. 5 to serve as their representative on the Lewis County Board of Legislators effective January 1, 1980 through December 31, 1987; and again from January 1, 1993 through December 31, 1997; thereafter elected for a third term to represent District No. 9 commencing January 1, 2006 through December 31, 2013; and

WHEREAS, **Jack T. Bush** had served as Vice-Chairman of the Lewis County Board of Legislators from 1994 through 1996; and thereafter was chosen unanimously by his colleagues to serve as Chairman of the Board of Legislators continuously for years 2006 through 2012; and

WHEREAS, during his reign as Chairman, Jack's knowledgeable expertise and leadership were integral throughout the planning and construction of the new Lewis County Courthouse; and

WHEREAS, **Jack T. Bush** was a consummate civic-minded leader who approached every challenge with personal regard and fairness, while respectfully welcoming participation from all interested parties that would effect decisions mindful of the best outcome to benefit the entire Lewis County citizenry; and

WHEREAS, **Jack T. Bush** provided exemplary service for many years as a volunteer firefighter with the Lowville Volunteer Fire Department and thereafter with the 3-G Volunteer Fire Department; as well as a member and past exalted ruler of the Lowville Elks Lodge; and

WHEREAS, it is proper for us as friends, acquaintances and members of this Board of Legislators to record our recognition and appreciation for the sincere, diligent and valuable services rendered by our former colleague **Jack T. Bush**.

NOW, THEREFORE, BE IT RESOLVED as follows:

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

Moved by Legislator Hathway , seconded by all nine remaining Legislators , and unanimously adopted on the 2nd day of March, 2021.

RESOLUTION NO. 62 - 2021
RESOLUTION APPROVING EMPLOYMENT
SEPARATION AGREEMENT AND RELEASE

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

BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators has reviewed and hereby approves a certain employment separation agreement and release with an employee of the Lewis County Sheriff's Office.

Section 2. That the Lewis County Board of Legislators further authorizes the Chairman or Vice-Chairman of the Board of Legislators to execute said agreement on behalf of the County, pending review by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator King, and adopted on the 2nd day of March, 2021.

RESOLUTION NO. 63 - 2021
RESOLUTION CALLING ON NYS GOVERNOR ANDREW CUOMO
TO DEEM ALL LOCAL MUNICIPAL EMPLOYEES AS ESSENTIAL WORKERS
ELIGIBLE FOR THE COVID-19 VACCINE.

Introduced by Legislator Richard A. Chartrand, District 5 Legislator.

WHEREAS, pursuant to NYS Public Health Law §2100, the local County Public Health Director is charged with the responsibility for protecting the community from public health risks associated with persons infected with communicable diseases, including the Covid-19 virus; and

WHEREAS, the Governor and NYS Department of Health (NYSDOH) require the local county health agencies to follow the distribution phases and categories for Covid-19 vaccine eligibility they determined to be appropriate throughout NYS, without regard to the particular needs and essential workers required in different parts of the State; and

WHEREAS, New York State has devised the eligibility list for distribution of the Covid-19 vaccine to include essential workers, but without including county, town and village employees as essential workers, which they most assuredly are. Most notably, DPW workers, plow drivers and solid waste workers in the North Country are essential and vital to municipal operations in the North Country; and

WHEREAS, in Lewis County, a primarily agricultural and farming community, large private sector dairy industry businesses, such as Kraft-Heinz, are essential for the continued flow of the milk industry, requiring such workers to also be included in the definition of essential worker for Covid-19 vaccine eligibility; and

WHEREAS, the Board of Legislators seeks to have the Governor re-think the definition of essential workers to include all county, town, village and other local municipal employees and give them priority in receiving the Covid-19 vaccine, and large dairy business entities, or in the alternative, to allow local Public Health Agencies to use their discretion in determining essential workers in their respective counties.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby calls upon Governor Andrew Cuomo to immediately include all county, town, village and other local municipal employees to be deemed essential workers entitled to eligibility to sign up and receive the Covid-19 vaccine, along with large dairy business entities, or in the alternative, to allow the local Public

Health Agency Directors to use their expertise and discretion to determine “essential workers” in the communities they serve.

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

Section 3. That the Clerk of the Board is directed to immediately forward a copy of this Resolution to NYS Governor Andrew Cuomo, NYS DOH Commissioner Howard Zucker, and any others the Chairman may direct.

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted on the 2nd day of March, 2021.

OTHER BUSINESS:

There was a proclamation read recognizing Lewis County Office For the Aging Nutrition Program and “March For Meals”; there was a second proclamation read commemorating “March 15th through March 19th 2021 as Covid-19 Pandemic Memorial Week”.

Legislator Chartrand made a motion to adjourn, however County Attorney McNichol asked for an executive session, and therefore Legislator Chartrand withdrew his motion for adjournment.

Legislator King made a motion at 6:35 p.m. to enter executive session for discussion on a potential liability matter, seconded by Legislator Virkler and carried. Legislator Hathway made a motion to enter regular session at 7:10 p.m., seconded by Legislator Osborne and carried.

Legislator Osborne made a motion to authorize County Attorney Joan McNichol to negotiate terms for reimbursement of the cost of a well to be drilled and if necessary, for the Highway Department to dig a ditch, and/or the cost associated with connecting to the Village of Lowville water for a property located on State Route 812 in Lowville, seconded by Legislator Moroughan and carried.

Legislator King made a motion to authorize Sheriff Carpinelli to refill one (1) full-time Dispatch position due to resignation effective immediately, seconded by Legislator Chartrand and carried.

There being no other business to come before the Board, Legislator Osborne made a motion to adjourn the meeting at 7:14 p.m., seconded by Legislator Virkler and carried.