

TO: Andrea Moroughan, Chair; Josh Leviker, Vice-Chair; Herb Frost III; Tom Kalamas; and Jeff Nellenback.

FROM: Cassandra Moser, Clerk of the Board

DATE: October 10, 2024

SUBJECT: General Services Committee Agenda

Please let this correspondence serve as notification that the General Services Committee will meet on Tuesday, October 15th at 1:00 p.m. in the Board of Legislators' Chambers. Following is a list of agenda items for the meeting which will be streamed live at [Lewis County - YouTube](#).

Minutes:

Approve September 17, 2024 committee minutes if no amendments.

Presentations / Discussion Items:

1. Second Chair Mentor Program – Michael Young, Attorney (10 minutes)

Draft Resolutions:

1. Finding and Determining that an Unsafe Structure at 6357 East Main Street in the Village of Turin shall be demolished and removed pursuant to Local Law No. 2-2007 and to set hearing for Final Order.
AYE ___ NAY ___
2. Authorizing the transfer of \$93,000.00 from Personnel Services into Professional Services in the District Attorney account lines to cover the expenses incurred for special prosecution services.
AYE ___ NAY ___
3. Authorizing Lewis County Highway Superintendent to act as sponsor for four Town BridgeNY/Culvert projects as follows: Town of Greig, Eatonville Road over Otter Creek; Town of Lowville, Boshart Road over Hufcut Creek; Town of New Bremen, Erie Canal Road over Black Creek; and Town of Watson, Kotel Road over South Branch of Crystal Creek and Authorizing intermunicipal agreements with each Town for said projects.
AYE ___ NAY ___
4. Authorizing a Master Agreement with NYS Department of Transportation for all phases of the Federal-Aid BridgeNY/Culvert project known as Pine Grove Road over Harvey Creek and to pay 100% of the cost of all phases with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds;

along with appropriating \$1,036,000.00 to cover the costs as required under each phase of the project.

AYE ___ NAY ___

5. Authorizing the implementation and funding of 100% of the costs of the Preliminary Design and Right-of-Way Incidentals phases of the NYS Department of Transportation BridgeNY/Culvert project known as Eatonville Road over Otter Creek in the Town of Greig, which may be eligible for Federal-Aid and/or State-Aid, or reimbursement from BridgeNY funds; along with appropriating \$177,000.00 to cover the costs of participation in the above project phases for the Town of Greig.

AYE ___ NAY ___

6. Authorizing the implementation and funding of 100% of the cost of all phases, or portions thereof, of the NYS Department of Transportation BridgeNY/Culvert project known as Boshart Road over Hufcut Creek in the Town of Lowville, with the understanding that qualified costs may be eligible for Federal-Aid, State-Aid, or reimbursement from BridgeNY funds; along with appropriating \$1,500,00.00 to cover the cost of participation in the above project for the Town of Lowville.

AYE ___ NAY ___

7. Authorizing Supplemental agreement #1 to the contract between NYS Department of Transportation and Town of Watson, through its sponsor, The County of Lewis for the BridgeNY/Culvert project known as Bailey Road over Independence River for increased costs of the Preliminary Design Phase; along with appropriating \$161,500.00 to cover the cost of participation in the above phase of the project for the Town of Watson.

AYE ___ NAY ___

8. Authorizing the County of Lewis to accept real property obtained by the State of New York relative to County Route 17 (Woodbattle Road) over Cobb Creek bridge replacement project.

AYE ___ NAY ___

9. Appropriating an additional \$155,000.00 of Indigent Legal Services Grant funding in the Public Defender account lines to recognize additional activity for contracted public defense work.

AYE ___ NAY ___

10. Authorizing the addition of 350 feet of new trail in the Town of Martinsburg, owned by Terrance Thisse, to the Lewis County Trail System.

AYE ___ NAY ___

11. Authorizing the addition of 985 feet of new trail in the Town of Turin, owned by Robert Dening, Darren Pominville, and Diane Gaylord, to the Lewis County Trail System.

AYE ___ NAY ___

Motions:

None.

Executive Session:

None.

Informational Items:

1. Monthly Department reports are attached for your review.

If any committee member has inquiries regarding agenda items, please do not hesitate to contact me.

cc: Board of Elections
Buildings & Grounds
Code Enforcement/Junkyards
District Attorney
Fire & Emergency Management
Agriculture
Highway
Public Defender
Recreation, Forestry, & Parks
Recycling & Solid Waste
Weights & Measures

RESOLUTION NO. __ - 2024

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

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

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

WHEREAS, pursuant to Section 5 of the Law, a Lewis County Code Enforcement Officer conducted an investigation of the premises known as Tax Map No. 321.11-01-14.000, 6357 East Main Street, in the Village of Turin, owned by Donald and Carolyn Henry Revocable Living Trust, and determined that the structure and its attached garage are unsafe. The Code Officer issued a Notice of Condemnation report to the Board of Legislators on September 12, 2024, including a recommendation, *inter alia*, that the structures be demolished and removed; and

WHEREAS, Section 4 of the Law states that the provisions of the law apply to any building or structure located within the County where the Village or Town has relinquished to the County the responsibility of administering the uniform code(s). The County performs enforcement services of the uniform code(s) on behalf of the Village of Turin; and

WHEREAS, the Code Enforcement Officer reported that the two-story building is unsafe, is in disrepair, lacks maintenance, is unsecured and is unfit for human occupancy. The attached garage has partially collapsed and is danger of further collapse or deterioration. The structure is unfit for human occupancy and is definable as unsafe both under Lewis County Local Law No. 2-2007 and sections of the 2020 New York State Property Maintenance Code, including but not limited to Section 107.1.3 which directs that a structure is unfit for human occupancy whenever it is unsafe or because of the degree to which the structure is in disrepair with lack of maintenance. The Code Enforcement Officer has condemned the structures and appropriately posted same; and

WHEREAS, the conclusion and recommendation of the Code Enforcement Officer is for the Lewis County Board of Legislators to determine and find that the building and attached garage are unsafe and dangerous structures as described in

the Local Law as well as the 2020 NYS Property Maintenance Code; that the partially collapsed attached garage and 2-story building cannot be safely repaired, and should be demolished, with the debris properly removed, together with any other service which may subsequently be deemed necessary for the health and safety of the public;

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

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

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

ORDERS, that members of Donald and Carolyn Revocable Living Trust appear before this Board of Legislators on December 3, 2024 at 5:00 p.m. to Show Cause before this Board why it should not Order the owner to hire a company to: 1) Close and secure the structures, if exposed, and to properly demolish and remove the buildings located on parcel Tax Map No. 321.11-01-14.000, 6357 East Main Street, in the Village of Turin, Lewis County, New York in accordance with all laws and regulations, including any regulations required by the NYS Department of Environmental Conservation; and further

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

ORDERS AND DECREES, that Notice of this Finding and Decision, together with the statement of particulars as required under Section 7 of Local Law No. 2-2007 shall be served upon the owner of record and any other interested parties not less than five (5) business days prior to the hearing date set forth above, in accordance with Section 8 of the Local Law, said notice to contain as follows:

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

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

Section 4. That this Resolution shall take effect immediately.

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

RESOLUTION NO. __ - 2024

**RESOLUTION TO TRANSFER FUNDS
District Attorney's Office**

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 to move funds from Personnel Services to Professional Services to cover expenses incurred for special prosecution services:

From:

A0116500 110100 District Attorney Personnel Services \$93,000.00

To:

A0116500 490100 District Attorney Professional Services \$93,000.00

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

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

RESOLUTION NO. __ - 2024

RESOLUTION AUTHORIZING THE COUNTY OF LEWIS, BY AND THROUGH THE LEWIS COUNTY HIGHWAY SUPERINTENDENT, TO ACT AS SPONSOR FOR 4 TOWN BRIDGE AND/OR CULVERT NY PROJECTS BY THE NAMED TOWNS AND AUTHORIZING INTERMUNICIPAL AGREEMENTS WITH EACH TOWN FOR THE PROJECT(S)

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

WHEREAS, the applications for bridges/culverts in the Towns of Greig, Lowville, New Bremen, and Watson were submitted to the NYS Department of Transportation (NYS DOT) under the Bridge NY program. Specifically, the Towns have Bridge NY projects with NYS DOT as follows:

- Town of Greig- PIN 775431- Eatonville Road over Otter Creek (Bridge) \$0.177 M
- Town of Lowville- PIN 775441- Boshart Road over Hufcut Creek (Culvert) \$ 1.5 M
- Town of New Bremen- PIN 775423- Erie Canal Road over Black Creek (Culvert) \$1.979M
- Town of Watson-PIN 775424- Kotel Road over South Branch of Crystal Creek (Culvert) \$1.211 M

WHEREAS, the estimated costs for these four projects is \$4.87 M, with the Design phases anticipated in 2025 and the Construction phases in 2026; and

WHEREAS, the culvert replacement projects are 100% funded under BridgeNY; and the Bridge repair/replacement project is 95% funded with the local municipality required to provide the 5% local share. Any overage under either program is the responsibility of the local municipality; and

WHEREAS, for efficiency, consistency, available financial resource reasons, and the municipalities' interest in developing shared service opportunities, the County Highway Superintendent, with the support of the NYS DOT local liaison, suggests that Lewis County act as the sponsor on behalf of the Town(s) for its BridgeNY projects set forth above, since the County is well versed in the procedural requirements of bridge and culvert repairs/replacements under the NYS DOT BridgeNY program and funding; and

WHEREAS, as sponsor of the named Town PIN project, the County would be serving as administrator of the project and interact directly with NYS DOT, following the Locally Administered Federal Aid Procedures under the BridgeNY Program,

including a commitment to advance each project by paying in the first instance 100% of the federal and non-federal share of the cost of the design and construction phases for the Project; and

WHEREAS, pursuant to General Municipal Law Article 5-G, inter-municipal agreements may be entered into for the benefit of the parties. In order for the County to take on this administrative responsibility, an Inter-Municipal Agreement is required to outline the terms and conditions of the County and Town in the Project, the responsibilities and obligations of each municipality during the project, with the ultimate liability and ownership of the Culvert/Bridge remaining the property and responsibility of the Town; and

WHEREAS, the County Highway Superintendent seeks to have the Board of Legislators authorize this action to serve as sponsor and administrator of these Town projects with NYS DOT Bridge NY, and to authorize Inter-Municipal Agreements with each named Town to give effect to same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes the County of Lewis, through the Lewis County Superintendent of Highways, to act and serve as sponsor obo the named Towns for the PIN project applications identified above submitted to BridgeNY, and to administer the BridgeNY Program and process for the Town, provided that each identified Town enters into an Inter-Municipal Agreement with the County for said shared services as administrator of the project, with the County entitled to reimbursement of all funding under the Project from all sources.

Section 2. The Lewis County Board of Legislators authorizes and directs that Inter-Municipal Agreements be drafted by the County Attorney for each Town named above, setting for the conditions, terms, obligations and indemnifications required for the protection of the County and reimbursement of all funds advanced by the County on behalf of the Town's project, and with the Town required to reimburse the County and/or pay in the first instance for any local match and/or any overage amounts not covered under the BridgeNY funding, with said IMAs to be executed by the Chair or Vice-Chair of the Board of Legislators upon proper execution by the Supervisor of each named Town.

Section 3. Upon full execution of the IMA by each Town, the Lewis County Board of Legislators declares its commitment to advance each project by paying in the first instance 100% of the federal and non-federal share of the costs of the design and construction phases for each PIN Project, with the understanding that the Town is responsible for any overages and local share under each Project.

Section 4. Upon full execution of the IMA by each Town, the Chair or Vice-Chair of the Lewis County Board of Legislators, is hereby authorized to execute all necessary Agreements with NYS DOT BridgeNY Program, including for Federal Aid and/or State Aid on behalf of the Lewis County as sponsor and administrator of these PIN Projects in connection with the advancement or approval of the Project; providing for the administration of the Project; the County's first instance funding of the Project costs, and permanent funding of the local share of federal-aid and state-aid eligible Project costs, and all Project costs within appropriations therefore that are not so eligible.

Section 5. Upon full execution of the IMA by each Town, the Chair of the Lewis County Board of Legislators be and the same is hereby authorized to execute all necessary consultant agreements, right-of-way certifications, reimbursement requests for Federal Aid and/or State Aid or other funding on behalf of the County as sponsor, and any other document, not including the Agreement with NYS DOT, that may be necessary to carry out the terms of this Resolution.

Section 6. A certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

Section 7. Certified copies of this Resolution shall be provided to the Town Supervisors for the Towns of Greig, Lowville, New Bremen, and Watson.

Section 8. That the within Resolution shall take effect immediately.

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

RESOLUTION NO. __ - 2024

RESOLUTION AUTHORIZING BRIDGE NY MASTER AGREEMENT BETWEEN NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND LEWIS COUNTY FOR ALL PHASES OF THE FEDERAL-AID BRIDGE REPLACEMENT PROJECT (PIN 775439) KNOWN AS PINE GROVE ROAD OVER HARVEY CREEK

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

WHEREAS, a Project for the Bridge Replacement known as Pine Grover Road over Harvey Creek (PIN 775439) (the "Project") in the Town of Watson, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended and PUB. L. 117-58 also known as the "Bipartisan Infrastructure Law" (BIL); and

WHEREAS, the County of Lewis will design, let, and construct the Project; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the costs for all phases (Contract # DO41565);

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby approves the above-subject Project and authorizes the Chair of the Board of Legislators to execute the Master Agreement under Contract No. D041565 with NYS DOT, known as Pine Grove Road over Harvey Creek, PIN 775439 to pay 100% of the cost of all phases for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds.

Section 2. The Treasurer is hereby authorized to appropriate the \$1,036,000.00 and make said sum available to cover the costs as required under each phase of the Project.

Section 3. The Lewis County Board of Legislators hereby agrees that the County of Lewis shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to the County of Lewis.

Section 4. In the event the Project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed the amount appropriated above, the Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon notification by the Highway Supervisor thereof.

Section 5. The County of Lewis hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months, unless extended.

Section 6. The Chair, or in his absence, the Vice-Chair of the Lewis County Board of Legislators, is hereby authorized to execute on behalf of the County of Lewis all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County of Lewis' funding Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriation therefore that are not so eligible.

Section 7. A certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

Section 8. The \$1,036,000.00 shall be appropriated in the Capital Bridge Program to facilitate all phases under the Locally Administered Federal-Aid Process, for the Bridge Replacement on Pine Grove Road over Harvey Creek(PIN 775439) in the Town of Watson. The following accounts shall be recognized to facilitate the funding of this project:

Increase Revenues:	
H0512000 335910 State	\$ 1,036,000.00
Project HAQ	

Increase Expense:	
H0512000 499900	\$ 1,036,000.00

Section 9. That the within Resolution shall take effect immediately.

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

RESOLUTION NO. __ - 2024

RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING OF 100% OF THE COSTS OF A DOT PROJECT, OF WHICH MAY BE ELIGIBLE FOR FEDERAL-AID AND/OR STATE-AID, OR REIMBURSEMENT FROM BRIDGENY FUNDS FOR BRIDGENY LOCAL TOWN OF GREIG PROJECT (PIN 775431/ BIN2220400) KNOWN AS EATONVILLE ROAD OVER OTTER CREEK, BRIDGE REHABILITATION

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

WHEREAS, a BridgeNY Local Project known as Eatonville Road over Otter Creek, Bridge Rehabilitation (PIN 775431) (BIN 2220400) (the “Project”) in and for the Town of Greig is eligible for funding under Title 23 US code, as amended, and calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal funds and 5% non-Federal funds; and

WHEREAS, the County of Lewis, by Resolution and an Intermunicipal Agreement with the Town of Greig, is acting as Sponsor of the Project and desires to advance the Project by making a commitment of 100% of the costs all phases of the Bridge work for the project or portions thereof with the 5% non-federal funds the responsibility of the Town of Greig; and

WHEREAS, the NYSDOT has indicated that 2023 BridgeNY (BFP-Off System) funds will be utilized for the Preliminary Design and Right-of-Way Incidentals phases of the project, identified as Contract No. D041507, with reimbursement funding for this Phase of the project capped at \$177,000.00, with an agreement to be executed by the Chair of the Lewis County Board of Legislators as the project sponsor;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby approves the project and authorizes the County of Lewis to pay 100% of the cost of the Preliminary Design and Right-of-Way Incidentals phases for this Project, or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid or reimbursement from BridgeNY funds with the understanding that the 5% non-federal funds will be the responsibility of the Town of Greig, together with any overages not covered by BridgeNY.

Section 2. The Lewis County Board of Legislators directs that the sum of \$177,000.00 be appropriated from County general funds to Capital Bridge account and made available to cover the cost of participation in the above phase(s) for the Town of Greig.

Section 3. In the event the full costs of the project exceed the amount appropriated and reimbursed from federal-aid, state-aid or BridgeNY funds, the County of Lewis shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Chair of the Board of Legislators.

Section 4. The Lewis County Board of Legislators hereby acknowledges that the Town of Greig shall be responsible for all costs of the Project which exceed the amount of reimbursement available from all federal and state sources pursuant to the IMA executed between the municipalities.

Section 5. The Chair or the Vice-Chair of the Lewis County Board of Legislators, is authorized to execute all necessary Agreements, certifications or reimbursement requests for costs of the project with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of the Project costs, and permanent funding of the local share of the federal-aid and state-aid eligible project costs and all project costs within appropriations therefore that are not so eligible.

Section 6. The Lewis County Board of Legislators hereby agrees and commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the project be completed within thirty (30) months.

Section 7. A certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

Section 8. The within Resolution shall take effect immediately.

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

RESOLUTION NO. __ - 2024

RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING OF 100% OF THE COSTS OF A DOT PROJECT, OF WHICH MAY BE ELIGIBLE FOR FEDERAL-AID AND/OR STATE-AID, OR REIMBURSEMENT FROM BRIDGENY FUNDS FOR BRIDGENY LOCAL TOWN OF LOWVILLE PROJECT (PIN 775441) KNOWN AS BOSHART ROAD OVER HUF CUT CREEK, CULVERT REHABILITATION

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

WHEREAS, a BridgeNY Local Project known as Boshart Road over Hufcut Creek, Bridge Rehabilitation (PIN 775441) (the "Project") in and for the Town of Lowville is eligible for reimbursement of qualified costs from BridgeNY funding that calls for the post -reimbursement apportionment of the qualified costs to be borne at the ration of 100% BridgeNY Culvert funds and 0% non-BridgeNY Culvert funds; and

WHEREAS, the County of Lewis, by Resolution and an Intermunicipal Agreement with the Town of Lowville, is acting as Sponsor of the Project and desires to advance the Project by making a commitment of 100% of the costs all phases of the Culvert work for the project or portions thereof; and

WHEREAS, the NYSDOT has indicated that 2023 BridgeNY funds will be utilized for all phases of the project, identified as Contract No. D041566, with reimbursement funding for this Phase of the project capped at \$1,500,000.00, with an agreement to be executed by the Chair of the Lewis County Board of Legislators and the Town of Lowville for the Town to be responsible for any overages;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby approves the project and authorizes the County of Lewis to pay 100% of the cost of all phases of this Project, or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid or reimbursement from BridgeNY funds.

Section 2. The Lewis County Board of Legislators directs that the sum of \$1,500,000.00 be appropriated from County general funds to Capital Bridge account and made available to cover the cost of participation in the above phase(s) of the Project.

Section 3. In the event the full costs of the Project exceed the amount appropriated and reimbursed from federal-aid, state-aid or BridgeNY funds, the

County of Lewis shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Chair of the Board of Legislators.

Section 4. The Lewis County Board of Legislators hereby acknowledges that the Town of Lowville shall be responsible for all costs of the Project which exceed the amount of reimbursement available from all federal and state sources pursuant to the IMA executed between the municipalities.

Section 5. The Chair or the Vice-Chair of the Lewis County Board of Legislators is authorized to execute all necessary Agreements, certifications or reimbursement requests for costs of the project with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of the Project costs, and permanent funding of the local share of the federal-aid and state-aid eligible project costs and all project costs within appropriations therefore that are not so eligible.

Section 6. The Lewis County Board of Legislators hereby agrees and commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project be completed within thirty (30) months.

Section 7. A certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

Section 8. The within Resolution shall take effect immediately.

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

RESOLUTION NO. __ - 2024

RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 1 TO THE CONTRACT BETWEEN NYS DEPARTMENT OF TRANSPORTATION AND TOWN OF WATSON, THROUGH ITS SPONSOR, THE COUNTY OF LEWIS FOR THE BRIDGENY CULVERT TOWN OF WATSON LOCAL PROJECT (PIN 775410/ BIN2220750) KNOWN AS BAILEY ROAD OVER INDEPENDENCE RIVER

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

WHEREAS, a BridgeNY Local Project known as Bailey Road over Independence River, Bridge Culvert Rehabilitation (PIN 775410) (BIN 2220750) (the "Project") in and for the Town of Watson is eligible for funding under Title 23 US code, as amended, and calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal funds and 5% non-Federal funds; and

WHEREAS, the County of Lewis, by Resolution and Intermunicipal Agreement with the Town of Watson, is acting as Sponsor of the Project and desires to advance the Project by making a commitment of 100% of the costs all phases of the Culvert work for the project or portions thereof; and

WHEREAS, by Resolution No. 66-2022, the NYSDOT identified \$70,500.00 in funds to be utilized for the Preliminary Design Phase of the project under Contract No. D040461; and

WHEREAS, NYSDOT has forwarded Supplemental Agreement # 1 for the preliminary design phase of the project, which increases the funds available under this phase of the project from \$70,500 to \$232,000 (\$220,400 Federal share and \$11,600 local share); an additional \$161,500 added to the contract for this phase; and

WHEREAS, the Board of Legislators wished to accept these additional funds for the preliminary design phase of the project and appropriate the additional \$161,500;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby approves and authorizes execution of Supplemental #1 to Contract No. D040461 for the increased funding for the Preliminary Design Phase of the project.

Section 2. The Lewis County Board of Legislators directs the Treasurer to appropriate an additional sum of \$161,500.00 from County general funds to the appropriate Capital Bridge account and made available to cover the cost of

participation in the above phase(s) of this Bridge Culvert Project in and for the Town of Watson.

Section 3. In the event the full costs of the project exceed the amount appropriated and reimbursed from federal-aid, state-aid or BridgeNY funds, the Lewis County Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Chairman of the Board of Legislators.

Section 4. The Lewis County Board of Legislators hereby acknowledges that the Town of Watson shall be responsible for all costs of the Project which exceed the amount of reimbursement available from all federal and state sources pursuant to the IMA executed between the municipalities.

Section 5. A certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to Supplemental Agreement No. 1 in connection with the Project.

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

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

RESOLUTION NO. __ - 2024

**RESOLUTION AUTHORIZING THE COUNTY OF LEWIS TO ACCEPT REAL
PROPERTY OBTAINED BY THE STATE OF NEW YORK RELATIVE TO COUNTY
ROUTE 17 (WOOD BATTLE ROAD) OVER COBB CREEK (PIN 775400)
BRIDGE REPLACEMENT PROJECT**

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

WHEREAS, the County of Lewis has a project for the bridge replacement (BIN 3340150) on County Route 17 (Wood Battle Road) over Cobb Creek in the Town of Harrisburg; Lewis County; and

WHEREAS, the County of Lewis owns and maintains the affected portion of County Route 17; and

WHEREAS, this project requires the acquisition of portions of real property received by Tug Hill, LLC under Parcel Nos. 157.00-02-07 and 157.00-02-16.2 and Lewis County requests New York State Department of Transportation acquire these necessary identified lands as shown on attached **Map 1, Parcel 1; Map 2, Parcel 2;** and

WHEREAS, the State of New York has requested that the County agree to accept the real property;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby approves the above-subject project and authorizes the Chair of the Board of Legislators to execute the Agreements and acquisition maps under Contract No. D040774 with NYS DOT, known at Cr 17 (Wood Battle Road) over Cobb Creek, PIN 775400.

Section 2. Upon completion of the County Route 17 (Wood Battle Road) over Cobb Creek bridge project, the County of Lewis is hereby authorized to accept the real property acquired by the State of New York for the project, as described herein, and agrees to accept all responsibility, maintenance and jurisdiction of said property.

Section 3. The Chair, or in his absence, the Vice-Chair of the Lewis County Board of Legislators, is hereby authorized and directed to enter into agreements or any other documents to carry out the intent of this Resolution.

Section 4. The within Resolution shall take effect immediately.

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

NEW YORK STATE
DEPARTMENT OF TRANSPORTATION
ACQUISITION MAP
PIN 7754.00

COUNTY ROUTE 17 (WOODBATTLE ROAD)
OVER COBB CREEK

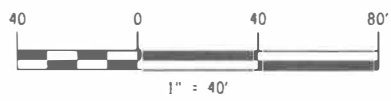
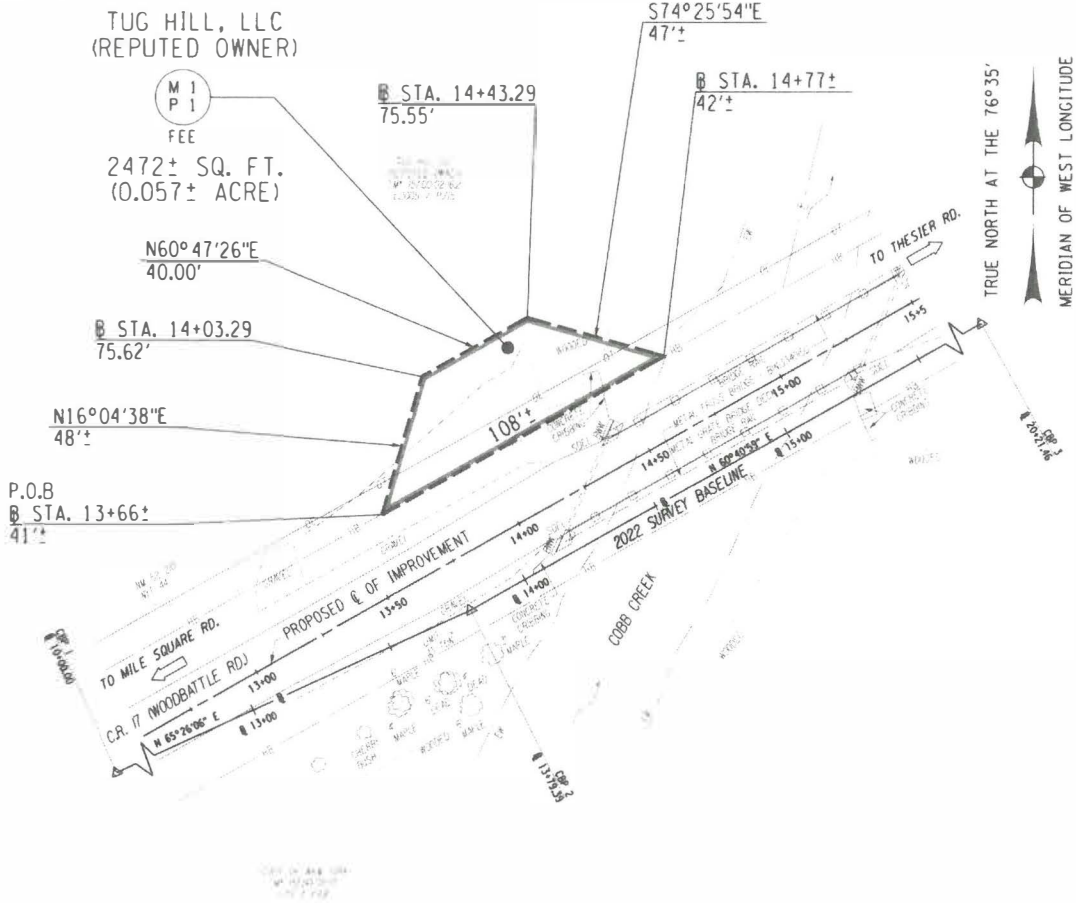
MAP NO. 1
PARCEL NO. 1
SHEET 1 OF 2 SHEETS

MAP REFERENCE INFORMATION:

Parcel Locator Point:
Parcel No. 1
N: 1403897.37
E: 1058706.40

TUG HILL, LLC
(REPUTED OWNER)
Inst. No. 2005-715
TRN 1

PARCEL SUMMARY:
Type: FEE
Portion of 2024 Tax
Map Ref. No. 157.00-02-16.2
Town of Harrisburg
County of Lewis
State of New York



① STA. 10+00.00
CBP 1 IS A CAPPED IRON ROD SET IN GROUND NORTH OF PAVEMENT EDGE
NYSPCS CENTRAL ZONE NAD83 (2011)
N: 1402868.141
E: 1057416.477

② STA. 13+79.39
CBP 2 IS A CAPPED IRON ROD SET IN GROUND SOUTH OF PAVEMENT EDGE
NYSPCS CENTRAL ZONE NAD83 (2011)
N: 1403025.863
E: 1057761.527

③ STA. 20+21.46
CBP 3 IS A CAPPED IRON ROD SET IN GROUND SOUTH OF PAVEMENT EDGE
NYSPCS CENTRAL ZONE NAD83 (2011)
N: 1403340.247
E: 1058321.366

NEW YORK STATE
DEPARTMENT OF TRANSPORTATION

COUNTY ROUTE 17 (WOODBATTLE ROAD)
OVER COBB CREEK

ACQUISITION MAP
PIN 7754.00

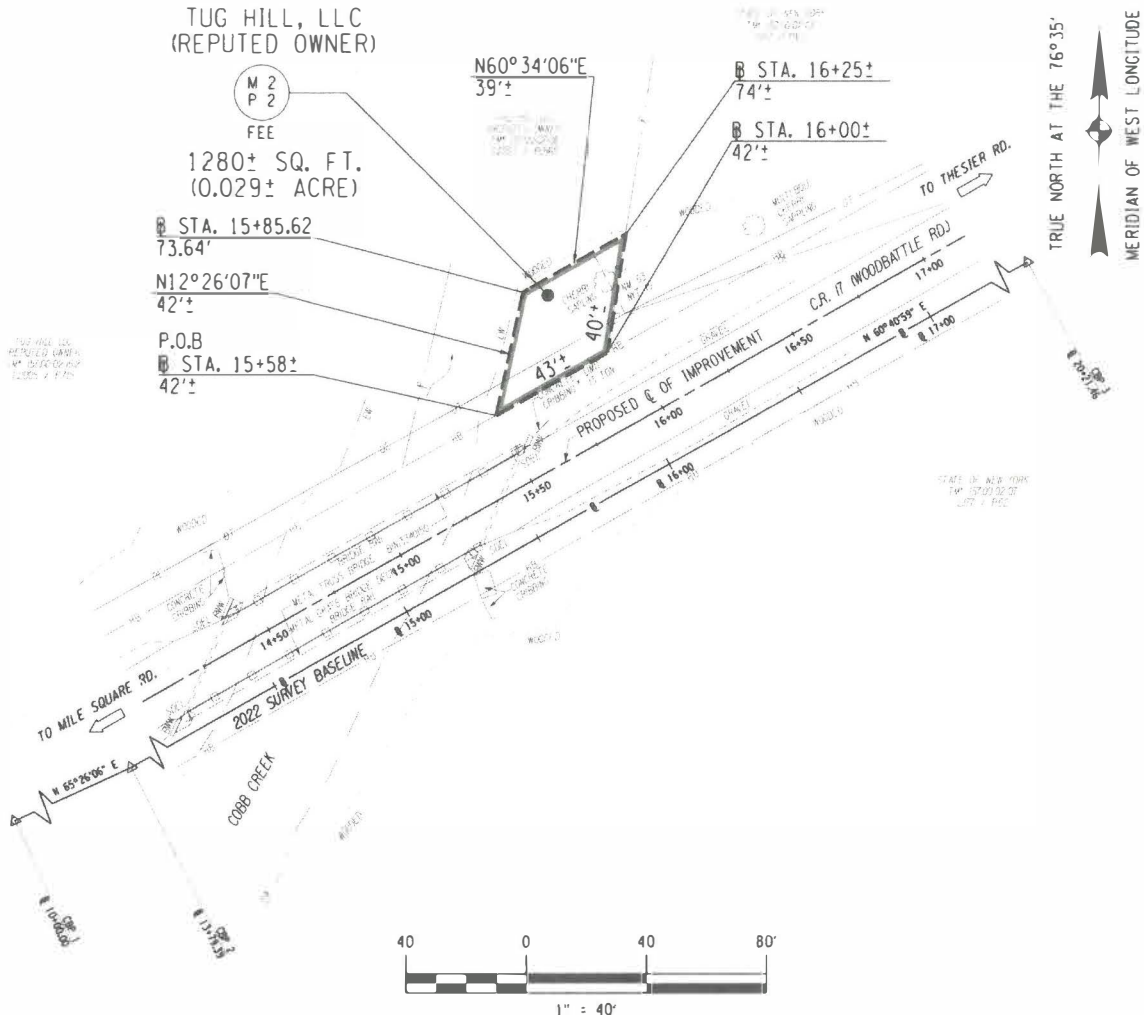
MAP NO. 2
PARCEL NO. 2
SHEET 1 OF 2 SHEETS

MAP REFERENCE INFORMATION:

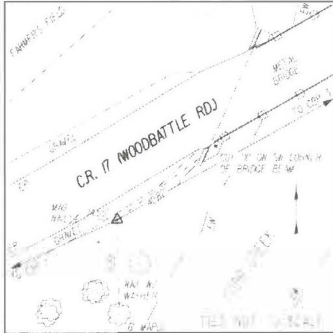
Parcel Locator Point:
Parcel No. 2
N: 1403150.12
E: 1057896.26

TUG HILL, LLC
(REPUTED OWNER)
Inst. No. 2003-2410
TRN 2

PARCEL SUMMARY:
Type: FEE
Portion of 2024 Tax
Map Ref. No. 157.00-02-06
Town of Harrisburg
County of Lewis
State of New York



① STA. 10+00.00
CBP 1 IS A CAPPED IRON ROD SET IN GROUND NORTH OF PAVEMENT EDGE
NYSPCS CENTRAL ZONE NAD83 (2011)
N: 1402868.141
E: 1057416.477



② STA. 13+79.39
CBP 2 IS A CAPPED IRON ROD SET IN GROUND SOUTH OF PAVEMENT EDGE
NYSPCS CENTRAL ZONE NAD83 (2011)
N: 1403025.863
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③ STA. 20+21.46
CBP 3 IS A CAPPED IRON ROD SET IN GROUND SOUTH OF PAVEMENT EDGE
NYSPCS CENTRAL ZONE NAD83 (2011)
N: 1403340.247
E: 1058321.366

RESOLUTION NO. __ - 2024

**RESOLUTION TO APPROPRIATE FUNDS
Public Defender**

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

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators authorizes the following 2024 budget appropriations to recognize additional activity in the accounts for contracted public defense work and Indigent Legal Services grants:

Increase Revenue:

A0117000 330251	Public Defender Assigned Counsel Subsidy	\$20,000.00
A0117000 330262	Pub Defender ILS Grant 120022 Revenue	\$25,000.00
A0117000 330259	Pub Defender ILS Grant Statewide Revenue	\$100,000.00
A0117000 330263	Pub Defender ILS Grant 130022 Revenue	\$ 5,000.00

Increase Expense:

A0117000 490200	Public Defender Prof Services McClusky	\$10,000.00
A0117000 493400	Pub Defender Prof Serv Assigned Counsel	\$10,000.00
A0117000 494907	Pub Defender ILS Grant 120022 Expenses	\$25,000.00
A0117000 494959	Pub Defender ILS Grant Statewide Expense	\$100,000.00
A0117000 494908	Pub Defender ILS Grant 130022 Expense	\$ 5,000.00

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

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

RESOLUTION NO. __ - 2024

**RESOLUTION TO ADD 350 FEET OF
NEW TRAIL TO THE LEWIS COUNTY TRAIL SYSTEM
(Terrance Thisse 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 350 Feet of trail on the following parcel to the Lewis County OHV Trail System. The trail is located on private property in the Town of Martinsburg, Tax Map Parcel: 259.00-03-16.20, currently owned by Terrance Thisse; 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 Lewis County 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 privately owned property in the Town of Martinsburg, identified on parcel number 259.00-03-16.20, owned by Terrance Thisse as more fully described in the Statement prepared by the Lewis County Soil and Water

Conservation District, is 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 350 feet 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.

DRAFT

RESOLUTION NO. __ - 2024

**RESOLUTION TO ADD 985 FEET OF NEW TRAIL
AND PARKING AREA TO THE LEWIS COUNTY TRAIL SYSTEM
(Robert Dening, Darren Pominville, & Diane Gaylord Properties)**

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 985 Feet of trail and parking area on the following parcels, in the Town of Turin to the Lewis County OHV Trail System:

- Parcel No: 274.00-03.03.110 located on the property of Robert Dening
- Parcel No: 274.00-03-14.130 located on the property of Darren Pominville
- Parcel No: 274.00-03-28.200 located on the property of Diane Gaylord

WHEREAS, the Board has completed its review under SEQRA with respect to the properties and trail identified above, and based upon an investigation and analysis conducted by the Lewis County Soil and Water Conservation District, found and determined that adding this property, trail, and parking area 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 and parking area located on the following privately owned properties in the Town of Turin, identified as Parcel No: 274.00-03.03.110 located on the property of Robert Dening, Parcel No: 274.00-03-14.130 located on the property of Darren Pominville, and Parcel No: 274.00-03-28.200 located on the property of Diane Gaylord as more fully described in the Statement prepared by the Lewis County Soil and Water Conservation District, is to be incorporated into and made a part of the Lewis County Trail System.

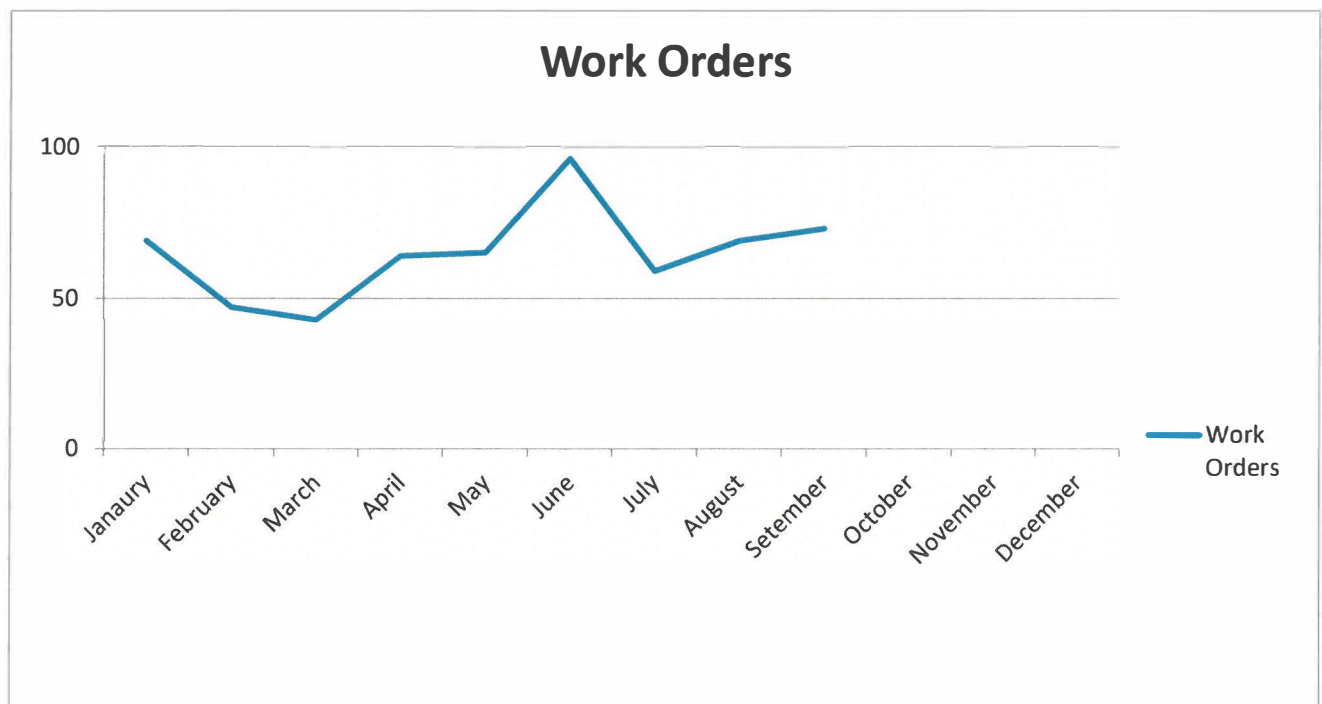
Section 2. The Lewis County Board of Legislators hereby authorizes the addition of 985 feet of trail and parking area to the Lewis County OHV Trail System and authorizes amendment of the maps of the Lewis County Trail System as the same is published on the Lewis County website and elsewhere, to include the trail and parking area 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.

September 2024

- Maintenance had **73** work orders during the month of September.
- Planning has advised us of a grant to purchase electric landscape equipment. We are making a list of viable options to pursue.
- We have had a couple employees resign and will be looking to refill those positions.
- Continuing to work on Courthouse renovations to be able to move departments by the end of October.



September 2024

To date the Office of Building and Fire Codes has:

- Issued **735** Permits
- Project construction values of **\$42,299,321**.
- Responded to **68** complaints.
- Issued **349** Certificates of Completion / Occupancy
- Conducted **1063** construction inspections.

September 2024

- The FY2022 TAM Team grant is signed with Squad 9. The FY2024 SHSP Grant is in the approval process.
- The next Mask Fit testing for interior firefighters is scheduled for October 17, at 3-G Glenfield Station for 3-G and Martinsburg stations. The Emergency Vehicle Operations class is currently running with 6 students. The Fire Officer One classes have been scheduled for November start.
- The Basic EMT class has started with 10 students hosted at Lewis County Search and Rescue ambulance. Also, the Certified First Responder/Basic EMT year 1 BOCES class has started. This is the first this has ever been offered to the High School students because the Ad Hoc committee wanted to try to get younger people involved in EMS.
- We have been working diligently on the July 10 Severe Weather Storm and Recovery for Lewis County. We have been addressing continuing flooding issues including the August storm. Attending many calls and in person meetings with DHSES and FEMA.
- We are getting many requests for CPR classes and trying to get them scheduled for the various County offices, law enforcement and school staff.

Thank You For the privilege of allowing me to assist the gracious Volunteers of Lewis County who give un-forgivingly of their time! It's the volunteers that keep this county safe!!!

September 2024

- Prepared for winter:
 - Hauled sand to State DOT
 - Prepared for winter equipment storage
 - Installed (pop-up) whips and markers for snow plowing
- Road Work:
 - Ditching and clearing rocks, stumps, and debris out of mowing path
 - Mowing roadsides
 - Put shoulders down for Towns and County Roads
- Repair Work:
 - Repaired drainage on Cemetery Rd
 - Repair work on bridges; including welding and concrete repairs for maintenance and State issued bridge flags
- Stabilized creek embankments on Statzer and Osceola Rd bridges
- Cleaned and greased equipment

Lindsay Burriss
Commissioner (D)
lindsayburriss@lewiscounty.ny.gov

Ann M. Nortz
Commissioner (R)
annnortz@lewiscounty.ny.gov

Katie Best
Deputy Commissioner (D)
katiebest@lewiscounty.ny.gov

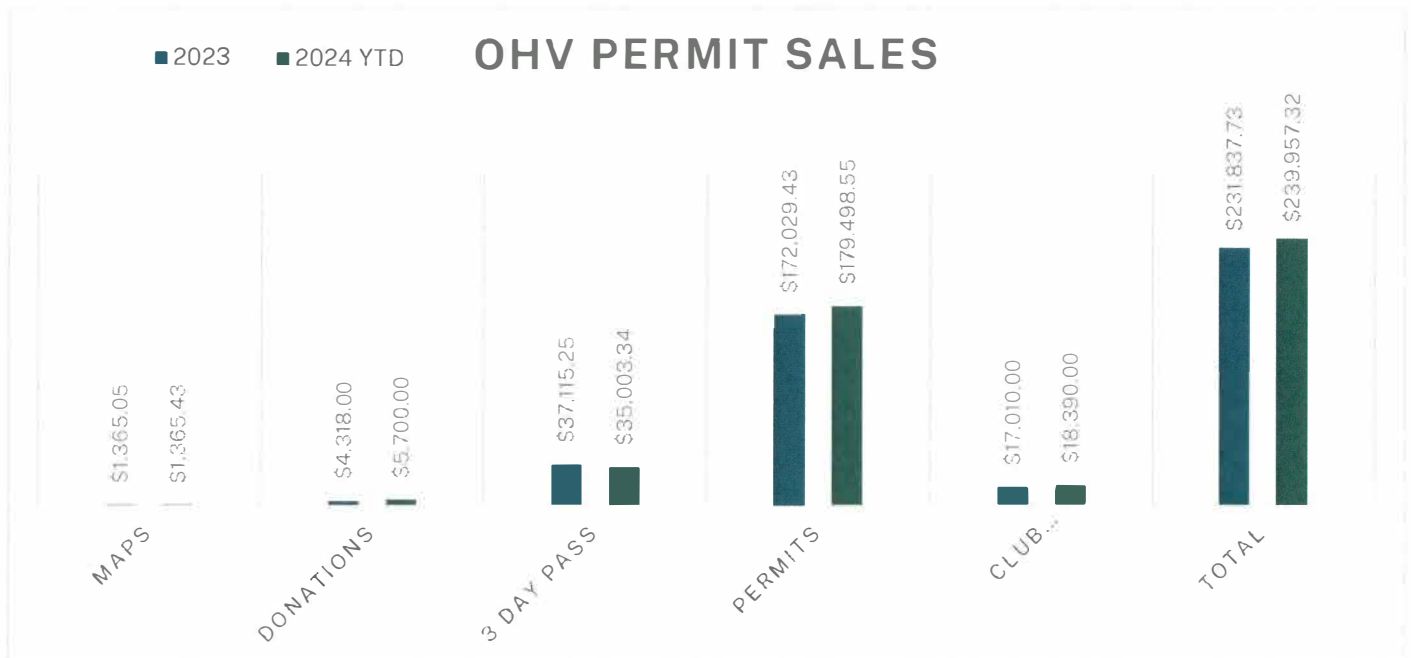
Devin Kogut
Deputy Commissioner (R)
devinkogut@lewiscounty.ny.gov

September 2024

- Accessible Ballot survey sent to the SBOE as well as uploaded ballot proposal to our website. NYS ballot uploaded to state, and enhanced voting ballots sent. We also submitted our general election ballot to NYS for all local races.
- Posted our local registration dates and hours which are October 5th from 12 noon – 9 PM and October 10th from 1pm – 4pm.
- Visited the nursing home to register residents (15 new) and update their absentee ballot applications (18).
- Assigned election day workers to their sites and mailed letters for confirmation (106). Assigned 24 inspectors to work Early Voting from October 26-November 3.
- Sent Offices to be Filled certificate to Village of Lowville for 2025.

September 2024

- Singing Waters is open, and we have our first camping reservation. We are seeing an increase in day use.
- OHV Trails Close October 15th
 - Continuing work on Community Connectors for OHV access.
 - Lee Gulf (NYSDEC) stream crossing permit is now requiring short for SEQR review by NYSDEC and verbiage on the need and safety considerations. I am working with Nichelle on updates for the 4 crossings.
 - The NYSDOT access permits for Ives Road has been received and we are waiting for Glendale Road and Main Street on the Glenfield Connector.
 - The Next OHV Round Table meeting is October 28th at 4 PM in the Outdoor Services building conference room at 7362 East Road, Lowville.



Kip Turck
 Director
 kipturck@lewiscounty.ny.gov

Denise Yost
 Principal Account Clerk
 deniseyost@lewiscounty.ny.gov

September 2024

- We received our new 2024 International tractor on September 6, 2024, which cost \$162,143.00. We are financing it through Republic First National Corporation for four years at \$35,209.40 per year with a \$21,305.40 down payment.
- The following chart shows the total tons of recycling and the monthly **revenue** or **expense** that was received from or paid to Oneida Herkimer Solid Waste from 2023 through August 2024.

Month	Tons	Received	Paid
2023	2,623.84	\$1,830.05	-\$23,873.07
1/24	242.67		-\$219.10
2/24	224.56	\$3,556.85	
3/24	218.88	\$3,888.08	
4/24	249.79	\$3,368.85	
5/24	245.38	\$5,464.01	
6/24	227.49	\$3,481.76	
7/24	313.37	\$10,024.51	
8/24	258.03	\$3,666.27	

FISCAL UPDATE	SEPTEMBER	YEAR TO DATE
Revenues	\$268,993.00	\$2,000,402.07
Expenditures	\$181,224.24	\$1,815,359.10
Cash Balance	\$395,512.35	As of September 30, 2024
SERVICE UPDATE	SEPTEMBER	
GARBAGE (MSW & C&D)	1,255.01 tons	
RECYCLING	225.35 tons	
RECYCLING Received from/ Owed to Oneida Herkimer Solid Waste	\$3,666.27 - August	