

REGULAR MEETING
August 6, 2019

Chairman Lawrence Dolhof called the meeting to order at 5 p.m.

Roll Call: All Legislators were present, except Andrea Moroughan whom had been excused.

Chairman Dolhof led the Pledge of Allegiance to the Flag.

There were 14 persons present.

Chairman Dolhof declared the July 2 and July 8, 2019 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: Bryan Moser
Ronald Burns
Richard Chartrand
John Lehman
Thomas Osborne

Dated: August 6, 2019

Legislator Osborne made a motion to waive the rules, seconded by Legislator Chartrand, and carried.

Chairman Dolhof opened the enforcement hearing pursuant to Local Law No. 2-2007, Unsafe Buildings Law, for property located at 7864 Marshey Road in the Town of Diana, where a manufactured home was destroyed by fire on 10/14/17. According to the County Code Enforcement Officer's investigation, he recommends the Board take necessary steps to demolish the structure and remediate the site.

Mr. Richard Dowling stated he has power of attorney on behalf of property owner Mr. Orr, and had provided verifying documents to the County Attorney. He has met with the Code Enforcement Officer and is committed to cleaning up the site to the satisfaction of County officials by this fall. In response to Legislator King who cited the timing issue that allows only 30 days, Mr. Dowling officially requested a 60-day extension to assure adequate time to complete the clean up. A resolution to that affect will be presented for the Board's consideration at their next meeting.

Chairman Dolhof opened the public hearing for comments on Local Law Introductory No. 2-2019 "Local Law Amending Local Law No. 2-2009 and Re-establishing the Lewis County Trail System". There was no one who wished to speak at this time.

PRIVILEGE OF THE FLOOR:

Lewis County General Hospital CEO Gerald Cayer reported receipt in May from the NYS Dept. of Health (NYSDOH) that the Copenhagen Health Clinic was operating at a level of primary care that is not qualified and the Hospital was not the rightful owner of the license to operate the clinic. The letter further informed the need to file a Certificate of Need application to establish the extension clinic. Moreover, Mr. Cayer had simultaneously received the Copenhagen clinic nurse practitioner's intent to close her practice and return to western United States, citing unrelated circumstances, thereby forcing closure of the clinic.

In retrospect, upon officially assuming his CEO duties Mr. Cayer had reviewed and deemed the part-time clinic license was in order. Clinic physician providers had been inconsistent since 1993, at different times being private, a hospital employee or no physician; the most consistent being Dr. Shambo's 8-year service.

In 2005 the then Hospital CEO had applied for a Copenhagen clinic license which had been denied by the NYSDOH because Dr. Shambo could not have a private practice simultaneously while being a provider for the hospital. Subsequently, Dr. Shambo was employed by the hospital and the facility began billing for services on his behalf.

The 1960's modular clinic structure was evaluated by a consultant engineer who estimated \$700,000 to renovate the building to meet codes or \$800,000 to \$1,000,000 for a new building.

Mr. Cayer has kept Village of Copenhagen officials abreast of the situation, reporting that building renovation would require one year, while estimating two years for a new replacement building. Mr. Cayer plans to meet with NYSDOH officials in September to discuss grant funding for whichever option is chosen. Their focus is to file a Certificate of Need application and continue recruitment for a family practitioner provider four days per week.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Mr. Floyd J. Rivers of Glenfield penned his request for the Board to adopt a local law that would allow off-highway vehicles to be operated on County-owned lands, which he believes would allow access to hard-to-reach natural areas, enhance the economy of communities serving riders, and provide outdoor opportunities for the disabled, senior citizens and others with mobility limitations.

Legislators are invited to participate in the Village of Copenhagen's parade on August 24, 2019 in celebration of their 150th anniversary.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the Lewis County General Hospital's 2018 annual report, the July Treasurer's report, Highway and Solid Waste Department audit reports; and minutes of the 7/17/19 Youth Bureau Advisory Board meeting.

James Richmire has submitted the June Sealer of Weights and Measures activity report that was placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator Bryan Moser, Chairman of the Finance and Rules Committee, reported that Budget Officers Ryan Piche and Patricia O'Brien had started the 2020 budget process, having met with several department heads. He deferred discussion on sponsored resolutions until each is presented.

Legislator Moser introduced newly appointed Human Resources Director/Personnel Officer Caitlyn Smith.

Legislator Jerry King, General Services Committee Chairman, deferred discussion until presentation of each of his sponsored resolutions.

Legislator King made a motion to authorize Solid Waste Director Kip Turck to refill a full-time MEO Grade 18 position due to a retirement, and dependent upon whether the current part-time MEO is selected to fill the full-time position, authorization to also refill that part-time MEO position. The motion was seconded by Legislator Moser and carried.

Legislator King made a motion to authorize Buildings and Grounds Supervisor Matt O'Connor to refill one part-time cleaner at the public safety building, due to an impending retirement, seconded by Legislator Lehman and carried.

Legislator King made a motion to authorize Sheriff Carpinelli to fill one part-time deputy sheriff for the Parks and Recreation Program, seconded by Legislator Moser and carried.

Legislator King made a motion to authorize prior-to-audit payment to 4 Corners Trading Post in the amount of \$9,999.80 for weapons ordered by and delivered to the Sheriff's Department, seconded by Legislator Moser. County Attorney Joan McNichol explained that Sheriff Carpinelli had violated two specific County purchasing policies, the first not having adequate budget appropriations to cover the purchase, the second that the purchase had not been pre-authorized by the County Manager. Moreover, in response to the business owner's notice of claim for payment, Atty. McNichol will prepare a written directive outlining County purchasing procedures to enhance future compliance, and request Mr. Kiser to sign a release to resolve his claim upon full payment.

Legislator King declared that persons doing business with the County must be paid for the goods or services rendered.

The motion for payment was unanimously carried.

Legislator Gregory Kulzer, Health and Human Services Committee Chairman, took exception to docket agenda items that had been either opposed or tabled by a majority of committee members, being alternatively put forth by Chairman Dolhof, which he deemed in

direct conflict with specified Standing Rules of the Board. To the satisfaction of Legislator Kulzer, Chairman Dolhof stated that he had withdrawn the respective resolutions.

COUNTY MANAGER REPORT:

Ryan Piche reported that he and Deputy Budget Officer Patricia O'Brien have met with 18 Department Heads to discuss their preliminary 2020 budget requests, leaving nine yet to meet. A fleet management plan is being developed with Enterprise, Inc.; as well as a 5-year capital project plan. They will be prepared to present the Tentative 2020 County Budget in early November. The County's 2020 Tax Cap equates above 5%, owing to relative high inflation and reduction of the Maple Ridge Windmill PILOT agreement.

Mr. Piche announced that JCC is offering automatic enrollment on August 15, 2019 at the Lewis County-JCC Education Center, essentially waiving qualifying test scores or previous experience requirements for any Lewis County resident enrolling that day for classes offered at that facility.

COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$96,942.00; Contingency Fund-\$189,475.00; Capital Data Processing Fund- \$61,865.71 and Capital Equipment Fund - \$359,218.55, of which \$61,351.30 is the Highway portion; sales tax receipts of \$5,605,505.78 thru 6/30/19; and an Internal Service Fund balance of \$4,852,101.64 as of 5/31/2019.

REPORT OF THE FINANCE AND RULES COMMITTEE:

RESOLUTION NO. 239 – 2019
AUDITING AND ALLOWING CLAIMS

Introduced by Legislator Bryan Moser, Chairman of the Finance and Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 1,450,944.84 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 Moser, seconded by Legislator LaChausse, and adopted by the following roll call vote:

YEAS: Burns, Chartrand, King, Kulzer, LaChausse, Lehman, Moser, Osborne, and Dolhof

NAYS: None

ABSENT: Moroughan

**LOCAL LAW (INTRODUCTORY NO. 2 - 2019)
COUNTY OF LEWIS
A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009
AND RE-ESTABLISHING
THE LEWIS COUNTY TRAIL SYSTEM**

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

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

SECTION 1. TITLE

This Local Law shall be known as “**A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 AND RE-ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM.**”

SECTION 2. STATUTORY AUTHORITY

This local law is enacted pursuant to the following authority:

1. Municipal Home Rule Law (“MHL”) § 10(1)(i) provides that a county may adopt local laws relating to its property, affairs or government provided it is not inconsistent with the provisions of the constitution or any general law.

2. County Law § 219(1) provides that a county may utilize its reforestation properties “for recreation and kindred purposes.” This has been interpreted as authorizing a county to designate reforestation lands for use by all-terrain vehicles (“ATVs”), provided that such use is consistent with forest and wildlife conservation and watershed protection. Opinion Atty. Gen. Op. No. 2002-1.

3. Vehicle and Traffic Law § 2405(2) states that: “a municipality, by ordinance or local law, may designate any appropriate public lands, waters and properties other than highways under its jurisdiction as a place open for travel by ATVs upon written request for such designation by any person, and may impose restrictions and conditions for the regulation and safe operation of ATVs on such public property. . .”

SECTION 3. PURPOSE

1. The purpose of this Local Law is to update and re-establish Local Law No. 2-2009, “A Local Law Establishing the Lewis County Trail System”, by incorporation of numerous amendments to the Local Law adopted thereto since 2009, and to update by amendment various provisions of the Local Law and thereby Re-Establish the Lewis County Trail System.

2. This Local Law is to:

- (a) Establish a network of trails and interconnecting roads (“Trail System”) that is available for ATV operation throughout Lewis County;

- (b) Establish a set of guidelines for the potential expansion of such ATV trail system.
- (c) Establish a methodology for managing the trail system and implementing appropriate procedures to mitigate environmental impacts and provide for the long-term preservation of natural resources.

SECTION 4. LEGISLATIVE FINDINGS

The Board of Legislators hereby restates and makes the following findings in support of this Local Law:

1. That the Board of Legislators received and reviewed a proposed Lewis County Trail Plan (“Trail Plan”) in 2009, which set forth a resource management plan for the development of a network of interconnecting trails throughout Lewis County for outdoor enthusiasts who enjoy the use and operation of all-terrain vehicles (“ATVs”). The Trail Plan contemplates the creation of a Lewis County Trail System (“Trail System”), which is an identified and designated system of trails and interconnecting roads. The Trail System may include:
 - Trails located on County Reforestation Lands and/or other lands the County may own
 - Trails located on private lands that are designated as open to the public
 - Railroad Corridors
 - Utility Corridors
 - Recreation Easements
 - Interconnecting Town Roads (as authorized by local law by the respective townships)
 - Interconnecting County Roads (as authorized by local law)
2. The goal of the Trail Plan was to set out the management objectives and guidelines for the development of the Trail System so that the interests of ATV operators could be balanced with the long-term preservation of the environment and the County’s natural resources for future generations.
3. Before taking action with respect to the proposed Trail Plan, the Board of Legislators, acting as lead agency, conducted an extensive review of the potential impacts to the environment pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations (“NYCRR”) implementing Article 8 (collectively referred to hereinafter as “SEQRA”).
4. The Board of Legislators further determined that pursuant to Part 6 NYCRR § 617.6(a)(4), preparation of a draft Generic Environmental Impact Statement (“GEIS”) would better serve the Board in assessing potential environmental impacts.

5. The Board of Legislators has heretofore accepted the Final GEIS and has adopted a Findings Statement in accordance therewith.
6. That the Trail Plan has been reviewed and revised, where necessary, in order to assure that it conforms to the GEIS and its related Findings. Contemporaneously with the adoption of Local Law No. 2- 2009, the Board of Legislators formally approved and adopted by resolution the Trail Plan in its final form.
7. The Board of Legislators further finds that one of the key elements of the Trail System is the development of trails on County-owned reforestation lands. The Board is equally aware that the reforestation lands are valuable assets to the County and its residents both now and for generations to come. Therefore, the Board finds that it is incumbent upon them to set forth clearly defined rules and regulations as to the use of the reforestation lands, and more particularly the use of the trails thereon.
8. The Board of Legislators further finds that similar considerations pertain to the use of trails that are now or may hereafter become available to the County for incorporation into the Trail System, whether such trails are located on private property, along former railroad beds or utility corridors.
9. Furthermore, the Board of Legislators finds that this Local Law is necessary in order to set forth certain procedures for the development of the Trail System in order to assure that both present and future development complies with the GEIS and its related Findings.
10. As an additional means of regulating the use and operation of ATVs within Lewis County, the Board adopted Local Law No. 3-2009, the "Lewis County ATV Code" which set forth certain rules and regulations as to the operation of ATVs in Lewis County.

SECTION 5. DEFINITIONS

As used in this Local Law:

1. **Off- Highway Vehicles (OHV's):** Shall have the same meaning as an All Terrain Vehicle (ATV) set forth in § 2281 of the Vehicle & Traffic Law. In addition, an OHV may include other off-road motorized or self-propelled vehicles which are not able to be registered in New York State; and as more fully classified and described below:
 - a. ATV as defined under VTL §2281, including registered dirt bikes, ATVs, UTVs under the weight and length limits set forth in the VTL, and as may be amended;
 - b. Other OHVs which are not able to be registered in New York State, provided same is no more than 70 inches in width and no more than 2,000 lbs in

weight. **(THIS CLASSIFICATION OF OHV CAN ONLY ACCESS THE OFF-ROAD TRAILS.)**

2. **Director of Recreation, Forestry and Parks (DRFP):** Shall refer to the individual who holds the position of Lewis County Director of Recreation, Forestry and Parks. Any reference to either “Trails Coordinator” and/or “Conservation Foreman” shall now be deemed to refer to the Director of Recreation, Forestry and Parks.
3. **County:** Shall mean the County of Lewis.
4. **County Reforestation Lands:** Lands purchased, acquired, or accepted by gift by the County of Lewis for purposes of reforestation. Pursuant to County Law § 219, County reforestation lands may be used for “watershed protection, . . . the production of timber and forest products and for recreation and kindred purposes.”
5. **Current Trail Development:** Shall refer to:
 - (i) Trails and logging roads located upon County Reforestation Lands or any other County land identified herein and designated by operation of this Local Law as open and available for OHV trail development, subject to the rules and regulations set forth herein and the management guidelines set forth in the Trail Plan, and
 - (ii) Trails located in, on or upon private property that heretofore have permitted OHV trails to be developed for use by the public pursuant to an agreement with the landowner and
 - (a) Have been reviewed by the County in connection with the DGEIS and FGEIS, dated December 18, 2008; and
 - (b) Are authorized by this local law to be incorporated into the Lewis County Trail System by mutual agreement between the landowner and the County.
6. **Amendments to the Trail System:** Shall refer to amendments to the Trail System as the result of:
 - (i) County Reforestation Lands that may be designated in the future as being available for OHV development, subject to the rules and regulations set forth herein and the management guidelines set forth in the Trail Plan, or
 - (ii) New OHV trails to be constructed where none existed previously on or across County Reforestation Lands that are identified by this Local Law as being available for OHV trail development, or

- (iii) Newly identified trails to be located on or across private lands, including railroad corridors or public or private utility rights-of-way.
- 7. **Hazards:** Obstacles in the trail corridor making travel unsafe; something causing unavoidable danger, peril, risk, or difficulty.
- 8. **Non-Trail Areas:** Property located directly adjacent to the designated trails in the Trail System. Only those trails that are designated as part of the Lewis County Trail system are open to the public. Adjacent property and/or private trails that are not so designated are to be respected as private property and should not be encroached by OHV users.
- 9. **Operate:** shall mean to ride in or on, other than as a passenger, or use or control the operation of an OHV in any manner, whether or not said OHV is under way.
- 10. **Operator:** means every person who operates or is in actual physical control of an OHV.
- 11. **Railroad Corridors:** existing RR lines no longer in use by the railroads. These corridors of land are vast stretches of land, which can be utilized for recreational trails, provided that permission is granted by the owner of the rail lines.
- 12. **Director of Recreation, Forestry and Parks (DRFP):** shall mean the individual who holds the position of Lewis County Director of Recreation, Forestry and Parks, and who was heretofore referred to either as "Trails Coordinator" and/or "Conservation Foreman".

SECTION 6. DESIGNATION OF COUNTY REFORESTATION LANDS FOR CURRENT TRAIL DEVELOPMENT

1. The Board of Legislators hereby declares that all the trails and logging roads located in and upon County Reforestation Lands previously designated and approved by Local Law 2-2009 and by subsequent addition by Resolution, shall be open for the use and operation of OHVs, subject to the rules and regulations herein set forth and the management guidelines set forth in the Lewis County Trails Plan.

2. The opening of any County Reforestation Land to trail development does not imply that OHV use and operation is permitted in any non-trail area within the parcel of land. The use and operation of OHVs on County Reforestation Lands shall be strictly limited to the designated and signed trails within such parcel, as hereinafter set forth.

SECTION 7. DEVELOPMENT OF OHV TRAILS ON DESIGNATED COUNTY REFORESTATION LANDS

1. Upon the designation of any County Reforestation Land by the Board of Legislators, through this Local Law or any future local law, as available for Trail Development,

the Board of Legislators hereby authorizes the Lewis County Director of Recreation, Forestry and Parks to develop OHV trails in and upon such land in the following manner:

- a. Personally inspect the proposed parcel of land and/or the proposed trail and map out with as much specificity as possible where any proposed OHV trails would be located on the parcel of land (including GPS coordinates for such proposed trails, where possible).
- b. Designate such existing truck trails, logging roads or similar trails as open for use by OHVs by marking the same with appropriate signs, provided that
 - (i) The DRFP determines, that such use is consistent with forest and wildlife conservation and watershed protection and does not otherwise interfere with the County's reforestation plans; and
 - (ii) Each such truck trail, logging road or similar trail is clearly marked with signs to be placed thereon by the DRFP.
- c. All signs to be used by the DRFP for the purposes set forth in this Local Law shall be of uniform size, shape, lettering and marking; shall include the Lewis County official logo; and shall clearly and concisely inform the public that the trail is open for the operation of OHVs, or restricted by OHV classification as determined by the DRFP.

2. Nothing contained herein shall be construed to obligate the DRFP to open any particular truck trail, logging road or similar trail or any part thereof for use by all classifications of OHVs on a trail. Such determination, including classification of OHV for access on any or all trails shall be at the sole discretion of the DRFP.

SECTION 8. AMENDMENTS TO THE TRAIL SYSTEM

1. In the event that the DRFP receives (i) a written request from an individual or organization to open additional County Reforestation Lands or any other land owned or controlled by the County to trail development, or (ii) a written request from an individual or organization to construct a new trail upon a County Reforestation Land that is herein or hereafter being opened for trail development, or (iii) a written request from an individual or organization to open trails on private parcels of land or railroad or utility right-of-ways or corridors, the DRFP shall take the following steps:

- a. Perform an initial evaluation of the application, assessing the feasibility of admitting the property based upon several factors, including: the property's overall potential for enhancing the existing trail system; proof of property ownership; the property owner's willingness to execute an

access agreement with the County; the property's ability to safely host OHV travel; and such other factors as deemed reasonable and prudent by the DRFP.

- b. If the DRFP's initial evaluation of the application indicates that it may be feasible to admit the property, he/she can authorize the performance of a more detailed environmental review pursuant to SEQRA, with the County Legislature or the Lewis County Soil and Water Conservation District serving as Lead Agency for such review.
- c. Upon completion of a substantive environmental review, the DRFP will forward to the County Legislature the results of such review, plus a recommendation on property admission. The County Legislature will then finalize its own review of the available information, complete its SEQRA Lead Agency responsibilities, if required, and ultimately decide whether or not to admit the property.
- d. In the event that the Board of Legislators deems it appropriate to admit the property to the Trail System, the Board shall amend the Trail System as follows:
 - (i) If County Reforestation Land, by local law designating any or all County land as open for the use and operation of OHVs, subject to the rules and regulations herein set forth and the management guidelines set forth in the Lewis County Trails Plan.
 - (ii) If private property, by resolution of the Board of Legislators approving an access agreement between the landowner and the County, and subject to the rules and regulations herein set forth and the management guidelines set forth in the Lewis County Trails Plan.

2. Upon admission to the Trail System as set forth above, the property shall be identified and mapped by the DRFP as described in Section 7 above.

SECTION 9. INTERCONNECTING PUBLIC HIGHWAYS

1. It is anticipated that the Trail System may include one or more public highways that will interconnect with the trails located on County Reforestation Lands or any other County land, and the off-road trails on private property that have been identified and signed as incorporated into the Lewis County Trail System. Interconnecting public highways may be incorporated into the Lewis County Trail System under the following conditions:

- a. The highway in question has been designated for use by ATV traffic by appropriate government action pursuant to Vehicle and Traffic Law § 2405 by the governmental agency having jurisdiction.
- b. In the case of a town highway, the DRFP has received a concurring resolution or local law from the town board setting forth their consent or designation that said portion of the town highway is open to ATV access, and therefore can be included as a designated highway into the Lewis County Trail System.
- c. In the event that either a town or County highway has not been reviewed pursuant to the GEIS performed by the County and identified on the map attached to the FGEIS, dated December 18, 2008, the DRFP initiates the procedures set forth in subparagraphs “b” and “c” of Section 7, Paragraph 1 above.
- d. The DRFP identifies the highway as being incorporated into the Trail System by placing or causing to be placed thereon appropriate Lewis County Trail signs as well as identifying such highway on maps produced by the Trails Department for public use.

SECTION 10. OPERATION OF OHVs ON THE LEWIS COUNTY TRAIL SYSTEM

1. No person shall operate an OHV on the Trail System except in conformance with this Local Law, the Lewis County ATV Code and any other applicable law, rule or ordinance.
2. No person shall operate an OHV on the Trail System except where designated and marked for such classified use by appropriate signage as hereinafter provided.
3. No person shall operate an OHV in or on a non-trail area as defined herein, or on a trail not designated for that OHV classification. Any person who operates an OHV on the Trail System:
 - (i) upon a trail that is marked and signed as “closed” or otherwise has not been designated and marked as being “open” for such use and or classification, or
 - (ii) operates an OHV outside of the designated and signed trail shall be guilty of trespass and any other identified violation(s) of law, and shall be subject to prosecution under civil and criminal laws, as appropriate.

SECTION 11. LEWIS COUNTY OHV TRAIL PERMITS

1. Except as hereinafter provided, no person shall operate any OHV on any County Reforestation Land, County property, or any trail on private property that has been incorporated

into the Lewis County Trail System unless such OHV has received a Lewis County Trail Permit in accordance with the provisions of this Local Law, and the Lewis County Trail Permit number for such OHV is in full force and effect and displayed as provided under this Local Law and regulations promulgated hereunder.

An OHV which is to be operated and have access to the Lewis County Trail System shall provide for coverages required of an “owner’s policy of liability insurance”, issued by an insurance carrier authorized to do business in the State of New York. The owner or operator of the OHV shall carry a copy of said insurance coverage at all times while accessing the Trail System, and produce same upon the request of any person having authority to enforce the provisions of this Local Law and NYS VTL §2407, and any person(s) who claims to have suffered personal injury or property damage as a result of the operation of such OHV, as more fully set forth in VTL § 2407.

2. The Lewis County DRFP or her/his designee is hereby authorized to issue a Lewis County Trail Permit or a Trail Pass and assign a Lewis County Trail Permit or Trail Pass number to each such OHV, upon the receipt of a completed application and payment of appropriate permit fee(s) as hereinafter provided.

a. The OHV Permit Season shall run from April 1st through the Tuesday after Columbus Day each year, unless otherwise established by the Board of Legislators on or before its March Board meeting. Notwithstanding the foregoing, the DRFP, after consultation with the Board of Legislators, is authorized to delay the opening date of any or all of the trails within the Trail System based upon weather and environmental conditions. In such event, the DRFP shall post the trails accordingly, provide notice of the date of opening on the County website, Chamber of Commerce website, and provide other means of notification as deemed reasonable and appropriate.

b. A Trail Permit shall be valid from the date of issuance through and including the last day of the Permit Season for which it was issued, except that a trail permit purchased on or after the Tuesday after Labor Day shall be valid for the following Permit Season.

c. A Trail Pass shall be valid for a period not to exceed three (3) consecutive days, provided that in no event shall a Trail Pass allow use of the Trail System beyond the closing date of the Permit Season as set forth above.

d. The DRFP is authorized to provide for and post a free Three (3) Day Pass weekend the first full weekend of August (Friday, Saturday, Sunday), in the sole discretion of the Director.

e. The Board of Legislators may license designated outlets who shall be authorized to receive permit applications, receive permit fees and transmit the same to the DRFP, and issue permits to the applicant, all in accordance with the terms of such license agreement as approved by the Board of Legislators.

f. The Board of Legislators authorizes the Director and/or her designated vendor to provide for the receipt of permit applications and permit fees through a secure internet site to be administered by the Director or her designee.

g. Notwithstanding the above, the DRFP shall have the sole discretion to open and/or close any part of the trail system at any time for environmental and safety concerns, trail maintenance, and for any other reason.

3. Fees. Fees for the issuance of a Lewis County Trail Permit to be collected by the Lewis County under this Local Law are as follows.

- a. A fee of sixty-five (\$65) dollars for the first OHV applicant who is not a current, registered member of an OHV club with an active OHV Trail Agreement with Lewis County.
- b. A fee of forty-five (\$45) dollars for the first OHV for which a Trail Permit is requested where the applicant must present proof of current, registered membership in an OHV Club with an active OHV Trail Agreement with the County.
- c. In the event that an applicant wishes to obtain permits for more than one OHV, the applicant must show proof that all additional OHVs are owned/registered to the same address. The permit fee for each additional OHV shall then be \$20 per machine.
- d. Fees shall not be pro-rated for the Permit Season, and such fees shall be applicable to the year in which the permit is issued, except that permits purchased on or after the Tuesday after Labor Day shall be valid the following Permit Season.
- e. The provisions of paragraphs a. and b. of this subdivision shall not apply to any landowner who has entered into and has an active access agreement with the County to permit the development of one or more OHV trails on his/her property.
- f. As an alternative to obtaining a Trail Permit, an OHV operator may purchase a three (3) day Trail Pass. The fee for the Trail Pass shall be twenty (\$20) dollars each. The trail pass shall allow the holder thereof use of the appropriate Trail System for the classification of the OHV for a period of no longer than three (3) consecutive days.
 - i. The Trail Pass shall be of such design and material as determined by the DRFP.
 - ii. To obtain a Trail Pass, an OHV operator must complete an application and provide the same information as is required to obtain a Trail Permit.
 - iii. The DRFP may establish such other rules and regulations for administering the purchase and sale of Trail Passes as deemed necessary and consistent with the regulations provided in these local laws. All other rules and regulations that apply to Trail Permits shall equally apply to Trail Passes.

5. Application. The owner of each OHV requiring Lewis County Trail Permit or Trail Pass under this Local Law shall present an application for a Lewis County Permit or Trail Pass to the Lewis County Director of Recreation, Forestry and Parks, or her/his designated licensee as provided in Paragraph 2 above, on a form to be prepared and furnished by the Lewis County DRFP for that purpose. Such application shall contain, but not be limited to the following information:

- a. Vehicle Identification Number (VIN#) and/or License Plate Number;

- b. Check off of all appropriate information, including that the applicant has proper insurance coverage for the vehicle (s);
- c. Proper execution of agreement with any and all waivers, including but not limited to knowledge and understanding of all requirements for operation of OHVs and New York State ATV Laws;
- d. Payment of appropriate fee(s) as provided in Paragraph 4 above.

Upon receipt of a completed application, the DRFP shall issue a Lewis County Trails Permit or Trail Pass, with the appropriate identifying receipt and/or sticker. The Trail Permit/Pass receipt must be carried by the OHV operator at all times, and any issued sticker properly affixed. No duplicate for lost or damaged Permits/stickers will be issued. No OHV shall be considered as validly using or accessing the Lewis County Trail System within the meaning of this section unless a current Lewis County Trail Permit and sticker are issued, possessed, and affixed.

6. Renewal. Every owner of an OHV shall renew his or her Lewis County Trail Permit each calendar year by submitting an application together with the appropriate information, attestations, fees and waivers. The Owner is to keep a copy of the permit renewal receipt.

7. Exemption. No Trail Permits shall be required for the following described OHVs:
- a. OHVs owned and operated by Lewis County and used by the Lewis County DRFP, Lewis County Sheriff, or any deputy, special patrolman or peace officer employed thereby; Lewis County Emergency Management Services Director and Assistant;
 - b. OHVs owned and operated by NYS Police, Department of Environmental Conservation, Department of Parks and Recreation or any other department thereof.
 - c. Search and Rescue Responders and Fire Department Responders to an emergency.

8. Special events. The person(s) or entity in charge of a special event involving the operation of OHVs shall comply with the provisions of section twenty-four hundred eight of the Vehicle and Traffic Law, including but not limited to providing the Lewis County DRFP with at least thirty (30) days prior Notice of the scheduled special event. Governmental agencies having jurisdiction over the proposed special event shall either grant or deny authorization to hold a special event within thirty days after receipt of a full and complete application for authorization as described in VTL §2408. The event shall not be conducted without prior written authorization from the governmental agencies having jurisdiction over the site(s). OHVs participating in a properly Noticed and Approved special event may be exempted from the provisions of this Local Law concerning Trail Permits, at the discretion of the Board of Legislators.

9. Responsibility for operation by minors. No owner or other person in possession of any OHV shall authorize or knowingly permit any person under eighteen years of age to operate such OHV in violation of any provisions of this section.

10. Violations.

a. Any person who rides on the Lewis County Trail System without a valid Permit, shall be fined the sum of \$250 for the first offense, \$500 for the second offense, and shall be subject to the offending OHV being impounded; these fines shall also apply to the record owner of the machine;

b. Any person who enters upon property other than the trail system shall be subject to trespass and any other appropriate violations of the law. Such person(s) shall be fined the sum of \$250 for the first offense and shall be banned from the Trail System for the remainder of the Season with the Trail Permit revoked. Such person(s) shall be fined the sum of \$500 for the second offense and may be permanently banned from the Trail System.

c. Any person who is convicted of violation of the speed limit (25 miles per hour) within the trail system shall receive a fine of \$500 for the first offense, \$1,000 for the second offense and with the immediate revocation of the Trail Permit(s) issued to that person.

d. Any person who violates any other provisions of this the Local Law, the Lewis County ATV Code Local Law, or any other State or Local Law or regulation shall be guilty of a traffic infraction and/or all other appropriate laws and regulations so violated. A person guilty of a first offense shall receive a fine of \$250 in addition to any other fines specifically set forth in the VTL, ECL or other relevant statute. Upon conviction of a second offense occurring within one calendar year, the offender shall receive a fine of \$500, and all Trail Permits issued to the owner and operator thereof shall be revoked for a period of one calendar year from the date of conviction. The aforesaid is in addition to any other appropriate fines and remedies at law.

11. Rules and regulations. The Lewis County DRFP shall promulgate such other rules and regulations as he or she may deem necessary to carry out the provisions of this article, and submit same to the Lewis County Board of Legislators for approval and adoption as an amendment to this Local Law.

12. Disposition of fees. The Lewis County DRFP shall deposit all monies received from the issuance of Lewis County Trail Permits for OHVs and all fees otherwise collected under this Local Law to the credit of a Recreational Trails Fund established by the Lewis County Treasurer. All such funds shall be dedicated exclusively to the establishment, maintenance and operation of the Lewis County Trail System.

SECTION 12. REFERENCE TO OHV AND ATV

Reference to “ATV” in Local Law 3-2009, “A LOCAL LAW ESTABLISHING THE LEWIS COUNTY ATV CODE”, and all other ATV Local Laws subsequent thereto, including all Amendments and Additions by Local Law and/or by Resolution, shall be deemed to refer to “OHV” in accordance with this Local Law.

SECTION 13. SEVERABILITY

In the event that any part or provision of this Local Law or the application thereof to any person or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of the Local Law or the application thereof to other persons or circumstances. Moreover, the Board of Legislators of the County of Lewis hereby declares its intent that it would have passed this Local Law or the remainder thereof had such invalid provision or invalid application been apparent.

SECTION 14. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

Atty. McNichol made a corrective statement to clarify there was not a prepared resolution relative to the unsafe building issue. Accordingly, Legislator King made a motion to allow the owner of the property to have an additional 60 days beyond the timeframe outlined in his previous letter to demolish the building at 7864 Marshey Road in the Town of Diana, directing Atty. McNichol to prepare an authorizing resolution.

Due to unverifiable time allowances, Legislator King subsequently withdrew his motion. There was general consent to have Atty. McNichol prepare a respective resolution to formalize the Board's directive to offer a 60-day extension to Mr. Dowling that would be presented at the September meeting.

Chairman Dolhof closed the public hearing for comments on the Unsafe Building issue and Local Law Intro. No. 2-2019 at 5:35 p.m. after no one else wished to speak.

In response to Legislator LaChausse, Chairman Dolhof declared that Mr. Dowling would operate in accordance with the original letter, and the Board would consider a clarifying resolution outlining the extension of time at the September meeting.

The following resolution was then presented for action.

RESOLUTION NO. 240 - 2019
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 3 – 2019, COUNTY OF LEWIS

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on July 2, 2019, directing that a public hearing be held by said Board on August 6, 2019, from 5:00 p.m. to 5:30 p.m. in the second floor board room of the Court House, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on proposed Local Law entitled “A LOCAL LAW AMENDING AND RESTATING THE ESTABLISHMENT OF THE LEWIS COUNTY TRAIL SYSTEM”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on July 31, 2019, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak in support of or opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 2 – 2019), County of Lewis, being “A LOCAL LAW AMENDING AND RESTATING THE ESTABLISHMENT OF THE LEWIS COUNTY TRAIL SYSTEM” be and the same hereby is designated as Local Law No. 3–2019, County of Lewis.

Section 2. That Local Law No. 3–2019, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Moser , seconded by Legislator King .

Legislator Kulzer relayed concern for County responsibility or potential lawsuits if the Board approves UTV’s weighing up to 2,000 lbs. to travel on designated County trails, considering the machines cannot be legally registered in New York State. Director of Recreation, Forestry & Parks Jacqueline Mahoney asserted the operator would be responsible. Each permit applicant must certify their understanding of NYS laws and agree to obtain insurance coverage. County Manager Ryan Piche added that permit applicants must also certify their agreement to comply with NYSDOT laws and regulations.

The resolution was then adopted pursuant to the following roll call vote:

YEAS: Burns, Chartrand, King, Kulzer, LaChausse, Lehman, Moser, Osborne, Dolhof

NAYS: None

ABSENT: Moroughan

LOCAL LAW (INTRODUCTORY NO. 3 - 2019)
COUNTY OF LEWIS
A LOCAL LAW KNOWN AS “A LOCAL LAW CONTINUING
AN ADDITIONAL MORTGAGE TAX FOR MORTGAGES ON
REAL PROPERTY SITUATED IN LEWIS COUNTY”

Introduced by Legislator Bryan Moser, Chairman of the Finance and Rules Committee.

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

Section 1. **PURPOSE.** The purpose of this local law is to impose a tax of twenty-five cents for each one hundred dollars of principal debt or obligation which is secured by a mortgage on real property situated in Lewis County and to provide for the administration of the same.

Section 2. **AUTHORITY.** The Board of Legislators is authorized to adopt and/or amend the within local law pursuant to Tax Law § 253-h and by Municipal Home Rule Law § 10.

Section 3. **ADDITIONAL MORTGAGE TAX.** In addition to any other tax, surcharge or fee as may be required, imposed, collected or received pursuant to any other general, special or local law upon the recording of a mortgage on real property situated in Lewis County, the Lewis County Clerk is hereby authorized and empowered to impose and receive for the benefit of Lewis County, the following tax:

A. A tax of twenty-five cents for each one hundred dollars and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within Lewis County and recorded on or after the 1st day of November, 2019.

B. In the event that the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars a tax of twenty-five cents on such mortgage shall be imposed.

Section 4. **ADMINISTRATION.** The taxes imposed under the authority of this local law shall be administered and collected in the same manner as the taxes imposed under subdivision one of section two hundred fifty-three and paragraph (b) of subdivision one of section two hundred fifty-five of the Tax Law. Furthermore, the provisions of subdivisions two, three and five of section two hundred fifty-three-h of the Tax Law are hereby incorporated herein and shall apply with the same force and effect as if those provisions had been set forth in full in this section.

Section 5. **EXPIRATION.** This local law shall expire and be of no further force and effect on October 31, 2022, except that the Board of Legislators may adopt and enact one or more subsequent local laws to continue or extend the taxes imposed by this local law, provided

that each such subsequent local law may continue the within tax for a period not to exceed three years each.

Section 6. EFFECTIVE DATE. This local law shall take effect upon filing with the Secretary of State and upon compliance with all other requirements of law.

RESOLUTION NO. 241 - 2019
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY NO. 3 - 2019), COUNTY OF LEWIS

Introduced by Legislator Bryan Moser, Chair of the Finance and Rules Committee.

WHEREAS, pursuant to the authority granted by Tax Law Section 253-h and by Municipal Home Rule Law Section 10, the Board of Legislators of the County of Lewis wishes to adopt a local law that provides for an additional tax of twenty-five cents per one hundred dollars of principal debt secured by a mortgage on real property situated in the County of Lewis; and

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators held on August 6, 2019, a proposed Local Law known as A LOCAL LAW CONTINUING AN ADDITIONAL MORTGAGE TAX FOR MORTGAGES ON REAL PROPERTY SITUATED IN LEWIS COUNTY.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a Public Hearing will be held on September 3, 2019, from 5:00 p.m. to 5:30 p.m., at the Lewis County Board of Legislators' Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York to hear all persons for or against such local law.

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

Moved by Legislator Osborne, seconded by Legislator Moser, and adopted.

RESOLUTION NO. 242 - 2019
RESOLUTION TO TRANSFER FUNDS
BUILDINGS & GROUNDS

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

BE IT RESOLVED, as follows:

Section 1. That the following budget reallocation is hereby approved in the Buildings & Grounds Accounts to more accurately track expenses:

<u>From:</u>	Amount
A0162000 460600 Rep & Maint Hwy	\$10,000.00
<u>To:</u>	
A0162300 460600 Rep & Maint Hwy	\$10,000.00

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

Moved by Legislator Lehman, seconded by Legislator Burns, and adopted.

RESOLUTION NO. 243 - 2019
RESOLUTION AUTHORIZING INTER-MUNICIPAL AGREEMENTS BETWEEN
COUNTY OF LEWIS AND VILLAGE OF COPENHAGEN
TO ADMINISTER AND ENFORCE LOCAL LAND USE & ZONING REGULATIONS
AND FLOOD DAMAGE PREVENTION ADMINISTRATION AND ENFORCEMENT

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

WHEREAS, the Village of Copenhagen has enacted a zoning law or ordinance which regulates the use of land within said municipality and enacted a zoning law or ordinance which regulates use of land and construction of structures located within FEMA designated special flood hazard zones within said municipality; and

WHEREAS, General Municipal Law § 119-u [4](d) and in particular, Town Law § 284 [4](d) and Village Law § 7-741 [4](d), authorize a Town or Village to enter into an inter-municipal agreement with a county to carry out all or a portion of the ministerial functions related to land use regulation within such Town or Village and to provide for a land use administration and enforcement program which may replace individual land use administration and enforcement programs, if any, the terms and conditions of which shall be set forth in such agreement; and

WHEREAS, the County of Lewis wishes to promote inter-governmental cooperation to the extent of offering to participating Towns and Villages the opportunity to have the Lewis County Codes Department perform certain ministerial functions related to the permitting and inspection of properties within such participating Towns and Villages for the purpose of enforcing the zoning and land use regulations of such Town or Village; and

WHEREAS, the Village of Copenhagen wishes to have the Lewis County Codes Department administer and enforce their Local Law via an Inter-municipal Agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Inter-municipal Agreement between the County of Lewis and the Village of Copenhagen for the Lewis County Codes Department to be designated as the Village's Enforcement Officer under its local law, to administer and enforce their Local Law on behalf of the Village.

Section 2. That this is for the term commencing June 27, 2019, through December 31, 2019 and shall automatically renew for additional one year terms unless either party notifies the other in writing of their intent to terminate 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 Burns, seconded by Legislator King, and adopted.

RESOLUTION NO. 244 - 2019
RESOLUTION AUTHORIZING AND DESIGNATING
THE LEWIS COUNTY PRIORITIES COUNCIL AS PART OF
2020 CENSUS COMPLETE COUNT COMMITTEE

Introduced by Legislator Gregory Kulzer, Chairman of the Health and Human Resources Committee.

WHEREAS, the Lewis County Priorities Council is comprised of Health and Human Services agencies in Lewis County which focus on needs of various populations within the County. The Council is co-chaired by the Commissioner of Lewis County Department of Social Services (DSS) and the Associate Director of the Northern Regional Center for Independent Living (NRCIL); and

WHEREAS, the Priorities Council has the information and abilities from its various agencies and resources to provide the most accurate information to gather data for a complete 2020 census; and

WHEREAS, as part of the Complete Count Committee, the Priorities Council would be served by having the County Manager appointed as the Committee chair.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and designates the Lewis County Priorities Council as part of the 2020 Census Complete Count Committee.

Section 2. That the Lewis County Manager is hereby appointed to serve as a member of the Committee and to serve as its Chair.

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

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted.

RESOLUTION NO. 245 - 2019
RESOLUTION AUTHORIZING ADDENDUM TO AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY SERVICES DEPARTMENT AND CREDO
COMMUNITY CENTER FOR TREATMENT OF ADDICTIONS

Introduced by Legislator Gregory Kulzer, Chairman of the Health and Human Services Committee

WHEREAS, Lewis County Community Services Department (“CS”) entered into an agreement on February 6, 2019 with Credo Community Center for the Treatment of Addictions (“Credo”) to provide outpatient substance abuse treatment services; and

WHEREAS, Credo has received federal money through grant funds from the Office of Alcoholism and Substance Abuse Services (“OASAS”) which require Credo to provide additional deliverables and data for services in Lewis County which are not set forth in the original agreement’s scope of services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an addendum to the Agreement between the County of Lewis, by and through the Lewis County Community Services Department, and Credo Community Center for the Treatment of Addictions, Inc. to provide additional deliverables and data for services through grant funds currently being received by Credo and continuing for the second term beginning October 1, 2019 through September 30, 2020.

Section 2. That the Chairman or the Vice-Chairman of the Board of Legislators be and the same are hereby authorized to execute and deliver such addendum to the agreement upon such form as approved by the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator King, and adopted.

RESOLUTION NO. 246 - 2019
RESOLUTION AUTHORIZING LEWIS COUNTY COMMUNITY SERVICES TO PARTICIPATE IN THE HEALING COMMUNITY STUDY CONDUCTED BY COLUMBIA UNIVERSITY UNDER THE NATIONAL INSTITUTE ON DRUG ABUSE GRANT AND FUNDING AND AUTHORIZING AGREEMENTS FOR SAME

Introduced by Legislator Gregory Kulzer, Chairman of the Health and Human Services Committee.

WHEREAS, the County of Lewis (“County”), through Lewis County Community Services (“LCCS”), is a Local Government Unit (“LGU”), tasked with fiscal auditing responsibilities and management of State OMH, OASAS, and OPWDD programs; and

WHEREAS, the Director of the Lewis County Community Services Board was notified by Columbia University representatives that Lewis County was chosen along with fifteen other Counties to participate in the University’s “Healing Community Study” Project which is Grant funded by the National Institute on Drug Abuse. The Grant terms indicate that a certain amount of funds (not yet determined) will be distributed across the sixteen participating counties in this four-year project, with the primary goal of reducing opioid related deaths by 40% by enhancing service deliverables, improvising access to services, tracking data and increasing access to medication assistance therapy; and

WHEREAS, the Director of the CSB requests to participate in the four-year study and project, and requests that the Board of Legislators authorize such participation and execution of the Agreements required.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes Lewis County Community Services to participate in the Healing Communities Study four-year project being conducted by Columbia University and funded by the National Institute on Drug Abuse (NIDA), whose primary goal is to reduce opioid related deaths by 40% by enhancing services and deliverables identified in the NIDA grant.

Section 2. That the Lewis County Board of Legislators authorizes the Director of Lewis County Community Services to execute the applications and Agreements required for this four-year project participation, and to accept the Grant funding distributed to Lewis County for its participation, upon review and approval by the County Attorney.

Section 3. This Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Lehman, and adopted.

RESOLUTION NO. 247 - 2019
RESOLUTION AUTHORIZING COUNTY MANAGER
TO ACCEPT LAPTOPS OR TABLETS ON BEHALF OF LEWIS COUNTY
TO AID IN THE BATTLE AGAINST OPIOID EPIDEMIC
AND VIOLENT DEATH REPORTING

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

WHEREAS, Lewis County continues to vigilantly fight the opioid epidemic to protect its residents' health and wellbeing; and

WHEREAS, one key in this fight is the County Coroner's ability to identify and track opioid related and other violent deaths; and

WHEREAS, providing the County Coroner with tools, such as a laptop or tablet which can be taken into locations will assist in the opioid fight by assisting the Coroner with collecting more accurate and immediate information and data; and

WHEREAS, the New York State Department of Health (DOH), in conjunction with the Centers for Disease Control and Prevention (CDC), are heading a program to provide laptops and tablets equipped with relevant software to Counties, at no cost, in order to assist County Coroners with data collection and required national violent death reports; and

WHEREAS, the Board of Legislators seeks to authorize the County Manager to accept the laptops/tablets awarded to Lewis County and to provide them to the County Coroner in order to assist in this vital work and data collection.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County Manager to accept laptops and/or tablets offered by the DOH and CDC at no cost, on behalf of the County, and to distribute them to the County Coroner in order to assist in data collection and Coroner reports for programs requiring data and counts of specific types of violent deaths in the County.

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

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted.

RESOLUTION NO. 248 - 2019
RESOLUTION AMENDING COMPENSATION PLAN WITH
REFERENCE TO PART-TIME ASSISTANT DISTRICT ATTORNEY

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

WHEREAS, the recent resignation of the full-time Assistant District Attorney has created a need for more hours of work for the part-time Assistant District Attorney; and

WHEREAS, the District Attorney budget has adequate personnel services appropriations, due to the resignation and current vacancy.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the District Attorney's office to authorize the Part-time Assistant District Attorney to increase hours from 20 hours to 30 hours per week at a rate of \$50.00 per hour, with said increased hours not to exceed \$10,000 per year.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Moser, and adopted.

RESOLUTION NO. 249 - 2019
RESOLUTION AMENDING COMPENSATIONN PLAN TO
CREATE TEMPORARY INTERN
FOR ASSISTANT DISTRICT ATTORNEY

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

WHEREAS, the recent resignation of the full-time Assistant District Attorney has created a need for more hours of work in the District Attorney's office, and

WHEREAS, the District Attorney budget has adequate personnel services appropriations, due to the resignation and current vacancy.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the District Attorney's office to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Intern (1)	Temporary (3 weeks/7 hrs/day)	\$16.00/hr.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Lehman, and adopted.

RESOLUTION NO. 250 - 2019
RESOLUTION AUTHORIZING A LEASE AGREEMENT
BETWEEN THE COUNTY OF LEWIS o/b/o BOARD OF ELECTIONS
AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK (TLS)

Introduced by Bryan Moser, Chairman of the Finance and Rules Committee.

WHEREAS, Lewis County, on behalf of the Board of Elections (“County/Tenant”) desires to enter into a Lease Agreement with Transitional Living Services of Northern New York (“TLS/Landlord”) for the purpose of leasing and occupying approximately 3,831 square feet of office/commercial space on the first floor of the building known as the Lowville Commons, 7550 S. State Street, Lowville, NY 13367 to accommodate the Lewis County Board of Elections and any additional County department, and all uses related and incidental thereto; and

WHEREAS, the term of the Lease shall be three (3) years, with the right of the County to terminate sooner pursuant to terms and conditions set forth in the agreement, together with other customary lease terms and provisions; and

WHEREAS, the rental obligation is \$4,836.64 per month, inclusive of utilities, heating, cooling, snow removal, building structure repairs and maintenance; the County to be responsible for any costs and expenses pertaining to minor repairs and cleaning services of its leased space.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a Lease Agreement by and between the County of Lewis and Transitional Living Services of Northern New York (TLS), for the rental of approximately 3,831 square feet of office/commercial space on the first floor of the building known as The Lowville Commons, 7550 South State Street, Lowville, New York 13367, for the benefit of the Lewis County Board of Elections, for a term commencing and retroactive to May 1, 2019 through April 30, 2022 at a monthly rental rate of \$4,836.64 inclusive of all utilities, heating, cooling, snow removal, building structural repairs and maintenance.

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

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Burns.

In response to Legislator Kulzer, Atty. McNichol clarified the lease agreement defines “minor repairs” with a maximum dollar amount.

The resolution was then adopted.

RESOLUTION NO. 251 - 2019
RESOLUTION AUTHORIZING ONE-TIME PAYMENT AND AGREEMENT
BETWEEN COUNTY OF LEWIS AND
HARRISVILLE VOLUNTEER FIRE DEPARTMENT, INC.

Introduced by Legislator John Lehman, District No. 1 representative.

WHEREAS, the Harrisville Volunteer Fire Department is in the process of purchasing a new pumper to replace its 1998 FMC pumper. The Harrisville Fire District consists of the town of Diana (Lewis County), town of Pitcairn (St Lawrence County), and provides mutual aid to the Towns of Croghan, Natural Bridge, Carthage, Fine, Edwards and Gouverneur; and

WHEREAS, with the assistance of the Towns of Diana and Pitcairn, the Department has a five year equipment purchase plan in place, with the purchase of this pumper being the first purchase under the plan. The cost of the pumper is \$326,000 with \$244,000 being placed as a deposit. The Department seeks to pay the balance off in full upon delivery, and requests assistance from the County to defray the costs in order to continue to provide these vital services to a large portion of northern Lewis County; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize a one-time payment of \$2,000 toward this equipment cost and to provide fire protection services to residents of northern Lewis County, in consideration of providing relevant information and data of such services to the County pursuant to an agreement.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes an Agreement with the Harrisville Volunteer Fire Department, Inc, 14226 Church Street, Harrisville, NY, to provide a one-time payment of \$2,000 to be used by the Department toward the purchase of the newly ordered Pumper to service residents in the Northern part of the County, payable from special legislative contingency.

Section 2. That the Chairman or the Vice-Chairman, of the Board of Legislators be and the same are hereby authorized to execute and deliver such agreement upon such form as approved by the County Attorney.

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

Moved by Legislator Lehman , seconded by Legislator Burns .

Legislator King respectfully urged the Board to deny the funding request, reminding the County had expended over \$1.5 million to upgrade the radio communication system for all fire departments, partially financed by windmill PILOT revenues. The least allocated for any one department was \$89,000, he said. He suggests that fire departments be required to submit appropriation requests during annual County budget deliberations, likewise required of all

outside agencies. Legislator King deems respective Towns and Villages responsible for fire district equipment.

Legislator Moser referenced the prospective PILOT agreement policy for that may encompass community projects including fire department initiatives.

Legislator Kulzer voiced objection terming the prospective policy inappropriate, instead favoring the County historical PILOT procedure and Legislator's discretion over municipal requests. He does not support the IDA Board of Directors overseeing discretionary PILOT revenue allocations.

Legislators Kulzer and Moser each recognized that funding approval of the instant request would in essence deem every fire department eligible for a \$2,000 appropriation.

Legislator King convincingly stated that fire departments should be able to come up with \$2,000, reiterating that requests should be made and considered during budget deliberations, not in the middle of the year.

Legislator Lehman suggested County Budget Officer Ryan Piche annually budget a \$2,000 appropriation on a rotating basis for each fire department, terming it good public relations.

The resolution was then adopted by a vote of 7 to 3, with Legislators King and Moser opposed and Legislator Moroughan absent.

RESOLUTION NO. 252 - 2019
RESOLUTION TO APPROPRIATE FUNDS
CR 43(EAST RD) OVER MOOSE CREEK

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

BE IT RESOLVED as follows:

Section 1. That \$158,000.00 shall be appropriated in the Capital Bridge Program to facilitate the PE/Design Phase and Row Incidentals and Construction Phases of the Bridge on CR 43(East Rd) over Moose Creek.

Section 2. The following accounts shall be recognized to facilitate the funding of this project:

Revenue:

H0512000 345970 FEDERAL	\$126,400.00
H0512000 350310 LOCAL	\$ 31,600.00
Project HAQ	

Expense:

H0512000 499900	\$158,000.00
Project HAQ	

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

Moved by Legislator LaChausse, seconded by Legislator Kulzer, and adopted.

RESOLUTION NO. 253 - 2019
RESOLUTION TO CLOSE
BLUE ST OVER WHETSTONE CREEK

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

BE IT RESOLVED as follows:

Section 1. That the above listed Capital Account is hereby closed and all funds appropriated as follows:

Decrease Revenue:

Project HAM	
H0512000 345970 Fed	\$663,017.43
H0512000 350310 Interfund	\$ 72,287.67

Increase Revenue:

Project HAM	
H0512000 335910 NYS	\$ 34,601.46

Decrease Expense:

Project HAM	
H0512000 499900 Exp	\$700,703.64

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

Moved by Legislator Osborne, seconded by Legislator King, and adopted.

RESOLUTION NO. 254 - 2019
RESOLUTION AUTHORIZING EXTENSION OF
SHARED SERVICES AGREEMENT BETWEEN
NEW YORK STATE DEPARTMENT OF TRANSPORTATION
AND COUNTY OF LEWIS

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

WHEREAS, the County of Lewis (“County”) and New York State Department of Transportation (“NYSDOT”) entered into a shared services agreement (Contract No. C005701) for the term commencing September 1, 2015 to August 31, 2019 pursuant to Transportation Law Sections 14(14) and 14(15) and Section 99-4 of the General Municipal Law; and

WHEREAS, the sharing of such materials and services promotes and assists the maintenance of NYSDOT and County roads and highways and provides a cost savings by maximizing effective utilization of both parties’ resources; and

WHEREAS, the original agreement allows for the term of the agreement to be extended for up to three additional one-year periods, and the NYSDOT and the County of Lewis wish to extend this agreement to August 31, 2020.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an extension to the Shared Services Agreement (Contract No. C005701) between the County of Lewis and the New York State Department of Transportation to share certain materials and services whereby the sharing of such materials and services shall promote and assist the maintenance of NYSDOT and the County of Lewis roads and highways and provides cost savings by maximizing effective utilization of both parties’ resources.

Section 2. That this Shared Services Agreement is extended to August 31, 2020, wherein each party shall contribute no more than \$77,000.00, and the value of the shared services pursuant to this agreement shall not exceed \$154,000.00.

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

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

Moved by Legislator King , seconded by Legislator Burns , and adopted.

RESOLUTION NO. 255 - 2019
RESOLUTION TO TRANSFER FUNDS
HIGHWAY DEPARTMENT

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

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Highway Department Accounts to purchase a lap top.

From:

D0501000 450700 Travel	\$542.00
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To:

D0501000 2217 Computers	\$542.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator King, and adopted.

RESOLUTION NO. 256 - 2019
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 and abolish the following positions:

CREATE

TITLE

Clinical Coordinator (1)

STATUS

Full-time

ABOLISH

TITLE

Infection Control Nurse (1)

STATUS

Full-time

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

Moved by Legislator Chartrand, seconded by Legislator Osborne, and adopted.

RESOLUTION NO. 257 - 2019
RESOLUTION AMENDING COMPENSATION PLAN TO AUTHORIZE
RECLASSIFICATION OF POSITIONS IN
COMMUNITY SERVICES AND HUMAN RESOURCES

Introduced by Legislator Bryan Moser, Chairman of the Finance and Rules Committee.

WHEREAS, the pending retirement of the Human Resources Director has caused both he and the Director of Community Services to reevaluate the classification of an existing Keyboard Specialist; and

WHEREAS, the Human Resources Department has the need to designate said position as Management Confidential based upon the incumbent's role in handling materials used in labor relations and collective bargaining; and

WHEREAS, the Human Resources Department has embarked on a major project which requires staff stability and continuity; and

WHEREAS, the Human Resources Department has identified personnel services savings in its 2019 budget; and

WHEREAS, the incumbent possesses a bachelor's degree and had previously served in the classification of a Senior Keyboard Specialist and has reinstatement eligibility pursuant to Civil Service rules and regulations.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis by authorizing the following reclassification, effective August 19, 2019:

ABOLISH

Keyboard Specialist- Community Services and Human Resources (CSEA Grade 9) - \$26,364

CREATE

Senior Keyboard Specialist Community Services and Human Resources (M/C) - \$30,091
(\$16.47 per hour)

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Osborne, and adopted. Legislator King was opposed.

RESOLUTION NO. 258 - 2019
RESOLUTION AUTHORIZING PLANNING DEPARTMENT TO
ISSUE REQUEST FOR PROPOSALS
FOR CONSULTANT TO ASSIST WITH THE
COUNTY AGRICULTURAL AND FARMLAND PROTECTION PLAN

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

WHEREAS, the NYS Department of Agriculture and Markets has awarded Lewis County \$50,000.00 in grant funds to develop a County Agricultural and Farmland Protection Plan; and

WHEREAS, the grant will assist the County in conducting agricultural inventories, determining ways to change zoning regulations to be more farm friendly, and to develop recommendations for agricultural economic development projects; and

WHEREAS, the Planning Department desires to retain a consultant to assist with developing the plan and.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the issuance of a Request for Proposals and Public Notice by the Director of Planning to various planning and consulting firms for the purpose of obtaining a consultant to assist with developing a County Agricultural and Farmland Protection Plan.

Section 2. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Moser, and adopted.

RESOLUTION NO. 259 - 2019
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PROBATION DEPARTMENT
AND MARY LYNN FAGER TO PROVIDE INTERPRETATION SERVICES

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

WHEREAS, the Lewis County Probation Department wishes to enter into an agreement with Mary Lynn Fager to provide interpretation services when the need arises for a Spanish interpreter with certain individuals in the Probation Department; and

WHEREAS, Mary Lynn Fager of Brantingham, New York, has professional experience translating Spanish to English in several settings, including criminal matters in Lewis County.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a contract between the County of Lewis, by and through the Lewis County Probation Department, and Mary Lynn Fager to provide interpretation services as requested by the Lewis County Probation Department.

Section 2. That said agreement is for the period from September 1, 2019 through August 31, 2020 at the rate of \$30.00 per hour.

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 Osborne, seconded by Legislator Burns, and adopted.

RESOLUTION NO. 260 - 2019
RESOLUTION AUTHORIZING AGREEMENT WITH
NYS DIVISION OF CRIMINAL JUSTICE SERVICES
PROBATION DEPARTMENT-RAISE THE AGE PLAN

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

WHEREAS, the NYS Division of Criminal Justice Services has approved a grant application for Lewis County Plan for implementation of the Raise the Age initiative.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a grant Agreement between the County of Lewis, by and through the Probation Department, and the New York State Division of Criminal Justice Services, for implementation of the Lewis County Plan for the Raise the Age initiative.

Section 2. The term of said Agreement is from April 1, 2018 through March 31, 2020, in the amount of \$3,009.00

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute said Agreement.

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

Moved by Legislator King, seconded by Legislator Lehman, and adopted.

RESOLUTION NO. 261 - 2019
RESOLUTION TO AMEND PROCUREMENT POLICY AND
APPOINT COUNTY MANAGER AS SOLE RESPONSIBLE PURCHASER
UNDER THE PROCUREMENT POLICY

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

WHEREAS, General Municipal Law (GML) Chapter 24, § 104-b (2) (f) requires municipalities to amend their Procurement Policy to include the names and titles of those responsible for purchasing biennially; and

WHEREAS, in June, 2017, the Board of Legislators announced the selection of Ryan Piche as the County Manager to fill the unexpired term of Elizabeth Swearingin, effective June 21, 2017 and designated him as the sole responsible purchaser under the County's procurement policy; and

WHEREAS, the Board of Legislators wishes to re-designate Ryan Piche as the sole responsible purchaser for Lewis County under GML §104-b (2) (f).

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby re-appoints and designates Ryan Piche, Lewis County Manager, as the sole responsible procurement purchaser for Lewis County. In furtherance thereof, the Board approves an amendment to the Lewis County Administrative Manual to reflect said designation in accordance with General Municipal Law § 104-b (2) (f).

Section 2. That the Clerk of the Board is hereby directed to make the amendment as herein set forth to the Administrative Manual upon such form as may be approved by the County Attorney, and distribute the same to all Department Heads.

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

Moved by Legislator Burns, seconded by Legislator Osborne.

Legislator Chartrand recommends authorizing an alternate official in the event that Mr. Piche is unavailable to approve purchases, suggesting the Chairman of the Board be so designated. Legislator Chartrand made a motion to amend the Procurement Policy to designate the Chairman of the Board as the alternate responsible purchaser, seconded by Legislator Osborne and carried.

The resolution was then adopted.

RESOLUTION NO. 262 - 2019
RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH ON BEHALF OF
COUNTY OF LEWIS AND HEALTH RESEARCH, INC. (HRI)

Introduced by Legislator Gregory Kulzer, Chairman of the Health and Human Services Committee.

WHEREAS, Lewis County Public Health (“Public Health”) desires to enter into an agreement with Health Research, Inc. (“HRI”), a domestic not for profit corporation with offices located at Riverview Center, 150 Broadway, Suite 560, Menands, New York 12204 to perform and develop Public Health emergency preparedness services as required by New York State Department of Health; and

WHEREAS, HRI has been awarded a grant from the Center Disease Control Prevention in the amount of \$49,625.00 under Grant No. 15-0686-07; Contract No. 1616-13 and Sponsor No. NU90TP921924 for the purpose of a Public Health Emergency Preparedness Program; and

WHEREAS, Public Health is knowledgeable, qualified, and experienced in the skills necessary for this project and willing and capable of performing the services required.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between Health Research, Inc. and Lewis County Public Health for Public Health to develop and perform activities under a Public Health Emergency Preparedness Program required under the grant, for the period beginning July 1, 2019 and ending June 30, 2020, to be reimbursed in the amount of \$49,625.00.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Director of Lewis County Public Health to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Lehman, seconded by Legislator LaChausse, and adopted.

RESOLUTION NO. 263 - 2019
RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AND PHYSICAL POWERS, LLC
FOR PROFESSIONAL DEVELOPMENT DESIGNED TO INCREASE
PHYSICAL ACTIVITY THROUGHOUT THE SCHOOL DAY

Introduced by Legislator Gregory Kulzer, Chairman of the Health and Human Services Committee.

WHEREAS, Physical Powers, LLC is a business located at 5614 Delores Street, Houston, Texas 77057, and founded by Pam Powers, who is an educational consultant. Physical Powers, LLC provides services of professional development designed to increase physical activity of students throughout the school day; and

WHEREAS, the services include four one-hour webinars of professional development that will focus on benefits of the active classroom, activities with lesson plans, planning for the active classroom and building an active school. Teachers will have hands-on training in a classroom setting to assist in creating active learning environments. Resources and links will be provided to help teachers provide opportunities for students to engage their brain while engaging their bodies; and

WHEREAS, Lewis County Public Health ("Public Health") wishes to enter into an agreement with Physical Powers, LLC to provide these services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between Lewis County Public Health and Physical Powers, LLC to provide services of professional development designed to increase physical activity of students throughout the school day.

Section 2. That the term of this Agreement shall be from October 16, 2019 through December 31, 2019 at a cost not to exceed \$1,350.00, and payable upon completion of services provided.

Section 3. That the Director of Public Health 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 Burns , seconded by Legislator Kulzer , and adopted.

RESOLUTION NO. 264 - 2019
RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH

Introduced by Legislator Gregory Kulzer, Chairman of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Public Health accounts to reallocate funds for Healthcare Management Associates contract:

<u>From:</u>		<u>Amount</u>
A0409300 110100	PH Personal Services	\$5,553.00

<u>To:</u>		
A0409300 490100	Chronic Disease Prof Svcs	\$5,553.00

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

Moved by Legislator King, seconded by Legislator LaChausse, and adopted.

RESOLUTION NO. 265 - 2019
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY OFFICE OF REAL PROPERTY TAX SERVICES
AND SYSTEMS EAST, INC.

Introduced by Legislator Bryan Moser, Chairman of the Finance and Rules Committee.

WHEREAS, Systems East, Inc. wishes to enter into an agreement with the Lewis County Office of Real Property Tax Services for the purpose of providing software licensing, annual support and maintenance services and creation of a custom tax bill for its tax bill collection process; and

WHEREAS, Systems East has proposed providing the software and tax billing/collection services which will benefit and streamline property tax collection of Town and County taxes under the newly proposed installment payment Local Law.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators authorizes an agreement with Systems East, Inc. to provide software licensing, annual support and maintenance services and development of a custom tax bill for the Office of Real Property Tax Services tax collection system for the period of September 1, 2019 through December 31, 2021, at cost of \$24,748.00 for the software licensing, and a one-time fee of \$3,500.00 for the creation of custom tax bills for a total of \$28,248.00. In addition, there will be an annual support services and maintenance charge of \$3,712 commencing January 1, 2021, with no more than 3% annual increases, if any, depending upon major revisions in the product or applicable law.

Section 2. That the Director of Lewis County Office of Real Property Tax Services is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator King, seconded by Legislator LaChausse, and adopted.

RESOLUTION NO. 266 - 2019
RESOLUTION MARKING THE 50-YEAR ANNIVERSARY OF
RETIRED PUBLIC EMPLOYEES' ASSOCIATION

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

WHEREAS, 2019 marks the 50 year anniversary of the incorporation of the Retired Public Employees' Association (RPEA); and

WHEREAS, the RPEA is the only organization whose sole purpose is to protect and promote the benefits of retired public employees; and

WHEREAS, the RPEA has a record of advocacy success throughout its years, including: enacting a permanent Cost of Living Adjustment (COLA); protecting health insurance benefits available to retirees; protecting the assets of the Retirement Fund from being diverted for budget balancing or other purposes; and most recently, defeating the 2017 ballot proposal to convene a constitutional convention; and

WHEREAS, there are 470,000 state and local retirees and beneficiaries in the New York State Retirement System; and

WHEREAS, nearly 80 percent of those retirees still reside in New York State, including 1,245 in Lewis County; and

WHEREAS, those retirees are responsible for \$12 billion in economic activity statewide, thereby creating 73,000 jobs; and

WHEREAS, public sector retirees participate to create the strong social fabric within our communities; and also pay \$2 billion in real property taxes.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That in recognition of the RPEA's 50 years of service in support of retired public employees, the Lewis County Board of Legislators hereby adopts this resolution to commemorate and congratulate the Retired Public Employees' Association for its successful endeavors on behalf of its members.

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

Moved by Legislator King , seconded by Legislator Kulzer , and adopted.

RESOLUTION NO. 267 - 2019
RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN
THE LEWIS COUNTY SHERIFF'S DEPARTMENT AND FORT DRUM
TO CONFINE MILITARY PRE-TRIAL AND POST-TRIAL SOLDIERS

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

WHEREAS, the County of Lewis, by and through the Lewis County Sheriff's Department, entered into an agreement with Fort Drum for the purpose of boarding military pre-trial and post-trial soldiers stationed on Fort Drum for up to thirty (30) days, on an as-needed basis, as long as space is available; and

WHEREAS, the Lewis County Sheriff's Department would provide the facility, equipment, supplies and personnel to safely and securely confine these soldiers in accordance with the standards of treatment specified in Army Regulation 190-47; and receive a per diem compensation rate for such boarding; and

WHEREAS, Fort Drum seeks to decrease the cost of Contract No. W911S2-18-A-6002-0001 by \$29,430.00 from \$36,000.00 to \$6,570.00 under the contract.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes an amendment to the Agreement (Contract No. W911S2-18-A-6002-0001) between the County of Lewis, by and through the Lewis County Sheriff's Department and Fort Drum to board military pre-trial and post-trial soldiers stationed on Fort Drum by decreasing the cost of Contract No. W911S2-18-A-6002-0001 by \$29,430.00 from \$36,000.00 to \$6,570.00.

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

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

Moved by Legislator King, seconded by Legislator Osborne.

In response to Legislator King, County Manager Ryan Piche explained the action is to amend the 2018 contract to reflect actual expenditures and allocate those funds for the 2019 contract to cover Fort Drum soldiers housed at the contractual daily rate.

The resolution was then adopted.

RESOLUTION NO. 268 - 2019
RESOLUTION AUTHORIZING EXTENSION AGREEMENT FOR SRO
BY AND BETWEEN THE COUNTY OF LEWIS, ON BEHALF OF THE
LEWIS COUNTY SHERIFF'S DEPARTMENT
AND SOUTH LEWIS CENTRAL SCHOOL DISTRICT

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

WHEREAS, the County of Lewis, on behalf of the Lewis County Sheriff's Department, and the Board of Education of South Lewis Central School District ("South Lewis") entered into an Agreement dated March 31, 2017 to provide South Lewis with a School Resource Officer ("SRO") during the school term 2017/2018 through school year 2020/2021, pursuant to the four (4) year grant funding awarded to South Lewis for these services. In consideration of South Lewis reimbursing the County the sum of \$58,673 per year toward the costs and expenses of a Deputy Sheriff, the County and Sheriff agreed to designate a Deputy Sheriff to provide SRO services to South Lewis for the term commencing September 1, 2017 through June 30, 2018, with annual renewals/extensions through school year 2020/2021; and

WHEREAS, the parties seek to extend the agreement to cover the 2019/2020 school term with a School Resource Officer, to cover the period of September 3, 2019 through June 30, 2020, in payment of the sum of \$58,673 for said services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an addendum to extend the term of the agreement for a School Resource Officer for the period of September 3, 2019 through June 30, 2020 by and between the County of Lewis, on behalf of the Lewis County Sheriff's Department and the Board of Education of South Lewis Central School District in consideration of South Lewis paying the sum of \$58,673 to the County.

Section 2. That the Chairman of the Board of Legislators or the Vice-Chairman and the Lewis County Sheriff be and the same are hereby authorized to execute and deliver such Addendum upon such form as may be acceptable to the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Osborne, and adopted.

RESOLUTION NO. 269 - 2019
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
COUNTY OF LEWIS AND NEW YORK STATE HOUSING
TRUST FUND CORPORATION

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

WHEREAS, the County of Lewis has applied to the New York State Housing Trust Fund Corporation ("Corporation") for Community Development Block Grant ("CDBG") funds to finance community development activities (NYS CDBG Project # 636HO318-19); and

WHEREAS, the Corporation has awarded the County of Lewis \$489,510.00 in Community Block Grant funds for owner and renter occupied housing rehabilitation.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves the Grant Agreement between the County of Lewis and the New York State Housing Trust Fund Corporation, pursuant to which the County of Lewis shall receive \$489,510.00 in Community Development Block Grant funds.

Section 2. The Chairman or Vice-Chairman of the Board of Legislators is and he hereby is authorized to execute, seal and deliver said Grant Agreement and any related and necessary supplemental documents.

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

Moved by Legislator Burns, seconded by Legislator Osborne, and adopted.

RESOLUTION NO. 270 - 2019
RESOLUTION AUTHORIZING SUB-RECIPIENT AGREEMENT
BETWEEN LEWIS COUNTY AND
SNOW BELT HOUSING COMPANY, INC.

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

WHEREAS, Lewis County ("County") is a recipient of a Small Cities Community Development Block Grant No. 636HO318-19 in the amount of \$489,510.00 for the purpose of providing direct homeownership assistance to income eligible first time homebuyers in the County; and

WHEREAS, the sum of \$69,510.00 from said Grant has been made available to cover the administration and program delivery expenses of said Grant; and

WHEREAS, Snow Belt Housing Company, Inc. ("Snow Belt") is a not-for-profit corporation organized under the laws of New York State, whose offices are located at 7500 South State Street, Lowville, New York 13367, and who has the experience to act as sub-recipient to the County for its administrative and program delivery services, the County seeks to pay the sum of \$69,510.00 from the Grant funds to Snow Belt.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a Sub-Recipient Agreement between the County of Lewis and the Snow Belt Housing Company, Inc. for the purpose of administration services and program delivery under Community Development Block Grant No. 636HO318-19 in the amount \$489,510.00; to provide direct homeownership assistance to income eligible first time homebuyers in the County; and to provide the sum of \$69,510.00 from the Grant payable to Snow Belt, to cover the administration and program delivery expenses over the life of the project.

Section 2. That the Sub-Recipient Agreement shall commence as of June 27, 2019 and shall continue through June 28, 2021. Notwithstanding the aforementioned, pursuant to 24 CFR 570.503(a), this Agreement shall remain in effect during any period that the Sub-Recipient has control over these CDBG funds, including program income.

Section 3. That the Chairman of the Board of Legislators or the Vice-Chairman be and the same is hereby authorized to execute, seal and deliver such Sub-Recipient Agreement and modifications thereto upon such terms as may be approved by the Lewis County Attorney.

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

Moved by Legislator Chartrand, seconded by Legislator Lehman, and adopted.

RESOLUTION NO. 271 - 2019
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO BERT AUSTIN & CHARLOTTE AUSTIN AND
JAMES M. MONNAT & BETH A. MONNAT)

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

WHEREAS, Bert Austin & Charlotte Austin and James M. Monnat & Beth A. Monnat executed a Mortgage in favor of the County of Lewis dated December 4, 2007, and recorded in the Lewis County Clerk's Office on July 28, 2008, Instrument No. 2008-003814 to secure payment of a loan in the amount of \$3,121.00 pursuant to a program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforescribed Mortgage.

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

Moved by Legislator LaChausse, seconded by Legislator Chartrand, and adopted.

RESOLUTION NO. 272 - 2019
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND MULTICULTURAL ASSOCIATION OF
MEDICAL/LEGAL INTERPRETERS, INC. (“MAMI”)

Introduced by Legislator Gregory Kulzer, Chair of the Health and Human Services Committee.

WHEREAS, the Lewis County Department of Social Services (“DSS”) wishes to enter into an agreement with Multicultural Association of Medical/Legal Interpreters, Inc. (“MAMI”) to provide interpretation services with trained on-site interpreter services, telephonic and translation services to Lewis County DSS.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract between the County of Lewis, Lewis County Department of Social Services and Multicultural Association of Medical/Legal Interpreters, Inc. to provide interpretation services with trained on-site interpreter services, telephonic and translation services to Lewis County Department of Social Services.

Section 2. That said agreement is for the period of June 1, 2019 through May 31, 2020 at the following rates: Spoken Language-Pre-booked - \$55.00 per hour; Spoken Language-Same Day - \$65.00 per hour; Client No Show or Cancellation without 24 hour notice for Spoken Language - \$55.00 per hour; Telephonic - \$1.60 per minute; and Telephonic Cancellation \$1.60 per minute. The local share is 25%, federal share is 50% and state share is 25%.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators and the Commissioner of Lewis County Department of Social Services are 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 King, seconded by Legislator Lehman, and adopted.

RESOLUTION NO. 273 - 2019
RESOLUTION TO APPROPRIATE FUNDS FOR
SOCIAL SERVICES

Introduced by Legislator Gregory Kulzer, Chairman of the Health and Human Services Committee.

WHEREAS, the Department of Social Services reimburses Homecare for certain Medicaid Eligible Clients directly to the Office For the Aging EISEP Program for Homecare Services pursuant to Medicaid regulations.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the following appropriations are hereby approved:

Increase Revenues:

A0601000 336100	DSS State Admin	\$3,000.00
A0601000 346100	DSS Fed Admin	3,000.00

Increase Expenses:

A0601000 490100	DSS Professional Services	\$6,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Chartrand, and adopted. Legislator Moser was opposed.

RESOLUTION NO. 274 - 2019
RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS
AUTHORIZING CREATION OF TEMPORARY POSITIONS
DEPARTMENT OF SOCIAL SERVICES

Introduced by Legislator Gregory Kulzer, Chairman of the Health and Human Services Committee.

WHEREAS, the Home Energy Assistance Program (HEAP) annually requires additional staffing to cover the winter heating season, and

WHEREAS, 2019 budget appropriations were approved to cover the positions.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis to create the following positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Social Services Program Examiner (2) Effective September 16, 2019- March 13, 2020	Temporary full-time	(Grade C20) \$18.63/hr.

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

Moved by Legislator Kulzer, seconded by Legislator Lehman, and adopted.

RESOLUTION NO. 275 - 2019
RESOLUTION TO RESCIND RESOLUTION NO. 157-2019
SOCIAL SERVICES

Introduced by Legislator Gregory Kulzer, Chairman of the Health and Human Services Committee.

WHEREAS, Resolution No. 157-2019 duplicated appropriations approved by Resolution No. 118-2019, and needs to be rescinded.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the following budget decreases are hereby approved to rescind the duplicative budget appropriations approved by Resolution No. 157-2019:

Decrease Revenues:

A0601000 346100	DSS Fed Admin	\$45,000.00
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Decrease Expenses:

A0601000.110100	Personal Svs Regular Pay	\$36,500.00
A0601000 490100	DSS Professional Services	\$ 7,500.00
A0601000 450500	DSS Dues/Subscriptions	\$ 1,000.00

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

Moved by Legislator King, seconded by Legislator Lehman, and adopted.

RESOLUTION NO. 276 - 2019
RESOLUTION TO TRANSFER FUNDS
SOCIAL SERVICES

Introduced by Legislator Gregory Kulzer, Chairman of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Social Services Accounts for the purchase of an outdoor camera, utilizing Project HAE Capital Data Processing H0990100 499900 balance \$ 61,844.91:

Increase Revenue:

A0100000 350310(Inter-fund transfers)	\$ 487.28
A0601000 336100 DSS State Admin	\$ 487.28
A0601000 346100 DSS Fed Admin	\$ 974.55

Increase Expense:

A0601000 221100 Computers	\$1,949.11
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Kulzer, and adopted.

RESOLUTION NO. 277 - 2019
RESOLUTION TO APPROPRIATE FUNDS
SOLID WASTE DEPARTMENT

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

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the Solid Waste Department accounts to cover additional recycling expense:

Increase Revenue:

ES816000 321301 recycling	\$40,000.00
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Increase Expense:

ES816000 490900 Misc	\$40,000.00
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Section 2. That this resolution takes effect August 19, 2019.

Moved by Legislator King, seconded by Legislator Osborne.

In response to Legislator King, Mr. Piche reported the Development Authority of the North Country has increased their Lewis County recycled products subsidy from \$.10 to \$.15 per Ton to partially offset the budget deficit due to known increasing costs.

The resolution was then adopted.

RESOLUTION NO. 278 - 2019
RESOLUTION AMENDING COMPENSATION PLAN
TO AUTHORIZE POSITION RECLASSIFICATION
SOLID WASTE DEPARTMENT

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

WHEREAS, the Collective Bargaining Agreement between the County and CSEA provides for the union to request reallocation of titles in the CSEA salary grade plan; and

WHEREAS, the Human Resources Director has identified duties and responsibilities and other factors which support the reclassification; and

WHEREAS, the Director of Solid Waste also supports said reclassification.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis by authorizing the following reclassification:

ABOLISH

Working Supervisor (Grade 19)

CREATE

Solid Waste Working Supervisor (Grade 21)

Section 2. That the Board of Legislators authorizes the Director of Solid Waste to laterally move an existing Heavy Equipment Operator into the position, and to backfill the vacant Heavy Equipment Operator position.

Section 3. That this resolution takes effect August 19, 2019.

Moved by Legislator Osborne, seconded by Legislator King, and adopted.

RESOLUTION NO. 279 - 2019
RESOLUTION APPOINTING MEMBER TO
TRAFFIC SAFETY BOARD

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Andrew Krokowski of South Lewis Central School Transportation Department, Turin, New York 13473, to fill the un-expired term of Michael Hanno as a member of the Lewis County Traffic Safety Board:

Section 2. That the term of said appointment shall be effective from August 7, 2019 through December 31, 2021.

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

Moved by Legislator Chartrand , seconded by Legislator Osborne , and adopted.

RESOLUTION NO. 280 - 2019
RESOLUTION TO RESCIND RESOLUTION NO. 206-2019
WORKFORCE DEVELOPMENT

Introduced by Legislator Gregory Kulzer, Chairman of the Health & Human Services Committee.

WHEREAS, Resolution No. 206-2019 is a duplication of Resolution No. 165-2019, and must be rescinded:

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the WIOA accounts to reallocate funds to reverse the duplicate action approved by Resolution No. 2016-2019:

<u>From:</u>	Amount
CD629000 803000 Youth SS	\$1,516.16

<u>To:</u>	Amount
CD629000 499900 Youth Expense	\$1,516.16

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

Moved by Legislator Osborne , seconded by Legislator Kulzer , and adopted.

RESOLUTION NO. 281 - 2019
RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INNOVATION AND OPPORTUNITY ACT

Introduced by Legislator Gregory Kulzer, Chairman of the Health & Human Service Committee.

NOA#PY19-1

Section 1. That the following funds be appropriated for Program Year 2019 for the period April 1, 2019 – June 30, 2021 for Youth per the Notice of Obligational Authority (NOA), #PY19-1, dated June 27, 2019 through the New York State Department of Labor, in the amount of \$54,835.13.

YOUTH

CD629000.110100 Wages	\$ 20,874.13
CD629000.801000 Retirement	\$ 2,106.00
CD629000.803000 FICA	\$ 1,430.00
CD629000.804000 Comp	\$ 325.00
CD629000.806000 Health	\$ 5,500.00
CD629000.807000 Dental	\$ 765.00
CD629000.490900 Contractual	\$ 400.00
CD629000.499900 Misc.	\$ 23,435.00
	\$ 54,835.13

WIA REVENUE

CD629300.347910	\$ 54,835.13
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Section 2. That the within shall take effect immediately.

Moved by Legislator Burns, seconded by Legislator King, and adopted.

RESOLUTION NO. 282 - 2019
RESOLUTION TO TRANSFER FUNDS
WORKFORCE INVESTMENT OPPORTUNITY ACT

Introduced by Legislator Gregory Kulzer, Chairman of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers are hereby approved in the WIOA accounts to reallocate funds:

<u>From:</u>	<u>Amount</u>
CD629100 110100 DW Wages	\$14,000.00
CD629100 801000 DW Retirement	\$ 1,640.00
CD629100 803000 DW FICA	\$ 400.00
CD629100 804000 DW Work Comp	\$ 60.00
CD629100 806000 DW HI	\$ 900.00
CD629100 499900 DW Misc	<u>\$10,000.00</u>
	\$27,000.00

<u>To:</u>	
CD629200 110100 Adult Wages	\$12,500.00
CD629200 490900 Adult Expenditures	\$ 1,500.00
CD629200 801000 Adult Retirement	\$ 1,500.00
CD629200 803000 Adult FICA	\$ 1,340.00
CD629200 804000 Adult Work Comp	\$ 160.00
CD629200 499900 Adult Misc	<u>\$10,000.00</u>
	\$27,000.00

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

Moved by Legislator Lehman, seconded by Legislator Kulzer, and adopted.

RESOLUTION NO. 283 - 2019
RESOLUTION ADOPTING MANAGEMENT
SALARY PLAN AND IMPLEMENTING THE CHANGES TO THE
SALARY STRUCTURE FOR LEWIS COUNTY
NON-UNION MANAGEMENT EMPLOYEES

Introduced by Legislator Bryan Moser, Chairman of the Finance and Rules Committee.

WHEREAS, salary issues for non-union management employees were identified in the CITEC 2017 wage study; and

WHEREAS, four initial concerns identified in the study were highlighted by this review, i.e., employees who believed their position was in the wrong grade/band; the establishment of a policy for all supervisors making less than subordinates; addressing specific individual employee salary situation and establish a method for the movement within the salary grade/band of a position; and

WHEREAS, management salary questionnaires were completed by all employees requesting their positions be evaluated and rescored in this process; and

WHEREAS, the CITEC study reviewed all information provided and interviewed employees requesting an evaluation of their position, with CITEC offering recommendations regarding each such position; and

WHEREAS, to address the issue of movement within the band and supervisors making less than subordinates, the Human Resources Director hereby makes a recommendation to provide incremental step increases for management employees, in addition to any annual cost of living increase which may be followed/offered, so that supervisors will always be compensated more than their subordinates who may be at the top step of their band in the respective collective bargaining agreements.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators accepts and adopts the recommendations submitted by the Human Resources Director per the attached "Lewis County Management Salary Plan".

Section 2. That the County Manager, Human Resource Director, and Treasurer are directed to make adjustments to the non-union management employees compensation plans as outlined in the proposed plan and steps, in the preparation of the 2020 County Budget.

Moved by Legislator King, seconded by Legislator Moser.

Legislator Moser made a motion to table the resolution, seconded by Legislator Chartrand. Legislator Moser does not want salary increases until there is a definite evaluation

procedure. He would like to see a written evaluation policy with earned steps based on merit for review and discussion by the Board.

County Manager Ryan Piche cited uniformity with evaluation forms and all were to be conducted in October. Legislator Moser inquired and desired more discussion on whether evaluations would be conducted by one individual or a team.

The issue was referred back to committee for discussion and a recommendation.

The resolution was then adopted.

LEWIS COUNTY MANAGEMENT SALARY PLAN

1. Annual Salary

The Lewis County Board of Legislators recognizes that management level personnel are vital to the successful operation of County government and to the efficient delivery of the entire various County provided services. Further, the Board seeks highly qualified, responsible and dedicated managers to oversee and direct the day-to-day delivery of service and wants to maintain a competitive salary structure and benefit package for administrative employees.

Further, it is the Board of Legislators' intent that all County employees are treated equitably whether or not they are working under the terms and conditions of a negotiated contract.

All management employees are placed in the graded salary schedule which has been adopted by the Board of Legislators. In accordance with Lewis County Board of Legislators' Resolution No. ____-2019, each employee whose job performance is rated satisfactory or above will receive an annual salary increase as recommended by the County Manager. At the conclusion of this review, a total compensation plan is submitted for approval by the full Board of Legislators.

2. Step Movement

In accordance with Board of Legislators' Resolution No. ____ - 2019, to address the issue of movement within the band and supervisors' making less than subordinates, the recommendation is to provide an incremental step increase for management employees, in addition to any annual cost of living increase typically provided and tied to increases under the CSEA contract, until the employee reaches the top step of the band; which will always be more than their subordinate at the top of their band.

3. Annual Review

Annual employee evaluations will be conducted by the County Manager for Department Heads and Department Heads will evaluate their management employees. Job performances that are rated satisfactory or above are to receive a wage increase in the amount approved by the Board of Legislators. Each employee shall be entitled to an annual increment up to the maximum of the grade in which their position is allocated only if the increment is recommended by the County Manager or Department Head. The increment can take effect only on the first day of January. An employee must work six (6) months before he/she is entitled to an increment.

The increments in the salary ranges are intended to be not only a recognition for continued service, but also reward for merit.

4. Longevity

All full-time employees of the County of Lewis, shall, in addition to the regular compensation schedule, be entitled to an additional increment or increments of \$500 annually effective on the first day of the fiscal year following the completion of 10, 15, 20, 25, 30 and 35th years of service.

**Management Salary Plan
Step Schedule**

10 Steps to Maximum	Management Salary Plan										
	Minimum	1	2	3	4	5	6	7	8	9	Maximum
Grade V	\$95,509	\$98,526	\$100,035	\$101,543	\$104,560	\$107,578	\$110,595	\$112,103	\$113,612	\$116,629	\$119,646
Grade IV	\$74,285	\$76,872	\$78,165	\$79,458	\$82,045	\$84,632	\$87,218	\$88,511	\$89,805	\$92,391	\$94,978
Grade III	\$61,550	\$63,650	\$64,700	\$65,750	\$67,850	\$69,950	\$72,050	\$73,100	\$74,150	\$76,250	\$78,350
Grade II	\$54,121	\$55,963	\$56,883	\$57,804	\$59,646	\$61,488	\$63,329	\$64,250	\$65,171	\$67,012	\$68,854
Grade I	\$43,509	\$45,035	\$45,797	\$46,560	\$48,086	\$49,611	\$51,137	\$51,899	\$52,622	\$54,188	\$55,713

*2020 Management Pay Ranges

RESOLUTION NO. 284 - 2019
RESOLUTION AUTHORIZING AGREEMENT AND ACCEPTANCE
OF GRANT AWARD FROM NYS DIVISION OF HOMELAND SECURITY
AND EMERGENCY SERVICES FOR LAW ENFORCEMENT
OPERATIONS AT MOE.DOWN EVENT

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

WHEREAS, the New York State Division of Homeland Security and Emergency Services ("Division") under Contract Number T180122 has awarded Lewis County \$6,400.00 in grant funds to enhance security activities by applying federal, state and local law enforcement assets in strategic locations to comprehensively enforce all applicable statutes; and

WHEREAS, the grant will assist the Sheriff's Department with payroll costs associated with the 2019 moe.down law enforcement coverage; and

WHEREAS, the intent of the grant funds were to curtail illegal activity by executing a multifaceted enforcement action, arresting offenders and seizing contraband. The enhanced law enforcement presence is intended to disrupt and deter criminal activity. The ultimate goal is to reduce the criminal activity traversing the border/waterway and to enhance the cooperation and coordination of those agencies with border/waterway security responsibilities.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves the Grant Application submitted by the Lewis County Sheriff's Department and authorizes an agreement between the County of Lewis and the New York State Division of Homeland Security and Emergency Services (Contract Number T180122), pursuant to which the County of Lewis shall receive \$6,400.00 in funds for security activities initiated by the Sheriff's Department for law enforcement coverage costs at the moe.down concert event.

Section 2. The Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal and deliver said Grant Agreement and all related and necessary documents required, including any amendments thereto, pending approval of the County Attorney.

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

Moved by Legislator King, seconded by Legislator Osborne.

Legislator King took exception for having no prior knowledge of this grant, but did not want to jeopardize the grant funds, instead urged compliance with the procedure for committee notification and consideration.

The resolution was then adopted.

RESOLUTION NO. 285 - 2019
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the Sheriff's Department Accounts for State grant funds to support Operation moe.down 2019 FY16SHSP Grant:

Increase Revenue

A0311000 343072 MoeDown Grant	\$6,400.00
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Increase Expense

A0311000 110300 Pers Serv OT	\$5,042.80
A0311000 489000 MoeDown Grant Exp	\$1,357.20

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

Moved by Legislator LaChausse , seconded by Legislator Lehman , and adopted.

RESOLUTION NO. 286 - 2019
RESOLUTION TO TRANSFER FUNDS
VILLAGES IN LEWIS COUNTY

Introduced by Legislator Bryan Moser, Chairman of the Finance & Rules Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved from Fund Balance to Non-Departmental Accounts "To Other Municipalities" for Economic Development pursuant to Resolution No. 162-2019 for the Villages of Constableville, Copenhagen, Croghan, Lowville, Lyons Falls and Port Leyden for water district infrastructures/systems:

From:

A0 005990 (Fund Balance)	\$70,190.35
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To:

A0869200 499900 (To Other Municipalities)	\$70,190.35
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Kulzer, and adopted.

RESOLUTION NO. 287 - 2019
RESOLUTION AUTHORIZING ROAD AGREEMENT
BY AND BETWEEN THE COUNTY OF LEWIS, TOWNS OF LOWVILLE AND
MARTINSBURG AND PPM ROARING BROOK, LLC
(ROARING BROOK WIND FARM)

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

WHEREAS, PPM ROARING BROOK, LLC, a limited liability company currently owned by Avangrid Renewables, LLC (the "Company") proposes to acquire, construct, install and operate a wind-powered electric generating facility, together with associated electric transmission facilities and related infrastructure (the "Roaring Brook Wind Farm Project"), in the Towns of Lowville and Martinsburg, and in the County of Lewis (the "Municipalities"); and

WHEREAS, in connection with the Company's development, construction, operation and maintenance of the Project, it will be necessary for the Company and its contractors and subcontractors and/or designees to transport heavy equipment and materials over certain roads and highways ("Designated Roads") in the County and in said Towns; and

WHEREAS, the County and the Towns, through their respective attorneys and highway department superintendents, have been negotiating the appropriate terms and conditions of a Road Agreement with the Company, and have been presented with a proposed Agreement for final review and execution, with all additional changes requested by the municipalities therein incorporated; and

WHEREAS, the Lewis County Board of Legislators seeks to record its agreement to the terms and modifications demanded by the municipalities and execute the Road Agreement upon final terms and conditions proposed by the Lewis County Superintendent of Highways and County Attorney.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves and authorizes a ROAD AGREEMENT among the effective municipalities, i.e., the County of Lewis, Town of Martinsburg, and Town of Lowville with PPM ROARING BROOK LLC and/or its successor.

Section 2. That the final Road Agreement shall reflect and include any additional modifications, terms and conditions proposed by the Lewis County Superintendent of Highways and County Attorney.

Section 3. That the Chairman, or the Vice-Chairman, of the Board of Legislators is hereby authorized to negotiate, make, execute, seal and deliver such Road Agreement, provided that any additional modifications meet with the approval of the County Attorney and Lewis County Superintendent of Highways.

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

Moved by Legislator Lehman, seconded by Legislator King, and adopted.

OTHER BUSINESS:

Mr. Piche asked for further consideration of Resolution 277-2019 to create a temporary full-time Office Specialist for the HEAP Program that had been tabled at the committee level, citing that DSS Commissioner Jennifer Jones was present. Health and Human Services Legislative Committee Chairman Gregory Kulzer voiced exception to Mr. Piche's inquiry asserting the committee had tabled the request and would give further consideration at their next meeting.

Chairman Dolhof explained that one of the Committee Legislators who had voted in favor of the Social Services requests was on vacation last week and unavailable, so when asked, he agreed to sponsor the resolutions for full Board consideration. Recognizing objecting views, he withdrew the resolutions this evening, noting they had been referred back to committee for further discussion.

In conclusion, Chairman Dolhof asserted that any Legislator may put forth any resolution for the Board's consideration. Legislator Kulzer responded by reciting Standing Rule VIII under "Committees" section 1. (d) "Only those resolutions receiving a majority vote of the committee shall be forwarded for action by the full Board at the next scheduled Board meeting."

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Chartrand at 6:28 p.m., seconded by Legislator Burns and carried.