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TO: Media

FROM: Cassandra Moser, Clerk of the Board

DATE: August 2, 2024

The Board of Legislators will meet on Tuesday, August 6, 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.

The meetings will be streamed live on the YouTube channel "Lewis County" listed as:

https://www.youtube.com/c/LewisCountyNY

RESOLUTION NO. 141 – 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 \$2,639,829.02 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:

**LOCAL LAW (INTRODUCTORY NO. 2 – 2024)
COUNTY OF LEWIS**

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

A LOCAL LAW PROVIDING FOR THE PARTIAL EXEMPTION OF CERTAIN REAL PROPERTY OWNED BY PERSONS 65 YEARS OF AGE OR OVER

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

Section 1. Legislative History and Findings.

(a) Since 1989, the Board of Legislators has provided for a partial real property exemption for persons 65 years of age and older, based upon certain income qualifications set forth in Real Property Tax Law §467.

(b) In 2005, the Board of Legislators found that it was prudent to memorialize its intent to enact partial tax exemption on property owned by persons 65 years or older by adoption of Local Law No. 10-2005.

(c) In 2019, the adoption and enactment of Local Law No. 9-2019 by the Board of Legislators, amended LL No. 10-2005 to the extent of adjustment to the income qualification levels to which the partial tax exemption percentage may be applied and granted. In 2020, the Board of Legislators adopted and enacted LL No. 2-2020 to amend LL No. 9-2019 in order to correct the maximum income limits to which the exemption applies at the 20, 25, and 30 income percentages set forth in the schedule so as to comply with the State’s accepted calculation of same.

(d) This new Local Law will be effective January 1, 2025, and is enacted in order to take into account the changes in economic conditions and the impact of same upon seniors in Lewis County, by adjustment to the maximum income limits and the percentage of assessed valuation exempt from taxation. Further, this new Local Law will comply with the May 25, 2023 amended definition of “income” set forth in RPTL §467.

Section 2. Exemption Granted. Real property owned by one or more persons, each of whom is sixty-five years of age or over, or real property owned by a married couple or by siblings, one of whom is sixty-five years of age or over, shall be exempt from taxation for county

purposes up to a maximum of fifty percent (50%) of the assessed value, provided the owner(s) meet the qualifications set forth below. For the purposes of this local law, sibling shall mean a brother or a sister, whether related through half blood, whole blood or adoption.

Section 3. Income Qualifications.

(a) The exemption to be granted hereunder shall be determined by the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application (hereinafter referred to individually or collectively as “income”, as income is hereinafter defined in subsection (d) below), and in accordance with the following schedule:

Exemption Income Limits		
Percentage of Assessed Valuation Exempt from Taxation	Minimum Income	Maximum Income
50	0.00	25,000.00
45	25,000.01	25,999.99
40	26,000.00	26,999.99
35	27,000.00	27,999.99
30	28,000.00	28,899.99
25	28,900.00	29,799.99
20	29,800.00	30,699.99

(b) Income tax year shall mean the twelve-month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year.

(c) Where title is vested in either spouse, their combined income may not exceed such sum, except where spouse, or ex-spouse is absent from the property as provided in subparagraph (c)[2] of Section 4 of this local law, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum.

(d) “Income” as used herein shall mean the “adjusted gross income” for federal income tax purposes as reported on the applicant’s federal or state income tax return for the applicable

income tax year, subject to any subsequent amendments or revisions. Such income shall include any social security or retirement benefits not included in such federal adjusted gross income, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, inheritances, and such other forms of income which are excluded under Real Property Tax Law §467. The provisions of this paragraph notwithstanding, such income shall not include veteran's disability compensation, as defined in Title 38 of the United States Code. In computing net rental income and net income from self-employment no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income;

Section 4. Additional Qualifications.

No exemption shall be granted hereunder unless :

(a) the owner shall have held an exemption under this section for their previous residence or unless the title of the property shall have been vested in the owner or one of the owners of the property for at least twelve consecutive months prior to the date of making application for exemption, provided, however, that in the event of the death of a married person either a spouse in whose name title of the property shall have been vested at the time of death and then becomes vested solely in such person's surviving spouse by virtue of devise by or descent from the deceased spouse, the time of ownership of the property by the deceased spouse shall be deemed also a time of ownership by the survivor and such ownership shall be deemed continuous for the purposes of computing such period of twelve consecutive months. In the event of a transfer by a married person to such person's spouse of all or part of the title to the property, the time of ownership of the property by the transferor spouse shall be deemed also a time of ownership by the transferee spouse and such ownership shall be deemed continuous for the purposes of computing such period of twelve consecutive months. Where property of the owner or owners has been acquired to replace property formerly owned by such owner or owners and taken by eminent domain or other involuntary proceeding, except a tax sale, the period of ownership of the former property shall be combined with the period of ownership of the property for which application is made for

exemption and such periods of ownership shall be deemed to be consecutive for purposes of this section. Where a residence is sold and replaced with another within one year and both residences are within the state, the period of ownership of both properties shall be deemed consecutive for purposes of the exemption from taxation by a municipality within the state granting such exemption. Where the owner or owners transfer title to property which as of the date of transfer was exempt from taxation under the provisions of this section, the reacquisition of title by such owner or owners within nine months of the date of transfer shall be deemed to satisfy the requirement of this paragraph that the title of the property shall have been vested in the owner or one of the owners for such period of twelve consecutive months. Where, upon or subsequent to the death of an owner or owners, title to property which as of the date of such death was exempt from taxation under such provisions, becomes vested, by virtue of devise or descent from the deceased owner or owners, or by transfer by any other means within nine months after such death, solely in a person or persons who, at the time of such death, maintained such property as a primary residence, the requirement of this paragraph that the title of the property shall have been vested in the owner or one of the owners for such period of twelve consecutive months shall be deemed satisfied;

(b) the property is used exclusively for residential purposes, provided, however, that in the event any portion of such property is not so used exclusively for residential purposes but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section;

(c) the real property is the legal residence of and is occupied in whole or in part by the owner or by all of the owners of the property: except where,

[1] an owner is absent from the residence while receiving health-related care as an inpatient of a residential health care facility, as defined in section twenty-eight hundred one of the public health law, provided that any income accruing to that person shall only be income only to the extent that it exceeds the amount paid by such owner, spouse, or co-owner for care in the facility, and provided further, that during such confinement such property is not occupied by other than the spouse or co-owner of such owner; or

[2] the real property is owned by a married couple, or an ex-spouse, and either is absent from the residence due to divorce, legal separation or abandonment and all other provisions of this section are met provided that where an exemption was previously granted when both resided on the property, then the person remaining on the real property shall be sixty-two years of age or over.

(d) the real property otherwise meets the qualifications contained in Real Property Tax Law 467, as the same may be amended from time to time.

Section 5. Administration. Application for such exemption must be made by the owner, or all of the owners of the property upon such forms as may be prescribed from time to time by the NYS Office of Real Property Tax Services. Such applications must be filed with the assessor of the town in which the real property is located on or before the taxable status date. Notwithstanding any other provision of law, any person otherwise qualifying under this section shall not be denied the exemption under this section if such person becomes 65 years after the appropriate taxable status date and on or before December 31 of the same year.

Section 6. Notice of Exemption.

(a) At least 60 days prior to the appropriate taxable status date, the appropriate local assessing unit shall mail to each person who was granted exemption pursuant to this section on the latest completed assessment roll an application form and a notice that such application must be filed on or before taxable status date and be approved in order for the exemption to be granted. Failure to mail any such application form or notices or failure of such person to receive any of the same shall not prevent the levy, collection and enforcement of the payment of the taxes on property owned by such person.

(b) The appropriate local assessing unit shall accept applications for the renewal of exemptions pursuant to this section after the taxable status date. In the event that the owner or all of the owners of property which has received an exemption pursuant to this section on the preceding assessment roll fail to file the application required pursuant to this section on or before taxable status date, such owner or owners may file the application, executed as if such application had been file don

or before the taxable status date, with the Assessor on or before the date for the hearing of complaints.

Section 7. This local law replaces and hereby repeals Local Law Nos. 10-2005, No. 9-2019 and No. 2-2020.

Section 8. This local law shall be effective on the basis of taxable status dates occurring on and after January 1, 2025. The first tax benefit of this exemption change will be reflected in the January 1, 2026 tax bill.

Section 9. This local law is deemed valid upon filing with the Secretary of State and upon all legal requirements being met.

RESOLUTION NO. 142 - 2024

**FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 2- 2024), COUNTY OF LEWIS**

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on September 3, 2024, a proposed Local Law entitled "LOCAL LAW AMENDING LOCAL LAW 2-2020 PROVIDING FOR THE PARTIAL EXEMPTION OF CERTAIN REAL PROPERTY OWNED BY PERSONS 65 YEARS OF AGE OR OVER."

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on September 3, 2024, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

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.

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

RESOLUTION NO. 143 - 2024

**RESOLUTION AUTHORIZING RENEWAL AGREEMENT WITH
THE UNIFIED COURT SYSTEM
FOR COURT CLEANING AND MINOR REPAIRS SERVICES**

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

WHEREAS, counties and cities are required by law to furnish and maintain adequate court facilities for use by trial courts in the State of New York, with the State obligated to compensate the municipality for cleaning, maintenance and repairs of the facilities; and

WHEREAS, in 2023, the County entered into a five (5) year agreement (C300537) with the NYS Unified Court System (“UCS”) for the purpose of providing cleaning services for the interior of the Lewis County Court House (“Court Facilities”), as well as minor and emergency repairs, and preventive building and property maintenance services for the facility; and

WHEREAS, the five-year agreement commenced April 1, 2023 and continues through March 31, 2028, with annual agreements as to the maximum amount of reimbursement the UCS will pay to the County for such services; and

WHEREAS, the County has provided and submitted to the State the annual compensation reimbursement budget and scope of services to be rendered for the annual period from April 1, 2024 through March 31, 2025, and UCS agrees to reimburse the County for the cleaning and maintenance services for this period in the amount of \$145,526.00; and

WHEREAS, the Board of Legislators seeks to authorize and approve this annual renewal service at said compensation amount.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes and approves the 2024/2025 renewal amendment to the five-year Agreement between the County of Lewis, by and through the Buildings and Grounds Department, and the NYS Unified Court System, for the provision of cleaning and maintenance services for the interior of the Lewis County Court Facility, as well as preventive building and property maintenance services for the facility, for the period retroactive to April 1, 2024 through March 31, 2025, in consideration of the payment of \$145,526.00.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such renewal agreement, and all

additional annual renewal amendments to the five-year Agreement, pending approval by the County Attorney.

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 144 - 2024

**RESOLUTION ACCEPTING TITLE TO REAL PROPERTY
IN LIEU OF ENFORCEMENT PROCEEDING
UNDER LOCAL LAW NO. 2-2007, UNSAFE BUILDINGS LAW**

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

WHEREAS, pursuant to Local Law No. 2 – 2007, “A LOCAL LAW PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS, UNSAFE EQUIPMENT AND COLLAPSED STRUCTURES,” (herein “Unsafe Building Law”), 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 such Local Law, the Lewis County Code Enforcement Officer conducted an investigation of the premises known as Tax Map No. 321.15-01-11.000, 6314 East Main Street, Village of Turin, currently owned by Ignacio Ahumada (herein the “Owner”); and determined that the structure was unsafe and that a partial or complete collapse was possible, and issued a report to the Board of Legislators on July 24, 2023 declaring that the residential building was unsafe for occupancy and condemned same; and

WHEREAS, by Resolution No. 158-2023, the Board of Legislators found and determined that the residential structure is not fit for human habitation, constitutes a public nuisance and a danger to the safety, health and welfare of the community; and that the building must be demolished and removed from the premises; and

WHEREAS, the Board of Legislators conducted a hearing on notice to the Owner on November 7, 2023 at 5:00 p.m., with the Owner present for the hearing to determine if the structure should be demolished and removed; and

WHEREAS, the Owner was ordered to demolish and remove the structure pursuant to Resolution No. 200-2023; and

WHEREAS, the Owner has indicted his inability to have the structure properly demolished and removed, and has offered to convey the premises to the County in consideration of discontinuing his responsibility to demolish the structure together with any other obligations under the Unsafe Building Law. The Board of Legislators is willing to accept the Owner’s offer;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby finds in accordance with the reports of the Lewis County Code Enforcement Officer that this

property remains unsafe, and that the Board's prior determination that the residential structure be demolished and properly removed from the premises continues in effect.

Section 2. In lieu of demolishing the building and charging the Owner for the costs thereof, the Board of Legislators hereby agrees to accept conveyance of title to the Property to the County of Lewis in consideration of discontinuing further unsafe structure enforcement actions against the Owner and subject to the Owner showing satisfactory proof that all current and past real property taxes on the property are paid in full prior to transfer, including the 2024 village taxes (June 1, 2024-May 31, 2025) and the 2024 school taxes (September 1, 2024-August 31, 2025).

Section 3. Subject to the Owner's compliance with the conditions set forth in Section 2 above, and upon proper transfer of title, the Board of Legislators authorizes the Codes Department to follow through with the demolition and removal procedures under the Local Law.

Section 4. The Chair or Vice- Chair of the Board of Legislators is hereby authorized to execute and deliver any agreements, deed and related documents or other writings as may be necessary to carry out the purpose of this Resolution upon such forms as may be approved by the County Attorney.

Section 5. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 145 - 2024

RESOLUTION APPOINTING LEWIS COUNTY MANAGER TO FILL THE UNEXPIRED TERM OF RYAN PICHE AND AUTHORIZING EMPLOYMENT AGREEMENT

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

WHEREAS, the County established the position of County Manager pursuant to Lewis County Local Law No. 4-1987, whose functions are, *inter alia*, to serve as the chief administrative officer and budget officer for the County; and

WHEREAS, the Board of Legislators appointed Ryan Piche as County Manager in July, 2017, and reappointed him every two years thereafter to serve in the position, with his last two year appointment being 2024 through 2025; and

WHEREAS, Ryan Piche tendered his resignation to the Board of Legislators, effective September 13, 2024, and having accepted same, the Board now seeks to fill his unexpired term; and

WHEREAS, the Board of Legislators wishes to appoint Timothy Hunt as Lewis County Manager, to serve in said position for the unexpired term of Ryan Piche through December 31, 2025; and

WHEREAS, the Board of Legislators seeks to enter into an employment agreement with Mr. Hunt to provide for the terms and conditions of his employment as County Manager;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby appoints Timothy Hunt, of Lowville, NY 13367, to fill the unexpired County Manager term of Ryan Piche, and to perform such duties and responsibilities as described in the Local Law and as may be delegated from time to time by the Board of Legislators.

Section 2. The 2024 annualized salary for Timothy Hunt as County Manager is hereby established and set at \$123,420.00. The term of said appointment shall be from September 14, 2024 through December 31, 2025.

Section 3. The Lewis County Board of Legislators authorizes an employment agreement to be drafted by the County Attorney on behalf of the Board, setting forth the terms and conditions of employment for Timothy Hunt as County Manager for the unexpired term ending December 31, 2025.

Section 4. The Chairman or the Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver said employment agreement upon such terms, conditions and form as recommended by the County Attorney.

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

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

RESOLUTION NO. 146 - 2024

**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO THE DISTRICT ATTORNEY'S OFFICE**

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

BE IT RESOLVED, as follows:

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

<u>ABOLISH</u> Administrative Assistant	<u>STATUS</u> Full-time	<u>HOURLY RATE</u> \$20.59 - \$24.12
<u>CREATE</u> Paralegal	<u>STATUS</u> Full-Time	<u>HOURLY RATE</u> \$21.46 - \$24.15

Section 2. That this resolution shall take effect immediately.

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

RESOLUTION NO. 147 - 2024

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND C&S ENGINEERS, INC. TO PROVIDE
PROFESSIONAL CONSTRUCTION OBSERVATION AND INSPECTION SERVICES
OF GLENFIELD COMPLETE STREETS & BLUE STREET PROJECTS**

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

WHEREAS, C&S Engineers, Inc., (C&S), submitted a proposal with a scope of services designed to provide the basic construction observation and support services, at a cost not to exceed \$199,933.74, as specifically outlined in their proposal dated May 28, 2024; and

WHEREAS, the Board of Legislators seeks to accept this proposal and scope of work for the Glenfield Complete Streets & Blue Street Projects approved by NYS DOT;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with C& S Engineers, Inc., 499 Col. Eileen Collins Blvd, Syracuse, NY 13212, to provide professional construction observation and support services at the Glenfield Complete Streets & Blue Street projects, as required by the NYS DOT, and in accordance with the scope of services outlined by C&S in its proposal dated May 28, 2024, at a cost of \$199,933.74.

Section 2. That the cost of these services are payable under the Highway Department's CHIPS funding.

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

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

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

RESOLUTION NO. 148 - 2024

**RESOLUTION AUTHORIZING INTER-MUNICIPAL AGREEMENT(S) BETWEEN THE
LEWIS COUNTY HIGHWAY DEPARTMENT AND
CERTAIN TOWNS AND VILLAGES FOR CONTROL OF SNOW AND ICE
ON CERTAIN COUNTY ROADS AND SNOWMOBILE PARKING FACILITIES**

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

WHEREAS, Article 5-G of the General Municipal Law (GML) provides for municipal corporations and districts to enter into cooperative arrangements or contracts for services required to be provided between the municipalities; and

WHEREAS, the Lewis County Highway Department is charged with providing snow removal on the County Road System. The Lewis County Superintendent of Highways acknowledges that it will be beneficial and cost effective to the County for certain Towns and/or Villages to exercise snow control upon certain County roads and snowmobile parking facilities in their jurisdictions in consideration of payments by the County for said services; and

WHEREAS, Lewis County has, by Resolution, provided for inter-municipal agreements with individual Towns and Villages to reimburse them for assistance in snow control on County roads, and to clear parking lots and facilities during snowmobile season, in an effort to keep roads, shoulders, and public parking lots clear and safe; and

WHEREAS, the Lewis County Superintendent of Highways met with the Highway Superintendents for the Towns and Villages in Lewis County to discuss terms and rates for snow and ice removal and treatment for certain County roads and snowmobile parking facilities in their respective jurisdictions. Each jurisdiction is willing to perform such services in consideration of reimbursement at certain rates per mile as herein set forth, with a 4% annual increase and an option to opt out of the agreement by May 1 of each year. The proposed starting rate beginning January 1, 2025 is \$7,560.00 per mile. Towns plowing snowmobile parking lots will receive a square foot reimbursement rate of \$0.06/sq.ft. The total cost to the County in 2025 shall not exceed \$1,381,918.86; and

WHEREAS, the Agreement(s) shall be annual commencing January 1, 2025 through December 31, 2025, with automatic renewals unless either party notifies the other in writing by May 1st of each year of the intention to terminate and opt-out for the following year(s). The Agreement(s) shall be subject to the County Road Fund appropriation, as defined in Section 110 of the Highway Law;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators authorizes Inter-Municipal Agreement(s) for control of snow and ice removal and treatment on certain County roads and parking facilities with such Towns and Villages as the Lewis County Superintendent of Highways deems appropriate, in accordance with the service reimbursement schedule as set forth above, with an opt out notice provision.

Section 2. Each Inter-Municipal Agreement shall contain terms and conditions for such assistance from the local municipality, including but not limited to the County roads to be serviced, the miles of said roads, the per mile rate, and the square foot rate for parking lot services on an annual basis in accordance with the above reimbursement schedule, subject to the County's annual appropriation for snow and ice removal on the County Road System.

Section 3. The first-year rate, commencing January 1, 2025 through December 31, 2025, is \$7,560.00 per mile, with an automatic annual renewal with an annual 4% increase, and the obligation to opt out of the renewal by May 1st of each year. The snowmobile parking lot reimbursement is at a rate of \$0.06 per square foot. The total cost for such services in 2025 from all local jurisdictions participating shall not exceed \$1,381,918.86.

Section 4. The Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement(s) and any amendments thereto, together with the Lewis County Superintendent of Highways, pending approval by the County Attorney.

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

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

RESOLUTION NO. 149 - 2024

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND SYMQUEST INC. FOR THE FIVE (5) YEAR LEASE OF
MULTI-FUNCTION PRINTING MACHINES AND PRINT MANAGEMENT
SOFTWARE**

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

WHEREAS, the Lewis County Information Technology Director secured a proposal from SymQuest Inc., 22618 Murrock Circle, Watertown, NY 13601, a vetted Statewide Information Technology contractor under Sourcewell Contract No. 23NJPA1547, for an additional (5) year lease of twenty-seven (27) multi-function printing machines at a cost not to exceed \$140,000.00 including a one-year subscription for print management software called Papercut, with an annual renewal cost of \$2,496.00. The cost per page of print is \$0.0035 for black/white and \$0.035 for color. There is a one-time ship-back fee of \$3,975.00, as more fully explained in the proposal; and

WHEREAS, the Board of Legislators seeks to authorize the agreement with SymQuest Inc. in accordance with its proposal;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement with SymQuest Inc., of Watertown NY, an additional five (5) year lease of twenty-seven (27) multi-function printing machines at a cost not to exceed \$140,00.00 including one-year subscription to print management software at an annual renewal rate of \$2,496.00, and per page printing at \$0.0035 for black/white and \$0.035 for color.

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. 150 - 2024

**RESOLUTION APPOINTING MEMBER TO
JUNKYARD REVIEW BOARD**

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

WHEREAS, John Szijarto of Lowville, New York, resigned as a member of the Lewis County Junkyard Review Board; and

WHEREAS, Edward Bullis has expressed an interest to fill said vacancy;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Edward Bullis of Constableville, New York, as a member of the Lewis County Junkyard Review Board, to fulfill the unexpired term of John Szijarto.

Section 2. That the term of said appointment shall be effective from August 7, 2024 through December 31, 2026.

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

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

RESOLUTION NO. 151 - 2024

**RESOLUTION AUTHORIZING THE SALE OF PORTION OF CERTAIN
COUNTY REAL PROPERTY ON EAST ROAD, LOWVILLE
TO DAVID C. HODGE AND MICHELLE L. SMITH**

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

WHEREAS, the County of Lewis is the owner of a certain parcel, approximately 56 acres of land known and identified as Tax Map No. 195.00-01-13.211, located at 7395 East Road, Lowville, NY (herein, the "Property"); and

WHEREAS, the County obtained this property by gift transfer from the Lewis County Agricultural Society, Inc., recorded in the Lewis County Clerk's Office on April 09, 2018, in order for the County to build the Lewis County-Jefferson Community College Education Extension Center (LC-JCC Ed Center) with restricted covenants set forth in the deed, requiring the Lewis County Agricultural Society, Inc. (Ag Society) to consent to any partial property transfer and to waive its right to recover the partial property transfer in accordance with the restrictions set forth in the deed; and

WHEREAS, the owners of a one-family residence on approximately 0.60 acre located at 7456 Emi Lane, Lowville, NY (tax map parcel 195.00-02-15.300) seek to obtain title to approximately 0.44 acres of a portion of the County's land immediately behind their home and parcel in order to square off their property and have the use of this cleared, vacant land as part of their yard. The owners have offered to pay \$2,000.00 for this vacant land; and

WHEREAS, the location of this 0.44 approximate acreage is in the south west corner of the County's approximate 56 acres of land gifted by the Ag Society, and is depicted on a survey map by Kovach Land Surveying PC. This vacant acreage is a small strip bordering the wooded area of the County's property, and of no use or value to the County for its public uses and purposes. This partial acreage is of no value to any other entity other than the property owners at 7456 Emi Lane, and would be a landlocked parcel to any other entity; and

WHEREAS, the offer of \$2,000.00 for this 0.44 vacant land is consistent with the vacant land assessments in this area and a fair value in consideration of its landlocked circumstance to any other entity; and

WHEREAS, the Lewis County Agricultural Society's Board consents to this transfer and sale of this landlocked area to the owners named, and has waived its right to recover said property by formal Resolution;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby finds and declares that the said identified 0.44 acres of vacant land, located in the south west corner of and being a portion of the County's property under Tax Map No. 195.00-01-13.211, is not required for public use, and is landlocked to any other party, thereby negating the requirement of a bid after public advertisement for same. This finding is made pursuant to Local Law No. 1-1991 and County Law § 215.

Section 2. The Lewis County Board of Legislators authorizes the transfer of the approximate 0.44 acres of vacant land located immediately behind (North) the property and one family residence of David C. Hodge and Michelle L. Smith located at 7456 Emi Lane, Lowville, NY, Tax Map Parcel No. 195.00-02-15.300, to said named owners in consideration of the payment of \$2,000.00, and subject to the written consent and waiver of reversionary rights of the Lewis County Agricultural Society, Inc., as required under the deed restrictions.

Section 3. The Lewis County Board of Legislators authorizes said transfer and sale of this partial property provided that the owners incur all costs and expenses of the transfer of title, including but not limited to any abstract of title fee, deed recording fees and transfer taxes which may customarily be waived for the County.

Section 4. The Lewis County Board of Legislators directs that the \$2,000 consideration received shall be turned over the Lewis County Agricultural Society, Inc.

Section 5. The transfer of title shall be by quitclaim deed, with a closing of title to take place as soon as reasonably possible after receipt of all documents required.

Section 6. The Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver any and all documents, including the deed and other recording documents, upon review and approval as to form by the County Attorney.

Section 7. The within Resolution shall take effect immediately.

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

AYES:

NAYS:

ABSENT:

RESOLUTION NO. 152 - 2024

**RESOLUTION IN OPPOSITION TO CLOSURE OF THE GREAT MEADOW
CORRECTIONAL FACILITY IN WASHINGTON COUNTY**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board and Thomas Kalamas, District #2 Legislator.

WHEREAS, the Governor of New York has announced the intended closure of the Great Meadow Correctional Facility (GMCF) located in the Town of Fort Ann, Washington County, on or about November 6, 2024; and

WHEREAS, Lewis County along with Washington County and other North Country Counties, are members of the Adirondack Park Local Government Review Board, who oppose the closure of the Great Meadow Correctional Facility for numerous reasons, including but not limited to the large, negative economic impact the closure will have on the neighboring Towns and Counties with the loss of jobs and businesses in these rural locations; and

WHEREAS, the State has demonstrated its short-sightedness in closing state facilities without a plan for maintenance of or potential redevelopment or reuses for such facilities, leading to long term abandonment, deterioration, further blight on the local region, and ultimately more cost and expense in the future to rehab or remediate the deterioration of the sites and buildings; and

WHEREAS, the GMCF has one of the only State full mental health facilities which also has an intermediate level of care facility, with a Behavioral Health Unit that is state of the art in a self-contained unit with all housing, treatment classrooms and recreations facilities, include 40 BHU beds, 102 Intermediate Care Program beds, 6 residential Care Treatment program beds and 8 overflow dorm-style beds; and

WHEREAS, at a time when all Counties are struggling with statewide shortages of both BHU and ICP beds for incarcerated individuals in need, closure of this facility will leave no facilities for care of individuals in crisis. Such short-sightedness demonstrates a disregard for the mental health needs of incarcerated individuals and greatly diminishes their chances of returning to a safe, productive life after incarceration; and

WHEREAS, the feasibility of this facility, or a portion of it, being converted as a secure facility for "Raise the Age" offenders should also be explored for the same statewide shortage issue; and

WHEREAS, the shortage of correctional facilities for the incarcerated population downstate should also be addressed before closing other upstate facilities; and

WHEREAS, Great Meadow invested significant capital improvements and upgrades within the last five (5) years which should cause the State to reconsider a decision to close it. Unfortunately, the North Country county governments know all too well that a lack of foresight and/or ability to envision other uses for such large facilities end up costing local taxpayers much more after years of abandonment and deterioration of State properties; and

WHEREAS, at the very least, the State should take a step back from a closure decision on this facility and invest its time and effort in working with local Towns and Counties to properly evaluate the economic impacts of closure and potential redevelopment and reuses of the property and facilities;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators supports the position of the Adirondack Park Local Government Review Board in opposing the closure of the Great Meadow Correctional Facility.

Section 2. The Lewis County Board of Legislators calls upon the Governor to stay the decision to close the GMCF until such time as proper economic impacts are evaluated and shared with local governments affected by said proposed closure, and until the State examines a comprehensive study of potential redevelopment and/or reuses of this facility in light of the statewide shortage of facilities for mental health incarcerated individuals, secure detention centers for youth and others

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 NYS Commission of Corrections, Chairperson of the Washington County Board of Supervisors, Executive Director of the Adirondack Park Local Government Review Board, and any others deemed necessary and proper.

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

RESOLUTION NO. 153 - 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 AND A NEGATIVE
DECLARATION UNDER SEQRA TO COMPLETE THE PROJECT**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules 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 expansion of Broadband Infrastructure in areas within the Adirondack Park boundary; and

WHEREAS, the total project cost is estimated to be \$236,199.00 to service approximately 57 passings, which will require a \$75,000 contribution from Lewis County and at least \$36,199 from the contracted service provider; and

WHEREAS, the County of Lewis, by and through the Lewis County Planning and Community Development, was awarded \$125,000.00 in the NYS DEC funds, with a required match of at least \$50,000.00, and desires to enter into an agreement with the NYS DEC to accept the funds and proceed with the project implementation; and

WHEREAS, the Director of Planning and Community Development has worked with several service providers to obtain cost estimates and was able to obtain a list of 57 passings in the eligible grant area that could receive infrastructure through two service providers, Charter Communications (Spectrum) and the Development Authority of the North Country (DANC), with a realistic budget and installation timeline; and

WHEREAS, The Director recommends that the Board conclude that this broadband infrastructure project will not have a significant environmental impact and that, as a Type II action, no further procedure under SEQRA is required; and

WHEREAS, the Board of Legislators wishes to accept the grant funds, enter into the agreement with the NYS DEC, Spectrum, and DANC, appropriate the project funds, and issue a negative declaration, as a Type II action, for this project;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Lewis County Planning

and Community, with the 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 expand broadband infrastructure within the Adirondack boundary.

Section 2. That the Board of Legislators hereby authorizes and agreement with DANC to provide broadband infrastructure to passings on Elijah Lake Road, in the Town of Diana, in an amount not to exceed \$50,000.

Section 3. That the Board of Legislators hereby authorizes agreements with Charter Communications (Spectrum) to provide broadband infrastructure to passings on North South Road, Woodcock Drive, Pleasant Valley Road, Deer Run Road Extension, Cappy Road, Middle Road, and Rugby Road, in the Town of Greig, in an amount not to exceed \$186,199, with Charter Communications (Spectrum) contributing \$36,199, leaving a total billable amount of \$150,000.

Section 4. That the Board of Legislators hereby determines that the proposed broadband infrastructure project is considered a Type II action, as defined by the regulations promulgated under the State Environmental Quality Review Act (SEQRA) of the State of New York, that the projects will not have significant impacts upon the environment, and there is no further procedure required under SEQRA.

Section 5. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreements 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 6. That the within resolution shall take effect immediately.

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

RESOLUTION NO. 154 - 2024

RESOLUTION AUTHORIZING APPLICATIONS FOR NYSERDA CLEAN MOBILITY PROGRAM FUNDING AND NYS DOT INNOVATIVE MOBILITY INITIATIVE FUNDING TO LAUNCH A LEWIS COUNTY PUBLIC TRANSPORTATION MICRO-TRANSIT PROGRAM AND TO AUTHORIZE CONTRACTS FOR SAME

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

WHEREAS, the Lewis County Planning and Community Development Department has a Coordinated Transportation Plan, which includes implementing innovative public and shared transportation viable options, especially for those who do not own personal vehicles or who no longer are able to drive, and who live in areas with limited public transportation. Part of the plan envisions a public transportation micro-transit program; and

WHEREAS, the NYSERDA Clean Mobility Program is focused on funding projects that improve zero-emission first-mile/last-mile connections to public transportation, demonstrate innovative public and shared transportation options at a community scale, and provide viable options for those who do not own personal vehicles but live in areas with limited public transportation. In addition, the NYSDOT just posted its Innovative Transit Mobility Pilot Program, available to competitive applicants who are recipients of NYS Mass Transportation Operation Assistance (STOA), for which Lewis County is eligible, for capital and operating expenses for projects with innovative approaches to demand-response public transportation, including micro transit that expands coverage and makes transit accessible to a larger geographic area; and

WHEREAS, the County of Lewis, by and through the Planning and Community Development Department, desires to apply for these grant opportunities in an effort to launch a micro-transit program with Via Transportation, Inc. (Via) for project costs up to \$3,000,000, for a 3-5 year period, and

WHEREAS, while the NYS DOT Innovative Transit Mobility Pilot Program does not require a match, the NYSERDA Clean Mobility Program requires at least 20% of the total cost of the project to be a contribution from non-NYSERDA funding sources, with direct labor being considered a “cash contribution”, and with Planning anticipating other grant funding sources to negate any cost to the County; and

WHEREAS, the proposed funding will help mitigate ongoing transportation issues for those seeking transportation after hours and on the weekends when and where the Lewis County Public Transportation bus routes are not in service, along with providing weekly alternative for those who cannot access the Lewis County Public Transportation bus routes; and

WHEREAS, if the grant(s) is/are awarded, the Planning and Community Development Department desires to enter into a Pilot partnership with Via Transportation, Inc., a micro-transit provider, who will provide Lewis County Public Transportation with a turn-key first-mile/last-mile service and direct connections that will expand access to public transportation, increase efficiencies, and reduce environmental impacts for up to a 3-year period at an estimated cost of \$740,000.00 per year.

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 applications to the New York State Energy Research and Development Authority (NYSERDA) for up to \$3,000,000 in Clean Mobility Program funding, and to the NYS DOT Innovative Transit Mobility Pilot Grant Program for up to \$3,000,000 in order to launch a county-wide micro-transit program with Via Transportation, Inc.

Section 2. If the County is awarded funding by NYSERDA and/or NYS DOT under these described grant programs, the Lewis County Board of Legislators authorizes an agreement with Via Transportation, Inc. at an estimated of cost \$740,000.00 per year for up to a five-year Pilot period.

Section 3. The Chair or Vice Chair of the Board of Legislators be and the same is hereby authorized to sign and submit the applications prepared by Planning and Community Development and if awarded, to accept the funding, execute the contract documents required by the State, and appropriate the funding into the Lewis County Planning and Community Development Department accounts, upon review and approval as to form by the County Attorney.

Section 4. The Chair or Vice Chair of the Board of Legislators is hereby authorized to execute an Agreement with Via Transportation, Inc., conditioned upon the County's award(s) of grant funding from various sources to cover the costs of the services to be provided by Via up to a five-year Pilot term, at an estimated cost of \$740,000.00 per year, in accordance with the quote and scope of services provided by Via and through an approved shared purchasing contract, together with such other terms and conditions as may be recommended by the County Attorney.

Section 5. That this resolution shall take effect immediately.

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

RESOLUTION NO. 155 - 2024

**RESOLUTION TO SET A PUBLIC HEARING FOR PUBLIC INPUT
ON THE GRANT OF A WAIVER FOR A CONFLICT OF INTEREST BETWEEN
SNOW BELT HOUSING COMPANY, INC. AND AN ELIGIBLE REHABILITATION
GRANT RECIPIENT**

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

WHEREAS, Lewis County (“County”) is a recipient of a Community Development Block Grant (Lewis County 636HR300-23) which provides rehabilitation assistance to income eligible homeowners in the County; and

WHEREAS, Snow Belt Housing Company, Inc. (“Snow Belt”) is a not-for-profit corporation organized under the laws of New York State, with offices located at 7500 South State Street, Lowville, New York 13367, which acts as a sub-recipient to the County by administering said Grant; and

WHEREAS, the Board of Legislators wishes to obtain the views of citizens on a potential conflict of interest that is present between Snow Belt Housing Company, Inc. and joint applicants for housing construction rehabilitation assistance who are otherwise eligible for the grant funds but are employees of Snow Belt, but who are not in decision making positions for the Construction Rehabilitation Program; and

WHEREAS, the Office of Community Renewal (OCR) Grant Manual requires that under the CDBG program, an applicant who may have a conflict of interest must secure a waiver in order to participate in the CDGB-funded activity. Where the municipality that has received CDBG assistance determines, after a public hearing, that a conflict of interest exists but authorizes a waiver, a request for the waiver must then be submitted by the local municipality to OCR prior to undertaking any activity on the application under the Grant funds; and

WHEREAS, the Lewis County Board of Legislators seeks to set the public hearing to consider the conflict of interest and determine whether a waiver should be requested;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby sets a public hearing to solicit the views of citizens regarding the potential conflict of interest and requested waiver posed by Snow Belt Housing Company, Inc. and the otherwise eligible CDGB housing rehabilitation applicants, to be held on Tuesday, September 3, 2024 at 5:00 p.m. at the Lewis County Courthouse, Legislative Chambers, 7660 North State Street, Lowville, New York 13367, Second Floor.

Section 2. That public notice of the hearing shall be advertised in accordance with law at least five (5) days prior to the hearing date.

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

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

RESOLUTION NO. 156 - 2024

RESOLUTION AUTHORIZING RENEWAL PILOT AGREEMENT BY AND BETWEEN THE NATURE CONSERVANCY, INC. AND THE TOWNS OF MARTINSBURG, MONTAGUE, OSCEOLA AND WEST TURIN; THE CAMDEN, LOWVILLE AND SOUTH LEWIS CENTRAL SCHOOL DISTRICTS; AND THE COUNTY OF LEWIS

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

WHEREAS, the Central/Western New York Chapter of the Nature Conservancy, Inc. ("Conservancy") is the owner of real property known as the "East Branch of Fish Creek Conservation Area" a 14,226 acre tract of land existing within boundaries of the PILOT Recipients, referring to all seven tax jurisdictions, to wit: Towns of Martinsburg, Montague, Osceola, and West Turin; Camden, Lowville, and South Lewis Central School Districts; and the County ("Taxing Jurisdictions"), together with other lots adjacent to or in close proximity to the East Branch of Fish Creek Conservation Area comprising a total of approximately 15,800 acres located within the PILOT Recipients boundaries and more particularly described in the PILOT Agreement (collectively hereinafter the "Property"); and

WHEREAS, on February 9, 2006, the Conservancy conveyed a conservation easement over the East Branch of Fish Creek Conservation Area to the New York State Department of Environmental Conservation ("NYSDEC"), which was recorded on February 28, 2006 in the Lewis County Clerk's Office as Instrument No. 2006-00698; and

WHEREAS, the Conservancy is entitled to hold and does hold the Property in tax-exempt status under New York Real Property Tax Law § 420-A. The Conservancy recognizes, however, that its ownership of the Property as tax-exempt real property has the potential for creating adverse economic impacts upon the taxing jurisdictions; and

WHEREAS, the Conservancy entered into a restated PILOT agreement with the taxing jurisdictions effective January 1, 2014 through January 1, 2024, offsetting the potential adverse economic impacts caused by the Property's tax-exempt status, through voluntary annual payments made by the Conservancy. The PILOT Recipients accepted such payments from the Conservancy pursuant to the terms and conditions set forth in the PILOT Agreement; and

WHEREAS, the parties wish to enter into a renewal PILOT Agreement (the "Agreement"), by and between the Conservancy and the taxing jurisdictions. The Effective Date of this Agreement shall be retroactive to January 1, 2024 through December 31, 2033, and shall apply to all payments accrued as of and coming due on

or after January 1, 2024;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the renewal PILOT Agreement between the County of Lewis, and other affected taxing jurisdictions and the Nature Conservancy, whereby the Conservancy will make annual payments to the named taxing jurisdictions in such amounts and according to the schedule set forth in said Agreement. The ten-year term of such PILOT Agreement will be effective January 1, 2024 through December 31, 2033.

Section 2. That the Chair, or the Vice-Chair, of the Board of Legislators is and he hereby is authorized to make, execute, seal and deliver such Agreement upon such form as may 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. 157 - 2024

**RESOLUTION TO APPROPRIATE FUNDS
SNOWMOBILE TRAIL PROGRAM
For 2023-2024 Season**

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

WHEREAS, NYS Office of Parks, Recreation and Historic Preservation (OPRHP) approved funding assistance to Lewis County in the total award amount of \$331,098.00 for the 2023-2024 season based upon total trail mileage in Lewis County, to maintain snowmobile trails included in the statewide trail system; and

WHEREAS, 70% (\$231,768.60) was previously awarded to the County, leaving \$99,329.40 (30%) eligible for payment to the County for Phase III 2023-2024 funding, now approved OPRHP upon submission and execution of the State Aid Voucher;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby accepts 2023-2024 Phase III snowmobile funds from OPRHP and authorizes the Treasurer as the Chief Fiscal Officer to execute the voucher form required for release of the funds.

Section 2. That the following appropriations take place in the Snowmobile Trails account for the 2023-2024 Snowmobile Award Phase III:

Increase Revenue:

A0714100 338202 State Aid	\$99,329.40
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Increase Expenditure:

A0714100 499900 Expense	\$99,329.40
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Section 3. That the funds are to be distributed to the Lewis County Area Snowmobile Association when received.

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

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

RESOLUTION NO. 158 - 2024

**FIXING DATE OF PUBLIC HEARING ON ADDITION
TO THE OHV TRAIL SYSTEM
(Former Glenfield Elementary School Property)**

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

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on August 6, 2024, a proposed addition of approximately 0.26 miles of multi-use trail to the Lewis County OHV Trail System. The proposed trail is located in the Town of Martinsburg, Tax Map Parcel: 259.04-04.8.000, located along the County's property commonly referred to as the Former Glenfield Elementary School Property;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on September 3, 2024, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators for the purpose of receiving public comment regarding the proposed addition of approximately 0.26 miles of a multi-use trail to the Lewis County OHV Trail System.

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 Courthouse, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

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

RESOLUTION NO. 159 - 2024

**RESOLUTION REGARDING SEQRA REVIEW OF AN ADDITION
OF 0.26 MILES OF NEW TRAIL INTO THE LEWIS COUNTY TRAIL
SYSTEM AND DECLARING NO SIGNIFICANT IMPACT
(Former Glenfield Elementary School Property)**

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

WHEREAS, the Board of Legislators has determined that the development of a county-wide trail system that can effectively and safely accommodate Off-Highway Vehicles (“OHV’s”) and multi-use trails, (as defined in Local Law No. 3-2019) is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

WHEREAS, the Board of Legislators conducted an extensive evaluation of the potential environmental impacts associated with the development of a county-wide ATV and multi-use trail system 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”); and

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement (“DGEIS”) and a Final GEIS (collectively the “GEIS”); on January 9, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board’s conclusions and determinations, based upon the facts and analysis contained in the GEIS; and

WHEREAS, the Board of Legislators formally established the Lewis County Trail System by adopting Local Law No. 2 – 2009, **“A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM”**, as subsequently amended and re-stated in Local Law No. 3-2019, **“A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 AND RE-ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM”** (herein, “Local Law”); and

WHEREAS, the Local Law and the 2009 Statement of Findings contemplate future amendments to the Trail System through the addition of trails and/or the opening of interconnecting roads, and set forth procedures for making such amendments, and in particular, the procedures for amending the GEIS in compliance with SEQRA prior to amending the Trail System; and

WHEREAS, the Director of Recreation, Forestry and Parks has presented the Board of Legislators with a request to add a proposed addition of 0.26 miles to be added to the Lewis County Trail System. The proposed trail is located on County

property in the Town of Martinsburg, Tax Map Parcel: 259.04-04.8.000. The property is commonly referred to as the former Glenfield Elementary School, currently owned by the County. Pursuant to Resolution 48-2023, the County authorized a recreational easement on the Glenfield School property to accommodate its addition to the trail system, upon SEQRA determination; and

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed property, pursuant to Section 8.2 of the Statement of Findings; and

WHEREAS, the Board of Legislators received a report from the Soil and Water Conservation District detailing its investigations, findings, and conclusion of no significant environmental impact with respect to the trail on this property. With the assistance from County staff and counsel, the Board has reviewed the same and compared it with the GEIS and Statement of Findings;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators has reviewed the Report from Soil and Water Conservation District and concludes that there is no significant environmental impact in adding this trail, on the identified parcel located in the Town of Martinsburg to the Lewis County Trail System.

Section 2. Based upon its review and analysis of the data contained in the Report and the Specific Environmental Review and Assessment Statement pertaining to the trail on the properties, the Board of Legislators hereby finds and determines that:

- a. The Report adequately sets forth the relevant and material facts necessary for the Board of Legislators to make a decision;
- b. The Report adequately describes the consultant's investigations and analysis as to any significant adverse impacts and necessary mitigations for the specific site;
- c. The Report's findings are consistent with the criteria identified and set forth in the GEIS and the Statement of Findings;
- d. The investigation and analysis of the described trail on Parcel No. 259.04-04-8.000, do not reveal any environmental impacts that were either not addressed or were not adequately addressed in the GEIS and the Statement of Findings.

Section 3. As a consequence of these determinations, the Board of Legislators hereby finds and declares that the addition of 0.26 miles of trail identified as part of Parcel No. 259.04-04.8.000 in the Town of Martinsburg, to the Lewis County Trail System, will not result in a significant environmental impact.

Section 4. The Board of Legislators further finds and declares that pursuant to 6 NYCRR Part 617.10(d), a Supplemental Findings Statement need not be filed, and no further action need be taken with regard to the County's environmental review of the site herein identified and therefore, the Board has completed its lead agency responsibilities under SEQRA with regard to this trail addition.

Section 5. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 160 - 2024

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND TOWER ENGINEERING PROFESSIONALS
TO PROVIDE TOWER INSPECTIONS
AT EIGHT (8) 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 tower inspections at eight (8) of the County's 911 Tower sites located in the Towns of Lowville, Montague, Diana, Croghan, Lyonsdale, Turin, and Osceola, as more fully outlined and set forth in the RFP; and

WHEREAS, eighteen (18) bid proposals were opened on July 3, 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 bidder, Tower Engineering Professionals, 326 Tryon Road, Raleigh, NC 27603 to complete all the RFP Tasks at a cost not to exceed \$15,500.00 to be completed by December 31, 2024; and

WHEREAS, the Sheriff's Department has secured funding for this contract through the FY2021 SICG grant; and

WHEREAS, the Board of Legislators seeks to accept this recommendation and award the bid and contract to Tower Engineering Professionals 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 Tower Engineering Professionals, 326 Tryon Road, Raleigh, NC 27603 to provide tower inspections at eight (8) identified County 911 Tower sites, in accordance with the specifications set forth in the RFP, in consideration of the payment of \$15,500.00, 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. 161 - 2024

RESOLUTION AUTHORIZING MOUs AND THE PURCHASE AND DISTRIBUTION OF RADIO EQUIPMENT FOR LOAN TO LEWIS COUNTY FIRE, EMS & RESCUE DEPARTMENTS

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

WHEREAS, the County of Lewis (“County”) has twelve (12) Volunteer Fire Departments and 7 EMS Departments servicing the residents and visitors in Lewis County; and

WHEREAS, the Lewis County Sheriff’s Department submits an annual application to the NYS Interoperability Communications Grant Program for annual grant funds. The grant funding dictates specifically what can be purchased. These funds can be used by Lewis County for the purchase radio equipment that strengthens interoperability and communications within the County. The County is prepared to use up to \$100,000.00 of this grant funding to assist the Fire and EMS Departments within Lewis County in strengthening their communication and interoperability. The use of such funding by such local Departments is dependent upon the County’s receipt of such award funds on an annual basis and subject to the County’s own need for such funds for its County emergency 911 operations; and

WHEREAS, the Sheriff’s Department, through the 911 Director, is willing to consider the use of these available grant funds toward the needs of Lewis County Fire and EMS Departments for radio equipment (mobiles, portables, pagers, and other necessary radio equipment), based upon requests to be made by each Fire and EMS department indicating the need for such equipment. The Sheriff/911 Director will have the discretion to consider the requests and approve the loan of each piece of fire equipment upon conditions, including but not limited to grant fund availability, county needs, and grant qualification requirements; and

WHEREAS, if and when awarded the annual NYS Interoperability Communications Grant funds, the Sheriff/911 Director, through the Operations Coordinator will purchase the radio equipment for the Fire and EMS Departments who submit a request for same, and who execute a Memorandum of Understanding (MOU) with the County Sheriff’s Department with terms and conditions for loan of the radio equipment identified to the Department for the period of warranty of the equipment. Once the warranty period ends, the Fire/EMS Department will be deemed the owner of the equipment; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes the Sheriff’s Department to purchase and distribute radio equipment requested by Lewis County Fire and EMS Departments, only using the NYS Interoperability Communications Grant annual funding available, based on the requests made by

each individual Department as to the necessity for same, and subject to the needs of the County for such funds and the availability of such annual funds, pursuant to a Memorandum of Understanding to be executed by each entity with terms and conditions for the loan and use of said equipment during the warranty period, and then with ownership transferred to the LC Fire or EMS Department.

Section 2. The Lewis County Board of Legislators hereby authorizes and approves a Memorandum of Understanding to be entered into between the County and each Fire and EMS Department in Lewis County, wherein each Department agrees to properly use, maintain and be responsible for each piece of equipment provided during the loan term, together with such other and further terms and conditions as the Sheriff/911 Director and County Attorney may deem appropriate.

Section 3. The Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such MOU's together with the LC Sheriff, pending 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. 162 - 2024

RESOLUTION AUTHORIZING AMENDMENT TO TYLER TECHNOLOGIES, INC. TO INCLUDE PROGRAM FOR THE SHERIFF'S DEPARTMENT'S CIVIL DIVISION

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

WHEREAS, in 2015, the Lewis County Board of Legislators authorized a contract between the County of Lewis and Tyler Technologies, Inc. to provide comprehensive software, software licenses, Pre-Implementation Services, and Implementation Services (including data conversion) and to replace the Integrated Finance Management and Access System ("IFM") previously used by the County to improve productivity, efficiency and document management in a modern technological system; and

WHEREAS, the Lewis County Sheriff's Department in coordination with the Director of Information Technology, seek to add a program for the department's Civil Division at a cost not to exceed \$61,220.00 which was approved in the 2024 capital budget. There will be annual maintenance costs of approximately \$2,500.00, subject to annual percent increases; and

WHEREAS, the Board of Legislators seeks to authorize this amendment to the Tyler contract and maintenance plan;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves an amendment to the Tyler Technologies, Inc., contract to provide for the additional program for the Sheriff's Department Civil Division at a cost not to exceed \$61,220.00 with an annual recurring cost of approximately \$2,500.00.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver such Amendment to the Contract upon such form 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. 163 - 2024

**RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
THE DEPARTMENT OF SOCIAL SERVICES AND
HAND IN HAND EARLY CHILDHOOD CENTER**

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

WHEREAS, the Lewis County Department of Social Services wishes to renew day care services through Hand in Hand Early Childhood Center for eligible recipients; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves a renewal agreement between Lewis County Department of Social Services and Hand in Hand Early Childhood Center for the period of September 1, 2024 through August 31, 2025 at the Day Care Market Rate established by Hand in Hand Early Childhood Center so long as such rates do not exceed State rates.

Childcare Center Rates

Age	5 Days	4 Days	3 Days	2 Days	1 Day
Infant-Pre-K	\$225.00	\$208.00	\$156.00	\$104.00	\$52.00
AM SACC	N/A	N/A	N/A	N/A	N/A
Afterschool	\$30.00	\$24.00	\$18.00	\$12.00	\$6.00

- The weekly rate of \$225.00 includes a discounted rate of \$35.00 for children who are enrolled for five (5) days per week.

Universal Pre-K/ Temporary Kindergarten Wrap-Around Care

Class	Tuition
Wrap-Around AM/PM Class	\$155.00
Wrap-Around Daily Rate	\$35.00
Full Day Care	\$52.00
day rate for snow day, day of school	\$17.00

Family Discount

Days Enrolled	Discount
5 full days per week	\$30.00 for second child
4 full days per week	\$25.00 for second child

- There is a one-time registration fee of \$55.00 per child
- A key fob fee of \$7.50 for each fob needed to enter the building.
- A fee of \$35.00 will be charged for returned checks. After two (2) returned checks, cash will be the only accepted form of payment.

Section 2. That the Chair or Vice-Chair of the Board of Legislators and Lewis County Commissioner of Social Services are hereby authorized to make, execute, seal and deliver such Agreement, and any amendments required based upon state rate adjustments, 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. 164 - 2024

**RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN LEWIS COUNTY
OBO THE DEPARTMENT OF SOCIAL SERVICES AND NRCIL
FOR THE WARMING CENTER FACILITY AND SERVICES FOR
THE 2024/2025 “CODE BLUE” SEASON**

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

WHEREAS, the Lewis County Board of Legislators authorized a contract executed on October 31, 2023 between the County of Lewis on behalf of the Lewis County Department of Social Services and NRCIL to obtain Warming Center Facility and Staffing Services to provide the homeless with a warm location overnight for up to 12 hours, 7 days a week, when the temperature is below 32 degrees, pursuant to NYS Office of Temporary and Disability Assistance “Code Blue” mandate for the 2024/25 season; and

WHEREAS, the Department of Social Services wishes to renew this Agreement commencing on or about October 14, 2024 through April 13, 2025 or other dates mutually agreeable during the Code Blue Season based on weather conditions at a cost of \$140,314.00 for a six month period; subject to a per diem adjustment of \$779 in the event the warming center is required to be open more than the six month period;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes a renewal contract between the County o/b/o LC DSS and NRCIL to provide facility, amenities, and staffing services for a Warming Center for overnight stays by the homeless for up to 12 hours, 7 days a week, from on or about October 14, 2024 to April 13, 2025, or other dates mutually agreeable during the Code Blue season based on weather conditions, at a cost of \$140,314.00 for the anticipated six month period, plus a per diem adjustment of \$779/day in the event the warming center is required to be open for more than the six month period.

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement together with execution by the Lewis County Department of Social Services Commissioner, and any related and necessary documents or instruments, 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. 165 - 2024

**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO THE DEPARTMENT OF SOLID WASTE**

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

BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Department of Solid Waste for the following:

<u>ABOLISH</u> Medium Equipment Operator (MEO)	<u>STATUS</u> Full-time	<u>HOURLY RATE</u> \$22.28 - \$26.14
<u>CREATE</u> Heavy Equipment Operator (HEO)	<u>STATUS</u> Full-Time	<u>HOURLY RATE</u> \$23.49 - \$27.55

Section 2. That this resolution shall take effect immediately.

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

RESOLUTION NO. 166 - 2024

RESOLUTION AUTHORIZING AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF LEWIS AND LEWIS COUNTY SOLID WASTE DEPARTMENT FOR RE-PAYMENT OF INDEBTEDNESS

Introduced by Legislator Andrea Moroughan, Chair of the General Services Committee and Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Lewis County Board of Legislators entered into a Memorandum of Understanding with the Lewis County Solid Waste Department (Solid Waste) dated July 19, 2021, to transfer \$1,500,000.00 from the County's General Fund to Solid Waste Department to provide funds for the 2022 County Facilities Improvement Project at the Solid Waste Transfer Station located at 7652 State Route 26, Lowville, New York, with annual payments to be made over a (20) year period with an interest rate of 1.5% per annum; and

WHEREAS, due to additional costs incurred on the project, an additional \$317,198.00 was loaned to the Department and added to the amortization schedule. Annual and periodic payments were made by the Solid Waste Department in the total of \$382,105.80;

WHEREAS, the Lewis County Solid Waste Department seeks to amend the agreement to reflect the additional funds advanced, and to continue annual payments of principal and interest through June 30, 2041; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize the amended MOU and accept annual payments by Solid Waste over the remaining (20) year period, with interest at the rate of 1.5 % per annum;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes an amendment to the Memorandum of Understanding between the Lewis County Solid Waste Department and the County of Lewis for repayment of 1,499,658.52 representing the outstanding balance for the Facility Improvement Project, with interest of 1.5 % per annum, payable in annual payments through June 30, 2041.

Section 2. That the Chair or the Vice-Chair be and the same is hereby authorized to execute and deliver such Amendment upon such form as may be approved by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 167 - 2024

**RESOLUTION SETTING 2025
WORKERS' COMPENSATION APPORTIONMENT
FOR LEWIS COUNTY SELF-INSURANCE PLAN**

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

WHEREAS, the Board of Legislators recognizes the importance to foster an overall safety culture by emphasizing workplace safety and injury prevention; and

WHEREAS, in accordance with that philosophy the Board of Legislators allocates a proportionate assessment based on reported claims experience for employer accountability; and

WHEREAS, as a standard industry practice, a portion of the assessment shall be based on the ratio of payroll for each participating entity.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby sets the computation for the 2025 workers' compensation participant assessments of the Lewis County Self-Insurance Plan; et al 50% of the assessment shall be apportioned to claims experience based on actual expenses in 2021, 2022 and 2023, hereby capped at \$55,000 for any one claim per annum; 30% shall be based on proportionate 2023-2024 gross payroll figures, and the remaining 20% shall be computed on proportionate full property valuation.

Section 2. That the within resolution shall take effect immediately

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

RESOLUTION NO. 168 - 2024

**APPOINTING STUDENT REPRESENTATIVE TO
LEWIS COUNTY YOUTH BUREAU ADVISORY BOARD**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Makensie Freeman, student representative of Lowville Academy Central School, as a member of the Lewis County Youth Bureau Advisory Board.

Section 2. That the term of said appointment shall be effective and retroactive to July 1, 2024 and shall terminate either on the date of the students' High School Graduation, or when the student ceases to be a full-time high school student.

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

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

RESOLUTION NO. 169 - 2024

**RE-APPOINTING MEMBERS TO
LEWIS COUNTY YOUTH BUREAU ADVISORY BOARD**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby reappoints Michele Ledoux of Croghan, NY, and Ward Dailey of Lyons Falls, NY, as members of the Lewis County Youth Bureau Advisory Board.

Section 2. That the term of said appointment shall be effective and retroactive to July 1, 2024 through June 30, 2026.

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

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