



OFFICE OF THE BOARD OF LEGISLATORS
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Cassandra Moser
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TO: Media

FROM: Cassandra Moser, Clerk of the Board

DATE: November 27, 2024

The Board of Legislators will meet on **Tuesday, December 3, 2024 at 5:00 p.m.** for the regular monthly meeting which will be held in the Legislative Board Chambers at the Courthouse in Lowville, NY. Enclosed are proposed resolutions for action. Any other business may be conducted.

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

- The demolition and removal of a residential structure located at 6357 East Main Street, Village of Turin.

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

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

RESOLUTION NO. 241 - 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 \$4,864,798.58 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. 242 - 2024

**RESOLUTION DIRECTING THE DEMOLITION AND REMOVAL
OF AN UNSAFE BUILDING PURSUANT TO LOCAL LAW NO. 2-2007,
(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,” (herein “Unsafe Building Law”), the Board of Legislators is empowered to take certain actions in connection with the investigation and enforcement of buildings and structures that are deemed to be unsafe; and

WHEREAS, pursuant to Section 5 of such Local Law, the Lewis County Code Enforcement Officer conducted an investigation of the premises known Tax Map No. 321.11-01-14.000, currently owned by Donald and Caroline Henry Living Revocable Trust, and determined that the structure with an attached garage is unsafe and issued a report to the Board of Legislators on September 12, 2024; and

WHEREAS, the Code Enforcement Officer reported that the structure is a residential structure with an attached garage located at 6357 East Main Street, Village of Turin, which has been abandoned, unsecured, and has an attached garage that is partially collapsed. Overall, the building and the attached garage is damaged and dilapidated due to lack of maintenance and care and is definable as an unsafe structure, that is unfit for human occupancy and a danger to anyone who may attempt to enter. The Code Enforcement Officer has condemned the structures and appropriately posted same; and

WHEREAS, the Code Enforcement Officer concludes in his report that this building and garage are unsafe and pose an unsafe condition to the general public. It is the Code Enforcement Officer’s recommendation that the structures should be completely demolished and removed; and

WHEREAS, by Resolution No. 215-2024, the Board of Legislators ordered and decreed that the Owner of said building and garage appear before this Board of Legislators on December 3, 2024 at 5:00 p.m. and Show Cause before this Board why it should not Order said Owner to immediately demolish and remove the building and garage located on the parcel identified as Tax Map No. 321.11-01-14.000, 6357 East Main Street, in the Village of Turin, County of Lewis; and that in the event that the Owner fails to comply with such Order or fails or refuses to demolish or remove said building, garage, and related debris, that the Board of Legislators provide for its demolition and removal and assess all expenses thereof against the land on which it

is located and to commence a special proceeding if required to collect the costs of demolition, including legal expenses; and

WHEREAS, the Owner was given due notice of the hearing before this Board by personal service on November 22, 2024, and by regular mail service. A Notice of the Hearing was securely affixed upon the unsafe building on November 8, 2024;

WHEREAS, the Owner did/did not appear for the hearing before the Lewis County Board of Legislators on December 3, 2024;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby finds and determines as follows:

- (a) That Donald & Caroline Henry Revocable Living Trust is the Owner of the premises known as Tax Map No. 321.15-01-11.000, located at and designated as 6357 East Main Street, in the Village of Turin, County of Lewis;
- (b) That the Lewis County Code Enforcement Officer duly inspected said premises, condemned the structures and declared that the building and garage located on said premises was unsafe and not repairable and should be properly demolished and removed;
- (c) That the structures are abandoned, unsecured, the garage is partially collapsed, and is unfit for human occupancy and a danger to anyone who may attempt to enter;
- (d) That the Board of Legislators received the report of the Code Enforcement Officer dated September 12, 2024, and agrees with his findings;
- (e) That pursuant to Local Law No. 2 - 2007, on December 3, 2024, at its regular meeting the Board of Legislators determined that the building and garage was unsafe, constitutes a public nuisance, and a danger to the safety, health, and welfare of the community; and that the building and garage must be demolished and removed from the premises;
- (f) That Donald & Caroline Henry Revocable Living Trust has received due notice of these proceedings;
- (g) That the building and attached garage located on the premises known as Tax Map No. 321.11-01-14.000, located at 6357 East Main Street, Village of Turin, County of Lewis is unsafe, constitutes a public nuisance and a

danger to the safety, health and welfare of the community and must be immediately demolished and removed;

Section 2. By reason of such findings, it is hereby

ORDERED AND DECREED that Donald & Henry Revocable Living Trust, Owner of premises known as Tax Map No. 321.11-01-14.000 and located at and designated as 6357 East Main Street, in the Village of Turin, County of Lewis, shall immediately demolish and remove the building and garage located thereon; and it is further

ORDERED AND DECREED that Donald & Caroline Henry Revocable Living Trust, shall immediately commence proper removal of the building and garage within thirty (30) days of service of notice of this order; and shall complete same within sixty (60) days; and it is further

ORDERED AND DECREED, that in the event that Donald & Caroline Henry Revocable Trust fails or refuses to commence the demolition process in accordance with this Resolution, the Code Enforcement Officer shall cause such building and garage to be demolished and removed either by County employees or by contract, provided that any contract for demolition and removal of a building in excess of \$20,000.00 shall be awarded through competitive bidding; and it is further

ORDERED AND DECREED, that in the event that the County provides for the demolition and removal of such building and garage, all of the costs and expenses of same shall be assessed against the land upon which it is located; and it is further

ORDERED AND DECREED that a certified copy of this resolution and orders shall be served upon Donald & Caroline Henry Revocable Trust, Owner of such building by personal service and by certified mail to him at his last known address as shown by the records of the receiver of taxes.

Section 3. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 243 - 2024

**RESOLUTION AUTHORIZING ONE-YEAR RENEWAL
AGREEMENTS BETWEEN THE COUNTY OF LEWIS AND
ICU SECURITY & PRIVATE INVESTIGATIONS
FOR SECURITY GUARD SERVICES AT THE
DEPARTMENT OF MOTOR VEHICLES AND THE SOCIAL SERVICES BUILDINGS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee, and Legislator Jessica Moser, Chair of the Human Services Committee.

WHEREAS, the County of Lewis, on behalf of the Lewis County Department of Motor Vehicles (“DMV”) and Lewis County Department of Social Services (“DSS”), desires to renew the agreements with ICU Security & Private Investigations (“ICU”) for unarmed security guard services at the Lewis County DMV/BOE building located on East State Street, Lowville, NY and armed security guard services at the Human Services building located on Outer Stowe Street, Lowville, NY; and

WHEREAS, the Lewis County Clerk and the Lewis County Commissioner of DSS desire to enter into one-year renewal agreements for security guard services in 2025 at a rate of \$34.50 per hour year at the DMV/BOE building and \$37.60 per hour at the DSS building, the prevailing wage rate for security guards in the North Country area, all inclusive of taxes, insurance, disability, and any other costs and expenses associated with providing said service. The hours for DMV/BOE building are 8:30 a.m. to 4:00 p.m. Monday through Friday on the days DMV is open, or as the County Clerk may otherwise direct. The hours shall not exceed 7.5 per day or 37.5 per week. The hours for DSS are 8:30 a.m. to 4:30 p.m. Monday through Friday on the days the DSS building is open or as the Commissioner may otherwise direct, inclusive of 1,992 hours at regular pay and no more than 20 hours of overtime pay; and

WHEREAS, the Board of Legislators wishes to authorize the agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes separate one-year renewal agreements between the Lewis County Clerk, and the Lewis County Commissioner of the Department of Social Security, with ICU Security & Private Investigations for security guard services at their respective buildings.

Section 2. That the term of the Agreement with Lewis County Clerk shall be from January 1, 2025 through December 31, 2025, at a cost not to exceed \$34.50 per hour, all inclusive of taxes, insurance, disability, benefits, and any other costs and expenses associated with providing said service, 8:30 a.m. to 4:00 p.m., Monday through Friday on the days DMV is open, or as the County Clerk may otherwise direct. The hours shall not exceed 7.5 per day or 37.5 per week.

Section 3. The term of the Agreement with DSS shall be from January 1, 2025 through December 31, 2025, at a cost not to exceed \$37.60 per hour, all inclusive of taxes, insurance, disability, benefits, and any other costs and expenses associated with providing said service, 8:30 a.m. to 4:30 p.m., Monday through Friday on the days the DSS building is open or as the Commissioner may otherwise direct, inclusive of 1,992 hours at regular pay and no more than 20 hours of overtime pay.

Section 4. That the Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal, and deliver said Agreement, pending approval by the County Attorney.

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

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

RESOLUTION NO. 244 - 2024

**RESOLUTION TO APPROPRIATE FUNDS
Highway Department**

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

BE IT RESOLVED, as follows:

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

Increase Revenue:

DM513000 326650 Machinery Sale of Equip	\$111,000.00
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Increase Expense:

DM513000 223300 Machinery Vehicles	\$111,000.00
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Section 2. That the within resolution shall take effect immediately.

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

RESOLUTION NO. 245 - 2024

**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE PROBATION DEPARTMENT, THE DEPARTMENT OF SOCIAL
SERVICES, AND RUBENZAHN, KNUDSEN & ASSOCIATES PSYCHOLOGICAL
SERVICES, P.C.**

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

WHEREAS, the County of Lewis, on behalf of the Lewis County Probation Department (“LCPD”) and the Lewis County Department of Social Services (“LCDSS”) wish to enter into an Agreement with Rubenzahl, Knudsen & Associates Psychological Services, P.C. (“RKA”); and

WHEREAS, the LCPD is charged by law to provide sex offender evaluations, counseling services for individuals, psychological evaluations, and treatment for juvenile delinquents/adolescent offenders when required; and

WHEREAS, the LCDSS is charged by law to provide rehabilitative and supportive services to families whose children have been named in an indicated child abuse and/or maltreatment report, or who have been assessed at risk of foster care placement, or who are in foster care and whose placements can be shortened through the provision of such services detailed below, provided by RKA; 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 between the Lewis County Probation Department, Lewis County Department of Social Services, and Rubenzahl, Knudsen & Associates Psychological Services, P.C., to provide sex offender evaluations, counseling services for individuals or families, attachment parenting classes, psychological evaluations, and treatment for juvenile delinquents/adolescent offenders when required.

Section 2. The term of this agreement shall be January 1, 2025 through December 31, 2025 at the following fee rates:

SEX OFFENDER ASSESSMENT AND THERAPY	PSYCHOLOGICAL SERVICES
\$90.00 per session for group therapy	\$125.00 per hour for individual or family therapy
\$125.00 per hour for individual therapy	\$160.00 per hour for psychological evaluations

\$160.00 per hour sex offender evaluation	\$90.00 per hour for clients receiving group treatment
\$300.00 per hour expedited evaluation	\$200.00 per hour for expert court testimony
\$200.00 per hour for penile plethysmography evaluation	\$100.00 per session, to include RKPS presence at monthly clinical treatment team meeting, if applicable
	\$300.00 per hour for expedited evaluation
	\$1,000.00 per person for attachment parenting class (10-Week Class)
	\$25.00 per page for official letters
	\$125.00 per hour for case consultation
Missed Appointments: \$320.00 regular evaluation \$600.00 for expedited evaluation \$125.00 per individual session	

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

Section 4. The within Resolution shall take effect immediately.

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

RESOLUTION NO. 246 - 2024

RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN BOTH THE LEWIS COUNTY PUBLIC HEALTH DEPARTMENT AND LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES WITH LEWIS COUNTY GENERAL HOSPITAL FOR MEDICAL DIRECTOR

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

WHEREAS, Lewis County, acting by and through the Lewis County Public Health Department (“Public Health”) and Lewis County Department of Social Services (“DSS”) desires to enter into an Agreement with Lewis County General Hospital (“LCGH”) to provide the services of a physician as Medical Director to Public Health and DSS; and

WHEREAS, LCGH physician employee, Shereen Palmer, MD, who is licensed to practice in New York State and meets the New York State Department of Health requirements to function as Medical Director for the Public Health and DSS Department’s programs is willing to continue to provide Medical Director services for LCPH and LCDSS; and

WHEREAS, the Board of Legislators wishes to authorize said continued services and renewal agreement;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a renewal Agreement between the County of Lewis, by and through the Lewis County Public Health Department and Lewis County Department of Social Services with Lewis County General Hospital to provide the services of Shereen Palmer, MD as Medical Director for the Public Health and DSS Department’s programs.

Section 2. That this is for the term commencing January 1, 2025 through December 31, 2026 at a cost not to exceed \$12,000.00 per year. DSS is responsible for \$4,000.00 of the cost and Public Health is responsible for \$8,000.00.

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 amendment required thereto, together with execution by the Public Health Director and Commissioner of the Department of Social Services, 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. 247 - 2024

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

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

WHEREAS, the County through the Recreation, Forestry, & Parks Department commenced the Lewis County Timber Sale process by sending out an RFP for the value of forest products located in the Lewis County reforestation area, on approximately 25 acres of the Pine Grove Road parcel, in the Town of Watson, Tax Map Parcel No. 229.00-02-9.100; and

WHEREAS, one (1) sealed bid received was publicly opened on November 26, 2024 at 11:00 a.m. on the Second Floor Board Room at the Lewis County Courthouse, 7660 North State Street, Lowville, New York; and

WHEREAS, the Director of Recreation, Forestry & Parks recommends that the County award the bid to M.J. Lyndaker Logging, LLC who offered the only bid for the forest products located on the County's Pine Grove Road parcel, Town of Watson, in the total amount of \$86,180.00; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby awards the bid and authorizes a contract with M.J. Lyndaker Logging, LLC, 6606 Old Indian River Road, Castorland NY 13620 for a term to expire January 1, 2027, requiring the Contractor to pay the County \$86,180.00 for the harvesting of timber on the Pine Grove Road parcel, in the Town of Watson, Tax Map Parcel No. 229.00-02-9.100;

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

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

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

RESOLUTION NO. 248 - 2024

**FIXING DATE OF PUBLIC HEARING ON THE ADDITION
TO THE OHV TRAIL SYSTEM
(Michael Dolhof Property)**

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

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on December 3, 2024, a proposed addition of approximately 0.19 miles of multi-use trail to the Lewis County OHV Trail System. The proposed trail is located in the Town of Greig, Tax Map Parcel: 276.00-01-19.000, on the property of Michael Dolhof;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. A public hearing will be held on December 19, 2024, at 10:00 a.m. before the Lewis County Board of Legislators for the purpose of receiving public comment regarding the proposed addition of approximately 0.19 miles of a multi-use trail to the Lewis County OHV Trail System.

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

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

RESOLUTION NO. 249 - 2024

**FIXING DATE OF PUBLIC HEARING ON THE ADDITION
TO THE OHV TRAIL SYSTEM**

**(Scott & Sharene Benedict, Boyko Irrevocable Trust, Paul & Martha Campbell,
John Casale, Kristen Desrosiers, Keri Lyn Kogut, Sharon & Adam Sauer,
& The Tent Camp Properties)**

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

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on December 3, 2024, a proposed addition of approximately 1.6 miles of multi-use trail to the Lewis County OHV Trail System. The proposed trail is located in the Town of Greig which includes the following parcels:

Parcel No: 307.00-01-14.500 located on the property of Scott and Sharene Benedict
Parcel No: 307.00-01-14.700 located on the property of Boyko Irrevocable Trust
Parcel No: 307.00-01-12.000 located on the property of Paul and Martha Campbell
Parcel No: 307.00-01-11.000 located on the property of John Casale
Parcel No: 307.00-01-10.000 located on the property of Kristen Desrosiers
Parcel No: 307.00-01-13.200 located on the property of Keri Lyn Kogut
Parcel No: 307.00-01-13.110 located on the property of Sharon and Adam Sauer
Parcel No: 307.00-01-14.600 located on the property of The Tent Camp

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. A public hearing will be held on December 19, 2024, at 10:00 a.m. before the Lewis County Board of Legislators for the purpose of receiving public comment regarding the proposed addition of approximately 1.6 miles of a multi-use trail to the Lewis County OHV Trail System.

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

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

**LOCAL LAW (INTRODUCTORY NO. 4 -2024)
COUNTY OF LEWIS**

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

**A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE/OFF-HIGHWAY
VEHICLE OPERATION ON APPROXIMATELY 0.6 MILES OF A
CERTAIN PORTION OF COUNTY ROAD 42 (BRANTINGHAM ROAD) IN THE
TOWN OF GREIG, TO CONNECT THE EXISTING OHV TRAIL SYSTEM FROM
COUNTY PROPERTY NEAR THE NORTH-SOUTH ROAD TO AND THROUGH
THE RAVEN ACRES/ MICHAEL E. DOLHOF PROPERTY.**

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

SECTION I. TITLE

This Local Law shall be known as “A Local Law Permitting All-Terrain Vehicle/Off-Highway Vehicle Operation on approximately 0.6 miles of a certain portion of County Road 42 (Brantingham Road) in the Town of Greig, to connect the existing OHV trail system on county property near the North-South Road to and through the Raven Acres/Michael E. Dolhof Property”.

SECTION II. PURPOSE

The purpose of this Local Law is to amend the designation of certain highways or portions thereof within the County Highway system as being open for travel by all-terrain vehicles/off-highway vehicles pursuant to the authority granted in Section 2405 of the Vehicle and Traffic Law of the State of New York.

SECTION III. DEFINITIONS

For purposes of this Local Law, the terms hereinafter identified shall have the meanings indicated:

- (a) The term “County” shall refer to the County of Lewis.
- (b) The term “ATV” shall refer to an “all-terrain vehicle” as defined in Section 2281(1) of the Vehicle and Traffic Law of the State of New York. The term “OHV” shall refer to “off-highway vehicle” and shall have the same meaning as set forth in Local Law No. 3-2019.
- (c) The term “Trail System” shall refer to the Lewis County Trail System, as adopted and administered pursuant to Local Law No. 2-2009; as amended and re-established pursuant to Local Law 3-2019, entitled, **“A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 AND RE-**

ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM”, and as the same may be amended from time to time.

- (d) The term “ATV Code” shall refer to the Lewis County ATV Code which sets forth the local rules and regulations pertaining to the operation of ATV’s and/or OHV’s on public property pursuant to Local Law No. 3-2009, entitled “A LOCAL LAW ESTABLISHING THE LEWIS COUNTY ATV CODE,” and as the same may be amended from time to time.
- (e) The term “CR” shall mean County Route and is used to describe or designate the highway as owned by the County of Lewis and maintained by the Lewis County Highway Department.

SECTION IV. LEGISLATIVE FINDINGS

The Board of Legislators hereby makes the following findings:

- (a) That Board of Legislators has carefully reviewed a Memorandum from the County Attorney detailing the legal obligations of the Board when considering opening a County highway or portion thereof to ATV use.
- (b) The Board of Legislators has also reviewed a report from the Director of Recreation, Parks and Forestry which described the Amended Designation of ATV/OHV Trails and Interconnecting County Roads for use by ATV’s/OHV’s identifying the 0.6 mile segment of Brantingham Road that is proposed to be opened to ATV traffic, and providing a description of the trail or areas that are adjacent to such road portion and the justification for same as required by Vehicle & Traffic Law § 2405.
- (c) The Board of Legislators has commenced a review of the potential adverse impacts the opening of the proposed interconnecting portion of this road, consistent with Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations (“NYCRR”) implementing Article 8 (collectively referred to hereinafter as “SEQRA”); and after an investigation, analysis, and preparation of the Full Environmental Assessment Form (Parts 1, 2 & 3) conducted by the Director of Soil & Water, finds and determines that adding this 0.6 mile portion of County Road 42 (Brantingham Road) to the Lewis County Trail System will not result in a significant environmental impact.
- (d) The Board of Legislators and the Lewis County Sheriff’s Department have been provided with the most recent annual ATV/OHV Activity

Report, indicating the level of usage for this part of the ATV/OHV trail system.

- (e) The County Highway Superintendent has reviewed the portion of Brantingham Road that is proposed to be opened to ATV/OHV traffic, and has provided the Board with his written opinion that such road portion thereof is presently opened to all classes of motor vehicle traffic, and that opening said road portion to ATV/OHV traffic will not significantly impact traffic safety at this locality.
- (f) In light of all the information submitted, reviewed and/or received during the public hearing, the Board of Legislators hereby determines and finds that due to the access agreement and trail on the property owned by Michael E. Dolhof and his business entity, Raven Acres, LLC, it would otherwise be impossible to connect the County's trail from its parcel on County Road 42 (Brantingham Road) near the North-South Road (Tax parcel # 277.00-02-02.000) to the trail on the County's property at Tax parcel # 276.00-02-17.00. The access and trail through the Dolhof property (tax parcel # 276.00-01-19.00) from the 0.6 acres opening of Brantingham Road allows for connection of the trails.

SECTION V. AMENDED DESIGNATION OF HIGHWAYS

The following portion of County Road 42 (Brantingham Road), Town of Greig is hereby designated as OPEN to travel by ATV's/OHV's, and/or as subsequently amended thereto:

On Brantingham Road, just southeast of the North-South Road, approximately 0.6 miles from the County Parcel known as Tax parcel # 277.00-02-02.000, northwest along Brantingham Road to where the trail continues south on the property of Michael E. Dolhof (tax parcel # 276.00-01-19.000), and then connects to the existing trail on the County's property known as tax parcel # 276.00-02-17.000;

SECTION VI. CONDITIONS AND RESTRICTIONS

- (a) All of the conditions, restrictions, rules and regulations contained in or adopted pursuant to Article 48-C of the Vehicle and Traffic Law of the State of New York shall apply with respect to the operation of ATV's/OHV's within the areas designated in the preceding Section V.
- (b) The road segments set forth above shall be deemed incorporated into the Lewis County ATV/OHV Trail System and subject to the conditions, restrictions, rules and regulations set forth in Local Law No. 3-2019 entitled, "**A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 AND RE-ESTABLISHING THE LEWIS COUNTY TRAIL**

SYSTEM”, as well as Local Law No. 3-2009, entitled, “THE LEWIS COUNTY ATV CODE”, as the same may be amended from time to time.

- (c) The road segments set forth above shall have signage posted to direct ATV/OHV riders to ride on the paved road and not on the stone shoulder of the road.

SECTION VII. SEPARABILITY

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

SECTION VIII. EFFECTIVE DATE

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

RESOLUTION NO. 250 - 2024

**FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 4-2024), COUNTY OF LEWIS**

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on December 3, 2024, a proposed Local Law entitled "A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE/OFF-HIGHWAY VEHICLE OPERATION ON APPROXIMATELY 0.6 MILES OF CERTAIN PORTION OF COUNTY ROAD 42 (BRANTINGHAM ROAD) IN THE TOWN OF GREIG, TO CONNECT THE EXISTING OHV TRAIL SYSTEM FROM COUNTY PROPERTY NEAR THE NORTH-SOUTH ROAD TO AND THROUGH THE RAVEN ACRES/MICHAEL E. DOLHOF PROPERTY".

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. A public hearing will be held on December 19, 2024 at 10:00 a.m. before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, 7660 North State Street, Lowville, New York.

Section 2. 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. 251 - 2024

**RESOLUTION TO APPROPRIATE
FOR SNOWMOBILE TRAIL PROGRAM
For 2024-2025 Season**

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

BE IT RESOLVED as follows:

Section 1. That the following appropriations take place in the Snowmobile Trails account for the 2024-2025 Snowmobile Award:

Increase Revenue:

A0714100 338202 State Aid	\$173,000.00
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Increase Expense:

A0714100 499900 Expense	\$173,000.00
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Section 2. That the funds will be passed on to the Snowmobile Association when received.

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

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

RESOLUTION NO. 252 - 2024

**RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND THE
COUNTY LAW DEPARTMENT FOR LEGAL SERVICES AND
REPRESENTATION IN FAMILY COURT CHILD WELFARE MATTERS,
CHILD SUPPORT ENFORCEMENT PROCEEDINGS AND
COLLECTION AND RECOVERY MATTERS**

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

WHEREAS, pursuant to § 397 of the Social Services Law, the Department of Social Services (the "Department") is responsible to initiate and/or defend cases deemed necessary in the Family Court for adjudication with regard to children considered to be neglected or abused; to institute proceedings against a parent or adult for neglect or abuse of a child; for voluntary placements, foster care placements, extensions of placement, and custody determination of placement rights; and placements that may result from Juvenile Delinquencies (J.D.); and

WHEREAS, under Section 454 of the Federal Social Security Act, Section 111 (h), 352, and 352 (a) of the Social Services Law of the State of New York, and the rules and regulations promulgated by the State Department of Social Services, the Department is responsible through its Child Support Enforcement Unit for the establishment of paternity, locating of absent parents, and the enforcement and collection of support from legally responsible relatives for persons applying for or receiving Aid to Dependent Children; and

WHEREAS, the Department is also responsible for the collection of overpayments or recovery of assets in certain programs where financial support to Lewis County citizens has been provided; and

WHEREAS, pursuant to County Law § 501, the County Attorney is responsible for prosecuting and defending all civil actions and proceedings brought by or against the County, and in that capacity, the Law Department is responsible to provide legal representation to the Department in all Family Court matters. The County Attorney and Law Department also have the expertise to provide legal collection services on behalf of the Department in its collection and recovery matters and to represent the Department in Adult Protective Services matters; and

WHEREAS, it is economically and organizationally feasible for the Department to contract with the County Attorney's office for the performance of these services and to enter into agreements for same;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes Agreements by and between the Department of Social Services and the Law Department whereby the County Attorney shall provide legal representation to the Department on family court matters, child support enforcement proceedings, collection of overpayments or recovery of assets in certain programs that provide financial support to Lewis County citizens, and adult protective proceedings.

Section 2. The Agreements shall provide for reimbursement to the County Attorney's Office for the cost of providing such legal representation, including without limitation, personnel services, supervision, support services, expert fees, and related office expense. The parties understand that reimbursement is premised on Federal and State statutes, law, rules and regulations. The Department agrees to keep the County Attorney informed of changes in reimbursement methodology mandated by law, rules or regulation of the State and Federal Government for such expenditures.

Section 3. The term of these Agreements shall be from January 1, 2025 through December 31, 2025. Compensation for legal representation on neglect, abuse, foster care, custody, J.D.'s and related Family Court matters shall be \$182,799.00; child support enforcement legal representation services shall be \$80,768.00; and compensation for collection and recoveries shall be \$37,258.

Section 4. The Chair or Vice-Chair of the Board of Legislators, along with the Commissioner of the Lewis County Department of Social Services and the County Attorney be and the same are hereby authorized to make, execute, seal and deliver said Agreements, and any amendments thereto.

Section 5. The within Resolution shall take effect immediately.

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

RESOLUTION NO. 253 - 2024

**RESOLUTION AUTHORIZING AGREEMENTS
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES AND
WITH COMMUNITY ACTION PLANNING COUNCIL
OF JEFFERSON COUNTY, INC.**

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

WHEREAS, the Commissioner of Social Services of Lewis County is an authorized Social Services official responsible and designated by the New York State Office of Children and Family Services, insofar as funds are available for that purpose, to register and inspect family daycare and school-aged child care providers in Lewis County; and

WHEREAS, the Community Action Planning Council of Jefferson County, Inc. ("CAPC") is qualified by its present established base in the community and is disposed to fulfill the required responsibilities of the Local Commissioner in fulfilling the obligation to inspect and register daycare providers. The Commissioner of Lewis County Department of Social Services ("DSS") desires to enter into an Agreement with CAPC to provide such services; and

WHEREAS, the Board of Legislators wishes to authorize said agreements;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes Agreements between the County of Lewis, by and through the Department of Social Services with:

A. New York State Office of Children and Family Services for the purpose of providing federal funding to the Lewis County Department of Social Services in the amount of \$10,567.50 quarterly (Maximum Funding Amount of \$42,270.00), for an acceptable level of compliance and performance as specified by the Division of Childcare Services for registration and inspection of child care providers.

and

B. Community Action Planning Council of Jefferson County, Inc. for the purpose of conducting registration and inspection of family day care and school aged child care providers in Lewis County, at an annual cost not to exceed \$40,157.00, payable in quarterly installments of \$10,039.25 upon receipt of a completed Quarterly Registration Review Report from the DCCS Regional Office.

Section 2. The term of these Agreements shall be from January 1, 2025 through December 31, 2025. The cost of these services are 100% federally funded.

Section 3. The Lewis County Commissioner of Social Services is hereby authorized to make, execute, seal and deliver the New York State Office of Children and Family Services agreement and any extensions thereto, pending review and approval by the County Attorney.

Section 4. The Chair or Vice-Chair of the Board of Legislators is hereby authorized to make, execute, seal and deliver the Community Action Planning Council of Jefferson County, Inc. Agreement, and any extensions thereto provided the amount remains the same, pending approval by the County Attorney.

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

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

RESOLUTION NO. 254 - 2024

**RESOLUTION AMENDING TIP FEE SCHEDULE
LEWIS COUNTY
SOLID WASTE DEPARTMENT**

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

WHEREAS, pursuant to County Law § 226-b and the County of Lewis Local Law No. 2-2008, the Board of Legislators is authorized to establish, by resolution, schedules of rates or fees to be charged for solid waste collection and disposal at transfer stations and for the Lewis County Surcharge for direct haulers to the Development Authority of the North Country (DANC) landfill; and

WHEREAS, the County has been informed that DANC will be increasing its tipping fee charges for Municipal Solid Waste (MSW) effective January 1, 2025. This rate change will increase the per ton surcharge cost of hauling MSW to the DANC landfill by three (\$3.00) dollars, thereby necessitating an increase in the County's current MSW tipping fees from \$100/T to \$103/T; and

WHEREAS, vendor "Geiter Done of WNY, Inc.", the hauler of used tires from Lewis County Solid Waste will be increasing its per ton and fuel surcharge rates by \$40/ton, necessitating an increase in the fees charged by Lewis County Solid Waste from \$200/T to \$240/T; and

WHEREAS, the Director of Solid Waste seeks to have the Board of Legislators authorize and approve the fee increases for MSW from \$100/T to \$103/T and bulk tire hauling fees from \$200/T to \$240/T, effective January 1, 2025;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators authorizes and approves fee schedule changes to the Solid Waste Department Tipping Fees by increasing Municipal Solid Waste (MSW) fees from \$100/T to \$103/T and bulk tire hauling from \$200/T to \$240/T effective January 1, 2025.

Section 2. The Director of Lewis County Solid Waste is directed to amend its fee schedule to reflect these increases effective January 1, 2025.

Section 3. The within resolution shall take effect immediately.

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

RESOLUTION NO. 255 - 2024

**RESOLUTION TO TRANSFER COUNTY MATCHING FUND REIMBURSEMENT
TO THE STATE FOR
LEWIS COUNTY HEALTH SYSTEMS IGT FUNDING**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee and Legislator Jessica Moser, Chair of the Human Services Committee.

WHEREAS, Lewis County Health System (LCHS), a county hospital, is eligible for State and Federal annual funding known as Inter-Government Transfers (IGT), to help bridge the gap in operating costs from Medicaid payments and providing services for those with no insurance and/or who do not pay their hospital debt; and

WHEREAS, under IGT funding, whatever amount the State grants to LCHS requires the County to reimburse approximately 50% of same to the State in order for the hospital to receive the entire amount of funding; and

WHEREAS, as a result of the State's IGT audit, review and reconciliation of said IGT funds pertaining to the Lewis County Skilled Nursing Facility for 2023-2024 state fiscal year, the County Treasurer received notice from the NYS DOH that the final amount of potential funding available to LCHS Skilled Nursing Facility is \$5,780,031; with the County's required payment to NYS of \$2,759,965 payable in four (4) payments after receipt of the formal letter from NYSDOH with all payments expected to be made before December 31, 2024; and

WHEREAS, the County estimated \$1.5 M in the 2024 budget in anticipation of County payments for the Skilled Nursing Facility; and

WHEREAS, the final amount for the 2023/24 IGT Skilled Nursing Facility requires approval of the Board to appropriate an additional \$1,259,965 from the 2024 County Fund Balance for this IGT expense;

NOW THEREFORE, BE IT RESOLVED, as follows:

Section I. The Lewis County Board of Legislators authorizes the Lewis County Treasurer to make the following appropriation in the IGT account, to cover the County's required payment for the LCHS Skilled Nursing Facility 2023-2024 IGT funding:

Transfer from:

A0 005990 Fund balance \$ 1,260,000.00

Transfer to:

A0610200 461300 IGT \$ 1,260,000.00

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

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

RESOLUTION NO. 256 - 2024

**RESOLUTION AUTHORIZING COUNTY TREASURER
TO MAKE NECESSARY BUDGET TRANSFERS**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the Lewis County Treasurer to make such inter-fund departmental transfers as are necessary to close the books for the 2024 fiscal year.

Section 2. That this resolution shall take effect immediately.

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

RESOLUTION NO. 257 - 2024

UPDATED DESIGNATION OF DEPOSITORIES FOR 2025

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

WHEREAS, Section 212 of the County Law, General Municipal Law Section 10, and the County's Investment Policy provide that the Board of Legislators shall designate one or more depositories for deposit of all monies received by the County Treasurer, and specify the maximum amount which may be kept on deposit in each depository; and

WHEREAS, the Treasurer seeks to have the Board of Legislators update the amounts on deposit in the designated depositories for County monies;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. the Lewis County Board of Legislators designates the following named banks, banking associations, or trust company(s) as depositories for County of Lewis monies up to the maximum amount as set opposite each named:

Community Bank N.A.	\$40,000,000
Key Bank of Central NY N.A.	\$10,000,000
JP Morgan Chase Bank	\$30,000,000
RBC Wealth Management	\$20,000,000
Chemung Canal Trust Company	\$20,000,000
NYCLASS	\$20,000,000
Carthage Savings Bank	\$10,000,000
NY Muni Trust	\$20,000,000
Modern Banking Group	\$20,000,000

Section 2. That the Clerk of the Board is authorized and directed to file a certified copy of this resolution in the office of the Lewis County Clerk.

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

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