



OFFICE OF THE BOARD OF LEGISLATORS
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Cassandra Moser
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TO: Media

FROM: Cassandra Moser, Clerk of the Board

DATE: June 28, 2024

The Board of Legislators will meet on Tuesday, July 2, 2024 at 5:00 p.m. in the Courthouse 2nd Floor Legislative Board Chambers, Lowville, NY. Enclosed are proposed resolutions for action. Any other business may be conducted.

There will be a hearing for public comment regarding the following:

- A Local Law amending Local Law 2-2021: To extend the authorization of 12 and 13 year old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of a licensed adult pursuant to Environmental Conservation Law §11-0935.

The meetings will be streamed live on the YouTube channel "Lewis County" listed as:
https://www.youtube.com/c/LewisCountyNY

RESOLUTION NO. 120 - 2024

AUDITING AND ALLOWING CLAIMS

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

RESOLVED that the claims presented for payment in the total amount of \$2,657,194.91 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator __, seconded by Legislator __, and adopted pursuant to the following roll call vote:

AYES:

NAYS:

ABSENT:

RESOLUTION NO. 121 - 2024

**RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 2 – 2024, COUNTY OF LEWIS**

Introduced by Legislator Andrea Moroughan, Chair of the General Services Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on June 3, 2024, directing that a public hearing be held by said Board on July 2, 2024, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled “A LOCAL LAW AMENDING LOCAL LAW NO. 2 – 2021: TO EXTEND THE AUTHORIZATION OF 12 AND 13 YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF A LICENSED ADULT PURSUANT TO ENVIRONMENTAL CONSERVATION LAW §11-0935”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on June 26, 2024, 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, the public hearing was duly held at such location and time, and all parties in attendance were permitted an opportunity to speak on behalf of or in 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. 1 – 2024), County of Lewis, being “A LOCAL LAW AMENDING LOCAL LAW NO. 2 – 2021: TO EXTEND THE AUTHORIZATION OF 12 AND 13 YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF A LICENSED ADULT PURSUANT TO ENVIRONMENTAL CONSERVATION LAW §11-0935”, be and the same hereby is designated as Local Law No. 2–2024, County of Lewis.

Section 2. That Local Law No. 2-2024, 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 __, seconded by Legislator __, and adopted pursuant to the following roll call vote:

AYES:

NAYS:

ABSENT:

RESOLUTION NO. 122 - 2024

**RESOLUTION AUTHORIZING CHANGE ORDER TO THE AGREEMENT
WITH BETTE & CRING FOR INFILLING EXISTING OPENINGS
AT THE OUTDOOR SERVICES BUILDING**

Introduced by Legislator Andrea Moroughan, Chair of the General Services Committee.

WHEREAS, Bette & Cring was awarded the construction contract for the Facilities Improvement Project at the old highway garage building (now known as the Outdoor Services Building); and

WHEREAS, Bette & Cring submitted a potential change order (PCO #093) pertaining to the demolition and insulation over steps and over the front door at the Outdoor Services Building at a cost of \$21,534.00 for labor and materials, as outlined in the change order notice dated April 15, 2024; and

WHEREAS, the Board of Legislators seeks to authorize the change order;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves the Change Order to the Agreement with Bette & Cring, identified as PCO #093 for the demolition and insulation over the front door and over steps to the downstairs, at the New Outdoor Services Building site, at a cost of \$21,534.00, as set forth in the submitted documentation required for change orders.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Change Order as an amendment to the Agreement with Bette & Cring upon review and approval by the County Attorney.

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

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

RESOLUTION NO. 123 - 2024

**RESOLUTION AUTHORIZING CHANGE ORDER TO THE AGREEMENT
WITH BETTE & CRING FOR ROCK REMOVAL UNDER
THE FACILITIES IMPROVEMENT PROJECT**

Introduced by Legislator Andrea Moroughan, Chair of the General Services Committee.

WHEREAS, Bette & Cring was awarded the construction contract for the Facilities Improvement Projects at the old highway garage building site; and

WHEREAS, Bette & Cring submitted a potential change order (PCO #086) pertaining to rock removal at the old highway building site (now Outdoor Services Building) at a cost of \$21,960.00 for labor and materials, as outlined in the change order notice dated February 13, 2024; and

WHEREAS, the Board of Legislators seeks to authorize the change order;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves the Change Order to the Agreement with Bette & Cring, identified as PCO #086 for rock removal at the New Outdoor Services Building site, at a cost of \$21,960.00, as set forth in the submitted documentation required for change orders.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Change Order as an amendment to the Agreement with Bette & Cring upon review and approval by the County Attorney.

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

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

RESOLUTION NO. 124 - 2024

RESOLUTION AUTHORIZING CHANGE ORDER TO THE AGREEMENT WITH BETTE & CRING FOR SECURITY SOUND CONTROL WORK AT THE SOCIAL SERVICES BUILDING UNDER THE FACILITIES IMPROVEMENT PROJECT

Introduced by Legislator Andrea Moroughan, Chair of the General Services Committee.

WHEREAS, Bette & Cring was awarded the construction contract for the Facilities Improvement Project at the Social Services Building site; and

WHEREAS, Bette & Cring submitted a potential change order (PCO #076) pertaining to security sound control work at the Social Services Building at a cost of \$25,099.00 for labor and materials, as outlined in the change order notice dated May 7, 2024; and

WHEREAS, the Board of Legislators seeks to authorize the change order;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves the Change Order to the Agreement with Bette & Cring, identified as PCO #076, for the security sound control work at the Social Services Building, at a cost of \$25,099.00, as set forth in the submitted documentation required for change orders.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Change Order as an amendment to the Agreement with Bette & Cring upon review and approval by the County Attorney.

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

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

RESOLUTION NO. 125 - 2024

RESOLUTION AWARDING BID AND AUTHORIZING AN AGREEMENT WITH CLIMATE CONTROL MECHANICAL OF NY FOR INSTALLATION OF DUCTLESS SPLIT SYSTEM A/C UNITS AT DMV/BOE BUILDING

Introduced by Legislator Andrea Moroughan, Chair of the General Services Committee.

WHEREAS, a Request for Quotes for the installation of two (2) new ductless split system a/c units , at the DMV/BOE building, inclusive of the condensers, wall mount heads, refrigerant, piping, electric and other necessary parts per the specifications, with the County receiving three (3) quotes in response; and

WHEREAS, the Buildings and Grounds Director and County Manager reviewed all three quotes received and recommend that the Board of Legislators award the bid to the lowest bidder, Climate Control Mechanical of NY, of 3751 Woodpecker Lane, Mannsville, NY 13661, with a proposal to provide the equipment, installation and related services outlined in the quote specifications in the amount of \$17,486;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid and authorizes an Agreement with Climate Control Mechanical of NY, of 3751 Woodpecker Lane, Mannsville, NY 13661 for the installation of two new ductless split a/c systems as set forth in the specifications for the DMV/BOE building at a cost of \$17,486.00.

Section 2. The Lewis County Board of Legislators authorizes said agreement to include all conditions and requirements recommended by the County Attorney, with warranties and completion by October 1, 2024, payable from the Capital Project Account. This additional equipment and installation cost will be reimbursed to the County from C&S Companies.

Section 3. The Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement and any amendments thereto, upon review and approval by the County Attorney.

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

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

RESOLUTION NO. 126 - 2024

**RESOLUTION PURSUANT TO LOCAL LAW NO. 2-2007
FINDING AND DETERMINING THAT AN UNSAFE STRUCTURE
SHALL BE DEMOLISHED AND REMOVED
AND TO SET HEARING FOR FINAL ORDER
(WEST LEYDEN)**

Introduced by Legislator Andrea Moroughan, Chair of the General Services Committee.

WHEREAS, pursuant to Local Law No. 2-2007, entitled, "A LOCAL LAW PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS, UNSAFE EQUIPMENT AND COLLAPSED STRUCTURES," the Board of Legislators is empowered to take certain actions in connection with the investigation and enforcement of buildings and structures that are deemed to be unsafe; and

WHEREAS, pursuant to Section 5 of the Law, a Lewis County Code Enforcement Officer conducted an investigation of the premises known as Tax Map No. 419.01-01-75.000, 1047 St Rt 26, in the Hamlet of West Leyden, owned by Neal and Coral Grenier, and determined that there is a partial collapse of the garage portion of the building; that it is unsafe and in danger of further collapse. The structure was condemned by the Code Enforcement Department in March 2024, with partial collapse, debris, appliances, and other items in disrepair causing an unsafe condition; and

WHEREAS, two (2) reports to the Board of Legislators indicate a violation of Local Law 2-2007 and the 2020 Property Maintenance Code of NY as a result of the partially collapsed structure and debris; and

WHEREAS, Section 4 of the Law states that any building or structure located within the County where the Village or Town has relinquished to the County the responsibility of administering the uniform code(s) shall be enforced by the County Code Enforcement Officer; and

WHEREAS, the Code Enforcement Officer reported that the partially collapsed structure is unsafe, in disrepair, damaged; with a partial collapse. The structure is unfit for human occupancy and is definable as unsafe. This building is in danger of further collapse and a danger to anyone who may attempt to enter. More than 6 months have passed since the structure was condemned, and there are no indicated efforts showing any repairs to the structure. The Code Enforcement Officer has condemned the structure and appropriately posted same; and

WHEREAS, the conclusion and recommendation of the Code Enforcement Officer is for the Lewis County Board of Legislators to determine and find that the

building is an unsafe and dangerous structure as described in the Local Law; that it cannot be safely repaired and should be demolished, with the debris properly removed, together with any other service which may subsequently be deemed necessary for the health and safety of the public;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby finds and determines in accordance with the reports of the Lewis County Code Enforcement Officer that:

- 1. The herein described building is unsafe and constitutes a public nuisance and a danger to the safety, health and welfare of the community; and
- 2. It is the opinion of the Board of Legislators that the building must be properly demolished and removed from the premises.
- 3. Directs that a Notice as described in Section 7 of Local Law No.2-2007 and copy of this Resolution and Decision be served upon Neal and Coral Grenier, and all others deemed appropriate who may have an interest in the property.

Section 2. That by reason of such findings, the Board of Legislators hereby:

ORDERS, that Neal and Coral Grenier appear before this Board of Legislators on August 6, 2024 at 5:00 p.m. to Show Cause before this Board why it should not Order the owner to immediately take action to properly demolish and remove the structures located on parcel Tax Map No. 419.01-01-75.000, 1047 St Rt 26, in the Hamlet of West Leyden, Lewis County, New York in accordance with all laws and regulations, including any regulations required by the NYS Department of Environmental Conservation; and further

ORDERS AND DECREES, that in the event that the Owner fails to appear before this Board or fails to comply with any Orders of this Board, that the Board of Legislators provide for its demolition and removal and assess all expenses thereof against the land on which it is located, and to commence a special proceeding to collect the costs of demolition, including legal expenses, if necessary; and further

ORDERS AND DECREES that Notice of this Finding and Decision, together with the statement of particulars as required under Section 7 of Local Law No. 2-2007 shall be served upon the owner of record and any other interested parties not less than five (5) business days prior to the hearing date

set forth above, in accordance with Section 8 of the Local Law, said notice to contain as follows:

1. a description of the premises;
2. a statement of the particulars in which the building or equipment is deemed unsafe or dangerous;
3. an order outlining the manner in which the building or equipment is to be made safe and secure, or demolished and removed;
4. a statement that the securing or removal of such building shall commence within thirty (30) days of the service of the notice and shall be completed within sixty (60) days thereafter, unless, for good cause shown, such time shall be extended;
5. a date, time and place for a hearing before the Board of Legislators in relation to such dangerous or unsafe building, which hearing shall be scheduled not less than five (5) business days from the date of service of the notice; and
6. a statement that in the event of neglect or refusal to comply with the order to secure or demolish and remove the building or equipment, the Board of Legislators is authorized to provide for its demolition and removal, to assess all expenses thereof against the land on which it is located and if required, to institute a special proceeding to collect the costs of demolition, including legal expenses.

Section 3. A copy of the notice served as provided herein shall be filed in the office of the Lewis County Clerk.

Section 4. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 127 - 2024

**RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING WITH
JEFFERSON COUNTY FOR BI-COUNTY MOBILE CRISIS PROGRAM
DEVELOPMENT AND IMPLEMENTATION**

Introduced by Legislator Jessica Moser, Chair of the Human Services Committee.

WHEREAS, the Lewis County Community Services Director received notice from the NYS Office of Mental Health (OMH) of county one-time start-up funding to help support the development of behavioral health Mobile Crisis services in underserved communities. The State-Aid funding is in the amount of \$300,000 annually for two years starting in July, 2023, upon the county's development of a program plan for the resources to provide services pursuant to Mobile Crisis standards, and with encouragement for collaboration with neighboring counties to support a comprehensive approach to mobile crisis capacity; and

WHEREAS, the LC Director has collaborated with her counterpart in Jefferson County to coordinate provision of these services together with the assistance of the Fort Drum Regional Health Planning Organization (FDRHPO) to act as a project manager for a bi-county Mobile Crisis service for Jefferson and Lewis Counties; and

WHEREAS, the Director of Lewis County Community Services has submitted a plan for this bi-county Mobile Crisis service to the Office of Mental Health (OMH), inclusive of entering into a Memorandum of Understanding (MOU) with Jefferson County to act as the lead county and contract with FDRHPO to act as project manager for the development and implementation of a bi-county mobile crisis program specifically designed for the two counties; and

WHEREAS, the MOU will provide for Lewis County to pay \$150,000 of its state start-up funding as Lewis County's share toward the contracted services provided by FDRHPO, together with other terms and provisions in this bi-county mobile crisis program development; and

WHEREAS, the Board of Legislators wishes to enter into this MOU and authorize the funding for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an MOU between Lewis County, by and through the LC Community Services Department and Jefferson County Community Services Department for a bi-county Mobile Crisis Program as outlined by the NYS OMH in its state aid funding provided to both counties for behavioral health mobile crisis services.

Section 2. The Lewis County Board of Legislators authorizes acceptance of the state aid funding from NYS OMH to Lewis County in the total amount of \$300,000 per year for two (2) years starting July 1, 2023 to be used for mobile crisis service programs, as more fully outlined in the Memorandum provided by NYS OMH dated August 29, 2023.

Section 3. The MOU shall provide for the LC Community Services Director to provide \$150,000 to Jefferson County as Lewis County's share of the contracted services to be provided by FDRHPO in managing the development of and implementation of a bi-county mobile crisis program for Lewis and Jefferson counties for a two-year period. This payment shall be made from the Community Services OMH Crisis Management Budget Line.

Section 4. That the Chair or Vice-Chair of the Board of Legislators together with the Director of Community Services are hereby authorized to make, execute, seal, and deliver such MOU, pending review and any recommended provisions by the County Attorney.

Section 5 That the within resolution shall take effect immediately.

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

RESOLUTION NO. 128 - 2024

**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN ALCOHOL AND SUBSTANCE ABUSE COUNCIL OF JEFFERSON
COUNTY, INC., DBA PIVOT AND
LEWIS COUNTY COMMUNITY SERVICES**

Introduced by Legislator Jessica Moser, Chair of the Human Services Committee.

WHEREAS, the Lewis County Community Services Board is responsible to provide the residents of the County of Lewis with alcohol and substance abuse prevention services directly, and/or by contract for the provision of those services by other units of local or state government, voluntary agencies, or professionally qualified individuals; and

WHEREAS, the Lewis County Community Services Department (“LCCSD”) seeks to enter into an agreement with Alcohol and Substance Abuse Council of Jefferson County, Inc., dba Pivot (hereinafter “Pivot”) to develop and service a Lewis County OASAS Substance Misuse Prevention program. This program and the services to be provided will focus to reduce substance misuse including underage drinking, the misuse of medications and gambling habits, and provide various primary prevention services, including the administration of the Bach Harrison Prevention Needs Assessment (PNA) Survey to 6th, 8th, 10th, and 12th graders in the five school districts of Lewis County, every other year; and

WHEREAS, Pivot has agreed to develop and service the program in Lewis County at a cost of \$300,000 per year, commencing July 1, 2024 through December 31, 2025. State Aid funding of \$275,000 per year (pro rated for 2024) will be provided by NYS OASAS toward the costs incurred by Pivot identified on its annual itemized expense form, and the local share cost of \$25,000 per year being provided by the County through Community Services from Opioid Settlement funds; and

WHEREAS, it is intended for Pivot to occupy a portion of the County building located at 7714 Number Three Road, Lowville, NY, which is currently identified for provision of drug and alcohol prevention services in providing the program and services herein set forth, with Pivot paying a portion of the operational costs and expenses of the building and grounds to the County, i.e., the sum of \$2,500 per month; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators authorizes an Agreement with the Alcohol and Substance Abuse Council of Jefferson County, Inc., dba Pivot, with offices at 167 Polk St, Watertown, NY to develop and service an OASAS Substance Misuse Prevention program tailored to and for Lewis County residents, including but not limited to professional services designed to reduce substance misuse including underage drinking, the misuse of medications and gambling habits, and provide various primary prevention services, including the administration of the Bach Harrison Prevention Needs Assessment (PNA) Survey to 6th, 8th, 10th, and 12th graders in the five school districts of Lewis County, every other year.

Section 2. The Agreement shall include provisions to have Pivot pay a portion of the operational costs and expenses incurred by the County for maintenance, repairs, utilities and other amenities of the building and grounds for staff and clients serviced by Pivot at the 7714 Number Three Road, Lowville, NY location.

Section 3. The term of the agreement for the provision of the program and services at the Lowville location shall be at a cost of \$300,000 per year with \$275,000/year of the cost provided by state funding (prorated for 2024) and \$25,000 of the cost payable from opioid settlement funds paid to Lewis County and managed by the Community Services Director. The term of the agreement shall be from July 1, 2024 through December 31, 2025.

Section 4. The Chair or Vice-Chair of the Board of Legislators, together with the Community Services Director are hereby authorized to make, execute, seal and deliver such Agreement, inclusive of any terms and conditions as may be recommended by the County Attorney.

Section 5. This Resolution shall take effect immediately.

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

RESOLUTION NO. 129 - 2024

**RESOLUTION AMENDING 2024 COMPENSATION PLAN TO
INCREASE DISTRICT ATTORNEY SALARY PURSUANT TO NEW YORK STATE
BUDGET MANDATE AND JUDICIARY LAW**

Introduced by Andrea Moroughan, Chair of the General Services Committee.

WHEREAS, under NYS Judiciary Law §183-a, the full time District Attorney salary in Lewis County is mandated to be the same as the County Court Judge's salary; and

WHEREAS, since April, 2016, the State has adopted annual budgets without including a provision to reimburse counties the increased salary increases mandated for District Attorneys under the Judiciary law, once again shifting another unfunded mandated cost to the counties; and

WHEREAS, the NYS 2024 Budget and the NYS 2024 Office of Court Administration Budget include an increase in the annual compensation for NYS Supreme Court Justices to \$232,600 and an increase in the County Court Judges annual salary to \$221,200 effective April 1, 2024. This budget change results in a mandatory increase to the Lewis County District Attorney's salary to \$221,200 effective and retroactive to April 1, 2024;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators authorizes an amendment to the 2024 compensation plan to increase the District Attorney mandated salary by the State from \$ 200,400 to \$221,200 effective and retroactive to April 1, 2024.

Section 2. The Lewis County Board of Legislators directs the Treasurer to adjust the payroll to reflect this \$20,800 increase in salary, pay any retroactive amount owing from April 1, 2024, and pay any unbudgeted amount for this increase from fund balance.

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

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

RESOLUTION NO. 130 - 2024

**RESOLUTION PROVIDING PRELIMINARY COMMENTS AND OPPOSITION TO
OSHA PROPOSED EMERGENCY RESPONDER
COMPREHENSIVE SAFETY PLAN DOCUMENT**

Introduced by Legislator Andrea Moroughan, Chair of the General Services Committee.

WHEREAS, Lewis County is a rural county in the geographic area of Northern New York with a population of approximately 26,582 persons spread across 1,290 square miles; and

WHEREAS, the County depends on fire and EMS services provided by 13 independent fire departments and 7 EMS agencies, which answered 4,150 emergency service calls in 2023; and

WHEREAS, those 13 departments are staffed by 650 volunteers, and only one of the seven EMS agencies has paid employees; all the rest are operated by volunteers; and

WHEREAS, requesting comments to a comprehensive plan to improve emergency responder safety is important, however, Lewis County Government knows that requests for comments on a process that did not include sufficient volunteer representation at the table when formulating the recommended changes degrades the process and is an insult to all the volunteers upon whom we depend for emergency assistance in time of need; and

WHEREAS, the Lewis County Board of Legislators supports reasonable and practical efforts to ensure safety of fire and EMS paid and volunteer personnel, but our rural county demands that particular attention be paid to the realities of the stress already placed on struggling, rural fire and EMS departments, and the potential negative impact these new proposed regulations will have on our departments' ability to retain and recruit volunteers along with the financial challenges posed by the costs of these new equipment and training requirements. The reduction in volunteers as a result of these increased regulations will adversely impact our departments' already dwindling numbers and ability to protect the public; and

WHEREAS, the Federal and State governments' typical response to problem-solving is to throw more regulations at those who are in the trenches trying to serve local communities. Additional regulations are recommended by OSHA, without any consideration given to the necessary funding required to implement the recommendations. Unless and until such funding is included in any proposed additional regulations, there should be a moratorium on implementation of any new regulations;

NOW, THEREFORE, be it resolved as follows:

Section 1. The Lewis County Board of Legislators opposes the current proposed OSHA 1910.156 document and requests that OSHA, our State officials, and National elected officials send OSHA back to the table: 1) to review its proposals with and heed the input from a significant number of volunteer fire and EMS responders from across the country, including those from rural communities who will be most negatively impacted by the introduction of more regulation; and 2) to develop a realistic financial plan to fund any proposed changes for PPE, equipment, training, testing and staffing, etc.

Section 2. In response to its initial proposed draft of changes to 29 CFR 1910.156, the Lewis County Board of Legislators offers the following specific preliminary comments for consideration before any further action is taken on OSHA's proposed document:

- The proposal process should be reopened with sufficient volunteer representation at the table in numbers reflective of the percentage of volunteer fire service provided across the country;
- OSHA should include rural counties in constructing such a comprehensive document so that it is economically and technically feasible for all localities, as OSHA is directed to provide;
- Until OSHA sets up a commission of volunteer and paid fire and EMS responders from across the country, inclusive of volunteers from all states from rural areas, to review and revise its draft document, the comment period should be extended to allow all local officials and interested stakeholders to digest the 600 + page document to formulate detailed, fact-based comments;
- OSHA should set dates for in-person public comments;
- Consider removing the 22 included-by-reference standards and the intended language from those standards, and incorporate them directly into the proposed standard. It will be difficult to understand the over 1,500 “shalls” and “musts” in those standards where they have to be purchased in order to digest and share them with all appropriate staff;
- OSHA should revisit the intended audience of this standard, as “volunteer” organizations are treated much differently in this standard across the US depending on if each state is an OSHA state and then how each state classifies those firefighters.
- The document should be a “living document” that can change as national needs and standards change so that we don't find ourselves in the place we are now with a 44-year-old standard that is completely outdated;
- OSHA should consider additional safety topics that could be implemented immediately that would have little cost of manhour requirements attached to them;
- OSHA should develop a formal, inclusive negotiated process in formulating this document, as the process to this point has not met that definition;

- OSHA must be mindful of the differing and competing interests of Paid firefighters and EMS providers versus Volunteer firefighters and EMS providers, and adjust its proposal accordingly;
- Consideration of all as is set forth herein should be incorporated into the process so that all stakeholders can work together to help keep our emergency responders safe at a level that is economically feasible and realistic for our taxpaying residents.

Section 3. That this resolution be effective immediately.

Section 4. That the Clerk of the Board is directed to send a copy of this Resolution to all interested parties, including but not limited to OSHA representatives, Federal and State representative officials, and any others the Board may deem appropriate.

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

RESOLUTION NO. 131 - 2024

**RESOLUTION DESIGNATING THE LEWIS COUNTY FIRE & EMERGENCY
MANAGEMENT SERVICES DEPARTMENT AS THE OFFICIAL EMERGENCY
MANAGEMENT OFFICE UNDER THE NYS EMERGENCY
MANAGEMENT ACCREDITATION PROGRAM
DURING PERIODS OF EMERGENCIES**

Introduced by Legislator Andrea Moroughan, Chair of the General Services Committee

WHEREAS, the Lewis County Director of Fire and Emergency Management Services seeks to have his Department be officially designated as the Emergency Management Office (EMO) under the NYS Emergency Management Accreditation Program which administers the program developed by the National Incident Management System (NIMS) to allow for a designated Emergency Management Office to exercise effective utilization and coordination of County resources during period of emergency or disaster, by providing for mitigation, preparedness, response, and recovery from natural and man-made disasters within the County; and

WHEREAS, the Secretary of Homeland Security developed and administered a National Incident Management System (NIMS) and Incident Command System (ICS) for State, Tribal, and local organizations as a condition of receiving State and Federal disaster reimbursements. These systems are standard approaches for the planning, command, control, and coordination of emergency response teams, providing a common hierarchy in which responders from multiple agencies can be effective and efficient during emergencies; and

WHEREAS, the designation of the Lewis County Fire and Emergency Management Services Department as the official Emergency Management Office in Lewis County, to coordinate and facilitate plans and training required in natural disasters and emergencies in the County, will allow for the County to become accredited and receive all State and Federal funding and reimbursements available in the event of disasters; and

WHEREAS, the Board of Legislators wishes to establish the Emergency Management Office and adopt updated NIMS and ICS guidelines to comply with Federal and State requirements for disaster funding;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby designates the Lewis County Fire and Emergency Management Department as official Emergency Management Office (EMO) in Lewis County to provide for the coordination, mitigation, preparedness, training, response, and recovery from natural and man-

made disasters, and to facilitate effective plans during periods of disaster or emergency in Lewis County.

Section 2. That the Lewis County Board of Legislators approves of the use of updated NIMS and ICS guidelines by the EMO to comply with Federal and State regulations for disaster relief funding and reimbursements.

Section 3. That the Chair or Vice-Chair of the Board of Legislators be and same is hereby authorized to sign and execute any documents to promote the formation of the Emergency Management Office, upon review by the County Attorney.

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

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

RESOLUTION NO. 132 - 2024

**RESOLUTION OPPOSING NYS BILL S4040B/A7532B
REQUIRING MANDATED MEMBERSHIP ON IDAs**

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

WHEREAS, NYS S4040B/A7532B is expected to be presented to the Governor for consideration. The Bills proposes to amend GML §§ 854 & 856 by requiring local IDAs to have a local labor organization representative and either a school board member or a superintendent of a school district on its board; and

WHEREAS, IDA boards are comprised of local volunteers, selected and appointed by local government based on the unique economic needs of the communities they represent, whose membership is designed to include community members from various and diverse backgrounds to ensure broad interests of the community; and

WHEREAS, the Lewis County Board of Legislators have always supported and appointed members to the IDA from private business, local government, academia, workforce development, labor and schools, and other interested community representatives to further the purposes of the agency, i.e., promoting and assisting economic development; and

WHEREAS, this proposed legislation, in mandating labor and school district representation on IDA boards usurps home rule and erodes local control over such appointments. Further, by requiring local authorities to appoint particular interest groups to IDA boards there is a clear unfairness to other interest groups while setting up a concerning precedent for other interest groups to advocate for mandated representation on the IDA board. This mandate also causes concern about board size and conflict of interest issues; and

WHEREAS, the Lewis County Board of Legislators prides itself in having created an IDA board with members who represent a broad spectrum of the community, and who are mindful and inclusive in their decision-making by including input from labor and school districts in any PILOTs it negotiates and grants; and

WHEREAS, IDA boards are statutorily capped at seven (7) members, with flexibility on the size of the board being three to seven members, depending upon the size and needs of the communities in which they function. Mandating that two representatives must now be from these interest groups will become a real challenge for smaller IDAs, including potential quorum issues and project/organizational issues. A named school district representative may be forced to recuse on a project that positively benefits their district and not other districts in the County; and

WHEREAS, this proposed legislation fails to take into account how varied and diverse the make up and economies are in counties across New York State. Removing the local control decisions by these mandated appointments are unnecessary and will have an adverse effect on the Lewis County IDA's functioning in determining where to grant assistance in order to encourage business and development in Lewis County communities;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators vehemently opposes NYS 4040B/A7532B in mandating the appointment of particular interest groups to the local IDAs, as a violation of home rule rights and an attempt to override a clearly local control function based on local needs and best interests of the Lewis County communities to whom the IDA is responsible .

Section 2. The Lewis County Board of Legislators calls upon the Governor to veto this Bill if and when presented, and stop such an unnecessary and unfair requirement in mandating what interest groups should be on a local IDA board. It is time for the State to understand how varied and diverse counties across the state are in their economies and communities. The Lewis County IDA functions quite well and is already mindful of various interests and voices who must be heard when it takes on the responsibility of deciding where to grant assistance to encourage business and development in our varied Lewis County communities.

Section 3. This Resolution shall take effect immediately.

Section 4. That the Clerk of the Board is directed to forward copies of this resolution to Governor Hochul, Senator Mark Walczyk, Assemblyperson Kenneth Blankenbush, the Majority and Minority leaders of the State Senate and Assembly, the New York State Economic Development Council, NYSAC, and any others deemed necessary and proper.

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

RESOLUTION NO. 133 - 2024

**RESOLUTION TO ACCEPT NY SWIMS LIFEGUARD GRANT FOR
LEWIS COUNTY ELIGIBLE PUBLIC SWIMMING LOCATIONS**

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

WHEREAS, the Lewis County Planning and Community Development Director was notified by the NYS Department of Local Government Services that Lewis County is eligible to receive \$20,000 in reimbursed eligible costs under the NY SWIMS Lifeguard Grant Program to address a critical shortage of staff lifeguards for the period of April 1, 2024 through September 30, 2025; and

WHEREAS, this funding is for public swimming locations within the County and can be used to cover costs related to safe public swimming, such as advertising for lifeguards, lifeguard retention and referral, supplementing hourly lifeguard wages, and lifeguard salary increases; and

WHEREAS the Planning Director seeks to submit the application and other required documents and forms required to request this reimbursement-based grant funding, which is due by July 26, 2024;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby accepts the eligible reimbursement-based grant award funds NYS DOS under its NY Swims Lifeguard Program, and authorizes the Lewis County Planning Director to prepare and submit the application and requests for funding together with any other documents and work plans that may be required in support of the reimbursable grant funds for public swimming locations in Lewis County.

Section 2. That the Lewis County Board of Legislators authorizes the Planning Director to contact constituent local governments to identify eligible public lifeguard assistance opportunities, and to develop a workplan for reimbursement to the eligible entities for the eligible costs and expenses identified under the Grant. The Planning and Community Development Department shall be in charge of administering the reimbursable grant funds to the local eligible entities.

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver the grant agreement and related documents and any amendments thereto, pending review and approval as to form by the County Attorney.

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

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

RESOLUTION NO. 134 - 2024

RESOLUTION AUTHORIZING LEWIS COUNTY TO APPLY FOR 2024 OFFICE OF COMMUNITY RENEWAL NEW YORK MAIN STREET (NYMS) PROGRAM GRANT DOWNTOWN STABILIZATION PROJECT FUNDING

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

WHEREAS, the County of Lewis, by and through the Planning and Community Development Department, desires to apply for 75% of project costs or up to \$500,000 including administrative expenses in financial assistance through the 2024 Consolidated Funding Application (CFA) under the New York State Office of Community Renewal, New York Main Street (NYMS) Program; and

WHEREAS, the application proposes funding to assist with the costs to a downtown “main street” building on McAlpine Street between Center Street and Cherry Street in the Village of Lyons Falls, i.e., the former Lyons Falls elementary school property with an estimated \$904,00 total phase 1 project cost; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts. The grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located; and

WHEREAS, the Planning Director has earmarked the National Grid Brownfield Grant award (\$175,240) to cover a portion of the 25% local match requirement, and will build in other anticipated Retore NY funding and/or ESD rolling grant for the balance of local match funding required. The Planning Director will build stacked funding into her 2025 Community Development Project Budget if awarded this Grant, expected in late 2024;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes the Planning and Community Development Department to submit the online application to the New York State Office of Community Renewal for up to \$500,000 in 2024 New York Main Street funding for a Downtown Stabilization project located at 6832 McAlpine Street in the Village of Lyons Falls.

Section 2. That the Chairman or Vice Chairman of the Board of Legislators be and the same is hereby authorized to sign and submit the application and, if awarded, to accept the funding, sign contract documents, and appropriate the funding to the Lewis County Planning and Community Development Department.

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 135 - 2024

**RESOLUTION AUTHORIZING APPLICATION FOR 2024-2025 SMART GROWTH
COMMUNITY PLANNING AND ZONING GRANT PROGRAM FUNDS TO UPDATE
THE LEWIS COUNTY COMPREHENSIVE PLAN**

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

WHEREAS, the Lewis County Planning and Community Development Department, on behalf of Lewis County, desires to apply for up to \$500,000 in financial assistance to update the County's 2009 Comprehensive Plan through the 2024 Consolidated Funding Application (CFA) under the New York State Office of Planning, Development & Community Infrastructure; and

WHEREAS, if awarded, the grant requires a commitment of a 10% match from the County, not to exceed \$50,000; and

WHEREAS, the application allows for up to 15% of the award amount to be attributed towards grant administration; and

WHEREAS, the County of Lewis, being the lead applicant, will include eligible grant administration costs in the application as reimbursable expenses to the Planning and Community Development Department; and

WHEREAS, the Lewis County Board of Legislators sees to authorize this application;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the Lewis County Planning and Community Development Department, to submit the online Consolidated Funding Application through the Smart Growth Community Planning and Zoning Grant Funds Program, on behalf of the County of Lewis, for up to \$500,000 in funding to update the 2009 Lewis County Comprehensive Plan.

Section 2. That the Chair or Vice Chair of the Board of Legislators be and the same is hereby authorized to sign and submit the application and, if awarded, to accept the funding, sign contract documents, and appropriate the funding to the Lewis County Planning and Community Development Department.

Section 3. That, if awarded, the Lewis County Planning and Community Development Department will post an RFP for a consultant to complete the comprehensive plan update and submit grant administrative reimbursement

requests to the NYS Office of Planning, Development & Community Infrastructure throughout the process.

Section 4. That this resolution shall take effect immediately.

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

RESOLUTION NO. 136 - 2024

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND THE COUNTY OF LEWIS FOR THE ACCEPTANCE OF ADIRONDACK PARK COMMUNITY SMART GROWTH GRANT PROGRAM FUNDS TO COMPLETE A WINTER RECREATION TRAIL DEVELOPMENT PLAN

Introduced by Legislator Andrea Moroughan, Chair of the General Services Committee.

WHEREAS, the Lewis County Board of Legislators approved and authorized an application to the New York State Department of Environmental Conservation ("NYS DEC") Adirondack Park and Catskill Park Community Smart Growth Grant Program for the completion of a winter recreational trail development plan in areas within the Adirondack boundary; and

WHEREAS, the County of Lewis, by and through the Lewis County Planning and Community Development and Recreation, Forestry and Parks Departments, was awarded \$125,000.00 in the NYS DEC funds, with no local match required, and desires to enter into an agreement with the NYS DEC to accept the funds; and

WHEREAS, the Board of Legislators wishes to accept the grant funds, enter into the agreement for same, authorize the Planning and Community Development and Recreation, Forestry and Parks Departments to issue the appropriate RFPs once a fully executed contract is obtained.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Lewis County Planning and Community Development and Recreation, Forestry & Parks Departments, with New York State Department of Environmental Conservation to accept the \$125,000.00 in Adirondack Park and Catskill Park Community Smart Growth Grant Programs funds to develop a winter recreational trail development plan in areas within the Adirondack boundary.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement and any extensions or modifications thereto, upon review and approval by the County Attorney and authorizes the County Treasurer to make any appropriations needed.

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

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

RESOLUTION NO. 137 - 2024

**RESOLUTION TO AWARD BID
AND AUTHORIZE CONTRACT WITH
M.J. LYNDAKER LOGGING LLC**

Introduced by Legislator Andrea Moroughan, Chair of the General Services Committee.

WHEREAS, the County through the Recreation, Forestry, & Parks Department commenced the Lewis County Timber Sale process by sending out an RFP for the value of forest products located in the Lewis County reforestation area, located on the North South Road, in the Town of Greig, Tax Map Parcel Nos. 307.00-01-8.000 & 307.00-01-9.000; and

WHEREAS, three (3) sealed bids received were publicly opened on June 14, 2024 at 2:30 p.m. on the Second Floor Board Room at the Lewis County Courthouse, 7660 North State Street, Lowville, New York; and

WHEREAS, the Director of Recreation, Forestry & Parks recommends that the County award the bid to M.J. Lyndaker Logging LLC who offered the highest price for the forest products located on the North South Road, in the total amount of \$115,000.00; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid and authorizes a contract with M.J. Lyndaker Logging LLC, 6606 Old Indian River Road, Castorland, NY 13620 for the term of August 1, 2024, through July 31, 2026, requiring the Contractor to pay the County \$115,000.00 for the harvesting of timber at North South Road, in the Town of Greig, Tax Map Parcel Nos. 307.00-01-8.000 & 307.00-01-9.000.

Section 2. That the Chair or Vice-Chair of the Lewis County Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, any related and necessary documents or instruments, and amendments thereto pending approval by the County Attorney.

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

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

RESOLUTION NO. 138 - 2024

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND UNITED RADIO, INC.
TO PROVIDE VIDEO SURVEILLANCE COVERAGE
AT TEN (10) LEWIS COUNTY 911 TOWER SITES**

Introduced by Legislator Jessica Moser, Chair of the Human Services Committee.

WHEREAS, the Lewis County Sheriff's Department in consultation with the Purchasing Director, recently sent out a Request for Proposal (RFP) to vendors to provide 360 degree video surveillance coverage and remote access via the microwave radio system at ten (10) of the County's 911 Tower sites located in the Towns of Denmark, Diana, Croghan, Leyden, Lowville, Lyonsdale, Montague, and Turin, as more fully outlined and set forth in the RFP; and

WHEREAS, five (5) bid proposals were opened on May 16, 2024 at 2:00 pm. The 911 Operations Coordinator and Director of Purchasing carefully reviewed the bid submission and assessed the criteria. After careful consideration and review, this team recommends that the Board of Legislators award the bid and contract to the lowest qualified bidder, United Radio, Inc., 5703 Enterprise Parkway, East Syracuse, NY 13057 to complete all the RFP Tasks at a cost not to exceed \$191,887.85 to be completed by December 31, 2024; and

WHEREAS, the Sheriff's Department has secured funding for this contract through the 2021 SICG Radio grant; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby awards the bid to and authorizes an agreement with United Radio, Inc., 5703 Enterprise Parkway, East Syracuse, NY, to provide 360 degree surveillance coverage and remote access via the microwave radio system at ten (10) identified County 911 Tower sites, in accordance with the specifications set forth in the RFP, in consideration of the payment of \$191,887.85, to be completed by December 31, 2024.

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

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

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

RESOLUTION NO. 139 - 2024

**RESOLUTION RESCINDING RESOLUTION NO. 119-2024 AND
RESUBMITTING WORK DAY AND REPORTING RESOLUTION**

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

WHEREAS, the Board of Legislators approved and adopted Resolution 119-2024 on June 4, 2024, as amended by motion, in establishing and reporting on the standard work days for certain elective officials therein named; and

WHEREAS, the Clerk of the Board received information from the State that calculations of certain activities was incorrect, requiring the Resolution to be rescinded, and with the following corrected information provided for the named elected officials;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby rescinds Resolution No. 119-2024 due to incorrect calculations of time.

Section 2. The Lewis County Board of Legislators hereby establishes the following as standard work days for the following elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the named Officials to the Clerk of this body:

Title	Name	Standard Work Day	Term Begins/Ends	Days/Month
Elected Officials				
District Attorney	Jeffery G. Tompkins	8	1/1/2024-12/31/2027	26.89
Legislator	Barry Lyndaker	6	1/1/2024-12/31/2025	13.03
Legislator	Herbert Frost III	6	1/1/2024-12/31/2025	2.25
Legislator	Jessica Moser	6	1/1/2024-12/31/2025	3.73
Legislator	Thomas Kalamas	6	1/1/2024-12/31/2025	10.69
Appointed Officials				

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