



OFFICE OF THE BOARD OF
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TO: Media

FROM: Cassandra Moser, Clerk of the Board

DATE: August 29, 2024

The Board of Legislators will meet on **Tuesday, September 3, 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:

- 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”
- Potential conflict of interest and requested waiver posed by Snow Belt Housing Company, Inc and the otherwise eligible CDBG housing rehabilitation applicants.
- Proposed addition of approximately 0.26 miles of multi-use trail to the Lewis County OHV Trail System.

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

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

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RESOLUTION NO. 171 – 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 \$4,396,199.38 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. 172 - 2024

**RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 3-2024, COUNTY OF LEWIS**

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on August 6, 2024, directing that a public hearing be held by said Board on September 3, 2024 from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the County Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled "A LOCAL LAW PROVIDING FOR THE PARTIAL EXEMPTION OF CERTAIN REAL PROPERTY OWNED BY PERSONS 65 YEARS OF AGE OR OVER"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on August 28, 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, said public hearing was duly held at such location at such 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;

BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 2-2024), County of Lewis, being "A LOCAL LAW PROVIDING FOR THE PARTIAL EXEMPTION OF CERTAIN REAL PROPERTY OWNED BY PERSONS 65 YEARS OF AGE OR OVER" be and the same hereby is designated as Local Law No. 3-2024, County of Lewis.

Section 2. That Local Law No. 3-2024, 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:

**LOCAL LAW (INTRODUCTORY NO. 3 – 2024)
COUNTY OF LEWIS**

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

A LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-c (A/K/A “2% TAX CAP”) FOR THE LEWIS COUNTY 2025 BUDGET

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

SECTION 1. TITLE

This Local Law shall be known as “**A LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-c (A/K/A “2% TAX CAP”) FOR THE LEWIS COUNTY 2025 BUDGET.**”

SECTION 2. LEGISLATIVE FINDINGS

The Board of Legislators for the County of Lewis hereby finds and determines that the anticipated budgetary needs for fiscal year 2025 require that Lewis County adopt the appropriate legislation necessary to override the tax levy limit established by General Municipal Law § 3-c, and more commonly referred to as the “2% tax cap”.

SECTION 3. ENACTMENT AUTHORITY

This Local Law is adopted pursuant to authority provided in section 10 of the Municipal Home Rule Law of the State of New York as well as the specific authority found in General Municipal Law § 3-c [5].

SECTION 4. OVERRIDE AUTHORIZATION

The Board of Legislators be and the same is hereby authorized to adopt a budget for fiscal year 2025 that exceeds the “tax levy limit” as that term is defined and calculated pursuant to the provisions of General Municipal Law § 3-c.

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION NO. 173 - 2024

**FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 3 -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, a proposed Local Law entitled "LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2025 BUDGET."

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing for the above proposed Local Law will be held on October 1, 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 to hear all persons for or against such local law.

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

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

RESOLUTION NO. 174 - 2024

**RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
LEWIS COUNTY AND SIEMENS INDUSTRIES, INC.
FOR HVAC SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES, PUBLIC
SAFETY, OUTDOOR SERVICES, AND HIGHWAY BUILDINGS**

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

WHEREAS, the County of Lewis desires to enter into agreements with Siemens Industries, Inc. to provide maintenance services for the Department of Social Services, Public Safety, Outdoor Services, and Highway Buildings for the period of October 1, 2024 through December 31, 2027; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the contract with Siemens Industries, Inc. to provide HVAC maintenance services for the Department of Social Services Building, Outdoor Services, and Highway Buildings for the period of October 1, 2024 through December 31, 2027 at the following annual costs:

Partial Year	10/1/2024 - 12/31/2024	\$5,226.00
Full Year 1	1/1/2025 - 12/31/2025	\$27,410.00
Full Year 2	1/1/2026 - 12/31/2026	\$28,643.00
Full Year 3	1/1/2027 - 12/31/2027	\$29,932.00

And for the Public Safety Building at the following annual costs:

Partial Year	10/1/2024 - 12/31/2024	\$5,779.00
Full Year 1	1/1/2025 - 12/31/2025	\$21,608.00
Full Year 2	1/1/2026 - 12/31/2026	\$22,580.00
Full Year 3	1/1/2027 - 12/31/2027	\$23,596.00

Section 2. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreements, 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. 175 - 2024

**RESOLUTION AUTHORIZING AN AGREEMENT WITH
CLIMATE CONTROL MECHANICAL OF NY FOR PREVENTATIVE HVAC
MAINTENANCE SERVICES FOR THE DEPARTMENT OF SOCIAL SERVICES,
PUBLIC SAFETY, OUTDOOR SERVICES, MAINTENANCE SHOP, AND HIGHWAY
BUILDINGS**

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

WHEREAS, the County of Lewis desires to enter into an agreement with Climate Control Mechanical of NY to provide preventative maintenance services for the Department of Social Services, Public Safety, Outdoor Services, Maintenance Shop, and Highway Buildings for the period of September 1, 2024 through August 31, 2025; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes an Agreement with Climate Control Mechanical of NY, of 3751 Woodpecker Lane, Mannsville, NY 13661 to provide HVAC preventative maintenance services for the Department of Social Services, Outdoor Services, Maintenance Shop, and Highway Buildings for the period of September 1, 2024 through August 31, 2025 at a cost not to exceed \$29,320.00 to be paid in two (2) equal installments of \$14,660.00 on September 1, 2024 and March 1, 2025.

Section 2. 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 3. That the within resolution shall take effect immediately.

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

RESOLUTION NO. 176 - 2024

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
COUNTY OF LEWIS OBO LEWIS COUNTY HIGHWAY DEPARTMENT
AND BARTON & LOGUIDICE TO CONDUCT A COUNTYWIDE FEMA ASSESSMENT
AND DESIGN PROFESSIONAL SERVICES FOR CULVERTS AND BRIDGES
AFFECTED BY FLOODING AND AUTHORIZE INTER-MUNICIPAL AGREEMENTS
WITH VARIOUS TOWNS AND VILLAGES IN THE COUNTY**

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

WHEREAS, the County suffered a catastrophic storm on July 10, 2024, that resulted in seven (7) bridges and approximately 10-15 culverts (responsible by either the County or Towns/Villages throughout the County) being damaged or washed out entirely. The County, on behalf of the Lewis County Highway Department, desires to enter into inter-municipal agreements (IMA) with the various towns and villages throughout the county that were subjected to the damaged bridges and culverts in order to provide for the outlay of initial engineering costs required for temporary and permanent bridge repairs or replacement sites; and

WHEREAS, the Lewis County Highway Department desires to enter into an agreement with Barton & Loguidice (B&L), authorized on the New York State list of professional engineers with engineering expertise for culvert and bridge repair projects. B&L seeks to conduct a Countywide Site Assessment of the bridges and culverts damaged or washed out due to the storm and provide a Pre-Disaster Condition Report to quantify the required funding to complete the temporary and permanent repairs or replacements; and

WHEREAS, Barton & Loguidice has provided a detailed proposal dated July 23, 2024, with the professional scope of services and phases proffered for this project at an estimated cost of \$20,200.00 per bridge for collection and preliminary design phase, \$16,900.00 per culvert site for collection and preliminary design phase, and \$6,700.00 per site for Administrative Coordination with FEMA/DSHES; and

WHEREAS, the Highway Superintendent seeks to have the Board of Legislators authorize inter-municipal agreements (IMA's) with various Towns and Villages that have been subjected to bridge and culvert damage who will benefit from this professional services contract; and

WHEREAS, the Highway Superintendent seeks to have the Board of Legislators authorize a contract with B&L for these professional services; and

WHEREAS, the Lewis County Board of Legislators wishes to accept such services and authorizes the IMA's with various Towns and Villages and a contract with Barton & Loguidice for this Countywide FEMA Assessment of the bridges and culverts damaged due to the storm;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes IMA's between the County of Lewis and various Towns and Villages that have been subjected to bridge and culvert damage, for reimbursement of the funds advanced by the County for bridge and culvert replacements due to the storm, including the Professional Engineer's FEMA Assessment.

Section 2. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis by and through the Lewis County Highway Department and Barton & Loguidice to provide engineering services necessary for the assessment, and preliminary design phases of the bridge and culvert replacement projects located throughout the County, at an estimated cost of \$20,200.00 per bridge for collection and preliminary design phase, \$16,900.00 per culvert site for collection and preliminary design phase, and \$6,700.00 per site for Administrative Coordination with FEMA/DSHES as more fully set forth in the proposal dated July 23, 2024.

Section 3. That the Chair or Vice-Chair of the Lewis County Board of Legislators is hereby authorized to make, execute, seal, and deliver such Agreements, any related and necessary documents or instruments, and amendments thereto 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. 177 - 2024

RESOLUTION TO APPROPRIATE FUNDS

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

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved and takes place in the Highway Department funds to recognize additional revenue received from the sale of surplus equipment.

Increase Revenue:

DM513000 326650 Machinery Sale of Equip	\$123,331.00
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Increase Expense:

DM513000 223300 Machinery Vehicles	\$123,331.00
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Section 2. That the within resolution shall take effect immediately.

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

RESOLUTION NO. 178 - 2024

**RESOLUTION TO TRANSFER FUNDS
County Road**

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

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved and takes place in the County Road accounts to facilitate expenses related to disaster repair and FEMA projects utilizing funds originally allocated to the bridge material account.

Increase:

D0533390 495333 FEMA Material Exp	\$130,000.00
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Decrease:

D0550000 491520 Bridge Material Exp	\$130,000.00
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Section 2. That the within resolution shall take effect immediately.

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

RESOLUTION NO. 179 - 2024

RESOLUTION ADOPTING LEWIS COUNTY TITLE VI PROGRAM PLAN

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

WHEREAS, in accordance with the Title VI of the Civil Rights Act of 1964, the Lewis County Title VI Program Plan was drafted to reaffirm the County's policy to allow all individuals the opportunity to participate in federal financially assisted services; and

WHEREAS, as a recipient of federal and state funds, Lewis County is subject to the requirements and provisions of Title VI of the Civil Rights Act of 1964, as amended; and

WHEREAS, the provisions include, but are not limited to, prohibiting discrimination on the grounds of race, color, or national origin, being denied the benefits of, or other subjected to discrimination under any program or activity administered by federal or state assisted programs and services, or activities; and

WHEREAS, non-compliance with this mandate can affect federal financial assistance; and

WHEREAS, Lewis County makes every effort to guarantee non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not, and every effort will be made to ensure that no person is excluded from participation in or denied benefits of its services based on race, color, or national origin.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby adopts the attached Lewis County Title VI Program Plan and hereby designates Human Resources Director/Personnel Officer Caitlyn Smith as Title VI Coordinator for Lewis County.

Section 2. The within resolution shall take effect immediately.

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

RESOLUTION NO. 180 - 2024

**RESOLUTION AMENDING PURCHASING CARD
POLICY AND PROCEDURES
FOR THE COUNTY OF LEWIS**

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

WHEREAS, pursuant to Resolution No. 257 - 2021, the Board of Legislators adopted a Purchasing Card (credit card) Policy and Procedures for Lewis County Departments, and authorized the Treasurer to enter into a credit card agreement with JP Morgan Chase Bank, NY for this program; and

WHEREAS, the Director of Purchasing, the Clerk of the Board, and County Attorney reviewed the purchasing policy and revised same to include additional changes to the policy to ensure better security and auditing practices as more fully set forth in the proposed Amended Purchasing Card Policy attached; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby adopts the attached Amended Purchasing Card Policy and Procedures for Department use of credit cards, as authorized by the County Manager.

Section 2. The Board directs the Clerk of the Board to add this amended policy to the Administrative Manual and any other appropriate manuals, and to distribute same to the Lewis County Department Heads.

Section 3. That this Resolution shall take effect immediately.

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

04-04 PURCHASING CARD POLICY & PROCEDURES

Effective: October 5, 2021 [Resolution No. 257-2021]

Revised: September 3, 2024 [Resolution No. 180-2024]

A. PURPOSE:

1. The Purchasing Card is intended to streamline and simplify the purchasing process. The Purchasing Card is a tool that reduces transaction costs, facilitates timely acquisition of materials and supplies, automates data flow for accounting purposes, and offers flexible controls to help ensure proper usage.
2. The Purchasing Card is designed as an alternative to a variety of processes including petty cash, check requests, and low dollar purchase orders. The Purchasing Card is not intended to bypass appropriate procurement guidelines. The Policy compliments the existing processes available and is to be used in accordance with the guidelines established by the Lewis County Board of Legislators as detailed in this policy. County purchasing cards should be treated with the same sense of responsibility and security an individual would use with their personal credit card. The program will be initiated with a Visa card issued by JP Morgan Chase bank. This could change in the future, but the basic mechanics of the policy and procedure will not change.

B. Obtaining a Purchasing Card for Employees:

1. All Purchasing Cards will be issued at the discretion of the Purchasing Director from the request of Department Heads. Card usage will be audited and can be restricted and/or rescinded at any time. Cards will be issued to Departments on an as needed basis and at the request of the Department Head. Specific individuals in each department will be authorized to use the card based on approval of the Department Head.
2. The application / request form includes a credit limit amount. This should be based on reasonable expected purchase volumes. The authorized employee and Department Head must sign the application and provide it to the Purchasing Director for final approval and signature. The card is the property of Lewis County and is only to be used for county purchases as defined in this guide. Approved card users are the only persons authorized to use their department card.
3. After reading and understanding this Purchasing Card Policy and Procedures, the Department Head or individual card user will sign the Card holder Acknowledgement.
4. Only employees of Lewis County are eligible to use a Purchasing Card. The authorized card user is responsible for the security of the card and the transactions made against the card.
5. Departments will keep all credit cards in a secure place in the office. Cards will not be carried on a regular basis by any staff member. After use, a card will be returned to the secure location. It is the Department Head's responsibility to secure the card and develop a system to release the card for use as needed.

C. Cardholder Responsibilities and Consequences for Misuse:

1. The Purchasing Card is intended for purchases such as services, supplies, materials, lodging, dues, and conference registrations. The Purchasing Card will not be used for any of the items on the list of restricted transactions (D.1) and should be used in conformity with current procurement guidelines. Individual authorizations for dollar limits and types of transactions will vary by department.
2. It is important to remember that county funds are committed each time the purchasing card is used. This is a responsibility that should not be taken lightly. The card user is responsible for all charges made to the card which has been issued to the department. Misuse or fraudulent abuse may result in disciplinary action up to and including dismissal. Though the card lists a department and/or an individual's name, the card is legally issued to Lewis County. The card will have no impact on an individual's personal credit.
3. Violation or misuse of the Purchasing Card can be categorized by one or more of the following list of activities (this list is not deemed absolute, there may be other examples of misuse not specifically stated here):
 - a) Purchase of items for personal use.
 - b) Failure to reconcile expenses, attach itemized receipts and forward to Audit (Clerk of the Board) by the deadline established.
 - c) Use of the Card for items clearly defined as "Not for Card use".
 - d) Allowing an individual that is not an authorized user to access and use the purchasing card.
4. Misuse of the Purchasing Card will lead to disciplinary action which can include any one or combination of the following - to be determined by the County Manager, Human Resources Director, and County Attorney:
 - a) Suspension of card privilege
 - b) Revocation of the card
 - c) Reimbursement of costs incurred
 - d) Suspension of employment
 - e) Termination of employment
5. Cardholders are responsible for informing the vendors that Lewis County is exempt from sales tax. The County's tax-exempt status is printed on the card. Sales tax should not be paid by the county except for meals. If a transaction is assessed sales tax on phone, Internet, or mail orders the tax is to be adjusted on the statement before processing for approvals; if the credit does not get applied until the next monthly statement, the cardholder must note on the Munis invoice submission that a credit has been requested and will be on the next statement.
6. Refunds and exchanges must be credited directly back to the Purchasing Card account. Under no circumstances shall cash or gift / debit cards be received for refunds or exchanges.

7. The Purchasing Card should be treated with the same level of security as cardholders treat their own personal credit cards. Lost or stolen cards must be immediately reported to the Department Head; the Department Head is to report the lost/stolen card to the Purchasing Director. Replacement of the Purchasing Card must be authorized by the Purchasing Director.
8. Unauthorized expenditures may be recovered by the County from the employee by any legal means as advised/initiated by the County Attorney.

D. Purchasing Card Restrictions:

1. Departmental and Individual Cards are not to be used for:
 - a) Alcohol, Liquor, Tobacco, or Cannabis
 - b) Amusement and Entertainment Venues
 - c) Banks, ATM's, and Financial Institutions
 - d) Personal Service such as Salons, Spas, Dry Cleaners, etc.
2. New York State Sales and Use Tax. The County of Lewis is a tax-exempt organization. Therefore, Sales Tax should not be paid on in-State purchases made with the Purchasing Card.
 - a) To make tax exempt purchases, a user may be required to present vendors with documentation that confirms the county's tax-exempt status. The County has a standard letter that identifies the county as a "governmental entity" and documents its exemption from New York State sales and use taxes. This letter will be attached with this policy and can be requested from the Treasurer's office. For Hotel/ Motel stays, the employee should have a completed ST-129, "Exemption Certificate" specific to the date and facility for the hotel/ motel stay. This form is included in this policy.
 - b) Use of the card to execute transactions that include New York State sales/use taxes may result in user repayment of the sales tax charge and/or the revocation of the cardholder's eligibility to participate in the program.
3. Separation of Employment
 - a) If an authorized user who has a card issued in his/her personal name leaves County employment, he/she must return the Purchasing Card to the Department Head and notify the Treasurer's Office. The Department Head is responsible for ensuring the card is reconciled and returned to the Treasurer's Office to be cancelled prior to the separation of employment or actual ending date. If not performed by the Treasurer, the Purchasing Card shall be sufficiently destroyed, and evidence of its destruction presented to the County Treasurer. The Department Head is responsible for submitting the final statement to the Treasurer's office with all receipts attached.
 - b) If an employee is on extended leave or disability, the Department Head should contact the County Treasurer to have the card "suspended" until the Cardholder returns to work.

4. Audits of the Program

- a) All card purchases will be audited to confirm that the Purchasing Cards are utilized responsibly, itemized receipts are retained, and the Cardholder's statements are being reconciled on a timely basis.

5. Conferences & Lodging

- a) For lodging within New York State, a user will need to secure a lodging tax exemption ST-129 form and a sales tax exemption ST-121 form to be presented upon check in. If traveling out of state, the NYS ST-129 and ST-121 should be presented as some vendors do accept it and not charge lodging tax or sales tax.
- b) A Travel Request form must be completed and approved by the Department Head prior to booking and charging to the Purchasing Card.

E. What you need to know about Security

1. Departmental and individual cards must be kept secure and should be used only by authorized users. It is the Department Head's responsibility to determine users for their Department Card and to approve Individual Card holders. The Individual Cards are non-transferable - meaning that no one else should use the card other than the individual named. The Department Head and Individual card holders are ultimately responsible for charges to the cards except for verifiable cases of fraudulent use.
2. If a Purchasing Card is used fraudulently - such as an unauthorized purchase using the Visa card number - the individual or Department will not be responsible for that purchase(s). The Treasurer's office should be contacted immediately if there is suspected fraudulent use so they can contact JP Morgan Chase Customer Service.
3. Procedure for Lost and/or Stolen Credit Card
 - a) Immediately advise Department Head and Purchasing Director.
 - b) Department Head or Treasurer's office contact the JP Morgan Chase Customer Service at 1-800-270- 7760 to report a lost/stolen card and to initiate a replacement card.

F. Required Action for all Purchases

1. Follow current Procurement Policy - any purchase over \$1,500 must have proposals or bids.
2. Follow proper permission requirements for credit card use from appropriate supervisor.
3. Procure an itemized receipt or invoice with receiving records for each purchase.
4. After Upload from JP Morgan is complete, prepare transactions for processing in

Munis.

- a) All transactions must be converted from Purchase Card Statement and Released to Invoice Entry
- b) Every transaction must have itemized receipt or invoice attached as documentation. Documentation totals must match Purchasing card charge. Receiving records must be included on invoices requiring shipment. Any required trip requests and proposals or bids must be provided as well.
- c) Invoices will then be released into workflow for approval by the Department Head, Purchasing Director and then to the Auditor.
- d) Payments will be processed in the Regular Check Run.

G. Effective Date

1. This policy shall be effective September 3, 2024, and will be reviewed annually with any recommended amendments to be authorized and adopted by the Lewis County Board of Legislators by Resolution. If subsequent changes occur in New York State or Federal Laws which are inconsistent with this Purchasing Card Policy, or if any part of this policy as adopted is in violation of state or federal law, state or federal law shall control the purchasing card practices of the County of Lewis.

Acknowledgment of Purchasing Card Holder Agreement and Receipt of Purchasing Card

Please read and sign this form.

Employee Name: _____ Department: _____

Card Number: _____ Monthly limit is: \$ _____

You are being entrusted with a Lewis County Purchasing Card issued by Visa through JP Morgan Chase Bank. The card is provided to you to for purchases of materials or services on behalf of Lewis County. The card may be revoked at any time without your permission.

- I understand that I will be making financial commitments on behalf of Lewis County and will strive to obtain the best value when making purchases.
- This purchasing card is issued in my, or my Department's name. I will not allow any other person to use the assigned card.
- I have read the Lewis County Purchasing Card Policy as well as this card holder agreement, understand them, and I will comply with both. Failure to do so may be considered misappropriation of funds and may subject me to revocation of card privileges and disciplinary action.
- I understand that the policies and procedures related to the Purchasing Card may be updated or changed at any time. The Card Administrator will notify me of these changes. I agree to and will be responsible for the execution of any program changes.
- I will use the card only for authorized purchases.
- I will obtain an electronic or hard copy itemized receipt from the vendor each time the card is used. When ordering by phone or via the Internet, I will request the vendor provide me with an itemized receipt. If the itemized receipt is lost and cannot be replaced by the vendor, any charges will be paid at my expense.
- I understand that my card account is subject to internal control reviews and audits to protect the interests of Lewis County and I agree to comply with these reviews and audits.
- I am responsible for immediately notifying JP Morgan Chase Bank, my Supervisor, and the Purchasing Director if the card is lost or stolen. I will complete the Lost or Stolen Card form and submit it to the Purchasing Director.
- Upon resignation/separation, or the request of my Department Head, or the Purchasing Director, I will turn in the card to my Department Head.

Your signature below indicates that you have read the Purchasing Card Policy and will comply with the terms of this agreement.

Employee Signature: _____ Date: _____

Purchasing Director: _____ Date: _____

RESOLUTION NO. 181 - 2024

**RESOLUTION TO ADOPT UPDATED AND AMENDED
PROCUREMENT POLICY AND PROCEDURES
FOR THE COUNTY OF LEWIS**

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

WHEREAS, in March, 2022, the Board of Legislators created the position and appointed Brian Hanno as the Purchasing Director, whose duties include review of the County procurement policy; and

WHEREAS, the Purchasing Director, Clerk of the Board, and County Attorney reviewed the procurement policy and revised same to include the establishment of the Purchasing Director position duties and responsibilities, with additional changes as more fully set forth in the proposed updated Procurement Policy attached; and

WHEREAS, the Lewis County Board of Legislators wishes to adopt the changes set forth in the proposed Amended Procurement Policy pursuant to GML §104-b;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby approves the adoption of the updated amendments to the Lewis County Procurement Policy as set forth in the attached amended policy in accordance with General Municipal Law § 104-b.

Section 2. The Clerk of the Board is hereby directed to update the Administrative Manual to include the revised Procurement Policy herein adopted and attached, and distribute the same to all Department Heads.

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

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

04-02 PROCUREMENT POLICY & PROCEDURES

Effective: February 5, 1992 [Resolution No. 26-1992]

Revised: April 7, 2009 [Resolution No. 149-2009]
August 6, 2013 [Resolution No. 319-2013]
April 7, 2015 [Resolution No. 124-2015]
July 5, 2017 [Resolution No. 260-2017]
August 6, 2019 [Resolution No. 261-2019]
June 7, 2022 [Resolution No. 133-2022]
September 3, 2024 [Resolution No. 181-2024]

A. PURPOSE:

1. Goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public money, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the governing board is adopting internal policies and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, §103 or of any other general, special or local law.

B. ESTABLISHMENT OF PURCHASING DIRECTOR POSITION AND COMPLIANCE WITH GENERAL MUNICIPAL LAW §104:

1. The Lewis County Board of Legislators created the position of Purchasing Director pursuant to Resolution No. 63- 2022, adopted on March 1, 2022. The Purchasing Director (aka Purchasing Agent) shall be responsible for developing and administering a modified central purchasing system to make provisions for all purchases, servicing, sale, lease, and rental of materials, supplies, equipment and services for all departments and agencies of Lewis County Government pursuant to and in compliance with the applicable provisions of laws and regulations and County policy.
2. The Purchasing Director shall have signatory authority on all purchase requisitions and purchase orders. The Purchasing Director shall assist County Departments, as necessary, and review the procurement activities of said Departments to ensure compliance with the NYS General Municipal Law (GML) and County policy. The Purchasing Director will require written explanations and documentation from Department(s) when purchasing policies and procedures are not followed and will withhold authorization until such documentation is received and procedures followed. The Purchasing Director shall report any noncompliance with procedures and necessary corrective action(s) to the County Manager.
3. The Purchasing Director, in consultation with the County Attorney and Department Heads determines if a transaction is a purchase contract, public works contract, or professional service, and what proceedings shall be followed depending

upon the transaction and amount, pursuant to the provisions and procedures hereinafter more fully set forth in this policy.

4. The Purchasing Director or designee shall be responsible for all required public advertising and competitive bidding procedures, including final draft of any RFPs which are not the responsibility of an engineering consultant on a public works project. The Purchasing Director shall work with the Department Head in creating the RFP, conduct all bid solicitations, attend bid openings and evaluations in determining any recommendation for awarding bids and contracts to the appropriate legislative committee and to the Board of Legislators.
5. Pursuant to GML §104-b (2) (f), the procurement policy requires municipalities to identify the individual or individuals responsible for purchasing and their respective titles biennially. Effective June 7, 2022, Brian Hanno, Purchasing Director for the County of Lewis is appointed as the County's responsible purchaser. The County Manager is appointed as first alternate responsible purchaser, and the Chairman of the Lewis County Board of Legislators is appointed as second alternate responsible purchaser.

C. PROCEEDINGS FOR DETERMINING WHETHER PROCUREMENTS ARE SUBJECT TO BIDDING:

1. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to §103 of the General Municipal Law: purchase contracts under \$20,000.00 and public works contract under \$35,000.00; emergency purchases; sole source purchases; goods purchased from agencies for the blind or disabled; goods purchased from correctional institutions; purchases under state contracts; surplus and second-hand purchases from another governmental entity; professional service contracts, purchase made for reasons of efficiency or economy (subject to General Municipal Law §103, subdivision 5) and hospital purchases under joint contracts (subject to General Municipal Law §103, subdivision 8).
2. The decision that a purchase is not subject to competitive bidding is required to be documented in writing by the Department Head in consultation with the Purchasing Director. This documentation may include written or verbal quotes from vendors, a memo from the Department purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the Department purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate or requested by the Purchasing Director, County Attorney, or County Manager.

D. GENERAL PROCEDURES:

1. The county shall purchase materials, supplies, equipment, and services as required,

at the best possible prices and maintain appropriate documentation, subject to and as outlined in "C.1." and "C.2." hereafter set forth, as follows:

- a) Purchases will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided.
- b) Proper written documentation (acceptable to the respective Department Head and Purchasing Director) by the individual making the purchase, will be required whenever a contract is awarded to other than the lowest responsible bidder. This documentation will include an explanation of how and why the individual came to their decision of awarding the bid.
- c) Purchase contracts for materials, supplies and equipment involving an estimated annual expenditure in excess of \$20,000.00 and public works contracts in excess of \$35,000.00 shall be awarded only after public advertising soliciting formal bids pursuant to §103 of the General Municipal Law.
- d) Purchases will be made to the extent practicable, through available state contracts of the office of General Services, Division of Standards and Purchase, Department of Correctional Services, New York State Industries for the Disabled, Industries for the Blind of New York State, and surplus and second-hand purchases from another governmental entity, whenever such purchases are in the best interest of the county.
- e) The Purchasing Director or designee shall be responsible for all required public advertising, competitive bidding and shall conduct all bid solicitations. Bids shall be opened by the Purchasing Director or designee, with the Clerk of the Board, and appropriate County Department present. The County Manager, Legislative Committee members and others may also be present. The Department Head, Purchasing Director and any experts involved in the project shall review the submissions and report same with a recommendation to the County Manager.
- f) All contracts which require public advertising and competitive bidding shall be awarded as provided by law and the rules and regulations of the county.
- g) No official or employee of the County shall have a direct financial or controlling interest in any contract entered into by the County, unless disclosed and in compliance as more fully described in the Lewis County Ethics Law.
- h) No County employee having official responsibility for a procurement transaction shall solicit, demand, accept or agree to accept from a bidder, offeror, contractor, or subcontractor any payment, loan, subscription, advance, deposit of money, services or anything, including a gift, present or promise of more than nominal or minimal value in excess of \$75.00, unless consideration of substantially equal or greater value is exchanged. The County may recover the value of anything conveyed in violation of this

section.

- i) Positive efforts shall be made by the County to use small, minority owned, and women owned businesses as sources for supplies and services if feasible.
- j) Commonly used supplies by county departments shall be uniform whenever consistent with operational needs in the interest of efficiency and economy.

E. AUTHORIZED LIMITS AND CONTROL:

1. Periodically and at least once a year, the Purchasing Director, after consultation with Department Heads, shall review and evaluate the rules and regulations contained in this policy to see whether any change(s) is indicated pursuant to law or to more accurately reflect the market pricing, inflation, processing expenses, and the county's utilization experience.
2. The following authorized dollar limits are effective September 3, 2024. These limits are applicable per total purchase transaction, provide for departmental delegation and discretion, and require documentation as specified.

Transaction Dollar Limit		Process
Purchase of materials, supplies & equipment	Public Works	
\$0.01 - \$1,499.99	\$0.01 - \$1,499.99	Vendor selected by Department Head and payment is processed through Financial System.
\$1,500.00 - \$9,999.99	\$1,500.00 - \$14,999.99	Department Head submits telephone quotes from at least three (3) separate vendors (if available) to Purchasing Director. Low quote taken unless valid exception, which exception must be documented in writing. Purchasing Director approves purchase and payment processed through Financial System.
\$10,000.00 - \$19,999.99	\$15,000.00 - \$34,999.99	Department Head submits written quotes from at least three (3) separate vendors (if available) to Purchasing Director. Low quote taken unless valid exception, which exception must be documented in writing. Purchasing Director approves and payment is processed through Financial System.

\$20,000.00 and up	\$35,000.00 and up	Department Head completes written RFP specifications with assistance of Purchasing Director. Purchasing Director advertises for competitive sealed bids. Contract or purchase order issued pursuant to adopted resolution by the Board of Legislators awarding the bid.
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3. Pursuant to General Municipal Law §104-b (2) (f), the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the County of Lewis to solicit quotations or document the basis for not accepting the lowest bid:

a) Professional/Expert Services

Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, and integrity. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures. The County Attorney, after consulting with the Purchasing Director, shall determine whether a service fits into this category, taking into consideration the following guidelines:

- whether the services are subject to state licensing or testing requirements;
- whether substantial formal education or training is a necessary prerequisite to the performance of the services; and
- whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer or architect engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre- packaged software.

b) Emergency Purchases

Pursuant to Section 103(4) of the General Municipal Law, and due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety, property or welfare of the residents. This section does not preclude alternate proposals if time permits.

During Normal Office Hours

- 1) The requisitioning department calls the Purchasing Director and gives the following information:
 - i) Reason for emergency purchase.
 - ii) Department name and budget code.
 - iii) Complete description and cost of services or materials to be purchased.
 - iv) Name and address of recommended vendor.
- 2) The Purchasing Director or designee determines if the purchase is in fact an emergency. If so, a vendor will be selected. Vendors with immediate delivery of materials or services are given preference in the selection.
- 3) The County Treasurer will verify if budgetary appropriations are available. If not, the requisitioning department will obtain approval from the County Manager.
- 4) A purchase order number is assigned and verbally given to the vendor.
- 5) The requisitioning department will process payment in the financial system, which will include the information in numbers 1 and 3 above.

Outside Normal Office Hours

- 1) When an emergency need is identified outside of the normal office hours of Purchasing, and immediate action is required to correct the threat to the safety, health or welfare of the public, the responsible Department has the authority to procure the goods or services necessary to correct the problem without obtaining prior approval from Purchasing, but should be in contact with the County Manager to advise of the emergency and need.
- 2) The purchase must be reported to Purchasing on the next working day to obtain the required purchase order number. The remaining process shall be followed in the same manner as set forth above.

c) Sole Source

Sole source purchases are appropriate when it is clearly determined that there is only one vendor capable of providing a particular material or service.

Justification for sole source purchases include the following: purchase order is made to the original manufacturer or provider; there are no regional distributors, or parts/equipment are not interchangeable with similar parts of another manufacturer, or it is the only known item that will meet the specialized needs of the department or perform the intended function; purchases required by contractual obligations; or standardization approved by the County Legislature.

- 1) Whenever a Department Head believes that materials or services, they require are only available or appropriate from a sole source vendor, he/she shall complete a purchase requisition and forward it to the Purchasing Director or designee for approval. Documentation must be attached to the requisition.
- 2) If approved, the purchase requisition will be processed in the normal procedure.

d) Control

Control involves not only compliance with required purchasing procedures, but also affects the paperwork necessary. "Over-papering" can ruin the effectiveness of the system almost as quickly as non-compliance. The requirements of quotations are waived for the following exceptions, established upon a determination of operational efficiencies and economies:

- Petty cash reimbursements
- Utility bills
- Interdepartmental charges
- Medical expenses
- Legal notices
- Postage costs
- Memberships and dues
- Subscriptions for Law Research
- Mileage, travel, conference reimbursements
- Food for prisoners
- Other expenses determined by the County Manager and Purchasing Director on an individual basis.

F. PIGGYBACKING

1. General Municipal Law 103(16) allows procurement of certain goods (including apparatus, materials, equipment, and supplies) and services through contracts let by the United States or any agency thereof, any state or any other political subdivisions or district therein, if such contract was let in a manner consistent with competitive bidding and has been made available for use by other governmental agencies. The County shall take advantage of such contracts when doing so ensures that the County is buying goods at the lowest price. In addition, Lewis County will allow other municipalities within New York State to "piggyback" on the contracts of Lewis County in accordance with GML 103.

2. Pursuant to Subsection 1-b of Section 103 of the GML, the County shall have the option of purchasing information technology and telecommunications hardware, software and professional services through cooperative purchasing permissible pursuant to Federal General Services Administration information schedule 70 and any successor schedule, provided the County complies with federal schedule ordering procedures as provided in the applicable federal acquisition regulation(s).
3. The Purchasing Director shall make available to other municipalities within the County the opportunity to participate, whenever practicable, in the County's contracts or competitive bids.
4. Purchases may be made through available state contracts of the NYS Office of General Services, GSA, or in accordance with Sub. 3 of GML 103 which allows the purchases of materials, equipment or supplies, or the contract for services, other than services subject to Article 9 of the Labor Law, through any municipality within New York State, whenever such purchases are in the best interest of the County, as follows:
 - a) In lieu of obtaining quotations or issuing formal bids for the purchase of commodities or services not subject to Article 9 of the New York State Labor Law, the Purchasing Director is authorized to make such purchases using established national and regional cooperative contracts.
 - b) In accordance with GML 103(6), surplus and secondhand supplies, materials or equipment may be purchased without competitive bidding from the Federal Government, State of New York, or from any other political subdivision, district, or public benefit corporation.
5. Although a Department may request a purchase be made using a particular contract source, the decision as to the appropriate contract source to be used will be that of the Purchasing Director in consultation with the County Attorney. Detailed and appropriate documentation of the reason(s) for the determination shall be retained by the Purchasing Director.

G. AUTHORITY TO AWARD CONTRACTS BASED ON BEST VALUE UNDER LOCAL LAW NO. 7-2013:

1. For purposes of this Policy, the following terms shall be deemed to have the meaning set forth:
 - a) "Best value" shall mean the basis upon which a contract may be awarded after a competitive bid for the purchase of goods or services to the bidder which optimizes quality, cost, and efficiency, among responsive and responsible bidders. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for bidders that are small businesses or certified minority, or women-owned business enterprises as defined in subdivisions one, seven, fifteen and twenty of section three hundred ten of the executive law to be used in evaluation of offers for awarding of contracts for services. Factors that may be used to determine the "best value" and to award a contract to other than

the lowest bidder, are:

- cost of maintenance for good(s) or service(s);
- durability of good(s) or service(s);
- quality of good(s) or service(s); or
- product life of good(s) or service(s)

- b) "Purchasing Agent" shall mean the appropriate officer, board, legislative committee or agency of Lewis County, consistent with the purchasing policy established (and as may be amended from time to time) by the Board of Legislators, to have the authority to award purchase contracts on the basis of "best value" as defined herein.

2. Authority to Award Contracts:

- a) The Purchasing Agent may award purchase contracts, including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to Labor Law Article 8, on the basis of best value, as defined in State Finance Law §163, to a responsive and responsible bidder.
- b) Where the basis for award is the best value offer, the Purchasing Director shall document, in the procurement record and in advance of the initial receipt of offers, the determination of the evaluation criteria, which whenever possible, shall be quantifiable, and the process to be used in the determination of best value and the manner in which the evaluation process and selection shall be conducted.
- c) Where appropriate, the solicitation shall identify the relative importance and/or weight of cost and the overall technical criterion to be considered by the Purchasing Agent in their determination of best value.
- d) The election to award any such contract on the basis of best value shall be made by the Purchasing Agent in consultation with the Department Head and appropriate Legislative committee. In the event that no such election is made, purchase contracts will continue to be awarded to the lowest responsible bidder furnishing any required security in accordance with the Lewis County Purchasing Policy.

H. VIOLATIONS

1. Department Heads are responsible for their departments' and employees' compliance with this policy. Deviation from this policy may delay purchasing or payment. Violations of this policy will be reported to the County Manager for corrective action.

I. EFFECTIVE DATE

1. This policy shall be effective September 3, 2024, and will be reviewed annually as required by General Municipal Law 104-b, with any recommended amendments to be

authorized and adopted by the Lewis County Board of Legislators by Resolution. If subsequent changes occur in New York State or Federal Laws which are inconsistent with this Purchasing Policy, or if any part of this policy as adopted is in violation of state or federal law, state or federal law shall control the purchasing practices of the County of Lewis.

RESOLUTION NO. 182 - 2024

**RESOLUTION APPOINTING MEMBERS TO
NATURALLY LEWIS BOARD OF DIRECTORS**

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

WHEREAS, the Lewis County Board of Legislators wishes to officially appoint members to the Naturally Lewis Board of Directors (NLBD) pursuant to their by-laws; and

WHEREAS, the Chairperson of the Board of Legislators and the County Manager have been actively attending the meetings of the NLBD as the representatives of Lewis County Government; and

WHEREAS, with his acceptance of the position of County Administrator for Jefferson County, Ryan Piche is resigning as one of the County Government members of the NLRB;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby appoints Chairperson Lawrence Dolhof of Lyons Falls, NY, to fulfill the remainder of his two-year term as a member of the Naturally Lewis Board of Directors, which will expire in September, 2025.

Section 2. The Lewis County Board of Legislators hereby appoints new County Manager, Timothy Hunt of Lowville, NY to fulfill the unexpired three-year term of Ryan Piche, which will expire in September, 2026.

Section 3. The within resolution shall take effect immediately.

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

RESOLUTION NO. 183 - 2024

**RESOLUTION TO TRANSFER FUNDS
Office For the Aging**

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

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Office For the Aging accounts due to increased costs and utilization of services.

Decrease:

A0101000 419900 BOL Special Contingency	\$75,000.00
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Increase:

A0677200 491100 Prof Services Nutrition	\$75,000.00
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Section 2. That the within resolution shall take effect immediately.

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

RESOLUTION NO. 184 - 2024

RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN THE COUNTY OF LEWIS AND THE ARC, ONEIDA-LEWIS CHAPTER, NYSARC, INC FOR TRANSPORTATION SERVICES.

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

WHEREAS, Lewis County on behalf of the Planning Department and The Arc, Oneida-Lewis Chapter, NYSARC, INC. ("ARC") entered into a three-year agreement ending on December 31, 2024 to provide for ARC clients to ride fixed routes in exchange for ARC agreeing to pay the estimated cost of the routes minus the estimated State Operating Assistance (STOA) reimbursement funds applied for by the County; and

WHEREAS, the ARC and County seek to enter into a four (4) year renewal Agreement for ARC clients to ride these fixed routes in exchange for the ARC agreeing to pay the cost of \$251,414.48 (\$20,951.21 per month) in 2025; \$273,361.73 (\$22,780.14 per month) in 2026; \$296,772.13 (\$24,731.01 per month) in 2027; \$321,645.68 (\$26,803.81 per month) in 2028. The County will continue to apply for STOA reimbursement funds for each ARC rider on fixed routes, and provide for potential expansion of routes and opportunities for all residents of the County; and

WHEREAS, the agreement will also provide for the ARC to reimburse the County at a rate of \$30.00/hr in 2025, \$31.50/hr in 2026, \$33.08/hr in 2027, and \$34.73/hr in 2028 for any ARC client requiring a bus aide. The agreement between the County and Birnie Bus provides for this service if required;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a renewal Agreement between the County, by and through the Planning Department's LCPT and the ARC, to provide public transportation services on the LCPT's fixed routes for a four-year period, in consideration of the ARC reimbursing the County for the costs of the Fixed Routes and Lowville Loop, post estimated STOA reimbursement, at a cost of \$251,414.48 (\$20,951.21 per month) in 2025; \$273,361.73 (\$22,780.14 per month) in 2026; \$296,772.13 (\$24,731.01 per month) in 2027; \$321,645.68 (\$26,803.81 per month) in 2028. In addition, the County is to receive reimbursement at a rate of \$30.00/hr in 2025, \$31.50/hr in 2026, \$33.08/hr in 2027, and \$34.73/hr in 2028 for any ARC client requiring a bus aide.

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, upon such form and terms 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. 185 - 2024

**RESOLUTION AWARDING BID AND AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND BIRNIE BUS SERVICE, INC.
FOR TRANSPORTATION SERVICES IN LEWIS COUNTY**

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

WHEREAS, the Lewis County Planning and Community Development Department ("Planning Department") recently sent out a Request for Proposals for interested and qualified vendors to provide management, operation, and maintenance services for the County's Coordinated Public Transportation System according to the terms and specifications as set forth in the RFP; and

WHEREAS, the Director of Planning, Community Development Program Specialist, Director of Purchasing, and Clerk of the Board, were present on July 22, 2024, at 2:00 p.m. to open the one (1) response to the RFP; and

WHEREAS, after review and consideration of the proposal, the Director of Planning recommends awarding the bid to Birnie Bus Service, Inc., the sole bidder, in accordance with the specifications and scope of work set forth in the RFP and Bid Documents; and

WHEREAS, the Board of Legislators seeks to award the bid to Birnie Bus Service, Inc. and authorizes a four (4) year agreement for the specified services to be provided in accordance with the RFP;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with Birnie Bus Service, Inc., 248 Otis Street, Rome, New York 13440 to provide management, operation, and maintenance services for the County's Coordinated Public Transportation System according to the terms and specifications as set forth in the RFP.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include all conditions and requirements set forth in the RFP together with the inclusion of any and all additional terms and conditions recommended by the County Attorney, commencing January 1, 2025 through December 31, 2028, with an option to extend for an additional three (3) years upon mutual agreement, at the following rates; payable from NYS STOA funds, FTA Formal Grants for Rural Areas 5311 program funds, and other revenue sources initiated by the County under its transportation system:

Cost Proposal	2025	2026	2027	2028
	Per Mile Rate			
Route Services	\$2.99	\$3.14	\$3.30	\$3.47
Dial-A-Ride Services	\$2.99	\$3.14	\$3.30	\$3.47
NEMT Services	\$1.50	\$1.58	\$1.66	\$1.74
	Per Hour Rate			
Bus Aide	\$30.00	\$31.50	\$33.08	\$34.73
	Annual Budget Proposal (Estimated based on per-mile rate and 2023 ridership)			
Route Services	\$1,043,597.00	\$1,095,951.00	\$1,151,796.00	\$1,211,131.00
Dial-A-Ride Services	\$134,039.00	\$140,673.00	\$147,936.00	\$155,557.00
NEMT Services	\$6,200.00	\$6,530.00	\$6,861.00	\$7,191.00

Section 3. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver such 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. 186 - 2024

RESOLUTION AUTHORIZING A WAIVER REQUEST FOR A CONFLICT OF INTEREST BETWEEN SNOW BELT HOUSING COMPANY, INC. AND ELIGIBLE REHABILITATION GRANT RECIPIENT

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

WHEREAS, Lewis County ("County") is a recipient of a Small Cities 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 Office of Community Renewal (OCR) Grant Manual requires that under the CDBG program, an applicant who may have a conflict of interest may need 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 be submitted by the local municipality to OCR prior to undertaking any activity on the application under the Grant funds; and

WHEREAS, in accordance with the procedures outlined in the OCR Grant Manual for exceptions to conflicts of interest, the local government entity, i.e. the County of Lewis Board of Legislators, authorized by Resolution, a Notice of a Public Hearing to be held on August 6, 2024 to receive public comment on a conflict of interest posed by Snow Belt Housing Company, Inc. and two employees who have applied for and who are otherwise financially eligible for a CDBG housing rehabilitation grant, but for the conflict of interest as employees of the company; and

WHEREAS, in further accordance with the Grant Manual procedures, the Lewis County Board of Legislators advertised the Notice of the Public Hearing in the official paper of the County and posted said Notice in the County building. On September 3, 2024 at 5:00 pm, the Board held the public hearing. During the public hearing, the Board considered the comments of those wishing to be heard; and

WHEREAS, the Lewis County Board of Legislators has considered any comments from the public together with the information provided by Snow Belt Housing Company, Inc., the opinion of the County Attorney, and the factors to be considered by OCR for exceptions in accordance with 24 CFR 570.489(h), and

makes the following Findings and Conclusions in determining that a waiver should be requested.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators, in accordance with the OCR CDBG Grant Manual procedures, advertised the Notice of the Public Hearing in the official paper of the County and posted said Notice in the County building. On September 3, 2024 at 5:00 pm, the Board held the public hearing. During the public hearing, the Board considered the comments of those wishing to be heard and considered all steps to mitigate same, namely that Snow Belt requires CDBG applicants to fill out a conflict of interest disclosure form (using sample forms provided by OCR) to identify any conflicts. In this matter, the applicant filled out the form and disclosed that both intended applicants are employed by Snow Belt, but neither are employed in the department that grants the CDBG funding.

Section 2. That the Lewis County Board of Legislators, in accordance with the OCR Grant Manual, specifically addressed and considered the applicability of each enumerated factor set forth in subparagraph (5) of 24 CFR 570.489(h) in determining whether a waiver should be requested and ultimately granted by the State, and finds based upon legal opinion of the County Attorney:

i. The waiver would provide a significant cost benefit to the rehabilitation program and project in Lewis County;

ii. Open competitive bidding for rehabilitation of the property is provided and not affected by the requested waiver;

iii. The person(s) affected are low or moderate- income persons intended to benefit from this grant program. The waiver/exception will permit these persons to be considered and potentially receive generally the same benefit being made available to the same eligible class of citizens in Lewis County. In fact, to deny the exception/waiver would punish the eligible people, but for their employment at Snow Belt;

iv. The applicants are not members of the Snow Belt sub-committee charged with the review and decision recommendation on this application.

v. Undue hardship will result not only to the otherwise eligible applicants but also to the CDBG grant programs in Lewis County in general, if such a waiver is not considered and granted. Lewis County is a small, rural County with familial relationships in all sectors of Government. This program is designed to assist residents based upon income eligibility and need. The applicants satisfy all eligibility requirements of the Grant and should not be disadvantaged because of their employment with Snow Belt. The general public interest served by attempting

to avoid conflicts of interest is not served in this instance and in fact creates undue hardship.

vi. The procedures and policies adopted by Snow Belt Housing Company, Inc. to identify and address potential conflicts of interest are consistent with the County's ethics procedures. The benefit of the financial assistance to these otherwise eligible applicants far outweighs the conflict of interest posed by the place of employment.

Section 3. That the Lewis County Board of Legislators authorizes the Chair of the Board or the Vice-Chair in his absence, to execute a formal, written request, together with any other required documents, to OCR as set forth in 24 CFR 570.589(h) (4), for a waiver of the conflict of interest posed by the employment status of the 2 otherwise eligible applicants with Snow Belt Housing for a housing rehabilitation assistance grant under the CDBG program.

Section 4. That the Lewis County Board of Legislators directs the County Attorney to submit an opinion letter to OCR stating that the interest for which the exception/waiver is sought does not violate state or local law and include the enumerated factors set forth in 24 CFR 590.489 (h).

Section 5. That the Lewis County Board of Legislators directs that the Clerk of the Board provide to OCR the minutes of the public meeting and hearing at which disclosure of the conflict was discussed and decided, a copy of the notice of the public hearing, together with a certified copy of this Resolution.

Section 6. That the within resolution shall take effect immediately.

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

RESOLUTION NO. 187 - 2024

**RESOLUTION TO SET PUBLIC HEARING FOR PUBLIC INPUT WITH REFERENCE
TO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING**

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

WHEREAS, the County of Lewis is eligible to apply for 2024 New York State Community Development Block Grant Program (NYS CDBG) funding for the Vacant Property Clearance Program (VPCP) administered by the Housing Trust Fund Corporation's (HTFC) Office of Community Renewal (OCR); and

WHEREAS, the Board of Legislators wishes to obtain the views of citizens on blight and slum clearance activities prior to the preparation of a CDBG application; and

WHEREAS, the citizen participation requirements of the programs mandate the County to conduct a public hearing prior to submission of an application for the purpose of obtaining citizens' views with the ability to respond to proposals and questions; and

WHEREAS, the public hearing must be held prior to submission of an application;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators of Lewis County authorizes a public hearing to be held and set for October 1st at 5:00 p.m. at the Lewis County Courthouse Board of Legislators Chambers, 7660 North State Street, Lowville, New York 13367 to solicit the views of County of Lewis citizens regarding CDBG funding for blight and slum clearance needs under the program year 2024 NYS CDBG VPCP funding application, in amounts not to exceed \$1,000,000.

Section 2. That public notice of the hearing shall be advertised in accordance with law at least seven (7) days prior to the hearing date.

Section 3. That within resolution shall take effect immediately.

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

RESOLUTION NO. 188 - 2024

**RESOLUTION TO ADD 0.26 MILES OF
NEW TRAIL TO THE LEWIS COUNTY TRAIL SYSTEM
(Former Glenfield Elementary School Property)**

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

WHEREAS, the Lewis County Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate Off-Highway Vehicles (“OHV’s”), (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 formally established the Lewis County Trail System (herein “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 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, including a SEQRA review of any proposed addition to 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 of trail on the following parcel to the Lewis County OHV Trail System. The trail is located on County Property in the Town of Martinsburg, Tax Map Parcel: 259.04-04-8.000, and 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; and

WHEREAS, the Board has completed its review under SEQRA with respect to the property and trail identified above, and based upon an investigation and analysis conducted by the Soil and Water Conservation District, found and determined that adding this property and trail to the Lewis County Trail System will not result in a significant environmental impact;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes the trail located on the following County owned property in the Town of Martinsburg, identified on parcel number 259.04-04-8.000 as more fully described in the Statement prepared by the Soil and Water Conservation District, to be incorporated into and made a part of the Lewis County Trail System.

Section 2. The Lewis County Board of Legislators hereby authorizes the addition of 0.26 miles of trail to the Lewis County OHV Trail System and authorizes amendment of the maps of the Lewis County Trail System as the same is published on the Lewis County website and elsewhere, to include the trail described herein, together with such other and further actions as may be necessary to administer and maintain such trail consistent with the Lewis County OHV Trail Plan, the GEIS and Statement of Findings, and Local Law No. 3-2019.

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

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

RESOLUTION NO. 189 - 2024

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

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

WHEREAS, due to an unforeseen leave of absence and planned, extended time off the Sheriff's Office will require additional support in the jail kitchen; and

WHEREAS, a previous, retired Jail Cook is available to return to assist with kitchen duties during the period of planned time off;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Sheriff's Office, effective September 4, 2024 through September 30, 2024, for the following:

<u>CREATE</u>	<u>STATUS</u>	<u>HOURLY RATE</u>
Jail Cook	Temporary	\$22.01

Section 2. That this resolution shall take effect immediately.

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

RESOLUTION NO. 190 - 2024

**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO THE DEPARTMENT OF SOCIAL SERVICES**

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

WHEREAS, the Department of Social Services has an unanticipated pending retirement of a long-term LAN Administrator; and

WHEREAS, the LAN Administrator is responsible for administering the operation of a local area network computer system and provides technical system support in development, implementation, maintenance and enhancement of network systems, equipment and software. Network functions include systems user access, data security, device and access paths and customizing applications to ensure functionality; and

WHEREAS, the Commissioner of Social Services is requesting the creation of an additional LAN Administrator position for a temporary period to allow for backfill, training, and transition;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Department of Social Services, effective September 4, 2024, through December 31, 2024, for the following:

<u>CREATE</u>	<u>STATUS</u>	<u>HOURLY RATE</u>
LAN Administrator	Full-Time	\$28.53 - \$33.59

Section 2. That this resolution shall take effect immediately.

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

RESOLUTION NO. 191 - 2024

**RESOLUTION AUTHORIZING THE LEWIS COUNTY TREASURER'S OFFICE TO
INCREASE FEES FOR TAX SEARCHES**

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

WHEREAS, the Lewis County Treasurer's Office has not changed the fee imposed on Tax Searches for at least 20 years; and

WHEREAS, it is common practice of other New York Counties to charge a more substantial, flat fee for Tax Searches;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby establishes and declares that the Lewis County Treasurer's Office is authorized to charge a fee of \$20 per tax search performed.

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

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