

Proceedings
OF THE
BOARD OF LEGISLATORS
OF
LEWIS COUNTY
FOR
2011

Chairman
Jack T. Bush
Brantingham, New York

Clerk of the Board
Teresa K. Clark
Lowville, New York



JACK T.BUSH
CHAIRMAN OF THE BOARD



Row 1 - Charles R. Fanning, Richard C. Lucas, John O. Boyd, Paul M. Stanford, Patrick Wallace

Back Row- Jerry H. King, County Attorney Richard J. Graham, County Treasurer Patricia O'Brien, Chairman of the Board Jack T. Bush, Clerk of the Board Teresa Clark, William Burke, Michael A. Tabolt, County Manager David H. Pendergast, Philip Hathway

Member of Congress
HON. WILLIAM L. OWENS
Plattsburgh, New York

State Senator – 47th District
HON. JOSEPH GRIFFO
Utica, New York

Member of Assembly – 122nd District
HON. KENNETH BLANKENBUSH
Black River, New York

COUNTY OFFICIALS – 2011

	Supreme Court Judge	
Vacancy.....		Lowville, New York
	Supreme/County Court Clerk	
BART PLESKACH		Glenfield, New York
	County/Surrogate & Family Court Judge	
CHARLES MERRELL		Lowville, New York
	Family Court Clerk	
JUDY MEEKINS		Lowville, New York
	Surrogate's Clerk	
LORI PFENDLER		Lowville, New York
	County Manager/Budget Officer	
DAVID H. PENDERGAST		Lowville, New York
	County Clerk	
DOUGLAS HANNO		Lowville, New York
	Deputy County Clerk	
KATHLEEN R. BUSH		Lowville, New York
	District Attorney	
LEANNE MOSER		Castorland, New York
	Sheriff	
L. MICHAEL TABOLT.....		Lowville, New York
	Undersheriff	
JOHN LADUC		Harrisville, New York
	Treasurer/Deputy Budget Officer	
PATRICIA O'BRIEN.....		Lowville, New York
	Deputy Treasurer	
CYNTHIA WIEDRICK		Turin, New York
	Attorney	
RICHARD GRAHAM		Lowville, New York
	Civil Service Administrator	
MARYLOU VANBROCKLIN		Lowville, New York
	Commissioner of Jurors	
ANN HILL		Lowville, New York
	Economic Development Director	
ERIC VIRKLER		Lowville, New York

Election Commissioners

ANN NORTZ (Republican).....Lowville, New York
 ELAINE MCLEAR (Democrat) Castorland, New York

Emergency Management Director/Fire Coordinator

JAMES MARTIN Croghan, New York

Emergency Medical Services Coordinator

MARK TUTTLELowville, New York

Highway Superintendent/Solid Waste Coordinator

JOSEPH LANGSHarrisville, New York

Hospital Administrator

ERIC BURCHLowville, New York

Human Resources Director

TIMOTHY RYAN Watertown, New York

Junkyard Inspector

WILLIAM HOUPPERTLowville, New York

Mental Health Community Services Director

JENNIFER EARLLowville, New York

Nursing Home Administrator

JOSEPH TODORA..... Watertown, New York

Office For Aging Director

DAVID BUSH.....Boonville, New York

Probation Director

RANDALL SCHELL.....Lowville, New York

Public Health Director

CAROL PALUCK Constableville, New York

Real Property Tax Director

CARYN KOLTS Lowville, New York

Records Management Officer

DOUGLAS HANNO.....Lowville, New York

Reforestation Foreman

RODNEY BUCKINGHAMLowville, New York

Sealer of Weights & Measures

BARBARA COOPER.....Harrisville, New York

Social Services Commissioner

STACY ALVORDLowville, New York

Stop DWI Coordinator

Vacancy..... New York

Veterans' Services Director

DEREK DAVEYLowville, New York

Workers' Compensation Administrator

TERRY CLARK.....Lowville, New York

Chairman, Board of Legislators

JACK T. BUSH
 Brantingham, New York

Clerk, Board of Legislators

TERESA K. CLARK
 Lowville, New York

ORGANIZATIONAL MEETING
January 4, 2011

The meeting was called to order at 5:00 p.m. by Clerk of the Board Teresa Clark.

Roll Call: All Legislators were present.

There were 52 persons present.

Mrs. Clark opened the floor for nominations of a Temporary Chairman. Legislator Lucas nominated Legislator Burke, seconded by Legislator Wallace. There being no other nominations, the polls were closed and the Clerk cast one ballot for Legislator Burke. Legislator Fanning escorted Legislator Burke to the chair.

Legislator Burke called upon Legislator Tabolt to offer the Invocation, and then led us in the Pledge of Allegiance to the Flag.

Temporary Chairman Burke opened the floor for nominations of a Permanent Chairman. Legislator Boyd nominated Legislator Tabolt. Legislator Lucas nominated Legislator Bush. There being no other nominations, Legislator Burke declared the polls were closed.

The vote for Legislator Tabolt was 5 to 5, with Legislators Burke, Lucas, Hathway, Wallace and Bush opposed.

The vote for Legislator Bush was 5 to 5, with Legislators Fanning, Boyd, Tabolt, Stanford and King opposed.

While thankful to his supporting colleagues, Legislator Tabolt respectfully withdrew his name for nomination of Permanent Chairman. The subsequent vote for Legislator Bush for Chairman was 7 to 3, with Legislators Boyd, King and Stanford opposed. Legislator Fanning escorted Chairman Bush to the chair.

Chairman Bush thanked his colleagues, relating he would work to assure their trust was not displaced. His charges were twofold, for immediate and continued diligence to propose consolidation, privatization or streamlining of services, as a departure from the annual fourth-quarter budget deliberations, to enhance the County's financial status. Secondly, to alert him of specific disapproval, or apprise him of their proposals, concluding that, "I can't fix it, if I don't know it's broken".

He then announced the following Committee assignments for 2011, which were unchanged from 2010:

2011 LEGISLATIVE COMMITTEES**COUNTY OFFICERS AND EMPLOYEES, VETERANS'
SERVICES, JUNKYARD INSPECTOR, HISTORIAN**

Paul Stanford, Chairman
Michael Tabolt
William Burke

**COURTS AND LAW ENFORCEMENT, EMERGENCY
MANAGEMENT, FIRE COORDINATOR, SEALER OF
WEIGHTS AND MEASURES, BUILDING CODES**

John Boyd, Chairman
Richard Lucas
Michael Tabolt

HOSPITAL

Michael Tabolt, Chairman
John Boyd
Philip Hathway

PUBLIC HEALTH, MENTAL HEALTH

Charles Fanning, Chairman
Jerry King
Paul Stanford

**RULES AND LEGISLATION, WORKERS' COMPENSATION,
ECONOMIC DEVELOPMENT, INSURANCE**

Richard Lucas, Chairman
William Burke
Patrick Wallace

**SOCIAL SERVICES, OFFICE FOR THE AGING,
EMPLOYMENT & TRAINING, YOUTH BUREAU**

Philip Hathway, Chairman
Charles Fanning
John Boyd

**TAXATION, INFORMATION MANAGEMENT,
ELECTIONS, AGRICULTURE, REFORESTATION**

Jerry King, Chairman
Patrick Wallace
Paul Stanford

TRANSPORTATION, SOLID WASTE

Patrick Wallace, Chairman
Philip Hathway
Charles Fanning

**WAYS AND MEANS, BUILDINGS AND GROUNDS,
COUNTY CLERK**

William Burke, Chair
Jerry King
Richard Lucas

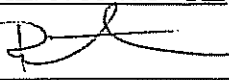
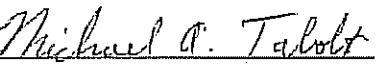
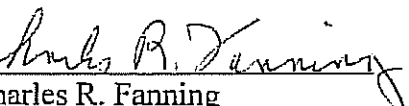
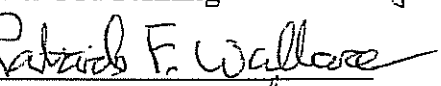
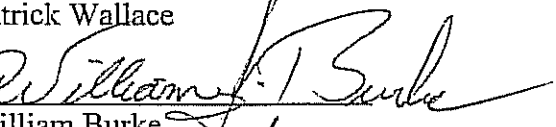
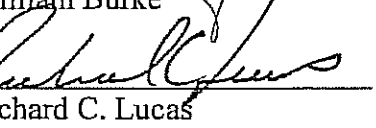
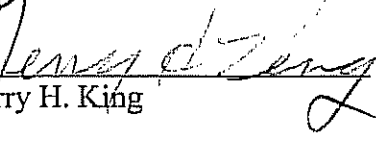
TO THE HONORABLE BOARD OF LEGISLATORS OF LEWIS COUNTY:

The people of the County of Lewis being divided into two principal political parties, namely, the Republican Party and the Democratic Party, the undersigned Legislators of Lewis County elected by the **Republican Party**, pursuant to Section 214 of the County Law, hereby designate the Watertown Daily Times, a newspaper circulated in Lewis County, State of New York, which newspaper fairly represents the Republican Party of said County, to publish the session laws, concurrent resolutions of the Legislature as required by law to be published, certificates of nomination, local laws of the Board of Legislators, election notices, official canvass, and any and all other matters that are or may be required by law to be published in the official newspaper of the County.

Dated: January 4, 2011

NAME/SIGNATURE

ADDRESS

- | | |
|---|---|
| 1) <u></u>
Philip Hathway | <u>P.O. Box 82, Harrisville, NY 13648</u> |
| 2) <u></u>
Michael A. Tabolt | <u>P.O. Box 171, Croghan, NY 13327</u> |
| 3) <u></u>
Charles R. Fanning | <u>3525 Deer River Rd., Copenhagen, NY 13626</u> |
| 4) <u></u>
Patrick Wallace | <u>5548 Woodlawn Ave., Lowville, NY 13367</u> |
| 5) <u></u>
William Burke | <u>4218 State Rte. 177, Lowville, NY 13367</u> |
| 6) <u></u>
Richard C. Lucas | <u>8622 Whitesville Rd., Copenhagen, NY 13626</u> |
| 7) <u></u>
Jack T. Bush | <u>P.O. Box 177, Brantingham, NY 13312</u> |
| 8) <u></u>
Jerry H. King | <u>P.O. Box 202, West Leyden, NY 13489</u> |

TO THE HONORABLE BOARD OF LEGISLATORS OF LEWIS COUNTY:

The people of the County of Lewis being divided into two principal political parties, namely, the Republican Party and the Democratic Party, the undersigned Legislators of Lewis County elected by the **Democratic Party**, pursuant to Section 214 of the County Law, hereby designate the Watertown Daily Times, a newspaper circulated in Lewis County, State of New York, which newspaper fairly represents the Democratic Party of said County, to publish the session laws, concurrent resolutions of the Legislature as required by law to be published, certificates of nomination, local laws of the Board of Legislators, election notices, official canvass, and any and all other matters that are or may be required by law to be published in the official newspaper of the County.

Dated: January 4, 2011

NAME/SIGNATUREADDRESS

1) John O. Boyd
John O. Boyd

8279 State Rte 812, Lowville, NY 13367

2) Paul M. Stanford
Paul M. Stanford

7007 Peckham Rd., Lowville, NY 13367

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommend to waive the rules to allow action on late resolutions.

Richard C. Lucas, Chairman
William Burke
Patrick Wallace

Dated: January 4, 2011

Legislator Tabolt made a motion to accept the report, seconded by Legislator King and carried.

PRIVILEGE OF THE FLOOR:

Mrs. Clark read the following resolution in recognition of Thomas Bates, after which each Legislator offered a congratulatory handshake and the congregation applauded:

RESOLUTION NO. 1 - 2011**RESOLUTION IN RECOGNITION OF
THOMAS BATES
FOR JUNKYARD REVIEW BOARD TENURE**

Introduced by Legislators Michael A. Tabolt, District No. 2 Representative and Paul Stanford, Chairman of the Junkyard Committee.

WHEREAS, **Thomas Bates** was initially appointed to the Lewis County Junkyard Review Board on January 1, 1992, and served continuously through December 31, 2010; and

WHEREAS, during his long tenure, **Mr. Bates** had served as President of the Junkyard Review Board, and his commitment and knowledgeable input enhanced their undertakings; and

WHEREAS, this Board of Legislators wishes to recognize **Thomas Bates** for his voluntary dedicated service.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That as an enduring mark of respect for the sincere and honorable service put forth by **Thomas Bates**, this resolution shall be printed in the official Journal of Proceedings of the Lewis County Board of Legislators, and a certified copy thereof forwarded to **Thomas Bates**.

Moved by Legislator Tabolt, seconded by Legislator Hathway, and adopted.

PRIVILEGE OF THE FLOOR (Cont'd):

Mr. Gary Stinson, Lewis County Snowmobile Association President, responded to Legislator Stanford's inquiry to affirm the Association would be the signatory and retain control and oversight of the proposed leased trail groomer. According to the agreement, he said, the groomer must be returned to the owner in pristine condition, and they are searching for an appropriate location to house the equipment. Additionally, Legislator Hathway clarified the amendments to hold the Association solely accountable.

Mary Furr, a Watson resident, inquired why the local gas prices are higher than in Long Island, where the average salaries are comparably higher than those in our depressed area. She specifically identified a Watson business that had increased their gas price five times in one day, purporting possible price-gouging. Having been in the fuel business for many years, Chairman Bush stated that historically the markets correct any disparity, adding that this Board was powerless to rectify the prices.

William Furr, a Watson resident, owns a home on the Chases Lake Road and a camp on Stoney Lake Road. He had unsuccessfully appealed to the local Board of Assessment Review for reduced assessment on his camp. He expressed his ire about the road that was once owned and plowed by he and other residents, is now owned by the State of New York and remains unplowed during the winter months. Mr. Furr declared paying his property taxes, taking exception to receiving no services during the annual winter season.

Moreover, referencing the Horse Trails, Mr. Furr invoked that the Board should urge legislation to amend the State's ownership and costly maintenance thereof. He took grave exception to those utilizing the trail without charge or regulating oversight, highlighting the non-revenue generating service.

Chairman Bush referred Mr. Furr to State representatives with jurisdiction over the road and horse trail issues. In response to Mr. Furr's insistence, Chairman Bush recommended he contact his representing Legislator to discuss his request for assistance.

Clerk of the Board Teresa Clark then read a proclamation whereby Chairman Bush had declared the "Month of January 2011 as Cervical Cancer Awareness Month" in Lewis County. Chairman Bush presented the proclamation to Public Health Nurse Ellon Grunert, and received notable thanks and applause from the Board for her hard work.

Legislator Hathway referred to the several people in attendance that were involved in the "Santa For Seniors" and the "Christmas Sharing" programs, that provided Christmas baskets of food and gifts to many residents. He then turned the floor over to Office For the Aging (OFA) Director David Bush. Mr. Bush credited his staff with initiating the "Santa For Seniors" program to provide gifts to 158 seniors; and specifically WBRV/WLLG, Otis Technology, Lewis County General Hospital, Frontier and Climax Manufacturing for their contributions. He recognized Jim Freeman as the long time coordinator of the Christmas Sharing program; as well as OFA employees Tina Stanford and Vicki Meyer; Jolynne Brinkley from Lewis County Opportunities; and volunteers Mr. and Mrs. Belmont.

Vicki Meyer recognized volunteers Shirley Beyer of Tug Hill Quilters, Jenna Hoch of Lewis County General Hospital, Abate Club members, Brenda Bourgeois, Liz Cheney of Climax Manufacturing, and Cindy Petrus with a group of students.

Jolynne Brinkley reported that 752 food boxes and 1,152 children gifts were distributed. She relayed being part of the Christmas Sharing program with Jim Freeman since 1983, while crediting the gracious community-at-large for their time, monetary and other donations, to enhance the holidays for those less fortunate. Ms. Brinkley stated that all civic and church groups share their donations with a common goal to distribute all contributions, while avoiding duplication, to reach as many persons as possible. "It is truly a County-wide effort", she concluded.

Jim Freeman expressed he would be remiss if he didn't thank the whole County, adding that it would take him three days to write thank-you notes to participating individuals, groups, schools and organizations. The Christmas Sharing Program, he said, summons \$25,000 of which can not all depend on donations. With the encouragement from family and friends, Mr. Freeman, again, will be the food coordinator for the Christmas Sharing Program next year, a post, he said, he had relinquished. He is hopeful that the newly recruited volunteers will effect a bigger and better program next year.

The Board and congregation gave a standing round of applause to recognize the outpouring of kindness by the many volunteers.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Clerk read an authored statement by Vicki A. Roy to formally announce her retirement date of January 15, 2011 as County Treasurer, Deputy Budget Officer, Health Plan Administrator, Tax Enforcement Officer and Empire Zone Certification Officer. She apologized to the voters for retiring before the end of her term. "It has been an honor and a privilege", she stated; while expressing her "faith in the Lewis County Treasurer staff to carry on and maintain the office with excellence and professionalism".

Chairman Bush expressed his gratitude and pleasure for having worked with her during her many years of service.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Copies of the 12/22/10 Highway Audit Report; 12/29/2010 Solid Waste Audit Report, 4th Quarter and 2010 Annual Report of the Sr. Code Enforcement Officer, and the 2010 Hospital Annual Report, had been distributed to each Legislator.

County Sealer Barbara Cooper had submitted her 4th Quarter 2010 report, to be placed on file.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services Committee Chairman, reported the

committee would continue to review information as becomes available relative to the State takeover of Medicaid. Also, he assured that the late resolution to create a Caseworker position was to fill a vacancy, not an additional employee.

Legislator Michael Tabolt, Hospital Committee Chairman, reported a November loss of \$257,870; but must consider the substantial start-up costs for newly established doctor offices and staff to include an orthopedic assistant Tiffany Card and emergency room coordinator Todd Howland. However, the Hospital awaits receipt of anticipated Inter-Governmental Transfer (IGT) and Medicaid revenues totaling \$7.6 Million.

As of 12/31/10 the services of Northern Radiology Imaging have been replaced by St. Lawrence Radiology. A 2010 profit of \$139,000 is projected for the Sleep Lab, representing a \$23,000 increase over 2009. Legislator Tabolt boasted that during a recent 3-day Department of Health survey, the nursing home was cited with only two (2) menial infractions, while maintaining a 97.3% occupancy.

Legislator Tabolt announced that nursing home certified nursing assistant Tiffany Rispaldo was the employee-of-the-month.

In conclusion, Legislator Tabolt reminded everyone of the scheduled ribbon-cutting at the Beaver River Health Center on January 22, 2011.

Legislator John Boyd, as the Board's representative on the Law Library Board, read a letter authored by retiring Supreme Court Judge Joseph McGuire to tender his resignation from that Board. Judge McGuire commended law library custodians Ann Hill and Deb Earl for their diligence to maintain a library to be proud of. He offered his best regards to all Law Library Board members

Legislator Richard Lucas, Economic Development Committee Chairman, reported that as of tomorrow, Deputy Michael Leviker will have conducted training with 300 fifth-grade students in all school districts. He announced the upcoming Kite Skiing events to be held on the Tug Hill from January 15-17, 2011. Also, Recreation Trail Coordinator Bob Diehl will begin grooming some cross-country ski trails with a newly purchased groomer.

COUNTY TREASURER REPORT:

Vicki Roy reported an un-appropriated balance of \$1,771,805 of the received 2010 Maple Ridge Windfarm PILOT revenue. Accordingly, she predicts a favorable end-of-year fund balance; further reporting above budgeted sales tax revenue of \$563,000, while citing additional forthcoming fourth-quarter receipts. Mrs. Roy affirmed she would complete the "Cash Report" prior to her retirement date.

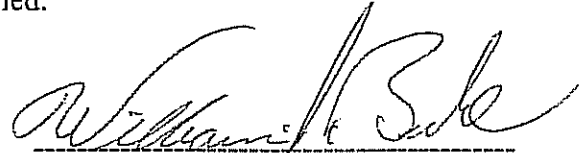
In conclusion, Mrs. Roy expressed her strong support and confidence for the appointment of Patricia O'Brien to the position of County Treasurer.

REPORT OF THE WAYS AND MEANS COMMITTEE:

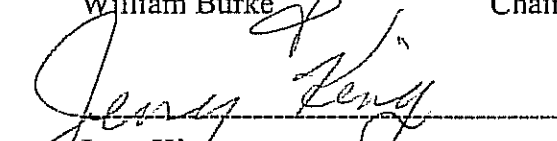
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

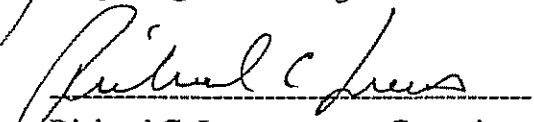
The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 551,298.39 and recommend that they be audited and allowed for the amounts claimed.



William Burke Chair



Jerry King



Richard C. Lucas Committee

Dated: January 4, 2011

Approved on motion by Legislator Tabolt, seconded by
Legislator Burke, and carried.

RESOLUTION NO. 2 -2011

AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways
and Means Committee.

RESOLVED that the claims presented for payment in the total amount of
\$ 551,298.39 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 King, seconded by
Legislator Lucas and adopted by roll call vote:

All voted yea.

RESOLUTION NO. 3 - 2011**RESOLUTION WITH REFERENCE TO VICE-CHAIRMAN
OF LEWIS COUNTY BOARD OF LEGISLATORS**

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Vice-Chairman shall serve for calendar year 2011.

Section 2. That the Vice-Chairman shall have and execute all powers and duties of such Chairman over any meeting that he is called to preside over.

Section 3. That the Vice-Chairman shall execute and perform such duties during the absence of the Chairman from the County of Lewis and at such times when the Chairman is physically or mentally unable to perform such duties.

Section 4. That the powers and duties so authorized to said Vice-Chairman shall not be executed by the Chairman during the above designated time periods.

Legislator Hathway nominated Legislator Fanning, seconded by Legislator Boyd.

Legislator Boyd nominated Legislator Tabolt, seconded by Legislator Stanford.

Legislator Lucas moved to close the polls, seconded by Legislator King and carried.

The vote for Legislator Fanning was 5 to 5, with Legislators Tabolt, Boyd, Lucas, Stanford and Burke opposed.

The vote for Legislator Tabolt was 5 to 5, with Legislators Hathway, King, Fanning, Wallace and Bush opposed.

Legislator Fanning then withdrew his name for the nomination, stating his favor for Legislator Tabolt as Vice-Chairman.

The vote for Legislator Tabolt was unanimous.

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

RESOLUTION NO. 4 - 2011**RESOLUTION ADOPTING STANDING RULES
OF THE BOARD OF LEGISLATORS
OF LEWIS COUNTY**

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby adopts the Standing Rules of the Board of Legislators of the County of Lewis, as and they be and hereby are adopted

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

Moved by Legislator Lucas, seconded by Legislator
Burke, and adopted.

RESOLUTION NO. 5 - 2011**RESOLUTION APPROVING THE FORM AND THE AMOUNT OF
A BLANKET UNDERTAKING COVERING OFFICERS,
CLERKS AND EMPLOYEES OF LEWIS COUNTY**

Introduced by Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, County Law § 403 provides that the County Clerk, the County Treasurer, the Deputy Treasurer, the District Attorney, the Sheriff, as well as such county officers as shall be specifically required by local law, must execute and file with the County Clerk an undertaking in such, and in such amounts as may be approved by the Board of Legislators; and

WHEREAS, Public Officers Law § 11(2) further provides that it is permissible with the consent and approval of the officer or governing body authorized to require the undertaking, for the County to procure a blanket undertaking from any duly authorized corporate surety covering officers, clerks and employees.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the blanket undertaking in the amount of One Hundred Fifty Thousand Dollars (\$150,000) to be obtained from Rose & Kiernan, Inc., a corporate surety company duly authorized to do business in the State of New York, for the purpose of covering all officers, clerks and employees of Lewis County and that such officers, clerks and employees will faithfully discharge the duties of his or her office, and all trusts imposed upon him or her by law by virtue of his or her office, including the duty of promptly accounting for and paying over all moneys or property received by him as such officer, in accordance with law, and that if the said officers, clerks or employees fail to perform any of the above-mentioned conditions or is in default thereof, that the said corporate surety named herein will pay to the said County and to the People of the State of New York, all damages, costs and expenses resulting from such default, not exceeding the sum specified above.

Section 2. That a certified copy of this Resolution shall be affixed to a copy of the undertaking described herein and filed with the Lewis County Clerk's Office.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by

Legislator Wallace, and adopted.

RESOLUTION NO. 6 - 2011

**RESOLUTION WAIVING THE NEED FOR A SURETY BOND
ON THE PART OF THE CHAIRMAN OF THE
BOARD OF LEGISLATORS**

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, County Law § 450 provides that the Chairman of the Board of Legislators is to execute and file an undertaking with the County Clerk in such form and in such amount as may be required by the Board of Legislators; and

WHEREAS, the Board of Legislators has this date adopted a resolution approving a blanket undertaking covering the officers, clerks and employees of Lewis County.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby determines that separate undertaking for the Chairman of the Board of Legislators shall not be required and waives any further obligation on the part of the Chairman of the Board to obtain a surety bond for the faithful performance of his office, pursuant to County Law § 450.

Section 2. That this Resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by

Legislator Tabolt, and adopted.

RESOLUTION NO. 7 - 2011**RESOLUTION REGARDING SEQRA REVIEW TO INCORPORATE NEW
TRAILS INTO THE LEWIS COUNTY ATV TRAIL SYSTEM
AND DECLARING NO SIGNIFICANT IMPACT**

Introduced by Legislator Pat Wallace, Member, Economic Development Committee.

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") 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 has heretofore conducted an extensive evaluation of the potential environmental impacts associated with the development of a county-wide ATV trail system pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations ("NYCRR") implementing Article 8 (collectively referred to hereinafter as "SEQRA"); and

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement ("DGEIS") and a Final GEIS (collectively the "GEIS") and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 28, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board's conclusions and determinations, based upon the facts and analysis contained in the GEIS; and

WHEREAS, upon completion of its SEQR review, 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" (herein, "Local Law No. 2"); and

WHEREAS, both Local Law No. 2 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, and in particular, the procedures for amending the GEIS in compliance with SEQRA prior to amending the Trail System; and

WHEREAS, the Trails Coordinator has presented the Board of Legislators with a written request to add certain off-road trails to the ATV Trail System (see, Exhibit "A"); and

WHEREAS, the Trails Coordinator has caused a site-specific environmental review of the proposed trails described in Exhibit "A" to be performed by the Soil and Water Conservation District pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 28, 2009, and requests action thereon;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board of Legislators has received a Full Environmental Assessment Form, dated December 16, 2010 (the "Report") from Soil And Water Conservation District, the County's environmental consultants, detailing their investigations and findings with respect to the proposed trails identified in Exhibit "A", and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and the Statement of Findings.

Section 2. Based upon its review and analysis of the data contained in the Report, the Board of Legislators hereby finds and determines that:

- a. The Report adequately sets forth the relevant and material facts necessary for the Board of Legislators to make a decision;
- b. The Report adequately describes the consultant's investigations and analysis as to the significant adverse impacts and necessary mitigations for the specific site(s);
- c. The consultant's findings set forth in the Report are consistent with the criteria identified and set forth in the GEIS and the Statement of Findings;
- d. The investigation and analysis of the sites described in Exhibit "A" did not reveal any environmental impacts that were either not addressed or were not adequately addressed in the GEIS and the Statement of Findings.

Section 3. As a consequence of these determinations, the Board of Legislators hereby finds and declares that the addition of the proposed Recreational Trail Easement described in Exhibit "A" to the Lewis County Trail System will not result in a significant environmental impact.

Section 4. The Board of Legislators further finds and declares that pursuant to 6 NYCRR Part 617.10(d), neither a supplemental Findings Statement nor a negative declaration need be prepared or filed and no further action need be taken with regard to the County's environmental review of the sites identified in Exhibit "A," and therefore, the Board has completed its lead agency responsibilities under SEQRA with regard to these sites.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Burke, seconded by
Legislator King and adopted.

“EXHIBIT A”

Two recreational trails are being proposed by Lewis County to allow for a contiguous trail system in southern Lewis County. The first proposed trail will extend from the Burdicks Crossing Road in the Town of Turin to Cherry Street and McAlpine Street in the Village of Lyons Falls for a total of 25,741 feet. The Burdicks Crossing to Lyons Falls project will involve very little construction because it will follow the existing railroad bed currently used as a snowmobile trail. Minor drainage improvement will occur to restore a hydrologic connection and keep the trail dry for its users.

The second proposed trail will connect the Burdicks Crossing Road in the Town of Greig to the Fish Creek Road, for a total of 3,500 feet, excluding road connections. This project will extend over property owned by private landowners, the Iroquois Gas Transmission Systems, and the Lewis County Industrial Development Agency.

Both trails proposed will be no wider than 10 feet to allow for the passing of two ATVs and limit the environmental disturbance.

RESOLUTION NO. 8 - 2011**RESOLUTION TO INCORPORATE NEW TRAILS INTO
THE LEWIS COUNTY ATV TRAIL SYSTEM**

Introduced by Legislator Pat Wallace, Member, Economic Development
Committee.

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") 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 has heretofore conducted an extensive evaluation of the potential environmental impacts associated with the development of a county-wide ATV trail system pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations ("NYCRR") implementing Article 8 (collectively referred to hereinafter as "SEQRA"); and

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement ("DGEIS") and a Final GEIS (collectively the "GEIS") and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 28, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board's conclusions and determinations, based upon the facts and analyses contained in the GEIS; and

WHEREAS, upon completion of its environmental review under SEQRA, 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**" (herein, "Local Law No. 2"); and

WHEREAS, both Local Law No. 2 and the Statement of Findings contemplate future amendments to the ATV Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments and additions; and

WHEREAS, the Trails Coordinator has presented the Board of Legislators with a written request to add certain off-road trails to the ATV Trail System (see, Exhibit "A") and has caused a site-specific environmental review of the proposed trails and road segments, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 28, 2009, and requests action thereon; and

WHEREAS, the Board of Legislators has contemporaneously herewith completed its review under SEQRA with respect to the trails identified in Exhibit "A" attached hereto, and based upon an investigation and analysis conducted by the Soil and Water Conservation District,

has found and determined that adding these trails to the Lewis County Trail ATV System will not result in a significant environmental impact; and

WHEREAS, the owners of the property where these trails are located have offered to enter into an Access Agreement that will permit the County to enter upon their property for the purpose of constructing and maintaining ATV trails that will be open to the public;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves entering into an Access Agreement with each of the following property owners:

Iroquois Gas Transmission
Lewis County IDA
Dorothy Dekin
Pamela Stratton
Darren Pominville
Gerald Pominville

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Access Agreement(s), upon approval by the County Attorney as to form.

Section 3. That the Lewis County Trails Coordinator is hereby authorized and directed to:

- (1) Incorporate the trails located on the above referenced properties into the Lewis County Trail System;
- (2) Place signs where necessary and appropriate to notify the public that such trails are open for use;
- (3) Amend the maps of the Lewis County ATV Trail System as the same are published on the Lewis County website and elsewhere; and
- (4) Take such other and further actions to administer and maintain such trails consistent with the Lewis County ATV Trail Plan, the GEIS and Statement of Findings, and Local Law No. 2 – 2009.

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

Moved by Legislator King, seconded by Legislator Boyd,

Considering that the proposed trail runs adjacent to the pipeline, Legislator Boyd related his conversation with Iroquois Gas Pipeline representative Phil McDonald, whereby he asserted that pipeline transportation of natural gas is the safest mode worldwide. Accordingly, Mr. McDonald confirmed the company's support for the ATV trail system along the pipeline.

The resolution was then adopted.

RESOLUTION NO. 9 - 2011**RESOLUTION AUTHORIZING APPLICATION TO NEW YORK STATE
DEPARTMENT OF STATE BROWNFIELD OPPORTUNITY AREAS PROGRAM**

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

WHEREAS, Lewis County, herein called the "Applicant", after thorough consideration, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable; and

WHEREAS, §970-r of the General Municipal Law authorizes State assistance to eligible parties for Brownfield Opportunity Areas Program grants by means of a State Assistance Contract (SAC), and the Applicant deems it to be in the public interest and benefit under this law to enter into contract therewith.

NOW, THEREFORE, BE IT RESOLVED, as follows:

- Section 1. That the Chairman of the Board of Legislators is the representative authorized to act in behalf of all applicants in all matters related to State assistance under §970-r of the General Municipal Law for the Project. The representative is also authorized to sign and submit the application, execute the SAC, request SAC advances and reimbursements, redistribute SAC reimbursements as appropriate, submit Project documentation, and otherwise act for all applicants in all matters related to the Project and to State assistance.
- Section 2. That the Applicant intends to submit an application for consideration of funding from the Brownfield Opportunity Areas Program. An approved application would allow a Step I project for a Lewis County regional BOA.
- Section 3. That the Applicant agrees that it will complete the Project.
- Section 4. That this initial application has no funding requirement.
- Section 5. That this Authorization shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Burke,
and adopted.

RESOLUTION NO. 10 - 2011**RESOLUTION TO EXTEND AUTHORIZATION TO
CANARX SERVICES, INC. AS
LEWIS COUNTY HEALTH INSURANCE VENDOR**

Introduced by Legislator Richard Lucas, Chairman of the Insurance Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby extends authorization to participants of the Lewis County Health Insurance Plan to utilize CanaRx Services, Inc. as a vendor for prescribed medications.

Section 2. That CanaRx Services, Inc. is hereby approved as a vendor for a period of one year to commence January 1, 2011 through December 31, 2011.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator King,
and adopted.

RESOLUTION NO. 11 - 2011**RESOLUTION APPOINTING AUDITOR OF
COUNTY HIGHWAY FUNDS**

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

WHEREAS, Section 600 of the County Law of New York State authorizes the Board of Legislators to appoint a County Auditor and limit the duties thereof to the auditing of specific claims.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the following individual is hereby appointed County Auditor with duties limited to the audit of claims against the County Highway Department's various accounts:

TERESA K. CLARK

Section 2. That said appointment shall be in effect for the period from January 1, 2011 through December 31, 2011.

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

Moved by Legislator Lucas seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 12 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY MENTAL HEALTH CENTER
AND LOCUM INTERACTIVE, INC.**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Community Services Board is responsible to provide local or unified services and facilities directly and/or Contract for the provision of those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the Community Services Board has reviewed the Agreement for Locum Interactive, Inc., and has determined that this corporation is necessary to meet the needs to provide the services of a qualified physician that is fully licensed and covered by malpractice insurance and that these services are necessary to meet the needs of the community and the costs are reasonable for servicing such needs; and

WHEREAS, Locum Interactive, Inc. has offered to provide Larry Palinski to assess the physical and psychological status of patients at Lewis County Community Mental Health Center ("LCCMHC") through interviews, health history, physical examinations, diagnostic tests and also to prescribe medications and monitor patient's medication status; and

WHEREAS, the Community Services Board has heretofore duly met to consider the contract for Locum Interactive, Inc., and has resolved to recommend to the Board of Legislators to enter into such Contract;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contract for Locum Interactive, Inc., to provide the services of Larry Palinski at "LCCMHC" for the term beginning January 1, 2011 and ending December 31, 2011 at a cost of \$80.00 per hour and not to exceed the cost of \$33,120.00 annually.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Fanning, seconded by Legislator King,
and adopted.

RESOLUTION NO. 13 - 2011

**RESOLUTION APPOINTING DEPUTY TREASURER TO FILL VACANCY
OF LEWIS COUNTY TREASURER**

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, Lewis County Local Law No. 5 – 1980 provides that in the event a vacancy occurs in an elective county office, other than by expiration of the term of office, the Board of Legislators may fill the vacancy by appointing to said office any person qualified under law to hold the office to which he or she is appointed; and

WHEREAS, the Hon. Vicki Roy, the incumbent Lewis County Treasurer is retiring on January 15, 2011 thereby creating a vacancy; and

WHEREAS, the Board of Legislators wishes to appoint a person to fill the vacant office of Lewis County Treasurer by appointing a person who is qualified under law to hold the office; and

WHEREAS, Patricia O'Brien has been serving as Deputy Treasurer since 2005 and is qualified to fill said vacancy.

Now, Therefore, BE IT RESOLVED that:

Section 1. The Board of Legislators hereby appoints **Patricia O'Brien** to fill the un-expired term of office of Lewis County Treasurer effective upon the retirement of the incumbent, Hon. Vicki Roy.

Section 2. That such appointee shall enter upon and faithfully discharge the duties of the office to which she has been appointed until such time as the office is filled as a result of the next general election, and shall be entitled to the same salary as the incumbent upon assuming such office.

Section 3. That this Resolution shall take effect immediately upon said individual taking and filing the oath of office pursuant to law.

Moved by Legislator Stanford, seconded by Legislator Hathway,
and adopted.

RESOLUTION NO. 14 – 2011**RESOLUTION TO AMEND 2011 BUDGET
YOUTH BUREAU**

Introduced by Legislator Philip Hathway, Chairman of the Youth Bureau
Committee.

BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends the adopted 2011 Budget
to increase State Aid for the Youth Bureau program as informed by the State:

Increase A38201 State Aid	\$ 386.00
Increase A7311.4909 Initiatives	\$ 85.00
Increase A7311.4901 SDPP	240.00
Increase A7311.4401 Postage	61.00

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

Moved by Legislator Lucas , seconded by Legislator
Stanford , and adopted.

**LOCAL LAW (INTRODUCTORY NO. 1 – 2011)
COUNTY OF LEWIS**

Introduced by Legislator Paul Stanford, Chairman of the County Officers Committee.

**A LOCAL LAW ESTABLISHING RESIDENCY REQUIREMENTS
FOR THE PERSONNEL OFFICER FOR THE COUNTY OF LEWIS**

Section 1. - TITLE:

This local law shall be entitled "A Local Law Establishing the Residency Requirements for the Personnel Officer for the County of Lewis".

Section 2. - PURPOSE:

The purpose of this Local Law is to establish the residency requirements for the position of the Personnel Officer for the County of Lewis.

Section 3. AUTHORITY

This local law is enacted pursuant to the authority granted by Municipal Home Rule Law § 10 and Public Officers Law 3(28).

Section 3. RESIDENCY REQUIREMENTS:

In the County of Lewis, the provisions of Public Officers Law § 3(1) requiring a person to be a resident of the political subdivision or municipal corporation of the state for which such person shall be chosen or within which such person's official functions are required to be exercised, shall not prevent a person from holding the office of Personnel Officer for the County of Lewis, provided, however, that such person performing the duties and functions of Personnel Officer for the County of Lewis resides in Lewis County or any adjoining county within New York State unless otherwise provided by an act of the State legislature.

Section 4. - EFFECTIVE DATE:

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

RESOLUTION NO. 15 - 2011**FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY NO. 1 - 2011), COUNTY OF LEWIS**

Introduced by Legislator Paul Stanford, Chairman of the County
Officers Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on January 4, 2011, a proposed Local Law entitled **"A LOCAL LAW ESTABLISHING RESIDENCY REQUIREMENTS FOR THE PERSONNEL OFFICER FOR THE COUNTY OF LEWIS"**.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on February 1, 2011 from 5:00 p.m. to 5:30 p.m., in the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York, to hear all persons for or against said local law.

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

Moved by Legislator Lucas, seconded by Legislator

Fanning, and adopted.

RESOLUTION NO. 16 – 2011

DESIGNATION OF DEPOSITORIES FOR 2011

Introduced by Legislator Jack Bush, Chairman of the Board of Legislators.

WHEREAS, Subdivision 3 of Section 212 of the County Law provides 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.

Now, Therefore, **BE IT RESOLVED** as follows:

Section 1. That the following named banks, or banking associations be designated as depositories for County monies and for the maximum amount as set opposite the name of each:

Community Bank N.A.	\$20,000,000.
Key Bank of Central NY N.A.	20,000,000.
HSBC	20,000,000.
Chase Bank	20,000,000.

Section 2. That the Clerk of the Board be and she hereby 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 King, seconded by Legislator Burke,
and adopted.

RESOLUTION NO. 17 - 2011**REFUND OF DOG TAX MONIES**

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, the Lewis County Treasurer has submitted to the Board an itemized statement of receipts and disbursements of Dog Taxes from January 1, 2010 through December 31, 2010, as provided in Article 7 of the Agriculture and Markets Law, and has shown the amount to be distributed and refunded to the seventeen Towns as shown by the distribution sheet, being \$ 3,029.69 .

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Treasurer be, and she hereby is, directed to refund to said Towns the amount shown in the distribution sheet of the Treasurer's report as per Section 122 of the Agriculture and Markets Law.

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

Moved by Legislator Lucas seconded by Legislator King ,
and adopted.

RESOLUTION NO. 18 - 2011

**RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services
Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Department of Social Services, to create the following permanent position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Caseworker	Full-time	Grade 26 (\$19.09-\$22.34)

Section 2. That Commissioner Alvord is hereby authorized to fill said position effective immediately.

Section 3. That the within resolution shall be effective immediately.

Moved by Legislator Hathway, seconded by Legislator
Stanford, and adopted.

RESOLUTION NO. 19 - 2011**RESOLUTION AUTHORIZING RENTAL AGREEMENT WITH MONROE TRACTOR AND IMPLEMENT CO., INC.**

Introduced by Philip Hathway, Member of the Board of Legislators.

WHEREAS, Monroe Tractor and Implement Co., Inc. offers a program for the rental of snowmobile trail grooming equipment to municipalities for an annual rental of \$1; and

WHEREAS, the Snowmobile Assoc. has requested that Lewis County rent a groomer from Monroe Tractor on a temporary basis and sub-let the equipment to the Snowmobile Association; and

WHEREAS, without the availability of this equipment the Snowmobile Association will not be able to groom Trail C4F. This trail consists of the main connection from Michigan Mills Rd (the main route to Osceola and Oswego County) into Tabolts Corners and the heart of the Tug Hill Trails. C4F is one of the most difficult trails to groom due to the high traffic and the difficult terrain the trail runs through; and

WHEREAS, Trail C4F is a key connector trail within the snowmobile trail system in Lewis County, which if left un-groomed, could create significant hazards to the snowmobiling public.

NOW, THEREFORE, it is hereby resolved as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the rental of a groomer from Monroe Tractor and Implement Co., Inc. for the purpose of sub-letting such equipment to the Lewis County Snowmobile Association, contingent upon the following:

1. Lewis County Snowmobile Association will be solely responsible for the equipment and associated costs and will hold Lewis County harmless from all loss, damage or expense including attorneys fees that may arise by reason of loss or injury to person or property (including death, and damage to the equipment itself) and arising by reason of the Snowmobile Association's use and operation of the equipment, regardless of whether negligence is claimed to be active or passive and regardless of who is claimed or found to be at fault; and
2. Lewis County Snowmobile Association shall provide proof of insurance to cover liability of at least \$1 million single limit/ \$2 million in the aggregate, plus property damage (including the equipment) in the amount of at least \$500,000; and

Section 2. The Chairman or the Vice-Chairman of the Board of Legislators be and the same is hereby authorized to execute and deliver such agreements as may be necessary to carry out the terms of this Resolution upon such forms as approved by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Tabolt,
and adopted.

Legislator King was opposed.

OTHER BUSINESS:

The Clerk announced that Chairman Jack Bush had appointed Samuel Marmon to the Adirondack Park Local Government Review Board to serve the un-expired term of Randy Kerr through 12/31/2011.

He had also appointed Haskell Yancey and Michael Kraeger to the Lewis County Agricultural Farmland Protection Board as “Active Farmer” representatives for four-year terms to expire on 12/31/2014.

Fire Coordinator James Martin submitted the following names as his 2011 Deputy Coordinators: Randy Roggie, Richard Ross, Edward Sinclair, Joseph Shue and Richard Defone.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Tabolt at 5:56 p.m., seconded by Legislator Hathway and carried.

REGULAR MEETING
February 1, 2011

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 18 persons present.

Chairman Bush announced approval of the January 4, 2011 meeting minutes.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommend to waive the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Patrick Wallace

Dated: February 1, 2011

Legislator Tabolt made a motion to accept the report, seconded by Legislator Burke and carried.

Chairman Bush opened the public hearing for comments on Local Law Introductory No. 1-2011 "A Local Law Establishing Residency Requirements for the Personnel Officer for the County of Lewis".

PRIVILEGE OF THE FLOOR:

Mr. Glen Gagnier, representing the Lewis County Development Corporation (LCDC), requested a letter of support for a \$99,000 USDA Rural Business Enterprise Grant application; and County funding of up to \$10,000, for a design study of the Croghan Dam. After speaking with a NYSDEC official in December 2009, Mr. Gagnier gleaned that if credible efforts were put forth to rehabilitate and renovate the dam, they may abate their plans to remove the stop logs this Spring, and next Fall breaching the northern section of the dam. However, Mr. Gagnier made it clear there was no guarantee the NYSDEC would reconsider their plans. The NYSDEC and the Army Corps of Engineers have purported the dam is "likely unstable", and poses a hazard to homes and businesses downstream.

Mr. Gagnier relayed meeting with USDA officials in January 2011 who had strongly encouraged the LCDC to submit a grant application. Supporting requests are being simultaneously made to the Towns of Croghan and New Bremen, the Village of Croghan, three local Fire Departments, and local businesses. The cost of the design study is estimated between \$110,000-\$150,000 to encompass a stability analysis, as well as long-term economic development potential with a focus on hydro capabilities.

The headwaters to the dam are critical to area fire protection, because the Croghan hydrant system has small water lines. As a past Croghan Fire Chief, current Fire Coordinator James Martin stated the hydrant system will support only one small fire truck, invoking the need to utilize the river source. An adequate water source is necessary to maximize the pumping capacity of the new and larger fire trucks of 1,000-1,200 gallons per minute, he stated.

Chairman Bush stated that a letter of support for the LCDC's grant application would be forthcoming; and directed the Ways and Means Committee to consider their appropriation request.

In response to Legislator Hathway, Mr. Gagnier stated that the NYSDEC's determination was concluded without conducting borings at the dam site. They are operating under a "consent order", he said, providing the legal right for their enforcement condemnation procedures, and further emphasizing the need for the design study.

Mr. Gagnier reported that the Croghan Dam is privately owned by the Croghan Island Mill, Vaughn Zehr and Beaverite Corporation. However, only not-for-profit or municipal entities are eligible for grant funds. County Atty. Graham affirmed the legality of appropriating public funds to the LCDC for the dam study.

In response to Legislator Wallace, Mr. Gagnier surmised that indicated support from U.S. Senators Gillibrand and Schumer would be forthcoming if Phase II is initiated for Croghan Dam Rehabilitation/Reconstruction, with an estimated cost of \$1.2-\$1.5 Million.

In response to Legislator Stanford, Mr. Gagnier reported researching, but was informed the dam is ineligible for historical grant funds because it is not designated as an inland waterway. However, Tug Hill Commission Executive Director John Bartow will be assisting with the process of attaining the historical designation, which may affect eligibility for expanded grant resources, he concluded.

Mr. Jerry Garvin, owner of Tuggers located in Barnes Corners, thanked the Board for all that is being done to enhance snowmobiling, ATV's and skiing tourism. He expressed appreciation on behalf of his employees, and relayed positive comments from tourist visitors.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Dr. Daniel Root penned a letter on behalf of the medical staff to cite the need for, and indicate their support for hiring a full-time psychiatrist at the Mental Health Center.

The 12/22/10 and 1/18/11 meeting minutes of the Soil and Water Conservation District Board of Directors, had been distributed to each Legislator.

The 12/15/10 meeting minutes of the Association of Sportsmens' Clubs were received to be placed on file.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

The Treasurer and Real Property Tax Director had submitted approved applications for corrected tax rolls for Roger Abbey, Hedwig Narlesky and Roger and Britton Abbey; and a denied application for corrected tax roll for National Grid Company.

The December and January Treasurer's Report, 1/20/11 Solid Waste Audit Report, 1/25/11 Highway Audit Report, and 2010 Annual Reports from Building Codes, Civil Service, County clerk, County Sealer, Economic Development, Emergency Management/Fire Coordinator, Highway, Solid Waste, Junkyard, Maintenance, Office For Aging, Planning, Probation, Public Health, Real Property Tax, Reforestation, Sheriff, Social Services, Trail Coordinator, Treasurer and Veterans' Departments, had been distributed to each Legislator.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services Committee Chairman, reported the same number of Social Services personnel are serving total clientele numbering 25% above the previous year level. The number of 2010 food stamp recipients of 1,648 represents an increase of 43% over the 1,154 in 2008; and expenditures of \$4.6 Million from \$2.5 Million respectively.

In 2008 Medicaid recipient households numbered 1,636 and HEAP recipients totaled 1,904; compared to 1,970 and 2,549 in 2010 respectively. HEAP expenditures in 2010 equated \$1.6 Million. Legislator Hathway reported the numbers as symbolic of the financial hardships borne by our local citizens, while urging the Board to be mindful when deliberating County appropriations.

Legislator Hathway admirably announced that the Social Services Department was sponsoring a breakfast meeting on 2/19/11 for all faith-based organizations to promote communication in an effort to maximize available resources.

Legislator Michael Tabolt, Hospital Committee Chairman, warned that the reported December deficit of \$7, 903,000 is misleading. To comply with new laws, the current post-retirement liability totaling over \$4 Million must be accounted for. The deficit also reflects a \$2.8 Million expenditure for retirement and health insurance benefits; equating an actual 2010 loss of \$553,738. However, Legislator Tabolt cited yet-to-be-received anticipated IGT revenue.

Legislator Tabolt also reported there are 501 Full-time equivalent (FTE's) hospital employees; and announced that Radiologic Technologist Esperanza Ganem was the employee-of-the-month.

The hospital is mandated to install a sprinkler system by 2013 at a projected cost of \$1 Million. By initiating the process now, the low bid of \$249,500, plus \$50,000 for alarms will result in substantial savings, Legislator Tabolt concluded.

He announced that approximately 150 people attended the ribbon-cutting at the new Beaver River Health Center.

Legislator Charles Fanning, Public Health/Mental Health Committee Chairman, referenced Dr. Root's letter in support of hiring a psychiatrist, relating the Committee recognizes the impending retirement of Dr. Kenny, who is currently working part-time. Recruiting is difficult and time-consuming, he said, while citing relative expense for a full-time psychiatrist as a primary consideration.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, reported the Committee would be considering the receipted two bids for the radio study and advise their recommendation.

Legislator Patrick Wallace, Transportation/Solid Waste Committee Chairman, reported ongoing analysis of the low bid from Slate Hill to assure compliance with NYSDOT regulations for the John Street Bridge project. Highway material bids will be advertised.

The Solid Waste Enterprise Fund reported a balance of \$94,047.66 at the end of 2010; and staff continue development of a funding plan to finance future equipment replacement and building rehabilitation.

Legislator Paul Stanford, County Officers Committee Chairman, had no report, but urged support of his sponsored resolutions.

Legislator Richard Lucas, Economic Development Committee Chairman, cited the efforts of the LCDC to take ownership, clean up and develop the abandoned Lyons Falls Pulp & Paper building.

Legislator Lucas reported that the Trails Department is now grooming cross-country ski trails in the "Commons Area" in Lyonsdale.

Legislator Jerry King, Taxation Committee Chairman, deferred discussion on the late resolution until it is presented.

Legislator William Burke, Buildings and Grounds Committee Chairman, reported the maintenance department, under Frank Archer's supervision, had completed 719 work orders during 2010; and a commendable job of cleaning and maintaining 24 sites.

COUNTY MANAGER REPORT:

Mr. Pendergast stated that the Governor had released his 2011-2012 State Budget encompassing substantial reductions. Information and details would be analyzed as they become available, and impacts for Lewis County would be reported to the Board.

COUNTY TREASURER REPORT:

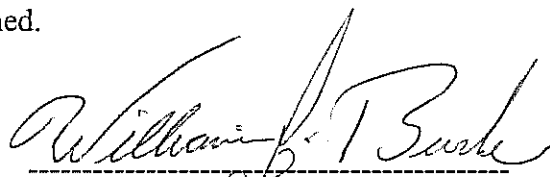
Treasurer Patricia O'Brien reported 112 delinquent property tax parcels, and the last day for property redemption without penalty is February 7, 2011. There were 106 delinquent parcels in 2010, of which the County foreclosed on 47. Between 2/7/11 and 5/20/11, 5 days prior to the auction, owners may purchase their properties inclusive of additional auctioneer fee and assessment fees.

REPORT OF THE WAYS AND MEANS COMMITTEE:

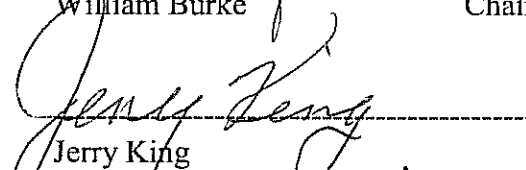
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

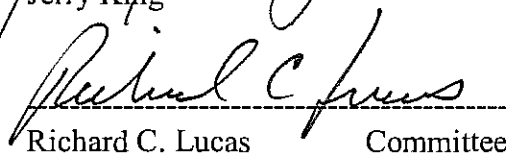
The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 973,862.70 and recommend that they be audited and allowed for the amounts claimed.



William Burke Chair



Jerry King



Richard C. Lucas Committee

Dated: February 1, 2011

Approved on motion by Legislator Tabolt, seconded by
Legislator Burke, and carried.

RESOLUTION NO. 20-2011**AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator William Burke, Chairman of the Ways
and Means Committee.

RESOLVED that the claims presented for payment in the total amount of
\$ 973,862.70 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 Lucas, seconded by
Legislator Boyd and adopted by roll call vote:

All voted yea.

**LOCAL LAW (INTRODUCTORY NO. 2 - 2011)
COUNTY OF LEWIS**

Introduced by Legislator Patrick Wallace, Member of the Economic
Development Committee.

**A LOCAL LAW AMENDING LOCAL LAW NO. 5 – 2009 PERMITTING
ALL-TERRAIN VEHICLE OPERATION ON PORTIONS OF
CERTAIN COUNTY ROADS**

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 Amending Local Law No. 5 – 2009 Permitting All-Terrain Vehicle Operation on Portions of Certain County Roads”.

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 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.
- (c) The term “Trail System” shall refer to the Lewis County Trail System, as adopted and administered pursuant to Local Law No. 2 – 2009, entitled, “A LOCAL LAW 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 ATVs 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 certain highways 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:

1. 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.
2. The Board of Legislators has also reviewed a report from the Trails Coordinator entitled, “Description of Amended Designation of ATV Trails and Interconnecting County Roads for Use by ATV’s – 2011, dated January 18, 2011”, which has been submitted to the Board of Legislators identifying each road segment that is proposed to be opened to ATV traffic and providing a description of the trail or area that is adjacent to such road and the justification for same as required by Vehicle & Traffic Law § 2405.
3. The Board of Legislators has conducted a review of the potential adverse impacts the opening of the proposed interconnecting County Roads 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 and analysis conducted by the Board’s environmental consultants, has found and determined that adding these trails to the Lewis County Trail ATV System will not result in a significant environmental impact.
4. The Board of Legislators has also reviewed the annual ATV Activity Report as compiled by the Lewis County Sheriff’s Department.
5. The acting County Highway Superintendent has reviewed the roads or portions thereof that are proposed to be opened to ATV traffic, and has provided the Board with his written opinion that such roads or portions thereof are presently opened to all classes of motor vehicle traffic and that opening said roads or portions thereof to ATV traffic will not significantly impact traffic safety at those localities.
6. In light of all the information submitted, reviewed and/or received during the public hearing the Board hereby determines and finds that with respect to each road or portion thereof set forth in Local Law Introductory No. 2 – 2011, and is proposed to be opened to ATV traffic, that it is otherwise impossible for ATV’s to gain access to areas or trails adjacent to such road or portion thereof.

SECTION V. AMENDED DESIGNATION OF HIGHWAYS.

Local Law No. 5 – 2009 is hereby amended as follows:

A. The following County highways, or portions thereof, which were designated as open by Local Law No. 5 – 2009, are hereby designated as CLOSED to travel by ATV's:

- That certain portion of **Pine Grove Road (CR 39)**: beginning at its intersection with Sweeney Road and then southerly to its intersection with Burdicks Crossing Road (CR 36), a distance of **0.12 miles**.
- That certain portion of **Burdicks Crossing Road (CR 36)**: beginning at its intersection with County Route 39 and then westerly a distance of **.43 miles** to an ATV trail located on the southerly side of Burdick's Crossing Road that is open to the public and incorporated into the Lewis County Trail System pursuant to Resolution No. 8 - 2011.
- That certain portion of **Burdicks Crossing Road (CR 36)**, beginning at an ATV trail located on the southerly side of Burdicks Crossing Road on property now owned by Dorothy Dekin that is open to the public and incorporated into the Lewis County Trail System pursuant to Resolution No. 8 - 2011, then easterly a distance of **.16 miles**.

B. The following County highways, or portions thereof, are hereby designated as OPEN to travel by ATV's, IN ADDITION TO the highways or portions thereof that were designated as open under Local Law No. 5 -- 2009:

- That certain portion of **Lyonsdale Road (CR 39)**: **.50 miles**, beginning from a certain ATV trail located on the westerly side of Lyonsdale Road that is open to the public and incorporated into the Lewis County Trail System pursuant to Resolution No. 8 - 2011; and then southerly a distance of .50 miles to a certain ATV trail located on the easterly side of Lyonsdale Road that is open to the public and incorporated into the Lewis County Trail System pursuant to Resolution No. 8 - 2011

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 within the areas designated in the preceding Section IV.
- B. The road segments set forth above shall be deemed incorporated into the Lewis County ATV Trail System and subject to the conditions, restrictions,

rules and regulations set forth in Local Law No. 2 – 2009, entitled, “**A LOCAL LAW 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.

SECTION VII. SAVINGS CLAUSE

Except as specifically amended and modified herein, Local Law No. 5 – 2009 shall in all respects remain in full force and effect.

SECTION VIII. 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.

EFFECTIVE DATE

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

RESOLUTION NO. 21 - 2011
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY NO. 2 - 2011), COUNTY OF LEWIS

Introduced by Legislator Patrick Wallace, Member of the Economic
 Development Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on February 1, 2011, a proposed Local Law entitled **“A LOCAL LAW AMENDING LOCAL LAW NO. 5 – 2009 PERMITTING ALL-TERRAIN VEHICLE OPERATION ON PORTIONS OF CERTAIN COUNTY ROADS”**.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on March 1, 2011 from 5:00 p.m. to 5:30 p.m., on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York, to hear all persons for or against said local law.

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

Moved by Legislator Tabolt, seconded by Legislator

Wallace, and adopted.

RESOLUTION NO. 22 - 2011**RESOLUTION AUTHORIZING GRANT AGREEMENT
BETWEEN NORTHERN BORDER REGIONAL COMMISSION
AND THE COUNTY OF LEWIS FOR A REGIONAL
WATER AND WASTEWATER IMPROVEMENT PROJECT**

Introduced by Richard Lucas, Chairman of the Economic Development Committee

WHEREAS, the County of Lewis, acting by and through the Lewis County Department of Economic Development has received a grant award from Northern Border Regional Commission in the amount of \$150,000; and

WHEREAS, the purpose of the grant is for a regional water and wastewater improvement project that will allow purchase of electronic monitoring equipment for water and wastewater systems in Lyons Falls, Port Leyden and Martinsburg and also Geographic Information System (GIS) mapping of these communities infrastructure;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Grant Agreement between the County of Lewis, acting by and through the Lewis County Department of Economic Development, and Northern Border Regional Commission for a regional water and wastewater improvement project that will allow purchase of electronic monitoring equipment for water and wastewater systems in Lyons Falls, Port Leyden and Martinsburg and also Geographic Information System (GIS) mapping of these communities infrastructure.

Section 2. That this Grant Agreement is for the period beginning October 10, 2010 and ending April 30, 2012, in the amount of \$150,000.

Section 3. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 23 - 2011

**RESOLUTION TO APPROPRIATE FUNDS
COUNTY CLERK**

Introduced by Legislator William Burke, Chairman of the County Clerk
Committee.

Whereas, the NYS Local Government Records Management Improvement Fund
has approved a grant for Lewis County to microfilm and digitize naturalization papers.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves appropriating the grant
funds to the County Clerk accounts as follows:

Increase Revenue

A12550 (County Clerk Fees)	\$1,789.00
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Increase Expense

A1410.4901 (Prof. Services)	\$1,789.00
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Section 2. That the within resolution shall be effective immediately.

Moved by Legislator Stanford, seconded by Legislator

Lucas, and adopted.

RESOLUTION NO. 24 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DISTRICT ATTORNEY
AND JOHN A. CIRANDO**

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County District Attorney's Office wishes to enter into an agreement with John A. Cirando, Esq. for the purpose of providing appellate work; and

WHEREAS, this agreement is for the period beginning January 1, 2011 and ending December 31, 2011;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County District Attorney's Office and John A. Cirando, Esq. for the purpose of providing appellate work for the period of January 1, 2011 through December 31, 2011 at a cost not to exceed \$80.00 an hour;

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Boyd, seconded by Legislator Wallace,
and adopted.

RESOLUTION NO. 25 - 2011**RESOLUTION APPOINTING MEMBERS TO
E-911 OVERSIGHT BOARD**

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints the following members to the Lewis County E-911 Oversight Board for a two-year term effective immediately to terminate on December 31, 2012:

Law Enforcement:

State Police: Sgt. Christopher Clark
Sheriff: L. Michael Tabolt
LVPD: Eric Fredenburg

Fire Service:

Fire/Emergency Mgmt: James M. Martin
Haz. Mat. Coordinator: Richard Defone
Fire Advisory Board: Craig Forney
Northern Zone: Gary Ashline
Central Zone: Tim Bush
Southern Zone: Daryl Ortlieb

Emergency Medical Services:

EMS Coordinator: Mark Tuttle
EMS Advisory Bd: Robert McKenzie
EMS Advisory Bd: John C. Herrman, M.D.
Northern Zone: Michelle Widrick
Central Zone: James Deavers
Southern Zone: Alice Morgan

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

Moved by Legislator Stanford seconded by Legislator Boyd,

and adopted.

RESOLUTION NO. 26 - 2011**RESOLUTION APPROVING TRANSFER OF ADMINISTERING
LEWIS COUNTY CERTIFIED HOME HEALTH AGENCY AND
LEWIS COUNTY HOSPICE TO THE
LEWIS COUNTY GENERAL HOSPITAL**

Introduced by Legislator Michael Tabolt, Chairman of the Hospital Committee.

WHEREAS, the Board of Legislators called for a formal review of the Lewis County Certified Home Health Agency (CHHA) and Lewis County Hospice programs by Jack Venesky, CPA & Associates; and

WHEREAS, the Board of Legislators conducted an in-depth review and discussion upon receipt of the analysis report; and

WHEREAS, the Lewis County General Hospital Chief Executive Officer Eric Burch, with the support of the Board of Managers, submits their ability to assume the administrative duties of each of the programs with a goal toward achieving greater cost efficiency; and

WHEREAS, pursuant to a straw poll of the Board of Legislators taken at a subsequent Committee Meeting-of-the-Whole held on January 19, 2011, indicated that eight (8) of the total ten (10) Legislators favored transferring the administration of the Lewis County Certified Home Health Agency and Lewis County Hospice programs to the Lewis County General Hospital.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the transfer of administering the Lewis County Certified Home Health Agency and Lewis County Hospice programs to the Lewis County General Hospital.

Section 2. That said transfer shall be effective at the earliest date achievable by the Lewis County General Hospital, pursuant to, and in compliance with, all relative Laws and Regulations.

Section 3. That the Chairman of the Board of Legislators, the Chief Executive Officer of Lewis County General Hospital and the Public Health Director are hereby authorized to enter into any agreements and execute any documents to carry out the intent of this resolution, subject to review by the County Attorney as to form.

Section 4. That the within resolution shall be effective immediately.

Moved by Legislator Tabolt, seconded by Legislator Stanford, and adopted. Legislator Hathway was opposed.

Following the vote, Legislator Hathway explained that the transfer was not reflective on the Public Health staff performance, contrarily commending their efforts. Legislator Hathway then made a motion to appoint Legislators Tabolt and Fanning as liaisons between the Hospital Administration and the Board of Legislators during the transition period. The motion was seconded by Legislator Stanford and unanimously carried.

RESOLUTION NO. 27 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
LEWIS COUNTY GENERAL HOSPITAL**

Introduced by Legislator Michael Tabolt, Chairman of the Hospital Committee.

BE IT RESOLVED as follows: .

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Lewis County General Hospital, to create the following positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Computer Systems Support Supervisor (1)	Full-time	Not to Exceed \$53,747
Physician (2)	Full-time	
Physician's Office Assistant (3)	Full-time	
Physician's Office Assistant (1)	Part-time	
Clinic Licensed Practical Nurse (1)	Full-time	
Clinic Licensed Practical Nurse (2)	Part-time	

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

Moved by Legislator Boyd seconded by Legislator Tabolt.

Legislator Tabolt explained that the Computer Systems Support Supervisor title more closely defines the job duties than the previously created title of Program Analyst Technician, with a similar salary. The other positions are for doctors who are now employed by the hospital. The resolution was then adopted.

RESOLUTION NO. 28 -2011**RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, pursuant to Resolution Number 488-2010 adopted on December 21, 2010, a Registered Professional Nurse position was created with a part-time annual salary not to exceed \$14,560; and

WHEREAS, an hourly rate must be established in order to allow the Payroll Department to properly calculate wages.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby establishes the following wage rate:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Registered Professional Nurse	Part-time	Grade 31-1 \$21.95/hr.

Section 2. That the established rate shall be effective from January 1, 2011.

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

Moved by Legislator Boyd, seconded by Legislator

Fanning and adopted.

RESOLUTION NO. 29 - 2011**RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, pursuant to Resolution Number 489-2010 adopted on December 21, 2010, a Mental Hygiene Supervising Social Worker position was created with a part-time annual salary not to exceed \$24,960; and

WHEREAS, an hourly rate must be established in order to allow the Payroll Department to properly calculate wages.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby establishes the following salary rate:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Supervising Social Worker	Part-time	\$30.00 per hour

Section 2. That the established rate shall be effective from January 1, 2011.

Section 3. That the within resolution shall take effect immediately

Moved by Legislator Stanford seconded by Legislator Fanning,
and adopted.

RESOLUTION NO. 30 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY MENTAL HEALTH CENTER
AND THE HOUSE OF THE GOOD SHEPHERD**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Community Services Board is responsible to provide local or unified services and facilities directly and/or Contract for the provision of those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the Community Services Board has reviewed the Agreement for The House of the Good Shepherd for provision of short-term, planned respite for children and youth clients for certified foster care homes and has determined that these services are necessary to meet the needs of the community; and

WHEREAS, the Community Services Board has heretofore duly met to consider the Agreement for support services for The House of the Good Shepherd, and has resolved to recommend to the Board of Legislators to enter into such Agreement;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the Agreement for support services for The House of the Good Shepherd to provide short-term, planned respite for children and youth clients for certified foster care homes.

Section 2. That the term of this Agreement shall be from January 1, 2011 through December 31, 2011 at a cost of \$51.01 per day.

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

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

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 31 – 2011**RESOLUTION TO TRANSFER FUNDS
MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, a transfer of funds is necessary into the advertising account to cover the expense for advertising for a Compliance Officer.

Now, therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the following budget transfer to adjust expenses.

From:

A4335.4909	Misc expense	700.00
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To:

A4335.4907	Legal and advertising	700.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator

Burke, and adopted.

RESOLUTION NO. 32 -2011

**RESOLUTION TO ESTABLISH
PUBLIC HEALTH SERVICE FEES**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

Whereas, pursuant to the recommendation of Certified Public Accountant Jack Venesky to increase the fee for Public Health nursing visits to maximize the County's Medicaid reimbursements.

Now, Therefore, **BE IT RESOLVED** as follows:

Section 1. That the Board of Legislators hereby establishes the following fees for public health services:

Skilled Nursing - Increase from \$185.00 to \$190.00 per visit

Physical Therapy – to remain at \$125.00 per visit

Occupational Therapy - to remain at \$125.00 per visit

Home Health Aide - to remain at \$80.00 per visit

Section 2. That the established fees are effective for services provided effective January 1, 2011.

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

Moved by Legislator King, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 33 -2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH DEPARTMENT
AND NEW YORK STATE DEPARTMENT OF HEALTH
EARLY INTERVENTION ADMINISTRATION**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency has received a grant award from the New York State Department of Health in the amount of \$28,484.00 for the purpose of identifying and evaluating as early as possible those infants and toddlers whose healthy development is compromised and provide appropriate intervention to improve child and family development; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the Public Health Department and the New York State Department of Health for the purpose of administering the Early Intervention Program for the period beginning October 1, 2010 and ending September 30, 2011 in the amount of \$28,484.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator King, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 34 – 2011**RESOLUTION TO APPROPRIATE FUNDS
PUBLIC HEALTH**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following 2011 budget appropriation be approved for the Susan Komen Foundation grant:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
A27055.5	Contributions-Komen	\$ 20,000.00
A4035.4504	Medical Services-Komen	\$ 20,000.00

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

Moved by Legislator Boyd, seconded by Legislator
Lucas, and adopted.

RESOLUTION NO. 35 -2011**RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESLVED as follows:

Section 1. That the following 2011 budget transfer be approved in the Public Health accounts to cover contractor expenses for cancer services program outreach in Jefferson County; for which there is no County cost:

<u>FROM:</u>	<u>TO:</u>	<u>AMOUNT</u>
A4035.1999 (Personal Services)	A4035.4900 (Outside Contractor)	\$16,704.00

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

Moved by Legislator Fanning, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 36 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
COMMUNITY ACTION PLANNING COUNCIL
OF JEFFERSON COUNTY, INC.**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and the 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.

Section 2. That the term of this Agreement shall be from January 1, 2011 through December 31, 2011 at a cost not to exceed \$31,600.00.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Boyd, seconded by Legislator Lucas,
and adopted.

RESOLUTION NO. 37 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
CRESTWOOD CHILDREN'S CENTER**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, Crestwood Children's Center ("Agency") is a foster care agency authorized by the New York State Office of Children and Family Services to provide foster care services; and

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with this Agency to utilize their services of foster care; and

WHEREAS, these services will be for the period of January 1, 2011 through December 31, 2011.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Department of Social Services, and Crestwood Children's Center for the provision of foster care services, at per diem cost not to exceed the Maximum State Aid Rate established by the New York State Department of Health.

Section 2. That the term of this agreement shall be from January 1, 2011 through December 31, 2011.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator King, seconded by Legislator Fanning.

Legislator Hathway stated the County has no control over the respective services for which our apportioned share of 25% equates to \$245 per day. The resolution was then adopted.

RESOLUTION NO. 38 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
DANSER AND KNUDSEN PSYCHOLOGICAL SERVICES, P.C.**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an Agreement with Danser and Knudsen Psychological Services, P.C., to receive psychological services to families whose children have been named in an indicated child abuse and/or maltreatment report; those who have been assessed at risk of foster care placement; or whose placements could be shortened through the provision of such services; and

WHEREAS, these services will be for the period of January 1, 2011 through December 31, 2011 for an amount not to exceed \$70.00 per hour for therapy; \$110.00 per hour for psychological evaluations; \$65.00 per hour for clients receiving group treatment; and \$135.00 per hour for expert court testimony.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and Danser and Knudsen Psychological Services, P.C. for the purpose of providing psychological services to families whose children have been named in an indicated child abuse and/or maltreatment report; those who have been assessed at risk of foster care placement; or whose placements could be shortened through the provision of such services.

Section 2. That the term of this Agreement shall be from January 1, 2011 through December 31, 2011 for an amount not to exceed \$70.00 per hour for therapy; \$110.00 per hour for psychological evaluations; \$65.00 per hour for clients receiving group treatment; and \$135.00 per hour for expert court testimony.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Stanford, seconded by Legislator King,

Legislator Fanning stated the contractual services are required due to the unavailability of a local psychiatrist. Legislator Hathway added that available staff resources are explored on a case-by-case basis, prior to invoking contractual services. The resolution was then adopted.

RESOLUTION NO. 39 - 2011**RESOLUTION AUTHORIZING
MEMORANDUM OF UNDERSTANDING
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Understanding between the County of Lewis, by and through the Department of Social Services, and New York State Office of Children and Family Services for the purpose of registration and inspection of child day care providers.

Section 2. That the term of this Memorandum of Understanding shall be from January 1, 2011 through December 31, 2011 for an amount not to exceed \$33,600.00

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Lucas, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 40 - 2011**RESOLUTION APPROPRIATING HEAP XV FUNDS
FOR SOCIAL SERVICES ADMINISTRATION EMERGENCY
PAYMENTS AND ASSISTANCE PAYMENTS**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the County of Lewis has expended a portion of its Social Services allotment for the Home Emergency Assistance Program XV (HEAP) and expect to pay additional monies prior to the years' end.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the sum of \$75,292.00 be appropriated to Account No. A6141.4999.

Section 2. That said sum be financed by estimated Federal Aid in the amount of \$75,292.00 to be distributed to Revenue Account No. A4641.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 41 - 2011**RESOLUTION TO APPOINT
LEWIS COUNTY STOP-DWI COORDINATOR**

Introduced by Legislator John Boyd, Chairman of the Courts and Law
Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints **Vicki A. Roy** to serve at
their pleasure as Lewis County Stop DWI Coordinator, effective February 1, 2011.

Section 2. That the annual salary of said position shall be \$4,000.00.

Section 3. That the within resolution shall be effective immediately.

Moved by Legislator Lucas, seconded by Legislator
Boyd, and adopted.

RESOLUTION NO. 42 – 2011**RESOLUTION TO TRANSFER FUNDS
TREASURER'S OFFICE**

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer be approved for renewal of payroll management guide expense:

<u>From:</u>	<u>Amount</u>
A1325.4901 (Prof Services)	\$750.00
<u>To:</u>	
A1325.4505 (Dues/Subscriptions)	\$750.00

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

Moved by Legislator Burke, seconded by Legislator Stanford, and adopted.

It being 5:50 p.m., Chairman Bush declared the public hearing closed after assuring that no one wished to comment.

RESOLUTION NO. 43 - 2011**RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 1 – 2011, COUNTY OF LEWIS**

Introduced by Legislator Paul Stanford, Chairman of the County Officers' Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on January 4, 2011, directing that a public hearing be held by said Board on February 1, 2011, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, "**A LOCAL LAW ESTABLISHING RESIDENCY REQUIREMENTS FOR THE PERSONNEL OFFICER FOR THE COUNTY OF LEWIS**"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on January 26, 2011, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 1 – 2011), County of Lewis, being "**A**

LOCAL LAW ESTABLISHING RESIDENCY REQUIREMENTS FOR THE PERSONNEL OFFICER FOR THE COUNTY OF LEWIS", be and the same hereby is designated as Local Law No. 1-2011, County of Lewis.

Section 2. That Local Law No. 1-2011, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Stanford, seconded by Legislator King

In response to Legislator Wallace, County Manager David Pendergast stated that the Personnel Officer would be a Department Head. The residency exception was not setting a precedent, he said, citing previous action for Office For Aging and Public Health Directors.

Atty. Graham clarified that public officer residency requirements may be waived only by adoption of a Local Law. The job duties and specifications of the Personnel Officer are in the process of being developed, he added.

The resolution was then adopted by the following roll call vote:

YEAS: Boyd, Burke, Fanning, Hathway, King, Lucas, Stanford, Tabolt, Wallace, Bush

NAYS: None

ABSENT: None

RESOLUTION NO. 44 - 2011

**RESOLUTION AUTHORIZING EXEMPTION FROM TAXATION FOR
CERTAIN REAL PROPERTY OWNED BY THE VILLAGE OF COPENHAGEN
AND USED FOR PRODUCTION AND TRANSMISSION OF PUBLIC WATER**

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

WHEREAS, the Village of Copenhagen ("Village") has developed a well and connecting waterlines for the production and transmission of public water to service the residents and commercial users of the Village and the Town of Denmark; and

WHEREAS, the connecting waterlines to such water facilities are, in part, located outside the Village boundaries; and

WHEREAS, the Village has requested that the well, waterlines and related appurtenances all be deemed exempt from real property taxation by Lewis County; and

WHEREAS, such Village property has an assessed value of approximately \$540,000; and

WHEREAS, Real Property Tax Law § 406(3) provides that municipal property located outside such municipality's boundaries may be deemed partially or wholly exempt from taxation by any municipal corporation, wherever located, provided that the governing board thereof shall so agree in writing.

NOW, Therefore, BE IT RESOLVED that:

Section 1. The Board of Legislators hereby authorizes the exemption from real property taxation (County taxes) of Village of Copenhagen property used for the purpose of production and/or transmission of water for the residents and commercial users located within the Village of Copenhagen and/or Town of Denmark.

Section 2. That the Chairman, or the Vice-Chairman, of the Board of Legislators be and the same are hereby authorized to execute and deliver such agreement to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

Section 3. That this resolution shall take effect immediately upon said approval of the County Attorney.

Moved by Legislator Stanford, seconded by Legislator Lucas.

Atty. Graham explained that receipt of the request late this afternoon was the reason for the late resolution. Moreover, pursuant to Law, the Board must record their action prior to March 1st in order for the exemption to be implemented.

In response to Legislator Tabolt, Atty. Graham stated that without researching, he remembered approval of a similar exemption request from the Village of Lowville, involving their water system that originates in the Town of Watson. Exemption consideration would be required by each taxing jurisdiction, he said.

Legislator Fanning stated that the Village of Copenhagen's water system equipment and tower lines are located outside the village limits, and therefore, subject to County taxation. The Village is requesting tax exemption status for the water system.

Upon Legislative request for input, Real Property Tax Director Caryn Kolts stated that the Village of Lowville had been denied County tax exemption for their water system.

Citing the need for further information and discussion, particularly before invoking a precedent, Legislator Wallace moved to table the resolution, seconded by Legislator King and carried. Legislator Fanning was opposed.

At the request of Legislator Fanning, Chairman Bush announced that a Special Meeting of the Board would be held on Wednesday, February 16, 2011 at 3:00 p.m. to address the Village of Copenhagen's tax exemption request.

OTHER BUSINESS:

In response to Legislator Boyd, County Atty. Graham reported that due to ongoing negotiations, the agreement between the County and Iroquois Gas Pipeline was not available.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Fanning, seconded by Legislator Wallace and carried at 6:00 p.m.

**SPECIAL MEETING
February 16, 2011**

The meeting was called to order at 3:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 3 persons present.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommend waiving the rules to allow action on late resolutions.

Richard Lucas, Chairman
William Burke
Patrick Wallace

Dated: February 16, 2011

Legislator Tabolt made a motion to waive the rules, seconded by Legislator Burke and carried.

PRIVILEGE OF THE FLOOR:

Snow Belt Housing, Inc. Executive Director Cheryl Shenkle-O'Neill requested the Board's support to urge the Governor to reinstate current-level funding of the Statewide Rural Preservation Program, citing the previous year 40% funding reduction.

Article 17 established the Rural Preservation Program (RPP). The Governor's proposed Article 27 would create a new all-encompassing Statewide Rural and Neighborhood Preservation Program that would effect competition between urban and rural areas alike. Mrs. O'Neill submits this would create a disparate disadvantage for Lewis County, surmising that program funding would be essentially wiped out for rural communities.

During the year ending 9/30/10, Snow Belt Housing received \$72,000 of RPP funding that leveraged a local economic impact of \$1.4 Million. It is estimated that every dollar of funding equates a \$25 economic impact in the construction industry. Our local representing State Senators Joseph Griffo and Patty Ritchie are both on the Housing Committee, posing an opportunity for enhanced influence.

In response to Legislator Hathway, Mrs. O'Neill stated that the RPP funding was not their sole income source, but impressed the significance for receipt of the funding upfront

that finances administrative expense for assistance with applications on behalf of local municipalities. If the funding is eliminated, then alternatively Snow Belt Housing may be forced to charge a fee for certain services. It is probable to assume, she stated, that once the programs are consolidated, it would be very unlikely that the Article 17 program would ever be reinstated.

Chairman Bush stated that Snow Belt Housing's request would be considered by the Ways and Means Committee for a recommendation to the Board.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Copies of the 2010 Annual Reports from the Board of Elections, Mental Health and Workers' Compensation Departments, had been distributed to each Legislator.

REPORTS OF STANDING COMMITTEES:

Legislator Michael Tabolt, Hospital Committee Chairman, apprised of the Governor's proposed cuts for Medicaid of \$2.85 Billion, and his appointment of a Redesign Team to analyze and provide specific recommendations. An early estimated impact of \$250,000 is projected for the Lewis County General Hospital. Legislator Tabolt plans to attend a seminar later this evening at which Health Association of New York State (HANYS) President is the guest speaker, as a member of the Redesign Team. They are appreciative for the opportunity to propose specific funding reductions, without which the Governor would impose discretionary cuts.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, made a motion to award the bid to Federal Engineering, Inc. of Fairfax, Va. in the amount of \$52,965 to conduct a County-wide radio study commencing March 1st. The motion was seconded by Legislator Lucas.

In response to Legislator Burke, Legislator Lucas reported the latest radio study was done in the 1980's; citing the need to define specific radio and tower needs for all users; ie. fire fighters, law enforcement and emergency medical responders. Chairman Bush clarified that the vendor does not sell relative equipment, but would provide an independent analysis and professional recommendations, inclusive of high-band future radio requirements. The study would be financed through a transfer of contingency funds. Citing remedial improvements over the past couple of years without lasting effects, Legislator King opined his favor for an in-depth study. Legislator Lucas stated the recommendations of the professional consultant would be considered by the full Board for either incremental improvements and/or overall project implementation. The motion was then unanimously carried.

Legislator Paul Stanford, County Officers Committee Chairman, urged support of his sponsored resolution to authorize a new hire to assist Veteran's Director Derek Davey with extremely high caseloads.

Legislator Richard Lucas, Economic Development Committee Chairman, encouraged all Legislators to participate in the snowmobile ride on 3/3/11 to commence in Barnes Corners

at 8:00 a.m. and proceed to Carthage. Historically, he said, the State check representing 70% of the funding for snowmobile trail maintenance has been received by this date, while relating the Clubs' dependence upon the funding and their apprehension for ultimate receipt, in consideration of the State's reported financial status.

Legislator Jerry King, Taxation Committee Chairman, stated he would defer discussion on his proposed resolution to authorize a tax exemption, until it's presented later today.

RESOLUTIONS:

RESOLUTION NO. 45 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
BUILDING MAINTENANCE DEPARTMENT**

Introduced by Legislator William Burke, Chairman of the Buildings and Grounds Committee.

WHEREAS, currently there are two (2) regular Building Maintenance Department employees off from work for approved leaves-of-absence; and

WHEREAS, a third Building Maintenance Department employee has been approved for an impending leave-of-absence; and

WHEREAS, the work capacity and demands of the department exceed the capabilities of remaining staff.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Buildings Maintenance Department, to create the following temporary positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Cleaner (3)	Temporary Full-time	Grade B2 (\$10.80/hr.)

Section 2. That Superintendent of Buildings Frank Archer is hereby authorized to fill said positions effective from February 17, 2011 through May 16, 2011.

Section 3. That upon return to work of each of the three (3) regular Building Maintenance Department employees, a Temporary Cleaner shall be terminated and title abolished.

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

Moved by Legislator Burke, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 46 - 2011

**RESOLUTION TO CREATE A TEMPORARY PART-TIME
POSITION OF ASSISTANT TO THE TREASURER
IN THE TREASURER'S OFFICE**

Introduced by Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, the Lewis County Treasurer is required by law to file an annual report of finances for the fiscal year 2010 on or before May 1, 2011; and

WHEREAS, the Lewis County Treasurer is further required by law to file what is known as a GASB report for fiscal year 2010 on or before September 1, 2011; and

WHEREAS, the Lewis County Board of Legislators hereby requests the creation of a temporary part-time management confidential position titled Assistant to the Treasurer to assist with the preparations of these reports;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the creation of a temporary, part-time, management confidential position titled Assistant to the Treasurer to commence on February 17, 2011 and continue through August 31, 2011, at which time the position of Assistant to the Treasurer shall be deemed abolished.

Section 2. That the compensation rate for this position is \$75.00 per hour, however, the total cost shall not exceed \$26,000.

Section 3. That the County Treasurer is authorized to fill said position.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 47 - 2011**RESOLUTION AUTHORIZING EXEMPTION FROM TAXATION FOR CERTAIN
REAL PROPERTY OWNED BY TOWNS OR VILLAGES AND USED FOR
PRODUCTION AND TRANSMISSION OF PUBLIC WATER AND SEWER**

Introduced by Legislator Jerry King, Chairman, Taxation Committee

WHEREAS, Real Property Tax Law § 406(3) provides that municipal property located outside such municipality's boundaries may be deemed partially or wholly exempt from taxation by any municipal corporation wherever located provided that the governing board thereof shall so agree in writing; and

WHEREAS, the County of Lewis has, in some cases, authorized real property tax exemptions for facilities used for the production and transmission of public water or for the treatment and disposal of sewage, where such facilities were located outside such municipality's boundaries; and

WHEREAS, the Board of Legislators finds that it is in the public interest to establish and set forth a uniform tax exemption policy for such facilities for the tax rolls established by the March 1, 2011; March 1, 2012 and March 1, 2013 taxable status dates and thereafter;

NOW, THEREFORE, be it resolved that:

Section 1. The Board of Legislators hereby establishes the following exemption policy with respect to municipal real property located outside such municipality's boundaries; such exemption to apply only with respect to County taxes:

A. **Eligibility:** This exemption shall apply to all real property owned by a municipality and located outside the municipality's boundaries for which an exemption is sought. To be eligible for such exemption, all the following conditions must be met:

1. The municipality seeking the exemption (herein, "applicant") must request the exemption in writing identifying the affected parcels.
2. The applicant's main office must be located within Lewis County.
3. The applicant's property must be classified and used in whole or in part by the applicant for (i) the production, storage and/or transmission of public water or (ii) the treatment and/or disposal public sewage;
4. The written request seeking such exemption must be received by the local assessing unit on or before the tax status date.

5. For all municipal properties previously granted an exemption, those municipalities must file a letter requesting that the exemption be continued and such letter must be received on or before the tax status date.
 6. Upon the granting of an exemption based upon receipt of an written request from an eligible applicant as set forth above, the exemption shall remain for all future years, so long as there is no change in the use of the subject properties by the municipality, and subject to the County's continuing review under Paragraph "D" below.
- B. Assessor's duties:** The assessor of the applicable assessing unit must provide the Lewis County Real Property Office with a copy of each such request from a municipality within five (5) days of receipt.
- C. Exemption:** The County of Lewis hereby grants an exemption from County taxes for municipal properties that have met the eligibility requirements set forth above, as follows:
1. For applications received on or before March 1, 2011: 100% exempt.
 2. For applications received on or before March 1, 2012: 75% exempt.
 3. For applications received on or before March 1, 2013: 50% exempt.
 4. For each tax year thereafter, the exemption for eligible properties shall remain at 50% of assessed value.
- D. Continuing review:** The County of Lewis, acting by and through the Taxation Committee of the Board of Legislators, shall review the written requests received as well as the exemptions granted pursuant to the within uniform tax exemption policy in order to assure that the policy is being applied appropriately by the local assessing unit. The County expressly reserves its rights to challenge and, if necessary, take corrective action with regard to any exemption granted heretofore or hereafter to municipal property should the Taxation Committee determine that the exemption was granted unlawfully or in contravention of the foregoing policy.
- Section 2. That the Chairman, or the Vice-Chairman, of the Board of Legislators be and the same are hereby authorized to execute and deliver such documents, instruments or writings as may be necessary to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.
- Section 3. The Real Property Director shall cause a copy of this Resolution to be sent to all taxing units within Lewis County as soon as practical.
- Section 4. The policy set forth in this Resolution shall be deemed to constitute the "agreement" of this governing board to authorize such exemptions as provided in Real Property Tax Law § 406(3). This Resolution shall remain in full and force and effect unless or until it is amended or rescinded by formal action of the Board of Legislators.
- Section 5. This Resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Lucas.

Legislator Fanning relayed his understanding from committee discussion that the Villages would be 100% tax exempt for utility systems that are located outside their confines, effective 3/1/11; and there would be further discussion to decide about tax exemption for future years. Accordingly, Legislator Fanning made a motion to delete section C. Numbers 2, 3 and 4 of the resolution, seconded by Legislator Boyd.

County Attorney Richard Graham reported that most previously approved relative tax exemptions had been granted at 100%, distinguishing, however, that some tax exemption requests had been denied. The Committee's intent is to establish a uniform tax exemption policy for all municipal utility systems. Due to the application deadline of March 1, 2011, if this resolution is not enacted today, the Village of Copenhagen would be denied their tax exemption request, he stated.

Legislator Fanning invoked that all Towns and school districts had authorized 100% tax exemption to requesting municipalities, asserting the County should do likewise. Otherwise, he exclaimed, it appears that Villages would be punished for identifying water sources outside their boundaries, which was one of the primary purposes of the County-wide water study.

Atty. Graham explained the Resolution was put forth to establish a formal tax exemption policy, requiring all municipalities to apply for County tax exemption for their utility systems, specifically to create a verifiable authorization record.

Legislator Stanford suggested that a formal application be devised.

Legislator King reiterated that the issue was broached because of the Village of Copenhagen's request, while relating his surprise to learn of the several exemptions that are on the books. He relayed his opinion that all County taxpayers should not bear the increased taxes resulting from the exemptions, but wants to establish an equitable policy for all Villages.

Legislator Fanning interjected that Villages sell their water systems to the respective Town to avoid the taxation issue.

Citing the proposed issue was presented as a late resolution today, Legislator Hathway relayed his desire for more time to deliberate prior to his vote on the future year exemptions.

Legislator Wallace concurred with Legislator Stanford's suggestion to develop a formal paper application.

The vote on the amending motion was carried by 8 to 2, with Legislators Stanford and King opposed.

The resolution was then unanimously adopted.

RESOLUTION NO. 48 - 2011

**RESOLUTION AUTHORIZING CONTRACT WITH
LEWIS DEFENDERS, PLLC**

Introduced by Legislator John Boyd, Chairman of Courts and Law Committee.

WHEREAS, County Law §722 directs each county to adopt a plan to provide legal counsel to persons charged with a crime or who are entitled to counsel pursuant to Family Court Act §262 and who are financially unable to obtain counsel (herein “public defense legal services”); and

WHEREAS, County Law §722(2) authorizes a county to provide representation through a corporation, voluntary association, or organization permitted to practice law under the authority of § 495 of the Judiciary Law, which includes organizations which have as their primary purpose the furnishing of legal services to indigent persons.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby approves the plan to provide public defense legal services through a contract with LEWIS DEFENDERS, PLLC to commence effective January 1, 2011 and continue through December 31, 2011.

Section 2. That the all inclusive annual cost of such services shall not exceed \$240,000.00, provided that such services shall not include the prosecution or defense of any appeals except to file the appropriate notice of appeal to preserve the rights of the indigent defendant.

Section 3. That the Chairman, or the Vice-Chairman, of the Board of Legislators be and the same are hereby authorized to execute and deliver such agreement to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

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

Moved by Legislator Lucas, seconded by Legislator

Wallce., and adopted.

RESOLUTION NO. 49 - 2011**RESOLUTION AUTHORIZING CONTRACT WITH MCCLUSKY LAW FIRM, LLC
TO PERFORM CONFLICT DEFENDER SERVICES**

Introduced by Legislator John Boyd, Chairman of Courts and Law Committee

WHEREAS, County Law §722 directs each county to adopt a plan to provide legal counsel to persons charged with a crime or who are entitled to counsel pursuant to Family Court Act §262 and who are financially unable to obtain counsel (herein "public defense legal services"); and

WHEREAS, contemporaneously herewith, the Board of Legislators is authorizing an agreement to provide indigent legal defense services with Lewis Defenders, PLLC; and

WHEREAS, it is necessary to appoint an attorney to assist in providing the statutory legal assistance as provided by the Lewis Defenders, PLLC, but to those individuals where the Lewis Defenders, PLLC would have a conflict of interest; and

WHEREAS, in light of its continuing statutory duty to provide legal counsel for the indigent pursuant to County Law §722-A and Family Court Act §262, the Board of Legislators desires to appoint an attorney to perform such services in those instances where the Lewis Defenders, PLLC has an actual conflict of interest;

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The Board of Legislators hereby approves an agreement with appoints the McClusky Law Firm, LLC of 8 Main Street, P.O. Box 97, Adams, New York 13605 to perform Conflict Defender services in those instances where the public defense firm is authorized to act, has an actual conflict of interest (herein, "Conflict Defender"). As such, the McClusky Law Firm will provide a licensed attorney, as needed, in Lewis County Family Court, Lewis County Court, and Town and Village Courts throughout Lewis County, provided, however, that McClusky Law Firm will not be required to provide such services in any matter involving child support that is before the Lewis County Hearing Examiner.

SECTION 2. The Board of Legislators hereby authorizes the Chairman of the Board and he is hereby authorized to execute and deliver such contracts or agreements to effectuate this Resolution, upon such terms as may be approved by the Lewis County Attorney, provided that the cost thereof shall not exceed \$70,000.00. The term of such agreement to commence effective January 1, 2011 and continue through December 31, 2011.

SECTION 3. This Resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Tabolt.

Legislator Hathway inquired why there would be assigned conflict of interest counsel other than the contractual McClusky Law Firm. Atty. Graham said he would

research and report to the Board. Assigned counsel services were previously overseen by the Public Defender. Since the Lewis Defenders contract was initiated in lieu of a public defender, he suggests that the firm should be requested to verify the accuracy of conflict defender services. The presiding Judge is the authorizing signatory for County imposed expense for public defender services. Atty. Graham reported exploring mechanisms, which he will discuss with Judge Merrell, in an effort to limit public defender expenses and minimize court appearances.

The resolution was then unanimously adopted.

RESOLUTION NO. 50 - 2011**RESOLUTION TO CREATE A NEW POSITION OF
A VETERANS SERVICE COUNSELOR
WITH THE LEWIS COUNTY VETERANS SERVICE AGENCY**

Introduced by Paul Stanford, Chairman of the Veteran's Services.

WHEREAS, there is one employee in the Lewis County Veterans Service Agency ("VSA") with a current case load of 105 clients that increases daily; and

WHEREAS, the veteran population in the area surrounding Fort Drum is approximately 13% of the county population together with the veteran's dependents who are also potentially eligible for Federal, State and County benefits; and

WHEREAS, Lewis County received a total of 7.8 million dollars from the federal government in the last fiscal year; and

WHEREAS, the work of the VSA requires visits to shut-ins and nursing homes as well as meetings and trainings, which leaves the office closed during these visits.

WHEREAS, the VSA needs a full-time, accredited Veterans Service Counselor for the proper coverage of veterans needs for application of benefits and services to assist the one employee with approximately 3,000 veterans and veteran's dependents who receive these funds and services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the creation of a full-time Veterans Service Counselor in the Lewis County Veterans Service Agency to assist in the proper coverage of veterans needs for application of benefits and services and to assist with approximately 3,000 veterans and veteran's dependents who receive these funds and services.

Section 2. That this position is to commence on February 16, 2011 at an hourly rate of \$16.26. (Grade 20)

Section 3. That Derek M. Davey, Director of Lewis County Veterans Service Agency, is authorized to fill said position.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

OTHER BUSINESS:

Legislator Philip Hathway made a motion to enter executive session at 4:00 p.m. for an update and discussion on union negotiations. The motion was seconded by Legislator Wallace and carried. Legislator Tabolt was excused from the meeting.

Following the session, Legislator Lucas moved to re-enter regular session at 4:29 p.m., seconded by Legislator Stanford and carried.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Lucas, seconded by Legislator Stanford and carried.

REGULAR MEETING
March 1, 2011

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 34 persons present.

Chairman Bush announced approval of the February 1st and February 16th, 2011 meeting minutes.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommend immediate action on all resolutions.

Richard C. Lucas, Chairman
William Burke
Patrick Wallace

Dated: March 1, 2011

Legislator Tabolt made a motion to waive the rules, seconded by Legislator Burke and carried.

Chairman Bush opened the public hearing for comments on Local Law Intro. No. 2-2010 entitled "A Local Law Amending Local Law No. 5-2009 Permitting All-Terrain Vehicle Operation on Portions of Certain County Roads".

Clerk Teresa Clark reported receipt of written comments on Local Law Introductory No. 2-2011 from former Legislative Chairman Bruce R. Krug, Town of Greig resident Rose V. Pettit, and Scott M. Lorey, Legislative Director of the Adirondack Council, each corresponding their opposing views and comments.

Letters were also received from Town of Greig Councilman Neil Pepper and Kandace McGraw, President of the Tug Hill Adirondacks ATV Association, penning their supporting views and comments.

The Clerk stated that all written correspondence would be placed on file.

PRIVILEGE OF THE FLOOR:

Sheriff L. Michael Tabolt announced that he would not seek another term, citing his desire to spend more time with his family. He affirmed his commitment to administer through 12/31/11, while bestowing accolades for his staff. Chairman Jack Bush thanked him for his years of service and dedication to the citizens of Lewis County.

Dr. Raymond Petersen, Director, and Research Director Joel LaLone of Jefferson County Center for Community Studies, reported statistics from their latest annual Lewis County survey. The community-based institute has been in existence for the past 12 years. Mr. LaLone stated the collected data was provided free of charge, and is a great resource to assist educational, business and municipal leaders with data-driven decision making.

There were 400 random households surveyed by telephone with the same 72 questions. Five of the respondents were present today. All the student surveyors had been specifically trained and were supervised during the survey to assure accurate and unbiased data collection. Statistics were broken down into age, gender, geographic, education and income levels. Mr. LaLone conceded a 5.3% margin of error for reported statistics.

The questions focused on 19 quality of life indicators. The top four qualities rated between excellent and good were 90% for quality of environment; 84% for quality of education; 78% for overall quality of life; and 78% for policing and crime control. Comparatively, only 23% of those surveyed gave a favorable rating for the overall state of the local economy compared to 2007 and 2008 reported rates of 19% and 34% respectively; 22% of respondents gave a favorable rating for the cost of energy; 18.6% for real property taxes; and 13% for availability of good jobs.

The highest percentage of respondents rated the following areas as very important: 89.7% for maintaining farms and agriculture; 86.9% for retaining manufacturing jobs; 49.9% for having wind farms in the region; and 62.5% rated tourism and recreation businesses as very important.

Dr. Petersen reported the percentages for those supportive of tourism and recreation related development at 88.3%; 74.2% for development of more ATV and snowmobile trails; 80.3% for development of more public pedestrian trails; 69% for county government efforts to acquire rights of way, including railroad corridors, to preserve the corridor for future public use; and 71.8% supportive of municipal government efforts to preserve agriculture and forest lands from private development.

The number of respondents strongly supporting wind power were 67.7%; with 62.9% for small-scale wind power generation; 42.1% for manure digestion; and 58% strongly supporting biomass development. Mr. LaLone said that surveyors recited identical definitions to respondent inquiries for any renewable energy or other terms.

11% of respondents reported having difficulty finding acceptable living arrangements; 14.4% respondents or a family member experienced a heating emergency (couldn't pay bill, fix the furnace, or ran out of fuel); and 38% perceive that homelessness is a significant issue in Lewis County.

In planning for the future, 95% of respondents feel that Towns and Villages should work together to share similar services; and 76% feel that Towns and Villages should consider consolidation with their neighboring municipalities.

The survey was partially funded through Lewis County Economic Development and Planning Department, Carthage Federal Savings and Loan Association, Herring College Memorial Trust, Northern New York Community Foundation and Jefferson Community

College. Mr. LaLone concluded that the entire survey report would be placed on the College's website @ www.sunyjefferson.edu/ccs/ and encouraged anyone to email their questions directly to himself or Dr. Petersen.

Chairman Bush thanked the gentlemen for their presentation and enthusiasm extending appreciation for all their work on behalf of Lewis County.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Assemblyman Ken Blankenbush acknowledged receipt of the Board's resolution in support of the Tug Hill Commission, declaring his support and emphasizing their commitment to assisting small communities with consolidation and sharing services.

County Budget Officer David Pendergast corresponded his appointment of Patricia O'Brien as Deputy Budget Officer effective 2/25/11, with an attendant salary of \$8,500 as adopted in the 2011 County Budget.

Legislators Charles Fanning, Jerry King and Philip Hathway had each submitted letters of resignation, as members of the Lewis County Community Services Board.

The Clerk noted receipt of the Warren County Board of Supervisors' resolution opposing the fee purchase of the former Finch and Follensby Pond Lands by the State of New York, urging this Board's similar action.

The New York State Office of Parks, Recreation and Historic Preservation informed they would be considering the Mary Lyon Fisher Memorial Chapel & Wildwood Cemetery in Lyons Falls; and the Stoddard-O'Connor House on Shady Avenue in Lowville, for nomination to the National and State Registers of Historic Places.

PRVILEGE OF THE FLOOR (Cont'd)

Mr. John DeGuardia, Timberview owner, termed the trail connection between Brantingham and the Tug Hill as very important. In previous years, his business had sold 130 ATV's in one year, which has reduced to 30. He reported his lodging business also suffered, resulting in termination of many employees, while not attributing the loss to any one factor.

Mr. DeGuardia also thanked the Legislators for the tourism study, urging development of a snowmobile permit system that could finance trail groomers and paid grooming employees. He suggested the system could be governed much like the ATV trail permit system, which has proven beneficial for tourism. He predicts that repeat tourists may ultimately build homes or camps, citing others that have done so.

Mr. Richard Seller took exception to anti-sentiments relative to ATV's purporting non-compliance with Vehicle & Traffic Law. The law, in part, states "unless otherwise impossible". He invoked that a land owner prohibiting access onto his property, or access prohibited by the NYSDEC across a creek, stream or land as distinct examples of that phrase. He declared that ATV operators are the most discriminated group in New York State, citing

required licensing, protective equipment and associates fees, and governed by Vehicle & Traffic Laws. However, Mr. Seller disgustingly relayed, operators are left to figure out where they are allowed to ride.

Mr. Mark Kovach, Brantingham business owner, pointed out the statistics in the County survey indicating that County residents are equally supportive of tourism and development of recreational trails as they are for manufacturing and farming. The ATV permit sales revenue is important to businesses and the County alike. Mr. Kovach urged tougher laws to insight greater accountability of offenders. The word of enhanced law enforcement would spread, especially via electronic communications, with resulting increased tourists, he concluded.

Mr. Scott Guillaume, Pine Tree Inn owner, cited the importance of the recreation trail to the 10 businesses located between Burdick's Crossing and Brantingham. He estimated that 35% of the trail system is located in their vicinity; surmising the primary reason for property taxpayers choosing Brantingham, is due to its recreational opportunities.

Ms. Mary Lee O'Brien, Brantingham resident, willingly shares the roadways with ATV and snowmobile operators, keenly mindful of the economic importance to the businesses. She also reiterated the overwhelming majority of survey responders had indicated support for recreational trail development.

Chairman Bush closed the public hearing at 5:40 p.m. after assuring that no one else wished to comment on the proposed Local Law.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Copies of the 2/15/11 Highway Audit Report; 2/18/11 Solid Waste Audit Report; Treasurer's February report; and minutes of the 2/10/11 Junkyard Review Board, had each been distributed to Legislators.

County Sealer Barbara Cooper had submitted her January/February 2011 report to be placed on file.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services Committee Chairman, reported the faith-based breakfast identified opportunities to work together with local groups to assist those in need. The North Country Transitional Living Services agency will defer submission of their Supported Housing grant application until next fall, to allow them time to educate the public and community leaders about their mission. Commissioner Alvord and her staff have reviewed their agency's records and determined them to be financially sound and viable, suggesting they could enhance the benefits for Social Services applicants.

Legislator Hathway reported efforts are being made to increase utilization of the public bus services for medical transportation, in an effort to minimize related expenditures.

Legislator Michael Tabolt, Hospital Committee Chairman, reported receipt of a Rural Health Assessment Development Grant Award in the amount of \$290,000, equating a January surplus of \$25,065.

The Governor's appointed Medicaid Redesign Team has made their recommendations for the directed level of budget cuts. Hospital administrative personnel will be analyzing those recommendations to determine the local impacts. Legislator Tabolt expressed concern that the Governor and the Redesign Team have failed to address the primary problem of having the richest Medicaid package in the country, second to California with benefits equal to less than 50% of New York.

Legislator Tabolt announced the employee-of-the-month was Certified Nursing Assistant Ashley Gamble; and that the Certificate of Need had been filed for a Dialysis Unit.

Legislator Charles Fanning, Public Health/Mental Health Committee Chairman, reported that the lengthy process has commenced to transfer the CHHA and Hospice programs under the auspices of the Hospital. The transition will require the Public Health Agency to become a State licensed agency.

Legislator Fanning was wearing "blue" in honor of colorectal cancer awareness month. Clerk of the Board Teresa Clark read a proclamation, whereby Chairman Bush had declared "March as Colorectal Cancer Awareness Month in Lewis County". March 4, 2011 has been declared as "National Dress Blue Day", and an event is planned at the Hospital Lobby on 3/7/11 to recognize and encourage persons to be tested for the disease. The screening test, stated Legislator Fanning, has been refined and is less intrusive. In conclusion, he expressed hope that the college basketball players would wear blue sneakers during their March Madness Tournament.

Legislator John Boyd, Fire Coordinator Committee Chairman, expressed gratitude on behalf of the Fire Advisory Board for the Board's approval of the long-awaited "Radio Study".

Legislator Patrick Wallace, Transportation Committee Chairman, reported road re-surfacing material bids opened earlier today would be reviewed and tallied, stating he would be prepared to award the bids at the next meeting.

Legislator Richard Lucas, Economic Development Committee Chairman, encouraged Legislators to participate in the snowmobile ride on 3/3/11, if only to join the planned discussion at the Barnes Corners Snowmobile Club barn.

Legislator Jerry King, Elections/Information Technology Committee Chairman, reported the tax exemption applications were due by today and would be considered at the next Committee meeting.

Legislator King reported the Election Commissioners had informed the Villages that the March elections would be the last borne by the County, strongly encouraging them to coincide with the November general election.

Legislator William Burke, Buildings and Grounds/Ways and Means Committee, reported rejecting all bids for sale of the Beaver Falls Health Center building, citing the low amount.

COUNTY MANAGER REPORT:

Mr. Pendergast stated he would present NYSAC's State Budget assessment, as well as the Mandate Relief Program report, at the next meeting. The Medicaid Redesign Team had submitted 79 budget reduction proposals to the Governor that were forwarded to the Legislature under his 30-day amendments.

REPORTS OF STANDING COMMITTEES (Cont'd)

Legislator Patrick Wallace, as a member of the Economic Development Committee, asked the County Attorney to explain the bidding procedures relative to the mid-size trail dump truck. Atty. Graham explained the bid was advertised in accordance with law, and bid specifications were forwarded to five (5) businesses. In consideration that only one bid had been received and opened by the Committee, there was follow-up with another manufacturer who quoted a price of approximately \$43,000 for similar equipment.

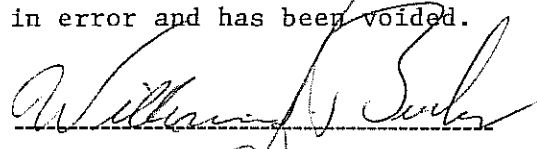
Legislator Wallace then made a motion to award the bid for the purchase of a mid-size trail dump truck to McQuade & Bannigan, Governmental Sales Division, in the amount of \$34,900.00. The motion was seconded by Legislator Tabolt and carried. Legislator Lucas abstained; and Legislator Hathway was opposed.

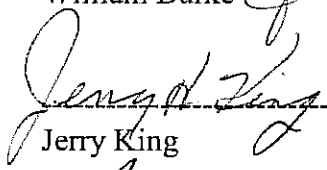
REPORT OF THE WAYS AND MEANS COMMITTEE:

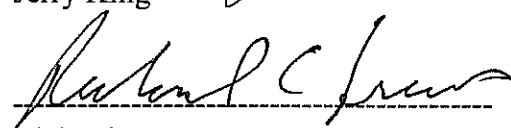
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 688,956.64 and recommend that they be audited and allowed for the amounts claimed. Voucher number 168725 in the amount of \$34,900.00 was processed in error and has been voided.


William Burke Chair


Jerry King


Richard C. Lucas Committee

Dated: March 1, 2011

Approved on motion by Legislator Tabolt, seconded by
Legislator Burke, and carried.

RESOLUTION NO. 51-2011**AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 723,856.64 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 King, seconded by Legislator Burke.

Legislator Burke made a motion to amend the total amount to \$688,956.64 as recommended and approved by the Ways and Means Committee. The motion was seconded by Legislator King and carried.

The resolution was then adopted by the following roll call vote:

All voted yea.

RESOLUTION NO. 52 - 2011**RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 2 – 2011, COUNTY OF LEWIS**

Introduced by Legislator Patrick Wallace, Member Economic Development Committee.

WHEREAS, the Trails Coordinator has presented the Board of Legislators with a written request to amend Local Law No. 5 – 2009 by closing certain portions of County roads to all terrain vehicles (“ATVs”) and open a certain portion of County Route 39 to ATVs in order to connect certain off-road trails to the ATV Trail System (see, Exhibit “A”); and

WHEREAS, the Board of Legislators has heretofore conducted an extensive evaluation of the potential environmental impacts associated with the development of a county-wide ATV trail system pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations (“NYCRR”) implementing Article 8 (collectively referred to hereinafter as “SEQRA”); and

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement (“DGEIS”) and a Final GEIS (collectively the “GEIS”) and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 28, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board’s conclusions and determinations, based upon the facts and analyses contained in the GEIS; and

WHEREAS, upon completion of its environmental review under SEQRA, 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**”; and

WHEREAS, both Local Law No. 2 – 2009 and the Statement of Findings contemplate future amendments to the ATV Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments and additions; and

WHEREAS, the Trails Coordinator has caused a site-specific environmental review of the proposed trails and road segments to be performed pursuant to Section 8.2 of the Statement of Findings; and

WHEREAS, the Board of Legislators by Resolution No. 7 – 2011 acknowledged receipt of an Environmental Assessment Form (“EAF”) prepared by the Soil and Water Conservation District setting forth the results of their site specific investigation and analysis of the trails to be added to ATV Trail System (more particularly described in Exhibit “A”), and based upon such report, the Board of Legislators has found and determined that adding those trails and interconnecting roads to the Lewis County Trail ATV System will not result in a significant environmental impact; and

WHEREAS, a resolution was duly adopted by the Board of Legislators on February 1, 2010, directing that a public hearing be held by said Board on March 1, 2011, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, **“A LOCAL LAW AMENDING LOCAL LAW NO. 5 – 2009 PERMITTING ALL-TERRAIN VEHICLE OPERATION ON PORTIONS OF CERTAIN COUNTY ROADS”**; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on February 23, 2011, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

NOW, THEREFORE, the Board of Legislators hereby resolves to make the following Legislative Findings:

1. 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.
2. The Board of Legislators has also considered the request of the Trails Coordinator to amend Local Law No. 5 – 2009 together with the maps attached as Exhibit “A” depicting the portions of the Burdick Crossings Road and the Pine Grove that are to be closed to ATV’s and that portion of the Lyons Falls Road to be opened, which maps also provide a description of the trail or area that is adjacent to such road as required by Vehicle & Traffic Law § 2405.
3. The Board of Legislators has conducted a review of the potential adverse impacts the opening of the proposed interconnecting County Roads 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 and analysis conducted by the Board’s environmental consultants, has found and determined that adding these trails to the Lewis County Trail ATV System will not result in a significant environmental impact;
4. The Board of Legislators has also reviewed the annual ATV Activity Report as compiled by the Lewis County Sheriff’s Department.
5. The County Highway Superintendent has reviewed the portion of County Route 39 that is proposed to be opened to ATV traffic, and has provided the Board with his written opinion that such road or portion thereof is presently opened to all classes of motor vehicle traffic and that opening said road or portion thereof to ATV traffic will not significantly impact traffic safety at those localities.

6. In light of all the information submitted, reviewed and/or received during the public hearing the Board hereby determines and finds that with respect to that portion of the Lyons Falls Road (County Route 39) that is proposed to be opened to ATV traffic, that it is otherwise impossible for ATV's to gain access to areas or trails adjacent to such road or portion thereof.

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 2 – 2011), County of Lewis, being “**A LOCAL LAW AMENDING LOCAL LAW NO. 5 – 2009 PERMITTING ALL-TERRAIN VEHICLE OPERATION ON PORTIONS OF CERTAIN COUNTY ROADS**”, be and the same hereby is designated as Local Law No. 2 – 2011, County of Lewis.

Section 2. That Local Law No. 2 – 2011, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Tabolt, seconded by Legislator Burke.

Legislator Stanford stated his support for ATV's and the business persons who commented earlier, but expressed concern for the pending lawsuit against the County relative to opening portions of County roads to ATV traffic, that alleges non-compliance with NYS Vehicle & Traffic Law. He wanted assurance that the proposed openings would not result in another lawsuit, relating concern for increased legal County expense. Chairman Bush responded there could not be 100 percent assurance of no retaliation, not only for this, but most Board actions.

Atty. Graham declared he would not comment on the referenced lawsuit in public forum, but explained the Local Law would close two portions of the previously opened Burdick's Crossing Road that were replaced by off-road trail access; and opens up portions of the Lyons Falls Road. He affirmed the latter was compliant with NYS Vehicle & Traffic Law to connect portions of trails.

Atty. Graham further explained that being mindful of the goal to establish as much off-road trail system as possible, while minimizing road travel, the proposed Local Law is an effort to correct a previous Board action based on factual determination.

In response to Legislator Fanning, Trail Coordinator Bob Diehl confirmed that the Cemetery Road that abuts the Lyons Falls Road, is a town road and is not considered part of the trail system.

Legislator Richard Lucas referenced substantial discussion over the past five years, which led him to retain a personal attorney opinion. He read a prepared statement to relate that as advised by his attorney, he would not recuse himself from votes relative to recreation trails. His decision considers both the law and his obligations to his constituents. The attorney opinion considered the relative 2005 letter issued by then Ethics Board Chairman Judge J. Robert Lynch. "Case law states that a disqualifying interest must be a personal one, not such an interest as he has in common with all other citizens or owners of property." The trail system would benefit Lewis County as a whole. There would need to be a unique benefit to his business alone in order to disqualify him from voting on this matter. There is case law indicating that mere fact of employment or financial interest isn't enough to mandate disqualification by interest. The law suggests that the individual facts of each case must be reviewed prior to recusal for disqualification.

Moreover, Legislator Lucas continued, he does not want to create a dangerous precedent in the County by recusing himself in this matter, which would suggest that a farmer Legislator would have to recuse themselves from involvement in any agricultural matters. It would also infer that a Board member with a spouse employed by the County would have to recuse themselves from issues involving benefit of the County or its Hospital. Furthermore, by recusing himself from this issue, he would essentially relate that any Legislator who is a businessman in Lewis County should recuse themselves from involvement in any highway or road construction project since the road system is primarily what brings business customers into Lewis County.

In conclusion, Legislator Lucas stated, that this issue involves a trail in the southern part of Lewis County, nearly 20 miles from the Montague Inn. It is pure speculation, at best, that he would receive any pecuniary benefit from this trail construction. Thus, Legislator Lucas has decided to act upon his counsel's opinion and requests from his constituents, and vote on this issue.

The resolution was then adopted by the following roll call vote:

AYES: Boyd, Burke, Fanning, Hathway, King, Lucas, Tabolt, Wallace, Bush

NAYS: None

ABSTENTIONS: Stanford

ABSENT: None

RESOLUTION NO. 53 - 2011**RESOLUTION AUTHORIZING ENFORCEMENT HEARING
UNDER LOCAL LAW NO. 2-2007, UNSAFE BUILDINGS LAW**

Introduced by Legislator John Boyd, Chairman of Building Codes 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 as Tax Map No. 321.15-01-04.000-1, currently owned by Rose McKenna (herein the “Owner”); and determined that the structures thereon were unsafe, and issued a report to the Board of Legislators on February 18, 2011; and

WHEREAS, the Code Enforcement Officer (“CEO”) observed in his report that the building located at the Southeast Corner of East Main Street and State Street, Village of Turin, County of Lewis, the rear of the structure has collapsed, the roof has failed in places, and windows are missing. It is open at the rear of the building where the back wall has collapsed; and

WHEREAS, the CEO declared as of April 9, 2008, that the building was unsafe for occupancy and condemned the same and despite numerous attempts to urge the current owner of the building to make the premises safe, no action by the owner has taken place; and

NOW THEREFORE, be it resolved as follows:

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

- (1) The herein described building is unsafe and that such building constitutes a public nuisance and a danger to the safety, health and welfare of the community; and
- (2) It is the opinion of the Board of Legislators that the building must safely barricaded in a manner that will secure the premises and prevent the public from having access to the building.

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

ORDERS AND DECREES that Rose McKenna, the Owner of said building appear before this Board of Legislators on March 22, 2011 at 3:00 PM and to Show Cause before this Board why it should not Order said Owner to make the premises safe and secure by installing a barricade fence at least 6 feet high around the perimeter of the premises on or before April 15, 2011. Such fencing shall be constructed of sufficient strength and material to prevent trespassers from entering the unsafe building and that in the event that the Owner fails to comply with such Order or fails or refuses to install such a barricade fence, that Board of Legislators shall provide for its installation and assess all expenses thereof against the land on which it is located.

Section 3. That the Board of Legislators further

ORDERS, AND DECREES that Notice of this Decision and Order shall be given to the Owner of such building at least seven (7) days prior to the hearing date set forth above as follows:

The Notice shall contain the following:

- (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;
- (4) 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
- (5) a statement that in the event of neglect or refusal to comply with the order to secure the building, the Board of Legislators is authorized to provide for securing said building, and to assess all expenses thereof against the land on which it is located and at its option to institute a special proceeding to collect the costs of securing said building, including legal expenses.

Section 4. That the Board of Legislators further

ORDERS, AND DECREES that the said notice shall be served

- (1) by personal service of a copy thereof upon the owner, executor, administrator, agent, lessee, or any person having a vested or contingent interest in such unsafe building as shown by the records of the receiver of taxes (or tax collector) or of the county clerk; or if no such person can be reasonably found, by mailing such owner by registered mail a copy of such notice directed to his last known address as shown by the above records; AND

- (2) by personal service of a copy of such notice upon any adult person residing in or occupying said premises if such person can be reasonable found; AND
- (3) by securing affixing a copy of such notice upon the unsafe building or equipment.

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

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator
King, and adopted.

RESOLUTION NO. 54 – 2011**RESOLUTION AUTHORIZING AGREEMENT WITH THE LEWIS
COUNTY DEVELOPMENT CORPORATION IN CONNECTION WITH
FEASIBILITY STUDY FOR THE CROGHAN DAM**

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

WHEREAS, Section 224 of the County Law authorizes the County of Lewis (the “County”) to promote and publicize the economic advantages of the County and the region, and enter into contracts to accomplish such purposes; and

WHEREAS, the Lewis County Development Corp. (“LCDC”) is a duly organized domestic, not-for-profit, local development corporation established and operating pursuant to § 1411 of the New York State Not-for-Profit Corporation Law (“N-PCL”), for the statutory purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities, and lessening the burdens of government and acting in the public interest, and that in carrying out said purposes and in exercising the powers conferred by statute such corporation will be performing an essential governmental function; and

WHEREAS, in the performance of such statutory purposes, LCDC is empowered to furnish advice, technical assistance and liaison with federal, state and local authorities with respect thereto, to acquire by purchase, lease, gift, bequest, devise or otherwise real or personal property or interests therein, to borrow money and to issue negotiable bonds, notes and other obligations therefore; and

WHEREAS, the LCDC was specifically formed for the purpose of utilizing and creating assets for economic and community development and to identify, research, fund, develop and manage projects, programs, and businesses that increase economic opportunities for Lewis County and its residents, in order to achieve a common goal of increasing the quality of life for all people in Lewis County; and

WHEREAS, the Croghan Dam, located in the Village of Croghan presently serves as a source of hydrological energy for one local business and has the potential as an energy source for additional commercial businesses locally and throughout the region, and in addition serves to regulate water for numerous commercial and residential properties both upstream and downstream; and

WHEREAS, the Croghan Dam has been and remains in a serious state of disrepair and is at risk of catastrophic breach which would have a significant negative impact on the economy of the region; and

WHEREAS, prior to taking any steps to rehabilitate the Croghan Dam, it is necessary and prudent to conduct an engineering feasibility study to investigate and evaluate the condition of the dam and its foundations and the LCDC has presented to the County a proposal to cause such study to be performed at an estimated cost of \$150,000.00; and

WHEREAS, the LCDC has proposed that Lewis County assist with the cost of the such engineering study in the amount of \$10,000, with the understanding that the LCDC will seek out additional public and private funding sources as deemed necessary in order to fully pay for such study; and

NOW THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators has identified both the entering into an Economic Development Services Agreement and the Services to be performed as "Type II" Actions pursuant to the State Environmental Quality Review Act ("SEQRA") and regulations promulgated pursuant thereto at 6 NYCRR Part 617.5(c) whereby the Services provided by LCDC entail conducting concurring environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, which will not commit the LCDC to commence, engage in or approve the acquisition of a particular facility or project. Therefore, no further SEQRA review is necessary at this time.

Section 2. That the Board of Legislators hereby authorizes an Economic Development Services Agreement with the Lewis County Development Corp. in an amount not to exceed \$10,000.00, for the purpose of obtaining an engineering feasibility study of the Croghan Dam to determine the necessity and scope of future rehabilitation work on the dam.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Economic Development Services Agreement, upon such form as approved by the County Attorney.

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

Moved by Legislator Tabolt, seconded by Legislator Stanford.

Mr. Glenn Gagnier spoke on behalf of the Lewis County Development Corporation (LCDC), in response to Legislators' inquiries. Requests had been made to local municipalities, fire departments and others for monetary support, however, to-date, the only commitments were \$5,000 from the Beaver Falls Fire Department and \$200 from an individual. He related some of the responses from those not forthcoming with financial support were "studies are a waste of time"; "saving the dam is a lost cause, because State funding is going down" and "we shouldn't have to put money into businesses, they should do it on their own". A reason for non-support by the fire department was because they draft from below the dam. However, said Mr. Gagnier, they do utilize both sides for training purposes.

On behalf of the Croghan Town board, Legislator Tabolt relayed comments that their budgets had already been passed and adopted, and funds were not available for the project.

Legislator Fanning asked whether a State grant would require in-kind services above the \$10,000 County appropriation. He affirmed the LCDC would assume ownership of the dam from the private owners, prior to impending reconstruction.

Mr. Gagnier reported the State grant was in the amount of \$99,000, with a required 10% in-kind local amount, which would be largely offset by the County's contribution. He clarified that the study cost was projected between \$125,000 - \$150,000; while remaining optimistic that the "Request For Proposal" process would infuse competition and result in lesser cost.

Legislator King inquired if the Village of Croghan had committed funds. Mr. Gagnier reported their Board's scheduled upcoming meeting to consider funding the dam study.

In response to Legislator Tabolt, Mr. Gagnier verified that if the required funding were largely committed, he would seek the remainder from two un-named sources, in order to initiate the study.

Legislator Lucas clarified that the study, inclusive of borings, would address reported NYSDEC concerns. If the study determines that the bridge has been breached, then project discussions are mute. Mr. Gagnier invoked that alternatively, the second-phase process of securing the estimated \$1.5 Million funding would proceed for bridge rehabilitation and construction.

Chairman Bush cited that Mr. Gagnier is a former Village of Croghan Mayor, and is in charge of this project. Legislator Lucas commended Mr. Gagnier for his fortitude and passion to spearhead this project, without which the bridge would have been long since demolished.

The resolution was then unanimously adopted.

RESOLUTION NO. 55 – 2011**RESOLUTION TO TRANSFER FUNDS
SHARED SERVICES**

Introduced by Chairman William Burke, Chairman of the Buildings
and Grounds Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfers be approved to cover rent and
utility expenses at St Peters:

<u>From:</u>	<u>Amount</u>
A1450.4803(Rent)	\$42,000.00
A1990.4999(Contingency)	\$56,645.88

<u>To:</u>	
A1650.4803 (Rent)	\$74,645.88
A1623.4303 (Utilities)	\$24,000.00

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

Moved by Legislator Stanford, seconded by Legislator

Lucas, and adopted.

RESOLUTION NO. 56 – 2011

**RESOLUTION TO APPROPRIATE FUNDS
ECONOMIC DEVELOPMENT**

Introduced by Legislator Richard Lucas, Chairman of the
Economic Development Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation be approved in the State
Aid Bus Transit accounts for additional revenue received:

Increase Revenue

A35940 (State Aid Bus Transit)	\$36,748.87
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Increase Expense

A5630.4506 (Contr Services Birnie)	\$25,724.21
A5630.4901 (Bus Op Prof Svs)	\$11,024.66

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

Moved by Legislator Lucas, seconded by Legislator

Wallace, and adopted.

RESOLUTION NO. 57 – 2011**RESOLUTION TO TRANSFER FUNDS
FIRE AND EMERGENCY MANAGEMENT**

Introduced by Legislator John Boyd, Chairman of the Emergency
Management Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfers be approved for Fiscal Year
2009 Homeland Security Grant Program Contract #C839290:

From:

A3412.4(FY09 Homeland Grant)	\$53,222.00
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To:

A3412.2909	FY09 Equipment	\$36,499.00
A3412.4901	FY09 Prof Serv	\$15,305.00
A3412.4407	FY09 Supplies	<u>\$ 1,418.00</u>
		\$53,222.00

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

Moved by Legislator Burke, seconded by Legislator

Boyd, and adopted.

RESOLUTION NO. 58 – 2011**RESOLUTION TO TRANSFER FUNDS
TRANSPORTATION DEPARTMENT**

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved in the Highway Department

Accounts, to correct a clerical error in the adopted 2011 budget:

<u>From:</u>	<u>Amount:</u>
D5110.4909 (Old Account)	
Maintenance Material)	\$281,500.00
<u>To:</u>	
D5110.49 (Maintenance Material)	\$281,500.00

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

Moved by Legislator Stanford, seconded by Legislator Fanning,

and adopted.

RESOLUTION NO. 59 - 2011**RESOLUTION AUTHORIZING
MEMORANDUM OF UNDERSTANDING BETWEEN
LEWIS COUNTY MENTAL HYGIENE DEPARTMENT AND
COPENHAGEN CENTRAL SCHOOL DISTRICT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Community Services Board is responsible to provide local or unified services and facilities directly and/or Memorandum of Understanding for the provision of those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the Community Services Board has reviewed the Memorandum of Understanding by and between the Lewis County Community Mental Health Center ("LCCMHC") and Copenhagen Central School whereby LCCMHC agrees to provide qualified psychotherapists to conduct counseling and psychotherapy to students at Copenhagen Central School and has determined that these services are necessary to meet the needs of the community and the costs are reasonable for servicing such needs; and

WHEREAS, the Community Services Board has heretofore duly met to consider the Memorandum of Understanding and has resolved to recommend to the Board of Legislators to enter into such Memorandum of Understanding;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the Memorandum of Understanding by and between the Lewis County Community Mental Health Center ("LCCMHC") and Copenhagen Central School whereby LCCMHC agrees to provide qualified psychotherapists to conduct counseling and psychotherapy to students at Copenhagen Central School.

Section 2. That the terms of these services are from January 1, 2011 through June 30, 2012, and these services are provided at no cost to the school. Reimbursement to LCCMHC is by third parties such as Medicaid or insurance.

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

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

Moved by Legislator Fanning, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 60 - 2011**REAUTHORIZING THE NORTH COUNTRY HOME CONSORTIUM WITH LEWIS COUNTY TOWNS AND VILLAGES AND THE COUNTIES OF JEFFERSON AND ST LAWRENCE FOR THE PURPOSE OF OBTAINING HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

Introduced by Legislator Richard C. Lucas, Chairman of the Economic Development Committee.

WHEREAS, the Lewis County Board of Legislators adopted Resolution Nos. 204-1992 and 23-1993, which authorized the formation of a three-county HOME Consortium for the purpose of obtaining HOME Investment Partnership Program Funds from the U.S. Department of Housing and Urban Development and designated Jefferson County as Lead County in the Consortium; and

WHEREAS, the Lewis County Board of Legislators adopted Resolution No. 96 of 1996, No. 89 of 1999, No. 82 of 2002, No. 99 of 2005 and No.88-2008 reauthorizing the North Country HOME Consortium; and

WHEREAS, the three-county HOME Consortium has successfully obtained over \$23 million in HOME Investment Partnerships Program Funds since the Consortium's conception; and

WHEREAS, Lewis County communities have been awarded over \$3.4 million dollars through the Consortium, which has been successfully utilized to provide affordable, safe housing in Lewis County; and

WHEREAS, the U.S. Department of Housing and Urban Development has notified the three county HOME Consortium that a new consortium agreement must be executed since the Consortium's qualification period ends September 30, 2011; and

WHEREAS, the HOME Administrative Board comprised of representatives of the three counties and housing provider agencies within the counties have met and expressed a desire to continue the three-county HOME Consortium for three more years.

NOW, THEREFORE, be it resolved as follows:

Section 1. The County of Lewis hereby agrees to authorize the three-county HOME Consortium for the purpose of accessing HOME Investment Partnership Funds.

Section 2. The County of Lewis hereby agrees to enter into cooperative agreements with the towns and villages of Lewis County who wish to participate in the Consortium. That the Chairman of this Board or in his absence, the Vice Chairman, be and he hereby is given power and authority to make, execute, seal and deliver, cooperative agreements with Jefferson and St Lawrence Counties to form the HOME Consortium.

Section 3. Lewis County local governments who wish to participate in the Consortium, and all papers necessary to effectuate the within resolution, and approve any conditions thereto not inconsistent with this resolution.

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

Moved by Legislator Hathway, seconded by
Legislator King, and adopted.

RESOLUTION NO. 61 - 2011**RESOLUTION APPOINTING MEMBER TO
OFFICE FOR AGING ADVISORY COUNCIL**

Introduced by Legislator Philip Hathway, Chairman of the Office For Aging Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints **Patricia O'Brien**, Lewis County Treasurer, as an ex-officio member of the Lewis County Office For Aging Advisory Council.

Section 2. The term of said appointment shall be effective from March 1, 2011 through December 31, 2013.

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

Moved by Legislator Stanford seconded by Legislator Burke,
and adopted.

RESOLUTION NO. 62-2011**RESOLUTION TO APPOINT
DIRECTOR OF PUBLIC HEALTH**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, Carol Paluck was appointed as Interim Director of Public Health effective 2/18/09, pending approval by the New York State Department of Health (NYSDOH); and

WHEREAS, the NYSDOH has provided written notification of their approval of her appointment as Director of Public Health for a two-year period, citing her commitment to obtain a required Masters' Degree in Public Health.

Now, Therefore, BE IT RESLVED as follows:

Section 1. That the Board of Legislators hereby appoints Carol Paluck as the Director of Public Health for Lewis County effective through December 31, 2012, pending her obtaining a Master's Degree in Public Health.

Section 2. That this Board shall submit a request to the NYSDOH by December 1, 2012 to request a renewal of Carol Paluck's appointment, attendant to any pertinent documents and transcripts.

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

Moved by Legislator Fanning, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 63 – 2011

**RESOLUTION AUTHORIZING APPLICATION FOR
PUBLIC HEALTH TO BECOME A LICENSED AGENCY**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, in anticipation of the transfer of the Certified Home Health Agency to the Lewis County General Hospital; and

WHEREAS, pursuant to section 765.2 of New York State Public Health Law “no home care services agency shall, other than those exempt from licensure requirements as provided in subdivision c, shall provide nursing, home health aide or personal care services to persons in their home unless it has been approved by the Public Health Council, and has been issued a license pursuant to the provisions of Article 36 of Public Health Law”; and

WHEREAS, Public Health nurses need to be able to provide home visits to residents who require certain Public Health Services.

Now, Therefore BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators authorize Carol Paluck, Interim Director of Public Health, to take all necessary steps to have the Lewis County Public Health Agency become a Licensed Home Care Agency, including the submission of an application to New York State Department of Health.

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

Moved by Legislator Lucas, seconded by Legislator Fanning and adopted.

RESOLUTION NO. 64 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH DEPARTMENT AND
SUNY UPSTATE MEDICAL UNIVERSITY**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Department wishes to enter into an agreement with SUNY Upstate Medical University for the provision of related services to preschool children with disabling conditions; and

WHEREAS, this agreement is for the period beginning January 1, 2011 through June 30, 2012 for an annual rate of \$1,000.00;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County Public Health Department and SUNY Upstate Medical University for the provision of related services to preschool children with disabling conditions for the period of January 1, 2011 through June 30, 2012 at an annual rate of \$1,000.00;

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator King, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 65 – 2011

**RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH**

Introduced by Legislator Charles Fanning, Chairman of the Public Health
Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfers be approved in the Public Health

Accounts to cover expenses:

<u>From:</u>	<u>Account:</u>	<u>Amount</u>
A4016.4501	Educational Services	\$15,000.00
A4015.4407	Office Supplies	1,000.00
A4035.4407	Office Supplies	<u>1,000.00</u>
		\$17,000.00
 <u>To:</u>		
A4016.4909	Miscellaneous Expenses	\$15,000.00
A4098.4405	Copier/Reproduction Costs	500.00
A4098.4407	Office Supplies	<u>1,500.00</u>
		\$17,000.00

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

Moved by Legislator Stanford, seconded by Legislator

Lucas and adopted.

RESOLUTION NO. 66 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT AND
ONEIDA COUNTY FOR PSYCHIATRIC SERVICES AT THE
CENTRAL NEW YORK PSYCHIATRIC CENTER**

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Central New York Psychiatric Center Forensic Unit ("Forensic Unit") provides services at the Central New York Psychiatric Center ("Center") in Marcy, New York; and

WHEREAS, the Forensic Unit has the capability of providing services for the Sheriff Departments of surrounding counties which may have inadequate facilities for treating mentally ill inmates; and

WHEREAS, the Lewis County Sheriff's Department wishes to enter into an agreement with the County of Oneida through the offices of the Oneida County Sheriff's Department for the purpose of providing treatment for inmates at the Center for \$165.00 per day for the period commencing January 1, 2011 through December 31, 2013; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with the County of Oneida through the offices of the Oneida County Sheriff's Department for the purpose of providing treatment for prisoners at the Central New York Psychiatric Center in Marcy, New York for \$165.00 per day for the period commencing January 1, 2011 through December 31, 2013.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator King, seconded by Legislator Fanning,
and adopted.

RESOLUTION NO. 67 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Community Services Worker is assigned to provide intake of each applicant and is the point of entry for all homeless individuals and families; and

WHEREAS, there continues to be a marked increase in the number of persons seeking cash assistance and/or housing needs, Commissioner Alvord requests that the temporary position slated to expire on April 15, 2011, be made a permanent position.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Department of Social Services, to create the following permanent position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Community Services Worker	Full-time	Grade B9 \$12.59-\$14.24)

Section 2. That Commissioner Stacy Alvord is hereby authorized to fill said position.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Hathway.

In response to Legislator Wallace, Legislator Hathway clarified that the position was being increased from a part-time to full-time position, is financed by federal funds and was budgeted. In response to Legislator Lucas, he stated the position would be abolished if the respective funding were terminated.

Legislator Hathway further reiterated previously reported 30 percent increase in caseloads during the depressed economy, justifying the increase. However, he added that if the caseloads were to decrease dramatically, the position would be abolished.

The resolution was then adopted.

RESOLUTION NO. 68 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, pending Civil Service classification, a Temporary Job Readiness Training Instructor position was created, to provide mandated instruction to cash assistance applicants; and

WHEREAS, the Civil Service Commission has not yet determined the classification of said part-time temporary position, slated to expire on March 31, 2011.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Department of Social Services to extend the Temporary part-time Job Readiness Training Instructor position in the Department of Social Services, to June 30, 2011.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Hathway,
and adopted.

RESOLUTION NO. 69 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
THE CENTER OF LIFELONG EDUCATION AND RECREATION
OF SUNY POTSDAM**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an Agreement with the Center of Lifelong Education and Recreation of SUNY Potsdam to provide professional workshops and training projects for the Department of Social Service employees; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and the Center of Lifelong Education and Recreation of SUNY Potsdam to provide professional workshops and training projects for the Department of Social Service employees.

Section 2. That the term of this Agreement shall be from January 1, 2011 through December 31, 2011 for an amount not to exceed \$7,200.00.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Fanning, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 70 - 2011**RESOLUTION AUTHORIZING
MEMORANDUM OF UNDERSTANDING BETWEEN
THE DEPARTMENT OF SOCIAL SERVICES AND
LEWIS COUNTY COMMUNITY MENTAL HEALTH CENTER**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Community Services Board is responsible to provide local or unified services and facilities directly and/or Contract for the provision of those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the Community Services Board has reviewed the Memorandum of Understanding by and between the Lewis County Department of Social Services ("DSS") and Lewis County Community Mental Health Center ("LCCMHC") whereby LCCMHC agrees to provide a licensed psychiatrist to provide psychiatric services to individuals and/or families receiving services from DSS and has determined that these services are necessary to meet the needs of the community; and

WHEREAS, the Community Services Board has heretofore duly met to consider the Memorandum of Understanding and has resolved to recommend to the Board of Legislators to enter into such Agreement.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the Memorandum of Understanding by and between the Lewis County Department of Social Services ("DSS") and Lewis County Community Mental Health Center ("LCCMHC") whereby LCCMHC agrees to provide a licensed psychiatrist to provide psychiatric services to individuals and/or families receiving services from DSS for the term beginning January 1, 2011 and ending December 31, 2012 at a rate of \$165.00 an hour.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator King, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 71 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE DEPARTMENT OF SOCIAL SERVICES AND
ORCHID CELLMARK, INC.**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, Orchid Cellmark, Inc. provides testing services which supply information about the identity of a human being and the potential that a human being is the parent of another human being; and

WHEREAS, the Lewis County Department of Social Services ("DSS") wishes to have Orchid Cellmark, Inc. provide these testing services on biological specimens collected by DSS; and

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

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby authorizes the Agreement between the Lewis County Department of Social Services and Orchid Cellmark, Inc. for the purpose of performing paternity testing services for the Support Collection Unit at a fee of \$58.00 per test, and not to exceed the cost of \$5,000.00 beginning September 1, 2010 and ending December 31, 2011.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Boyd, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 72 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
THE RESOLUTION CENTER OF JEFFERSON AND LEWIS COUNTIES, INC.**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an Agreement with the Resolution Center of Jefferson and Lewis Counties, Inc. to provide employment and training programs for employable recipients of Temporary Assistance and Food Stamps; and

WHEREAS, these services will be for the period of January 1, 2011 through December 31, 2011 for an amount not to exceed \$45.00 for each case requiring mediation and \$10.00 for each case in which a mediation hearing is scheduled but not held.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and the Resolution Center of Jefferson and Lewis Counties, Inc. for the purpose of providing employment and training programs for employable recipients of Temporary Assistance and Food Stamps.

Section 2. That the term of this Agreement shall be from January 1, 2011 through December 31, 2011 for an amount not to exceed \$45.00 for each case requiring mediation and \$10.00 for each case in which a mediation hearing is scheduled but not held.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator King, seconded by Legislator Hathway,
and adopted.

RESOLUTION NO. 73 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
THE RESOLUTION CENTER OF JEFFERSON AND LEWIS COUNTIES, INC.**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an Agreement with the Resolution Center of Jefferson and Lewis Counties, Inc. to provide mediators to facilitate the process of Lewis County Department of Social Services administering child welfare services for youth and families in Lewis County; and

WHEREAS, these services will be for the period of January 1, 2011 through December 31, 2011 for an amount not to exceed \$250.00 for each Family Team Meeting and \$25.00 for each meeting scheduled that the family fails to arrive without a prior cancellation.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and the Resolution Center of Jefferson and Lewis Counties, Inc. for the purpose of providing mediators to facilitate the process of Lewis County Department of Social Services administering child welfare services for youth and families in Lewis County.

Section 2. That the term of this Agreement shall be from January 1, 2011 through December 31, 2011 for an amount not to exceed \$250.00 for each Family Team Meeting and \$25.00 for each meeting scheduled that the family fails to arrive without a prior cancellation.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Stanford, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 74 - 2011

**RESOLUTION TO TRANSFER FUNDS
SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following transfer of funds be approved in the Social Services accounts to cover office furniture and video equipment expenses:

<u>From:</u>	<u>Amount</u>
A6010.4301 (Telephone)	\$3,160.00
<u>To:</u>	
A6010.2.211 (Equipment)	\$2,240.00
A6010.2.201 (Furniture)	<u>920.00</u>
	\$3,160.00

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Hathway.

Legislator Burke stated his opposition to transfer monies to pay for furniture. Referencing previous discussions about furniture, he emphatically stated "I'm done with furniture!"

In response to Legislator Tabolt, Commissioner Alvord explained there was not a new office; the purchase involved chairs and partitions that would separate existing personnel desks. She added, however, there were other chairs available. Mrs. Alvord was admittedly confused for distinguishing furniture from equipment, citing the purchases could be categorized as either.

In response to Legislator Burke, Mr. Pendergast relayed his direction to Commissioner Alvord that no additional furniture purchases were authorized. The purchasing procedures were not followed for this latest purchase, he stated.

The resolution was then defeated by a vote of 3 to 7, with Legislators Tabolt, Boyd, Lucas, Burke, Wallace, Stanford and Bush opposed.

RESOLUTION NO. 75 - 2011**RESOLUTION APPROVING CORRECTION
OF TAX BILL**

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

WHEREAS, pursuant to the franchise agreements between Time Warner Cable, TCI and the Towns of Croghan, Denmark, Diana, Greig, Lewis, Leyden Lowville, Lyonsdale, Martinsburg, New Bremen, Watson and West Turin, which allowed them to deduct from taxes the franchise paid to the Towns:

Section 1.: That payment be accepted as follows:

Croghan	#538.00-08-00.000	\$ 61.34	Charge Town :	\$ 13.87
	#538.00-08-06.000	554.36		232.14
	#538.00-05-06.000	61.59		25.80
Denmark	#552.00-05-00.000	21.47		14.18
	#552.00-03-00.000	99.53		65.74
Diana	#552.00-05-08.000	180.47		86.68
	#552.00-05-00.000	140.63		48.40
Greig	#542.02-07-09.000	1,449.25		668.79
Lewis	#550.00-10-11.000	241.30		247.58
Leyden	#550.00-07-00.000	84.18		36.81
Lowville	#550.00-05-00.000	545.67		229.83
	#550.00-05-13.000	451.18		352.88
Lyonsdale	#550.00-07-00.000	102.03		53.00
	#550.00-07-00.000	121.88		63.32
Martinsburg	#542.02-05-15.000	929.36		704.06
New Bremen	#552.00-08-00.000	7.43		3.93
	#542.05-08-05.000	100.94		79.12
	#552.00-08-02.000	1,354.13		1,051.12
Watson	#542.02-05-21.000	408.59		299.40
	#542.02-07-21.000	419.64		307.49
	#542.02-08-21.000	276.08		202.30
West Turin	#550.00-07-00.000	449.61		212.30
	#550.00-07-00.000	102.05		48.19
				<u>\$5,046.93</u>

Section 2. That the County Treasurer is hereby directed to adjust, apportion, and charge back such amount in the manner prescribed by law. The amount to charge the Towns is \$5,046.93.

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

Moved by Legislator Stanford, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 76 - 2011**RESOLUTION TO AUTHORIZE BANK WIRES**

Introduced by Legislator Jack T. Bush, Chairman of the Lewis County Board of Legislators.

RESOLVED, that the municipality authorize and designate, and the Lewis County Board of Legislators hereby does authorize and designate the following named individuals to direct and effect wire transfers of funds from the municipality's account with Community Bank, N.A. (hereinafter identified as "Bank") by instructions to the Bank in the form indicated for each:

<u>Individual</u>	<u>Title</u>	<u>Instruction Form</u> (Written, Telephonic)	<u>Dollar Limit</u>
Valerie Juby	Benefits Specialist	Written & Telephonic	Unlimited

And the Bank is hereby authorized to honor and to implement wire transfer requests from the municipality's accounts so issued without inquiry, regardless of the payee or holder or purpose of tender.

RESOLVED, that the Chairman of the Board of Legislators of the County of Lewis, be and he is authorized to certify to the above bank, the foregoing resolutions and that the provisions thereof are in conformity with the laws policies of Lewis County.

No law, ordinance, statute or other binding stipulation contains any special requirements as to the number of members required to pass such resolutions, or any requirement or prior approval or consent to such resolutions, or otherwise conflict with or prohibit the action of the resolutions as herein before stated.

FURTHER RESOLVED, that the authority conferred herein shall continue in full force until written notice of its revocation shall be received by the Bank.

The following are the genuine signatures of each and every individual granted authority under any of the foregoing resolutions:

<u>Individual</u>	<u>Title</u>
Patricia L. O'Brien	Lewis County Treasurer
Cynthia Wiedrick	Deputy Lewis County Treasurer
Valerie Juby	Lewis County Benefits Specialist

That Vicki A. Roy is hereby removed from the authorization list for Bank transfers.

That the within shall take effect January 18, 2011.

Moved by Legislator Boyd, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 77 – 2011**RESOLUTION TO TRANSFER FUNDS
TREASURER'S OFFICE**

Introduced by Legislator Jerry King, Chairman of the Information Technology Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer be approved in the Inter-fund Transfer account for data processing equipment and software purchases:

<u>From:</u>	<u>Amount</u>
A9950.9923 (Bldg Maint & Repair)	\$20,000.00

<u>To:</u> A9950.9940 (Data Processing)	\$20,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Boyd, and adopted.

OTHER BUSINESS:

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Fanning at 6:39 p.m., seconded by Legislator Stanford and carried.

SPECIAL MEETING
March 22, 2011

The meeting was called to order at 3:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present, except Legislator Burke whom had been excused.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 15 persons present.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommends waiving the rules to allow action on late resolutions.

Dated: March 22, 2011

Richard C. Lucas, Chairman
Patrick Wallace Committee

Legislator Tabolt made a motion to waive the rules, seconded by Legislator Lucas and carried.

Chairman Bush announced that in accordance with Local Law No. 2-2007 for Unsafe Buildings Enforcement, Rose McKenna of Turin had received written notice for her opportunity to be heard relative to her unsafe building.

Hearing Officer Richard Graham reported the property in question had been condemned in April 2008. Code Enforcement Officer Timothy Widrick had prepared and distributed two informational reports that delineated the course of events since the initial 2007 complaint, and his attempts with Ms. McKenna to resolve the issues. Both reports are on file with the Clerk of the Board.

Mr. Widrick summarized that Ms. McKenna had obtained a building permit in December 2009 pursuant to an engineer design to repair the two back walls. The permit included construction of a barrier to prohibit pedestrian access. However, to-date, neither building repairs nor a barrier have been done. Mr. Widrick submits the 2009 design is no longer valid due to continued deterioration, as evidenced by pictures attached to one of his distributed reports, which renders the permit invalid.

Atty. Graham clarified the issue of today's hearing is for a direction to the property owner to place a barrier to prohibit public access. The property owner had acknowledged receipt of the written notice, but has chosen not to appear. However, she was appreciative of the time allowed and would do everything she could to put up the fence. If a barrier is not placed by the stated deadline date of 4/15/11, the County would do so and place a lien on the respective property taxes. There are other enforcement issues with this property, he said, but any action other than placement of a fence barrier would require proper notice to the owner.

Atty. Graham stated the barrier is defined to be 6 feet high fence made of appropriate material to prohibit access, and the owner is to work with the Code Enforcement Officer to assure compliance. Mr. Widrick estimates a 200-foot barrier to secure the building, while relaying the owner's stated issues with an adjacent property owner as a reason for not placing a barrier. Moreover, due to the close proximity, he suggests an engineer's opinion on the affects to the street-side of the building; East Main Street (CR38) north side and State Route 26 west side.

In response to inquiries by several Legislators for the appropriate boundary and fence material, Atty. Graham stated the Board could either determine those specifics today or adjourn the hearing for more information. He reiterated that the issue of collapse is beyond the scope of today's hearing, and, again, would require proper notice to the owner. The property owner could be directed to obtain an engineer's opinion relative to collapse issues.

Legislators King and Lucas each voiced support to direct the owner to erect a protective fence, while mindful of future collapse issues and procedures. In response to Legislator Wallace, Atty. Graham reported the property taxes have not been paid since September 2009, which may allude to inadequate financial resources.

County Treasurer Patricia O'Brien stated the property would become part of the delinquent property tax auction process in February 2012, if taxes were not paid. The current delinquent amount is approximately \$1,000.00.

Mr. Widrick clarified that fencing off the East and South sides of the building are at issue today. The fence could be erected on the property boundary lines which practically abut the building. The Legislators then viewed survey maps of the property provided by Mr. Widrick.

Subsequent to Atty. Graham's recommendation for amending language to the proposed resolution, the following resolution was enacted.

RESOLUTION NO. 78 - 2011**RESOLUTION AUTHORIZING ENFORCEMENT HEARING
UNDER LOCAL LAW NO. 2-2007, UNSAFE BUILDINGS LAW**

Introduced by Legislator John Boyd, Chairman of Building Codes 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 as Tax Map No. 321.15-01-04.000-1, currently owned by Rose McKenna (herein the “Owner”); and determined that the structures thereon were unsafe, and issued a report to the Board of Legislators on February 18, 2011; and

WHEREAS, the Code Enforcement Officer (“CEO”) observed in his report that the building located at the Southeast Corner of East Main Street and State Street, Village of Turin, County of Lewis, the rear of the structure has collapsed, the roof has failed in places, and windows are missing. It is open at the rear of the building where the back wall has collapsed; and

WHEREAS, the CEO declared as of April 9, 2008, that the building was unsafe for occupancy and condemned the same and despite numerous attempts to urge the current owner of the building to make the premises safe, no action by the owner has taken place; and

WHEREAS, by Resolution No. 53 – 2011, the Board of Legislators issued an Order and Decree that Rose McKenna, the Owner of said building, appear before this Board of Legislators on March 22, 2011 at 3:00 PM and Show Cause before this Board why it should not Order said Owner to make the premises safe and secure by installing a barricade fence at least 6 feet high around the perimeter of the premises on or before April 15, 2011;

WHEREAS, said Owner, Rose McKenna, having been served personally and by mail, certified return receipt requested, and having acknowledged receipt of such notice;

NOW THEREFORE, be it resolved as follows:

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

- (1) The herein described building is unsafe and that such building constitutes a public nuisance and a danger to the safety, health and welfare of the community; and

- (2) It is the opinion of the Board of Legislators that the building must safely barricaded in a manner that will secure the premises and prevent the public from having access to the building.

Section 2. That by reason of such findings, it is hereby

ORDERED AND DECREED that Rose McKenna, the Owner of the premises known as Tax Map No. 321.15-01-04.000-1, and more particularly described as the building located at the Southeast Corner of East Main Street and State Street, Village of Turin, County of Lewis, make the premises safe and secure by installing a barricade fence at least 6 feet high around the perimeter of the premises on or before April 15, 2011. Such fencing shall be constructed of sufficient strength and material to prevent trespassers from entering the unsafe building; and it is further

ORDERED AND DECREED that in the event that the said Owner fails to comply with such Order or fails or refuses to install such a barricade fence, that Board of Legislators shall provide for its installation and assess all expenses thereof against the land on which it is located; and it is further

ORDERED AND DECREED, that the said Owner shall be served notice of this Order of the Board of Legislators as follows:

- (1) By personal service of a copy thereof upon the owner, executor, administrator, agent, lessee, or any person having a vested or contingent interest in such unsafe building as shown by the records of the receiver of taxes (or tax collector) or of the county clerk;
- (2) If no such person can be reasonably found, by mailing such owner by registered mail a copy of such notice directed to his last known address as shown by the above records; and by personal service of a copy of such notice upon any adult person residing in or occupying said premises if such person can be reasonable found; AND
- (3) by securing affixing a copy of such notice upon the unsafe building or equipment.

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

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator

Boyd.

Legislator Hathway made a motion to amend language in the first ORDERED AND DECREED paragraph above; to delete ..[around the perimeter of the premises] and insert instead ..sufficient to barricade collapsed sections of the building. The motion was seconded by Legislator Fanning and carried.

The resolution was then adopted.

PRIVILEGE OF THE FLOOR:

Jefferson Community College President Carole McCoy prefaced that this was her initial appearance before the Board. She distributed fact sheets and a pin to commemorate the college's 50th anniversary. There were 325 Lewis County students enrolled last fall; and, historically, 18% of Lewis County high school students apply for enrollment. Annual County appropriations of \$600,000 support their Jefferson Community College enrolled students. Likewise to other educational facilities, they are facing a tough fiscal year. However, she reported record fall and spring enrollments and affirmed her belief that trend would continue. In response to Legislator Fanning, Ms. McCoy stated that out-of-County sponsors are charged the difference between in-County enrollment fee and out-of-County fee, which currently is \$2,650 per student per year. In response to Legislator Hathway, she explained that a "Smart Classroom" encompassed availability to various technologies to enhance faculty and student educational opportunities, which are largely financed through Federal funds. Chairman Bush thanked her for time to appear and informative exchange.

Glen Gagnier thanked the Board for their recent support of the design study of the Croghan Dam rehabilitation project. He credited their support for leveraging subsequent financial support from the Village and Town of Croghan Boards, as well as local residential donations. Collectively, an additional \$27,000 of matching contributions were received which allowed submission of the USDA grant application. As a result of a request for proposals, submitted engineering proposals ranged from \$100,000 - \$500,000. Of those, an engineering firm has been selected, but will not be revealed until grant approval notification.

Todd Faul, Deer River Road resident, apprised the Board of a flooding situation on his property, created by trenching at a neighboring property. The County had dug a trench a few years ago at the site, but he was requesting a culvert or a ditch to avert the flooding. He submitted evidential pictures. Mr. Faul had spoken with Highway Superintendent Joseph Langs, who agreed to review the site. Chairman Bush referred the matter to the Transportation Committee for their recommendation.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Mr. James W. Wright, Executive Director of the Development Authority of the North Country, had forwarded a check in the amount of \$35,000.00 for the County's participation in the authorized Recycling Rebate Program.

The Lyons Falls Alive Festival Chairperson Christine A. Chaufy had forwarded an invitation to Chairman Bush and all Legislators to lead their scheduled parade to be held on July 16, 2011.

The Clerk acknowledged receipt of Tompkins County Legislature's supporting resolution of the tax surcharge on wealthy New Yorkers to improve equity in taxation and help close the State's projected budget gap.

The Beaver Falls Library Association had submitted their 2010 annual report to be placed on file.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

County Treasurer Patricia O'Brien had approved a real property corrected tax application for Christmas & Associates in the Town of Montague.

Copies of the 3/21/11 Solid Waste Audit Report, and the 2010 Soil & Water Conservation District Report had been distributed to each Legislator.

REPORTS OF STANDING COMMITTEES:

Legislator Charles Fanning, Mental Health Committee Chairman, reported that Director Jennifer Earl had transferred an employee from the Community Recovery Center to the Mental Health clinic to fill a vacancy due to a resignation. He made a motion to authorize filling one full-time vacant Assistant Alcohol and Substance Abuse Counselor position at Grade B24 for an hourly wage between \$18.08-\$21.20. The motion was seconded by Legislator Stanford and carried.

Legislator Patrick Wallace, Transportation/Solid Waste Committee Chairman, made a motion to award bids for the period from April 1, 2011 to March 31, 2012 for Crushing to Village Construction and Florence Sand & Gravel; for Concrete to V.S. Virkler & Sons, Inc.; for Stone to MJL Crushing, Barrett Paving Materials, Florence Sand & Gravel, Tug Hill Aggregates, V.S. Virkler & Sons, Inc. and Hanson Aggregates, in accordance with the bid tabulation sheet dated 3/7/11 and placed on file with the Clerk of the Board. The motion was seconded by Legislator Lucas and carried. Legislator Bush abstained.

Legislator Wallace made a motion to award bids for Re-profiling, Liquid Bituminous, Filling Cracks, Micro-Surfacing and Quick-Set Slurry Seal to Midland Asphalt Materials, Suit-Kote, Gorman Brothers and Vestal Asphalt, in accordance with the bid tabulation sheets dated 3/3/11 and placed on file with the Clerk of the Board. The motion was seconded by Legislator Fanning and carried.

Legislator Wallace made a motion to award the bid for purchase of a Solid Waste 2011 Compactor to United Services Group, Inc. in the amount of \$52,115.00, including trade-in of a 2001 compactor. The motion was seconded by Legislator Hathway and carried.

Legislator Paul Stanford, Veterans Committee Chairman, asked for support of his sponsored resolutions.

Legislator Richard Lucas, Economic Development/Insurance Committee Chairman, made a motion to authorize renewal of all County liability insurance policies with Rose & Kiernan, Inc. as set forth in their March 15, 2011 proposal to the Committee for a total premium of \$273,427.14. The amount represents an increase of \$4,964 or 1.8%. The motion was seconded by Legislator King and carried.

Legislator Lucas reported the resignation of Sr. Planner Sarah Bullock, stating that she had accepted a position with another County department. He made a motion to authorize refilling the Sr. Planner position, seconded by Legislator Boyd and carried.

Legislator Jerry King, Election Committee Chairman, reported the Commissioners had sent notification to all Villages that the County would assume their future election costs

if their election dates were changed to coincide with the November election date. The Villages of Constableville, Copenhagen, Harrisville and Port Leyden have each notified of their intent to change their election date to November.

COUNTY MANAGER REPORT:

Mr. David Pendergast made a power-point presentation to illustrate the expenditures for nine (9) State-mandated programs. The MMIS, Child Welfare, Safety Net, Pension, Pre-K, Early Intervention, Probation, Indigent Defense and Youth Detention program costs equate \$11,863,000.00 or 95% of the 2011 County tax levy. The Governor is proposing a tax cap at the lower level of either two-percent or the Consumer Price Index currently at 1.6%. This would impose a real property tax increase of no more than \$199,839.37, which is far below the projected increase cost for just one of the nine (9) mandates. Pension costs for 2013 are projected to increase by 30% over the 2010 level; and MMIS costs have historically increased by 3% annually. Mr. Pendergast continues diligent review and analyzing of updated State Budget information to determine local impacts, and will facilitate reports to the Board for timely responsive planning.

RESOLUTIONS:

RESOLUTION NO. 79 - 2011**RESOLUTION OPPOSING FEE PURCHASE OF FORMER
FINCH AND FOLLENSBY POND LANDS**

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

Whereas, the State of New York plans to purchase more than 60,000 acres of the former Finch Pruyn (Finch) timberlands in fee from The Nature Conservancy (TNC); and

Whereas, the State plans to purchase 15,000 acres of the Follensby Pond timberlands in fee from TNC; and

Whereas, DEC Lands and Forests Director Rob Davies estimated in a recent article that working forests support four forestry related jobs for every 1,000 acres of productive forest lands, and that the same 1,000 acres would support only six-tenths (.6) of a tourism job; and

Whereas, if the 75,000 acres of the former Finch and Follensby Pond lands are purchased in fee, 300 forestry related jobs would be lost, and only 45 tourism related jobs would be created; and

Whereas, the Adirondack Park Agency (APA) is charged with the responsibility of determining State agency compliance with the Adirondack State Land Master Plan (SLMP); and

Whereas, the SLMP provides that: "Due to the importance of the forest products industry to the economy of the Adirondack region, bulk acreage purchases in fee should not normally be made where highly productive forest land is involved, unless such land is threatened with development that would curtail its use for forestry purposes or its value for the preservation of open space or of wildlife habitat"; and

Whereas, the former Finch lands and the Follensby Pond lands are both highly productive forest lands, and neither are threatened by imminent development; and

Whereas, there are currently 20 recreational leases on the former Finch lands encompassing approximately 200 hunting and fishing cabins providing traditional recreation to thousands of members and guests, revenue to TNC for the payment of real property taxes and maintenance of those lands, and millions of dollars of revenues for Adirondack businesses from club and member expenditures for equipment and supplies; and

Whereas, fee purchase by the State would result in the Finch and Follensby lands becoming “Forever Wild” forest lands, the loss of 20 recreational leases, the destruction of hunting and fishing cabins, the net loss of 255 forestry related jobs, the loss of spin-off jobs in the affected communities, the loss of clubs’ and members’ expenditures to businesses in the community, and the loss of practical access to remote areas of the purchased lands; and

Whereas, the purchase of the Follensby lands would be partially funded by Federal Forest Legacy Program funds, originally designed to purchase and protect working forests rather than “Forever Wild” fee lands where forestry is prohibited; and

Whereas, fee purchase of the Finch and Follensby lands by the State would result to impair the State’s ability to respond to invasive species infestations, the inability of DEC to properly maintain and manage newly acquired lands due to staff reductions, and the inability of any entity to participate in the carbon credit market; and

Whereas, the State would be required by the Real Property Tax Law to pay taxes on the former Finch and Follensby lands, if acquired in fee, as if privately owned; and

Whereas, the funds to pay real property taxes are derived from the general fund rather than the Environmental Protection Fund, which is supported by revenues other than State income taxes; and

Whereas, the APA is required to insure State agency compliance with the SLMP and to engage in a continued planning process which recognizes matters of local concern; and

Whereas, in these dire financial times, with the State facing bankruptcy, losses of thousands of State jobs, some of which are certain to include North Country Correction Officers, the priorities of the State should not include buying more land when people are losing their jobs and local governments are realizing State aid cuts; and

Whereas, the necessities of life should take precedence far above that of more land purchases, particularly considering the existing millions of acres of State lands; and

Whereas, the role of private conservation groups such as TNC should not operate as a real estate broker for the State, but continue their stewardship of the land as a well-funded private conservation organization, not a taxpayer subsidized acquisition department of New York State.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby records their opposition to the fee acquisition by the State of New York of the former Finch and Follensby Pond lands; urges the APA to insure compliance with the State Land Master Plan by recommending against the DEC fee purchase of highly productive timberland; and urges Governor Andrew Cuomo to direct that the State **not** purchase the former Finch and Follensby lands.

Section 2. That the Lewis County Board of Legislators respectfully requests Governor Andrew Cuomo to order a study of the economic and social impacts of State land acquisitions in the Adirondacks prior to authorization of any additional purchases.

Section 3. That the Clerk is directed to forward a certified copy of this resolution to Governor Andrew M. Cuomo; U.S. Senators Charles Schumer and Kirsten Gillibrand; Congressman William Owens; Senate Majority Leader Dean Skelos, Senators Joseph Griffo, Elizabeth Little, Hugh Farley, James Seward and Roy McDonald; Assembly Speaker Sheldon Silver, Assemblymen Ken Blankenbush and David Townsend, Assemblywomen Teresa Sayward and Janet Duprey; NYSDEC Commissioner Joe Martens, DEC Region 5 Director Betsy Lowe, DEC Region 6 Director Judy Drabicki, the Twelve Counties of the Adirondacks, the Adirondack Park Agency and the New York State Association of Counties.

Section 2. That the within resolution shall be effective immediately.

Moved by Legislator Lucas, seconded by Legislator

Stanford, and adopted.

RESOLUTION NO. 80 – 2011

**RESOLUTION TO TRANSFER FUNDS
BUILDING CODES**

Introduced by Legislator John Boyd., Chairman of the Building Codes Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved in the Building Codes

Accounts to cover expenses:

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
A3620.4407 (supplies)	A3620.4501 (Education)	\$22.30

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

Moved by Legislator Stanford , seconded by Legislator Tabolt ,
and adopted.

RESOLUTION NO. 81 -2011**RESOLUTION TO APPROPRIATE FUNDS
CAPITAL BUILDING MAINTENANCE AND REPAIR**

Introduced by Legislator William Burke., Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriations be approved in the Capital Building Maintenance and Repair accounts :

HAC50310 (Inter-fund transfer)	\$380,000.00
HAC1620.4 (Court House)	\$130,000.00
HAC1621.4 (Stowe St)	\$ 20,000.00
HAC3110.4 (Sheriff)	\$140,000.00
HAC5130.4 (Highway)	<u>\$ 90,000.00</u>
Total:	\$380,000.00

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

Moved by Legislator Boyd , seconded by Legislator
King , and adopted.

RESOLUTION NO. 82 -2011**RESOLUTION TO APPROPRIATE FUNDS
CAPITAL DATA PROCESSING**

Introduced by Legislator William Burke., Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the Capital Data Processing account:

HAE50310 (Inter-fund transfer)	\$20,000.00
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HAE9901.9 (Inter-fund transfer)	\$20,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas , seconded by Legislator
Stanford , and adopted.

RESOLUTION NO. 83 -2011**RESOLUTION TO APPROPRIATE FUNDS
CAPITAL EQUIPMENT**

Introduced by Legislator William Burke., Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the Capital Equipment account:

HAD50310 (Inter-fund transfer)	\$411,242.00
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HAD9901.9 (Inter-fund transfer)	\$411,242.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator
King.

In response to Legislator Hathway, Mr. Pendergast explained that for the past couple of years there have been appropriations for equipment. This action transfers those appropriations to a capital account. Any capital equipment expenditure requests must be approved by the Board.

The resolution was then adopted.

RESOLUTION NO. 84 - 2011**RESOLUTION APPOINTING LEWIS COUNTY
HEALTH INSURANCE PLAN ADMINISTRATOR**

Introduced by Legislator Richard Lucas, Chairman of the Insurance Committee.

BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby appoints **PATRICIA O'BRIEN**, Lewis County Treasurer, as the Plan Administrator for the Lewis County Health Insurance Plan, effective immediately.

Section 2. That the within resolution shall be effective immediately.

Moved by Legislator Fanning, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 85 - 2011**RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY GENERAL HOSPITAL
BOARD OF MANAGERS**

Introduced by Legislator Michael Tabolt, Chairman of the Hospital Committee.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby appoints **Leonard Puzzuoli**, of 5414 Hemlock Drive, #1008C, Lowville, NY 13367 to fill the un-expired term of Doreen Garrett on the Lewis County General Hospital Board of Managers.

Section 2. That the term of said appointment shall commence March 23, 2011 and expire on December 31, 2011.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Stanford,
and adopted.

RESOLUTION NO. 86 - 2011**RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY GENERAL HOSPITAL
BOARD OF MANAGERS**

Introduced by Legislator Michael Tabolt, Chairman of the Hospital Committee.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby appoints **Gary Turck** of 5203 Hillcrest Circle, Lowville, New York 13367 to fill a vacancy on the Lewis County General Hospital Board of Managers.

Section 2. That the term of said appointment shall commence March 23, 2011 and expire on December 31, 2015.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Tabolt,
and adopted.

RESOLUTION NO. 87 -2011**RESOLUTION TO TRANSFER FUNDS
CAPITAL BEAVER RIVER HEALTH CENTER**

Introduced by Legislator William Burke, Chairman of the Buildings and Grounds Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved to cover contractual expense for Bernier Carr & Associates related to the Beaver River Health Center:

<u>From</u>	<u>To</u>	<u>Amount</u>
HTA1990.4 (Contingency)	HTA4510.4420 (Proj. Rep)	\$120,065.65

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

Moved by Legislator Boyd, seconded by Legislator Tabolt.

In response to Legislator Fanning, County Attorney Richard Graham explained that the reference contingency fund was exclusively for the Beaver Falls Health Center project. The transfer was drawing against the \$1.6 Million bond.

The resolution was then adopted.

RESOLUTION NO. 88 - 2011**RESOLUTION ESTABLISHING THE LEWIS COUNTY
HUMAN RESOURCES DEPARTMENT**

Introduced by Legislator Paul Stanford, Chairman of the Personnel Committee.

WHEREAS, the Board of Legislators finds that the needs of administering its workforce, in the midst of an increasingly complex array of rules and regulations affecting the workforce, requires professional expertise in the provision of comprehensive and integrated human resources services on behalf of the County's elected officials and in support of the County's overall mission; and

WHEREAS, for this reason, the Board of Legislators finds that it is in the public interest to develop a Human Resources Department that will bring together the functions of civil service administration; employee recruiting; labor/management relations; personnel policy development and implementation; and staff evaluations, discipline and training; and maintaining personnel records; and

WHEREAS, to meet these needs, the Board of Legislators has heretofore adopted Local Law No. 2 of the Year 2010, entitled, "**A LOCAL LAW AUTHORIZING LEWIS COUNTY TO WITHDRAW FROM CIVIL SERVICE COMMISSION AND ESTABLISHING THE LEWIS COUNTY HUMAN RESOURCES DEPARTMENT**"; and

WHEREAS, pursuant to Local Law No. 2 – 2010, the Board of Legislators, "may establish new positions or transfer existing positions, establish new or amend existing job titles, and take such other measures as may be deemed expedient and necessary to establish a Human Resources Department and carry out the intent of this local law." (Local Law No. 2 – 2010, Section 6[A]); and

WHEREAS, Lewis County General Hospital ("LCGH") has an existing Human Resources Department with an incumbent Director who is experienced in human resource management and development; and

WHEREAS, the Board of Legislators wishes to establish a Human Resources Department for all County employees and finds that it is financially prudent as well as administratively expedient to expand upon the resources and experience already available at the LCGH Human Resources Department by creating a combined department under a single Director of Human Resources who will oversee and manage the human resource function for all County employees and who will also serve as the Personnel Officer for the County of Lewis and administer the Civil Service Law.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby establishes the Lewis County Human Resources Department ("Department"). The Department shall be empowered to perform human resource management services for all employees of Lewis County. The Department shall be under the direction of the Director of Human Resources/Personnel Officer.

- A. The Human Resources Department shall be staffed by such personnel holding such titles and performing such duties as may be deemed necessary and appropriate by the Director, subject to budgetary approval of the Board of Legislators.
- B. In addition to the services currently being provided to LCGH, the Human Resources Department shall provide the following services to non-hospital, County employees and as more particularly described in the Memorandum of Agreement: Recruiting, Personnel Policies, Staff Development, Performance Evaluations, Salary Administration, Labor Relations, Civil Service Administration, Personnel Records.

Section 2. The Board of Legislators hereby establishes the position and office of Director of Human Resources/Personnel Officer ("Director"). The Director shall be responsible for administering the provisions of Civil Service Law pursuant to Civil Service Law Section 15(1)(b), shall be the head of the Department, and shall have such other duties as set forth in the attached job description (subject to jurisdictional classification by the Civil Service Commission pursuant to Civil Service Law § 22). The Director shall be an appointee of the Board of Legislators and have a six year term of office. The Director may commence his duties as department head immediately upon appointment, provided that the Director shall not assume the duties of Personnel Officer until the date of withdrawal from the Civil Service Commission pursuant to Local Law No. 2 – 2010, such six year term of office to commence upon assuming such duties.

Section 3. The Board of Legislators hereby submits the job description for the Director of Human Resources/Personnel Officer to the Civil Service Commission for classification pursuant to Civil Service Law § 22 with the request that the Civil Service Commission meet and act upon the same within thirty days of the date of adoption of this Resolution.

Section 4. The Board of Legislators hereby approves a Memorandum of Agreement by and between the Board of Legislators and the Board of Managers of the Lewis County General Hospital, that sets forth the terms and conditions pursuant to which the parties shall share the cost and expense of the services to be performed by Department of Human Resources.

Section 5. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Memorandum of Agreement on behalf of the Board of Legislators.

Section 6. That this Resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Lucas

Legislator Wallace asked for more time to deliberate and discuss this issue. Legislator Stanford referenced previous Board discussions and agreement to develop an MOU and respective budget. Legislator Lucas cited the MOU was developed by those most knowledgeable, being County and Hospital administrative personnel and legal counsel.

The resolution was then adopted. Legislator Wallace was opposed.

DIRECTOR OF HUMAN RESOURCES/PERSONNEL OFFICER

DISTINGUISHING FEATURES OF THE CLASS: This statutory position functions as the Personnel Officer for the County of Lewis and is the head of the Human Resources Department. This position is responsible for planning, organizing and directing all aspects of the Human Resource function for employment, compensation, labor relations and training of employees under current federal, state and local laws.

TYPICAL WORK ACTIVITIES:

- Administers Civil Service Law requirements as the Personnel Officer for the County pursuant to Civil Service Law Section 15(1)(b).
- Selects, trains/orients and assigns department staff (either directly or through subordinate manager/supervisor). Develops standards of performance, evaluates performance, and initiates or makes recommendations for personnel actions.
- Develops department goals and objectives, and establishes and implements policies and procedures for department operation.
- Develops and recommends department operating budget and ensures that department operates within budget.
- Directs the preparation and maintenance of department reports. Prepares periodic reports for top management, as required.
- Participates in the development of County objectives, personnel philosophy and strategic planning in relation to personnel programs and trends in human resource management.
- Develops goals and objectives for the human resources/personnel department and initiates specific programs in the various areas of the department.
- Manages and integrates the various functions of the department under managers of compensation, benefits, employment, employee relations, and training.
- Evaluates changing demographic, legal, and technical developments in the field and develops new programs responsive to such needs.
- Develops County philosophy, approaches, and policies on compensation, competitive benefits, employee relations and training initiatives.

- Educates and informs managers and supervisors of other departments of personnel policy and procedures.
- Ensures the security and accuracy of personnel data for the County and develops County wide statistics, cost projections, and personal information on all employees.
- Maintains professional growth and development through seminars, workshops, and professional affiliations to keep abreast of latest trends in field of expertise.
- Leads and directs all labor relation functions in accordance with the direction of the Board of Legislators.
- Participates in County staff committee meetings as required. Attends and serves on professional/civic service organizations as County representative.
- Performs other related duties as assigned or requested.

FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:

Good knowledge of modern principles and practices of personnel administration and labor relations; good knowledge of interviewing techniques; good knowledge of the techniques for implementing employee training; good knowledge of contract administration and personnel management; working knowledge of all federal, state and local laws, and other regulations affecting public employment in New York State; working knowledge of the theory, procedures and techniques involved in collective bargaining, arbitration, grievance handling and other aspects of employee relations; working knowledge of federal and state codes and laws relating to health care facility personnel staffing requirements and equal employment opportunity; ability to compile personnel data and prepare correspondence, policies, reports and other materials; ability to read and interpret complex written material; ability to communicate effectively both orally and in writing; ability to deal effectively with hospital officials, staff, employees, and the general public; physical condition commensurate with the demands of the position.

MINIMUM QUALIFICATIONS: Either:

- A) Possession of a master's degree from a regionally accredited or New York State registered college or university in human resources management, personnel management, personnel administration, hospital, public or business administration, accounting, labor management, labor relations, management, government, psychology or related field; or
- B) Graduation from a regionally accredited or New York State registered four year college or university with a bachelor's degree in human resources management, personnel management, personnel administration, hospital, public or business

administration, accounting, labor management, labor relations, management, government, psychology or related field and two years of experience in personnel management, personnel administration, labor management, or labor relations; or

- C) An equivalent combination of training and experience as defined by the limits of (A), and (B) above.

RESOLUTION NO. 89 - 2011

**RESOLUTION APPOINTING DIRECTOR OF
HUMAN RESOURCES/PERSONNEL OFFICER**

Introduced by Legislator Paul Stanford, Chairman of the Personnel Committee.

WHEREAS, pursuant to Local Law No. 2 – 2010, the Board of Legislators, “may establish new positions or transfer existing positions, establish new or amend existing job titles, and take such other measures as may be deemed expedient and necessary to establish a Human Resources Department and carry out the intent of this local law.” (Local Law No. 2 – 2010, Section 6[A]); and

WHEREAS, the Board of Legislators has contemporaneously herewith established the Human Resources Department, and the position and office of Director of Human Resources/Personnel Officer who will oversee and manage the human resource function for all County employees and who will also serve as the Personnel Officer for the County of Lewis.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby appoints Timothy Ryan to the position of Director of Human Resources/Personnel Officer, whose duties and responsibilities shall be as set forth in the job description as adopted by the Board of Legislators. The Director may commence his duties as department head immediately upon appointment, provided that the Director shall not assume the duties of Personnel Officer until the date of withdrawal from the Civil Service Commission pursuant to Local Law No. 2 – 2010, such six year term of office to commence upon assuming such duties.

Section 2. That this Resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Stanford, and adopted. Legislator Wallace was opposed.

RESOLUTION NO. 90 -2011**RESOLUTION TO APPROPRIATE FUNDS
HUMAN RESOURCES**

Introduced by Legislator Paul Stanford, Chairman of the Civil Service Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation and transfer be approved to cover costs associated with establishing the Human Resources Department:

<u>ACCOUNT</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
<u>Appropriate:</u>		
A599	Fund Balance	\$175,488.00
<u>To:</u>		
A1431.4999	Contractual	\$175,488.00

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

Moved by Legislator King , seconded by Legislator
Tabolt .

Legislator Stanford made a motion to amend the amount to \$158,821.00, seconded by Legislator Lucas and carried.

The resolution was then adopted.

RESOLUTION NO. 91 - 2011

**RESOLUTION APPOINTING MEMBERS TO
LEWIS COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BOARD OF DIRECTORS**

Introduced by Legislator Jack T. Bush, Chairman of the Lewis County Board of Legislators.

Whereas, pursuant to Section 856 of the General Municipal Law, an Industrial Development Agency shall be a corporate government agency, constituting a public benefit corporation; and

Whereas, the Agency shall consist of not less than three nor more than seven members, who shall be appointed by the governing Board of Legislators; and

Whereas, said members shall serve at the pleasure of the Board.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints the following individuals to the Lewis County Industrial Development Agency to serve at the pleasure of the Board:

Roscoe Fawcett, Jr. of Post Office Box 470, Lyons Falls, New York 13368

Mickey G. Lehman of 9733 State Route 812, Croghan, New York 13327

Edward Boliver of Indian River Road, Route 812, Croghan, New York 13327

Section 2. That the within resolution shall be effective immediately.

Moved by Legislator Tabolt, seconded by Legislator

Lucas

Legislator Fanning inquired why the Agency was being increased to seven (7) members. Chairman Jack Bush implied his indifference, stating it would be the Legislators' decision, while referencing the law allows between three (3) and seven (7) members. Currently there are four (4) members due to one vacancy, and there are times it is hard to get a quorum. However, he concluded that the Agency has operated with five (5) members for several years.

Legislator King voiced agreement for seven (7) members due to the quorum issue. However, he suggests there should be public advertising for interested members, and he favors representation from all sections of the County. Legislators Stanford and Fanning voiced their concurrence.

Legislator Hathway exclaimed his pleasure and confidence to present Ed Boliver as an Agency member.

Legislator Lucas cited the letter from the IDA recommending the appointments, distinguishing the usual practice of accepting other Boards' recommendations for respective appointments.

Chairman Bush stated he was an IDA member, along with Tony Andre of Brantingham, Doreen Garrett of Turin and Steve Allen of Lowville.

The resolution was then adopted by a vote of 6 to 3, with Legislators Fanning, Stanford and King opposed. Legislator Burke was absent.

RESOLUTION NO. 92 - 2011**RESOLUTION APPOINTING MEMBER TO LEWIS COUNTY
COMMUNITY MENTAL HEALTH, DEVELOPMENTAL
DISABILITIES AND ALCOHOLISM SERVICES BOARD**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints **CATHERINE LIENDECKER** of 7323 Dock Street, P.O. Box 235, Lyons Falls, New York 13368, to the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. That the term of said appointment shall be effective from March 23, 2011 and expire on December 31, 2014.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Tabolt,
and adopted.

RESOLUTION NO. 93 – 2011**RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR AGING**

Introduced by Legislator Philip Hathway, Chairman of the Office For
the Aging Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriations be approved in
anticipation of a grant relative to Medicare Improvements for Patients and
Providers Act:

Increase Revenue:

A47795(MIPPA)	\$13,419.00
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Increase Expense:

A6772.1999 (Pers Serv)	\$ 8,525.00
A6772.8999 (Fringe)	\$ 3,836.00
A6772.4407 (Supplies)	<u>\$ 1,058.00</u>
Total:	\$13,419.00

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

Moved by Legislator Stanford, seconded by Legislator

Boyd, and adopted.

RESOLUTION NO. 94 – 2011

**RESOLUTION TO TRANSFER FUNDS
OFFICE FOR AGING**

Introduced by Legislator Philip Hathway, Chairman of the Office For
the Aging Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer be approved for the Nutrition
account to pay for meals:

<u>From:</u>	<u>To:</u>	<u>Amount</u>
A6772.4801 (Rent)	A6772.4911 (Prof Svc Nutrition)	\$1,100.00

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

Moved by Legislator Stanford, seconded by Legislator
Tabolt, and adopted.

Legislator Hathway commended the Croghan meal site for waiving their
rent for the remainder of the year, which made the transfer possible.

RESOLUTION NO. 95 -2011**RESOLUTION TO APPROPRIATE FUNDS
PUBLIC DEFENDER**

Introduced by Legislator John Boyd, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved to cover increased public defender expenses:

<u>ACCOUNT</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
<u>Appropriate:</u>		
A599	Fund Balance	\$20,000.00
 <u>To:</u>		
A1170.4803	Prof Services	\$20,000.00

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

Moved by Legislator Lucas , seconded by Legislator
Tabolt , and adopted.

RESOLUTION NO. 96 - 2011**RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND THE
PRESCHOOL SPECIAL EDUCATION PROGRAM
FOR TRANSPORTATION WITH BIRNIE BUS SERVICE, INC.**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency wishes to enter into an Agreement with Birnie Bus Service, Inc. that provides transportation for preschool special education children; and

WHEREAS, the term of this Agreement is for March 2, 2011 through August 31, 2012 at a cost of \$150.00 per day per child; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis by and through the Lewis County Public Health Agency and Birnie Bus Service, Inc. to provide transportation for preschool special education children.

Section 2. That said Agreement shall be for the period of March 2, 2011 through August 31, 2012 and shall be at a cost of \$150.00 per day per child.

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

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

Moved by Legislator Fanning, seconded by Legislator King,
and adopted.

RESOLUTION NO. 97 -2011**RESOLUTION TO APPROPRIATE FUNDS
CAPTIAL - RADIO STUDY**

Introduced by Legislator Jerry King, Chairman of the Information Management Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved to cover costs associated with the Radio Study:

<u>ACCOUNT</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
<u>Appropriate:</u>		
A599	Fund Balance	\$26,500.00
<u>To:</u>		
A9950.9940	(Data Processing & Radio Equip)	\$26,500.00

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

Moved by Legislator Lucas, seconded by Legislator Stanford, and adopted. Legislator Fanning was opposed.

RESOLUTION NO. 98 – 2011

**RESOLUTION TO TRANSFER FUNDS
SHERIFF'S DEPARTMENT**

Introduced by Legislator John Boyd, Chairman of the Courts & Law Enforcement
Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved in the Sheriff's Department for
computer and I.D. equipment purchases from the Capital Data Processing account:

<u>Appropriate:</u>	<u>Amount:</u>
A50310 (Inter-fund Transfer)	\$2,757.85
A3110.2909 (Misc equip)	\$2,757.85

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

Moved by Legislator Boyd, seconded by Legislator Stanford,
and adopted.

Legislator Lucas stated the equipment would produce pistol permits on
plastic cards.

RESOLUTION NO. 99 -2011**RESOLUTION TO APPROPRIATE FUNDS
DARE**

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget amendment be approved using donations from the Town of Pinckney :

<u>ACCOUNT</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
A27053	Donations	\$25.00
A2989.4999	DARE	\$25.00

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

Moved by Legislator King, seconded by Legislator
Boyd, and adopted.

RESOLUTION NO. 100 - 2011

**RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO DENISE M. ZEHR)**

Introduced by Jack T. Bush, Chairman of the Lewis County Board of Legislators.

WHEREAS, Denise M. Zehr was granted a Mortgage to the County of Lewis dated May 29, 2003, and recorded in the Lewis County Clerk's Office on June 19, 2003, in Liber 2003 of mortgages at Page 01847 to secure payment of a loan in the amount of \$2,009.00, pursuant to a program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforescribed Mortgage.

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

Moved by Legislator Fanning, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 101 - 2011**RESOLUTION UN-APPROPRIATING HEAP FUNDS
FOR SOCIAL SERVICES ADMINISTRATION EMERGENCY
PAYMENTS AND ASSISTANCE PAYMENTS**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the County of Lewis has under-expended a portion of its Social Services allotment for the Home Emergency Assistance Program (HEAP) and the 2009-2010 HEAP season is complete.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the sum of \$95,867.00 be un-appropriated to Account No. A6141.4999.

Section 2. That this return of un-expended Federal Aid in the amount of \$95,867.00 shall be reflected as a reduction to the Revenue Account No. A4641.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Tabolt, and adopted.

Legislator Hathway explained the Federal monies had been upfronted for wood vendors and the referenced portion was not used. All future payments will be made directly to wood vendors. HEAP expenditures for Lewis County were approximately \$2 Million, he concluded.

RESOLUTION NO. 102 – 2011**RESOLUTION TO APPROPRIATE FUNDS
SOLID WASTE DEPARTMENT**

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the Solid Waste Department accounts to cover dental benefit expenses not accounted for in the adopted 2011 budget:

Increase Revenue:

ES21301(Recycling) \$4,483.00

Increase Expense:

ES9070.8999(Dental) \$4,483.00

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

Moved by Legislator Stanford , seconded by Legislator Boyd ,
and adopted.

RESOLUTION NO. 103 – 2011**RESOLUTION TO APPROPRIATE FUNDS
SOLID WASTE DEPARTMENT**

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the Solid Waste Department Accounts for money received from the Development Authority of the North Country for the recycling project:

Increase Revenue:

ES21301(Recycling)	\$35,000.00
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Increase Expense:

ES8160.2233(Equipment)	\$35,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King , seconded by Legislator Stanford ,
and adopted.

RESOLUTION NO. 104 -2011RESOLUTION TO APPROPRIATE FUNDS
VETERANS' SERVICES

Introduced by Legislator Paul Stanford, Chairman of the Veterans' Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved to cover additional personnel expense for Veterans Service Counselor:

<u>ACCOUNT</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
<u>Appropriate:</u>		
A599	Fund Balance	\$48,717.00
<u>To:</u>		
A6510.8999	Fringe	\$19,123.80
A6510.1999	Pers Services	\$29,593.20

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

Moved by Legislator Boyd, seconded by Legislator Stanford, and adopted.

OTHER BUSINESS:

Legislator Tabolt made a motion to enter executive session at 4:41 p.m. for discussion on specific personnel and litigation, seconded by Legislator Lucas and carried. Following the session, Legislator Stanford moved to re-enter regular session at 5:16 p.m., seconded by Legislator Lucas and carried.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Hathway, seconded by Legislator Fanning and carried.

REGULAR MEETING**April 5, 2011**

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 38 persons present.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommends immediate action on all pre-file resolutions.

Richard C. Lucas, Chairman
William Burke
Patrick Wallace

Dated: April 5, 2011

Legislator Tabolt made a motion to accept the recommendation, seconded by Legislator Burke and carried.

The Clerk of the Board read a proclamation in recognition of firefighters Steve Hirschey, Bill Aganier, Tom Roy and Toma Olmstead for their heroism to save a life from a burning structure. Chairman Bush then presented each of them with a certified proclamation.

The Clerk of the Board read a proclamation to commend Beaver River Central School athlete Taylor Grunert for her exemplary volleyball achievements despite an irreparable eye injury. Legislators John Boyd and Michael Tabolt then presented her with a certified proclamation.

PRIVILEGE OF THE FLOOR:

Liz Hirschey, Chair of the recently developed Adirondack Tug Hill Tourism Council, reported their review of the tourism study report prepared by The Herzig Group. She recognized the several local business owners present tonight in support of the council. They recognize and commend the tourism efforts and charges of the Chamber of Commerce.

The Council works closely with the Chamber of Commerce and the County Planning personnel for their defined sole purpose and focus on local tourism. The 11-member council has a financial, goals and objectives, and by-law committees. Ms. Hirschey requested a liaison Legislator representative appointment to their Council. Their intent is to submit a Mission Statement to the Board of Legislators by July 2011, accompanied by an appropriation request.

Council Vice-Chair Kathleen Merrick reiterated their sole focus on tourism, to attract people to Lewis County as a year-round destination for a memorable experience.

Public Health Director Carol Paluck reported the County's health rankings in accordance with a national report released 3/30/11. She had distributed an excerpt of the report to Legislators and announced the entire report could be accessed on the website at www.countyhealthrankings.org. The annual survey provides statistics to local health officials to assist in determining which programs are working or not, and improvements to enhance the health of residents.

The primary indicators distinguish health factors and health behaviors that may impact cause of death prior to age 75. The rankings consider how we live, how many doctor visits, air quality, access to fresh fruits and vegetables and physical activity opportunities. Review of the information will assist to develop programs and policies utilizing private, as well as public resources.

Mrs. Paluck reported that Lewis County ranked overall at 23rd among the 62 New York counties. We have a high percentage ranking for colorectal cancer and deaths prior to age 75; however, 6.5% of births are low weight compared to the State average of 8.1%. Favorable rankings are indicated for reduced tobacco use, diabetes screening and diagnosis, low incidence of sexually transmitted diseases and good air quality.

The obesity rate percentage is comparatively high, which reflects a lack of access to physical activities, such as fitness gyms and/or parks; while suggesting that sidewalk improvements could enhance walking activities. Also, there will be focus to avail out-of-season fresh fruits and vegetables. Mrs. Paluck stated her intent to research the specific causes for Lewis County's comparative high rate of 22 deaths resulting from motor vehicle crashes for every proportionate 100,000 population, to the State-wide average of 8 deaths. Programs would then be developed in response to identified causes.

Commissioner of Social Services Stacy Alvord reported the 20-member Health and Human Resources Priorities Council is representative of various Lewis County service-providing departments, organizations and agencies to collaborate their resources for optimum efficiencies and positive impacts. The council's sub-committees each specialize on varying health and housing needs assessments and share and decipher collected data. Their collective goal is to improve on the reported ranking statistics, while reducing overall costs.

Citing the prospective CDBG grant, Mrs. Alvord stated it could be a catalyst to provide safe and affordable housing, particularly for the elderly. Efforts are made to identify options other than public funding to respond to the homeless and housing needs, as evidenced by the recent partnering with Transitional Living Services. Also, a local church has offered to renovate a parish house for use by temporarily displaced individuals. The council will also continue their coordinated efforts to explore options to address needs for family respite services.

Legislator Fanning concluded that the child safety seat program was a successful illustration of public health programs.

Mr. Ronald Wolff of Croghan inquired if there was any support for the initiative of purchasing a section of railroad tracks for development of off-road recreation trails.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Vicky A. Roy had submitted her resignation as the Stop DWI Coordinator effective March 21, 2011.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Treasurer Patricia O'Brien had submitted approved applications for refunds of real property taxes paid by the Village of Lyons Falls on two parcels for the years 2008, 2009, 2010, in the total amount of \$913.09.

The Lewis County General Hospital Board of Managers' approved By-Laws had been submitted to be placed on file with the Clerk of the Board.

County Sealer Barbara Cooper had submitted her March report to be placed on file.

Copies of the 3/25/11 Highway Audit Report; Treasurer's March report, and the 12/9/10 Public Health/Hospice Quality Assurance Committee meeting minutes, had been distributed to each Legislator.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Office For Aging/Social Services Committee Chairman, relayed an issue with the Office For Aging van would be deferred until further discussion with Director David Bush and County Manager David Pendergast.

Legislator Hathway reported that Director of Temporary Assistance and Employment Services Pennie Getman had given an informative presentation about available employer services; and their outreach efforts to invoke greater employer participation for financial and other assistance. The duties of retiring Senior Support Investigator Patti Wiedrick, following her 37-year tenure, will be divided amongst other employees.

Legislator Michael Tabolt, Hospital Committee Chairman, reported a February loss of \$199,569. He also announced the employee-of-the-month was registered nurse Bonnie Brouty.

Considering the recent reported losses, Legislator Tabolt provided year-to-date comparison figures, reporting a 7.6% increase for in-patient volumes; and a 12% increase for out-patient visits over last year totals for the same time period. Preliminary March figures reflect a 30% increase for in-patient numbers, and a record-high of 6,247 out-patient visits equating a 32% increase over February utilization. These numbers are despite having lesser flu diagnoses, he said.

Legislator John Boyd, Courts and Law Enforcement Chairman, reported a Homeland Security Grant is on the docket for discussion at the next committee meeting.

Legislator Patrick Wallace, Transportation/Solid Waste Committee Chairman, reported that bids were opened for renovation of the John Street Bridge, and are being analyzed by Barton & Loguidice engineering consultants.

Legislator Hathway reported that he and Legislator Fanning were accompanied by Highway Superintendent Joseph Langs, Deputy Superintendent David Becker and Bridge Supervisor Stan Samsa to view Mr. Faul's reported flooding issue at his residence on the Deer River Road. There doesn't appear to be much the County can do to avert the problem at that site, he stated.

Legislator Richard Lucas, Economic Development Committee Chairman, commended Planner Sarah Bullock for her work with the department. She has accepted a position with the Mental Hygiene Department, he said, imparting she would be a great asset to their operations.

Legislator Lucas reported 445 ATV permit sales year-to-date, up from 357 last year at this time. He urged support of the proposed resolution to open up some County roads for the one-day SNIRT Run event to be held on 4/9/11.

Legislator Jerry King, Agriculture Committee Chairman, made a motion to authorize Conservation Foreman Rodney Buckingham to fill one seasonal laborer position to maintain County parks, at an hourly rate of \$11.35. The position has been budgeted. The motion was seconded by Legislator Stanford, and carried.

Legislator William Burke, Buildings and Grounds/Ways and Means Committee Chairman, reported that maintenance personnel have started spring clean-up at 23 sites.

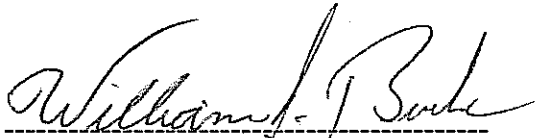
Legislator Burke reported receipt of two bids for sale of the old Beaver Falls Medical Center property located on Route 126. He made a motion to award the high bid of \$106,100.00 to Michael N. Hbous, D.D.S. The motion was seconded by Legislator King and carried.

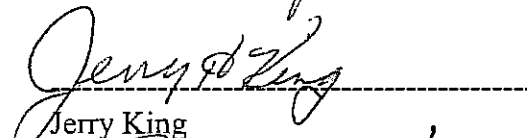
REPORT OF THE WAYS AND MEANS COMMITTEE:

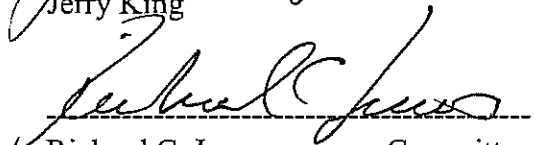
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,560,506.93 and recommend that they be audited and allowed for the amounts claimed.


William Burke Chair


Jerry King


Richard C. Lucas Committee

Dated: April 5, 2011

Approved on motion by Legislator Tabolt, seconded by
Legislator Lucas, and carried.

RESOLUTION NO. 105-2011

AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways
and Means Committee.

RESOLVED that the claims presented for payment in the total amount of
\$ 1,560,506.93 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 Lucas, seconded by
Legislator Tabolt and adopted by roll call vote:
All voted yea.

**LOCAL LAW (INTRODUCTORY NO. 3- 2011)
COUNTY OF LEWIS**

Introduced by Legislator Paul Stanford, Chairman of the Junkyard Inspector Committee.

**A LOCAL LAW AMENDING LOCAL LAW NO. 3 – 2001
COUNTY OF LEWIS JUNKYARD LAW**

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

SECTION I. AUTHORITY.

This law is adopted pursuant to the authority granted the County in Articles 2 and 3 of the Municipal Home Rule Law.

SECTION II. TITLE.

This Local Law shall be known as "A LOCAL LAW AMENDING LOCAL LAW NO. 3-2001 COUNTY OF LEWIS JUNKYARD LAW."

SECTION III. AMENDMENTS.

- (a) Local Law No. 3 – 2001, known as the "County of Lewis Junkyard Law", is hereby amended as follows: Article D, entitled "Junkyard License," of said law is amended by deleting Paragraph "C" of Section 1 thereof, which refers to junkyard licenses being issued for a period of one (1) year, and substituting therefor the following language:

SECTION I. LICENSE REQUIRED.

* * * * *

- C. All licenses shall be issued for a period of (4) years, after which time renewal shall be required.

- (b) Except as specifically amended and superceded herein, the provisions contained in Local Law No. 3 – 2001 shall in all respects remain in full force and effect.

SECTION IV. EFFECTIVE DATE

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

RESOLUTION NO. 106 - 2011

FIXING DATE OF PUBLIC HEARING ON LOCAL LAW

(INTRODUCTORY NO. 3 - 2011), COUNTY OF LEWIS

Introduced by Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on April 5, 2011, a proposed Local Law entitled “**A LOCAL LAW AMENDING LOCAL LAW NO. 3 – 2001 ESTABLISHING A NEW COUNTY OF LEWIS JUNKYARD LAW.**”

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on May 3, 2011, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

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

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 107 - 2011**AUTHORIZING OPENING OF CERTAIN PORTIONS OF
COUNTY ROADS FOR ATV SPECIAL EVENT**

Introduced by Legislator Pat Wallace member of the Economic Development Committee

WHEREAS, Barnes Corners Sno-Pals snowmobile Club, has requested that the Board of Legislators open:

CR 18 Cronk Rd; from County Property east to where Cronk Road in the Town of Pinckney begins;

CR 29; West Road from Gardner Rd to NYS Rte 12;

CR 34 Houseville Rd from NYS Rte 12 east to East Rd;

CR 43 Lee Rd from Intersection with East Rd to Milk House Rd;

CR 36 Burdick's Crossing Rd, all of;

CR 39 Greig Rd from CR 36 to Sweeney Rd;

CR 38 Turin Rd, all of;

CR 43 East Rd; from CR 38 Turin Rd intersection to intersection of CR 38, E Main St;

CR 38 East & West Main Streets in Village of Turin;

CR 51 West Road; from CR 38 West Main Street south to Gomer Hill Road;

CR 45; Mackay Rd, all of;

CR 48; CR 48 Highmarket Rd from CR 45 Mackay Rd to North Rd;

CR 43 East Rd; from CR 38 Turin Rd to CR 38 East Main St;

for a one day all terrain vehicle (ATV) rally event (SNIRT) to be held on April 9, 2011;
and

WHEREAS, Vehicle and Traffic Law § 2408 authorizes a governmental agency to review and approve requests for holding special events that involve the operation of ATV's; and

WHEREAS, Barnes Corners Sno-Pals, as a sponsor of the event, has agreed to indemnify and hold the Count of Lewis, its officers, agents and employees harmless from any claim, liability, damage or cost of any nature whatsoever, including reasonable attorney fees incurred by reason of the conduct of the event or use of those portions of County Roads;

NOW, THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby authorizes the operation of ATV's on:

CR 18 Cronk Rd; from County Property east to where Cronk Road in the Town of Pinckney begins;

CR 29; West Road from Gardner Rd to NYS Rte 12;

CR 34 Houseville Rd from NYS Rte 12 east to East Rd;

CR 43 Lee Rd from Intersection with East Rd to Milk House Rd;

CR 36 Burdick's Crossing Rd, all of;

CR 39 Greig Rd from CR 36 to Sweeney Rd;

CR 38 Turin Rd, all of;

CR 43 East Rd; from CR 38 Turin Rd intersection to intersection of CR 38, E Main St;

CR 38 East & West Main Streets in Village of Turin;

CR 51 West Road; from CR 38 West Main Street south to Gomer Hill Road;

CR 45; Mackay Rd, all of;

CR 48; CR 48 Highmarket Rd from CR 45 Mackay Rd to North Rd;

CR 43 East Rd; from CR 38 Turin Rd to CR 38 East Main St;

for a one day all terrain vehicle (ATV) rally event to be held on April 9, 2011.

Section 2. That the permission granted herein is specifically conditioned upon Barnes Corners Sno-Pals Snowmobile Club entering into a written agreement with the County of Lewis whereby:

1. Barnes Corners Sno-Pals Snowmobile Club agrees to indemnify and hold the County of Lewis, its officers, agents and employees harmless from any loss, claim, liability, lawsuit, damage, cost or expense including reasonable attorney fees incurred by reason of injury to person(s) or property, including death arising out of or in any way connected with the conduct of the event or the use of those portions of County Roads for such event;
2. Barnes Corners Sno-Pals Snowmobile Club agrees to provide proof that it has obtained general liability insurance insuring such event in an amount not less than \$1,000,000 for injuries including wrongful death to any one person and in an amount not less than \$3,000,000 on account of any one occurrence and naming the County of Lewis as an additional insured; and
3. Such other terms as the Chairman of the Board of Legislators with the consultation of County Attorney may deem acceptable.

Section 3. That the Chairman of the Board of Legislators, or in his absence, the Vice-chairman, be and the same is hereby authorized to execute and deliver such written agreements or other documents as may be necessary to carry out the terms of this Resolution.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator

Burke, and adopted.

RESOLUTION NO. 108 - 2011**RESOLUTION TO SET A PUBLIC HEARING TO
OBTAIN COMMUNITY INPUT WITH REFERENCE TO
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

Whereas, the County of Lewis is eligible to apply to the New York State Small Cities Community Development Block Grant (CDBG) Program; and

Whereas, the Board of Legislators wishes to obtain the views of citizens on community development, housing needs and possible other activities, prior to the preparation of a CDBG application; and

Whereas, citizens' participation requirements of the program require that the County must conduct public hearings for the purpose of obtaining citizens' views and responding to proposals and questions. The hearings must cover community development, housing needs, development of proposed activities and a review of the CDBG program; and

Whereas, the public hearing must be held prior to submission of an application.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby sets a public hearing to solicit the views of County of Lewis citizens, regarding community development and housing needs, to be held on Tuesday, May 3, 2011 at 5:00 p.m. in the chambers on second floor of the Court House at 7660 State Street, Lowville, New York.

Section 2. That public notice of the hearing shall be advertised in accordance with law.

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

Moved by Legislator Lucas, seconded by Legislator

Boyd, and adopted.

RESOLUTION NO. 109 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY AND
DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY**

Introduced by Richard Lucas, Chairman of the Economic Development Committee

WHEREAS, the County of Lewis, acting by and through the Lewis County Department of Economic Development received a grant award from Northern Border Regional Commission in the amount of \$150,000 for a regional water and wastewater improvement project that will allow purchase of electronic monitoring equipment for water and wastewater systems in the Village of Lyons Falls, Village of Port Leyden and Town of Martinsburg; and

WHEREAS, Lewis County has received a proposal from Development Authority of the North Country ("DANC") to provide technical engineering, surveying and computer services to develop and install Supervisory Control and Data Acquisition ("SCADA") and Graphical Information Systems ("GIS") for the water and wastewater operations for the above townships; and

WHEREAS, DANC will provide their technical services in the amount of \$95,000 and they will also purchase and install the SCADA, GIS and computer equipment on behalf of Lewis County, in the amount of \$79,000, wherein Lewis County will own the equipment upon completion of the project; and

WHEREAS, DANC's services and the equipment will be funded from the \$150,000 grant received from the Northern Border Regional Commission.

WHEREAS, the Board of Legislators wishes to accept such proposal,



NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the County of Lewis, acting by and through the Lewis County Department of Economic Development, and Development Authority of the North Country for the purpose of providing technical engineering, surveying and computer services to develop and install SCADA and GIS for the water and wastewater operations in the Village of Lyons Falls, Village of Port Leyden and Town of Martinsburg in the amount of \$95,000 for the services and \$79,000 for the equipment, which will be funded from the \$150,000 grant received from Northern Border Regional Commission, along with in-kind services provided by DANC and the participating communities.

Section 2. That the Grant Agreement is for the period beginning October 10, 2010 and ending April 30, 2012.

Section 3. That the Chairman of the Board of Legislators, or the Vice-Chairman, is hereby authorized to make, execute, seal and deliver agreement, pending approval by the County Attorney, as may be necessary to implement the purposes of this Resolution.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 110 - 2011**RESOLUTION AUTHORIZING AGREEMENT WITH
LEWIS COUNTY GENERAL HOSPITAL FOR
RE-PAYMENT OF INDEBTEDNESS**

Introduced by Legislator Jack T. Bush, Chairman of the Board

WHEREAS, the County of Lewis (the "County") has heretofore made cash transfers from the Lewis County General Fund to Lewis County General Hospital ("the Hospital") through December 31, 2010 in the amount of \$3,359,331 for the purpose of providing operational support to the Hospital in the form of making required contributions on behalf of the Hospital towards retirement and health insurance costs for Hospital employees; and

WHEREAS, the County has made additional cash transfers from the County General Fund to the Hospital through March 31, 2011 in the amount of \$2,488,376 in the form of making required contributions on behalf of the Hospital towards health insurance premiums and other payments due, and workers compensation premiums; and

WHEREAS, the amount of said payments is \$5,847,707 to date, and the Hospital is justly indebted to the County in such amount (the "Indebtedness"); and

WHEREAS, the Hospital, through its Board of Managers, has acknowledged the operational support provided by the County, and has further acknowledged the Hospital's financial ability to commence repayment of the Indebtedness immediately upon its receipt of payments due the Hospital from NY State for uninsured losses pursuant to Public Health Law Section 2807-c *et. seq.* and therefore, wishes to acknowledge such debt and provide for such repayment; and

NOW THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby approves the agreement between the Hospital the County whereby the Hospital promises and agrees to pay the Indebtedness (\$5,847,707) to the County on or before December 31, 2011, from revenues to be received by the Hospital from NYS State as reimbursement of uninsured losses pursuant to Public Health Law Section 2807-c *et. seq.* Further, upon payment by the Hospital to the County in the total sum of \$5,847,707 together with accrued interest, said Indebtedness shall be satisfied in full, and the Hospital shall have no further obligations with respect to same.

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

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 111 - 2011**RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY
AND LEAD SAFE, LLC**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency wishes to enter into an Agreement with Lead Safe, LLC that provides an Environmental Protection Agency (EPA) Renovator initial training course for employees at Lewis County Public Health; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the Lewis County Public Health Agency and Lead Safe, LLC that provides an Environmental Protection Agency (EPA) Renovator initial training course for employees at Lewis County Public Health.

Section 2. That the fee for the training course is \$4,200.00.

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

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

Moved by Legislator Boyd, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 112 - 2011**RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO PHYLLIS YOUNGS)**

Introduced by Jack T. Bush, Chairman of the Lewis County Board of Legislators.

WHEREAS, Phyllis Youngs was granted a Mortgage to the County of Lewis dated November 4, 1993, and recorded in the Lewis County Clerk's Office on April 29, 1994, in Liber 404 of mortgages at Page 206 to secure payment of a loan in the amount of \$3,000.00, pursuant to a program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforescribed Mortgage.

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

Moved by Legislator King, seconded by Legislator
Burke, and adopted.

RESOLUTION NO. 113 - 2011**RESOLUTION FOR SECTION 5311 CONSOLIDATED
GRANT APPLICATIONS FOR SPONSORS
WITH CONTINUING AGREEMENTS**

Introduced by Richard Lucas, Chairman of the Economic Development Committee

WHEREAS, the County of Lewis, acting by and through the Lewis County Department of Economic Development is submitting a request for a consolidated grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, for a project to provide public mass transportation service for transit throughout Lewis County operated by Birnie Bus Service, Inc. for the 2011 and 2012 fiscal years; and

WHEREAS, the County of Lewis, acting by and through the Lewis County Department of Economic Development and the State of New York have entered into a continuing agreement which authorizes the undertaking of the project and payment of the Federal Share; and

WHEREAS, the Board of Legislators desires to authorize this application.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves the application for the request for a consolidated grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, for a project to provide public mass transportation service for transit throughout Lewis County operated by Birnie Bus Service, Inc. for the 2011 and 2012 fiscal years.

Section 2. That the Chairman of the Board of Legislators, or the Vice-Chairman, is hereby authorized to make, execute, seal and deliver any contracts or agreements to complete the public transportation project, pending approval by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Wallace, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 114 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY, BIRNIE BUS SERVICE, INC. AND
NYSARC, INC. (ONEIDA-LEWIS CHAPTER)**

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

WHEREAS, Section 119-r of the General Municipal Law of the State of New York authorizes a county to enter into a contract with a privately owned or operated mass transportation facility for mass transportation services to be rendered to the people of Lewis County; and

WHEREAS, the County has adopted Local Law No. 4 – 2009, entitled, “A LOCAL LAW AUTHORIZING PUBLIC TRANSPORTATION SYSTEM WITHIN LEWIS COUNTY,” whereby the County of Lewis has authorized the Board of Legislators to enter into a contract or contracts for a fair and reasonable consideration for mass transportation services to be rendered to the public by a privately-owned or operated mass transportation facility; and

WHEREAS, the BIRNIE BUS SERVICE, INC. (herein, the “CARRIER”) represents that it is such a privately owned or operated mass transportation facility described in Section 119-r of the General Municipal Law and that it holds certificates of public convenience and necessity issued by the New York State Department of Transportation necessary and appropriate for the rendition of the services to be performed by it hereunder; and

WHEREAS, the County seeks management, operation and maintenance services for the public transportation system and for the coordination of and providing of transportation services for in Lewis County; and

WHEREAS, the CARRIER is presently under contract with ARC to provide transportation services to ARC’s clientele within the County of Lewis and the CARRIER wishes to coordinate those services and to expand those services to make them available to the general public; and

WHEREAS, the County wishes to enter into an agreement intended and designed to provide public transportation to Lewis County residents at fair and reasonable rates and to provide public assistance to the CARRIER under the provisions of the NYS Transportation Law, Section 18-b, being Chapter 56 of the Laws of 1975 as amended,

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with BIRNIE BUS SERVICE, INC. and NYSARC, Inc. (Oneida-Lewis Chapter) to provide

public transportation management, operation and maintenance services pursuant to Section 119-r of the General Municipal Law and Section 18-B of the Transportation Law to commence effective January 1, 2011 and continue through December 31, 2011.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon approval by the County Attorney as to form.

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

Moved by Legislator Stanford, seconded by Legislator Boyd,

and adopted.

OTHER BUSINESS:

Clerk Teresa Clark announced re-appointments made by Chairman Bush to the Comprehensive Economic Development Strategy Committee of Richard Porter, Michael Giocondo, Arleigh Rice, Terry Thisse, Todd Buckingham, Cheryl Shenkle-O'Neill and David Pendergast.

Chairman Bush had also appointed Sam Marmon of Port Leyden as the Board's representative to the Inter-County Committee of the Adirondacks. The Clerk announced that Lewis County would be sponsoring the upcoming meeting of the Inter-County committee on April 21, 2011 with a tour of the Kraft Plant followed by a luncheon meeting at the Tug Hill Vinyard.

Legislator Michael Tabolt made a motion to enter executive session at 5:50 p.m. for an update on litigation from County Attorney Graham, and discussion on union negotiations. The motion was seconded by Legislator King and carried.

Following the session, Legislator Fanning moved to re-enter regular session at 6:47 p.m., seconded by Legislator Lucas and carried.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Lucas, seconded by Legislator Stanford and carried.

SPECIAL MEETING**April 26, 2011**

The meeting was called to order at 3:00 p.m. by Vice-Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Chairman Bush, whom was excused.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 2 persons present.

Vice-Chairman Tabolt announced approval of the March 1st, March 22nd, and April 5, 2011 meeting minutes.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommends immediate action on presented resolutions.

Richard C. Lucas, Chairman

William Burke

Patrick Wallace Committee

Dated: April 26, 2011

Legislator Lucas made a motion to accept the Committee's recommendation, seconded by Legislator Boyd and carried.

REPORTS OF STANDING COMMITTEES:

Legislator Michael Tabolt, Hospital Committee Chairman, reported a favorable March surplus of \$116,000, stating he would elaborate at the next Board meeting.

Legislator Charles Fanning, Public Health Committee Chairman, reported that the finalized 2010 figures for the Public Health Department remained within budgetary appropriations. The Friends of Hospice had contributed \$136,000 to defray 2010 expenditures for Hospice patients.

Legislator John Boyd, Emergency Management Committee Chairman, announced there would be special memorializing events to mark the tenth anniversary of the attack on the Two World Trade Centers on September 11, 2011. Father Christopher C. Carrara, V.F. of St. Peter's Church is coordinating commemorative services with participation from all emergency responders. The list of events will be publicized upon confirmation.

RESOLUTIONS:

RESOLUTION NO. 115 -2011

**RESOLUTION TO REQUEST NYS HOME RULE LEGISLATION
TO CONTINUE SALES TAX INCREASE**

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

WHEREAS, Tax Law §1210(36), as added by Chapter 47 of the Laws of 2004 and as further amended by Chapter 515 of the Laws of 2005, authorized and empowered the County of Lewis to adopt and amend local laws, ordinances or resolutions imposing an additional three-quarters (3/4) of one percent (1%) sales and compensating use tax for the period ending November 30, 2009; and

WHEREAS, by Resolution No. 379-2009, the Board of Legislators implemented such additional sales tax which, pursuant to §1210(36) of the Tax Law, will expire on November 30, 2011; and

WHEREAS, such additional sales tax revenue has enabled the Board of Legislators to mitigate the need for increased property taxes and the County of Lewis continues to experience such budgetary pressures as would justify an extension of the time in which it may impose such additional sales tax.

NOW, THEREFORE, be it resolved as follows:

Section 1. That the Lewis County Board of Legislators hereby requests that the New York State Legislature pass such necessary and appropriate "Home Rule Legislation" as would allow the County of Lewis to impose the additional three-quarters (3/4) of one percent (1%) local sales tax for the period beginning December 1, 2011 and ending November 30, 2013.

Section 2. That the Board of Legislators respectfully requests that the New York State Legislature adopt such Home Rule Legislation at it's earliest convenience to allow the Lewis County Board of Legislators sufficient time to plan for the 2012 budget year.

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

Moved by Legislator King, seconded by Legislator Boyd.

Legislator Patrick Wallace distinguished the action was merely to extend the additional sales tax for two more years.

County Manager David Pendergast cited the additional three-quarters of one-percent sales tax was initially imposed in 2005, and extended in each 2007 and 2009 for additional two-year periods, and is due to expire on 11/30/11.

Legislator Paul Stanford voiced his support for the additional sales tax, citing conversations with several business owners who indicated their support.

Legislator Richard Lucas also voiced his favor, terming the sales tax more fair and equitable because tourists and visitors are subject to the tax, effecting a lesser burden for real property taxpayers.

County Attorney Richard Graham clarified the resolution would be the first of several actions by the Board relative to the additional sales tax issue, which requires State legislation.

Vice-Chairman Michael Tabolt informed that the additional three-quarters percent equates approximately \$66,000 of revenue annually.

The Resolution was unanimously adopted.

**LOCAL LAW (INTRODUCTORY NO. 4 – 2011)
COUNTY OF LEWIS**

Introduced by Legislator John Boyd, Chairman of the Courts and Law Committee.

**A LOCAL LAW ASSIGNING TO THE LEWIS COUNTY SHERIFF THE DUTIES AND
RESPONSIBILITIES FOR OVERSEEING THE E – 911 SYSTEM**

SECTION 1. TITLE

This local law shall be entitled “A LOCAL LAW ASSIGNING TO THE LEWIS COUNTY SHERIFF THE DUTIES AND RESPONSIBILITIES FOR OVERSEEING THE E – 911 SYSTEM”.

SECTION 2. PURPOSE

The purpose of this Local Law is to assign certain responsibilities and duties pertaining to the management and supervision of the 911 emergency communications system and personnel to the Lewis County Sheriff.

SECTION 3. AUTHORITY

This Local Law is enacted pursuant to the authority granted by County Law § 650(1) which provides in pertinent part:

“The sheriff shall perform the duties prescribed by law as an officer of the court and conservator of the peace within the county. *He shall perform such additional and related duties as may be prescribed by law and directed by the board of supervisors or the county legislature.*” (Emphasis added).

Additionally, Municipal Home Rule Law (“MHL”) § 10 provides that a county may adopt local laws that affect the following areas, provided the local law does not conflict with the constitution or other general law:

“(1) The powers, *duties*, qualifications, number, mode of selection and removal, terms of office, compensation, hours of work, protection, welfare and safety of its officers and employees. . .” (Emphasis added). MHL § 10(1)(ii)(a)(1).

SECTION 4. LEGISLATIVE FINDINGS

The Legislature makes the following legislative findings in support of this Local Law:

1. That pursuant to County Law Articles 6 and 6-A, the County of Lewis adopted Local Laws No. 3 – 1999 and No. 5 – 1999, and established an Enhanced 911 Emergency Telephone System whereby all telephone service providers doing business in Lewis County, whether by line or by wireless, were directed to route

all telephone calls dialing “9-1-1” to a single local Public Service Answering Point (“PSAP”).

2. That when the PSAP was created, it was physically located in the Lewis County Communications Center in the Lewis County Public Safety Building.
3. That pursuant to the mandates of County Law § 308, the PSAP is operational on a 24 hour per day basis, and is manned by dispatchers/corrections officers employed by the Lewis County Sheriff’s Department.
4. That neither Local Law No. 3 – 1999 nor Local Law No. 5 – 1999 specifically provided for the management or supervision of the E-911 System.
5. That the Board of Legislators continues to recognize the paramount importance of the health, safety and welfare of the citizens of the County and further recognizes that when the lives or property of its citizens are in imminent danger that timely and appropriate assistance must be rendered. Furthermore, the Board of Legislators ratifies and affirms the findings it made with the 1999 legislation that the PSAP has the most accurate, current and extensive knowledge of Lewis County’s geography, roadways, landmarks, emergency service resources, and similar information of critical importance to the expeditious and efficient delivery of emergency services throughout the County.
6. That in keeping with its intent to provide cost-effective and efficient delivery of emergency telephone service in Lewis County, the Board of Legislators believes that the management and supervision of the E-911 should be performed under the auspices of the Lewis County Sheriff’s Department.
7. That the maintenance of the telephone system, equipment, and related computer hardware and software should continue to be performed by the Information Technology Department, but subject to the oversight of the Sheriff’s Department.
8. That the Board of Legislators previously adopted Local Law No. 5 – 2008, which assigned to the Lewis County Sheriff the duties of overseeing the E-911 System which local law expired by its own terms on December 31, 2009. Notwithstanding such expiration, the Lewis County Sheriff has continuously exercised the responsibilities set forth therein to date without interruption.
9. The Board of Legislators now wishes to formally assign the duties of overseeing the E-911 System to the Lewis County Sheriff indefinitely.

SECTION 5. ASSIGNMENT OF DUTIES

In addition to any other duty or responsibility delegated to the Lewis County Sheriff by the NYS Constitution, any general or special law, rule or regulation, the following duties are hereby assigned to and shall hereafter be deemed the responsibility of the Lewis County Sheriff:

1. Oversees the operation of E-911 within Lewis County and administers agreements with participating agencies;
2. Coordinates the recommendations made by County agencies, staff and outside consultants in support of the planning and operation of the E-911 center;
3. Develops protocols and operating procedures for receiving and forwarding calls for emergency services to the appropriate agencies;
4. Supervises the implementation of operating procedures for the system;
5. Prepares verbal and written reports as requested by the County Manager and Legislature concerning the program;
6. Coordinates with all first responders within the County to assure that the protocols are consistently followed;
7. Assists in the preparation of the annual operating and capital budget requests for the E-911 Center;
8. Coordinates the implementation of training of dispatchers and emergency personnel in E-911 procedures;
9. Attends meetings with user agencies and represents the interests of the County regarding the operation of the E-911 Center;
10. Coordinates and implements necessary procedures to comply with the directives of the NY State E-911 Commission;
11. Assists in resolution of problems that develop between the public users and E-911 Center operations;
12. Assists in the preparation of information about the program for public dissemination;
13. Promotes and coordinates cooperation amount user agencies;
14. Supervises the maintenance of the Center's Databases, including insertions, deletions, corrections and inodifications;
15. Prepares service contracts for Legislative review and monitors them for compliance and performance;
16. Interfaces with municipal governing boards, the US Postal System and other agencies, as required, to maintain established residence and business address system;

17. Develops system failure and back-up plans to contemplate and mitigate the effects of total or partial system failure;
18. Coordinates the development of long range plans for improvement of the system; and
19. Such other and further duties and activities necessary to accomplish the foregoing.

SECTION 6. NO CHANGE IN DISPATCHER/CORRECTION OFFICER DUTIES

Nothing herein shall be construed to amend, modify or change the job description or duties of the dispatcher/corrections officers as presently adopted, nor shall anything herein be construed to amend, modify or change their existing chain of command structure.

SECTION 7. COMPENSATION

The Lewis County Sheriff shall receive a single salary (plus applicable benefits) to be established from time to time by the Board of Legislators as total compensation for performing all the duties of the office, including the duties set forth herein. Nothing herein shall be construed as entitling the Sheriff to any payment, stipend, salary or other compensation for performing the duties herein described except as may be included in such salary; such salary to be established by the Board of Legislators as otherwise provided by law.

SECTION 8. EFFECTIVE DATE

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

RESOLUTION NO. 116 - 2011

FIXING DATE OF PUBLIC HEARING ON LOCAL LAW

(INTRODUCTORY LOCAL LAW NO. 4 - 2011), COUNTY OF LEWIS

Introduced by John Boyd, Chairman of the Courts and Law Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on May 3, 2011, a proposed Local Law entitled “**A LOCAL LAW ASSIGNING TO THE LEWIS COUNTY SHERIFF THE DUTIES AND RESPONSIBILITIES FOR OVERSEEING THE E – 911 SYSTEM.**”

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on May 3, 2011, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

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

Moved by Legislator King, seconded by Legislator Stanford, and adopted.

**LOCAL LAW (INTRODUCTORY NO. 5 – 2011)
COUNTY OF LEWIS**

Introduced by Legislator Paul Stanford, Chairman of the County Officers Committee.

**A LOCAL LAW ASSIGNING TO THE LEWIS COUNTY TREASURER THE
DUTIES AND RESPONSIBILITIES OF DEPUTY BUDGET OFFICER**

SECTION 1. - TITLE:

This local law shall be entitled “A LOCAL LAW ASSIGNING TO THE LEWIS COUNTY TREASURER THE DUTIES AND RESPONSIBILITIES OF DEPUTY BUDGET OFFICER ”.

SECTION 2. – PURPOSE

The purpose of this Local Law is to clarify the duties and responsibilities of the Lewis County Treasurer pertaining to assisting the Budget Officer with the collection and assembly of the estimates of the various administrative units within Lewis County government and the requests for appropriations of the several authorized agencies, as well as the review and analysis of such estimates and requests in order to assist the Budget Officer with the preparation of the tentative budget for presentation to the Board of Legislators.

SECTION 3. AUTHORITY

This Local Law is enacted pursuant to the authority granted by County Law § 550, which states in pertinent part:

1. The county treasurer shall perform the duties prescribed by law as the chief fiscal officer of the county. ***Such county treasurer shall perform such additional and related duties as may be prescribed by law and directed by the board of supervisors.*** (Emphasis added).

Additionally, Municipal Home Rule Law (“MHL”) § 10 provides that a county may adopt local laws that affect the following areas, provided the local law does not conflict with the constitution or other general law:

“(1) The powers, ***duties***, qualifications, number, mode of selection and removal, terms of office, compensation, hours of work, protection, welfare and safety of its officers and employees. . .” (Emphasis added). MHL § 10(1)(ii)(a)(1).

SECTION 4. LEGISLATIVE FINDINGS

The Legislature makes the following legislative findings in support of this Local Law:

1. The Board of Legislators has heretofore adopted Local Law No. 4 – 1987, whereby it created the office of County Manager and among other things, designated the County Manager to serve as Budget Officer for the County of Lewis. (See, Local Law No. 4 – 1987, Section 3[m].
2. In addition, the Board of Legislators has from time to time, authorized the Budget Officer to appoint a deputy budget officer to assist the Budget Officer with the collection and assembly of the estimates of the various administrative units within Lewis County government and the requests for appropriations from the several authorized agencies, as well as to assist with the review and analysis of such estimates and requests in order to assist the Budget Officer with the preparation of the tentative budget for presentation to the Board of Legislators.
3. Pursuant to such authority, the Budget Officer has historically appointed the Lewis County Treasurer as the deputy budget officer to perform such duties and responsibilities.
4. The Board of Legislators further finds, and with the consent of the Budget Officer, that it is an efficient use of county resources to incorporate the duties and responsibilities of the deputy budget officer into the job description of the County Treasurer, as the chief fiscal officer of the county, without the necessity of having the Budget Officer appointing the Treasurer as the deputy budget officer.

SECTION 5. ASSIGNMENT OF DUTIES

In addition to any other duty or responsibility delegated to the Lewis County Treasurer, as the chief fiscal officer of the County, the following duties are hereby assigned to and shall hereafter be deemed the responsibility of the Lewis County Treasurer:

1. Assist the Budget Officer with the collection and assembly of the estimates of the various administrative units within Lewis County government and the requests for appropriations from the several authorized agencies;
2. Assist the Budget Officer with the review and analysis of such estimates and requests;
3. Upon the request of the Budget Officer, to furnish such data and information and to perform such investigations and evaluations of such estimates and requests as may be deemed necessary;
4. Assist the Budget Officer with the preparation of the tentative budget for presentation to the Board of Legislators;

5. Perform such other and further duties as requested by the Budget Officer as deemed necessary and appropriate in the preparation of the tentative budget.
6. In the event of a vacancy in the office of Budget Officer, including a vacancy by reason of the expiration of the term of the person appointed thereto, and pursuant to County Law § 351[3], the Lewis County Treasurer shall serve as Budget Officer unless and until another person shall be appointed as such Officer.

SECTION 6. COMPENSATION

The Lewis County Treasurer shall receive a single salary (plus applicable benefits) to be established from time to time by the Board of Legislators as total compensation for performing all of the duties of the office, including the duties set forth herein. Nothing herein shall be construed as entitling the Treasurer to any payment, stipend, salary or other compensation for performing the duties herein described except as may be included in such salary; such salary to be established by the Board of Legislators as otherwise provided by law.

SECTION 7. EFFECTIVE DATE

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

RESOLUTION NO. 117 - 2011

FIXING DATE OF PUBLIC HEARING ON LOCAL LAW

(INTRODUCTORY LOCAL LAW NO. 5 - 2011), COUNTY OF LEWIS

Introduced by Paul Stanford, Chairman of the County Officers Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on May 3, 2011, a proposed Local Law entitled “**A LOCAL LAW ASSIGNING TO THE LEWIS COUNTY TREASURER THE DUTIES AND RESPONSIBILITIES OF DEPUTY BUDGET OFFICER.**”

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on May 3, 2011, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

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

Moved by Legislator Stanford, seconded by Legislator Fanning, and adopted.

OTHER BUSINESS:

Legislator Philip Hathway, District No. 1 Representative, commended the Town of Diana residents for conducting a bottle-return fundraiser for the benefit of The Friends of Hospice over the past weekend, which resulted in a donation of \$1,800.00. The town-wide fundraiser has been held for the past 10 years with accumulative donations to Hospice of \$18,785.00.

Legislator Hathway also commended the Harrisville Central School Student Government Class, who are conducting a fundraiser for the benefit of the Harris Courts senior meal site.

Legislator Fanning made a motion to enter executive session at 3:16 p.m. for a discussion on union negotiations, seconded by Legislator Burke and carried. Following the session, Legislator Fanning moved to re-enter regular session at 4:28 p.m., seconded by Legislator Lucas and carried.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Lucas, seconded by Legislator King and carried.

REGULAR MEETING**May 3, 2011**

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 21 persons present.

Chairman Bush announced approval of the April 26, 2011 meeting minutes.

The Rules and Legislation Committee had met and recommends immediate action on all pre-filed resolutions.

Richard C. Lucas, Chairman
William J. Burke
Patrick Wallace

Dated: May 3, 2011

Legislator Tabolt made a motion to accept the Committee's recommendation, seconded by Legislator Burke and carried.

Chairman Bush opened the public hearing for comments Local Law Introductory No. 3-2011 "Amending Local Law No. 3-2001 County of Lewis Junkyard Law"; Local Law Introductory No. 4-2011 "Assigning to the Lewis County Sheriff the duties and Responsibilities of the E-911 System"; Local Law Introductory No. 5-2011 "Assigning to the Lewis County Treasurer the Duties and Responsibilities of Deputy Budget Officer"; and the Community Development Block Grant (CDBG) applications for direct homeownership assistance program and housing rehabilitation.

The Chairman asked Clerk of the Board Teresa Clark to read the proclamation "To Support Sponsoring of Northern New York Firemen's Association Convention by the Copenhagen Volunteer Fire Department", to be held on June 9, 10 & 11, 2011. Legislators Charles Fanning and John Boyd presented the proclamation to Copenhagen Firefighter Jerry Flanders and Secretary Sandy Peck.

PRIVILEGE OF THE FLOOR:

Undersheriff John LaDuc took exception to the proposed salary for the Sheriff, inferring that the comparison of similar sized County Sheriffs was not a true reflection, because not all are responsible for additional E-911 coordinating duties and road patrols. Lewis is one of a very few counties, he stated, that include both. Moreover, the salary of a senior investigator who is eligible for overtime and compensatory time, would most certainly exceed the proposed Sheriff salary. He also cited revenue for boarding out-of-county inmates. Mr. LaDuc urged the Board to review the comparison figures he had distributed to them today, and table the issue until further consideration.

Mr. John Drewes of Brantingham, urged the Board to adopt New York State Law as it pertains to junkyard permits, which he suggested would implement more consistent classification and compliance issues.

Cheryl Shenkle-O'Neill, Snow Belt Housing Executive Director, distributed a summary of proposed Governor's Small Cities CDBG applications. This is the second public hearing, the first was held on December 21, 2010. The County is eligible to up to \$750,000, but the funds must be expended with two years. Accordingly, Ms. O'Neill recommends two separate applications, the first a homeownership grant of \$400,000 to assist up to ten low-and moderate-income first time homebuyers to purchase existing single-family homes located in Lewis County. The average applicant award would be \$35,000, to cover mortgage buy-down, closing costs and repair assistance. In tandem with the financial assistance, applicants would receive comprehensive first-time homebuyer education and post-purchase follow-up.

A second application would be for a countywide owner-occupied rehabilitation program grant of \$350,000 to assist moderate-income households with incomes up to 80% of the Housing and Urban Development median. Snow Belt Housing targets those most in need with moderate incomes, and currently has a waiting list for both first-time homebuyers and housing rehabilitation.

Ms. O'Neill plans to conduct marketing outreach through the Lewis County Office For the Aging, Social Services and the Hospital, as well as Lewis County Opportunities, Inc. The rehabilitation addresses health hazards such as lead paint and mold issues. First-time homebuyers are required to upfront a down payment between \$500-\$1,000; with many of the referrals made by bank representatives.

Ms. O'Neill requested the Board's approval to submit the two explained applications, which are due no later than May 27, 2011.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Michael G. Yerdon, Sr., Tug Hill Commission Chairman, penned his gratitude for the Board's supporting correspondence during State Legislative deliberations that threatened to eliminate the Commission from the 2011-2012 State Budget. Mr. Yerdon was appreciative of the Commission's ongoing operations, citing their vital importance to local municipalities.

NYS Department of Environmental Region 6 Director Judy Drabicki acknowledged receipt of the Board's resolution in opposition to the fee purchase of the former Finch and Follensby Pond lands located within the Adirondack Park. She welcomed and encourages a continued dialogue regarding any Land Acquisition and Open Space Conservation issues, which are closely monitored by the NYSDEC.

REPORTS OF COUNTY OFFICERS AND DEPARTMENT:

Treasurer Patricia O'Brien submitted approved applications for corrected property tax rolls for Michael Kraeger in the Town of Greig; and The People of New York State in the Village of Lowville.

Copies of the 4/22/11 Solid Waste Audit Report; 4/26/11 Highway Audit Report; Treasurer's April Report; the 3/22/11 minutes of the Soil & Water Conservation District Board of Directors' meeting; and the 4/14/11 minutes of the Junkyard Review Board, had been distributed to each Legislator.

The Clerk reported receipt of County Sealer Barbara Cooper's April 2011 report; and the 12/16/10 minutes of the Professional Advisory-Health Services Committee, to be placed on file.

The following Apportionment of Mortgage Tax for the period October 1, 2010 through March 31, 2011 had been distributed to each Legislator:

APPORTIONMENT OF MORTGAGE TAX
October 1, 2010 through March 31, 2011

	<u>KEY</u>	<u>VALUATION</u>	<u>AMOUNT</u>
Town of Croghan		197,382,410	\$15,800.89
Village of Croghan	.023083154	9,112,417	<u>373.35</u>
			\$16,174.24
Town of Denmark		133,086,197	\$12,593.08
Village of Castorland	.037689228	10,031,832	543.71
Village of Copenhagen	.089372048	23,788,372	<u>1,289.29</u>
			\$14,426.08
Town of Diana		145,807,637	\$10,595.30
Village of Harrisville	.056225433	16,396,195	<u>631.22</u>
			\$11,226.52
Town of Greig		200,194,384	\$11,791.14
Town of Harrisburg		30,878,386	\$ 2,360.57
Town of Lewis		56,623,561	\$ 5,021.74
Town of Leyden		79,441,034	\$ 4,427.14
Village of Port Leyden	.062465363	9,924,626	<u>294.97</u>
			\$ 4,722.11
Town of Lowville		211,488,377	\$21,346.45
Village of Lowville	.328089333	138,774,161	<u>10,423.33</u>
			\$31,769.78
Town of Lyonsdale		80,132,462	\$ 2,877.82
Village of Lyons Falls	.016075408	2,576,324	48.36
Village of Port Leyden	.027351543	4,383,493	<u>82.29</u>
			\$ 3,008.47
Town of Martinsburg		60,985,738	\$ 3,739.16
Town of Montague		34,643,576	\$ 1,375.59
Town of New Bremen		141,014,166	\$11,064.06
Village of Croghan	.033435024	9,429,624	<u>382.72</u>
			\$11,446.78

Town of Osceola		42,525,068	\$ 1,021.47
Town of Pinckney		34,492,834	\$ 2,786.35
Town of Turin		52,294,346	\$ 3,472.36
Village of Turin	.075915329	7,939,885	<u>285.26</u>
			\$ 3,757.62
Town of Watson		167,190,957	\$11,028.95
Town of West Turin		6,131,163	\$ 5,191.94
Village of Constableville	.045961916	563,600	285.02
Village of Lyons Falls	.116803859	1,432,287	<u>724.33</u>
			\$ 6,201.29

GRAND TOTAL \$141,857.86

To County of Lewis \$74,869.41

Jerry King, Chairman
 Patrick Wallace
 Paul Stanford
 Taxation Committee

Dated: May 3, 2011

WARRANT

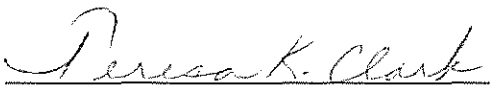
TO: The Treasurer of the County of Lewis

You are hereby notified by the Board of Legislators of Lewis County that the sum of \$141,857.86 from the tax on mortgages from October 1, 2010 through March 31, 2011 has been apportioned to the Tax Districts entitled to same and, you are hereby directed to pay the respective Supervisors the amount due to the towns, to their Village Treasurers the amount due the villages, and to the County of Lewis the amount stated, according to the foregoing schedule, pursuant to the provisions of Section 261 of the Tax Law.

Given under the hands of the Chairman and the Clerk of the Board of Legislators of Lewis County and the seal of the Board of Legislators being hereto affixed the 3rd day of May 2011.



Jack T. Bush, Chairman



Teresa K. Clark, Clerk of the Board

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Office For Aging/Social Services Committee Chairman, reported that a van used by the Office For Aging had been recalled by the manufacturer with a subsequent reimbursement from the Ford Company of \$4,778.00. Director David Bush had contacted and received proposals for a replacement vehicle from local dealerships. A proposal from Essenlohr Motors, Inc. for a 2008 Chevrolet Uplander was received in the amount of \$8,560.00. The vehicle has been inspected by Highway personnel and deemed in good condition. Legislator Hathway made a motion to authorize purchase of the 2008 vehicle, seconded by Legislator Boyd and carried.

Legislator Hathway further reported that five (5) Social Services employees are scheduled for impending medical leaves-of-absence. Commissioner Alvord plans to shift and adjust duties to cover during the leaves, but would need to hire one Caseworker.

Legislator Hathway reported Medicaid Management Information System (MMIS) weekly local share expenditures were \$74,000, a figure that is projected to increase to \$95,343. Federal Medical Assistance Percentage (FMAP) funds have historically offset the expense; but have been declining since 2009. More importantly, the FMAP funds will no longer be available effective June 30, 2011. The MMIS projected 2011 deficit is \$153,960, even though the overall impact of the adopted State Budget equates local share savings of \$137,851. Legislator Hathway cautioned the Board for the need to identify alternative resources to cover the shortfall.

Legislator Michael Tabolt, Hospital Committee Chairman, reported a March surplus of \$116,106. Budgeted utilization levels were met for acute admissions, emergency room visits and out-patient visits of 151, 180 and 6,250 respectively. The nursing home has a 96.3 percent occupancy rate. Also, there are ongoing efforts to establish a medical office within the Copenhagen Central School.

Legislator Tabolt announced the employee-of-the-month was Brenda Edwards, a cleaner with 18 years of experience.

It being 5:31 p.m., Chairman Jack Bush closed the public hearing, after clarifying that no one else wished to speak on any of the proposed local laws or CDBG applications.

Legislator Charles Fanning, Mental Health/Public Health Committee Chairman, reported the Public Health Department had closed out 2010 with a \$58,000 budget surplus. He explained that Public Health Program Coordinator John Ingham is charged with a wide-range of duties and programs, encompassing Pandemic & Disaster Preparedness, mosquito and rabies control, as well as other programs.

The Friends of Hospice held their annual fund-raising "Epicurean Delight" event, reporting good profits, but less than other years. Legislator Fanning reported The Friends of Hospice had contributed \$136,000 to the County to offset the 2010 Hospice budget deficit.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, urged Legislators to review the comparison Sheriff salaries distributed earlier by Undersheriff John LaDuc.

Legislator Patrick Wallace, Transportation/Solid Waste Committee Chairman, reported that two bridges had been damaged due to recent flooding. The John Street Bridge was closed and would not be re-opened until after previously scheduled construction rehabilitation was completed. The Third Road and Herman Road bridges are scheduled for State engineer inspections. Eleven (11) roads had been closed due to flooding. County officials are collecting data to determine costs of estimated damages for several road wash-outs.

Legislator Wallace made a motion to award the bid for road striping to Seneca, in accordance with the itemized price list dated 5/3/11 on file with the Clerk of the Board. The motion was seconded by Legislator Fanning and carried.

Legislator Wallace made a motion to award the hot asphalt bids, based on the job location, from Paverite, Hanson and Barrett Paving, in accordance with the bid list dated 5/3/11 on file with the Clerk of the Board. The motion was seconded by Legislator King and carried.

Legislator Paul Stanford, Veterans Committee Chairman, announced that Stephen Kilionski had been hired as the new Veterans Service Officer, to assist with veteran caseloads.

Legislator Stanford proposed a late resolution to create positions for the Human Resources Department, through the Lewis County General Hospital, which was enacted.

Legislator Richard Lucas, Economic Development Committee Chairman, reported the ATV trails had been opened on May 1, 2011, with over 900 permits sold year-to-date.

Legislator Lucas proposed a late resolution to create temporary seasonal positions to assist with trail development, which was enacted.

Legislator Lucas reported the Local Development Corporation continues to work toward development of the old Lyons Falls Pulp & Paper property, and an engineering company will be providing an estimate for asbestos abatement at the site. Also, efforts are ongoing to develop hydro power to benefit local residents and businesses. The Kruger Company is contemplating a major project, as owner of the hydro electric plant at the Lyons Falls site, as well as two other plants in close proximity.

Legislator Jerry King, Election Committee Chairman, reported that the old voting machines had been sold for \$1,900.

Legislator William Burke, Buildings and Grounds Committee Chairman, announced that due to a conflict he was scheduling the next Committee meeting for May 17, 2011 at 10 a.m. He reported the maintenance personnel had completed 52 April work orders, the second pump was ordered for the storm sewer in front of the County Clerk's building, and the natural gas detectors would be installed. An overhead door would be installed at the highway garage.

Legislator Burke also reported that Aubertine and Currier architects are providing structural design and details for raising or replacing existing steel to allow installation of a higher overhead door at the highway garage, to accommodate taller trucks.

COUNTY MANAGER REPORT:

Mr. Pendergast reported the State Senate had passed legislation to impose a 2% property tax cap, but, the Assembly would like to include mandate relief with the cap; neither of which is the Governor's proposal. Mr. Pendergast will keep abreast of ongoing deliberations to ascertain the local budgetary impacts.

REPORT OF THE WAYS AND MEANS COMMITTEE:

REPORT OF WAYS AND MEANS COMMITTEE ON THE EXAMINATION OF CLAIMS

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 618,102.10 and recommend that they be audited and allowed for the amounts claimed.

d. 

William Burke Chair

William Burke / Chair

Jerry d. King
Jerry King

Jerry King


Richard C. Lucas Committee

Richard C. Lucas Committee

Dated: May 3, 2011

Approved on motion by Legislator Tabolt, seconded by
Legislator Stanford, and carried.

RESOLUTION NO. 118-2011

AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways
and Means Committee.

RESOLVED that the claims presented for payment in the total amount of
\$ 618,102.10 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 Lucas, seconded by
Legislator Tabolt and adopted by roll call vote:
All voted yea.

RESOLUTION NO. 119 - 2011**RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 3 – 2011, COUNTY OF LEWIS**

Introduced by Legislator Paul Stanford, Chairman of the Junkyard Committee

WHEREAS, a resolution was duly adopted by the Board of Legislators on April 5, 2011, directing that a public hearing be held by said Board on May 3, 2011, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, "**A LOCAL LAW AMENDING LOCAL LAW NO. 3-2001 COUNTY OF LEWIS JUNKYARD LAW**"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on April 28, 2011, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 3–2011), County of Lewis, being **A LOCAL LAW AMENDING LOCAL LAW NO. 3-2001 COUNTY OF LEWIS JUNKYARD LAW**", be and the same hereby is designated as Local Law No. 3 –2011, County of Lewis.

Section 2. That Local Law No. 3-2011, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Stanford, seconded by Legislator Tabolt
and adopted.

YEAS: Boyd, Burke, Fanning, Hathway, King, Lucas, Stanford, Tabolt,
Wallace, Bush

NAYS: None.

ABSENT: None.

RESOLUTION NO. 120 - 2011**RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 4 – 2011, COUNTY OF LEWIS**

Introduced by Legislator John Boyd, Chairman of the Courts and Law Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on April 26, 2011, directing that a public hearing be held by said Board on May 3, 2011, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, “**A LOCAL LAW ASSIGNING TO THE LEWIS COUNTY SHERIFF THE DUTIES AND RESPONSIBILITIES FOR OVERSEEING THE E – 911 SYSTEM**”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on April 28, 2011, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 4 – 2011), County of Lewis, being “**A**

LOCAL LAW ASSIGNING TO THE LEWIS COUNTY SHERIFF THE DUTIES AND RESPONSIBILITIES FOR OVERSEEING THE E – 911 SYSTEM”, be and the same hereby is designated as Local Law No. 4 –2011, County of Lewis.

Section 2. That Local Law No. 4 – 2011, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Tabolt, seconded by Legislator Fanning and adopted.

YEAS: Boyd, Burke, Fanning, Hathway, King, Lucas, Stanford, Tabolt, Wallace and Bush.

NAYS: None.

ABSENT: None.

RESOLUTION NO. 121 - 2011**RESOLUTION TO SET THE SALARY FOR
LEWIS COUNTY SHERIFF**

Introduced by Legislator John Boyd, Chairman of the Courts and Law
Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. Pursuant to Local Law No. 4-2011, the Board of Legislators hereby sets
the salary for Lewis County Sheriff as follows:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Lewis County Sheriff	Full-time	\$62,000

Section 2. That said salary shall be effective in accordance with Local Law No.
4-2011 for the term of office from January 1, 2012 through December 31, 2015.

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

Legislator Stanford made a motion to table the resolution, citing the need for
further review and consideration. Legislator Boyd seconded the motion. Legislator
Hathway urged the Board to act expeditiously to afford interested candidates the
knowledge of the salary to be effective January 1, 2012.

The motion was then carried.

RESOLUTION NO. 122 - 2011

**RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 5 – 2011, COUNTY OF LEWIS**

Introduced by Legislator Paul Stanford, Chairman of the County Officers Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on April 26, 2011, directing that a public hearing be held by said Board on May 3, 2011, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, “**A LOCAL LAW ASSIGNING TO THE LEWIS COUNTY TREASURER THE DUTIES AND RESPONSIBILITIES OF DEPUTY BUDGET OFFICER**”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on April 28, 2011, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 5 – 2011), County of Lewis, being “**A LOCAL LAW ASSIGNING TO THE LEWIS COUNTY TREASURER THE DUTIES AND**

RESPONSIBILITIES OF DEPUTY BUDGET OFFICER”, be and the same hereby is designated as Local Law No. 5 –2011, County of Lewis.

Section 2. That Local Law No. 5 – 2011, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Tabolt, seconded by Legislator Burke
and adopted.

YEAS: Boyd, Burke, Fanning, Hathway, King, Lucas, Stanford, Tabolt, Wallace and Bush.

NAYS: None.

ABSENT: None.

RESOLUTION NO. 123 - 2011**RESOLUTION TO SET THE SALARY FOR
LEWIS COUNTY TREASURER**

Introduced by Legislator Paul Stanford, Chairman of the County Officers'
Committee.

BE IT RESOLVED as follows:

Section 1. Pursuant to Local Law No. 5-2011, the Board of Legislators hereby sets
the salary for Lewis County Treasurer as follows:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Lewis County Treasurer	Full-time	\$58,000

Section 2. That said salary shall be effective in accordance with Local Law No.
5-2011 for the term of office from January 1, 2012 through December 31, 2015.

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

Legislator Burke made a motion to table the resolution, seconded
by Legislator King and carried.

RESOLUTION NO. 124 – 2011**RESOLUTION TO TRANSFER FUNDS
BUILDING CODES**

Introduced by Legislator John Boyd., Chairman of Building Codes Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2011 budget transfer be approved in the Building Codes Account to cover expenses associated with inspection of the buildings adjacent to the burned buildings in the Village of Lowville:

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
A1990.4999 (contingency)	A3620.4901 (Prof Services)	\$1321.25

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

Moved by Legislator King, seconded by Legislator Tabolt.

Legislator Lucas inquired why the County would cover the private property clean-up costs, asking whether the owners had insurance for this purpose. Mr. Pendergast stated that both property owners had been questioned, and if there is coverage, the County would be reimbursed.

The resolution was then adopted.

RESOLUTION NO. 125 -2011**RESOLUTION TO TRANSFER FUNDS
BUILDING CODES**

Introduced by Legislator John Boyd., Chairman of the Building Codes Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved in the Building Codes

Account to purchase warning signs & placards:

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
A1990.4999 (contingency)	A3620.4407 (supplies)	\$433.75

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

Moved by Legislator Lucas, seconded by Legislator Stanford,

Legislator Lucas invoked that the sign purchases were to comply with New York
State Dept. of Transportation requirements.

The resolution was then adopted.

RESOLUTION NO. 126 -2011**RESOLUTION TO APPROPRIATE FUNDS
CAPITAL DATA PROCESSING**

Introduced by Legislator William Burke., Chairperson of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved to the Capital Emergency Radio account:

HA50310 (Inter-fund transfer)	\$26,500.00
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HA3310.4 (Contractual & Misc)	\$26,500.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King , seconded by Legislator

Burke , and adopted.

RESOLUTION NO. 127 – 2011**RESOLUTION TO APPROPRIATE FUNDS
ELECTIONS**

Introduced by Legislator Jerry King., Chairman of the Elections Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the Elections Department, representing revenue from sale of voting machines:

Increase Revenue:

A12900	\$1,940.00
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Increase Expense:

A1450.4909	\$1,940.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford , seconded by Legislator Lucas ,
and adopted.

RESOLUTION NO. 128 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY EMERGENCY MANAGEMENT AND
NYS OFFICE OF HOMELAND SECURITY**

Introduced by Legislator John Boyd, Chairman of Emergency Management Committee.

WHEREAS, the Lewis County Emergency Management Office has been awarded a grant from the New York State Office of Homeland Security and Emergency Services in the amount of \$55,509.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves an Agreement between the County of Lewis, by and through the Office of Emergency Management, and the New York State Office of Homeland Security and Emergency Services in the amount of \$55,509.

Section 2. That said grant Agreement is for the period from August 1, 2010 through July 31, 2013.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreement.

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

Moved by Legislator King seconded by Legislator Tabolt
and adopted.

RESOLUTION NO. 129 - 2011**RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY GENERAL HOSPITAL
BOARD OF MANAGERS**

Introduced by Legislator Michael Tabolt, Chairman of the Hospital Committee.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby appoints **Bethany Yost** at Post Office Box 109, Lowville, New York 13367 to fill the un-expired term of Ned Cole on the Lewis County General Hospital Board of Managers.

Section 2. That the term of said appointment shall commence May 4, 2011 and expire on December 31, 2012.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Tabolt,
and adopted.

RESOLUTION NO. 130 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
LEWIS COUNTY GENERAL HOSPITAL**

Introduced by Legislator Michael Tabolt, Chairman of the Hospital Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Lewis County General Hospital, to create the following positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Van Driver	Part-time	\$11.79 - \$13.40
Cleaner	Full-time	\$10.05 - \$13.19
Clerk	Full-time	\$11.09 - \$14.50

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

Moved by Legislator Tabolt seconded by Legislator Stanford

Legislator Tabolt explained that the part-time van driver would eliminate over-time expense; and the cleaner was for additional space for two doctors at the Beaver River Health Center. The clerk (including benefits) for the Sleep Lab would be more cost effective than contracting the services.

The resolution was then adopted.

RESOLUTION NO. 131 - 2011**RESOLUTION APPOINTING MEMBER TO LEWIS COUNTY
COMMUNITY MENTAL HEALTH, DEVELOPMENTAL
DISABILITIES AND ALCOHOLISM SERVICES BOARD**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints **DOUGLAS ORT** of 125 Sherman Street, Watertown, New York 13601, to the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. That the term of said appointment shall be effective from May 4, 2011 and expire on December 31, 2015.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Stanford,

Several Legislators queried why a non-County resident was being considered for appointment. Director of Community Services Jennifer Earl stated the Community Services Board felt that service providers would be an asset to the Board, citing their professional understanding of services. Mr. Ort's commitment to our mission is by way of providing services to a pool of Lewis County residents, she said, albeit outside the confines of the County.

Legislator Fanning expressed a desire to obtain counsel's opinion as to whether there would be a conflict of interest for a service provider serving as a member of the Community Services Board.

Legislator King made a motion to **table** the resolution, seconded by Legislator Stanford and carried.

RESOLUTION NO. 132 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Mental Hygiene Department to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Alcohol and Substance Abuse Counselor	Full-time	Grade B27 (\$19.58/hr.)

Section 2. That Director of Community Services Jennifer Earl is hereby authorized to fill said position effective immediately.

Section 3. That one full-time Assistant Alcohol and Substance Abuse Counselor shall be **abolished** upon filling the Counselor position

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 133 - 2011**RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY MENTAL HEALTH CENTER
AND LOCUM INTERACTIVE, INC.**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Board of Legislators adopted Resolution No. 12-2011 on January 4, 2011 between the Lewis County Community Mental Health Center ("LCCMHC") and Locum Interactive, Inc. that provides for Larry Palinski to assess the physical and psychological status of patients at LCCMHC through interviews, health history, physical examinations, diagnostic tests and also to prescribe medications and monitor patient's medication status at a cost of \$80.00 per hour; and

WHEREAS, Locum Interactive, Inc. now desires to amend the agreement to increase the cost to \$95.00 per hour for the same period of January 1, 2011 and ending December 31, 2011; and

WHEREAS, the Board of Legislators agrees to accept amendment; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the amendment to the contract for Locum Interactive, Inc., that provides the services of Larry Palinski at "LCCMHC" for the term beginning January 1, 2011 and ending December 31, 2011 at a cost of \$95.00 per hour.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Boyd, seconded by Legislator Tabolt.

Legislator Fanning made a motion to amend the resolution to increase the cost to \$95.00 beginning May 1, 2011 and ending December 31, 2011, seconded by Legislator King and carried.
The resolution was then adopted.

RESOLUTION NO. 134 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY MENTAL HEALTH CENTER
AND MEDICAL SEARCH INTERNATIONAL**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Community Services Board is responsible to provide local or unified services and facilities directly and/or Contract for the provision of those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the Community Services Board has reviewed the Agreement for Medical Search International and has determined that this company is necessary to meet the needs to provide the services of a qualified physician that is fully licensed and covered by malpractice insurance and that these services are necessary to meet the needs of the community and the costs are reasonable for servicing such needs; and

WHEREAS, Medical Search International has offered to provide Ruth Anne Cassin, M.D. on a temporary basis to provide psychiatric treatment and neurological diagnostic services for the patients at Lewis County Community Mental Health Center ("LCCMHC"); and

WHEREAS, the Community Services Board has heretofore duly met to consider the contract for Medical Search International, and has resolved to recommend to the Board of Legislators to enter into such Contract;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contract for Medical Search International to provide the services of Ruth Anne Cassin, M.D. on a temporary basis to provide psychiatric treatment and neurological diagnostic services for the patients at LCCMHC for the term beginning May 8, 2011 and ending December 31, 2011 at a cost of \$165.00 per hour for up to twenty-four (24) hours per week.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator King, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 135 – 2011**RESOLUTION TO TRANSFER FUNDS
MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, the contract with Locum Interactive, Inc. for services of a qualified physician will have a rate per hour higher than the budgeted rate, there is a request to modify the budget; and

Whereas, there is departmental appropriations available from unfilled positions to support the requested transfer of funds.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the following budget transfers to cover the increased contractual costs:

From:

A4310.1101	Regular pay	\$4,295.00
A4310.8999	Fringe benefits	1,915.00

To:

A4310.4901	Professional Services	\$6,210.00
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Section 3. That the within resolution shall take effect immediately.

Moved by Legislator king, seconded by Legislator

Stanford,

Legislator Fanning made a motion to table the resolution, seconded by Legislator Burke and carried.

RESOLUTION NO. 136 – 2011

**RESOLUTION TO TRANSFER FUNDS
MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, transfers are necessary to distinguish between fee and non-fee income. Account A16201 will be used for fee revenues. A16202 will be used for revenue from the Sheriff's Department. A16203 will be used for miscellaneous non-fee revenue, such as trainings and money received for copying items for outside agencies.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the following budget transfers to adjust revenue accounts:

From:

A16201	Mental Health Fees	\$22,380.00
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To:

A16202	Revenue-Sheriff	\$20,880.00
A16203	Revenue misc	1,500.00

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

Moved by Legislator Stanford, seconded by Legislator

King, and adopted.

RESOLUTION NO. 137 – 2011**RESOLUTION TO TRANSFER FUNDS
MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved from the Capital Data Processing account to the Mental Health Department, for the purchase of a computer:

<u>Appropriate:</u>	<u>Amount:</u>
A50310 (Inter-fund Transfer)	\$764.63
A4312.2217 (computers)	\$764.63

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

Moved by Legislator Fanning, seconded by Legislator Tabolt,
and adopted.

RESOLUTION NO. 138 – 2011**RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR AGING**

Introduced by Legislator Philip Hathway, Chairman of the Office For
the Aging Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriations be approved in Office For
Aging auto account for purchase of a replacement vehicle:

Increase Revenue:

A26650 (sale of equipment)	\$4,778.00
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Increase Expense:

A6772.2233 (Auto)	\$4,778.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator

Hathway, and adopted.

RESOLUTION NO. 139 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PROBATION DEPARTMENT**

Introduced by Legislator John Boyd, Chairman of the Courts and Law
Enforcement Committee.

WHEREAS, a current clerical employee of the Probation Department is out for
an extended medical leave-of-absence.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of
the County of Lewis with reference to the Probation Department to create the following
position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Clerk	Part-time Temporary	Grade B7

Section 2. That Probation Director Randall Schell is hereby authorized to fill said
position effective May 3, 2011 through the date of return of the regular employee.

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

Moved by Legislator Boyd seconded by Legislator Burke,
and adopted.

RESOLUTION NO. 140 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
NYS DIVISION OF CRIMINAL JUSTICE SERVICES
AND PROBATION DEPARTMENT FOR
PRE-TRIAL RELEASE PROGRAM**

Introduced by Legislator John Boyd, Chairman of the Courts and Law
Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Probation Department, and the NYS Division of Criminal Justice Services, for a Pre-Trial Release Program in the amount of \$8,576.00 and further approves the County share in the amount of \$6,715.00

Section 2. That said Agreement shall be in effect from January 1, 2011 through December 31, 2011.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver said grant Agreement.

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

Moved by Legislator King seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 141 – 2011**RESOLUTION TO TRANSFER FUNDS
PROBATION**

Introduced by Legislator John Boyd, Chairman of the Courts & Law
Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfers be approved in the Probation
Department accounts due to consolidation of programs:

From:

A33103 (ISP)	\$ 2,590.00
A33112 (SORA)	\$ 17,118.00

To:

A33100 (Probation Services)	\$ 19,708.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator

Lucas, and adopted.

RESOLUTION NO. 142 - 2011**RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY
CANCER SERVICES PROGRAM AND
RUTH CHAPIN, OUTREACH ASSISTANT**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency ("Agency") operates the New York State Department of Health Cancer Services Program and retains sole authority for the outreach requirements and responsibility for the coordination and provision of outreach activities as defined by the Cancer Services Program; and

WHEREAS, this Agency desires to subcontract with Ruth Chapin, an outreach assistant, to act as a Cancer Services Program liaison in Jefferson County; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the Lewis County Public Health Agency and Ruth Chapin, an outreach assistant, to act as a Cancer Services Program liaison in Jefferson County.

Section 2. That this Agreement is for the period beginning April 1, 2011 through March 31, 2012 at a rate of fifteen dollars (\$15.00) per hour and not to exceed fourteen (14) hours per week or \$10,920 annually.

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

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

Moved by Legislator Fanning, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 143 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY
AND FAXTON ST. LUKES HEALTH CARE
FOR PRESCHOOL RELATED SERVICES**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the County of Lewis, acting by and through the Lewis County Public Health Agency wishes to enter into an Agreement with Faxton St. Lukes Health Care for the provision of related services to preschool children with disabling conditions pursuant to Section 4410 of the New York State Education Law and Part 200 of the Regulations of the Commissioner of Education; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency to enter into an Agreement with Faxton St. Lukes Health Care for the provision of related services to preschool children with disabling conditions pursuant to Section 4410 of the New York State Education Law and Part 200 of the Regulations of the Commissioner of Education.

Section 2. That this is for the period commencing January 1, 2011 and ending June 30, 2012 at New York State Education Department approved rates.

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

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

Moved by Legislator Tabolt, seconded by Legislator King, and adopted.

RESOLUTION NO. 144 - 2011**RESOLUTION APPROVING AMENDMENT TO AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF
THE COUNTY OF LEWIS AND HEALTH RESEARCH, INC. (HRI)**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency and Health Research, Inc. ("HRI") entered into a grant agreement on or about the 11th day of August, 2010 regarding an Integrated Cancer Services Program in the amount of \$53,317.00; and

WHEREAS, it is now desired to amend that amount to \$70,066.00 for the same period of June 30, 2010 to June 29, 2011; and

WHEREAS, the Board of Legislators agrees to accept amendment; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an amendment to the grant agreement between the Lewis County Public Health Agency and the Health Research, Inc. for the purpose of an Integrated Cancer Services Program for the period of June 30, 2010 and ending June 29, 2011 in the amount of \$70,066.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Tabolt, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 145 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY
AND LEWIS COUNTY GENERAL HOSPITAL
FOR PRESCHOOL RELATED SERVICES**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the County of Lewis, acting by and through the Lewis County Public Health Agency wishes to enter into an Agreement with Lewis County General Hospital for the provision of related services to preschool children with disabling conditions pursuant to Section 4410 of the New York State Education Law and Part 200 of the Regulations of the Commissioner of Education; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency to enter into an Agreement with Lewis County General Hospital for the provision of related services to preschool children with disabling conditions pursuant to Section 4410 of the New York State Education Law and Part 200 of the Regulations of the Commissioner of Education.

Section 2. That this is for the period commencing April 1, 2011 and ending June 30, 2012 at New York State Education Department approved rates.

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

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

Moved by Legislator Tabolt, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 146 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY
AND MARRA'S HOME CARE**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the County of Lewis, acting by and through the Lewis County Public Health Agency wishes to enter into an Agreement with Marra's Home Care for the provision of medical equipment and supplies to hospice patients; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency, to enter into an Agreement with Marra's Home Care for the provision of medical equipment and supplies to hospice patients.

Section 2. That this is for the period commencing March 25, 2011 and ending March 25, 2012 in accordance with the price list provided by Marra's Home Care that is attached to the agreement and marked as "Appendix B".

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

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

Moved by Legislator Hathway, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 147 - 2011**RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF THE
COUNTY OF LEWIS AND NYS DEPARTMENT OF HEALTH**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the New York State Department of Health wishes to enter into an agreement with Lewis County Public Health for the purpose of providing integrated cancer services for the period of April 1, 2011 through March 31, 2012; and

WHEREAS, Lewis County Public Health Department is an eligible provider of these services;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board of Legislators hereby authorizes an agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency and the New York State Department of Health to provide integrated cancer services for the period of April 1, 2011 through March 31, 2012 in the amount of \$227,925.00.

Section 2. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 148 - 2011**RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF THE COUNTY
OF LEWIS AND NYS DEPARTMENT OF HEALTH**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency has received a grant award from the New York State Department of Health in the amount of \$23,732.00 for the purpose of childhood lead poisoning prevention activities for the period of October 1, 2010 through September 30, 2011; and

WHEREAS, Lewis County Public Health Department is an eligible provider of these services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a grant agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency and the New York State Department of Health to provide childhood lead poisoning prevention activities for the period of October 1, 2010 through September 30, 2011 in the amount of \$23,732.00.

Section 2. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 149-2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY
AND UNIVERSITY PATHOLOGIST LABORATORIES, LLP**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Public Health Agency, and University Pathologist Laboratories, LLP, pursuant to which University Pathologist Laboratories, LLP thereby accept the New York State rate for provision of laboratory services for women served by the Cancer Services Program.

Section 2. That this Agreement shall be effective from April 1, 2011 through March 31, 2012.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver such Agreement.

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

Moved by Legislator Fanning, seconded by Legislator King, and adopted.

RESOLUTION NO. 150 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT
& NYS DIVISION OF HOMELAND SECURITY & EMERGENCY SERVICES
FOR LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM**

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County Sheriff's Department has received a grant award from the New York State Division of Homeland Security and Emergency Services in the amount of \$21,491 for the Enforcement Terrorism Prevention Program; and

WHEREAS, the Board of Legislators wishes to accept such grant; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with the New York State Division of Homeland Security and Emergency Services for the Lewis County Sheriff's Department to implement the Enforcement Terrorism Prevention Program in the amount of \$21,491 for the contract period of August 1, 2010 through July 31, 2013.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Stanford, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 151 -2011**RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING FOR
THE CREATION OF THE NORTHERN NEW YORK REGION OF
INTEROPERABLE COMMUNICATIONS CONSORTIUM**

Introduced by Legislator John Boyd, Chairman of Emergency Management Committee.

WHEREAS, there is a need to cooperate and establish an Interoperable Communications network to serve the Northern New York Region; and

WHEREAS, this need has been expressed in the National SAFECOM program, is encouraged by the Federal Government through a number of federal grant programs and is well recognized as the future for planning interoperable communications systems; and

WHEREAS, in order to seek funding for such initiatives, it is the desire of Clinton, Franklin, Jefferson, Lewis and St. Lawrence Counties to form a consortium for the purposes of applying for grants and other funding sources to establish a regional interoperable communications network; and

WHEREAS, the consortium would officially be endorsed by the representative counties committed towards working on a joint interoperable communications network that would serve all first responders and other public service agencies and would work on sharing costs and assets that would be of mutual benefit to all parties,

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the respective counties as outlined above have recognized the need of working together in a cooperative and productive atmosphere with the sole and extent purpose of developing a common interoperable communications network and the Lewis County Board of Legislators hereby agrees and endorses the creation of the Northern New York Region Interoperable Communications Consortium to serve all police, fire and EMS agencies within the five county region.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators; David Pendergast, County Manager; L. Michael Tabolt, Sheriff and Richard J. Graham, County Attorney are hereby authorized to execute, seal and deliver said Agreement.

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

Moved by Legislator Fanning seconded by Legislator Stanford

and adopted.

RESOLUTION NO. 152 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, following their review, the Civil Service Commission has determined that an Account Clerk (Grade 13) in the Support Unit at the Department of Social Services is working out-of-title, and hereby recommends a re-classification to a title of Senior Account Clerk (Grade 19); and

WHEREAS, the re-classification would invoke an \$.81 per hour increase for a total of \$1,185.59, including benefits, for the remainder of 2011. The local share portion of the increase equates \$225.26.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Department of Social Services, to authorize re-classification of an Account Clerk position at the Department of Social Services, to a title of Senior Account Clerk.

Section 2. That the Senior Account Clerk re-classification shall take effect May 9, 2011.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 153 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, a temporary Community Services Worker is scheduled to terminate on May 13, 2011; and

WHEREAS, Lewis County has received additional federal HEAP Administration funds to finance additional personnel costs to assist with program outreach and certification services.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby amends the Compensation Plan of the County of Lewis, and authorizes to extend one Temporary Community Services Worker from May 14, 2011 to May 27, 2011, to be totally financed by additionally received federal HEAP Administration funds.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator King,
and adopted.

RESOLUTION NO. 154 - 2011**RESOLUTION AUTHORIZING
MEMORANDUM OF UNDERSTANDING BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND
LEWIS COUNTY CORNELL COOPERATIVE EXTENSION**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Understanding between the County of Lewis, by and through the Lewis County Department of Social Services, and Lewis County Cornell Cooperative Extension ("CCE") for the purpose of having CCE provide training for eligible participants in the Food Stamp Program to learn appropriate methods of budgeting and nutrition.

Section 2. That the term of this Memorandum of Understanding shall be from May 3, 2011 through September 30, 2011 for an amount not to exceed \$16,000.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Tabolt, seconded by Legislator Burke.

Legislator Hathway explained that after the Federal and State budgets were passed, funding for this program had been cut by \$52,000. The Committee suggests bridging the gap for the remainder of the year by utilizing Flexible Funds for Family Services (FFFS).

The resolution was then adopted.

RESOLUTION NO. 155 - 2011**RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENT
BETWEEN THE LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND NORTHERN REGIONAL CENTER FOR INDEPENDENT LIVING**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services ("DSS") is responsible for the safety of children in Lewis County and must provide parents the opportunity to learn appropriate methods of parenting; and

WHEREAS, Northern Regional Center for Independent Living ("NRCIL") is qualified to provide parenting classes to increase the skills of participants; and

WHEREAS, DSS desires to enter into a Memorandum of Agreement with NRCIL that provides these classes to eligible Temporary Assistance to Needy Families ("TANF") participants; and

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

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Agreement between the County of Lewis, by and through the Lewis County Department of Social Services and Northern Regional Center for Independent Living to provide parenting classes for eligible "TANF" participants.

Section 2. That this is for the period beginning May 3, 2011 and ending December 31, 2012 at a cost not to exceed \$750.00 annually.

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

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

Moved by Legislator King, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 156 – 2011

**RESOLUTION TO TRANSFER FUNDS
VETERANS' SERVICES**

Introduced by Legislator Paul Stanford, Chairman of the Veterans Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved in the Veterans' Department
for the purchase of office manuals:

<u>From:</u>	<u>To:</u>	<u>Amount</u>
A1990.4999 (contingency)	A6510.4407 (supplies)	\$250.00

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

Moved by Legislator Stanford, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 157 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND VILLAGE OF LYONS FALLS
FOR A CULVERT REPLACEMENT PROJECT**

Introduced by Richard Lucas, Chairman of the Economic Development Committee

WHEREAS, the Village of Lyons Falls has been awarded a USDA Rural Business Enterprise Grant in the amount of \$99,000 to repair the Center Street bridge/culvert; and

WHEREAS, the Center Street bridge/culvert is critical infrastructure for fire protection, commerce and citizen traffic in the Village of Lyons Falls; and

WHEREAS, the Lewis County Highway Department has the qualified staff and equipment to complete the culvert replacement work and the County seeks to assist our municipalities with infrastructure projects; and

WHEREAS, the Lewis County Highway Department will provide the labor, project management expertise and equipment to complete this project with all purchase of materials to be funded by the USDA grant.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the County of Lewis and the Village of Lyons Falls for the purpose of completing the Center Street bridge/culvert replacement project and having the Lewis County Highway Department provide the labor, project management expertise and equipment for the period commencing May 1, 2011 through August 31, 2011 with the grant money awarded to the Village of Lyons Falls by USDA Rural Business Enterprise Grant in the amount of \$99,000.

Section 2. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 158 – 2011**RESOLUTION TO TRANSFER FUNDS
WEIGHTS AND MEASURES**

Introduced by Legislator John Boyd, Chairman of the Weights & Measures Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget change be approved in the Weights & Measures Department for the purchase of a computer from Capital Data Processing funds:

<u>Appropriate:</u>	<u>Amount:</u>
A50310 (Inter-fund Transfer)	\$732.02
A6610.2217 (computers)	\$732.02

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

Moved by Legislator Boyd, seconded by Legislator Lucas,
and adopted.

RESOLUTION NO. 159 - 2011**RESOLUTION AMENDING ADMINISTRATIVE MANUAL
TO INCORPORATE NEW STATE REQUIREMENTS INTO
LEWIS COUNTY WORKERS' COMPENSATION POLICY**

Introduced by Legislator Richard Lucas, Chairman of the Workers' Compensation Committee.

WHEREAS, the New York State Workers' Compensation Board has implemented new Medical Treatment Guidelines effective December 10, 2010, and requires all carriers to incorporate the guidelines into their policies and procedures.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the Administrative Manual to incorporate the new Medical Treatment Guidelines, as adopted and implemented by the New York State Workers' Compensation Board, into the Lewis County Workers' Compensation Policy, effective immediately.

Section 2. That the within resolution shall take effect immediately

Moved by Legislator King seconded by Legislator Burke,
and adopted.

RESOLUTION NO. 160 - 2011

**RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INVESTMENT ACT**

Introduced by Legislator Philip Hathway, Chairman of the Employment and Training Committee.

BE IT RESOLVED, as follows:

Section 1. That in accordance with the New York State Department of Labor notification letter of approval of additional funds to support the individual training plans for the Trade Adjustment Assistance Program, the following appropriation is approved in the Workforce Investment Act fund account (LWIA #65 FY10):

<u>Increase</u>	<u>Amount</u>
TAA Expense (Trade Adjustment Assistance)	\$1,927.00
CD6293.4999	

Section 2. That the within resolution shall be effective immediately.

Moved by Legislator Boyd, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 161 - 2011**RESOLUTION APPOINTING MEMBERS TO
YOUTH BUREAU ADVISORY BOARD**

Introduced by Legislator Philip Hathway, Chairman of the Youth Bureau Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints the following individuals as members of the Lewis County Youth Bureau Advisory Board:

Scott Mathys	Lewis County Opportunities, Inc.
Sylvia Woodhouse	Member-at-Large
Rhonda Vanucchi	Lowville Council of Churches
David Bush	Office For Aging Director
Tina Stanford	South Lewis Central School Board of Directors
Michael Leviker	Sheriff's Department
Dan Cushing	Lowville Academy & Central School

Section 2. That the term of said appointments shall be effective through May 6, 2013.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 162 - 2011

**RESOLUTION APPOINTING MEMBERS TO
YOUTH BUREAU ADVISORY BOARD**

Introduced by Legislator Philip Hathway, Chairman of the Youth Bureau
Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following
Student representatives as members of the Lewis County Youth Bureau Advisory Board:

Brooke S. Lyndaker - Lowville Academy & Central School
Anna M. Platz - Lowville Academy & Central School
Sierra Hewitt - Harrisville Central School
Sydney O'Shaughnessy - Copenhagen Central School
Luke Evans - Copenhagen Central School
Jordan Andre - South Lewis Central School
Ashley Szewil - South Lewis Central School

Section 2. That the term of said appointments shall be effective from May 3,
2011 and terminate upon graduation, or when any student otherwise ceases to be a full-
time student of their representing school.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Hathway,
and adopted.

RESOLUTION NO. 163 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
LEWIS COUNTY GENERAL HOSPITAL
HUMAN RESOURCES DEPARTMENT**

Introduced by Legislator Paul Stanford, Chairman of the County Officers' Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Lewis County General Hospital, to create the following positions and designate them to the Human Resources Department:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Human Resources Assistant	Full-time	Not to Exceed \$45,000
Keyboard Specialist (2)	Full-time	\$12.12 - \$16.00/hr.

Section 2. That Director of Human Resources/Personnel Officer Timothy Ryan is hereby authorized to fill said positions effective immediately.

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

Moved by Legislator Stanford, seconded by Legislator Tabolt,
and adopted.

RESOLUTION NO. 164 - 2011

**RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO TRAIL PROGRAM**

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

BE IT RESOLVED, as follows:

Section 1. That this Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Trail Program, to create the following seasonal positions to assist with trail development:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Laborer (3)	Temporary Part-time	Grade B4

Section 2. That Trail Coordinator Bob Diehl is hereby authorized to fill said Positions, for the period effective May 4, 2011 through October 1, 2011.

Section 3. That the within resolution shall be effective immediately.

Moved by Legislator Lucas, seconded by Legislator Tabolt.

In response to Legislator Fanning, Legislator Lucas reported that volunteers continue to assist with the trails, but Trail Coordinator Bob Diehl has requested more help. The personnel costs will be borne entirely by ATV permit revenue, he stated.

The resolution was then adopted.

RESOLUTION NO. 165 -2011**AUTHORIZING APPLICATION FOR 2011 SMALL CITIES
COMMUNITY DEVELOPMENT BLOCK GRANT**

Introduced by Legislator Richard Lucas, Chairman of Economic Development Committee.

WHEREAS, the Board of Legislators has heretofore duly advertised and held public hearings on the 21st day of December, 2010 and the 3rd day of May, 2011 and has considered the comments presented thereat regarding housing and priority community development needs.

NOW, THEREFORE BE IT RESOLVED, that

Section 1. The Board of Legislators hereby authorizes the filing of one or more 2011 Small Cities Community Development Block Grant (CDBG) Applications to secure funding to assist low and moderate income households with the purchase and rehabilitation of existing single family homes within Lewis County in an amount not to exceed \$750,000 and other such related activities as may be determined; and

Section 2. That the Chairman, or the Vice-Chairman, of the Board of Legislators, be and the same is hereby is authorized to make, execute, seal and deliver such applications, documents or writing as may be necessary to carry out the terms of this Resolution.

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

Moved by Legislator Lucas, seconded by Legislator Boyd,
and adopted.

OTHER BUSINESS:

The Clerk read proclamations previously signed by the Chairman to declare the month of May as "Mental Health Month"; "Foster Parent Recognition Month"; and "National Senior Health & Fitness Month".

Legislator Hathway announced that a recognition dinner was planned for foster parents on May 12, 2011.

There being no other business to come before the Board, Legislator Fanning made a motion to adjourn at 6:23 p.m., seconded by Legislator Wallace and carried.

SPECIAL MEETING
May 31, 2011

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present, except Legislator Lucas, and Legislator Burke whom had been excused.

Chairman Bush announced the purpose of the meeting was for action on the proposed Home Rule State Legislation to extend the three-quarters of one percent sales tax through November 30, 2013.

RESOLUTION:

RESOLUTION NO. 166 -2011**RESOLUTION MAKING HOME RULE REQUEST FOR ADOPTION
OF NEW YORK STATE SENATE BILL NO. S5308
AND COMPANION ASSEMBLY BILL NO. A7393**

Introduced by Legislator Jack T. Bush, Chairman of the Board

WHEREAS, by Resolution No. 115 -- 2011, the Board of Legislators of Lewis County requested Home Rule Legislation as would allow the County of Lewis to impose the additional three-quarters (3/4) of one percent (1%) local sales tax for the period beginning December 1, 2011 and ending November 30, 2013; and

WHEREAS, such additional sales tax revenue will enable the Board of Legislators to mitigate the need for increased property taxes; and

WHEREAS, said legislation has been introduced in both houses of the State Legislature, as Senate Bill No. S5308 and Assembly Bill No. A7393, respectively; and

WHEREAS, Article 9, § 2(B) (2) of the New York State Constitution and Section 40 of the Municipal Home Rule Law require a home rule request be made to the State Legislature before the bills may become law; and

NOW, THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby makes this home rule request to the State Legislature to enact the following: New York State Assembly Bill No. A7393 and the companion bill in the Senate, Senate Bill S5308:

TITLE OF BILL: An act to amend the tax law, in relation to extending the authorization granted to the County of Lewis to impose an additional three-quarters of one percent of sales and compensating use taxes.

PURPOSE: To extend the authorization granted to Lewis County to impose an additional three-quarters of one percent of sales and compensating use taxes.

SUMMARY OF PROVISIONS: Extends the authorization of the additional three-quarters of one percent sales and compensating use tax until November 30, 2013 and provides for an immediate effective date.

Section 2. The Clerk of the Board is hereby directed to forward certified copies of this Resolution to State Assemblyman Kenneth Blankenbush and State Senator, Joseph Griffo.

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

Moved by Legislator Wallace, seconded by Legislator King, and adopted.

OTHER BUSINESS:

There being no other business to come before the Board, the meeting adjourned at 5:03 p.m. on motion by Legislator Fanning, seconded by Legislator Boyd and carried.

REGULAR MEETING**June 7, 2011**

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 11 persons present.

Chairman Bush announced approval of the May 3 and May 31, 2011 meeting minutes.

The Rules and Legislation Committee had met and recommend to waive the rules to allow action on late resolutions.

Richard C. Lucas, Chairman
William J. Burke
Patrick Wallace

Dated: June 7, 2011

Legislator Tabolt made a motion to waive the rules as recommended, seconded by Legislator King and carried.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Beaver River Central School District "After Prom Committee" had penned a letter of thanks for the County's financial contribution through the STOP DWI Program to support their planned activities that provided a safe environment for the student body.

The NYS Office of Parks, Recreation & Historic Preservation Review Board informed they had recommended that the Stoddard-O'Connor House on Shady Avenue in Lowville; and the Mary Lyon Fisher Memorial Chapel & Wildwood Cemetery on River Road in Lyons Falls, be listed on the State Register of Historic Places, and be nominated to the National Register.

REPORTS OF COUNTY OFFICERS AND DEPARTMENT:

Treasurer Patricia O'Brien submitted approved applications for corrected 2010 property tax rolls for the State of New York for property located in the Town of Lowville; and William Kollmer property located in the Town of Denmark

Copies of the 5/18/11 and 6/1/11 Solid Waste Audit Reports; 5/26/11 Highway Audit Report; Treasurer's May Report; the 4/19/11 minutes of the Soil & Water Conservation District Board of Directors' meeting; and Haroff Auction & Realty's report for the 5/25/11 Real Property Tax Foreclosure Auction, had been distributed to each Legislator.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services Committee Chairman, relayed that Principal Social Welfare Examiner Caroline Virkler had given an in-depth report about social service programs, focusing primarily on fraud. The Department is currently administering 2,100 child support cases; the 2010-2011 processed HEAP applications equated \$2.5 Million expenditures to local vendors. Of 233 fraud complaints last year, only 25 were dismissed, resulting in reimbursement of \$75,000. Required follow-up on complaints are addressed through various methodologies, including unannounced site visits.

The Bus Transportation System has diminished the Medicaid transportation expense by 10%, yet summons average monthly expenditures of \$20,000. Legislator Hathway stated that even though the expense is 100% State reimbursed, there is ongoing review to evoke greater savings.

Legislator Michael Tabolt, Hospital Committee Chairman, reported an April loss of \$146,124, due in part to lower than budgeted acute admissions. However, preliminary review of May figures indicate positive numbers of 151 acute admissions, as well as 41 maternity deliveries. The employee-of-the-month was nursing home Ward Clerk Julie Smith.

Legislator Tabolt also relayed that Dr. Atkinson was returning to the Beaver Falls clinic during her husband's military deployment starting July 1, 2011. Also, Dr. Shambo's daughter would be serving as the physician's assistant. The new national health care plan requires all physicians to enter patient information into a network computer system, which may be accessed throughout New York State hospitals. The process is cumbersome, because the information must be entered directly by the physicians.

At the request of Legislator Tabolt, Hospital Administrator Eric Burch reported that the Public Health and Health Planning Council will hold their initial meeting on June 16, 2011 to review 90 projects, but Lewis County's dialysis project is not on the listed projects for review. Senator Joseph Griffo will be contacted to inquire the status of our dialysis project. On 6/27/11 the Hospital will learn the amount of the anticipated Medicaid re-basing reimbursement, but the check will not be released until 7/14/11. Thereafter, the Inter-governmental Transfer (IGT) reimbursement will be released for years 2009, 2010 and 2011.

Mr. Burch also reported that NYS Department of State and State Education Department representatives met today to discuss the proposal to establish a clinic in the Copenhagen Central School building, where Dr. Brian Shambo would be the primary physician.

In conclusion, Mr. Burch announced that one, of only two 64-slice CT Scanners in the State, would be installed at Lewis County General Hospital, and would reduce patient radiation exposure by 60%. The other scanner is located at the Canton-Potsdam Hospital.

Legislator Charles Fanning, Mental Health/Public Health Committee Chairman, made a motion to authorize Carol Paluck to fill a Hospice per diem nurse, and a part-time Hospice Volunteer Coordinator effective immediately. The motion was seconded by Legislator Burke and carried.

Legislator Fanning stated that the transition of the CHHA and Hospice programs to the Hospital continues to progress; and efforts continue to recruit a full-time psychiatrist at the Mental Hygiene Department.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, reported that radio study preparations are ongoing for a planned kick-off meeting to be held on August 2, 2011 to encompass fire departments, law enforcement, highway personnel and Search & Rescue volunteers.

A Police Appreciation Night was held on May 20, 2011 at Lowville Academy & Central School to recognize all law enforcement personnel for their dedication and commitment to the safety of our residents. Legislator Boyd had attended the event where he read Chairman Bush's proclamation in recognition of Uniformed Police Officers. He then read a letter of thanks from District Attorney Leanne Moser for the Board's kind recognition to those whom have given the ultimate sacrifice and those who serve to keep us safe.

Legislator Patrick Wallace, Transportation/Solid Waste Committee Chairman, urged support for proposed resolutions for replacement of the bridge on the Salmon River Road over the Mad River; and for Deer River Road improvements.

Legislator Wallace made a motion to reject all bids received for a used class 4 cab and chassis flat bed pick-up truck; and new 4X4 tractor/22 boom mower combination, for the Highway Department. The motion was seconded by Legislator Hathway and carried.

Legislator Wallace made a motion to award the bid to CEJJ, Inc. in the amount of \$64,941.00 for the purchase of a Solid Waste roll-off trailer. The motion was seconded by Legislator Hathway and carried.

Legislator Hathway made a motion to authorize purchase of a pick-up truck through State contract, seconded by Legislator Fanning and carried.

Legislator Richard Lucas, Economic Development Committee Chairman, announced that each Legislator had received a copy of the Tug Hill Visitors Guide, which would be distributed throughout the Northeast region for tourist marketing.

Legislator Lucas imparted the newly formed Adirondack Tug Hill Tourism Council is very pro-active, and had met with the Chamber of Commerce with a goal to promote and boost local business.

Trail Coordinator Bob Diehl has been feverishly working along with volunteers to maintain and develop ATV trails; and permit sales are doing well. Legislator Lucas encouraged support of his proposed resolution for a grant application by the Local Development Corporation for rehabilitation of the former Lyons Falls Pulp & Paper mill site.

Legislator Hathway relayed his appreciation for assistance from Planning Department staff for the Harrisville Dry Kiln's biomass feasibility study.

Legislator Jerry King, Taxation Committee Chairman, recommends review of the policy to remove parcels from the Delinquent Property Tax Auction. Citing previous parcel

removals from the auction to enhance reforestation lands, Legislator King questioned the correctness of imposing increased Reforestation Department costs for enhancing recreation trails. Legislator King made a motion to require that the two properties removed from the 5/25/11 auction be further considered, and all future proposed parcel removals be presented and discussed by the Taxation Committee for a recommendation to, and action by the full Board. He felt it prudent for the full Board to be knowledgeable and be given an opportunity to discuss properties that may ultimately impose higher property taxation. The motion was seconded by Legislator Stanford and unanimously carried.

Legislator King expounded to take exception on behalf of the appropriate jurisdictional Taxation Committee, for not being given an opportunity to discuss the property removals. Asserting, however, that he was not necessarily against enhanced recreation, but is against increased property taxes! He cautioned that only one year over the last decade had the Reforestation Department fully offset respective expenses.

Legislator William Burke, Buildings and Grounds Committee Chairman, reported that 67 works orders were completed by maintenance personnel in May; natural gas detectors had been installed at several County buildings. The fire doors had been replaced at the sign and bridge shop buildings. Human Resource Department work stations had been installed. The jail condensing units had been cleaned and sprinkler systems have been inspected. The Stowe Street Office building generator was repaired.

Legislator Burke proposed a late resolution to authorize a reclassification and fill a position in the Maintenance Department.

COUNTY MANAGER REPORT:

Mr. David Pendergast relayed reports that the Governor, Senate and Assembly had reached a tentative agreement to impose the lesser of either 2% or the current Consumer Price Index of 1.6% property tax cap; noting the State Legislature had six days to adopt legislation before their summer recess. However, the legislation does not mention mandate relief. Of the total 2011 County tax levy of \$12,489,992, the nine (9) State-mandated programs over which the County has no control, would summon \$11,641,599 or 94%. These are Medicaid, Public Assistance Safety Net, Child Welfare, Pre-K, Early Intervention, Indigent Defense, Pensions, Youth Detention and Probation.

If adopted, the tax cap legislation would limit the 2012 budget levy increase to no more than \$199,000. Mr. Pendergast cautioned the Board to be mindful that pension costs are known to be \$1.7 Million above 2011 levels, to illustrate the certainty of difficult impending budget deliberations. Considering the State Legislature's dismissal of mandate relief, New York State Counties prioritized a State take-over of County Medicaid costs, which for Lewis equates \$5.5 Million.

Lewis County plans to participate in a Federal Energy Regulatory Commission's nuclear ingestion pathway drill on June 22, 2011, due to our location within a 50-mile radius of the James Fitzpatrick Nuclear Plant in Oswego. There have been preliminary meetings of core groups, emergency, public health and first-responder personnel. Mr. Pendergast explained the focus is to protect our residents, water and food supplies dependent upon the

wind direction and pathway of the plume from the nuclear reactor. The established plan would define best reactive procedures and plan of action, especially to protect the dairies. Officials from the Federal Emergency Management Agency (FEMA) and State Emergency Management Office (SEMO) will observe the drill.

TREASURER REPORT:

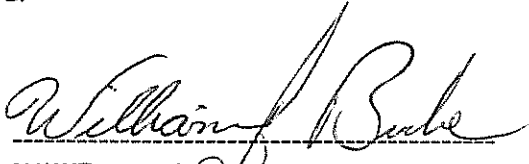
Treasurer Patricia O'Brien reported that 13 parcels were sold at the 5/25/11 delinquent property tax auction for a net surplus of \$59,286.00.

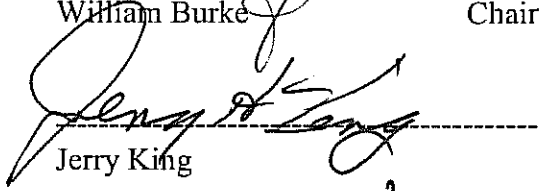
REPORT OF THE WAYS AND MEANS COMMITTEE:

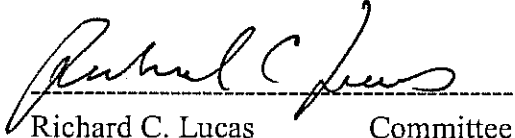
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 748,777.30 and recommend that they be audited and allowed for the amounts claimed.


William Burke Chair


Jerry King


Richard C. Lucas Committee

Dated: June 7, 2011

Approved on motion by Legislator Tabolt, seconded by
Legislator Lucas, and carried.

RESOLUTION NO. 167-2011**AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator William Burke, Chairman of the Ways
and Means Committee.

RESOLVED that the claims presented for payment in the total amount of
\$ 748,777.30 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 Tabolt, seconded by
Legislator Burke and adopted by roll call vote:

All voted yea.

RESOLUTION NO. 168 - 2011**RESOLUTION TO AMEND ADMINISTRATIVE MANUAL AND ADOPT
GRIEVANCE POLICY PURSUANT TO THE AMERICANS
WITH DISABILITIES ACT**

Introduced by Legislator Jack Bush, Chairman of the Board of Legislators.

WHEREAS, Lewis County has received one or more Community Development Block Grants to perform certain housing programs, including housing purchases and/or rehabilitation to benefit low and moderate income households; and

WHEREAS, historically, the County has contracted with a third party to administer such housing programs as well as the expenditure of above-referenced funds; and

WHEREAS, such housing programs are subject to federal laws, rules and regulations, including, without limitation, Title II of the Americans with Disabilities Act of 1990 ("ADA");

WHEREAS, the Board of Legislators finds and declares that discrimination based upon an individual's disability in any form, including, without limitation, the policies and practices in administering governmental programs and projects, is unfair, unjust, and inconsistent with the public policy of the County of Lewis, the State of New York and the United States as manifested in its Constitution and statutes. Such discrimination is specifically prohibited by Title II of the Americans with Disabilities Act of 1990 ("ADA"); and

WHEREAS, the Board of Legislators wishes to implement a grievance policy and procedure whereby any individual who believe that he or she is a victim of discrimination that is prohibited by the ADA will have recourse to present his or her complaint and have it investigated and heard by the appropriate County official(s), and if necessary, appropriate remedial action may be taken by the County; and

WHEREAS, the Board of Legislators has been presented with the attached grievance policy and now wishes to incorporate it into the Lewis County Administrative Manual;

NOW THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby adopts the annexed Americans with Disabilities Act Grievance Policy and hereby authorizes its inclusion in the Lewis County Administrative Manual.

Section 2. That the annexed Americans with Disabilities Act Grievance Policy shall apply not just to housing programs, but to all of the goods, services, facilities, privileges, advantages, or accommodations of any program or project owned, operated, administered by or on behalf of the County of Lewis.

Section 3. That the County Manager be and the same is hereby authorized to make, execute and deliver such documents, writings and forms and to take such other actions as deemed necessary to implement this Policy as the same shall apply to all County officers, employees and contractors.

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

Moved by Legislator Boyd, seconded by Legislator King, and adopted.

01-23
AMERICANS WITH DISABILITIES ACT GRIEVANCE POLICY

Effective: **June 1, 2011**

Most Recent Revision: **June 1, 2011**

Objective: **To establish a grievance policy and procedure for individuals who believe that they are the victim of discrimination prohibited by Title II of the Americans with Disabilities Act of 1990.**

Reference: **Title II of the Americans with Disabilities Act of 1990 (“ADA”)**

Introduction:

The Board of Legislators finds and declares that discrimination based upon an individual’s disability in any form, including, without limitation, the policies and practices in administering governmental programs and projects, is unfair, unjust, and inconsistent with the public policy of the County of Lewis, the State of New York and the United States as manifested in its Constitution and statutes. In particular with regard to housing programs operated or administered by the County, discriminatory policies and practices based upon disability operate to deny many Americans the benefits of housing financed through Federal assistance and as a consequence prevent such assistance from providing them with an alternative to substandard, unsafe, unsanitary, and overcrowded housing.

The Board of Legislators therefore establishes the following policy and procedure for the handling of complaints and grievances by individuals who believe that they are the victim of discrimination prohibited by the ADA:

I. **Policy:**

1. No individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any program or project owned, operated, administered by or on behalf of the County of Lewis.
2. The County of Lewis prohibits any employee, elected official, contractor or volunteer from engaging in any activity, conduct, or communication that constitutes “discrimination” as that term is defined by the Americans with Disabilities Act (42 U.S.C. §§ 12101 *et. seq.*); § 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); and the Fair Housing Act of 1988 (42 U.S.C. § 3601).
3. Any individual who is determined to be responsible for such discrimination shall be subject to disciplinary action up to and including in the case of an employee, termination; or in the case of a contractor or volunteer, termination of services. Furthermore, any manager, supervisor,

administrator, or elected official who knowingly condones continual occurrences of such discrimination within his/her scope of supervisory and/or managerial responsibilities, shall also be subject to disciplinary action.

4. Contractors with the County of Lewis shall be required to maintain an appropriate non-discrimination policy that complies with this policy as well as all federal and state laws, rules and regulations.

II. Complaint Procedure:

1. Any individual who believes that he or she is a victim of discrimination prohibited by this policy or prohibited by the ADA may file a complaint with the Lewis County Attorney. Complaints on behalf of classes of individuals are also permitted.
2. Complaints shall be in writing, signed by the complainant or an authorized representative, and should contain the complainant's name and address and describe the alleged discriminatory action.
3. Upon receipt of such written complaint, the County Attorney shall file a copy thereof with

Disability Rights Section
Civil Rights Division
U.S. Department of Justice
P.O. Box 66738
Washington, D.C. 20035-6738

4. Upon receipt of such written complaint, the County Attorney shall conduct an investigation into the allegations.
5. Within fifteen (15) business days of receiving a written complaint, the County Attorney shall prepare a comprehensive report addressing all the allegations in the complaint and objectively documenting all relevant factual findings and shall be filed with the County Manager.
6. The investigation shall be conducted in a manner that preserves, to the greatest extent possible, the confidentiality of all those involved.
7. Upon receiving the report, the County Manager shall determine whether there is substantial credible evidence to support the allegations contained in the complaint. The County Manager shall confer with the County Attorney and determine the appropriate action to take, in light of the facts presented in the County Attorney's report. The County Manager shall provide the complainant with a written response to the complaint, including a description of the County Manager's disposition of the alleged violation(s).
8. Should the County Manager find that applicable federal laws, rules or regulations have been violated, he or she shall direct that corrective action be taken by the responsible employee,

elected official, contractor or volunteer as the County Manager deems necessary and appropriate to remedy the violation.

9. In the event the complainant disagrees with the conclusions and proposed disposition by the County Manager, the complainant may appeal to the full Board of Legislators, provided the complainant files with the Clerk of the Board of Legislators written notice of such appeal within fifteen (15) business days of receipt of the County Manager's response. Such notice of appeal shall be in writing, signed by the complainant or an authorized representative, and shall contain the complainant's name and address and describe the alleged reasons for such appeal.
10. The Board of Legislators shall hold a hearing regarding such appeal within fifteen (15) business days of receipt of such notice of appeal. At such hearing, the complainant may produce witnesses and present such documentation or other evidence as the complainant believes establishes the allegations of the complaint. The Board of Legislators shall consider such evidence presented by the complainant as well as any other information the Board believes is relevant to determining the nature and circumstances surrounding the alleged violation(s). The formal rules of evidence shall not apply to such hearing.
11. Should the Board of Legislators by majority vote, find and determine that applicable federal laws, rules or regulations have been violated, it shall direct that corrective action be taken by the responsible employee, elected official, contractor or volunteer, as the Board deems necessary and appropriate to remedy the violation.

III. Disciplinary Action:

Violators of this policy shall be subject to discipline as in any other case of serious, illegal misconduct. Disciplinary action may include warning, censure, transfer, suspension, discharge or termination of services, as the case may be; subject to applicable collective bargaining agreements, personnel policies or contractual provisions.

IV. Retaliation Prohibited:

No person filing a complaint under this policy and procedure and no person who legitimately assists another in prosecution of any such complaint shall be subjected to retribution or retaliation of any kind for doing so. Any employee, manager, supervisor, or county official that is found responsible for such retaliation shall be subject to disciplinary action, up to and including termination.

V. Notice:

Notice of this policy shall be made available to the general public at any location where applications for such housing programs are being administered.

RESOLUTION NO. 169 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS
AND TRANE BUILDING SERVICES**

Introduced by Legislator William Burke, Chairman of the Buildings and Grounds Committee.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with Trane Building Services to provide and install thirty-three (33) two-position hot water valves to allow shutoff for the radiation zones on the first floor of the courthouse at a cost not to exceed \$52,804.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Lucas, seconded by Legislator Burke,
and adopted.

RESOLUTION NO. 170 - 2011

**RESOLUTION ADOPTING TRAINING AND CONTINUING EDUCATION
REQUIREMENTS FOR VOLUNTEER BOARD MEMBERS**

Introduced by Legislators Charles Fanning, Phillip Hathway and Jerry King
on behalf of the Corporate Compliance Committee

WHEREAS, Lewis County provides medical and health related services to the general public through several departments, including the Mental Hygiene Department, the Public Health Department, and the Lewis County General Hospital and Residential Health Care Facility (collectively, "the Hospital"); and

WHEREAS, the Mental Hygiene Department is governed by a volunteer Community Services Board, the Hospital is governed by a volunteer Board of Managers, and the Public Health Department although governed by the Board of Legislators, reports to a Professional Advisory Board, which is also comprised of volunteers; and

WHEREAS, in addition, each of the foregoing volunteer boards may have various subcommittees or ad hoc committees; and

WHEREAS, the Board of Legislators recognizes and appreciates the time, effort and dedication that each volunteer board member and/or committee member exerts in the fulfillment of their volunteer duties; and

WHEREAS, the Board of Legislators further recognizes that each of these volunteer boards and committees have a significant amount of responsibility in overseeing certain aspects of County government and services; and

WHEREAS, in light of the responsibility that is expected of these boards, and the increasing degree of regulation and scrutiny that is being imposed on local government functions from both the Federal and State governments, the Board of Legislators finds and determines that it is in the public interest to assure that the volunteers who participate on such boards and committees have been adequately trained and receive continuing education in matters of regulatory compliance as well as the performance and function of their respective departments;

NOW, THEREFORE, be it resolved as follows:

Section 1. The Lewis County Board of Legislators hereby establishes the following training and attendance policy which shall hereafter be appended and deemed a part of the Lewis County Corporate Compliance Program:

- A. Training and attendance requirements. This training and attendance policy shall be mandatory and shall apply to all members of the

Hospital Board of Managers, Community Services Board, Board of Legislators, as well as the members of any committee or subcommittee of each of these.

- B. Each member of the applicable board/committee shall complete, at a minimum, two (2) hours of training each calendar year designed to enable such members to more effectively carry out their duties. Such training may include subject matter regarding Lewis County's Corporate Compliance Program, regulatory compliance, risk assessment, organizational governance, as well as the functions and operations of the department(s)/agencies for which the board/committee is responsible.
- C. Training received by a member in excess of two (2) hours in any one calendar year may be carried over by the member into the next succeeding year in order to meet the requirements of this policy. Such training shall be approved by the Corporate Compliance Committee and may include, but not be limited to, training provided by the County, a state agency, a statewide association, a college or other similar entity. Training may be provided in a variety of formats, including but not limited to, electronic media, video, distance learning and traditional classroom training.
- D. The Compliance Officer for each such department/agency shall be responsible for certifying attendance/completion of such training and shall maintain records thereof.
- E. Failure to complete the training required by this policy shall be deemed good cause to remove a board/committee member from office.
- F. To be eligible for reappointment to such board/committee, such member must complete the training promoted and/or approved by the Corporate Compliance Committee pursuant to this policy.
- G. No decision of a board/committee shall be voided or declared invalid because of any member's failure to comply with this policy.

Section 2. That this Resolution shall be effective immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd,

and adopted.

Resolution No. 171 - 2011

**RESOLUTION AUTHORIZING ONE-YEAR EXTENSION OF AGREEMENTS WITH
SECURITY BENEFIT GROUP OF COMPANIES FOR ADMINISTRATION OF THE
COUNTY OF LEWIS DEFERRED COMPENSATION PLAN**

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

WHEREAS, the County of Lewis contracts with Security Benefit Group of Companies to administer a Deferred Compensation plan for its employees; and

WHEREAS, the purpose of such plan is to provide employees with a convenient and tax-favored method of saving on a regular and long-term basis, and thereby provide for their retirement; and

WHEREAS, these contracts are due to expire on June 6, 2011; and

WHEREAS, Section 9003.5(b) of the Rules & Regulations of the New York State Deferred Compensation Board allows for an additional one-year extension from the expiration date of the contracts; and

WHEREAS, it is in the best interest of the **County of Lewis** to extend contracts with Security Benefit Group of Companies for a period of one year from the expiration date of June 6, 2011 for reasons which include, but are not limited to, the preservation of the stability of the Plan's administration to have additional time to evaluate the effectiveness of programs and to prepare for the solicitation and evaluation of competitive proposals in accordance with Section 9003.3 of the Rules & Regulations of the New York State Deferred Compensation Board.

WHEREAS, the Committee of the **County of Lewis** hereby recommends a one-year extension of the contract with Security Benefits Group of Companies to administer the Deferred Compensation Plan.

NOW, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an extension for a one-year period from expiration date, of the **County of Lewis** Deferred Compensation Plan Administration contracts with Security Benefit Group of Companies, in conjunction with National Advisors Trust Company, FSB as Trustee.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute any and all documents to enforce said contract extension.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Tabolt,
and adopted.

RESOLUTION NO. 172 - 2011**RESOLUTION IN SUPPORT OF U.S. DEPT. OF COMMERCE ECONOMIC
DEVELOPMENT ADMINISTRATION GRANT APPLICATION BY
LEWIS COUNTY DEVELOPMENT CORPORATION**

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

Whereas, the County of Lewis encourages the redevelopment of the mill site location in the Village of Lyons Falls; and

Whereas, the County of Lewis seeks to create shovel ready development sites in cooperation with the Lewis County Industrial Development Agency and the Lewis County Development Corporation; and

Whereas, the U.S. Department of Commerce Economic Development Administration provides funding for public works, economic development and community development projects that support employment and revitalization in economically distressed areas; and

Whereas, the Lewis County Development Corporation owns the former Lyons Falls Pulp and Paper mill site in Lyons Falls, NY and seeks to redevelop this site for economic purposes; and

Whereas, the County of Lewis' Comprehensive Economic Development Strategy Committee designates this project as the number one priority; and

Whereas, the Lewis County Development Corporation is a non-profit 501(c)3 corporation that is not affiliated with the County of Lewis.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators proclaims its support for the Lewis County Development Corporation's application for funding to the U.S. Department of Commerce Economic Development Agency for the Lyons Falls mill site.

Section 2. The Lewis County Board of Legislators agrees to authorize the County of Lewis as the sponsoring municipality for said application, and for the County's Economic Development and Planning office to act in conjunction with the Lewis County Development Corporation develop and administer the grant application.

Section 3. That the Chairman of the Board of the Legislators is hereby authorized to sign and forward a letter of support to the U.S. Department of Commerce Economic Development Administration.

Moved by Legislator Tabolt, seconded by Legislator
Lucas

Legislator Hathway acquiesced that as lead agency for the grant, the Planning Department personnel would assist with grant administration; but inquired whether there would be direct County cost. Legislator Lucas confirmed there would not.

The resolution was unanimously adopted.

RESOLUTION NO. 173 – 2011**RESOLUTION TO APPROPRIATE FUNDS
ECONOMIC DEVELOPMENT**

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation be approved in the Economic Development accounts for the Northern Border Regional Commission Grant Water/Wastewater SCADA Systems:

Increase Revenue

A39012 (NBRC Grant)	\$150,000.00
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Increase Expense

A8020.4912 (NBRC Grant)	\$150,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 174 – 2011**RESOLUTION TO APPROPRIATE FUNDS
ECONOMIC DEVELOPMENT**

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation be approved to cover additional Administrative costs incurred by the Economic Development Office, for the implementation of the Hazard Mitigation Grant Program:

A43052 (Hazard Mitigation Grant HMGP 1692) \$2,974.18

A6420.4999 (Economic Development Projects) \$2,974.18

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

Moved by Legislator King, seconded by Legislator
Wallace, and adopted.

RESOLUTION NO. 175 -2011**RESOLUTION ESTABLISHING HEALTH INSURANCE
PREMIUMS EFFECTIVE AUGUST 1, 2011**

Introduced by Legislator Richard Lucas, Chairman of the Insurance Committee.

WHEREAS, the County of Lewis (the County”) has heretofore established and maintained the Lewis County Health Plan (the “Plan”), a self-funded health insurance program for its employees; and

WHEREAS, the Lewis County Treasurer, in her capacity as the Plan Administrator for the Plan makes periodic assessments to ascertain an appropriate premium equivalent for Plan participants in order to sustain the benefits provided in the Plan; and

WHEREAS, having made such assessment to establish the premium effective August 1, 2011, the Plan Administrator is hereby recommending that the Board of Legislators establish a monthly premium equivalent of \$453.15 for single coverage and \$1,195.62 for family coverage.

NOW, THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby approves the Plan Administrator’s recommendations and hereby establishes the following premium equivalents, effective August 1, 2011 until further amended or modified by the Board of Legislators:

Single coverage:	\$ 453.15
Family coverage:	\$1,195.62

Section 2. That this Resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 176 - 2011**RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID-ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT TO FUND THE LOCAL SHARE OF FEDERAL-AID ELIGIBLE AND INELIGIBLE PROJECT COSTS, AND APPROPRIATING FUNDS THEREFOR (PIN 775321)**

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

WHEREAS, a Project for Safety Improvements on the Deer River Road [County Route 55] (PIN 775321) (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 90% Federal funds and 10% non-Federal funds; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the **Right of Way Phase and Construction/CI Phase** of the Project;

NOW, THEREFORE, BE IT RESOLVED by the Lewis County Board of Legislators, duly convened, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the above-subject Project.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Chairman of the Lewis County Board of Legislators, to pay in the first instance 100% of the federal and non-federal share of the cost of **Right of Way Phase and Construction/CI Phase** work for the Project or portions thereof.

Section 3. That the sum of \$997,000.00 is hereby appropriated from County general funds, and made available to cover the cost of participation in the **Right of Way Phase and Construction/CI Phase** of the Project.

Section 4. That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, 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, thereof.

Section 5. That the Chairman of the Lewis County Board of Legislators, be and he hereby is authorized to execute all necessary Agreements, on behalf of the Lewis County Board of Legislators, 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 federal-aid- eligible Project costs and all Project costs within appropriations therefore that are not so eligible.

Section 6. That the Lewis County Highway Superintendent, or in his absence the deputy superintendent, be and the same is hereby authorized to execute all necessary consultant agreements, right-of-way certifications, reimbursement requests for Federal Aid on behalf of the Lewis County and any other document, not including the Agreement with NYS DOT, that may be necessary to carry out the terms of this Resolution.

Section 7. That 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. That the within Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 177 - 2011

**RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF HIGHWAYS ON BEHALF OF
THE COUNTY OF LEWIS AND FOIT-ALBERT ASSOCIATES, PC**

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

WHEREAS, in connection with a federal-aid project funded through the New York State Department of Transportation ("NYSDOT") regarding the Salmon River Road over Mad River Bridge Replacement, PIN 7753.07, the Lewis County Highway Department wishes to engage the services of Foit-Albert Associates, PC that provide architectural, engineering and surveying services; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis by and through the Lewis County Highway Department and Foit-Albert Associates, PC to provide architectural, engineering and surveying services in connection with the federal-aid project funded through the NYSDOT regarding the Salmon River Road over Mad River Bridge Replacement.

Section 2. That the ratio of this federal-aid project is 80% Federal funds and 20% non-Federal funds with the total amount being \$217,400.00 and the county amount shall not exceed \$43,480.00.

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

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

Moved by Legislator Boyd, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 178 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY HOSPICE
AND LEWIS COUNTY RESIDENTIAL HEALTH CARE FACILITY**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the County of Lewis, acting by and through the Lewis County Hospice and Lewis County Residential Health Care Facility ("Skilled Nursing Facility") wishes to enter into an Agreement whereby Skilled Nursing Facility will provide the hospice care levels of continuous care, routine home care and respite care to its terminally ill hospice residents; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Hospice and Lewis County Residential Health Care Facility to enter into an Agreement whereby Skilled Nursing Facility will provide the hospice care levels of continuous care, routine home care and respite care to its terminally ill hospice residents.

Section 2. That this is for the period commencing May 1, 2011 and ending May 1, 2012.

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

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

Moved by Legislator Stanford, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 179 – 2011**RESOLUTION TO AUTHORIZE TEMPORARILY FILLING
MENTAL HEALTH SERVICES DIRECTOR**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, there is a need for a Mental Health Services Director within the Mental Hygiene Department, and

Whereas, the Community Services Board recommends and requests permission to fill the vacant position of Mental Health Services Director on a temporary basis, effective immediately and continuing through December 31, 2011.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the Director of Community Services Jennifer Earl to temporarily fill the Mental Health Services Director position, effective June 8, 2011 through December 31, 2011.

Section 2. That the annual salary for said position shall be \$60,000.00.

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

Moved by Legislator Fanning, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 180 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, Lewis County Community Mental Health Center (“LCCMHC”) has entered into an agreement with Medical Search International for provision of psychiatric services by Ruth Cassin, M.D. and she will not be staying; and

WHEREAS, Anne Bates, Nurse Practitioner, is currently employed twenty-eight (28) hours per week at LCCMHC; and

WHEREAS, an increase to eight (8) additional hours per month for the term beginning June 1, 2011 through December 31, 2011 is necessary to ensure the uninterrupted provision of services to patients receiving medication treatment.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves amending the Compensation Plan to approve a temporary increase of eight (8) hours per month for the LCCMHC Psychiatric Nurse Practitioner for the term beginning June 1, 2011 through December 31, 2011.

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

Moved by Legislator Stanford, seconded by Legislator Fanning,
and adopted.

RESOLUTION NO. 181 - 2011

**RESOLUTION AUTHORIZING AMENDMENT
TO CONTRACT BETWEEN
LEWIS COUNTY COMMUNITY MENTAL HEALTH CENTER
AND STAFF CARE WITH DR. STEVEN FOGELMAN**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Board of Legislators adopted Resolution No. 496-2010 on December 21, 2010 between the Lewis County Community Mental Health Center ("LCCMHC") and Staff Care with Dr. Steven Fogelman for psychiatry services beginning January 1, 2011 through December 31, 2011; and

WHEREAS, LCCMHC now desires to increase the coverage for Dr. Fogelman for up to two (2) additional days per month beginning June 1, 2011 and ending December 31, 2011; and

WHEREAS, the Board of Legislators agrees to accept amendment;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby authorizes an amendment to the contract between LCCMHC and Staff Care to increase coverage with Dr. Steven Fogelman for psychiatry services for up to two (2) additional days per month beginning June 1, 2011 and ending December 31, 2011. All other terms and conditions of the contract shall remain the same.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Stanford, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 182 - 2011**RESOLUTION AUTHORIZING AMENDMENT
TO CONTRACT BETWEEN
LEWIS COUNTY COMMUNITY MENTAL HEALTH CENTER
AND STAFF CARE WITH DR. ASHOK GOYAL**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Board of Legislators adopted Resolution No. 495-2010 on December 21, 2010 between the Lewis County Community Mental Health Center ("LCCMHC") and Staff Care with Dr. Ashok Goyal for psychiatry services for one (1) to two (2) days per week and up to forty-six (46) weeks per year beginning January 1, 2011 through December 31, 2011; and

WHEREAS, LCCMHC now desires to increase the coverage for Dr. Goyal for up to two (2) additional days per month beginning June 1, 2011 and ending December 31, 2011; and

WHEREAS, the Board of Legislators agrees to accept amendment;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby authorizes an amendment to the contract between LCCMHC and Staff Care to increase coverage with Dr. Ashok Goyal for psychiatry services for up to two (2) additional days per month beginning June 1, 2011 and ending December 31, 2011. All other terms and conditions of the contract shall remain the same.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Fanning, seconded by Legislator King, and adopted.

RESOLUTION NO. 183 - 2011**RESOLUTION FOR TEMPORARY INCREASE OF
PETTY CASH FUND
MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, it is anticipated that Family Support Services at the Lewis County Community Mental Health Center (LCCMHC) will once again operate a Summer Program for Consumers; and

Whereas, a temporary increase of the Petty Cash Fund is required to provide necessary cash advances for activity costs that cannot be charged; and

Whereas, approval is requested to receive a check for petty cash in the amount of \$1,000.00. Expenses for this program were proposed and appropriations were approved in the 2011 budget to be charged to account A4310.4407. The \$1,000.00 will be returned to the Lewis County Treasurer at the end of the Summer Program.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby approves a temporary increase of the Petty Cash Fund for the Summer Program at the LCCMHC in the amount of \$1,000.00. The Petty Cash Fund will be decreased at the end of the Summer Program.

Section 2. That the within resolution shall take effect immediately

Moved by Legislator Tabolt seconded by Legislator Stanford,
and adopted.

RESOLUTION NO. 184 - 2011**RESOLUTION AUTHORIZING
MEMORANDUMS OF UNDERSTANDING BETWEEN
LEWIS COUNTY COMMUNITY MENTAL HEALTH CENTER AND
FOUR (4) LEWIS COUNTY SCHOOLS**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Community Services Board is responsible to provide local or unified services and facilities directly and/or Memorandum of Understanding for the provision of those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the Community Services Board has reviewed the proposals for the following providers of mental health services and has determined that these services are necessary to meet the needs of the community and the costs are reasonable for servicing such needs; and

WHEREAS, the Community Services Board has heretofore duly met to consider the Memorandums of Understanding for the following schools and has resolved to recommend to the Board of Legislators to enter into such Memorandum of Understanding.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the following Memorandums of Understanding. The term of these services are July 1, 2011 through June 30, 2012, at the amounts set opposite to each respectively:

<u>ENTITY</u>	<u>AMOUNT</u>
Beaver River Central School District	Services are provided at no cost to schools. Reimbursement to Mental Health is by third parties such as Medicaid or insurance.
Harrisville Central School District	
Lowville Academy Central School District	
South Lewis School District	

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 185 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY MENTAL HEALTH CENTER
AND SUNY UPSTATE MEDICAL UNIVERSITY
COLLEGE OF NURSING PROGRAM**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Community Services Board is responsible to provide local or unified services and facilities directly and/or Contract for the provision of those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the Community Services Board has reviewed the Agreement for SUNY Upstate Medical University College of Nursing Program ("Program"), and has determined that this program is committed to the education of health professionals, including nursing students and recognizes that clinical fieldwork experience constitutes an important part of the curriculum in educating these students; and

WHEREAS, this Program has developed and established an educational program in nursing and desires to have students receive a supervised clinical fieldwork experience at Lewis County Community Mental Health Center ("LCCMHC"); and

WHEREAS, LCCMHC has qualified professionals and clinical facilities for clinical fieldwork experience and is willing to make its facilities available for this purpose; and

WHEREAS, the Community Services Board has heretofore duly met to consider the contract for SUNY Upstate Medical University College of Nursing Program, and has resolved to recommend to the Board of Legislators to enter into such Contract .

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contract between LCCMHC and SUNY Upstate Medical University College of Nursing Program for the purpose of having students receive a supervised clinical fieldwork experience at Lewis County Community Mental Health Center for the term beginning April 26, 2011 and ending April 30, 2016.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator King,
and adopted.

RESOLUTION NO. 186 – 2011**RESOLUTION RE-AFFIRMING COMMUNITY ACTION AGENCY
DESIGNATION AND REQUESTING ADEQUATE FUNDING AND
MAINTENANCE OF FORMULA-BASED RESOURCE DISTRIBUTION FOR
COMMUNITY SERVICES BLOCK GRANT**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, Lewis County, New York continues to have a high incidence of poverty and unemployment, and these conditions severely affect the quality of life for many of our citizens; and

WHEREAS, Lewis County Opportunities, Inc. was established in 1965 to activate programs to address poverty, and has utilized the Community Services Block Grant, and other funding leveraged from that source, to successfully and efficiently provide services and programs to low-income and unemployed Lewis County residents; and

WHEREAS, the Community Services Block Grant provides funding, and by law, assures local control through a mandated Board structure and flexibility to address changing local needs; and

WHEREAS, funding for the Community Services Block Grant is targeted for drastic reductions in multiple Federal budget proposals, putting the entire range of services and programs provided by Lewis County Opportunities, Inc. at risk.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby reaffirms the designation of Lewis County Opportunities, Inc. as the Community Action Agency to address the cause and effects of poverty in Lewis County, New York.

Section 2. That the Lewis County Board of Legislators wholeheartedly supports the mission of Lewis County Opportunities, Inc. and urges appropriation of adequate funding for the Community Services Block Grant through the Congressional appropriations process, to ensure the continuation of vital services to Lewis County, New York citizens.

Section 3. That certified copies of this Resolution shall be forwarded to United States President Barack Obama; New York State Governor Andrew M. Cuomo; United States Senators Charles Schumer and Kirsten Gillibrand; and Congressman William Owens.

Moved by Legislator Stanford, seconded by Legislator King, and adopted.

RESOLUTION NO. 187 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
SUMMER YOUTH COUNSELORS**

Introduced by Legislator John Boyd, Chair of the Courts and Law
Enforcement Committee.

WHEREAS, state and federal PINS Diversion and Pratt Northam funds are
Provided to support a Summer Youth Program for at-risk youth jointly operated by the
Lewis County Probation Department and the Department of Social Services.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of
the County of Lewis to create the following positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Summer Youth Counselor (2) (PINS Diversion)	Temporary	\$13.00/hr.

Section 2. That Probation Director Randall Schell is hereby authorized to fill said
positions effective June 1, 2011 through September 30, 2011.

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

Moved by Legislator Burke seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 188-- 2011

**RESOLUTION AUTHORIZING THE TRANSFER OF CERTAIN STAFFING
FUNCTIONS FROM LEWIS COUNTY PUBLIC HEALTH AGENCY TO
LEWIS COUNTY GENERAL HOSPITAL**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency (the "Agency") is a certified home care agency (such services being referred to as "CHHA") operating pursuant to Article 36 of the Public Health Law; and

WHEREAS, the Agency is also a certified hospice provider pursuant to Article 40 of the Public Health Law (such services being referred to as "Hospice"); and

WHEREAS, the Lewis County General Hospital (the "Hospital") is a County owned hospital duly organized and operating pursuant to General Municipal Law § 126, *et. seq.*, and is a licensed medical facility; and

WHEREAS, the Board of Legislators for the County is the governing authority for both the Agency and the Hospital and has found and determined that by reason of cost savings and efficiency of services, it is in the public interest that certain operational, management and staffing functions relative to the operation of the CHHA and Hospice be transferred from the Agency to the Hospital; and

WHEREAS, the purpose of this resolution is to allow certain staffing functions for the CHHA and Hospice be performed by the Hospital pending the necessary approvals by the NYS Department of Health for the full assumption of operational and management of the CHHA and Hospice by the Hospital.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes and directs the Hospital to provide the following staffing and assistance to the Agency in accordance with the following terms and conditions:

I. Hospital Obligations:

1. Make nursing staff and aide personnel (collectively, "Hospital Personnel") available to the Agency, if, as and when needed by the Agency, seven (7) days per week, twenty four (24) hours per day, including weekends and holidays for CHHA and Hospice as follows:
2. The Hospital shall be responsible for scheduling and assignment functions of Hospital Personnel related to new referrals or ongoing case coverage and for arranging substitute Hospital Personnel coverage when assigned Hospital Personnel are unable to carry out an assignment. The Hospital will perform and coordinate all personnel scheduling and

assignments functions sufficient to maintain effective and efficient implementation of this Resolution and communications with the Agency.

3. Provide utilization reports to the Agency and the Public Health Committee of the Board of Legislators on a monthly basis, as well as any other information the Legislators may request.
4. Maintain a twenty-four (24) hours per day, seven (7) days per week, on-call system satisfactory to the Agency and adequate to respond, in a timely manner, with administrative back-up to any coverage needs, problems, questions, complaints and or other issues that may arise during the course of this Agreement.
5. Require each of the Hospital's Personnel to keep appropriate, accurate and complete clinical and other records as may be required and or approved by the Agency, including:
 - (i) patient identification data,
 - (ii) observations and reports made by Hospital Personnel,
 - (iii) referral information such as the level of the service requested, changes to the service, copies of Aide Activity Sheets, documentation of incidents, accidents and complaints and the resolution and outcome of incidents, accidents and complaints and
 - (iv) discharge summary.

These records shall be delivered by Hospital Personnel to the Agency and maintained by the Agency in accordance with applicable laws, rules and regulations and shall be made available any time, upon reasonable notice to all authorized governmental authorities.

6. Assure that the Hospital, Hospital Personnel, and its employees, agents and contractors safeguard the confidentiality of all information relating to CHHA and Hospice patients in accordance with all applicable federal and State laws, including the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), HIPAA regulations, and New York State HIV confidentiality laws. The Hospital shall implement all required HIPAA regulations in accordance with applicable rules. The Hospital agrees to enter into any agreements with the Agency required under HIPAA and to safeguard protected health information.
7. Permit any Hospital Personnel providing patient care to participate in patient care conferences and the Agency's quality improvement activities upon the request of the Agency.
8. All Hospital Personnel supplied by the Hospital to the CHHA and/or Hospice pursuant to this Resolution shall meet the licensure, registration, certification and other requirements for personnel as specified by federal and New York statutes, rules or regulations, and/or directives of the New York State Department of Health or Department of Education. Hospital Personnel must also meet the requirements for personnel as specified in the

policies and standards of the Agency, including, without limitation, the wearing of a uniform and identification badge acceptable to the Agency.

9. Assure that Hospital Personnel providing care and services maintain liaison with the Agency to assure that care planning and service delivery provided by such Hospital Personnel is coordinated, supervised and integrated effectively into the patient services responsibilities required of the CHHA and/or Hospice.
10. Provide continuous in-service education to Hospital Personnel which meets or exceeds all applicable federal, State and local standards including but not limited to yearly review of confidentiality issues, Public Employee Safety & Health ("PESH") updates and emergency disaster plans. Prior to providing services and no later than the timeframes that may be established by regulation, all Hospital Personnel will receive training on the Hospital's policies and, if requested by the Agency, the Agency's policies.
11. Maintain all records necessary and required by any third party payor, including without limitation, any federally funded health care program, if applicable.

II. Agency Obligations:

1. Notwithstanding any other provisions contained in this Resolution, the Agency shall at all times remain primarily responsible for:
 - (i) Ensuring that any service provided by Hospital Personnel pursuant to this Resolution complies with all pertinent provisions of Federal, State and local statutes, rules and regulations;
 - (ii) Planning, coordinating and ensuring the quality of all services provided; and
 - (iii) Ensuring adherence to the plan of care established for patients.
2. The Agency shall retain sole authority for the admission and discharge of patients.
3. The Agency shall reimburse the Hospital for costs incurred in providing the Hospital Personnel in accordance with this Resolution on a monthly basis upon submittal of an appropriate invoice. The Agency shall be responsible for billing and collecting from any third party payor, including without limitation, any federally funded health care program, if applicable.
4. Coordinate compliance activities consistent with the Agency's Compliance Program as well as the County's Corporate Compliance Program.

III. Board of Legislators Obligations:

1. Nothing herein shall be construed to mean that the Board of Legislators or the Agency have entered into a managing authority contract or have delegated the management authority for either CHHA or Hospice services.

2. In accordance with the intent expressed in the preceding paragraph, the Board of Legislators specifically reserves unto itself the following powers and authorities:
- (i) Authority to hire or fire the administrator or other key management employees of the Agency;
 - (ii) Authority for the maintenance and control of the books and records of the Agency;
 - (iii) Authority over the disposition of assets and the incurring of liabilities on behalf of the Agency; or
 - (iv) Authority over the adoption and enforcement of policies regarding the operation of the CHHA and Hospice facilities.

Section 2. The County Manager, Director of Public Health and the CEO of the Hospital are hereby authorized and directed to take such actions as may be necessary and appropriate to transfer those employees presently employed by the Agency and who are fulfilling the staffing duties outlined herein to the Hospital. Such transfers to become effective as soon as reasonably practical upon the adoption of this Resolution.

Section 3. The Chairman of the Board of Legislators or the Vice Chair, along with the Director of Public Health and the CEO of the Hospital are hereby authorized to execute and deliver such writings, documents, or instruments as may be necessary to carry out the terms of this Resolution.

Section 3. This Resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 189-2011**RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND
THE SUSAN G. KOMEN FOR THE CURE, INC. d/b/a CENTRAL NEW YORK
AFFILIATE OF SUSAN G. KOMEN FOR THE CURE**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency has received a grant award in the amount of \$19,000 to perform certain services in connection with the Breast Cancer Project.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Grant Agreement between the Lewis County Public Health Agency and the Central New York Affiliate of Susan G. Komen For The Cure funding for the period of April 1, 2011 through March 31, 2012 in the amount of \$19,000.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement.

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

Moved by Legislator Lucas, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 190 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS
AND FEDERAL ENGINEERING, INC.**

Introduced by Legislator William Burke, Chairman of the Buildings and Grounds Committee.

WHEREAS, the County of Lewis wishes to enter into an agreement with Federal Engineering, Inc. for the purpose of performing tasks in the general area of telecommunications, information technology, and management consulting services; and

WHEREAS, this agreement is for the period beginning May 1, 2011 to April 30, 2013;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the County of Lewis and Federal Engineering, Inc. for the purpose of performing tasks in the general area of telecommunications, information technology, and management consulting services for the period beginning May 1, 2011 to April 30, 2013 in accordance to the consulting rates in Schedule A attached to the contract.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Stanford, seconded by Legislator King,
and adopted.

RESOLUTION NO. 191 - 2011**RESOLUTION AUTHORIZING
PROFESSIONAL CONSULTING SERVICES WITH
LOCEY AND CAHILL, LLC**

Introduced by Richard Lucas, Chairman of the Insurance Committee.

WHEREAS, Locey and Cahill, LLC, a New York Limited Liability Company, wishes to enter into an agreement with the Lewis County Treasurer's Office for the purpose of providing professional consulting services regarding the Early Retiree Reinsurance Program Reimbursement; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the contract between the County of Lewis, by and through the Lewis County Treasurer's Office and Locey and Cahill, LLC for professional consulting services regarding the Early Retiree Reinsurance Program Reimbursement for the period commencing April 18, 2011 through December 31, 2013 at a cost of \$2,500.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Lucas, seconded by Legislator King, and adopted.

RESOLUTION NO. 192 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO LEWIS COUNTY SHERIFF**

Introduced by Legislator Jack Bush, Chairman of the Board of Legislators.

WHEREAS, the office of the Lewis County Sheriff is an elective office that carries a four year term, the next term of which commences January 1, 2012 and continues through December 31, 2015; and

WHEREAS, the Board of Legislators wishes to set the salary for the office of Lewis County Sheriff with the intent that such salary remain the same throughout the term of office,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board of Legislators hereby amends the Compensation Plan of the County of Lewis for the Lewis County Sheriff.

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Lewis County Sheriff	Salaried	\$64,250

Section 2. That the above salary shall be effective for the term of office from January 1, 2012 through December 31, 2015.

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

Moved by Legislator King, seconded by Legislator Hathway,

Legislator Lucas suggested further consideration with a more in-depth review of the Sheriff and Treasurer salaries. Citing a comparison with Yates County, having a similar population and services, he opined the proposed figures were not in line with responsibilities.

Legislator Lucas made a motion to table the resolution, seconded by Legislator Wallace. The motion was defeated by a vote of 6 to 4, with Legislators Boyd, Fanning, Hathway, King, Tabolt and Stanford opposed.

Legislator Stanford expressed his views that the Board had thoroughly reviewed and discussed, and even though he had supported slightly higher salaries, he had compromised with the majority, to the proposed figures.

The resolution was then adopted. Legislators Burke, Lucas and Wallace were opposed.

RESOLUTION NO. 193 - 2011**RESOLUTION TO AMEND COMPENSATION PLAN
TO CREATE SEASONAL PARKS & RECREATION
SHERIFF PATROLS**

Introduced by Legislator John Boyd, Chairman of the Courts and Law
Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Sheriff's Department, to create the following temporary law enforcement patrols for the Summer Parks and Recreation Program:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Deputy Sheriff (9)	Temporary Part-time	Grade 23
Recreation Aide (3)	Temporary Part-time	Grade 6

Section 2. That Sheriff L. Michael Tabolt is hereby authorized to fill said positions effective from May 1, 2011 through September 24, 2011.

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

Moved by Legislator King seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 194 – 2011**RESOLUTION TO TRANSFER FUNDS
SHERIFF'S DEPARTMENT**

Introduced by Legislator John Boyd, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer of Capital Equipment funds be approved to the Sheriff's Department, to cover the cost of repairing the Identification Card equipment:

<u>Appropriate:</u>	<u>Amount:</u>
A50310 (Inter-fund Transfer)	\$110.40
A3110.2909 (Misc Equipment)	\$110.40

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

Moved by Legislator Boyd, seconded by Legislator Lucas,
and adopted.

RESOLUTION NO. 195 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the State requires Job Readiness Training sessions for all Temporary Assistance applicants; and

WHEREAS, the Temporary Job Readiness Training Instructor position, which is entirely Federally funded, is due to expire on June 30, 2011.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Department of Social Services, to extend the Temporary Part-time Job Readiness Instructor position through September 30, 2011.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King,
and adopted.

RESOLUTION NO. 196 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Temporary Assistance Unit is a point of entry for all homeless people seeking shelter or are at risk of losing their home, which requires timely response; and

WHEREAS, the current three (3) examiners are unable to meet the needs of the daily activities within the Temporary Assistance Unit.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Department of Social Services, to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Social Welfare Examiner	Full-time	Grade 20

Section. That Commissioner Stacy Alvord is hereby authorized to fill said position effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 197 – 2010**RESOLUTION TO TRANSFER FUNDS
SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer of funds be approved from the Flexible Family Fund Services (FFFS) account to cover Food Stamp Nutrition Education Program services through Cornell Cooperative Extension:

Increase Expense

A6143.4999	DSS-Food Stamp Nutr Ed	\$16,000.00
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Decrease Expense

A6109.4709	NYWBG2	\$16,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator

Stanford, and adopted.

RESOLUTION NO. 198 – 2010

**RESOLUTION TO TRANSFER FUNDS
SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

Whereas, the services for the mandated Job Readiness Training Program are now performed by employees, which had previously been provided through a contract with BOCES.

Now, Therefore, **BE IT RESOLVED**, as follows:

Section 1. That the following transfer of funds be approved from the Job Readiness Training Program account to cover increased personnel expense:

Increase Expense

A6010.1101	Reg Pay – DSS Admin	\$19,000.00
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Decrease Expense

A6109.4709	NYWBG2	\$19,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator

Fanning, and adopted.

RESOLUTION NO. 199 – 2010RESOLUTION TO APPROPRIATE FUNDS FOR
SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social
Services Committee.

Whereas, the Department of Social Services has received an allocation
in the amount of \$31,045.00 to support the 2011 Summer Youth
Employment Program (SYEP).

Now, Therefore, **BE IT RESOLVED**, as follows:

Section 1. That the following Federal appropriations be approved for
the 2011 TANF Summer Youth Employment Program (SYEP):

<u>Increase Revenues:</u>		<u>Amount</u>
A46090	Federal TANF	\$31,045.00
<u>Increase Expenses:</u>		
A6109.1999	Payroll – TANF SYEP	28,625.00
A6109.8999	Fringes – TANF SYEP	2,420.00

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

Moved by Legislator Stanford, seconded by Legislator

Hathway and adopted.

RESOLUTION NO. 200 – 2010

RESOLUTION TO REDUCE APPROPRIATIONS
SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

Whereas, the Department of Social Services has received notification of a \$52,266.61 reduction for the Food Stamp Nutrition Education Plan (FSNEP) for the current Federal Fiscal Year.

Now, Therefore, **BE IT RESOLVED**, as follows:

Section 1. That the appropriations be reduced as follows for 2010-2011 FSNEP project that is administered by Cornell Cooperative Extension:

<u>Decrease Expense:</u>	<u>Amount</u>
A6143.4999 Food Stamp Nutrition Education Plan	(\$52,266.61)

<u>Decrease Revenue:</u>	
A46430 Food Stamp Nutrition Education Plan	(\$52,266.61)

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

Moved by Legislator King, seconded by Legislator

Hathway and adopted.

RESOLUTION NO. 201 – 2011**RESOLUTION TO TRANSFER FUNDS
DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services
Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved in the Department of Social
Services account to cover the purchase of a computer, utilizing funds from the Capital Data
Processing Account:

<u>Appropriate:</u>	<u>Amount:</u>
A50310 (Inter-fund Transfer)	\$325.00
A6010.2217 (computers)	\$325.00

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

Moved by Legislator Lucas , seconded by Legislator Hathway ,
and adopted.

RESOLUTION NO. 202 - 2011**RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY SOLID WASTE ON BEHALF OF
THE COUNTY OF LEWIS AND SUNNKG ELECTRONICS RECYCLING**

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste Committee.

WHEREAS, the State of New York has adopted the New York State Electronics Recycling and Reuse Act of 2011 that mandates recycling of electronic waste by manufacturers; and

WHEREAS, the Development Authority of the North Country is coordinating a regional electronic waste recycling program together with the counties of Jefferson, Lewis and St. Lawrence to provide for the collection, consolidation, and ultimate processing of covered electronics equipment with regards to the new law; and

WHEREAS, Lewis County desires to participate in the regional program with Sunnking Electronics Recycling ("Sunnking") for services as recycler/processor under the coordinated program; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis by and through the Lewis County Solid Waste Department and Sunnking Electronics Recycling to participate in the regional program for services as recycler/processor under the coordinated program for the collection, consolidation, and ultimate processing of covered electronics equipment with regards to the new law.

Section 2. That said Agreement shall be for the period of April 1, 2011 through March 31, 2012 and Sunnking shall pay to the County the incentive amounts according to a sliding scale of \$.02 per pound for 0 – 500,000 pounds or \$.025 per pound for over 500,000 pounds annually.

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

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

Moved by Legislator Boyd, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 203 – 2011**RESOLUTION TO TRANSFER FUNDS
TRAIL PROGRAM**

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

BE IT RESOLVED as follows:

Section 1. That the following transfer of funds in the Trail Program Accounts be approved to fund the Temporary Laborers pursuant to Resolution No. 164-2011:

From:

A7990.4604 (Trail Maintenance)	\$16,147.50
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To:

A7990.1999 (Pers Serv)	\$15,000.00
A7990.8999 (fringe)	\$ 1,147.50

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

Moved by Legislator Wallace , seconded by Legislator Burke ,
and adopted.

RESOLUTION NO. 204 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO LEWIS COUNTY TREASURER**

Introduced by Legislator Jack Bush, Chairman of the Board of Legislators.

WHEREAS, the office of the Lewis County Treasurer is an elective office that carries a four year term, the next term of which commences January 1, 2012 and continues through December 31, 2015; and

WHEREAS, the Board of Legislators wishes to set the salary for the office of Lewis County Treasurer with the intent that such salary remain the same throughout the term of office,

BE IT RESOLVED AS FOLLOWS:

Section 1. The Board of Legislators hereby amends the Compensation Plan of the County of Lewis for the Lewis County Treasurer as follows:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Lewis County Treasurer	Salaried	\$59,500

Section 2. That the above salary shall be effective for the term of office from January 1, 2012 through December 31, 2015.

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

Moved by Legislator Hathway, seconded by Legislator King,
and adopted.

Legislators Burke, Lucas and Wallace were opposed.

RESOLUTION NO. 205 - 2011**RESOLUTION APPOINTING MEMBER TO LEWIS COUNTY
COMMUNITY MENTAL HEALTH, DEVELOPMENTAL
DISABILITIES AND ALCOHOLISM SERVICES BOARD**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, Resolution No. 131-2011 proposing the appointment of Douglas Ort to the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board was tabled at the May 3, 2011 to address the appearance of conflict of interest issues; and

Whereas, following further review, the Committee recommends the appointment of Douglas Ort.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints **DOUGLAS ORT** of 125 Sherman Street, Watertown, New York 13601, to the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. That the term of said appointment shall be effective from June 8, 2011 and expire on December 31, 2015.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King,
and adopted.

Legislator Fanning explained the conflict issue had been addressed by confirming that Mr. Ort would no longer provide services to clients. While noting that he resides outside of Lewis County, the committee is confident of his qualifications.

The resolution was unanimously adopted.

RESOLUTION NO. 206 - 2011

**RESOLUTION TO AMEND COMPENSATION PLAN
WITH RERERENCE TO MAINTENANCE DEPARTMENT**

Introduced by Legislator William Burke, Chairman of the Buildings and Grounds Committee.

Whereas, in accordance with Resolution 10-2010 the vacated position of Building Custodial Worker is hereby abolished; and

Whereas, the Committee recommends the creation of a cleaner position.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Maintenance Department, to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Cleaner	Full-time	Grade 2

Section 2. That Building Maintenance Supervisor Frank Archer is hereby authorized to fill said position effective immediately

Section 3. That the within resolution shall be effective immediately.

Moved by Legislator Burke, seconded by Legislator King, and adopted.

OTHER BUSINESS:

The Clerk read a proclamation previously signed by the Chairman to declare May 20, 2011 as "Lewis County Uniformed Police Officer Appreciation Day".

Legislator Hathway made a motion to authorize Commissioner Stacy Alvord to fill the position of Temporary Job Readiness Training Instructor for the period from June 6 to August 26, 2011, due to a medical leave of the regular employee. The motion was seconded by Legislator Stanford and carried.

At the request of Legislator Hathway, Chairman Bush charged the Ways and Means Committee to review the County Clerk's salary and make a recommendation to the Board.

Legislator King made a motion to enter executive session at 6:00 p.m. for a litigation update by County Attorney Richard Graham. The motion was seconded by Legislator Boyd and carried. Following the session, Legislator Fanning moved to re-enter regular session at 6:15 p.m., seconded by Legislator Hathway and carried.

Legislator Stanford posed to discuss the County Clerk's salary issue. Chairman Bush affirmed the current salary of \$54,990; reporting an average base salary of \$51,719; and an average current salary of \$57,185 according to the compilation of salaries of like-sized Counties. Legislator Wallace suggested to direct the Human Resources Director to conduct and provide a thorough comparison. Legislator Hathway favored to increase the salary. Legislators Tabolt and Stanford supported a salary increase to \$57,000 for the entire 4-year term. Legislator Lucas did not support an increase at this time.

Legislator Burke injected the disparity of salaries of current department heads with the adopted Treasurer salary effective 1/1/12. Legislator Fanning stated these issues could be addressed during budget deliberations. Referencing Mr. Pendergast's earlier statements about unknown Federal and State funding and imposition of a tax cap that may require layoffs, Legislator Fanning does not favor increasing any salary, on the contrary, would propose to lower certain salaries.

Following further discussion, Chairman Bush asked for a vote to leave the County Clerk's salary at the current level. The vote was 9 to 1, with Legislator Hathway opposed.

There being no other business to come before the Board, Legislator Fanning made a motion to adjourn at 6:24 p.m., seconded by Legislator Lucas and carried.

REGULAR MEETING
July 5, 2011

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 7 persons present.

Chairman Bush announced approval of the June 7, 2011 meeting minutes.

The Rules and Legislation Committee had met and recommends to waive the rules to allow action on late resolutions.

Richard C. Lucas, Chairman
 William J. Burke
 Patrick Wallace

Dated: July 5, 2011

Legislator Tabolt made a motion to waive the rules as recommended, seconded by Legislator Burke and carried.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

In response to a request by the Croghan Town Council, Chairman Bush referred the issue of expanding Croghan Transfer Site operations, for review by the Solid Waste Committee.

Chairman Bush charged the Taxation Committee to review the issue of enacting a "Truth In Taxation" local law, as suggested by Fulton County Supervisors' Chairman David B. Howard.

Railway Historical Society President Don Mooney penned supporting views for the Rails-to-Trails project, while proposing three options to accommodate their long-term goal to develop "Tourist Rail Operations".

REPORTS OF COUNTY OFFICERS AND DEPARTMENT:

Treasurer Patricia O'Brien submitted an approved application for corrected 2010 property tax roll for Michael and Jeanna Judd for Town of Denmark property.

Copies of the 6/17/11 Solid Waste Audit Report; 6/20/11 Highway Audit Report; Treasurer's June Report; the 5/10/11 meeting minutes and 6/15/11 Director's report of the Soil & Water Conservation District Board of Directors; 3/24/11 Public Health External

Quality Assurance Committee and 3/31/11 Professional Advisory-Health Services Committee meeting minutes, had been distributed to each Legislator.

County Sealer of Weights and Measures Barbara Cooper had submitted her May and June monthly reports, to be placed on file.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services/Office For Aging Committee Chairman, reported that program expenditures for Social Services programs are within budgetary levels; and Office For Aging is within \$2,000 of their appropriations.

Legislator Michael Tabolt, Hospital Committee Chairman, reported a May surplus of \$17,290 owing to 987 emergency room visits, which is 70 more than projected. The employee-of-the-month was Hope Scouten who served as a licensed practical nurse for 21 years, and has been in the purchasing department for the past seven.

Legislator Tabolt reported the following identified projects as primary to the Hospital's Master Facility Plan: dialysis suite; fire sprinklers; West Carthage clinic; Copenhagen Health Center; glass balcony installation on the nursing home second floor to provide a scenic view; and lobby entrance restructuring to enhance exposure of the switchboard operator and gift shop for visitors.

Legislator Tabolt relayed comparative 2010 and 2003 Hospital revenue figures of \$53.5 Million and \$31.1 Million; and employee benefits totaling \$14.86 Million and \$3.9 Million respectively.

Legislator Tabolt announced the Hospital is planning an 80th anniversary celebration on August 4, 2011 with a ribbon-cutting ceremony for the 64-slice CT unit.

Legislator Hathway announced that Sam Lundy had been elected as senior-citizen-of-the-year at the recent annual picnic held at the Lewis County Fairgrounds pavilion.

Legislator Charles Fanning, Mental Health/Public Health Committee Chairman, reported implemented changes to rabies control operations.

Legislator Fanning made a motion to authorize Community Services Director Jennifer Earl to re-fill a vacant position due to a resignation, by either a Licensed Clinical Social Worker or Licensed Mental Health Counselor effective immediately, seconded by Legislator Stanford. Legislator Fanning inferred that employee expense would be offset by respective generated revenue. The motion was then carried.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, made a motion to authorize the transfer of the 1981 International fire truck to the Copenhagen Fire Department, at no cost. The truck had been given to the County by the Martinsburg Fire Department to be used for drills and they do not want the truck back. The motion was seconded by Legislator King and carried.

Legislator Boyd reported a planned kick-off meeting for the radio survey would be held soon, to encompass fire departments, law enforcement, highway personnel and Search & Rescue volunteers. The consulting contractor stressed the importance of gathering input from all aforementioned entities, and plan to report within two months thereafter.

Legislator Patrick Wallace, Transportation/Solid Waste Committee Chairman, reported road paving has been completed, ongoing shoulder work estimating costs of \$40,000 less than anticipated; and striping has been delayed due to inclement weather. FEMA funds have been obligated to offset 87.5% of the County's damaged bridge and road repairs relative to the declared 4/28-5/2 emergency.

Legislator Wallace also reported the Solid Waste bobcat had been sent for auction by Jefferson County; and installation of the new compactor. In conclusion, he announced the impending retirement of Bonnie Dening.

Legislator Paul Stanford, Veterans' Committee Chairman, relayed the newly employed Veterans' counselor has established himself, as well as Director Derek Davey's appreciation for easing the workload to facilitate good operations.

Legislator Richard Lucas, Economic Development Committee Chairman, reported attending meetings of the Adirondack Tug Hill Tourism Council, impressed with the large group to promote tourism. The Council, in conjunction with the Chamber of Commerce will present their tourism plans to the Board on August 10, 2011 at 5 p.m.

Legislator Lucas reported sale of 1,731 ATV permits, an increase of 92 over the last year-to-date total. Those utilizing the trails are appreciative of the County's commitment, he said, while expressing amazement for the amount of trail work completed by Trail Coordinator Bob Diehl and the many volunteers. As a result of Mr. Diehl's persistent attempts to acquire manufacturers' contributions for ongoing trail operations, CAN-AM/BRP has offered to loan four (4) new ATV's for County use. A late resolution was enacted to authorize a loan agreement for the machines.

Legislator Jerry King, Taxation Committee Chairman, announced their July meeting would be changed to the 13th at 8:30 a.m. to accommodate Real Property Tax Director Caryn Kolt's schedule. The committee will add the "Truth In Taxation" issue to their agenda for discussion.

Legislator William Burke, Buildings and Grounds Committee Chairman, reported that 103 work orders, primarily plumbing and general maintenance repairs, were completed during June; and personnel are stripping the floors at the public safety building.

COUNTY MANAGER REPORT:

David Pendergast reported recent participation in the Fitzpatrick Nuclear Meltdown Drill overseen by FEMA and Federal Regulatory Commission officials, which Lewis County

received high marks for established emergency plans. There was focus on dairy feed and water needs in the event of a dairy embargo that would prevent any animal or products from leaving the farm. With assistance from Real Property Tax and Cooperative Extension personnel, federal officials were informed of our need for 2 million gallons of water daily; as well as our need for guidance on how to properly dispose of milk. Their preliminary suggestions for dumping into the sanitary system or trucking to a landfill are contrary to prohibited moving rules. Considering the obvious need to develop specific protocols, a meeting has been scheduled with Emergency Management representatives of NYS Ag & Markets. There are 217 farms within a 50-mile radius encompassing 22,000 dairy cattle with daily production of 100,000 gallons of milk.

Mr. Pendergast reported a recent visit from FEMA officials for an application briefing on our local Presidential disaster declaration. They assisted us with application completion, and will return this week to likewise assist local municipalities. The County anticipates 75% Federal and 12.5% State reimbursement of overall relative expenditures of \$460,000.00. Moreover, considering the Pine Grove and Greig Roads are included on the declaration, we are permitted to add costs for recently identified additional repairs deemed necessary for safe travel in those areas.

Mr. Pendergast distributed a departmental listing of year-to-date expenditures compared with budget appropriations. He had met with Department Heads to present an overview and impress the unfavorable local impact of the NYS Legislature's enactment of a property tax cap equal to the lesser of either 2% or the consumer price index, which is currently 1.6%. For Lewis County that will allow an increase of no more than \$199,839. He and Treasurer Patty O'Brien had conducted a preliminary review and based on historical data estimate increased expenditures of \$3.2 Million, with the largest portion attributable to Medicaid and pension costs.

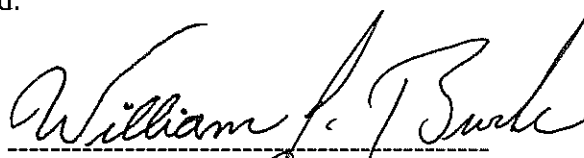
The legislation calls upon the State Taxation & Finance, Office of Real Property Tax and State Comptroller to compute the tax levy caps for each County. However, the response by those offices is less than forthcoming causing even greater concern for 2012 County Budget compilation. However, the State legislation permits a local Board over-ride of the tax cap by a super majority vote or 60%. Mr. Pendergast will initially meet with the Ways and Means Committee, followed by a Committee-of-the-Whole, for direction on Budget development.

REPORT OF THE WAYS AND MEANS COMMITTEE:

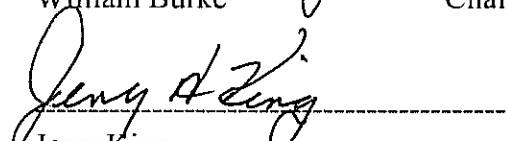
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

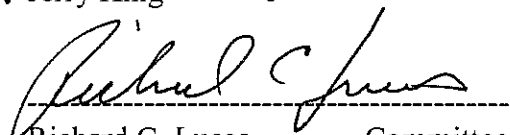
The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 847,938.64 and recommend that they be audited and allowed for the amounts claimed.



William Burke Chair



Jerry King



Richard C. Lucas Committee

Dated: July 5, 2011

Approved on motion by Legislator Tabolt, seconded by
Legislator Wallace, and carried.

RESOLUTION NO. 207-2011

AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways
and Means Committee.

RESOLVED that the claims presented for payment in the total amount of
\$ 847,938.64 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 King, seconded by
Legislator Lucas and adopted by roll call vote:

All voted yea.

RESOLUTION NO. 208 -2011**RESOLUTION SUPPORTING THE BI-PARTISAN EFFORT TO MAINTAIN A FAIR
DISTRIBUTION OF SUPREME COURT JUSTICE SEATS AMONG THE SIX
COUNTIES OF THE FIFTH JUDICIAL DISTRICT OF THE NEW YORK UNIFIED
COURT SYSTEM**

Introduced by Legislator John Boyd, Chairman of the Courts and Law Committee.

WHEREAS, the Fifth Judicial District of the New York State Unified Court System consists of the six counties of Lewis, Jefferson, Oswego, Oneida, Onondaga and Herkimer and the New York State Supreme Court Justices for the Fifth Judicial District are elected on a district-wide basis; and

WHEREAS, for nearly a century the political and legal leaders of the six counties of the Fifth Judicial District have worked together to maintain a fair allocation of the Supreme Court seats among the six counties of the Fifth Judicial District; and

WHEREAS, as a result of the aforementioned efforts, Lewis County has had a duly elected Supreme Court Justice for nearly one hundred years; and

WHEREAS, the fair allocation of Supreme Court seats throughout the Fifth Judicial District has ensured that the citizens of the entire Fifth Judicial District have had a fair and proportionate Access to Justice, i.e. the ready availability of a Supreme Court Justice; and

WHEREAS, the fair allocation of Supreme Court seats throughout the Fifth Judicial District has ensured that the citizens of the entire Fifth District have had the advantage of access to a Supreme Court Justice with Local Knowledge of their community; and

WHEREAS, the fair allocation of Supreme Court seats throughout the Fifth Judicial District has ensured that the citizens of the entire Fifth Judicial District have not had the Additional Expense of traveling to a distant county to access a Supreme Court Justice; and

WHEREAS, in November, 2011, there will be an election for three Supreme Court seats in the Fifth Judicial District, and for nearly a century these seats, under the aforementioned agreement of fair allocation of Supreme Court seats in the Fifth Judicial District, have been filled by Justices from Lewis County, Jefferson County and Oneida County, respectively; and

WHEREAS, in disregard of the aforementioned agreement of fair allocation, well-funded candidates from Onondaga County have mounted campaigns for the three Supreme Court seats up for election in November, 2011; and

WHEREAS, the nomination and election in November, 2011, of candidates from Onondaga County to the Supreme Court seats that have historically been allocated to Lewis County, Jefferson County and Oneida County, would violate and destroy the agreement of fair allocation of Supreme Court seats in the Fifth Judicial District, would deny the citizens of the Fifth Judicial District the right of Equal Access to Justice, would deny access to a Justice with local knowledge of the community and would impose additional expense on citizens in the Fifth Judicial District in order to achieve access to justice.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators calls upon the New York State Legislature to pass legislation to ensure an elected resident of the County as Supreme Court Justice in each of the counties in the Fifth Judicial District of the Unified Court System.

Section 2. That the Lewis County Board of Legislators hereby expresses its support for the continuation of the agreement among political and legal leaders of the Fifth Judicial District to maintain a fair and proportionate allocation of Supreme Court seats in the Fifth Judicial District of the Unified Court System.

Section 3. That the Clerk of this Board of Legislators shall transmit a certified copy of this Resolution to Governor Andrew M. Cuomo, the Legislatures of each County in the Fifth Judicial District; State Senator Joseph Griffo; State Assemblyman Kenneth Blankenbush, and to the Chairpersons of the Republican and Democratic parties in each County in the Fifth Judicial District.

Moved by Legislator Stanford, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 209 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS
AND S.T.A.T. COMMUNICATIONS, INC.**

Introduced by Legislator William Burke, Chairman of the Buildings and Grounds Committee.

WHEREAS, the County of Lewis wishes to enter into an Agreement with S.T.A.T. Communications, Inc. to purchase, install and maintain access control systems for approximately twelve (12) doors at the Lewis County Public Safety Building at a cost not to exceed \$15,978.75; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with S.T.A.T. Communications, Inc. to purchase, install and maintain access control systems for approximately twelve (12) doors at the Lewis County Public Safety Building for the term beginning June 22, 2011 and ending July 1, 2011 at a cost not to exceed \$15,978.75.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Lucas, seconded by Legislator King,
and adopted.

RESOLUTION NO. 210 - 2011**RESOLUTION AUTHORIZING EXTENSION OF
LEASE AGREEMENT WITH USDA FARM SERVICE AGENCY**

Introduced by Legislator William Burke, Chairman of the Buildings and Grounds Committee.

Whereas, the existing agreement with USDA Farm Service Agency for office space at the County Stowe Street Office Building is due to expire on September 30, 2011; and

Whereas, the USDA Farm Service Agency has provided a Supplemental Lease Agreement to extend the lease through September 30, 2013 for the same terms as the current Agreement.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a 24-month extension of the Lease Agreement between the County of Lewis and USDA Farm Service Agency, for 1,501 square feet of office space at the Stowe Street Office Building, through September 30, 2013, at a rate of \$15.75 per square foot.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute the Supplemental Lease Agreement.

Section 3. That the within resolution shall be effective immediately.

Moved by Legislator Burke, seconded by Legislator

Tabolt, and adopted.

RESOLUTION NO. 211 – 2011

**RESOLUTION TO TRANSFER FUNDS
BUILDING CODES**

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved in the Building Codes

Account to cover vehicle repairs:

<u>From</u>	<u>To</u>	<u>Amount</u>
A3620.4407(supplies)	A3620.4701(vehicle repair)	\$150.00

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

Moved by Legislator King , seconded by Legislator Boyd ,

and adopted.

RESOLUTION NO. 212 - 2011**RESOLUTION AUTHORIZING AGREEMENT WITH
NYS DIVISION OF CRIMINAL JUSTICE SERVICES
DISTRICT ATTORNEY**

Introduced by Legislator John Boyd, Chairman of the Courts and Law
Enforcement Committee.

Whereas, it has been shown that video recording of suspects' and witnesses' statements can lead to valuable information and evidence in criminal prosecution; and

Whereas, the NYS Division of Criminal Justice Services has approved a grant application for purchase of technological equipment to allow for audio and video recording equipment.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a grant Agreement between the County of Lewis, by and through the District Attorney, and the New York State Division of Criminal Justice Services, for the purchase of audio/video recording equipment to be used during interviews and interrogations by Village of Lowville Police and County law enforcement personnel.

Section 2. The term of said Agreement is from July 1, 2011 through June 30, 2012, in the amount of \$10,000.00.

Section 3. That the Chairman, or Vice-Chairman, is hereby authorized to execute said Agreement.

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

Moved by Legislator Stanford, seconded by Legislator
Tabolt, and adopted.

RESOLUTION NO. 213 – 2011

**RESOLUTION TO APPROPRIATE FUNDS
FIRE AND EMERGENCY MANAGEMENT**

Introduced by Legislator John Boyd, Chairman of the Emergency
Management Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation be approved for Fiscal
Year 2010 Homeland Security Grant Program Contract #C839200:

A443057	FY10 Homeland Grant-EMS	\$55,509.00
A3410.1999	Pers Serv-Emergency Manage	3,699.00
A3414.2909	Equipment FY10	51,254.00
A3414.4909	Misc FY10	<u>556.00</u>
		\$55,509.00

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

Moved by Legislator Boyd, seconded by Legislator
Lucas, and adopted.

RESOLUTION NO. 214 - 2011**RESOLUTION AUTHORIZING LOCEY & CAHILL, LLC
TO NEGOTIATE FOR STOP LOSS INSURANCE**

Introduced by Richard Lucas, Chairman of the Insurance Committee.

WHEREAS, Locey & Cahill, LLC has been retained as a consultant to provide consulting services regarding Lewis County's health insurance plans; and

WHEREAS, it is necessary for the County to identify its broker of record in order to solicit proposals with regard to the various aspects of its health insurance coverage including, without limitation, stop loss coverage.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes Locey & Cahill, LLC to act on its behalf as broker of record for the purposes of soliciting bids and/or proposals for all aspects of the County's health insurance coverage, including without limitation, stop loss coverage.

Section 2. That this is for the term commencing June 1, 2011 through May 31, 2012 at a cost not to exceed \$2,500.

Section 3. That the Chairman, or the Vice-Chairman, of the Board of Legislators be and the same are hereby authorized to execute such documents as may be necessary to effectuate the purpose of this Resolution.

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

Moved by Legislator King, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 215 - 2011**RESOLUTION AUTHORIZING
PROFESSIONAL CONSULTING SERVICES WITH
LOCEY AND CAHILL, LLC**

Introduced by Richard Lucas, Chairman of the Insurance Committee.

WHEREAS, Locey and Cahill, LLC, a New York Limited Liability Company, has offered to provide professional consulting services, with a principal business located at 120 Walton Street, Suite 500, Syracuse, New York 13202 (hereinafter referred to as "Contractor"); and

WHEREAS, Lewis County desires to enter into an Agreement with Contractor to provide the services in the preparation and filing of the Actuarial Attestation Statements, Forms, Reports and Claims associated with the Medicare Part D Retiree Drug Subsidy Program for Lewis County; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby authorizes an Agreement between Locey and Cahill, LLC and the Lewis County, for professional consulting services for the period of July 1, 2011 to June 30, 2012 at a cost of \$1,500.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Lucas, seconded by Legislator Burke,
and adopted.

RESOLUTION NO. 216 -2011**RESOLUTION TO APPROPRIATE FUNDS
CR55 (Deer River Road) Safety Improvements**

Introduced by Legislator William Burke, Chairman of Ways and Means Committee of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That \$997,000 shall be appropriated in the Capital Program to facilitate the preliminary engineering phase. Create capital Account # HAG5197.4:

Section 2. The following revenue accounts shall be recognized to facilitate the funding of this project:

HAG45910	FEDERAL	\$897,300
HAG50310	LOCAL	\$99,700

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

Moved by Legislator Hathway, seconded by
Legislator Stanford, and adopted.

RESOLUTION NO. 217 - 2011

**RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY HOSPICE AND THE FALLS PHARMACY
FOR PHARMACEUTICAL PRODUCTS AND PHARMACY SERVICES**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, Lewis County Hospice is licensed by the New York State Department of Health and is certified to participate in the Medicare and Medicaid programs; and

WHEREAS, Hospice primarily provides palliative and supportive services through an interdisciplinary group to terminally ill Hospice patients who have elected Hospice care, and their primary caregiver and families; and

WHEREAS, The Falls Pharmacy ("Pharmacy") is licensed by the State of New York and is engaged in the business of providing pharmaceutical products and pharmacy consulting services as an independent contractor for health care providers, including Hospices; and

WHEREAS, Lewis County Hospice and The Falls Pharmacy desire to enter into an Agreement wherein the Pharmacy will provide pharmaceutical products and pharmacy services to Hospice patients; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the Lewis County Hospice and The Falls Pharmacy to provide pharmaceutical products and pharmacy services to Hospice patients.

Section 2. That said Agreement shall be for the period of May 1, 2011 through May 1, 2012 and the pricing schedule is attached to Agreement and marked as "Appendix B".

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

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

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 218 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY
AND LEWIS COUNTY GENERAL HOSPITAL
FOR HOSPICE RELATED SERVICES**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the County of Lewis, acting by and through the Lewis County Public Health Agency wishes to enter into an Agreement with Lewis County General Hospital for the provision of inpatient Hospice services for symptom management, pain control and inpatient respite; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency to enter into an Agreement with Lewis County General Hospital for the provision of inpatient Hospice services for symptom management, pain control and inpatient respite.

Section 2. That this is for the period commencing June 1, 2011 and ending June 1, 2012 at the current Medicare per diem rate.

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

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

Moved by Legislator Lucas, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 219 – 2011

**RESOLUTION TO TRANSFER FUNDS
HUMAN RESOURCES**

Introduced by Legislator Paul Stanford, Chairman of the Human Resources Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers from the Capital Equipment and Data Processing accounts be approved for the purchase of telephones and computers for the Human Resources Department.

<u>From</u>	<u>To</u>	<u>Amount:</u>
A50310 (Inter-fund Transfer)	A1431.2211 (Office Equipment)	\$754.47
A50310 (Inter-fund Transfer)	A1431.2217 (Data Processing)	\$3,048.00

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

Moved by Legislator Stanford , seconded by Legislator Boyd ,
and adopted.

RESOLUTION NO. 220 – 2011**RESOLUTION TO TRANSFER FUNDS
HUMAN RESOURCES**

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved in the Human Resources Department for the purchase of file cabinets and adjustable keyboard tray for office set up, utilizing funds from the Capital Equipment account:

<u>Appropriate:</u>	<u>Amount:</u>
A50310 (Inter-fund Transfer)	\$3,233.11
A1431.2211 (Office Equipment)	\$3,233.11

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

Moved by Legislator Hathway , seconded by Legislator Lucas ,
and adopted.

RESOLUTION NO. 221 – 2011

**RESOLUTION TO TRANSFER FUNDS
NON-DEPARTMENTAL**

Introduced by Legislator Jack Bush, Chairman of the Board of
Legislators.

BE IT RESOLVED, as follows:

Section 1. That the following transfer be approved from the
Contingency account to Judgements & Claims account to cover court
ordered expenses:

<u>From:</u>	Amount
A1990.4999 (Contingency)	\$30,000.00

<u>To:</u>	
A1930.4999 (Judgements & Claims)	\$30,000.00

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

Moved by Legislator Lucas, seconded by Legislator
King, and adopted.

RESOLUTION NO. 222 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY MENTAL HEALTH CENTER
AND LOCUM INTERACTIVE, INC. WITH DR. SIAN ELIZABETH MILLS**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Community Services Board is responsible to provide local or unified services and facilities directly and/or Contract for the provision of those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the Community Services Board has previously reviewed the Agreement for Locum Interactive, Inc., and has determined that this corporation is necessary to meet the needs to provide the services of a qualified physician that is fully licensed and covered by malpractice insurance and that these services are necessary to meet the needs of the community and the costs are reasonable for servicing such needs; and

WHEREAS, the Lewis County Board of Legislators previously authorized a contract between LCCMHC and Locum Interactive, Inc. by Resolution No. 12-2011 and Locum Interactive, Inc. has offered to provide Dr. Sian Elizabeth Mills who will work on a part time basis, with a maximum of sixteen (16) hours of service per week to provide psychiatry services to patients at Lewis County Community Mental Health Center ("LCCMHC"); and

WHEREAS, the County had previously entered into a contract with Dr. Sian Elizabeth Mills for these services and such contract shall terminate immediately upon implementation of the within Contract; and

WHEREAS, the Community Services Board has heretofore duly met and has resolved to recommend to the Board of Legislators to accept this offer;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contract for Locum Interactive, Inc., to provide the services of Dr. Sian Elizabeth Mills that will provide psychiatry services to patients at Lewis County Community Mental Health Center for the term beginning June 27, 2011 and ending December 31, 2011 at a cost of \$180.00 per hour.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 223 – 2011

**RESOLUTION TO AMEND
BUDGET AND CONTRACT FOR ONEIDA-LEWIS ARC
MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, the 2011 County Budget and Contract for Oneida-Lewis ARC shall be modified to reflect increased funding levels in accordance with a statement received from the Office for People with Developmental Disabilities (OPWDD) dated February 23, 2011.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the following budget amendment to reflect the revised State Aid amount.

Increase Expense:

A4322.4999 ARC OT 620 and Ch 620	\$764.00
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Increase revenue:

A34910 ARC revenue	\$764.00
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Section 2. That the contract between the County of Lewis and Oneida-Lewis ARC for the period from January 1 to December 31, 2011 is hereby amended to reflect an increase of \$764.00. All other terms of the contract shall remain in effect.

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

Moved by Legislator King, seconded by Legislator

Stanford, and adopted.

RESOLUTION NO. 224 – 2011**RESOLUTION TO TRANSFER FUNDS
MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved from the Capital Data

Processing account to the Mental Health Department for the purchase of a computer monitor:

<u>Appropriate:</u>	<u>Amount:</u>
A50310 (Inter-fund Transfer)	\$188.81
A4335.2217 (computers)	\$188.81

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

Moved by Legislator Stanford, seconded by Legislator Wallace,

and adopted.

RESOLUTION NO. 225 - 2011**RESOLUTION TO APPOINT REPRESENTATIVE
TO NYSDEC OPEN SPACE COMMITTEE**

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, the New York Open Space Conservation Program began in 1990 pursuant to enacting State Legislation, to ensure citizen input into the land acquisition decisions made by the New York State Department of Environmental Conservation and the State Office of Parks, Recreation and Historic Preservation; and

WHEREAS, each County within Region 6 may appoint two representatives, and currently Lewis County has one vacancy; and

WHEREAS, Franklin Archer has indicated interest to represent the Lewis County Legislature on the Open Space Committee.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby appoints Franklin Archer of 7665 East State Street, Lowville, New York 13367, as their representative on the New York State Department of Environmental Conservation Region 6 Open Space Committee.

Section 2. That said appointment shall be for an indefinite term, effective July 6, 2011.

Section 3. That the within resolution shall be effective immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 226 – 2011**RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING**

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation be approved in the Office For the Aging Department for contributions from Walmart designated for special Senior Activities:

Increase Revenue:

A27051 (Contribution-OFA)	\$500.00
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Increase Expense:

A6772.4919 (other)	\$500.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd , seconded by Legislator

Tabolt , and adopted.

RESOLUTION NO. 227 – 2011**RESOLUTION TO TRANSFER FUNDS
OFFICE FOR THE AGING**

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriation be approved in the Office for the Aging Department for the purchase of computers, utilizing funds from Capital Data Processing:

<u>Appropriate:</u>	<u>Amount:</u>
A50310 (Inter-fund Transfer)	\$1,488.82
A6772.2217 (Computers)	\$1,488.82

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

Moved by Legislator Boyd, seconded by Legislator Hathway,
and adopted.

RESOLUTION NO. 228 - 2011**RESOLUTION TO TRANSFER FUNDS
OFFICE FOR AGING**

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved in the Office For the Aging account for the purchase of a replacement van, utilizing Capital Equipment funds:

<u>Appropriate:</u>	<u>Amount</u>
A50310 (Inter-fund Transfer)	\$3,782.00
A6772.2233 (Auto)	\$3,782.00

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

Moved by Legislator Hathway seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 229 – 2011**RESOLUTION TO APPROPRIATE FUNDS
PROBATION**

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation be approved in the Probation Department accounts for the Youth-at-Risk summer program:

Increase Revenue:

A15109 (Youth at Risk DSS)	\$5,633.50
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Increase Expense:

A3140.1999 (Pers Serv)	\$4,000.00
A3410.4909 (Youth at Risk)	\$1,633.50

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

Moved by Legislator Boyd, seconded by Legislator

Burke, and adopted.

RESOLUTION NO. 230 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH
AND JULIA IELFIELD**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health wishes to renew their agreement with Julia Ielfield as a Child Safety Seat Technician for the purpose of checking, installing and replacing child and infant safety seats in motor vehicles as part of the required basic prevention for public health work.

WHEREAS, this is for the period beginning January 1, 2010 through December 31, 2011 at a cost of \$45.00 per hour in addition to the cost to attend an annual Tri-State Conference for Child Passenger Safety, which is mandatory for re-certification as a Car Seat Technician and Instructor, at a flat rate of \$300 plus mileage at the current IRS rate.

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County Public Health Agency and Julia Ielfield, Child Safety Seat Technician, for the purpose of checking, installing and replacing child and infant safety seats in motor vehicles as part of the required basic prevention for public health work.

Section 2. That this is for the period beginning January 1, 2010 through December 31, 2011 at a cost of \$45.00 per hour in addition to the cost to attend an annual Tri-State Conference for Child Passenger Safety, which is mandatory for re-certification as a Car Seat Technician and Instructor, at a flat rate of \$300 plus mileage at the current IRS rate.

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

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

Moved by Legislator Stanford, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 231 - 2011

**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY
AND NUNN'S HOME MEDICAL EQUIPMENT**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the County of Lewis, acting by and through the Lewis County Public Health Agency wishes to enter into an Agreement with Nunn's Home Medical Equipment for the provision of medical equipment to hospice patients; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency, to enter into an Agreement with Nunn's Home Medical Equipment for the provision of medical equipment to hospice patients.

Section 2. That this is for the period commencing April 1, 2011 and ending April 1, 2012 in accordance with the price list provided by Nunn's Home Medical Equipment that is attached to the Agreement and marked as "Appendix B".

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

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

Moved by Legislator King, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 232 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY
AND ONEIDA COUNTY PUBLIC HEALTH DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the County of Lewis, acting by and through the Lewis County Public Health Agency wishes to enter into an Agreement with the Oneida County Public Health Department for testing and treatment of sexually transmitted diseases, ("STD's") including human immunodeficiency virus ("HIV") for Lewis County residents; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency, to enter into an Agreement with the Oneida County Public Health Department for testing and treatment of STD's, including HIV for Lewis County residents.

Section 2. That this is for the period commencing March 10, 2011 and ending December 31, 2015 at a cost of \$75.00 per visit.

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

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

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 233 – 2011

**RESOLUTION TO APPROPRIATE FUNDS
SHERIFF**

Introduced by Legislator John Boyd., Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the Sheriff's budget for Grant No. T839202-FY10 State Law Enforcement Terrorism Prevention Program:

Increase Federal Aid

A43051.4	FY10 Homeland Grant-Sheriff	\$21,491.00
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Increase Expense

A3110.2909	Misc Equipment	\$21,491.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas,

and adopted.

RESOLUTION NO. 234 – 2011**RESOLUTION TO ABOLISH POSITIONS & TRANSFER FUNDS
SOCIAL SERVICES**

Introduced by Legislator Jack Bush , Chairman of the Board of
Legislators.

BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the following actions per
Resolution #10-2010 adopted January 5, 2010:

To **abolish** the positions of Full-time Senior Support Investigator; and Full-time Office
Specialist from the Department of Social Services, due to the retirement of Patricia
Wiedrick and the resignation of Lorene Kimmick.

To transfer 2011 budgeted monies:

From:

A6010.1999 Personal Services-DSS	\$40,121.00
A6010.8999 Fringe Benefits-DSS	\$ 3,069.00

To:

A1010.41999 Contingency	\$43,190.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway , seconded by Legislator

Boyd and adopted.

RESOLUTION NO. 235 - 2011

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE DEPARTMENT OF SOCIAL SERVICES AND
KIDSPACE NATIONAL CENTERS OF NORTH AMERICA, INC.**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to purchase therapeutic foster care services through KidsPeace National Centers of North America, Inc.; and

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

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contract with KidsPeace National Centers of North America, Inc. to purchase therapeutic foster care services for the period of July 1, 2011 through June 30, 2012.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Burke, seconded by Legislator Lucas.

Legislator Hathway reported that currently vendor services are not being utilized, but one foster child placement could be very costly.

The resolution was then adopted.

RESOLUTION NO. 236 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE DEPARTMENT OF SOCIAL SERVICES AND
VOLUNTEER TRANSPORTATION CENTER, INC.**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services ("DSS") wishes to enter into an Agreement with the Volunteer Transportation Center, Inc. to manage and supervise transportation requested by DSS for Child Welfare, Adult Service and Medicaid Non-Emergency Medical Transportation services; and

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

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the Agreement between the Lewis County Department of Social Services and Volunteer Transportation Center, Inc. to manage and supervise transportation requested by DSS for Child Welfare, Adult Service and Medicaid Non-Emergency Medical Transportation services for the period beginning July 6, 2011 and ending December 31, 2012 at a cost not to exceed \$22,776 for the Dispatch and Program Administration.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Stanford, seconded by Legislator Boyd .

Legislator Hathway explained the vendor is an expert in the field of coordinating transportation services, by requesting persons to re-schedule medical appointments to allow bundling trips and transport of several persons to one destination. The goal is to reduce the annual \$200,000 expense, even though the costs are fully State reimbursed. Mr. Pendergast affirmed there would always be a need for volunteer drivers.

The resolution was then adopted.

RESOLUTION NO. 237 - 2011**RESOLUTION TO APPOINT
STOP DWI COORDINATOR**

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

Whereas, the Board of Legislators had authorized to advertise for applicant resumes to fill the vacant STOP DWI Coordinator position; and

Whereas, following the interview process, the Committee recommends appointing Tabatha Sellick to the said position.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby appoints **Tabatha Sellick** of 7473 Railroad Street, Lowville, New York 13367 as Lewis County STOP DWI Coordinator, effective immediately.

Section 2. That the annual salary for the position shall be \$4,000.00.

Section 3. That the within resolution shall be effective immediately.

Moved by Legislator Tabolt, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 238 -2011

**RESOLUTION TO CREATE AND APPROPRIATE FUNDS
FOR STUDENT WORKER PROGRAM**

Introduced by Legislator Jack Bush, Chairman of the Board of Legislators.

Whereas, the Pratt-Northam Foundation is providing funds to establish a Student Worker Program for college-eligible, or in-college students during the summer of 2011, at an hourly rate of \$7.25, minimum wage; and

Whereas, the cost to the County of Lewis would be for fringe benefits other than Social Security.

Now, Therefore, **BE IT RESOLVED** as follows:

Section 1. That upon approval by the Pratt-Northam Foundation, appropriations would be made as follows:

<u>Increase Expense:</u>	<u>Amount</u>
A6380.1999 (Personal Service)	\$15,225.00
A6380.8999 (Fringe)	1,169.00

<u>Increase Revenue:</u>	
A27052 (Pratt-Northam)	\$16,394.00

Section 2. That the respective employed students shall be designated to the County Departments as approved by the Pratt-Northam Foundation.

Section 3. That in conjunction with this program the title of Student Worker is hereby created and the number of positions with this title shall be dependent on the amount of the grant awarded by the Foundation.

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

Moved by Legislator Lucas, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 239 - 2011**RESOLUTION AUTHORIZING EXTENSION OF
AGREEMENT WITH USATPA, INC
WORKERS' COMPENSATION**

Introduced by Legislator Richard Lucas, Chairman of the Workers' Compensation Committee.

Whereas, the existing agreement with USATPA, Inc. for provision of professional third party administration of certain worker's compensation files is due to expire on June 30, 2011; and

Whereas, the contract vendor has agreed to extend the agreement for a period of one year, with all terms, inclusive of pricing, to remain in effect.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a one-year extension of the Agreement between the County of Lewis and USATPA, Inc. for provision of professional third party administration services for certain worker's compensation files as directed by the Administrator of the Lewis County Self-Insurance Plan.

Section 2. That the Agreement shall terminate on June 30, 2012, with all terms of the expiring Agreement to remain in full force and effect.

Section 3. That the within resolution shall be effective immediately.

Moved by Legislator King, seconded by Legislator
Lucas, and adopted.

RESOLUTION NO. 240 – 2011

**RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INVESTMENT ACT**

Introduced by Legislator Philip Hathway, Chairman of the Employment and Training Committee.

Whereas, through the Workforce Investment Act, Lewis County will be receiving an additional allocation of \$44,140.00 to support the 2011 Summer Youth Employment (SYEP), and specifically the Summer Youth Express Program.

Now, Therefore, **BE IT RESOLVED**, as follows:

Section 1. That the Board of Legislators hereby authorizes Commissioner Stacy Alvord to hire one temporary part-time (17.5 hours per week) Summer Youth Express Counselor at a wage of \$19.00 per hour for a period of nine (9) weeks effective June 27, 2011, for the Summer Youth Express Program.

Section 2. That the additional authorized Federal funding shall be appropriated as follows:

<u>Account</u>	<u>Amount</u>
CD6294.1999 (Summer Youth Express Counselor - Wages)	\$ 3,220.00
CD6294.1999 (Youth Wages – Summer Express)	25,000.00
CD6294.8999 (Youth & Couns. Fringes – Summer Express)	1,950.00
CD6294.1999 (E & T Staff Wages – Summer Express)	8,350.00
CD6294.8999 (E & T Staff Fringes – Summer Express)	4,200.00
CD6294.4909 (Misc Client needs/supplies – Summer Express)	<u>1,420.00</u>
	\$44,140.00

Section 2. That the within resolution shall be effective immediately.

Moved by Legislator Boyd, seconded by Legislator

Hathway, and adopted.

RESOLUTION NO. 241 - 2011**RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INVESTMENT ACT**

Introduced by Legislator Philip Hathway, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

**Trade Adjustment Assistance Program
New York State Department of Labor Technical Advisory
LWIA #65 FY10
Additional Approvals and Changes to Previously Approved Funds**

Section 1. That the following funds be appropriated for direct client expenses for the Trade Adjustment Assistance Program:

CD6293.4999 \$ 800.00

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

Moved by Legislator Boyd, seconded by Legislator
Burke, and adopted.

RESOLUTION NO. 242 - 2011**RESOLUTION APPOINTING MEMBER TO
YOUTH BUREAU ADVISORY BOARD**

Introduced by Legislator Philip Hathway, Chairman of the Youth Bureau Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following Student representative as a member of the Lewis County Youth Bureau Advisory Board:

Kyle Zehr of 9842 Beaver Falls Road, Castorland, New York 13620 to represent the Beaver River Central School District.

Section 2. That the term of said appointments shall be effective from July 5, 2011 and terminate upon graduation, or when any student otherwise ceases to be a full-time student of their representing school.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 243- 2011**RESOLUTION AMENDING RESOLUTION NO. 195 -- 2011
AND TO AMEND COMPENSATION PLAN
WITH REFERENCE TO JOB READINESS TRAINER**

Introduced by Legislator Philip Hathaway, Chairman of the Social Services Committee.

WHEREAS, this Board of Legislators has previously adopted Resolution No. 195 -- 2011 with reference to extend the Temporary Part-time position of Job Readiness Training Instructor through September 30, 2011; and

WHEREAS, the NY State requires job readiness training for all Temporary Assistance applicants; and

WHEREAS, the Job Readiness Training Instructor position is funded entirely through the Federal government; and

WHEREAS, the Board of Legislators wishes to amend the compensation plan for Lewis County to establish this position as permanent part time position, subject to Civil Service rules and regulations, and subject to the continued availability of federal funding;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Board of Legislators hereby amends the Compensation Plan of the County of Lewis to establish the part-time (no more than 17.5 hours per week) position of Job Readiness Training Instructor as follows:

<u>TITLE</u>	<u>Grade/Step</u>	<u>SALARY</u>
Job Readiness Training Instructor	Grade 26/Step 1	\$19.09 per hour

Section 2. That the incumbent who was hired on a temporary basis shall be deemed a provisional appointment pending Civil Service classification and approval, including any applicable testing for permanent appointment.

Section 3. That the incumbent as well as any future applicant or new hire for the above referenced position shall be advised in writing that the position is entirely grant dependent and that in the event that federal or state funds are no longer available for this job title, the position will be deemed abolished without any further action by this Board, and the County of Lewis assumes no responsibility to fund this position from County resources.

Moved by Legislator Hathway, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 244 - 2011**RESOLUTION AUTHORIZING AGREEMENT
WITH REG PURINGTON, DBA NORTHWOODS FORESTRY**

Introduced by Legislator Jerry King, Chairman of the Reforestation Committee.

WHEREAS, the Lewis County Reforestation Department wishes to enter into a service agreement with a certified forester, Reg Purington, doing business as Northwoods Forestry for the purpose of undertaking the construction of the management plan necessary to enroll the Lewis County forested lands into the American Tree Farm System; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement with Reg Purington, doing business as Northwoods Forestry for the purpose of undertaking the construction of the management plan necessary to enroll the Lewis County forested lands into the American Tree Farm System at a cost of \$40.00 per hour and .50 per mile and not to exceed the total cost of \$2,500.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Stanford, seconded by Legislator Wallace.

Legislator King explained the vendor would develop a management plan to certify County reforested lands could be enrolled into the American Tree Farm System, for appropriate and enhanced marketing.

The resolution was then adopted.

RESOLUTION NO. 245 - 2011**RESOLUTION AUTHORIZING OFFERS TO PURCHASE CERTAIN RIGHTS OF WAY OVER CERTAIN PARCELS OF LAND TO ASSIST WITH THE IMPLEMENTATION OF SAFETY IMPROVEMENTS ON THE DEER RIVER ROAD [COUNTY ROUTE 55] (PIN 775321)**

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

WHEREAS, a Project for Safety Improvements on the Deer River Road [County Route 55] (PIN 775321) (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 90% Federal funds and 10% non-Federal funds; and

WHEREAS, pursuant to Resolution No. 176 – 2011, the Board of Legislators for the County of Lewis has previously authorized the Chairman of the Board of Legislators, to pay in the first instance 100% of the federal and non-federal share of the cost of **Right of Way Phase and Construction/CI Phase** work for the Project or portions thereof; and

WHEREAS, the Project Engineers have identified certain parcels of land wherein additional rights of way need to be acquired in order to advance the Project; and

WHEREAS, NYS Department of Transportation has reviewed and approved the appraisal of the proposed rights of way performed by their consultants, C & S Companies, and has authorized the County to acquire the rights of way accordingly;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators finds that it is necessary and in the public interest to advance the above referenced Project by acquiring the rights of way identified herein below and further finds that the amounts being offered for such acquisitions are fair and reasonable.

Section 2. That the Lewis County Board of Legislators hereby authorizes the issuance of offer letters to the following real property owners for the acquisition of the following identified rights-of-way, for the purchase price as shown:

Owner	Tax Parcel No	Area	Amount
1. Peter T. & Sandra A. Jones	109.00-2-12.11	0.030 Ac	\$100
2. Carlo V. Alberto & Rebecca R. Tan-Alberto	109.00-2-16	0.019 Ac	\$100
3. Rebecca Tan-Alberto	109.00-12.211	0.025 Ac	\$100
4. Peter T. & Sandra A. Jones	109.00-2-1.11	0.214 Ac	\$1,800

Section 3. That the total sum of \$2,100.00 is hereby appropriated from County general funds, and made available to cover the cost of acquisition of the said rights of way for this Project.

Section 4. That the Chairman of the Lewis County Board of Legislators, be and the same is hereby authorized to execute all necessary documents, instruments and Agreements (upon such forms as may be approved by the County Attorney), in order to fully implement the purposes of this Resolution.

Section 5. That the County Attorney is hereby authorized to certify title to the aforesaid acquisitions.

Section 6. That the Lewis County Highway Superintendent, or in his absence the deputy superintendent, be and the same is hereby authorized to execute all necessary consultant agreements, right-of-way certifications, reimbursement requests for Federal Aid on behalf of the Lewis County and any other document, not including the Agreement with NYS DOT, that may be necessary to carry out the terms of this Resolution.

Section 7. That 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. That the within Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 246 - 2011

**RESOLUTION AUTHORIZING LOANER AGREEMENTS WITH
CAN-AM/BRP, C.J. LOGGING MOTORSPORTS AND FX CAPRARA**

Introduced by Richard Lucas, Chairman, Economic Development Committee.

WHEREAS, CAN-AM/BRP, a manufacturer of all terrain vehicles ("ATV's"), has offered to loan four (4) ATV's to the County of Lewis at no cost for a period of one year, provided the County agrees to be responsible for all damage and or broken parts above and beyond normal wear and tear and to replace the plastic front and rear fenders on any unit that requires it, at the dealership's discretion; and

WHEREAS, the ATV's are being provided through **CAN-AM/BRP's** dealerships, two machines to be provided by **C.J. LOGGING MOTORSPORTS** of Boonville, NY and two machines to be provided by **FX CAPRARA** of Watertown, NY.

NOW, THEREFORE, it is hereby resolved as follows:

Section 1. That the Lewis County Board of Legislators with deep appreciation for the generous offer being made by **CAN-AM/BRP**, hereby authorizes an agreement with **CAN-AM/BRP** acting by and through **C.J. LOGGING MOTORSPORTS** and **FX CAPRARA** (collectively, the "dealerships") whereby the dealerships will loan two new ATV machines each to the County of Lewis at no cost for a period of one year, commencing upon the date of delivery.

Section 2. That the Board of Legislators further agrees to be responsible for any damage and or broken parts above and beyond normal wear and tear. Upon returning the ATV units to the dealerships, Lewis County agrees to replace the plastic front and rear fenders on any unit that requires it, at the dealership's discretion. The cost of routine periodic maintenance will also be the County's responsibility.

Section 3. The Chairman or the Vice-Chairman of the Board of Legislators be and the same is hereby authorized to execute and deliver such agreements as may be necessary to carry out the terms of this Resolution upon such forms as approved by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Burke, and adopted.

OTHER BUSINESS:

Legislator Burke reported the Committee's review of the lone submitted proposal from Transitional Living Services to take possession of the building known as the "old jail". Mr. Pendergast stated their proposal outlines a partnership with County and non-profit organizations with intentions to collaborate their collective resources to better serve our residents. Legislator Burke made a motion to approve the sale of the 7514 South State Street property to Transitional Living Services for an amount of \$1, seconded by Legislator Boyd. Legislator Burke noted required building renovation costs estimated between \$80,000-\$90,000. The motion unanimously carried.

Legislator King made a motion to change the time of the August 2, 2011 Board Meeting to start at 9:00 a.m. to accommodate the annual golf outing and dinner. The motion was seconded by Legislator Tabolt and carried.

Chairman Bush informed that pursuant to Local Law No. 3-2003, the Board shall appoint a Reapportionment Commission to evaluate the legislative districts to assure representation equity among citizens, based on the reported 2010 census figures, and considering the one-man, one-vote concept. The Commission shall be comprised of the Board of Election Commissioners, Chairman of the Board of Legislators, and one person selected by the County Legislative members of each the majority and minority party representation. The County Attorney shall be available as legal advisor. The Commission shall present their Legislative District boundary recommendations, in the form of a Local Law, to the Board within three (3) months after appointment. Within three (3) months thereafter, a public hearing shall be conducted on proposed changes, if any, and the Board shall enact a Local Law subject to a referendum at the next general election, as provided in Municipal Home Rule Law. After a preliminary review of the reported census figures, Chairman Bush opined there was no need for district changes.

However, pursuant to the afore-stated laws, Chairman Bush requested Legislators to caucus among their respective parties and inform him of their selected Commission representative.

Legislator Hathway, whose district encompasses the most northern area of the County, expressed appreciation and credited Senator Joseph Griffo for encouraging the vendor to enhance telephone service in that area. Upon his request, Chairman Bush directed the Clerk of the Board to compose a letter to Senator Griffo to thank him for his intervention and assistance in this matter.

There being no other business to come before the Board, Legislator Fanning made a motion to adjourn at 6:09 p.m., seconded by Legislator Lucas and carried.

REGULAR MEETING
August 2, 2011

The meeting was called to order at 9:00 a.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 22 persons present.

Chairman Bush announced approval of the July 5, 2011 meeting minutes.

The Rules and Legislation Committee had met and recommends to waive the rules to allow action on late resolutions.

Richard C. Lucas, Chairman
William J. Burke

Dated: August 2, 2011

Legislator Tabolt made a motion to waive the rules as recommended, seconded by Legislator King and carried.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Bethany Yost submitted a letter of resignation from the Lewis County General Hospital Board of Managers effective July 18, 2011.

The New York State Office of Parks, Recreation and Historic Preservation informed that the Mary Lyon Fisher Memorial Chapel & Wildwood Cemetery in Lyons Falls; and the Stoddard-O'Connor House in Lowville had both been listed on the National Register of Historic Places.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Copies of the 7/18/11 Solid Waste Audit Report; 7/25/11 Highway Audit Report; Treasurer's July Report; and the 2nd Quarter 2011 Report of Ward Dailey, Sr. Code Enforcement Officer, had been distributed to each Legislator.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services/Office For Aging Committee Chairman, reported presentations from Secretary to Social Services Commissioner Penny Demo about the workload of the clerical unit functions. They daily scan 2,000-5,000 documents and respond to 200 calls, a number that increases to 800 during the HEAP season. There are three temporary positions proposed, of which two are fully HEAP-funded. The third is

needed to assist with the substantial increase in the number of calls and walk-ins. Fiscal Manager Sheila Zehr also reported that year-to-date expenditures are within budgetary levels.

Legislator Hathway reported that Leah Schneider had made a knowledgeable presentation on the availability of Office For the Aging Home Care services.

Legislator Michael Tabolt, Hospital Committee Chairman, reported a June surplus of \$221,792 attributable to increased acute admissions and 989 emergency room visits. The employee-of-the-month was registered nurse Kelly O'Day. The NYSDOH joint commission reported only minor infractions following their recent on-site inspection.

Legislator Tabolt proposed a late resolution to create two physician assistants, one each to work at the clinics under Drs. Shambo and Rosner. Refer to Resolution No. 273.

Legislator Charles Fanning, Mental Health Committee Chairman, reported that operational expenses are over budgeted levels. The Community Services Board has been notified, and will report to this Board by August 10, 2011 their proposed plan to address financial issues. On August 3, 2011 the Community Services Board will meet with Director Jennifer Earl to discuss advertising for proposals to privatize the entire Mental Health operations. Legislator Fanning expressed encouragement for the improved communication with the Community Services Board.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, reported that Mr. Pendergast has scheduled a kick-off meeting for the radio survey to be held on August 10, 2011 at 6:30 p.m. in this board room. All emergency radios must be in compliance with appropriate signals by January 2013, or risk termination. The text messaging problems with the pagers was to be resolved by today, he concluded.

Legislator Patrick Wallace, Transportation/Solid Waste Committee Chairman, reported that FEMA officials had been viewing roads and bridges to verify storm damage. Shoulders on the Osceola Road have been repaired, paving is done except for hot mix; and pre-paving work commenced on the Liberty Road. Bids for purchase of a gradall will be opened on August 10, 2011.

Legislator Wallace announced the Committee would meet with Town of Croghan officials on August 3, 2011 to discuss their request for increased hours at the Croghan Transfer Station. He commended Bonnie Denning on her years of service in the Solid Waste Department and wished her well.

Legislator Richard Lucas, Economic Development Committee Chairman, reported that recreation trail development and maintenance continues and they're in good shape. Year-to-date ATV permit sales of 1,971, represents an increase of 79 over last year.

Legislator Lucas announced the Adirondack Tug Hill Tourism Council would present their tourism plans to the Board on August 10th at 3:00 p.m.

Legislator Tabolt relayed a meeting with NYSDEC officials at the Croghan Dam site. As an interim compromise, NYSDEC removed only a 2-foot section of the stop logs and await results of the ongoing study. He credited both Senator Joseph Griffo and Assemblyman Kenneth Blankenbush for their intervention and assistance in negotiating with NYSDEC officials. The consulting engineers are conducting test borings to determine dam viability. State officials affirmed their interest in hydro power, inferring that if the stability of the dam was ultimately determined, the stop-logs could be replaced, however, without State assistance.

Chairman Bush announced his Governor-appointment, as well as Chamber of Commerce Executive Director Anne Merrill, to the newly created Economic Council of the North Country. Citing his unavailability, he announced that local Director Eric Virkler would attend the inaugural meeting, while expressing optimism to enhance local economic development.

Legislator Jerry King, Taxation Committee Chairman, deferred discussion until his sponsored taxation resolution was presented later in the meeting.

Legislator William Burke, Buildings and Grounds Committee Chairman, reported that 60 July work orders had been completed by maintenance personnel. Court House windows had been washed, the public safety building kitchen has been hooked up to the generator; and four bathroom fans that had been running 24/7 had been programmed to be off during non-operational hours. Highway garage overhead doors have been replaced. In conclusion, Legislator Burke welcomed Brandon Blair as a new maintenance department hire.

COUNTY MANAGER REPORT:

David Pendergast reported his and County Treasurer Patricia O'Brien's participation in a NYSAC sponsored webinar relative to the State imposed 2% Tax Cap, with representatives from the State Comptroller and Taxation & Finance offices. The 2% cap was confirmed. It is uncertain whether capital projects or PILOT agreements are included in the cap. State officials projected that numbers would be computed and made available to Counties by mid-September, however, various County representatives relayed the need for timely information to facilitate 2012 Budget preparations. Formulation of the preliminary 2012 budget figures are currently being developed.

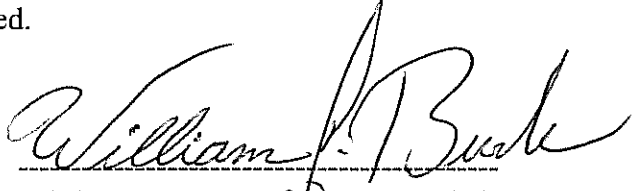
Mr. Pendergast projects a \$4 Million budget increase for the nine State-mandated programs, based on historical data. The respective Statewide impact for Counties is \$279 Million, which is three times beyond the collective \$90 Million allowed by the State-imposed 2% tax cap. There is no indication for mandate relief, he concluded.

REPORT OF THE WAYS AND MEANS COMMITTEE:

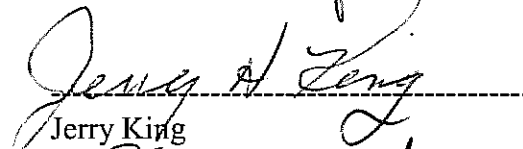
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

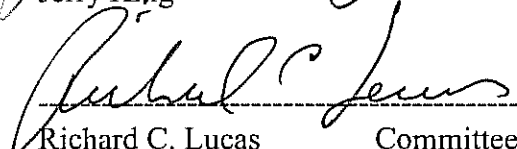
The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 674,030.83 and recommend that they be audited and allowed for the amounts claimed.



William Burke Chair



Jerry King



Richard C. Lucas Committee

Dated: August 2, 2011

Approved on motion by Legislator Tabolt, seconded by
Legislator Boyd, and carried.

RESOLUTION NO. 247-2011

AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways
and Means Committee.

RESOLVED that the claims presented for payment in the total amount of
\$ 674,030.83 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 Tabolt, seconded by
Legislator Burke and adopted by roll call vote:

All voted yea, except Legislator Lucas abstained.

RESOLUTION NO. 248 - 2011**STANDARD WORK DAY AND REPORTING RESOLUTION**

Introduced by Legislator Jack T. Bush, Chairman of the Lewis County Board of Legislators.

BE IT RESOLVED, that the County of Lewis hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

Title	Name	Registration Number	Standard Work Day	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Day: Mont
Election Commissioner	Ann M. Nortz	3603886-2	8	01/01/2011- 12/31/2012	Y	20
Election Commissioner	Elaine M. McLear	3496942-8	8	01/01/2011 - 12/31/2012	Y	20
County Treasurer	Patricia O'Brien	3440925-0	8	01/15/2011 - 12/31/2011	Y	20
Deputy County Treasurer	Cynthia Wiedrick	3382243-8	8	01/15/2011 - 12/31/2011	Y	20
Election Specialist	Lindsay Burriss	4346387-6	7	01/01/2011 - 12/31/2012	Y	20
Deputy Highway Superintendent	David L. Becker	3368641-1	8	01/01/2010 - 12/31/2013	Y	20

Moved by Legislator Tabolt, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 249 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS
AND CONTACT COMMUNICATIONS**

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

WHEREAS, the County of Lewis wishes to enter into a Service Agreement with Contact Communications to provide the lease and maintenance of pagers for specified Lewis County personnel at a cost not to exceed \$4,389.72; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with Contact Communications to provide the lease and maintenance of pagers for specified Lewis County personnel for the term beginning June 24, 2011 and ending June 30, 2012 at a cost not to exceed \$4,389.72.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Lucas, seconded by Legislator Burke,
and adopted.

RESOLUTION NO. 250 - 2011**RESOLUTION TO AMEND DUTIES OF
EMERGENCY MEDICAL SERVICES COORDINATOR
TO INCLUDE MEDICAL LEGAL DEATH INVESTIGATOR**

Introduced by Legislator John Boyd, Chairman of the Courts and Law
Enforcement Committee.

Whereas, duties of a Medical Legal Death Investigator are required; and

Whereas, it has been determined that said duties shall be encompassed into the
position of Emergency Medical Services Coordinator.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby directs that the duties of Medical
Legal Death Investigator shall be the responsibility of the Emergency Medical Services
Coordinator, effective immediately.

Section 2. That the annual compensation for the additional duties shall be
\$5,000.00, including benefits.

Section 3. That the within resolution shall be effective immediately.

Legislator King made a motion to table the resolution,
seconded by Legislator Fanning and carried.

RESOLUTION NO. 251 - 2011**RESOLUTION SUPPORTING DEVELOPMENT AND
CREATION OF STATE AND LOCAL PROGRAMS TO LIMIT THE
USE OF SPECIFIC FUNDS FOR PROGRAMS TO
ENHANCE AND IMPROVE LOCAL E-911 CENTERS**

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

Whereas, throughout the United States, E-911 public safety answering points have worked diligently to enhance the ability of the centers to keep up with communication advances, and have upgraded to enable location of wireless callers to accept and relay new data, such as vehicle accident and medical data from accident scenes; and

Whereas, Federal narrow-banding requirements will impose the need for further adaptations and related expense for E-911 public safety answering points; and

Whereas, Congress passed 2004 legislation which penalizes Federal fund recipients for diverting E-911 fees for some other use, further requiring recipients to certify that no portion of designated E-911 charges imposed by the State or Locality are used for any purpose other than to deliver or improve E-911 services; and

Whereas, Congress passed the "New and Emerging Technologies 911 Improvement Act of 2008" to provide that fees collected by States or their political subdivisions are to be utilized solely for 911 or E-911 services or enhancements of said services; and

Whereas, New York State has collected over one-billion dollars in State-imposed E-911 charges in recent years; and

Whereas, despite Federal laws, New York State continues to divert the vast majority of these funds to unrelated State programs, disregarding that E-911 centers handle virtually all of the emergency calls.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators respectfully urges complete and effective enforcement of Federal laws prohibiting States or Localities from diverting funds collected for the enhancement of E-911 centers to any other government programs.

Section 2. That the Clerk is directed to forward a certified copy of this Resolution to Congressman William Owens; U.S. Senators Charles Schumer and Kirsten Gillibrand; Governor Andrew M. Cuomo, NYS Senator Joseph Griffo and NYS Assemblyman Kenneth Blankenbush.

Section 3. That the within resolution shall be effective immediately.

Moved by Legislator Stanford, seconded by Legislator

Boyd, and adopted.

RESOLUTION NO. 252 - 2011

**RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING
IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID "MARCHISELLI"
PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID
PROJECT FOR PIN 775306, AND APPROPRIATING FUNDS THEREFORE**

Introduced by Patrick Wallace, Chairman of the Transportation Committee.

WHEREAS, a project for replacement of bridge on County Route 33 over the Beaver River (PIN 775306; BIN 3339920) (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such a program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Lewis desires to advance the above Project by making a commitment of 100% of the non-Federal share of the costs of the Preliminary Engineering and Design Phase and Right-of-Way Incidental Phase of the Project or portion; and

NOW, THEREFORE, BE IT RESOLVED by the Lewis County Board of Legislators, duly convened, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the above-subject Project.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Chairman of the Lewis County Board of Legislators, to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering and Design Phase and Right-of-Way Incidental Phase for the Project or portions thereof.

Section 3. That the following revenue accounts shall be recognized to facilitate the funding of this project:

HAF45910	FEDERAL	\$249,600.00
HAF35910	STATE	\$ 46,800.00
HAF50310	LOCAL	\$ 15,600.00

Section 4. That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, 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, thereof.

Section 5. That the Chairman of the Lewis County Board of Legislators, be and he hereby is authorized to execute all necessary Agreements, on behalf of the Lewis County Board of Legislators, 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 federal-aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible.

Section 6. That the Lewis County Highway Superintendent, or in his absence the deputy superintendent, be and the same is hereby authorized to execute all necessary consultant agreements, right-of-way certifications, reimbursement requests for Federal Aid on behalf of the Lewis County and any other document, not including the Agreement with NYS DOT, that may be necessary to carry out the terms of this Resolution.

Section 7. That 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. That the within Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Hathway, and adopted.

RESOLUTION No. 253 – 2011**RESOLUTION AUTHORIZING THE SALE OF CERTAIN
REAL PROPERTY TO NORTH COUNTRY TRANSITIONAL
LIVING SERVICES, INC**

Introduced by Legislator William Burke, Chair of the Ways and Means Committee.

WHEREAS, this Resolution is adopted pursuant to County of Lewis Local Law No. 1-1991; and County Law Section 215, Subdivision 2 and 3; and

WHEREAS, the County of Lewis is the owner of certain parcel of land together with the improvements thereon, more commonly known as the former Lewis County Sheriffs Office and Jail (sometimes referred to as the “Old Jail”), known and identified as Tax Map No. 212.11-07-29.100, and located at 7514 South State Street, Lowville, NY (herein, the “Property”). ; and

WHEREAS, the parcel of land and improvements thereon are no longer needed for public purposes; and

WHEREAS, the Board of Legislators issued a request for proposals to purchase the Property; and

WHEREAS, the County of Lewis has received one response from **NORTH COUNTRY TRANSITIONAL LIVING SERVICES, INC** offering to purchase the Property for one dollar (\$1); and

WHEREAS, the above referenced offer is deemed to be fair and adequate consideration for said parcel;

NOW, THEREFORE, BE IT RESOLVED as follows:

- Section 1. The Board of Legislators hereby finds and declares that the said County parcel of land is not necessary for public use and therefore desires to grant, sell, convey and transfer the same.
- Section 2. The Board of Legislators hereby authorizes and approves the sale of the Property, commonly known as the “Old Jail”, known and identified as Tax Map No. 212.11-07-29.100, and located at 7514 South State Street, Lowville, NY for the sum of One Dollar (\$1) to **NORTH COUNTRY TRANSITIONAL LIVING SERVICES, INC.**
- Section 3. Transfer of title shall be by warranty deed and shall take place as soon as reasonably possible after the execution of a Contract of Sale. Taxes and water assessments, if any, shall be prorated as of the date of closing.

Section 4. That the within conveyance of real property shall not be consummated until such time as the transfer documents are satisfactory to the County Attorney as to form.

Section 5. The Chairman or Vice-Chairman of the Board of Legislators be and the same are hereby authorized to make, execute, seal and deliver any and all contracts, deeds or other papers and documents necessary to complete the transaction.

Section 6. The within Resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator
King, and adopted.

RESOLUTION NO. 254 - 2011**RESOLUTION APPOINTING MEMBER TO
MENTAL HEALTH COMMITTEE OF
COMMUNITY SERVICES BOARD**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints **BRIGITTE GILLETTE** of 5264 Clinton Street, Lowville, New York 13367, to the Mental Health Sub-Committee of the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. That the term of said appointment shall be effective from August 3 2011 and expire on December 31, 2014.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Fanning,
and adopted.

RESOLUTION NO. 255 - 2011**RESOLUTION APPOINTING MEMBER TO
ALCOHOL & SUBSTANCE ABUSE COMMITTEE OF
COMMUNITY SERVICES BOARD**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints **KAREN BOLIVER** of the Northern Regional Center for Independent Living, 7632 N. State Street, Lowville, New York to the Alcohol & Substance Abuse Sub-Committee of the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. That the term of said appointment shall be effective from August 3, 2011 and expire on December 31, 2014.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 256 - 2011

**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY MENTAL HYGIENE DEPARTMENT AND
DANSER AND KNUDSEN PSYCHOLOGICAL SERVICES, P.C.**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, Lewis County Mental Hygiene Department is lawfully required pursuant to Criminal Procedure Law Article 730.30 to ensure that adequate psychiatric examiners are available to conduct psychiatric examinations when it is of the opinion that the defendant may be an incapacitated person; and

WHEREAS, Lewis County Mental Hygiene Department currently utilizes their own medical staff for these examinations but wishes to enter into an Agreement with Danser and Knudsen Psychological Services, P.C. to conduct these examinations on an as needed basis when adequate staff is not available; and

WHEREAS, these services will be for the period of August 1, 2011 through December 31, 2012 for an amount not to exceed \$110.00 per hour for psychological examinations and \$135.00 per hour for expert court testimony;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Mental Hygiene Department, and Danser and Knudsen Psychological Services, P.C. for the purpose of conducting psychological examinations as needed for defendants when it is of the opinion that the defendant may be an incapacitated person.

Section 2. That the term of this Agreement shall be from August 1, 2011 through December 31, 2012 for an amount not to exceed \$110.00 per hour for psychological examinations and \$135.00 per hour for expert court testimony.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Hathway, seconded by Legislator Tabolt,

and adopted.

RESOLUTION NO. 257 - 2011**RESOLUTION AUTHORIZING AGREEMENT WITH
SYRACUSE UNIVERSITY DAVID B. FALK COLLEGE OF SPORT AND
HUMAN DYNAMICS SCHOOL OF SOCIAL WORK AND
LEWIS COUNTY COMMUNITY MENTAL HEALTH CENTER**

Introduced by Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, Lewis County Community Mental Health Center (“Agency”) wishes to enter into an affiliation agreement with Syracuse University David B. Falk College of Sport and Human Dynamics School of Social Work (“School”) relating to field instruction for the School’s students placed at the Agency; and

WHEREAS, the Board of Legislators wishes to accept such contract.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby authorizes the Contract with Syracuse University David B. Falk College of Sport and Human Dynamics School of Social Work by and between the Lewis County Community Mental Health Center relating to field instruction for the School’s students placed at the Agency for a term beginning August 1, 2011 and ending July 31, 2016.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Fanning, seconded by Legislator Burke,
and adopted.

RESOLUTION NO. 258 - 2011

**RESOLUTION TO TRANSFER FUNDS
MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, 2011 appropriations were approved for an anticipated professional services agreement with Ann Davis; and

Whereas, alternatively, Ann Davis was employed by the Mental Hygiene Department.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the following transfer of funds be approved in the Mental Health accounts:

<u>From</u>	<u>To</u>	<u>Amount</u>
A4310.4906 (Contracted MH)	A4310.1101(Regular Salary)	\$24,960.00

Section 2. That the within resolution shall be effective immediately.

Moved by Legislator Tabolt, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 259 – 2011**RESOLUTION SUPPORT CREATION OF A PEER RECOVERY CENTER BY
THE NORTHERN REGIONAL CENTER FOR INDEPENDENT LIVING**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Northern Regional Center for Independent Living has conducted a public forum to establish the need for and support of additional services within the local mental health system; and

WHEREAS, the Northern Regional Center for Independent Living has consulted with both the Central Field Office and the Central Office of the New York State Office of Mental Health, Division of Consumer Affairs, to procure their assistance and support; and

WHEREAS, the New York State Office of Mental Health is supporting the transformation of the mental health system to one that adopts a “recovery focus”; and

WHEREAS, a Peer Recovery Center would expand peer support assistance, focus on education, employment, include benefits counseling, crisis resolution, health, wellness, and recovery; and

WHEREAS, a Peer Recovery Center would be a place that consumers can go to get information, assistance with topics such as housing, jobs, illness/wellness management, and benefits counseling; and

WHEREAS, a Peer Recovery Center could serve as a service in conjunction with ongoing psychiatric treatment, or as a “step down” service for individuals who are not engaged in treatment or who are unsuccessfully discharged from mental health treatment, further promoting recovery; and

WHEREAS, a Peer Recovery Center would be an innovative, unduplicated peer-run program that would be developed pursuant to New York State Office of Mental Health recommendations regarding best practices in peer support; and

WHEREAS, the Northern Regional Center for Independent Living Peer Recovery Center would be funded through receipt of State Aid and would require zero dollars of County contribution; and

WHEREAS, monies received through this award, not to exceed \$250,000, would be renewable on an annual basis.

Now, Therefore, **BE IT RESOLVED**, as follows:

Section 1. That the Lewis County Board of Legislators hereby declares their support for the creation of a Peer Recovery Center by the Northern Regional Center for Independent Living.

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

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 260 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PROBATION DEPARTMENT**

Introduced by Legislator John Boyd, Chair of the Courts and Law
Enforcement Committee.

Whereas, there is a Probation Officer vacancy due to a resignation; and

Whereas, the Committee has determined there is sufficient justification for
hiring a replacement employee to fulfill departmental requirements.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of
the County of Lewis to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Probation Officer Trainee	Full-time	Grade 24 (\$18.08-\$21.20)

Section 2. That Probation Director Randall Schell is hereby authorized to fill said
position effective August 28, 2011.

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

Moved by Legislator Lucas seconded by Legislator Burke,
and adopted.

RESOLUTION NO. 261 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH
AND CNY MEDIA GROUP, LLC**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health wishes to enter into an Agreement with CNY Media Group, LLC for the purpose of design and development of a professional web site that allows for continued marketing of Lewis County Public Health to promote services, goals and history; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County Public Health Agency and CNY Media Group, LLC for the purpose of design and development of a professional web site that allows for continued marketing of Lewis County Public Health to promote services, goals and history.

Section 2. That this is for the period beginning August 1, 2011 and ending December 31, 2012 at a cost in accordance with the rates set forth in the attached Schedule "A" of the Agreement.

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

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

Moved by Legislator Fanning, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 262 -2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH DEPARTMENT
AND THE ROWLAND CENTER, INC. FOR
THE EARLY INTERVENTION PROGRAM**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency wishes to enter into an agreement with The Rowland Center, Inc. to provide early intervention services and evaluations for children with special needs; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the Public Health Department and The Rowland Center, Inc. to provide early intervention services and evaluations for children with special needs for the period beginning July 1, 2011 and ending June 30, 2012 at a cost in accordance with the rates set forth by the New York State Department of Health.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Fanning, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 263 – 2011**RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH**

Introduced by Legislator Charles Fanning, Chairman of the Public Health
Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfers be approved in the Public Health
accounts:

<u>From:</u>	<u>To:</u>	<u>Amount</u>
A4015.4909 (Misc)	A4015.4507 (Staff Mileage)	\$ 250.00
A4016.4909 (Misc)	A4016.4507 (Staff Mileage)	\$ 250.00
A4035.4409 (Data Processing)	A4035.4703 (Vehicle Repairs & Maint)	\$ 500.00
A4071.4503 (Educational Mat)	A4071.4907 (Advertising)	\$ 350.00
A4086.4909 (Misc)	A4086.4907 (Advertising)	\$ 200.00
A4091.4408 (Med Supplies)	A4091.4406 (Medical Supplies-Billable)	\$ 3,000.00
	Total:	\$ 4,550.00

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

Moved by Legislator Tabolt, seconded by Legislator
Hathway, and adopted.

RESOLUTION NO. 264 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Department of Social Services to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Office Specialist	Temporary Full-time	Grade 11 (\$13/11/hr.)

Section 2. That Commissioner Stacy Alvord is hereby authorized to fill said position effective for the period from September 19, 2011 to March 16, 2012.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Hathway,
and adopted.

RESOLUTION NO. 265 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Department of Social Services to create the following positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Community Services Worker (2)	Temporary Full-time	Grade 9 (\$12.59/hr.)

Section 2. That Commissioner Stacy Alvord is hereby authorized to fill said positions effective for the period from September 19, 2011 to May 11, 2012.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 266 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOLID WASTE DEPARTMENT**

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste Committee.

Whereas, Senior Account Clerk Typist Bonnie Dening of the Solid Waste Department plans to retire, with her last day at work being 8/17/11; and

Whereas, the Civil Service Commission has reclassified the title of the position effective for the new hire.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis to create the following position and designate same to the Solid Waste Department:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Senior Account Clerk	Full-time	Grade 19

Section 2. That Solid Waste Coordinator Joseph Langs is hereby authorized to fill said position effective immediately.

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

Moved by Legislator Boyd, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 267-2011

RESOLUTION AMENDING COMPENSATION PLAN AND AUTHORIZING CREATION OF NEW POSITION SOLID WASTE WORKER

Introduced by Legislator Patrick Wallace, Chairman of the Transportation/Solid Waste Committee.

WHEREAS, pursuant to Article XVIII of the Collective Bargaining Agreement between the County of Lewis and Local 825 of Civil Service Employee Association, Inc. ("CSEA") (expired as of December 31, 2009), CSEA may request up to two reallocations per calendar year; and

WHEREAS, at the request of CSEA, the Transportation/Solid Waste Committee has evaluated the job duties and functions of the Motor Equipment Operator (Light) position, in light of the duties being performed by the employee primarily for the Solid Waste Department; and

WHEREAS, it is the recommendation of Labor/Management Committee as well as the Transportation/Solid Waste Committee, and with the consent of CSEA, that the position of Solid Waste Worker be created, and the employee currently filling the position of MEO Light be reallocated to the position of Solid Waste Worker;

NOW THEREFORE, be it resolved as follows:

Section 1. That the Board of Legislators hereby authorizes an amendment to the Lewis County Compensation Plan to create the following position:

<u>POSITION TITLE</u>	<u>GRADE</u>	<u>STEP</u>
Solid Waste Management Worker	18	1

Section 2. That the Board of Legislators hereby authorizes the reallocation of the employee currently holding the position of MEO (Light) (Grade 15, Step 4, \$15.40/hour) to that of Solid Waste Worker (Grade 18, Step 1, \$15.53).

Section 3. That said position shall be effective as of July 5, 2011.

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

Moved by Legislator Hathway, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 268- 2011**RESOLUTION ESTABLISHING EXEMPTION POLICY FOR CERTAIN REAL
PROPERTY OWNED BY TOWNS OR VILLAGES AND USED FOR PRODUCTION
AND TRANSMISSION OF PUBLIC WATER AND SEWER**

Introduced by Legislator Jerry King, Chairman, Taxation Committee .

WHEREAS, Real Property Tax Law § 406(3) provides that municipal property located outside such municipality's boundaries may be deemed partially or wholly exempt from taxation by any municipal corporation wherever located provided that the governing board thereof shall so agree in writing; and

WHEREAS, the Board of Legislators heretofore adopted Resolution 47 – 2011 applicable to the tax roll established as of March 1, 2011, whereby the Board authorized a 100% exemption from County real property taxes for facilities used for the production and transmission of public water or for the treatment and disposal of sewage, where such facilities were located outside such municipality's boundaries; and

WHEREAS, the Taxation Committee of the Board of Legislators has made an extensive review of the tax exemptions granted under the foregoing policy and has determined that it is in the public interest of Lewis County taxpayers that such exemption be phased out over the next four years, and recommends to the Board of Legislators that the exemption policy be modified accordingly.

NOW, THEREFORE, be it resolved that:

Section 1. The Board of Legislators hereby establishes the following policy to exempt from County taxes certain municipal real property located outside such municipality's boundaries, in accordance with the following terms and conditions:

- A. **Eligibility:** This exemption shall apply to all real property owned by a municipality and located outside the municipality's boundaries for which an exemption is sought. To be eligible for such exemption, all the following conditions must be met:
1. The municipality seeking the exemption (herein, "applicant") must request the exemption in writing identifying the affected parcels.
 2. The applicant's main office must be located within Lewis County.
 3. The applicant's property must be classified and used in whole or in part by the applicant for (i) the production, storage and/or transmission of public water or (ii) the treatment and/or disposal public sewage;

4. The written request seeking such exemption must be received by the local assessing unit on or before the tax status date.
- B. **Assessor's duties:** The assessor of the applicable assessing unit must provide the Lewis County Real Property Office with a copy of each such request from a municipality within five (5) days of receipt.
- C. **Exemption:** The County of Lewis hereby grants an exemption from County taxes for municipal properties that have met the eligibility requirements set forth above, as follows:
1. For applications received on or before March 1, 2012: 75% exempt;
 2. For applications received on or before March 1, 2013: 50% exempt;
 3. For applications received on or before March 1, 2014: 25% exempt;
 4. For March 1, 2015 and each tax year thereafter no exemption will be granted for such properties.
- D. **Continuing review:** The County of Lewis, acting by and through the Taxation Committee of the Board of Legislators, shall review the written requests received as well as the exemptions granted pursuant to the within uniform tax exemption policy in order to assure that the policy is being applied appropriately by the local assessing unit. The County expressly reserves its rights to challenge and, if necessary, take corrective action with regard to any exemption granted heretofore or hereafter to municipal property should the Taxation Committee determine that the exemption was granted unlawfully or in contravention of the foregoing policy.

Section 2. That the Chairman, or the Vice-Chairman, of the Board of Legislators be and the same are hereby authorized to execute and deliver such documents, instruments or writings as may be necessary to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

Section 3. The Real Property Director shall cause a copy of this Resolution to be sent to all taxing units within Lewis County as soon as practical.

Section 4. The policy set forth in this Resolution shall be deemed to constitute the "agreement" of this governing board to authorize such exemptions as provided in Real Property Tax Law § 406(3). This Resolution shall remain in full and force and effect unless or until it is amended or rescinded by formal action of the Board of Legislators.

Section 5. This Resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Burke.

Legislator Fanning feels the proposed action would unduly hurt Villages, because some of them are forced to access water sources outside of their boundaries. It creates increased County revenue by imposing charges upon Village residents, he exclaimed. He does not agree and informed his opposing vote.

Legislator King feels the exemption should never have been implemented, citing many residents that have to drill or otherwise attain water. Legislator Fanning insisted those people do not pay water fees, but village residents are forced to pay for water. The Village of Copenhagen's water source location could not be annexed to the Village.

Citing earlier comments by County Manager David Pendergast alluding to the State's passing down mandated programs and attendant fees, Legislator Hathway inferred this was the County passing down fees to the Villages.

Legislator King reported that all but one Town had submitted a request for 100% tax exempt status for water/sewer facilities located outside their boundaries. It is the Committee's recommendation to eliminate the exemption by reducing the rate by 25% for each of the next four years.

At the quest of Legislator King, Real Property Tax Director Caryn Kolts stated the exemptions equate to \$75,000 tax dollars.

The resolution was adopted by the following roll call vote:

YEAS: Boyd, Burke, King, Lucas, Stanford, Wallace, Bush

NAYS: Fanning, Hathway, Tabolt

ABSENT: None

RESOLUTION NO. 269 - 2011

**RESOLUTION TO TRANSFER FUNDS
BUS OPERATIONS**

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

BE IT RESOLVED as follows:

Section 1. That the following transfer be approved in the Bus Operations accounts to cover mobility management expenses:

<u>From:</u>		<u>Amount</u>
A5630.4506	(Contracted Service-Birnie Bus)	\$25,000.00
<u>To:</u>		
A5630.4902	(Mobility Management Expenses)	\$25,000.00

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

Moved by Legislator Lucas, seconded by Legislator

Stanford, and adopted.

RESOLUTION NO. 270 – 2011**RESOLUTION TO TRANSFER FUNDS
VETERANS' SERVICES**

Introduced by Legislator Paul Stanford, Chairman of the Veterans' Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved in the Veterans Services Department, for the purchase of a computer printer, utilizing funds from Capital Data Processing Account:

<u>Appropriate:</u>	<u>Amount:</u>
A50310 (Inter-fund Transfer)	\$ 211.99
A6510.4407 (Supplies)	\$ 211.99

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

Moved by Legislator King , seconded by Legislator Boyd ,
and adopted.

RESOLUTION NO. 271 - 2011

**RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INVESTMENT ACT**

Introduced by Legislator Philip Hathway, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

Section 1. That the following funds be appropriated for Program Year 2011 for the period 7/1/11 – 6/30/13 for Youth, per the Notice of Obligation Authority (NOA), #PY11-01, dated June 8, 2011 through the New York State Department of Labor in the amount of \$62,299.72.

<u>Youth</u>	<u>Amount</u>
CD6290.1999	\$43,299.72 (Wages)
CD6290.8999	<u>\$19,000.00</u> (Fringes)
Total:	\$62,299.72

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Hathway,
and adopted.

RESOLUTION NO. 272 - 2011**RESOLUTION AUTHORIZING AGREEMENT WITH
NYS DIVISION OF CRIMINAL JUSTICE SERVICES
DISTRICT ATTORNEY**

Introduced by Legislator John Boyd, Chairman of the Courts and Law
Enforcement Committee.

Whereas, the NYS Division of Criminal Justice Services has approved a grant application for Aid-to-Prosecution funds which will enhance the prosecution of repeat violent and serious felony offenders by maintaining increased levels of experienced prosecution personnel who will seek to minimize the plea-bargaining options and impose the maximum sentence for such defendants.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a grant Agreement between the County of Lewis, by and through the District Attorney, and the New York State Division of Criminal Justice Services, for Aid-to-Prosecution funds to enhance maintaining of experienced prosecution personnel.

Section 2. The term of said Agreement is from April 1, 2011 through March 31, 2012, in the amount of \$29,200.00.

Section 3. That the Chairman, or Vice-Chairman, is hereby authorized to execute said Agreement.

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

Moved by Legislator Boyd, seconded by Legislator

Lucas, and adopted.

RESOLUTION NO. 273 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
LEWIS COUNTY GENERAL HOSPITAL**

Introduced by Legislator Michael Tabolt, Chairman of the Hospital Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Lewis County General Hospital, to create the following positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Physician Assistant (2)	Full-time	Not to Exceed \$94,600

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

Moved by Legislator Tabolt, seconded by Legislator Burke,

and adopted.

OTHER BUSINESS:

Legislator Lucas made a motion to enter executive session at 9:54 a.m. to discuss specific personnel, union negotiations and litigation, seconded by Legislator Wallace and carried. Following the session, Legislator Stanford moved to re-enter regular session at 11:30 a.m., seconded by Legislator King and carried.

There being no other business to come before the Board, Legislator Fanning made a motion to adjourn, seconded by Legislator Stanford and carried.

REGULAR MEETING
September 6, 2011

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present, except Legislator Stanford whom had been excused.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 52 persons present.

Chairman Bush announced approval of the August 2, 2011 meeting minutes.

The Rules and Legislation Committee had met and recommends to waive the rules to allow action on late resolutions.

Richard C. Lucas, Chairman
William J. Burke
Patrick Wallace

Dated: September 6, 2011

Legislator Tabolt made a motion to waive the rules as recommended, seconded by Legislator Burke and carried.

PRIVILEGE OF THE FLOOR:

Terrance O'Neill of ProAct gave a summary on savings from utilization of their prescription card program by persons whom are underinsured or without insurance. The program is endorsed by 46 New York counties providing an average prescription savings of \$27.00 or 46%. The savings are driven by the number of prescriptions, which are projected to increase by 33%, while savings would rise by 51%. Statewide savings of \$60 Million is a significant amount of disposable income that residents use for other products and services for a positive economic impact.

Since the inception of the program in 2006, Lewis County residents have realized cumulative savings of \$1.9 Million through 842,000 prescriptions filled. The number of 2011 prescriptions are projected to increase by 16%. The success of the program is measured comparatively to similar size population in Seneca County, whose residents have saved \$400,000 through 13,000 prescriptions.

Mr. O'Neill asserted the intent to revamp the prescription card program and marketing plan, in conjunction with County Legislators and personnel, to reach the greatest number of eligible citizens. In response to Legislator Hathway, he related their efforts to respond to insurance coverage inquiries to assure that eligible individuals receive the ProAct discount benefit.

Lori Halladay, representing the Railway Historical Society of Northern New York, invited everyone to attend the ribbon-cutting ceremony scheduled for October 1, 2011, to

show off their completely refurbished depot in Croghan, New York. The line between Lowville and Beaver River is one of the last short line runs in the United States. She credited assistance through the “Main Street” matching grant program that greatly assisted with financing of the upgrades. They will offer short rides via speed cars.

Calvin Farney, CSEA President, took exception that 15 negotiating sessions and 638 days later, and thinking they had reached a tentative union agreement; they are now back at square one. The Board asserted the State-imposed 2% tax cap upon County governments as the reason to withdraw their latest offer. He declared it a waste of personnel time, as well as taxpayer monies citing thousands of dollars paid to Hiscock & Barclay consulting law firm. Mr. Farney listed various services provided by civil service workers for our neighbors and the public-at-large. He suggested the proposed new office building could be deferred for the time being; while pleading not do diminish Lewis County services or public employees who provide them. In conclusion, Mr. Farney offered to meet with the Board in executive session to discuss negotiating issues, at their convenience.

Trails Coordinator Bob Diehl showed the “Destination Polaris” video that aired during the past month on the Outdoor Channel, to promote and market our Tug Hill trail system. Our structured system is one of very few within New York that provides legal trails for recreational/motorized vehicles. It depicted several businesses, local activities and events. There are 150-miles of riding trails with supporting businesses and services located throughout, including 1,200 off-road acres in the Greig area alone. Regional development plans encompass 5-6 Counties to collaborate for an ultimate inter-connecting system for the best economic regional impact. Mr. Diehl announced that the video would air again on the Outdoor Channel on November 14, 2011.

Mr. Randy LaLonde, representing libraries and accompanied by several local librarians, credited Amy Zook of the North Country Library System for preparing a video to depict progressive services provided for both children and adults. Total annual public funding equates less than \$22,000 per library. They are challenged to maintain continuously upgraded electronic technology, but every library offers free high-speed internet and Wi-Fi access, in many cases being the sole community public provider. A new highlight is the establishment of five permanent “Storywalks” located at local trails and parks. A library card holder and patrons have access to a multitude of subscription databases; including, but not limited to, national census, historical data, as well as continuing education courses and health reference data.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Mr. Randall Schell, Probation Director, submitted a written intent to retire no later than December 31, 2011.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Copies of the 8/16/11 Solid Waste Audit Report; 8/26/11 Highway Audit Report and Treasurer’s August Report; as well as minutes of the August Junkyard Review Board, 6/21/11 Soil and Water Conservation Board of Directors and the 8/24/11 Youth Bureau Advisory Board, had been distributed to each Legislator.

County Sealer of Weights and Measures Barbara Cooper had submitted her August 2011 report to be placed on file.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services/Office For Aging Committee Chairman, reported that Director of Social Services Jennifer Jones presented a summary that reinforced the challenges they face each day in difficult situations to provide needed services to at-risk persons. There was a situation whereby Social Services personnel worked with other agencies to stabilize a situation for a person who was a risk to himself and others. Personnel are also challenged to assist those who abuse new drugs. A current example is termed "legal funk" a bath salts substance considered a hallucinogenic that invokes serious illness for people that smoke it, yet they're compelled to continue the practice. Legislator Hathway relayed a constituent's compliments about Social Services personnel, characterizing them as friendly, professional and helpful.

Legislator Hathway reported that the Office For the Aging had received an award from the NYS Office of Children and Family Services to recognize their adult protective services efforts.

Both, the Social Services and Office For Aging year-to-date expenditures are within budgetary appropriations. Legislator Hathway further reported attending a recent Youth Bureau Advisory Board meeting to become familiar with their activities.

Legislator Michael Tabolt, Hospital Committee Chairman, reported a July loss of \$202,173 equating a year-to-date loss of \$167,613 attributable in part to lesser than estimated acute admissions and outpatient clinic visits. Also, monthly charity care is budgeted at \$80,000-\$90,000, however July charity care totaled \$180,210 for a year-to-date total of \$881,596. Retirement pension costs are another impending factor, increasing by 67% from 2010 to \$4.2 Million, with substantial increases projected for the next few years. The Joint Commission affirmed the hospital had appropriately corrected previous citations. Legislator Tabolt announced that Dr. Vu Dihn commenced surgical practice; and employee-of-the-month was Licensed Practical Nurse Danielle Cobb. The hospital has received a Certificate of Need for a dialysis unit, he concluded.

Legislator Charles Fanning, Mental Health/Public Health Committee Chairman, cautioned that St. Lawrence County had confirmed a horse with Eastern Equine Encephalitis. Public Health Director Carol Paluck reported there had been no positive findings in Lewis County to-date.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, made a motion to authorize Sheriff Tabolt to fill a correction officer sergeant position. Per the union contract, in the absence of a sergeant, the senior officer on duty is paid at sergeant wage, so there would be no budget impact. Legislator King seconded the motion and it carried.

Legislator Patrick Wallace, Transportation/Solid Waste Committee Chairman, announced road tours in the northern section scheduled for September 12th and September 19th in the southern section of the County. Three-quarters of the FEMA approved repairs are complete; and paving is complete on the Liberty Road.

Legislator Wallace made a motion to approve the bid from Vantage Equipment in the amount of \$245,650.00 to purchase a used 2009 gradall excavator with powertrain and major component warranty up to 1,300 hours or nine months. The motion was seconded by Legislator Fanning and carried.

Legislator Richard Lucas, Economic Development Committee Chairman, announced a public forum is scheduled at Jefferson Community College on 9/19/11 attendant to the Governor's "Open For Business" initiative. The North Country Regional Economic Development Council plans to gather input for development of a 5-year strategic plan. The Council encompasses representation from Clinton, Essex, Franklin, Jefferson, Lewis, St. Lawrence and Hamilton counties.

Legislator Lucas made a motion to authorize Trail Coordinator Bob Diehl to travel to Minneapolis, MN for a National Off-Highway Vehicle Administrator's training conference from September 19-25, 2011. The motion was seconded by Legislator Wallace and carried.

Legislator Lucas urged support of the resolution to authorize the \$135,000 grant agreement, to be utilized for trail maintenance materials and equipment. Mr. Diehl has successfully garnered five grants totaling \$364,000 during his tenure; while ATV permit sales have generated a total of \$250,000. Year-to-date, 2,113 permits have been sold, and due to favorable trail maintenance, greater numbers of enthusiasts are anticipated.

In response to Legislator Hathway, Legislator Lucas proposed trail maintenance equipment purchases of a skid steer loader, small dump truck and bulldozer.

Legislator Jerry King, Taxation Committee Chairman, urged support of his sponsored resolutions. He then made a motion to direct Budget Officer David Pendergast to have Department Heads submit a 2012 budget worksheet with a 19.6% reduction of their department's 2011 appropriations, with the appropriate adjustments in the revenue line. This motion does not apply to one and two-person departments. Those departments will be asked to make reductions on a case-by-case basis. The motion was seconded by Legislator Burke.

In response to Legislator Hathway, Mr. Pendergast stated the percentage figure was based on known decreased revenues and increased expenditures equating a \$5.2 Million deficit. Treasurer Patricia O'Brien explained the percentage was based on the portion of the budget excepting State mandates that account for \$20 Million.

Legislator William Burke, Buildings and Grounds Committee Chairman, reported that maintenance personnel had completed 83 August work orders; and the roofs on two Highway buildings have been refastened. The Development Authority of the North Country had requested and will finance installation of a battery back-up system in the Court House basement for their fiber optics.

Legislator Burke substantiated Legislator King's motion, indicating the serious decisions the Board will face during impending 2012 budget deliberations.

COUNTY MANAGER REPORT:

Mr. Pendergast deferred to County Attorney Graham to explain impending action by the NYS Association of County Attorneys relative to the State imposed 2% Tax Cap. Attorney Graham said the legislation exempts certain appropriations, but does not address bonded indebtedness, which averages \$600,000 for Lewis County. The NYS Constitution permits the State to impose limitations on local tax levies, however, may not restrict a municipality's ability to pay its previously contracted indebtedness. As a result of a telephone conference with about 30 County Attorneys, Attorney Graham composed a letter addressed to the State Attorney General posing the legal validity of the State's imposed cap as it relates to indebtedness. In furtherance, the letter specifically requests permission to exempt principal and interest indebtedness payments from the tax cap legislation. At the least, said Attorney Graham, we hope to impress the importance on behalf of all Counties, with a timely response considering the scope of impact.

Legislator Hathway was appreciative of his efforts, but insisted that relief is needed from the exponential pension increases. Atty. Graham stated the retirement contributions are a result of the Wall Street impacts of 2008, citing the many private investors that lost entire pension accounts. A substantial portion of the State's retirement assets are invested in stocks and bonds subjected to the rise and fall of the markets. The public employee benefit plan is defined, therefore, when investment interests plummet, responsive increased municipal contributions are required for the disparity. Likewise, the State has reduced Medicaid reimbursement rates for which the County Board has no recourse, stated Legislator Hathway.

Legislator Fanning inquired the Board's prerogative to override the State legislation and impose a levy in excess of the 2%. Atty. Graham suggested the Board defer any related action until the State Attorney General responds to the indebtedness inquiry. Mr. Pendergast reported that State officials were providing some guidance on varying tax cap calculations. He reminded that of the 2011 \$12.4 Million tax levy, nine State mandates equate \$11.4 Million, declaring "We need mandate relief!"

REPORT OF THE WAYS AND MEANS COMMITTEE:

REPORT OF WAYS AND MEANS COMMITTEE ON THE EXAMINATION OF CLAIMS

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,124,273.75 and recommend that they be audited and allowed for the amounts claimed.


William Burke Chair


Jerry King

Richard C. Lucas Committee

Dated: September 6, 2011

Approved on motion by Legislator Tabolt, seconded by
Legislator King, and carried.

RESOLUTION NO. 274-2011

AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways
and Means Committee.

RESOLVED that the claims presented for payment in the total amount of
\$ 1,124,273.75 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 Tabolt, seconded by
Legislator Burke and adopted by roll call vote:
All voted yea. Legislator Stanford was absent.

RESOLUTION NO. 275 - 2011**IN MEMORIAM OF PAUL C. MERZ**

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

Whereas, Paul C. Merz recently departed this life on August 14, 2011; and

Whereas, his public service commenced as the Town of Denmark Supervisor representative on the Lewis County Board of Supervisors on January 1, 1964, serving as Board Chairman in 1969; and

Whereas, he continued to serve on the Board of Legislators from January 1, 1970 through December 31, 1987; serving as Chairman during 1970 through 1974; and

Whereas, it is proper for us as friends, acquaintances and members of the Board of Legislators to record our recognition and appreciation for the sincere, admirable and valuable services rendered by Paul C. Merz.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That as an enduring record and mark of respect to the memory of the deceased, Paul C. Merz, an honorable, upright and able public official, this resolution shall be printed in the official record of the proceedings of the Board of Legislators of the County of Lewis, and a copy thereof forwarded to the family of the deceased.

Moved by Legislator Lucas, seconded by Legislator

Tabolt, and adopted.

**LOCAL LAW (INTRODUCTORY NO. 6 - 2011)
COUNTY OF LEWIS**

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

**A LOCAL LAW ESTABLISHING TRUTH
IN TAXATION IN LEWIS COUNTY**

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

SECTION 1. TITLE

This local law shall be entitled "A LOCAL LAW ESTABLISHING TRUTH IN TAXATION IN LEWIS COUNTY."

SECTION 2. PURPOSE

The purpose of this Local Law is to provide a legal mechanism to ensure that citizens receive accurate tax bill information and county budget information on an annual basis.

1. **Annual Property Tax Bill Data:** The Budget Officer and Real Property Director are hereby directed to identify that portion of each annual property tax bill dedicated to NYS Medicaid Mandate, NYS Welfare Mandate and other NYS Mandates within the taxing purpose section of each such bill.
2. **Tax Bill Flyer:** The Budget Officer and Real Property Director are hereby directed to take any and all action necessary to cause a Tax Bill Flyer summarizing financial information regarding state and federal mandates to be included as an enclosure with each annual property tax bill. The Tax Bill Flyer shall include the following sections:
 - a. Standard statement defining mandate.
 - b. Narrative summary of key financial impacts of State and Federal mandates.
 - c. A chart illustrating mandated portions of the County budget.
 - d. A list of all the names, addresses and contact information of the Governor and federal and state legislators representing areas of the County of Lewis.

SECTION 3. PROCEDURE

The procedures required by this local law shall be carried out in addition to, and in accordance with, other annual tax billing procedures existent within the County of Lewis.

SECTION 4. EFFECTIVE DATE

This Local Law shall be effective upon filing with the Secretary of State..

RESOLUTION NO. 276 - 2011**FIXING DATE OF PUBLIC HEARING ON LOCAL LAW****(INTRODUCTORY LOCAL LAW NO. 6 - 2011), COUNTY OF LEWIS**

Introduced by Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on September 6, 2011, a proposed Local Law entitled "**A LOCAL LAW ESTABLISHING TRUTH IN TAXATION IN LEWIS COUNTY.**"

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on October 4, 2011, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

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

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 277 – 2011**RESOLUTION TO APPROPRIATE FUNDS
BUILDINGS AND GROUNDS**

Introduced by Legislator William Burke, Chairman of the Buildings
and Grounds Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation be approved in the
Building & Grounds accounts to adjust for loss of revenue from the new
Court House Facility aid:

Decrease Revenue:

A30210 (Court Facility Aid)	\$8,000.00
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Decrease Expense

A1622.4604 (Repairs & Maint)	\$8,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Burke , seconded by Legislator

King , and adopted.

RESOLUTION NO. 278 - 2011

**IN RECOGNITION OF CIVIL SERVICE COMMISSIONERS
DONALD SAUTER, CHARLOTTE VANZANDT & JESSE SCHANTZ**

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators

WHEREAS, **Donald Sauter** of 9527 State Route 26, Lowville, New York has served on the Lewis County Civil Service Commission for the period commencing December 18, 1997 until September 1, 2011; and

WHEREAS, **Charlotte VanZandt** of 5604 Water Street, Lowville, New York has served on the Lewis County Civil Service Commission for the period commencing September 6, 2005 until September 1, 2011; and

WHEREAS, **Jesse Schantz** of 9559 State Route 26, Lowville, New York has served on the Lewis County Civil Service Commission for the period commencing June 11, 2007 until September 1, 2011; and

WHEREAS, the Board of Legislators wishes to record their recognition and appreciation for the sincere, knowledgeable and valuable services rendered by **Donald Sauter, Charlotte VanZandt and Jesse Schantz**, throughout their many years of service.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That as a permanent record and mark of respect and as a testimony of the gratitude for their honorable services, this resolution shall be printed in the official record of the proceedings of the Lewis County Board of Legislators, and a certified copy thereof shall be forwarded to **Donald Sauter, Charlotte VanZandt and Jesse Schantz**.

Moved by Legislator Burke, seconded by Legislator

Boyd, and adopted.

RESOLUTION NO. 279 - 2011**RESOLUTION TO TRANSFER FUNDS
LAW DEPARTMENT**

Introduced by Legislator John Boyd, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following transfer be approved in the Law Department to cover increasing expense of service of Child Support Petitions:

<u>From:</u>	<u>Amount:</u>
1420.4901 (Windfarm Legal Services)	\$7,500.00
<u>To:</u>	
1420.4401 (Postage Account)	\$7,500.00

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

Moved by Legislator Lucas, seconded by Legislator King,
and adopted.

RESOLUTION NO. 280 - 2011

**RESOLUTION TO APPROPRIATE FUNDS
ECONOMIC DEVELOPMENT/PLANNING**

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriation be approved in the Economic Development/Planning accounts for contributions from corporate sponsors to finance costs related to the 2nd Annual Lewis County Economic Development Conference:

Increase Revenue

A27050.2 (Donations-Econ Dev Conf.)	\$2,500.00
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Increase Expense

A8020.4501 (Education/Training)	\$2,500.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator

Tabolt, and adopted.

RESOLUTION NO. 281 – 2011**RESOLUTION TO TRANSFER FUNDS
FIRE AND EMERGENCY MANAGEMENT**

Introduced by Legislator John Boyd, Chairman of the Emergency Management Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer be approved in the Emergency Management Accounts for Fiscal Year 2010 Homeland Security Grant Program Contract #C839200:

<u>From:</u>	<u>To:</u>	<u>Amount</u>
A3410.1999 (Pers Serv)	A3414.4909 (Misc FY10)	\$3,699.00

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

Moved by Legislator Boyd, seconded by Legislator

Lucas, and adopted.

RESOLUTION NO. 282 – 2011

**RESOLUTION TO TRANSFER FUNDS
FIRE AND EMERGENCY MANAGEMENT**

Introduced by Legislator John Boyd, Chairman of the Emergency Management Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer be approved in the Emergency Management accounts for a shortfall in unallocated insurance:

<u>From:</u>	<u>To:</u>	<u>Amount</u>
A3410.4909 (Misc)	A3410.4903 (Ins)	\$20.74

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

Moved by Legislator Boyd, seconded by Legislator

Burke, and adopted.

RESOLUTION NO. 283 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, there is a vacant counselor position in the Mental Hygiene Department, due to Lynn Taubenfeld assuming the Mental Health Services Director position.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Mental Hygiene Department, to authorize Community Services Director Jennifer Earl to temporarily re-fill a vacant counselor position with either a Mental Health Counselor-Permit Holder, Licensed Mental Health Counselor, Licensed Master Social Worker or Licensed Clinical Social Worker, dependent upon recruiting capabilities.

Section 2. That said temporary position is authorized for a period to commence immediately through December 31, 2012.

Section 3. That the within resolution shall take effect immediately

Moved by Legislator Fanning seconded by Legislator Hathway,
and adopted.

RESOLUTION NO. 284 – 2011

**RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL
DISABILITIES AND ALCOHOLISM SERVICES BOARD**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

WHEREAS, there are two vacancies on the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board; and

WHEREAS, John Waterhouse is a member of the Mental Health sub-committee; and

WHEREAS, the Community Services Board recommends that John Waterhouse be appointed to fill one of the vacancies.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby appoints **John Waterhouse** of 11622 Zecher Road, Carthage, New York 13619, to fill a vacancy on the Lewis County Community Mental Health, Development Disabilities and Alcoholism Services Board.

Section 2. That said term shall be effective immediately and terminate on December 31, 2015.

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

Moved by Legislator Boyd, seconded by Legislator King, and adopted.

RESOLUTION NO. 285 – 2011**RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL
DISABILITIES AND ALCOHOLISM SERVICES BOARD**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

WHEREAS, there are two vacancies on the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board; and

WHEREAS, the Community Services Board recommends that Thomas Yousey be appointed to fill one of those vacancies.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby appoints **Thomas Yousey** of North Shore Road, Glenfield, New York 13343, to fill a vacancy on the Lewis County Community Mental Health, Development Disabilities and Alcoholism Services Board.

Section 2. That said term shall be effective immediately and terminate on December 31, 2015.

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

Moved by Legislator Tabolt, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 286 - 2011

**RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY OPPORTUNITIES, INC.
BOARD OF DIRECTORS**

Introduced by Legislator Jack Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Lewis County Commissioner of Social Services **Stacy Alvord**, as a member of the Lewis County Opportunities, Inc. Board of Directors.

Section 2. The term of said appointment shall be effective immediately for a three-year term to expire on September 1, 2014.

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

Moved by Legislator Hathway seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 287 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PROBATION DEPARTMENT**

Introduced by Legislator John Boyd, Chair of the Courts and Law
Enforcement Committee.

Whereas, the Account Clerk/Typist in the Probation Department is currently on
an extended leave-of-absence; and

Whereas, the Committee recommends creating an Account Clerk position to
perform required clerical functions.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of
the County of Lewis, with reference to the Probation Department, to create the following
position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Account Clerk	Full-time	Grade 13 (\$13.72-\$15.67)

Section 2. That Probation Director Randall Schell is hereby authorized to fill said
position effective immediately.

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

Moved by Legislator Boyd seconded by Legislator Lucas,
and adopted.

RESOLUTION NO. 288 - 2011

**RESOLUTION APPROVING ADDENDUM TO AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY
AND BIRNIE BUS SERVICE, INC. FOR THE PRESCHOOL SPECIAL
EDUCATION PROGRAM FOR TRANSPORTATION**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency entered into an Agreement with Birnie Bus Service, Inc. ("Contractor") on March 2, 2011, which provides transportation for preschool special education children; and

WHEREAS, the Contractor wishes to make an amendment to the rate schedule in "Exhibit A" with all other terms and conditions of this Agreement to remain the same; and

WHEREAS, the Board of Legislators wishes to accept such amendment; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an amendment to the Agreement between the County of Lewis by and through the Lewis County Public Health Agency and Birnie Bus Service, Inc. to amend to the rate schedule in "Exhibit A" regarding transportation for preschool special education children. The amended rates shall be:

1. Co-Mingle/Cost Share Rate (with Oneida County Pre-K): \$150.00 per day / passenger round trip (rate includes Bus Aide).
2. Stand-Alone Rate/Lewis County being sole payer:
 - a. First Child: \$268.51 per day / passenger round trip (rate includes Bus Aide)
 - b. Additional Children: \$47.50 per day / passenger round trip (rate includes Bus Aide)

Section 2. That all other terms and conditions of said Agreement will remain the same.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators

is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Fanning, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 289 - 2011

**RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY
ON BEHALF OF THE COUNTY OF LEWIS AND
NYS DEPARTMENT OF HEALTH BUREAU OF IMMUNIZATION**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the County of Lewis and the New York State Department of Health Bureau of Immunization (herein, "DOH") has heretofore entered into an agreement with Lewis County Public Health for the purposes of meeting or exceeding a 90% statewide immunization coverage for two year olds; to increase awareness of the benefits of adult immunization; to increase the proportion of children less than six years of age with two or more shots in an immunization information system; to provide access to up-to-date education and training; and to be a liaison with local and regional perinatal hepatitis B program managers or conduct activities to reduce perinatal hepatitis B transmission; and

WHEREAS, the original term of the Agreement was April 1, 2008 through March 31, 2011 at a cost of \$93,547 and DOH wishes to amend the contract for the period of April 1, 2011 through March 31, 2012 at an additional cost of \$30,000 for a total contract price of \$123,547;

WHEREAS, Lewis County Public Health Department is an eligible provider of these services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an amendment to the Agreement dated April 1, 2008 through March 31, 2012, between the County of Lewis, acting by and through the Lewis County Public Health Agency and the New York State Department of Health Bureau of Immunization for the immunization program.

Section 2. That this amendment is for the period beginning April 1, 2011 through March 31, 2012 in the additional amount of \$30,000.00.

Section 3. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 290 – 2011**RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfers be approved in the Public Health accounts to cover line item expenditures:

<u>From</u>	<u>Account</u>	<u>Amount</u>
A4010.4507	Staff Travel	\$ 2,050.00
A4010.4702	Vehicle Lease	\$ 5,000.00
A4087.1999	Personal services	\$ 50,000.00
A4015.4703	Vehicle Fuel	\$ 900.00
A4015.4705	Vehicle Insurance	\$ 600.00
A4015.4506	Contracted Transportation	\$ 2,850.00
A4015.4900	Contracted Therapy	\$ 80,000.00
A4015.4904	Evaluations	\$ 12,000.00
A34011.1	Pre-K Reimbursement	\$100,000.00
A4035.4403	Printing	\$ 250.00
A4035.4900	Outside Contractor	\$ 2,900.00
A4085.4501	Staff Education	\$ 2,000.00
A4086.4901	Professional Services	\$ 5,050.00
A4091.4804	Nursing Home R&B	\$ 3,250.00
A4093.4503	Educational Materials	\$ 100.00
	Total:	\$266,950.00

<u>To:</u>		
A4010.2218	Computer Software	\$ 5,200.00
A4010.4803	Office Rental	\$ 1,850.00
A4010.4900	Contracted Therapy	\$ 50,000.00
A4015.4407	Office Supplies	\$ 500.00
A4015.4507	Staff Travel	\$ 500.00
A4015.4803	Office Rental	\$ 2,850.00
A4015.4907	Advertising	\$ 500.00
A4016.4501	Educational Services	\$ 12,000.00
A4016.4900	Contracted Therapy	\$180,000.00
A4035.4409	D/P Costs	\$ 250.00
A4035.4803	Office Rental	\$ 2,900.00
A4085.4803	Office Rental	\$ 5,050.00
A4085.4909	Miscellaneous	\$ 2,000.00
A4091.4407	Office Supplies	\$ 500.00
A4091.4701	Vehicle Repairs	\$ 500.00
A4091.4803	Office Rental	\$ 2,250.00
A4093.4507	Staff Travel	\$ 100.00
	Total:	\$266,950.00

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

Moved by Legislator Fanning, seconded by Legislator Boyd and adopted.

RESOLUTION NO. 291 - 2011**RESOLUTION AUTHORIZING GRANT AGREEMENT
LEWIS COUNTY TRAIL SYSTEM**

Introduced by Legislator Pat Wallace, Member of the Economic Development Committee

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATV's") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage recreational tourism; and

WHEREAS, in accordance with the procedures outlined in 6 NYCRR §617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement ("DGEIS") and a Final GEIS (collectively the "GEIS") and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 28, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board's conclusions and determinations, based upon the facts and analyses contained in the GEIS; and

WHEREAS, upon completion of its environmental review under SEQRA, 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**" (herein "Local Law No. 2"); and

WHEREAS, both Local Law No. 2 and the Statement of Findings contemplate future construction and maintenance of the trails once they are incorporated into the ATV Trail System; and

WHEREAS, the Trails Coordinator, on behalf of Lewis County has heretofore applied for a grant from NYS Office of Parks, Recreation & Historic Preservation in the amount of \$135,000 for the purpose of making certain improvements to the trails, along with the purchase of equipment and materials; and

WHEREAS, Lewis County has been awarded a grant from NYS Office of Parks, Recreation & Historic Preservation in the amount of \$135,000 and the County wishes to enter into an agreement;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby finds and determines that the work being contemplated by the within grant complies with the FGEIS and the Findings Statement heretofore adopted; that the trail sites where the work will take place have been the subject of previous site specific evaluations by the County's environmental engineers

and; that some of the work contemplated hereunder would be classified as Type II actions pursuant to 6 NYCRR §617.5 (c)(1) and (7) and therefore would not require additional review under SEQRA; and therefore as a result, the Board of Legislators hereby finds and determines that no further SEQRA review is necessary for the purposes of accepting the aforesaid grant and entering into the grant agreement.

Section 2. That the Board of Legislators hereby approves entering into a Grant Agreement by and between the County of Lewis and the NYS Office of Parks, Recreation & Historic Preservation in the amount of \$ 135,000.

Section 3. The Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Grant Agreement upon approval of the County Attorney, as to form and further that the Trails Coordinator is hereby designated the contact person for the purposes of administering said Grant.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 292 - 2011**AUTHORIZE OPENING OF CERTAIN PORTIONS OF
COUNTY ROADS FOR ATV SPECIAL EVENT**

Introduced by Legislator Patrick Wallace, Member of the Economic Development Committee.

WHEREAS, the Lewis County ATV Association has requested that the Board of Legislators open County Route 18, from where it meets the Town of Pinckney's Cronk Road, west to the County Reforestation Land on CR 18, for a one day all terrain vehicle (ATV) rally event to be held on Saturday September 17, 2011 for the Ride for Ryan; and

WHEREAS, Vehicle and Traffic Law § 2408 authorizes a governmental agency to review and approve requests for holding special events that involve the operation of ATV's; and

WHEREAS, the Lewis County ATV Association, as a sponsor of the event, has agreed to indemnify and hold the County of Lewis, its officers, agents and employees harmless from any claim, liability, damage or cost of any nature whatsoever, including reasonable attorney fees incurred by reason of the conduct at the event or use of those portions of County Roads.

Now, Therefore, BE IT RESOLVED as follows:

- Section 1. The Board of Legislators hereby authorizes the operation of ATV's on a portion of County Route 18, from where it meets the Town of Pinckney's Cronk Road, west to the County Reforestation Land on CR 18, for a one day all-terrain vehicle (ATV) rally event to be held on Saturday September 17, 2011 for the Ride for Ryan.
- Section 2. That the permission granted herein is specifically conditioned upon the Lewis County ATV Association entering into a written agreement with the County of Lewis whereby:
1. Lewis County ATV Association agrees to indemnify and hold the County of Lewis, its officers, agents and employees harmless from any loss, claim, liability, lawsuit, damage, cost or expense including reasonable attorney fees incurred by reason of injury to person(s) or property, including death arising out of or in any way connected with the conduct of the event or the use of those portions of County Roads for such event.

2. The Lewis County ATV Association agrees to provide proof that it has obtained general liability insurance insuring such event in an amount not less than \$1,000,000 for injuries including wrongful death to any one person and in an amount not less than \$3,000,000 on account of any one occurrence, and naming the County of Lewis as an additional insured.
3. Such other terms as the Chairman of the Board of Legislators, with the consultation of County Attorney, may deem acceptable.

Section 3. That the Chairman of the Board of Legislators, or in his absence, the Vice-Chairman, be and the same is hereby authorized to execute and deliver such written agreements or other documents as may be necessary to carry out the terms of this Resolution.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator

King, and adopted.

RESOLUTION NO. 293 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND THE HOUSE OF THE GOOD SHEPHERD**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with The House of the Good Shepherd for the provision of foster care services; and

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

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contract with The House of the Good Shepherd for the provision of foster care services for the period of July 1, 2011 through December 31, 2011 at a cost in accordance with the rates set forth by the state in the attached Schedule "B" of the Agreement.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Wallace,
and adopted.

RESOLUTION NO. 294 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
INSIGHTS FORENSIC COUNSELING**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, Insights Forensic Counseling ("Agency"), located at 120 Washington Street, Watertown, New York, provides individual, family, and group counseling; and

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with this Agency to utilize their services; and

WHEREAS, these services will be for the period of August 1, 2011 through July 31, 2012.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Department of Social Services, and Insights Forensic Counseling for the provision of services for counseling to clients referred by the Lewis County Department of Social Services.

Section 2. That the term of this agreement shall be August 1, 2011 through July 31, 2012 at a cost not to exceed \$75.00 per session and attendance at meetings; \$45.00 for group counseling; and \$500.00 for assessments.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Hathway, seconded by Legislator Fanning,
and adopted.

RESOLUTION NO. 295 - 2011**RESOLUTION TO TRANSFER FUNDS
SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following transfer of funds be approved in the Social Services accounts to cover line item expenditures:

<u>From:</u>	<u>Amount</u>
A6010.4404 (Imaging)	\$5,700.00
<u>To:</u>	
A6010.4366 (Paternity Testing)	\$ 700.00
A6010.4701 (Vehicle Repairs)	<u>5,000.00</u>
	\$5,700.00

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 296 – 2011**RESOLUTION TO APPROPRIATE FUNDS
SOLID WASTE DEPARTMENT**

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget changes be approved in the Solid Waste Department Enterprise Accounts to increase appropriations for fuel expenses not accounted for in the adopted 2011 budget:

Increase Revenue:

ES21301 (Recycling)	\$10,000.00
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Increase Expense:

ES8160.4304 (Fuel)	\$10,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Hathway,

and adopted.

RESOLUTION NO. 297 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY TREASURER'S OFFICE
AND SYSTEMS EAST, INC.**

Introduced by Legislator Jerry King, Chairman of the Information Management Committee.

WHEREAS, the Systems East, Inc., wishes to enter into an agreement with the Lewis County Treasurer's Office for the purpose of providing software support and maintenance services for the period of January 1, 2012 through December 31, 2012; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with Systems East, Inc. to provide software support and maintenance services for the period of January 1, 2012 through December 31, 2012 at a cost not to exceed \$15,228.00.

Section 2. That Patricia O'Brien, Lewis County Treasurer, is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Lucas, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 298 - 2011**RESOLUTION SETTING 2012 CHARGE-BACK
APPORTIONMENT FOR WORKERS'
COMPENSATION PLAN PARTICIPANTS**

Introduced by Legislator Richard Lucas, Chairman of the Workers' Compensation Committee.

WHEREAS, the only control over the County's self-insured workers' compensation plan is to emphasize workplace safety and prevention; and

WHEREAS, in accordance with this philosophy, the Board of Legislators imposes a proportionate assessment onto participants of the Lewis County Self-Insurance Plan based on their respective actual Plan expenses; and

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

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby sets the computation of the 2012 workers' compensation assessments for participants of the Lewis County Self-Insurance Plan, to assess a 50% experience rating based on actual respective expenses in 2008, 2009 and 2010 that shall be capped at \$30,000 for any one claim per annum; 30% shall be computed on proportionate property valuation; and the remaining 20% based on respective 2010 gross payroll figures.

Section 2. That the within resolution shall take effect immediately

Moved by Legislator Lucas seconded by Legislator King,
and adopted.

RESOLUTION NO. 299 - 2011

**RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INVESTMENT ACT**

Introduced by Legislator Philip Hathway, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

Section 1. That the following funds be appropriated for the period 7/1/11-10/31/11, SWA Adult Supplemental, per the Notice of Obligational Authority (NOA), #PY10-7, dated July 11, 2011, through the New York State Department of Labor, in the amount of \$4,000.00.

<u>SWA-Adult Supplemental</u>	
CD6296.4909	\$ 4,000.00

<u>Revenue</u>	
CD47910	\$4,000.00

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

Moved by Legislator Hathway, seconded by Legislator
Boyd, and adopted.

RESOLUTION NO. 300 - 2011**RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INVESTMENT ACT**

Introduced by Legislator Philip Hathway, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

Section 1. That the following funds be appropriated for the Program Year 2011, 7/1/2011-6/30/2013, Adult and Dislocated Worker, per the Notice of Obligational Authority (NOA), #PY11-2, dated August 10, 2011, through the New York State Department of Labor, as indicated below.

Adult

CD6292.1999	\$ 3,110.94
CD6292.8999	<u>\$ 1,555.47</u>
	\$ 4,666.41

WIA Revenue

CD47910	\$ 4,666.41
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Dislocated Worker

CD6291.1999	\$10,000.00
CD6291.8999	<u>\$ 1,505.22</u>
	\$11,505.22

WIA Revenue

CD47910	\$11,505.22
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator

Boyd, and adopted.

RESOLUTION NO. 301 - 2011**RESOLUTION AUTHORIZING AN AGREEMENT ON THE DISTRIBUTION OF REVENUES – ROARING BROOK WIND POWER PROJECT**

Introduced by Legislator Jerry King, Chair, Taxation Committee

WHEREAS, Iberdrola Renewables, Inc. (the “Company”) has proposed to construct a utility scale wind powered electric generating facility with a potential generation capacity of 78 Mega Watts to be located within the Town of Martinsburg (“Town”), County of Lewis (“County”), and within the Lowville Academy Central School District (“School District”); and

WHEREAS, the Company, along with the Town, the County and the School District have negotiated and approved the financial terms of a proposed twenty (20) year Payment In Lieu of Taxes (“PILOT”) agreement with the Lewis County Industrial Development Agency that sets forth the agreed upon payment to be made by the Company to the taxing jurisdictions; and

WHEREAS, it is the policy of the Lewis County Industrial Development Agency that unless all the affected taxing jurisdictions agree otherwise, payments made pursuant to a PILOT Agreement will be distributed to each jurisdiction on a pro rata basis in accordance with their relative tax rates at the time the payments are made; and

WHEREAS, the Town has made a request that the Town receive a greater share of the PILOT revenues than allowable under the IDA’s; and

WHEREAS, the School District considered the Town’s request at a special Board of Education meeting held on August 22, 2011 and authorized the School District to enter into an agreement whereby the pro rata share of payments to be received by each

jurisdiction under the PILOT be fixed for the term of the PILOT based upon the tax rates in effect at the time that the PILOT is entered into; and

WHEREAS, the Taxation Committee has met with representatives from the Town and the School District and recommends that Lewis County adopt a revenue distribution agreement consistent with the School District's proposal;

NOW THEREFORE, be it resolved as follows:

Section 1. That the Lewis County Board of Legislators hereby approves a revenue distribution agreement, either as a stand alone agreement or incorporated into the terms of the PILOT Agreement, whereby the pro rata share of payments to be received by each taxing jurisdiction under the PILOT be fixed for the term of the PILOT based upon the tax rates in effect at the time that the PILOT is entered into.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators be and the same is hereby authorized to make, execute, seal and deliver such documents, instruments and agreements as may be necessary to carry out the intent of this Resolution and upon such form(s) as may be approved by the County Attorney.

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

Moved by Legislator Lucas, seconded by Legislator Tabolt.

Legislator Hathway asked the Board to consider appropriating a portion of County PILOT revenues to Towns and Villages that do not receive direct benefits, opining that small governments are judicious with expenditures.

Legislator Lucas reminded of his previously rejected initiative to create a community development fund program for the purpose of financing small community projects. Legislator Hathway distinguished his request would appropriate funds directly to Towns and Villages to be utilized at their discretion.

The resolution was then adopted. Legislators Burke and Bush abstained.

RESOLUTION NO. 302-2011**RESOLUTION AUTHORIZING COOPERATIVE AGREEMENT
BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND THE COUNTY LAW DEPARTMENT FOR CHILD SUPPORT
ENFORCEMENT PROCEEDINGS**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

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 Lewis County 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 (hereinafter collectively referred to as "support enforcement proceedings"); 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, shall be responsible for representing the Department in such support enforcement proceedings; and

WHEREAS, it is appropriate that the parties hereto enter into a written agreement setting forth their respective duties under the above-mentioned provisions of State and Federal Law; and

WHEREAS, it is economically and organizationally feasible for the Department to contract with the County Attorney for the performance of these services;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves a Cooperative Agreement/Purchase Of Services Agreement by and between the Department of Social Services and the County Attorney whereby the County Attorney shall provide legal representation to the Department relating to the presentment of child support enforcement proceedings where the Department is either directly involved as a litigant or has an interest in the proceedings.

Section 2. That the Cooperation Agreement shall further 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, and related office expense at a cost of \$150 per hour of attorney time. 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. That the term of this Cooperation Agreement shall be from January 1, 2011 through December 31, 2011 for an amount not to exceed \$60,500.00.

Section 4. That the Chairman, or Vice-Chairman, of the Board of Legislators, along with the Commissioner of Social Services and the County Attorney be and the same are hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Lucas, seconded by Legislator Hathway,

and adopted.

OTHER BUSINESS:

Legislator Fanning reiterated his suggestion and made a motion to hold public forums for input and ideas on priorities or what programs to cut; and/or overriding the 2% tax cap legislation. The motion was seconded by Legislator King and unanimously carried.

Legislator Hathway commented that the gradall purchase was being funded through the dedicated Capital equipment fund, and is considered beneficial considering the County leases a gradall for eight months for an annual cost of \$67,000.

There being no other business to come before the Board, Legislator Fanning made a motion to adjourn at 6:16 p.m., seconded by Legislator Boyd and carried.

REGULAR MEETING
October 4, 2011

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 31 persons present.

Chairman Bush announced approval of the September 6, 2011 meeting minutes.

The Rules and Legislation Committee had met and recommends waiving the rules to allow action on late resolutions.

Richard C. Lucas, Chairman
William J. Burke
Patrick Wallace

Dated: October 4, 2011

Legislator Tabolt made a motion to waive the rules as recommended, seconded by Legislator Lucas and carried.

Chairman Bush opened the public hearing for comments on Local Law Intro. No. 6-2011 "Establishing Truth In Taxation in Lewis County".

PRIVILEGE OF THE FLOOR:

Lewis County Undersheriff John LaDuc relayed a request from Air 1 Foundation, Inc. for a \$5,000.00 appropriation to support Onondaga County Air One helicopter services. They searched and successfully rescued a Lewis County lost hunter and an injured snowmobiler from a remote area. In response to Legislator Hathway, Mr. LaDuc affirmed that like appropriations were being requested from all surrounding counties. The helicopter is taxpayer funded, thereby prohibiting billing for services. However, Onondaga County has applied for Federal approval that would authorize them to bill.

In consideration of the County's current financial straits, while he supports the helicopter services, Mr. LaDuc would rather the funds be utilized to support Lewis County programs and services. There are alternative helicopter services available from Syracuse or Utica, however, they may not be readily available when needed. "You can't put a price on saving a life", he concluded.

Sari Fitzgerald read a prepared statement on behalf of CSEA members, many of which were present. They are concerned with prospective budget effects related to the State imposed 2% property tax cap, particularly without mandate relief. We need road patrols for safety, and less than 30 full-time highway workers maintain and plow the roads and repair

bridges. Their plea is to not diminish services. Local mental health services are important for those who can't care for themselves, and without which taxpayers may be required to finance more costly out-of-county care. Services provided through the Office For Aging are crucial for seniors for assistance to remain in their homes. Buildings and grounds employees are needed to maintain county buildings and properties; however, she took exception to a prospective new building plan, submitting the project could wait. They recognize the difficult times and decisions facing the Board, while urging them to make only necessary cuts with the lowest possible negative impact.

Mr. Keith Munz, Osceola Town Councilman, queried where the County tobacco settlement and windmill revenues had been appropriated. Reiterating his annual plea for an increase to Towns for plowing County roads, he warned the County may have to plow their own roads in Osceola. He stated that Town Supervisor Francis Yerdon has proposed to raise the tax levy by only 2%.

In reference to the several public budget forums being scheduled around the County, Mr. Munz took exception that he had not heard about a meeting in his area; asserting that he wants answers.

MaryAnn Vargulick referenced the reported \$5 million deficit, suggesting that cost reduction alternatives be explored rather than cutting valuable County services. She asked that the County costs associated with the new Court House construction and renovations, as well as current and future maintenance costs be defined. She further suggested a salary cap to reduce retirement costs.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

A thank you note was read from Bonnie Dening, who had recently retired from the Solid Waste Department.

The New York State Office of Parks, Recreation and Historic Preservation informed of their approval of 2010-2011 snowmobile trail development and maintenance State Aid in the amount of \$303,720.00.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

County Treasurer Patricia O'Brien and Real Property Tax Director Caryn Kolts had approved a Town of Diana property tax refund application in the amount of \$1,143.11 to Lisa Newcombe.

Election Commissioners Ann Nortz and Elaine McLear had submitted an Official Statement of Canvass for the September 13, 2011 primary.

Copies of the 9/22 and 9/27/11 Solid Waste Audit Reports; 9/13 and 9/26/11 Highway Audit Reports, 3rd Quarter Report of Sr. Code Enforcement Officer Ward Dailey, and Treasurer's September Report; as well as minutes of the 8/23/11 Soil and Water Conservation Board of Directors, 6/16/11 minutes of the Public Health & Hospice EQA and 6/23/11 minutes of the Professional Advisory-Health Service Committee minutes, had been distributed to each Legislator.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Office For Aging/Social Services Committee Chairman, reported that Office For Aging year-to-date expenditures are within budgetary levels. Bids for the meals program will be opened tomorrow; and a public hearing will be held in conjunction with Octoberfest in Glenfield on 10/7/11.

Legislator Hathway reported the Social Services Staff Development Coordinator had provided information and explained the importance of various trainings. Of particular interest was that a Caseworker hired on 1/1/2010, with a required nursing or bachelor degree, also required 533 training hours in order to perform job duties properly.

Legislator Hathway expressed frustration for upcoming season HEAP allocations, noting the disregard for the substantial increase in fuel prices. The quantity of assistance will be reduced by as much as 30% to benefactors. Moreover, eligible persons will be allowed only one subsequent emergency application that may not be submitted until January 1st.

Legislator Hathway made a motion to authorize County Atty. Graham to amend his department's legal services agreement with Social Services to an hourly rate of \$150.00. The motion was seconded by Legislator Stanford and carried.

Legislator Michael Tabolt, Hospital Committee Chairman, reported an August loss of \$247,720, attributable in part to lesser than estimated acute admissions and outpatient clinic visits. Rae Rice is submitted as a qualified candidate for appointment to the Board of Managers to serve the un-expired term of Bethany Yost. The employee-of-the-month was Diane Cavanaugh, a 30-year laundry worker; and plans are progressing for a dialysis unit.

Legislator Tabolt had attended the recent NYSAC conference, which confirmed many of Mr. Pendergast's prior predictions. The "Mechanics of the Property Tax Cap" workshop was presented by NYS Comptroller representatives, who explained tax levy limit formulas; however, were unable to answer how or whether counties are to consider and compute charge-backs to Towns, such as community college expense.

He relayed speaking with a 30-year tenured Comptroller Office employee, who declared that departmental officials had absolutely no influence over the Governor's decisions, adding "It's all politically driven".

Legislator Tabolt further exclaimed that Rockland County has a \$50 Million deficit, with a \$1.3 Million property tax cap, while their Medicaid increase alone equates \$2.6 Million. They are proposing to eliminate all their law enforcement, close the adult home, outsource Office For Aging services, and retain their District Attorney, but without required staff.

NYSAC President Bill Ryan of Westchester County declared that Counties are going down one-by-one, while the State does nothing to mitigate the trend. The Executive Committee proposes a 2% cap on mandated programs; or maybe budgeting for the first quarter of the year. Oswego County is considering selling off land and other assets to finance operations. Of the 100 officials present, not a single County indicated plans to

override the tax cap. State officials blame the 2008 economic recession for NYS Retirement costs that will continue to escalate for the next five years, while at the same time, claim the fund is the strongest in the nation.

Legislator Tabolt referenced Resolution No. 309-2011 that would authorize an audit of the County's Deferred Compensation Plan. Nationwide representatives presented a workshop about this new State mandate. The goal is to encourage greater participation in the State program, which would bolster their plan that is excluded from the audit requirement. Nationwide representatives expressed frustration for being prohibited from future soliciting of municipalities, but may retain their current municipal clients.

The Medicaid Relief initiative is supported by all Counties. Citing the financial straits of the larger and more populous Counties surrounding New York City, Legislator Tabolt is perplexed to explain why their collective numbers would not invoke a more appropriate State response. He addressed the CSEA members in the audience, relating we're all in this together, and impressed the impending challenges facing the Board.

In closing, Legislator Tabolt announced that the Lewis County Development Corporation had donated a painting of the Croghan Island Mill Dam by local artist Richard Trick, that is hanging in the Legislator's office.

Legislator Fanning invoked he would like to accomplish the State Medicaid Takeover, equating \$4 Million for Lewis County, in two years rather than the proposed eight.

At this time, Legislator Stanford addressed union members, exclaiming that he would not vote for anything that would jeopardize public safety, adding "We can't invite crooks". He personally urged County administration to engage in union negotiations honestly and truthfully and get it done. "It's hard, but somewhere there's a consensus", he stated. "We're in a hole, so you will not get everything, but as public servants you deserve something", he concluded.

After assuring that no one else wished to comment, Chairman Bush closed the public hearing at 5:38 p.m. on Local Law Intro. No. 6-2011.

Legislator Charles Fanning, Public Health/Mental Health Committee Chairman, announced a scheduled drive through "point of distribution drill" for flu vaccinations on 10/17/11 at Tops Plaza from 3-6 p.m. Invited participants include first responders, fire personnel, EMS, law enforcement, as well as County and school employees, and are encouraged to pre-register with Public Health. The goal is to test the rapid distribution of vaccine, in the event of an influenza pandemic.

The transition to the Lewis County General Hospital of the Certified Home Health Agency (CHHA) and Hospice programs, continues to progress.

Legislator Fanning also reported a Request for Interest (RFI) had been advertised to glean interest by certifiable agencies to assume administration of mental health services. Proposals are due by 11/14/11; and the Committee projects a decision by 12/12/11.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, announced a scheduled meeting on 10/17/11 at 1 p.m. for an update presentation by the Radio Survey consultants.

Legislator Patrick Wallace, Transportation/Solid Waste Committee Chairman, reported that FEMA had declined to authorize funds to mitigate the ditch in Glenfield; and the Solid Waste expenditures are within budgetary appropriations.

Legislator Paul Stanford, County Officers' Committee Chairman, reported the State has imposed a new auditing requirement for all municipally sponsored Deferred Compensation Plans starting with the year ending 12/31/10, which must be completed by 12/31/11. All subsequent annual audits must be completed by June 30th. Toski, Schafer & Company has provided a quote of \$4,600 to complete the 2010 audit. Upon the County's request, the company that administers our plan, Security Benefit Corporation, has agreed to assume the audit expense, however, made no commitment beyond the initial audit.

Legislator Stanford relayed that all issues in the Human Resources Department have been mutually resolved and personnel are pleased with the outcome.

Legislator Richard Lucas, Economic Development Committee Chairman, announced and encouraged attendance at the 2nd annual economic development conference on 10/26/11 at the Lowville Elks Lodge. He thanked conference sponsors National Grid, Development Authority of the North Country, Bernier, Carr & Associates, Otis Technology and Community Bank, N.A.

At the request of Legislator Lucas, Economic Development Director Eric Virkler provided a synopsis of the Governor's Regional Economic Development Strategic Councils. The Governor has streamlined the application and appropriation process for development projects. There are 10 regional councils Statewide. He and Anne Merrill represent Lewis County on the 7-County 20-25 member regional council, charged to develop a strategic plan and project application. The councils are vying for \$200 Million; and will be graded by the State based on a specific scoring process. Four councils will receive \$40 Million each, with the others sharing the remainder. There is an additional \$800 Million available for development projects through other State agencies. All councils must submit a consolidated funding application to the State by 11/14/11. Public education and input on proposed projects is strongly encouraged. Respectively, a public forum is scheduled at the Lowville Elks Lodge on 10/26/11 at 6:00 p.m. Our Council's consolidated application will encompass the group's chosen projects from those proposed by each of the seven Counties. Lewis County proposed 10 projects including redevelopment of Lyons Falls Pulp & Paper property, reinstatement of a micro-enterprise loan program; acquisition of the railroad corridor; as well as private business proposals. The successful applicants will receive \$25 Million in capital (cash) funding and \$15 Million tax credits. Funds are part of the State's current budget through New York State Empire Development.

Chairman Bush thanked Eric for his knowledgeable representation in his stead, on the regional council. He relayed comments from both council chairmen, commending the performance and expertise of Eric and Anne Merrill.

Chairman Bush further relayed accolades from a NYS Dept. of Labor official for Pennie Getman's performance in the Employment & Training office.

Legislator Jerry King, Taxation Committee Chairman, deferred discussion until presentation of his sponsored resolutions.

Legislator William Burke, Buildings and Grounds Committee Chairman, reported that maintenance personnel had completed 64 September work orders. Highway worker Bob Cobb had made a new office directory on display in the Court House lobby; and the inside front door has been repaired. Air filters have been changed in all rooftop units.

Chairman Jack Bush appointed Legislators Michael Tabolt and John Boyd, Election Commissioners Ann Nortz and Elaine McLear, and himself to the Reapportionment Committee to evaluate existing County Legislative Districts for equity in representation based on the 2010 census report. A resolution to ratify the appointments will be presented at the next meeting.

COUNTY MANAGER REPORT:

Mr. Pendergast provided budget comparisons from 2000 through 2011 from \$26 Million to a high of \$44.8 Million in 2008. County spending has been reduced by \$3 Million to the current level of \$41.5 Million. During the same period, budgeted non-tax revenues have risen from \$17 Million to \$28 Million, while the tax levy of \$12.4 Million compares to the 2000 levy of \$10 Million. The current tax rate of \$6.78 per thousand dollars of assessed value, is the lowest over the last decade. Comparatively, the County's accumulative full market property value has risen from \$9.8 Million to \$1.9 Billion.

Referencing the State imposed 2% property tax cap on the levy, Mr. Pendergast explained that the Legislature could override the requirement by Local Law, with a majority 60% vote, prior to adoption of the budget.

The 2% computation on the current \$12.8 Million levy equates approximately \$250,000 tax limit increase. However, the State's formula excludes some retirement pension increase, as well as adjustments for property value growth or what the State terms as Quality Growth Factor. Therefore, applying the formula to Lewis County figures, results in an allowable 2012 tax cap of 4.4% or \$549,599.00. The \$4,482,148.00 known 2012 increases are attributable to NYS Retirement contribution, Fixed operational items, Employee contractual Step expense, Hospital Inter-Governmental Transfers, Federal Medicaid Assistance Program, Workers' Compensation, Indigent Defense, Child Welfare, Pre-K and Fund Balance.

The County's most prominent expense is for local Medicaid equating \$93,000.00 per week or \$4.4 Million annually, with 2012 projections of \$4.8 Million. The State of New York is one of only two in the United States that requires Counties to finance 25% of overall Medicaid expense; in essence subsidizing the State's responsibilities.

Adhering to the tax cap would produce a tax rate of \$7.14 per thousand; alternatively, an override of the tax cap could inflate that rate up to \$9.29 per thousand dollars of assessed value.

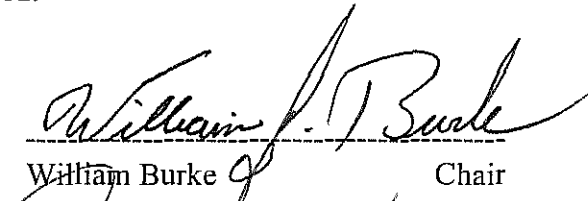
Mr. Pendergast distributed budget information binders to Legislators; and announced the five public forums scheduled at sites around the County that have been advertised through various media sources for optimum participation.

REPORT OF THE WAYS AND MEANS COMMITTEE:

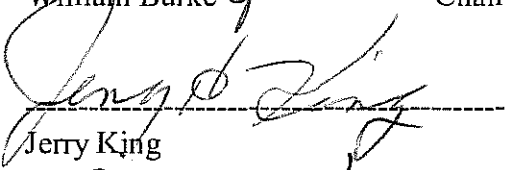
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

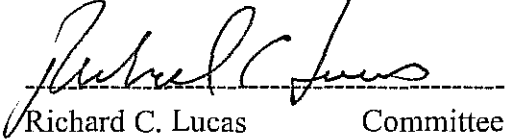
The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 811,679.31 and recommend that they be audited and allowed for the amounts claimed.



William Burke Chair



Jerry King



Richard C. Lucas Committee

Dated: October 4, 2011

Approved on motion by Legislator Tabolt, seconded by
Legislator Burke, and carried.

RESOLUTION NO. 303-2011

AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways
and Means Committee.

RESOLVED that the claims presented for payment in the total amount of
\$ 811,679.31 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 Lucas, seconded by
Legislator Tabolt and adopted by roll call vote:

All voted yea.

RESOLUTION NO. 304 - 2011**RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 6 – 2011, COUNTY OF LEWIS**

Introduced by Legislator Jerry King, Chair of the Taxation Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on September 6, 2011, directing that a public hearing be held by said Board on October 4, 2011, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, **“A LOCAL LAW ESTABLISHING TRUTH IN TAXATION IN LEWIS COUNTY”**; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on September 28, 2011, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing.

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 6 – 2011), County of Lewis, being **“A LOCAL LAW ESTABLISHING TRUTH IN TAXATION IN LEWIS COUNTY”**, be and the same hereby is designated as Local Law No. 6 – 2011, County of Lewis.

Section 2. That Local Law No. 6 – 2011, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Stanford, seconded by Legislator Hathway
and adopted by the following roll call vote:

YEAS: Boyd, Burke, Fanning, Hathway, King, Lucas, Stanford, Tabolt,
Wallace, Bush

NAYS: None

ABSENT: None

RESOLUTION NO. 305 - 2011**RESOLUTION IN SUPPORT OF NYS LEGISLATION
SENATE BILL NO. S5889B TO INITIATE NEW YORK STATE
FULL ASSUMPTION OF MEDICAID PROGRAM BY 2019**

Introduced by Legislator Jack T. Bush, Chairman of the Lewis County Board of Legislators.

WHEREAS, since the enactment of the Medicaid program in 1965, county social services departments and the City of New York have been required to share in both the cost and administrative operation of the program; and

WHEREAS, over the years, the costs of the program have grown exponentially, while responsibility for program design and administration has been gradually shifted to the State of New York to the extent that the State shall assume full responsibility for administration by 2016; and

WHEREAS, Counties and the City of New York currently pay approximately \$7.3 billion per year, and these costs are expected to increase by 3% per year; and

WHEREAS, in light of the recently enacted 2% property tax cap, counties cannot continue to meet the Medicaid mandate without slashing essential local services such as those to seniors and veterans, law enforcement, parks and road maintenance, and

WHEREAS, NYS Legislative Bill No. S5589 provides for the gradual assumption of the current local share of Medicaid costs starting with an immediate freeze on local contributions effective January 1, 2012. Under the proposed bill, effective October 1, 2012, local contributions would be reduced by 5%. Additional reductions would be made in the subsequent years ending with the full assumption of local Medicaid costs by the State of New York in 2019;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby records their support of New York State Legislative Bill No. S5589, an Act to amend chapter 58 of the laws of 2005, relating to authorizing reimbursements for expenditures made by or on behalf of social services districts for medical assistance for needy persons and the administration thereof, in relation to calculating social services district medical assistance expenditure amounts.

Section 2. **That the Board of Legislators further urges the State Legislature to return to session at the earliest possible opportunity in order to address this Bill in a timely fashion and to enable the counties to incorporate these changes in their budget deliberations for fiscal 2012.**

Section 3. That the Clerk is hereby directed to forward a certified copy of this resolution to New York Governor Andrew M. Cuomo, New York State Senator Joseph Griffo and Assemblyman Kenneth Blankenbush.

Moved by Legislator Tabolt, seconded by Legislator King.

Legislator Burke would like to see stronger language in the resolution calling for the takeover within two years. Legislator Hathway concurred, adding the language does not go far enough, exclaiming that "We should sue the State of New York". "The State continues to dictate and we need to shove back fast and hard", he declared.

Legislator Hathway continued, reporting that the Hospital has just recently received monies owed by the State since 2008; adding that Mental Health reimbursement formulas should be changed so the program operations are self-sustaining. He urged partnering with Jefferson, St. Lawrence and any other supporting County Board, to file a lawsuit against the State demanding timely reimbursements for mandated services.

County Attorney Richard Graham explained the proposed action urges adoption of proposed State Senate legislation for the State's incremental takeover of Medicaid County expense. County Manager David Pendergast added that most recently the Assembly has proposed a companion legislative Bill.

At this time, Legislator Fanning turned to the citizens present and urged each of them to contact or write Senator Griffo and/or Assemblyman Blankenbush to urge passage of the proposed legislation, suggesting there may be greater impact through increased contacts.

The resolution was then unanimously adopted.

RESOLUTION No. 306–2011**RESOLUTION AUTHORIZING THE SALE OF CERTAIN
REAL PROPERTY**

Introduced by Legislator Philip Hathway, District No. 1 Representative.

WHEREAS, this Resolution is adopted pursuant to County of Lewis Local Law No. 1-1991; and County Law Section 215, Subdivision 2 and 3; and

WHEREAS, the County is the owner of a certain parcel of land containing approximately 0.1 acre more or less situate in the Town of Diana, County of Lewis and State of New York and is more commonly known as 14344 Pearl Street, Harrisville, NY 13648, (“Property”).

WHEREAS, the County offered the Property for sale upon written bids and has received a single offer to purchase the Property for the purchase price of \$500.00.

WHEREAS, the parcel of land and improvements thereon are not needed for any public purpose; and

WHEREAS, the above referenced offer is deemed to be fair and adequate consideration for said parcel;

NOW, THEREFORE, BE IT RESOLVED as follows:

- Section 1. The Board of Legislators hereby finds and declares that the said County parcel of land is not necessary for public use and therefore desires to grant, sell, convey and transfer the same.
- Section 2. The Board of Legislators hereby authorizes and approves the sale of the Property, commonly known as 14344 Pearl Street, Harrisville, NY 13648, located in the Town of Diana, County of Lewis, and State of New York and is commonly identified by Tax Map No. 013.14-02-06.000 for the sum of Five Hundred Dollars (\$500) to **RUSHTON DOWLING**, of 14342 Pearl Street, Harrisville, NY 13648
- Section 3. The Property is being sold “as is, where is” without any warranty of any nature as to the condition of the real property, or the improvements thereon. Transfer of title shall be by quit claim deed without any warranty of any kind or nature as to the condition of title to the property or the accuracy of any property description, and shall take place as soon as reasonably possible after the execution of a Contract of Sale. Taxes and water assessments, if any, shall be prorated as of the date of closing.

Section 4. That the within conveyance of real property shall not be consummated until such time as the transfer documents are satisfactory to the County Attorney as to form.

Section 5. The Chairman or Vice-Chairman of the Board of Legislators be and the same are hereby authorized to make, execute, seal and deliver any and all contracts, deeds or other papers and documents necessary to complete the transaction.

Section 6. The within Resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator
King, and adopted.

RESOLUTION NO. 307 – 2011

**RESOLUTION TO TRANSFER FUNDS
CIVIL SERVICE**

Introduced by Legislator Jack Bush, Chairman of the Board of Legislators.

WHEREAS, pursuant to Local Law No. 2-2010 the Civil Service Commission has been abolished effective September 1, 2011.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That in accordance with Resolution No. 10-2010 the transfer of the remaining appropriations for the abolished Civil Service Commissioner positions be approved as follows:

From:

A1430.1999 (Personal Serv) Civil Service	\$1,498.00
A1430.8999 (Fringe) Civil Service	114.00

To:

A1010.41999 Contingency	\$1,612.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator

Lucas and adopted.

RESOLUTION NO. 308 - 2011**RESOLUTION TO SET A PUBLIC HEARING TO
OBTAIN COMMUNITY INPUT WITH REFERENCE TO
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION
MICRO-ENTERPRISE PROGRAM**

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

Whereas, the County of Lewis is eligible to apply to the New York State Small Cities Community Development Block Grant (CDBG) Program; and

Whereas, the Board of Legislators wishes to obtain the views of citizens on community economic development prior to the preparation of a CDBG application for an economic development microenterprise program; and

Whereas, the County of Lewis intends to apply for funding to develop a microenterprise grant/loan fund it is important to seek input and comment from citizens regarding this type of program; and

Whereas, the public hearing must be held prior to submission of an application.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby sets a public hearing to solicit the views of County of Lewis citizens, regarding an economic development micro-enterprise program, to be held on Tuesday, October 18, 2011 at 8:30 a.m. in the chambers on second floor of the Court House at 7660 State Street, Lowville, New York.

Section 2. That public notice of the hearing shall be advertised in accordance with law.

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

Moved by Legislator King, seconded by Legislator

Lucas, and adopted.

RESOLUTION NO. 309-2011**RESOLUTION TO AUTHORIZE AGREEMENT
WITH TOSKI, SCHAEFER & CO., P.C.
DEFERRED COMPENSATION PROGRAM**

Introduced by Legislator Paul Stanford, Chairman of the County Officers' Committee.

WHEREAS, the Lewis County Deferred Compensation Plan was instituted in 1990 as a voluntary employee benefit for individual financial savings; and

WHEREAS, the New York State Deferred Compensation Board has newly imposed annual auditing requirements applicable to public employer sponsored deferred compensation plans commencing with 2010; and

WHEREAS, Toski, Schaefer & Co. P.C., being a reputable and qualified auditing firm, has submitted a proposal to conduct the required audit.

NOW, THEREFORE, BE IT RESOLVED as follows,

Section 1. That this Board of Legislators hereby approves the auditing plan outlined in Toski, Schaefer & Co., P.C. letter dated July 28, 2011 to conduct an audit of the Lewis County Deferred Compensation Plan for the year 2010, and report their findings, for an amount of \$4,600.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute the respective engagement letter.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Wallace, and adopted. Citing their objection to another State mandate, Legislators Tabolt and Fanning were opposed.

RESOLUTION NO. 310 – 2011**RESOLUTION TO TRANSFER FUNDS
TRANSPORTATION DEPARTMENT**

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved in the Highway Department Machinery Account for the purchase of a 2011 Chevy Silverado 4WD Ext Cab funded through (HAD) Capital Equipment:

<u>Appropriate:</u>	<u>Amount:</u>
DM50310 (Inter-fund Transfers)	\$23,248.63
DM5130.2233 (vehicles/related equip)	\$23,248.63

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

Moved by Legislator Hathway, seconded by Legislator Fanning,
and adopted.

RESOLUTION NO. 311 – 2011**RESOLUTION TO APPROPRIATE FUNDS
TRANSPORTATION DEPARTMENT**

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the Highway Department Machinery Account, for the purchase of a Gradall through Vantage Equipment, utilizing (HAD) Capital Equipment funds:

<u>Appropriate:</u>	<u>Amount:</u>
DM50310 (Inter-fund Transfers)	\$245,650.00
DM5130.2233 (vehicles/related equip)	\$245,650.00

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

Moved by Legislator Hathway , seconded by Legislator Stanford ,
and adopted.

RESOLUTION NO. 312 - 2011**RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY GENERAL HOSPITAL
BOARD OF MANAGERS**

Introduced by Legislator Michael Tabolt, Chairman of the Hospital Committee.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby appoints **Rae Rice** of 7650 Beach Mill Road, Lowville, New York 13367 to fill the un-expired term of Bethany Yost on the Lewis County General Hospital Board of Managers.

Section 2. That the term of said appointment shall commence October 5, 2011 and expire on December 31, 2012.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Tabolt, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 313 - 2011**RESOLUTION DESIGNATING
LEWIS COUNTY CHAMBER OF COMMERCE AS
TOURIST PROMOTION AGENCY**

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby designates the Lewis County Chamber of Commerce as Tourist Promotion Agency for the County of Lewis in its application for Matching Funds (I Love NY) Program for 2011-2012.

Section 2. That this Board hereby endorses the application of Lewis County Chamber of Commerce, and hereby commits matching funds of the County in the amount of \$35,000.00 in support of the said application.

Section 3. That the Chairman, or Vice-Chairman, of the Lewis County Board of Legislators is hereby authorized to sign any and all necessary papers and documents in connection with said application.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Burke, seconded by Legislator Stanford.

Legislator Hathway took exception, stating the appropriation should be part of the 2012 budget deliberation process, and likewise suggested a 20% reduction.

Atty. Graham explained that the "I Love NY" program is a State fund matching program, whereby the State considers matching appropriations only after receipt of the County's financial commitment. A specific plan for expending the funds must accompany that commitment and is subject to approval by State representatives. The funds are disbursed to the Chamber of Commerce as the tourist promotion agency.

Legislator Fanning relayed that the State did not commit 2009 program matching funds, but the reason was unknown.

Legislator Tabolt made a motion to reduce the appropriation by 20% equating an amount of \$28,000, seconded by Legislator King and carried.

The resolution was unanimously adopted.

RESOLUTION NO. 314 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY AND SIEMENS BUILDING TECHNOLOGIES, INC.**

Introduced by Legislator William Burke, Chairman of the Buildings and Grounds Committee.

WHEREAS, Siemens Building Technologies, Inc. has offered to enter into an agreement with the Lewis County for the purpose of providing maintenance services for Heating, Ventilating, and Air Conditioning (HVAC) for the Public Safety Building for the period of January 1, 2012 through December 31, 2014; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with Siemens Building Technologies, Inc to provide Heating, Ventilating, and Air Conditioning (HVAC) maintenance services for the Public Safety Building for the period of January 1, 2012 through December 31, 2014 at the following cost:

Year 1:	1/1/2012 – 12/31/2012	\$17,075.00
Year 2	1/1/2013 – 12/31/2013	\$17,416.00
Year 3	1/1/2014 – 12/31/2014	\$17,765.00

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator King, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 315 - 2011

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY AND SIEMENS BUILDING TECHNOLOGIES, INC.**

Introduced by Legislator William Burke, Chairman of the Buildings and Grounds Committee.

WHEREAS, Siemens Building Technologies, Inc. has offered to enter into an agreement with the Lewis County for the purpose of providing maintenance services for Heating, Ventilating, and Air Conditioning (HVAC) for the Department of Social Services Building for the period of January 1, 2012 through December 31, 2014; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with Siemens Building Technologies, Inc to provide Heating, Ventilating, and Air Conditioning (HVAC) maintenance services for the Department of Social Services Building for the period of January 1, 2012 through December 31, 2014 at the following cost:

Year 1:	1/1/2012 – 12/31/2012	\$17,430.00
Year 2	1/1/2013 – 12/31/2013	\$17,778.00
Year 3	1/1/2014 – 12/31/2014	\$18,134.00

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Tabolt, seconded by Legislator King, and adopted.

RESOLUTION NO. 316 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND TRANE BUILDING SERVICES**

Introduced by Legislator William Burke, Chairman of the Buildings and Grounds Committee.

WHEREAS, Trane Building Services has offered to enter into an agreement with the County of Lewis for the purpose of providing maintenance services for Heating, Ventilating, and Air Conditioning (HVAC) for the period of January 1, 2012 through December 31, 2014; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with Trane Building Services to provide Heating, Ventilating, and Air Conditioning (HVAC) maintenance services for the period of January 1, 2012 through December 31, 2014 at a cost not to exceed \$30,910.00 per year.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Tabolt, seconded by Legislator Stanford.

Legislator Fanning inquired whether the State Unified Court System reimburses the County for building maintenance costs. Mr. Pendergast reported the State reimburses for maintenance personnel, supplies and equipment, as well as a proportionate share of ancillary service contracts relative to the new court house.

The resolution was then adopted.

RESOLUTION NO. 317 - 2011

**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

WHEREAS, pursuant to Resolution No. 283-2011 adopted on September 6, 2011 the Board authorized temporarily filling a counselor position at Mental Health; and

WHEREAS, due to the fact that temporary positions are not eligible for benefits, thereby, greatly diminishing recruitment efforts.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes Community Services Director Jennifer Earl to permanently fill one full-time Counselor position with any of the four titles authorized by Resolution No. 283-2011, dependent upon recruiting capabilities.

Section 2. That the annual salary for said position shall not exceed \$51,532.

Section 3. That said resolution shall take effect immediately.

Moved by Legislator Fanning, seconded by Legislator Boyd.

Legislator Lucas queried if there were adequate appropriations to cover the additional personnel cost. Legislator Fanning explained there had been no applications received, because there are no benefits attendant to temporary positions.

The resolution was defeated by the following roll call vote of 3 to 7:

YEAS: Fanning, Hathway, Stanford

NAYS: Boyd, Burke, King, Lucas, Tabolt, Wallace, Bush

ABSENT: None

RESOLUTION NO. 318 -2011**RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

WHEREAS, pursuant to Resolution Number 179-2011 adopted on June 7, 2011, the Board authorized temporary filling of the Mental Health Services Director position through December 31, 2011; and

WHEREAS, this position is important to clinic operations.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby makes the Mental Health Services Director position permanent.

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

Moved by Legislator Stanford, seconded by Legislator Fanning.

Legislator Lucas queried if there were adequate appropriations to cover the additional personnel cost. At the request of Legislator Fanning, Director Jennifer Earl stated the position has been vacant since May, adding the clinic cannot operate without a qualified Director.

The resolution was adopted by the following roll call vote of 7 to 3:

YEAS: Boyd, Burke, Fanning, Hathway, King, Stanford, Bush

NAYS: Lucas, Tabolt, Wallace

ABSENT: None

RESOLUTION NO. 319 – 2011

**RESOLUTION TO SUPPORT APPLICATION
FOR CHILD AND FAMILY CLINIC-PLUS FUNDS
MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, the Mental Hygiene Department's Outpatient Clinic has provided services for children and families for several years through State funding for Child and Family Clinic-Plus; and

Whereas, the need continues for early identification of children with mental health problems; and

Whereas, the New York State Office of Mental Health (OMH) is now making funds available to provide early recognition and screening for successful bidders; and

Whereas, OMH will award five-year contracts, for an initial period of one year, with four annual renewals. Selected bidders would receive a maximum of \$120,000 annually per proposal; and

Whereas, the Mental Hygiene Department seeks to submit a proposal to obtain such funds.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby records their support for the Lewis County Mental Hygiene Department's submission of an application to receive Child and Family Clinic-Plus funds, to be utilized for early recognition and screening.

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

Moved by Legislator Fanning, seconded by Legislator

Hathway.

In response to Legislator Lucas, Legislator Fanning stated that current staff would administer the program services. Director Jennifer Earl added the application is for \$70,000 in State Aid, and if approved, the monies would allow respective program continuation.

The resolution was adopted.

RESOLUTION NO. 320 – 2011**RESOLUTION TO TRANSFER FUNDS
MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves a budget transfer from Community Recovery Center contractual appropriations to cover personnel expense:

From:

A4330.4902 CRC Contracted \$14,560.00

To:

A4330.1999 Pers Svcs - Alc \$ 14,560.00

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

Moved by Legislator Fanning, seconded by Legislator

Tabolt, and adopted.

RESOLUTION NO. 321 – 2011

**RESOLUTION TO TRANSFER FUNDS
MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, budget transfers are necessary to cover line item expenses.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators approves the following budget transfers to adjust expenses:

From:

A4335.4909	Misc	\$1,200.00
A4330.4501	Educ and Training	325.00
A4310.4507	Travel	1,000.00
A4310.4401	Postage	1,038.00

To:

A4335.4301	Telephone	\$1,200.00
A4330.4803	Rental & In Lieu of	325.00
A4310.4703	Vehicle Expense	1,000.00
A4310.4603	Repairs & Maintenance	1,038.00

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

Moved by Legislator Tabolt, seconded by Legislator

Boyd, and adopted.

RESOLUTION NO. 322 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO OFFICE FOR THE AGING**

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

Whereas, following review of a job classification questionnaire and additional information, it has been determined that an Account Clerk (Grade 13-\$15.33/hr.) in the Office For the Aging Department is working out-of-title, and a reclassification to Senior Account Clerk (Grade 19-\$15.84/hr.) is hereby recommended.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis to authorize reclassification of the Account Clerk position within the Office For the Aging Department, to the title of Senior Account Clerk.

Section 2. That the Senior Account Clerk reclassification shall take effect October 10, 2011.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator
Boyd, and adopted.

RESOLUTION NO. 323 – 2011

**RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING**

Introduced by Legislator Philip Hathway, Chairman of the Office for the Aging Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the Office for the Aging accounts to support the Transportation/Mobility Manager:

Increase Revenue:

A28011 (Interfund Revenues OFA)	\$25,000.00
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Increase Expense:

A6772.1999(Pers Serv)	\$25,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Lucas , seconded by Legislator Hathway ,

and adopted.

RESOLUTION NO. 324 – 2011**RESOLUTION TO TRANSFER FUNDS
OFFICE FOR THE AGING**

Introduced by Legislator Philip Hathway, Chairman of the Office For
the Aging Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfers be approved in the Office for the Aging
accounts for additional funding from Bus Operations:

<u>From:</u>	Amount
A6772.1999 (Pers Serv)	\$25,000.00
<u>To:</u>	
A6772.4423 (Transportation Employees)	\$ 2,000.00
A6772.4909 (Misc Exp)	\$10,000.00
A6772.4911 (Prof Svc Nutrition)	\$ 8,000.00
A6772.4913 (Prof Svc Respite)	\$ 5,000.00

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

Moved by Legislator Hathway, seconded by Legislator

King, and adopted.

RESOLUTION NO. 325 - 2011**RESOLUTION AUTHORIZING
MEDICAL STAFF BY-LAWS**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency ("Agency") has developed by-laws for the medical staff entitled, "Lewis County Public Health Agency/Diagnostic & Treatment Center – Medical Staff By-Laws;" and

WHEREAS, the Board of Legislators, acting in its capacity as the Board of Health for the County of Lewis wishes to authorize the implementation of said by-laws.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators acting in its capacity as the Board of Health for the County of Lewis hereby authorizes the Lewis County Public Health Agency to issue by-laws for the medical staff entitled, "Lewis County Public Health Agency/Diagnostic & Treatment Center – Medical Staff By-Laws."

Section 2. That Carol Paluck, the Public Health Director, is hereby authorized and directed to take such actions as deemed necessary and appropriate in accordance with such by-laws.

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

Moved by Legislator Fanning, seconded by Legislator King, and adopted.

RESOLUTION NO. 326 - 2011**RESOLUTION APPROVING ADDENDUM TO AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY
AND BIRNIE BUS SERVICE, INC. FOR THE PRESCHOOL SPECIAL
EDUCATION PROGRAM FOR TRANSPORTATION**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency entered into an Agreement with Birnie Bus Service, Inc. ("Contractor") on March 2, 2011, which provides transportation for preschool special education children; and

WHEREAS, the Contractor wishes to make an amendment to the rate schedule in "Exhibit A" with all other terms and conditions of this Agreement to remain the same; and

WHEREAS, the Board of Legislators wishes to accept such amendment; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an amendment to the Agreement between the County of Lewis by and through the Lewis County Public Health Agency and Birnie Bus Service, Inc. to amend to the rate schedule in "Exhibit A" regarding transportation for preschool special education children. The amended rates shall be:

1. Co-Mingle/Cost Share Rate (with Oneida County Pre-K): \$150.00 per day / passenger round trip (rate includes Bus Aide).
2. Stand-Alone Rate/Lewis County being sole payer:
 - a. First Child: \$268.51 per day / passenger round trip (rate includes Bus Aide)
 - b. Additional Children: \$47.50 per day / passenger round trip (rate includes Bus Aide)

Section 2. That all other terms and conditions of said Agreement will remain the same.

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

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

Moved by Legislator Tabolt, seconded by Legislator King, and adopted.

RESOLUTION NO. 327 - 2011

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND
ROGER BURRISS FOR PROVISION OF THE CAPTURE OF
POTENTIALLY RABID CATS**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the County of Lewis, acting by and through the Lewis County Public Health Agency desires to enter into an Agreement with Roger Burriss, Dog Control Officer, to provide the capture of potentially rabid cats owned by Lewis County residents; and

WHEREAS, this is for the term commencing October 1, 2011 through September 30, 2012 at a cost of \$15.00 per hour for capture services but no more than three hours of service time plus travel time to the area where the cat is purported to be, plus mileage traveled to and from the location of the cat; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby authorizes an Agreement between Roger Burriss, Dog Control Officer, and the Lewis County Public Health Agency, to provide the capture of potentially rabid cats owned by Lewis County residents.

Section 2. That this is for a term commencing effective October 1, 2011 and terminating on September 30, 2012 at a cost of \$15.00 per hour for capture services but no more than three hours of service time plus travel time to the area where the cat is purported to be, plus mileage traveled to and from the location of the cat.

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

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

Moved by Legislator Stanford, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 328 - 2011**RESOLUTION AUTHORIZING AN AGREEMENT
BETWEEN FAZZI ASSOCIATES, INC. AND
LEWIS COUNTY PUBLIC HEALTH**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health wishes to enter into an Agreement with Fazzi Associates, Inc. that provides coding and medical record review services for patient assessments; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the Lewis County Public Health Department and Fazzi Associates, Inc. to provide coding and medical record review services for patient assessments commencing September 15, 2011 through September 15, 2012 at a cost not to exceed \$40.00 per patient assessment.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 329 - 2011**RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF
THE COUNTY OF LEWIS AND HEALTH RESEARCH, INC. (HRI)**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency has received a grant award from the Center Disease Control Prevent in the amount of \$34,657.00 for the purpose of a Cancer Services Program; and

WHEREAS, Lewis County Public Health Agency is an eligible provider of these services; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the Lewis County Public Health Agency on behalf of the County of Lewis and Health Research, Inc. for the purpose of a Cancer Services Program for the period beginning June 30, 2011 and ending June 29, 2012 in the amount of \$34,657.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Stanford, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 330–2011**RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH**

Introduced by Legislator Charles Fanning, Chairman of the Public Health
Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfers be approved in the Public Health
accounts to cover line item expenses:

<u>From:</u>	<u>Account</u>	<u>Amount</u>
A4019.4505	Dues/Subscriptions	\$ 1,000.00
A4071.4909	Miscellaneous	\$ 300.00
A4091.4702	Vehicle Lease	\$ 1,750.00
A4091.4804	Nursing Home R&B	<u>\$ 10,000.00</u>
		\$13,050.00
 <u>To:</u>		
A4035.4701	Vehicle Repairs & Maintenance	\$ 1,000.00
A4071.4907	Advertising	\$ 300.00
A4091.4406	Medical Supplies-Billable	\$ 1,000.00
A4091.4407	Office Supplies	\$ 750.00
A4091.4801	Equipment Rental	<u>\$ 10,000.00</u>
		\$ 13,050.00

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

Moved by Legislator Stanford, seconded by Legislator

Burke, and adopted.

RESOLUTION NO. 331 – 2011

**RESOLUTION TO TRANSFER FUNDS
REAL PROPERTY TAX DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Taxation
Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer be approved to increase the
Training account for sufficient funds to pay for a Tax Enforcement/
Mapping course for the Real Property Systems Specialist:

<u>From:</u>	<u>To:</u>	<u>Amount</u>
A1355.4909 (Misc)	A1355.4501 (Training)	\$20.00

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

Moved by Legislator Fanning, seconded by Legislator
Lucas, and adopted.

RESOLUTION NO. 332 - 2011**RESOLUTION INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

WHEREAS, Clause (36) of subparagraph (i) of the opening paragraph of §1210 of the Tax Law, as added by Chapter 47 of the Laws of 2004 and as further amended by Chapter 173 of the Laws of 2009, authorized and empowered the County of Lewis to adopt and amend local laws, ordinances or resolutions imposing an additional three-quarters of one percent ($3/4\%$) rate of sales and compensating use taxes for the period beginning June 1, 2004, and ending November 30, 2011; and

WHEREAS, by Resolution No. 379 – 2009, the Board of Legislators imposed such additional sales and use taxes through November 30, 2011; and

WHEREAS, Clause 36 of subparagraph (i) of the opening paragraph of section 1210 of the Tax Law has been further amended by Chapter 251 of the Laws of 2011 to authorize the County of Lewis to adopt and amend local laws, ordinances or resolutions imposing an additional three-quarters of one percent ($3/4\%$) rate of sales and compensating use taxes for the period beginning December 1, 2011, and ending November 30, 2013; now therefore,

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

SECTION 1. Section 4-A of Resolution No. 112-1981, enacted by the Board of Legislators of the County of Lewis on August 24, 1981, imposing sales and compensating use taxes, as amended, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional three-quarters of one percent rate of such sales and compensating use taxes, for the period beginning June 1, 2004, and ending November 30, 2013. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Paragraph (c) of subdivision (1) of section 11 of Resolution No. 112-1981, enacted by the Board of Legislators of the County of Lewis on August 24, 1981, imposing sales and use taxes, as amended, is amended to read as follows:

(c) With respect to the additional tax of three-quarters of one percent imposed for the period beginning June 1, 2004, and ending November 30, 2013, in respect to the use of property used by the purchaser in this county prior to June 1, 2004.

SECTION 3. This enactment shall take effect December 1, 2011.

Moved by Legislator King, seconded by Legislator Boyd,

and adopted.

RESOLUTION NO. 333 -2011**RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT**

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved for contributions from Northern Federal Credit Union for purchase of DARE T-shirts:

<u>ACCOUNT</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
A27053	Contributions-Sheriff	\$1,000.00
A2989.4999	Misc	\$1,000.00

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

Moved by Legislator Boyd , seconded by Legislator Burke , and adopted.

RESOLUTION NO. 334 -2011**RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT**

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved for contributions from Fortis & Barrett for the Parks & Recreation Program:

<u>ACCOUNT</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
A27053.2	Contributions-Parks & Rec	\$450.00
A3112.4999	Expenditures	\$450.00

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

Moved by Legislator Boyd, seconded by Legislator
Lucas, and adopted.

RESOLUTION NO. 335 - 2011

**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Department of Social Services, to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Senior Account Clerk	Full-time	Grade 19 (\$15.84 - \$18.56)

Section 2. That Commissioner Stacy Alvord is hereby authorized to fill said position effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Hathway.

At the request of Legislator Lucas, Legislator Hathway explained there are two employees that are accountable for entering applicant information attributable for program expenditures of \$4 Million annually. In compliance with procedures, each employee is responsible to enter 50% of applicant information to assure accuracy. One of the long-time employees plans to retire at the end of the year. In consideration of the extensive training required, the committee recommends to authorize a new hire to commence training. The County cost is an additional \$11,084, which would reduce to \$6,600 after all respective State reimbursement is received. Upon retirement of the tenured employee, that position would be abolished, thereby reverting back to two employees.

The resolution was adopted.

RESOLUTION NO. 336 -2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES
AND NYS DEPARTMENT OF LABOR**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby authorizes a Permit Agreement between the County of Lewis, by and through the Department of Social Services, for the purpose of providing office space for the New York State Department of Labor located on the first floor at the Department of Social Services on Outer Stowe Street.

Section 2. That the term of this Agreement shall be from October 1, 2011 through September 30, 2012 at a rate of \$160.13 per month.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Hathway, seconded by Legislator Stanford,
and adopted.

RESOLUTION NO. 337 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
LEWIS COUNTY OFFICE FOR THE AGING**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and Lewis County Office for the Aging for the purpose of providing the Home Energy Assistance Program (HEAP) outreach and certification services to low income residents of Lewis County.

Section 2. That the term of this Agreement shall be from October 1, 2011 through September 30, 2012 at a cost not to exceed \$17,000.00.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Boyd, seconded by Legislator King,
and adopted.

RESOLUTION NO. 338 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
LEWIS COUNTY OPPORTUNITIES, INC.**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and Lewis County Opportunities, Inc. for the purpose of providing non-residential domestic violence response and prevention services.

Section 2. That the term of this Agreement shall be from October 1, 2011 through June 30, 2012 for an amount not to exceed \$4,250.00 in grant funds.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Hathway, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 339 – 2011**RESOLUTION TO TRANSFER FUNDS
SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer from the Capital Equipment account be approved in the Social Services Department for the purchase of three (3) new vehicles through State bid:

<u>Appropriate:</u>	<u>Amount:</u>
A50310 (Inter-fund Transfer)	\$53,218.00
A6010.2233 (Vehicles)	\$53,218.00

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

Moved by Legislator Stanford , seconded by Legislator Boyd ,
and adopted.

RESOLUTION NO. 340 - 2011**RESOLUTION TO DEOBLIGATE FUNDS
WORKFORCE INVESTMENT ACT**

Introduced by Legislator Philip Hathway, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

Section 1. That the following funds be de-obligated per Trade Adjustment Assistance Program New York State Department of Labor Technical Advisory LWIA #65 Fiscal Year 2010 (FY10):

<u>Trade Adjustment Assistance (TAA) Expense</u>	
CD6293.4999	\$ 182.55

<u>WIA Revenue</u>	
CD47910	\$ 182.55

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

Moved by Legislator Hathway, seconded by Legislator

Boyd, and adopted.

RESOLUTION NO. 341 - 2011**RESOLUTION AUTHORIZING VEHICLE PURCHASE
FIRE AND EMERGENCY MANAGEMENT**

Introduced by Legislator John Boyd, Chairman of the Courts and Law
Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes Fire and Emergency
Management Director James Martin to purchase a 2011 Chevrolet Van through State bid
from Hoselton Auto Mall of Rochester, New York, for an amount of \$19,930.17.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator

Burke.

Legislator Boyd made a motion to amend Section 1, to authorize Director of
Weights and Measures Barbara Cooper to purchase the vehicle, seconded by Legislator
Hathway.

In response to Legislator Tabolt, Chairman Bush stated that the cost of a new
vehicle at State bid price is lower than for a used vehicle from a random vendor.
Legislator Lucas cited the compartments that allow easier access and lifting capabilities
of the various weights and equipment required for transport, and also eases the lifting
requirements for the Director.

The resolution was then adopted. Legislator Tabolt was opposed.

RESOLUTION NO. 343 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND
MOUNTAIN VIEW PREVENTION SERVICES, INC.**

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators

WHEREAS, Vehicle & Traffic Law § 1197 authorizes the development of a program to coordinate the efforts of interested parties and agencies in the formulation and execution of alcohol traffic safety programs including enforcement, adjudication, rehabilitation and education; and

WHEREAS, Vehicle & Traffic Law § 1197 further authorizes the Chairman of the Board of Legislators to designate the DWI Coordinator, who may be paid such compensation as may be authorized by the Board of Legislators and who may serve at the pleasure of the governing board or officer,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Board hereby designates and appoints MOUNTAIN VIEW PREVENTION SERVICES, INC., to serve as the DWI Coordinator for Lewis County, commencing October 1, 2011 through September 31, 2012.

Section 2. That this Board of Legislators hereby approves an agreement between the County of Lewis and Mountain View Prevention Services, Inc. ("MVPS"), pursuant to which MVPS shall provide DWI Coordinator services consistent with Vehicle & Traffic Law § 1197 for the term herein at an annual cost of \$8,000.

Section 3. That the Chairman, or the Vice-Chairman, of the Board of Legislators be and the same is hereby authorized to make, execute, seal and deliver such Agreement upon such form as may be approved by the County Attorney.

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

Moved by Legislator Burke, seconded by Legislator Boyd.

In response to Legislator Lucas, Mr. Pendergast explained that the STOP DWI Coordinator had resigned in July 2010; and the chosen successor candidate was disqualified by the State Indigent Office because she is employed by the State Court System.

Mountain View Prevention cites the similarities of the program services with their mission, and would utilize qualified current staff to perform the duties. The program is financed through court ordered fines. The County apportionment supports a Probation Officer, prosecution personnel, DWI patrol, and prevention outreach in the schools and throughout the County.

Mr. Pendergast estimated program revenues of \$87,000 would terminate unless program personnel are designated.

Legislator Fanning made a motion to reduce the contract amount by 20% for a total of \$6,400.00, seconded by Legislator Boyd and carried. Legislators Burke and Hathway were opposed.

The resolution was then adopted by a vote of 8 to 2. Legislators Burke and Hathway were opposed.

RESOLUTION NO. 344 - 2011**RESOLUTION CALLING THE STATE LEGISLATURE TO ACTION**

Introduced by Legislator Jack T. Bush, Chairman of the Lewis County Board of Legislators.

WHEREAS, the Lewis County Board of Legislators ("Board of Legislators") contemporaneously herewith adopted Resolution No. 305- 2011, in support of Senate Bill S5889-B (A8644) which provides for the gradual assumption of the local share of Medicaid costs by the State; and

WHEREAS, the proposed Bill No. S5889-B (A8644) is but one step towards the State Legislature providing relief to local property tax payers who are already overburdened by the cost of a seeming endless array of State mandates that are imposed upon local governments and that are either unfunded or underfunded; and

WHEREAS, in light of the recently enacted 2% property tax cap, counties cannot continue to meet these unfunded and underfunded mandates without slashing essential local services such as those to seniors and veterans, public health, mental hygiene, law enforcement, parks and road maintenance, and

WHEREAS, the persons who will be most affected by such budget cuts includes our senior citizens who have faithfully paid their taxes for a generation; our veterans who have willingly volunteered to defend this country at great risk and sacrifice; the physically and mentally disabled; and indeed, all of our local citizens who expect to receive basic services (such as law enforcement) in return for their tax dollar;

WHEREAS, this Board of Legislators, along with the other counties throughout the State are presently in the midst of preparing their 2012 budgets and making the extremely difficult decisions in balancing the need for local services to their constituents against the increasing costs of the unfunded and underfunded mandates; and

WHEREAS, in the meantime, both houses of the State Legislature are in recess with no apparent plans to re-convene until January 2012, thus preventing the State Legislature from considering let alone acting on any further measures to relieve the counties from the crushing economic impact of unfunded and underfunded mandates; and

WHEREAS, the conspicuous absence of the State Legislature at this time, shows a callous indifference to the plight of the local tax payer whom they represent;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. **That the Lewis County Board of Legislators again urges the State Legislature in the strongest possible terms to return to session immediately and to seriously address the unfunded and underfunded mandates whose costs are strapping the counties throughout New York State.**

Section 2. That the Clerk is hereby directed to forward a certified copy of this resolution to New York Governor Andrew M. Cuomo, New York State Senator Joseph Griffo and Assemblyman Kenneth Blankenbush.

Moved by Legislator Fanning, seconded by the entire Board, and unanimously adopted.

OTHER BUSINESS:

Teresa Clark, Clerk of the Board, read the proclamation signed by Chairman Bush to declare the month of October as "Breast Cancer Awareness Month".

Legislator King made a motion to enter executive session at 6:59 p.m. for an update from Director of Human Resources Timothy Ryan on specific personnel issues. The motion was seconded by Legislator Wallace and carried. Following the session, Legislator King moved to re-enter regular session at 7:29 p.m., seconded by Legislator Fanning and carried.

There being no other business to come before the Board, Legislator Fanning made a motion to adjourn, seconded by Legislator Wallace and carried.

SPECIAL MEETING
October 17, 2011

The meeting was called to order at 8:33 a.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present, except Legislator Tabolt whom had been excused.

The Invocation was offered by Chairman Bush, followed by the Pledge of Allegiance to the Flag.

There were 3 persons present.

The Rules and Legislation Committee had met and recommended waiving the rules to allow action on late resolutions.

Richard C. Lucas, Chairman
William J. Burke
Patrick Wallace

Dated: October 17, 2011

Legislator Lucas made a motion to waive the rules, seconded by Legislator Stanford and carried.

Legislator Fanning made a motion to enter executive session at 8:34 a.m. for an update from County Attorney Richard Graham on union negotiations, seconded by Legislator Boyd and carried.

After the session, Legislator King moved to re-enter regular session at 9:12 a.m., seconded by Legislator Boyd and carried.

RESOLUTIONS:

In reference to Resolution No. 345-2011 to extend the additional three-quarters of one percent sales tax until November 30, 2013, Legislator Hathway inquired whether it would preclude the Board from requesting an increase in the sales tax rate. Attorney Graham affirmed that the Board could request Home Rule Legislation at any time.

RESOLUTION NO. 345 - 2011**RESOLUTION INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

WHEREAS, Clause (36) of subparagraph (i) of the opening paragraph of §1210 of the Tax Law, as added by Chapter 47 of the Laws of 2004 and as further amended by Chapter 173 of the Laws of 2009, authorized and empowered the County of Lewis to adopt and amend local laws, ordinances or resolutions imposing an additional three-quarters of one percent ($3/4\%$) rate of sales and compensating use taxes for the period beginning June 1, 2004, and ending November 30, 2011; and

WHEREAS, by Resolution No. 379 – 2009, the Board of Legislators imposed such additional sales and use taxes through November 30, 2011; and

WHEREAS, Clause 36 of subparagraph (i) of the opening paragraph of section 1210 of the Tax Law has been further amended by Chapter 251 of the Laws of 2011 to authorize the County of Lewis to adopt and amend local laws, ordinances or resolutions imposing an additional three-quarters of one percent ($3/4\%$) rate of sales and compensating use taxes for the period beginning December 1, 2011, and ending November 30, 2013; now therefore,

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

SECTION 1. Section 4-A of Resolution No. 112-1981, enacted by the Board of Legislators of the County of Lewis on August 24, 1981, imposing sales and compensating use taxes, as amended, is amended to read as follows:

SECTION 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional three-quarters of one percent rate of such sales and compensating use taxes, for the period beginning June 1, 2004, and ending November 30, 2013. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

SECTION 2. Paragraph (c) of subdivision (1) of section 11 of Resolution No. 112-1981, enacted by the Board of Legislators of the County of Lewis on August 24, 1981, imposing sales and use taxes, as amended, is amended to read as follows:

(c) With respect to the additional tax of three-quarters of one percent imposed for the period beginning June 1, 2004, and ending November 30, 2013, in respect to the use of property used by the purchaser in this county prior to June 1, 2004.

SECTION 3. This enactment shall take effect December 1, 2011.

Moved by Legislator Lucas, seconded by Legislator Stanford,
and adopted.

RESOLUTION NO. 346 – 2011**RESOLUTION AUTHORIZING AND RATIFYING
CONTRACT BETWEEN THE COUNTY OF LEWIS AND THE LEWIS
COUNTY UNIT OF THE LEWIS LOCAL 825 OF THE CIVIL SERVICE
EMPLOYEES ASSOCIATION, INC.**

Introduced by Legislator Paul Stanford, Chairman of the County Officers and Employees Committee.

WHEREAS, the negotiating teams representing the County of Lewis and the local Civil Service Employee's Association, have developed a Tentative Agreement dated March 31, 2011.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the agreement as developed by the negotiating teams.

Section 2. That upon ratification of said agreement by the Civil Service Employee's Association, the Chairman, the Vice-Chairman, of the Board of Legislators be and the same is hereby authorized to make, execute, seal and deliver a contract between the County of Lewis and the Civil Service Employee's Association for the period January 1, 2010 through December 31, 2013.

Section 3. That a copy of the final executed agreement be filed in the Office of the Clerk of the Board of Legislators; and that the County Treasurer produce copies of such contract for distribution to employees and departments.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Boyd and defeated by the following roll call vote:

YEAS: Boyd and Stanford.

NAYS: Burke, Fanning, Hathway, King, Lucas, Wallace and Bush.

ABSENT: Tabolt.

OTHER BUSINESS:

There being no other business to come before the Board, Legislator Fanning made a motion to adjourn at 9:19 a.m., seconded by Legislator Boyd and carried.

**ANNUAL SESSION
FIRST DAY
November 1, 2011**

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 17 persons present.

Chairman Bush announced approval of the October 4 and October 17, 2011 meeting minutes.

The Rules and Legislation Committee had met and recommends to waive the rules to allow action on late resolutions.

Richard C. Lucas, Chairman
William J. Burke
Patrick Wallace

Dated: November 1, 2011

Legislator Tabolt made a motion to waive the rules as recommended, seconded by Legislator Burke and carried.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Lewis County Ethics Board submitted their written determination and recommendation dated 10/24/11, that based upon the 5/26/11 sworn complaint of Mr. John Gehrlein, alleging that Legislator Richard Lucas had violated the Lewis County Ethics Law, and their subsequent investigation, there was no violation of said law.

John S. Parker, Elizabeth A. Woods and Carolyn Y. Virkler, the comprised Ethics Board, therefore, recommends the Complaint be dismissed, and that no further action be taken by the Board of Legislators.

The Lewis County Public Health, Community Home Health Agency and Hospice nurses, penned their concerns with the impending agency transfer to the Lewis County General Hospital. Specifically, citing the disparities for work hours, wages and benefits between the Hospital and County C.S.E.A. union contracts.

The Highway Superintendents Association of Lewis County submitted a letter urging the Board not to make such deep cuts in the Highway Department personnel, citing the safety of the traveling public.

The Cattaraugus County Legislature forwarded a copy of their resolution in support of State Legislation regarding free hunting, fishing and trapping licenses to New York State residents who are active duty members of the United States Armed Services.

The Fulton County Legislature forwarded a copy of their resolution to urge adoption of State Legislation that would implement a multi-year State takeover of the local share of Medicaid.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Copies of the 10/20/11 Solid Waste Audit Report; 10/24/11 Highway Audit Report; Treasurer's October Report; had been distributed to each Legislator.

The following report was submitted by the Taxation Committee for apportionment of mortgage tax:

APPORTIONMENT OF MORTGAGE TAX
April 1, 2011 through September 30, 2011

	<u>KEY</u>	<u>VALUATION</u>	<u>AMOUNT</u>
Town of Croghan		191,343,972	\$21,628.98
Village of Croghan	.023559504	9,015,938	<u>521.86</u>
			\$22,150.84
Town of Denmark		133,994,283	\$18,168.30
Village of Castorland	.037660902	10,092,691	786.79
Village of Copenhagen	.092685025	24,838,527	<u>1,936.32</u>
			\$20,891.41
Town of Diana		146,939,764	\$10,022.44
Village of Harrisville	.054165192	15,918,041	<u>573.96</u>
			\$10,596.40
Town of Greig		201,363,130	\$ 6,397.50
Town of Harrisburg		31,635,800	\$ 3,637.99
Town of Lewis		56,790,505	\$ 4,766.01
Town of Leyden		77,755,006	\$ 5,797.52
Village of Port Leyden	.060053175	9,338,870	<u>370.40</u>
			\$ 6,167.92
Town of Lowville		213,121,764	\$19,947.47
Village of Lowville	.323428108	137,859,138	<u>9,535.68</u>
			\$29,483.15
Town of Lyonsdale		79,619,651	\$ 7,629.89
Village of Lyons Falls	.016500675	2,627,556	131.67
Village of Port Leyden	.027331500	4,352,249	<u>218.10</u>
			\$ 7,979.66
Town of Martinsburg		61,673,441	\$ 5,496.73
Town of Montague		34,167,920	\$ 1,772.66
Town of New Bremen		140,436,225	\$19,279.94
Village of Croghan	.033600711	9,437,514	<u>670.34</u>
			\$19,950.28

Town of Osceola		40,226,020	\$ 1,631.98
Town of Pinckney		33,601,414	\$ 2,282.76
Town of Turin		52,108,680	\$ 4,194.32
Village of Turin	.075911681	7,911,315	<u>344.55</u>
			\$ 4,538.87
Town of Watson		166,695,502	\$15,372.66
Town of West Turin		124,863,931	\$ 6,393.02
Village of Constableville	.044069256	11,005,321	330.41
Village of Lyons Falls	.103248467	25,784,019	<u>774.11</u>
			\$ 7,497.54
		GRAND TOTAL	<u>\$170,614.36</u>
To County of Lewis			<u>\$85,307.25</u>

Jerry King, Chairman
 Patrick Wallace
 Paul Stanford
 Taxation Committee

Dated: November 1, 2011

WARRANT

TO: The Treasurer of the County of Lewis

You are hereby notified by the Board of Legislators of Lewis County that the sum of \$170,614.36 from the tax on mortgages from April 1, 2011 through September 30, 2011 has been apportioned to the Tax Districts entitled to same and, you are hereby directed to pay the respective Supervisors the amount due to the towns, to their Village Treasurers the amount due the villages, and to the County of Lewis the amount stated, according to the foregoing schedule, pursuant to the provisions of Section 261 of the Tax Law.

Given under the hands of the Chairman and the Clerk of the Board of Legislators of Lewis County and the seal of the Board of Legislators being hereto affixed the 1st day of November 2011.



Jack T. Bush, Chairman



Teresa K. Clark, Clerk of the Board

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services/Office For Aging Committee Chairman, reported reviewing 2012 budget proposals for both departments. Senior account clerk Brenda Hirschey and Support Examiner Linda Zehr, whom have each announced their impending retirement, gave an overview of the Child Support Unit. Through the efforts of Unit personnel, there were child support collections of \$4 million from non-custodial parents.

Legislator Michael Tabolt, Hospital Committee Chairman, reported a September gain of \$11,090 which equates a year-to-date deficit of \$404,007, partially attributable to less than estimated outpatient visits and acute admissions. The employee-of-the-month was JoEllen Myers, an RCNA that works in the Rehabilitation Department. Development of the dialysis unit is in the design phase, with anticipated date for advertising construction bids on 3/15/2012.

Legislator Tabolt relayed his initiative to work through the New York State Association of Counties (NYSAC) for efforts to compel the State to provide mandate relief. All counties are giving up services they have developed and provided throughout history. He has talked with many other County officials during the past ten days, some of whom indicate they are prepared to have a stand-off with the State. There would be more influence if Counties band together for a common goal.

Legislator Tabolt suggested a teleconference with the President of the Association of County Legislative Chairs to discern and define their support, adding that the President had agreed to electronically notify all County Chairs for participation. He suggests a specific plan of refusal to cooperate with any additional State mandates, assuming the greater influence if the majority of Counties were in support and prepared to act simultaneously

Legislator Tabolt made a motion to create a Special Committee to work through NYSAC, seconded by Legislator King.

Legislator Tabolt imparted the Governor's opposition to the State Takeover of Medicaid, citing inadequate State funding. The Association of County Legislative Chairs will be forwarding a letter, addressed to the Governor that demands mandate relief, to every County Legislative Board member in the State, requesting their signature and submission to the Governor. However, Legislator Tabolt wants to define an ultimatum action by County Boards if the Governor ignores our collective plea.

The motion was unanimously carried; and all Legislators wished to be included on the special committee. Legislator Tabolt stated he would make proper notification for proposed initiatives.

Legislator Charles Fanning, Public Health Committee Chairman, reported that October was National Hospice Month. Also, more than 100 persons had participated in the recent drive-thru flu vaccination clinic held at Top's Plaza.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, announced a meeting was scheduled for November 2nd in this Board Room at 4 p.m. for an update from the consultants on the Radio Survey. They will provide information on existing radio coverage areas, as well as additional coverage needed, site selections and terrain impacts.

Legislator Patrick Wallace, Transportation/Solid Waste Committee Chairman, reported the Highway Department has completed all FEMA covered repairs from the storm damage, except the Herman Bush Road Bridge in the Town of Lyonsdale. The cost of repairs totaled \$621,087.12, of which FEMA will reimburse \$567,981.52. However, the State is considering paying the County's \$53,105.60 share.

Legislator Richard Lucas, Economic Development Committee Chairman, reported good attendance at the recently held second annual Economic Development Conference. There were good ideas and recommendations. In response to there being no County small business loan program, he urged approval of the proposed CDBG \$200,000 application, that would be available for prospective small business ventures.

Legislator Lucas relayed two recurring statements heard at the budget public forums, for less welfare assistance and more tourism. "They want more cuts", added Legislator Hathway.

Legislator William Burke, Buildings and Grounds Committee Chairman, reported the maintenance equipment has been serviced and readied for winter; and the new vent pipe will be installed at the public safety building. The fire tower site was cleaned up and fabric and stone were placed around the building. He concluded that Supervisor of Buildings and Grounds Frank Archer and his personnel are very busy.

COUNTY MANAGER REPORT:

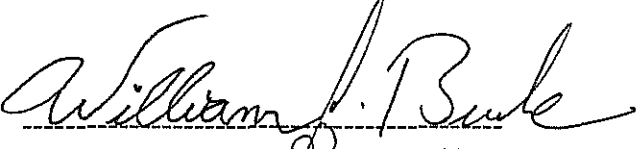
Mr. Pendergast thanked the Board for their attendance and participation at the recently held budget public forums at five locations around the County.

REPORT OF THE WAYS AND MEANS COMMITTEE:

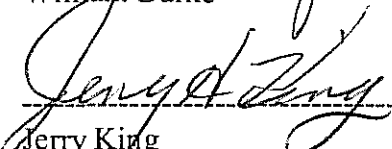
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

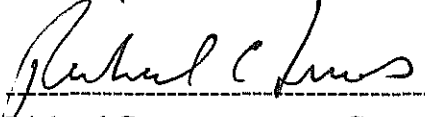
The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,055,801.21 and recommend that they be audited and allowed for the amounts claimed.



William Burke Chair



Jerry King



Richard C. Lucas Committee

Dated: November 01, 2011

Approved on motion by Legislator Tabolt, seconded by
Legislator Lucas, and carried.

RESOLUTION NO. 347-2011

AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways
and Means Committee.

RESOLVED that the claims presented for payment in the total amount of
\$ 1,055,801.22 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 Tabolt, seconded by
Legislator Stanford and adopted by roll call vote:
All voted yea.

RESOLUTION NO. 348 - 2011**RESOLUTION AUTHORIZING RENEWAL PERIOD FOR
AGREEMENT BETWEEN THE COUNTY OF LEWIS AND
THE UNIFIED COURT SYSTEM**

Introduced by Legislator William Burke, Chairman of the Buildings and Grounds Committee.

WHEREAS, the County of Lewis and the Unified Court System, Fifth Judicial District, have an existing contract with a five year term and wish to establish a renewal period for the purpose of providing cleaning services and minor repairs for the period of April 1, 2011 through March 31, 2012; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the renewal period of the contract between the County of Lewis and the Unified Court System, Fifth Judicial District, for the provision of cleaning services and minor repairs for the period of April 1, 2011 through March 31, 2012 at a cost not to exceed \$168,020.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator King, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 349 – 2011

**RESOLUTION TO TRANSFER FUNDS
BUILDINGS AND GROUNDS**

Introduced by Legislator William Burke, Chairman of the Buildings & Grounds

Committee:

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved in the Buildings and Grounds accounts, to cover gas and oil expense:

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
A1621.4304 (Natural Gas)	A1620.4703 (Vehicle-Gas & Oil)	\$1,500.00

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

Moved by Legislator Stanford, seconded by Legislator Burke,
and adopted.

RESOLUTION NO. 350 -2011**AUTHORIZING APPLICATION FOR 2011 SMALL CITIES
COMMUNITY DEVELOPMENT BLOCK GRANT**

Introduced by Legislator Richard Lucas, Chairman of Economic Development Committee.

WHEREAS, the Board of Legislators has heretofore duly advertised and held public hearings on the 21st day of December 2010 and the 18th day of October 2011 and has considered the comments presented regarding priority community development needs.

NOW, THEREFORE BE IT RESOLVED, that

Section 1. The Board of Legislators hereby authorizes the filing of a 2011 Small Cities Community Development Block Grant (CDBG) Application to secure funding to provide assistance to microenterprises who employ low and moderate income households within Lewis County in an amount not to exceed \$200,000 and other such related activities as may be determined; and

Section 2. That the Chairman, or the Vice-Chairman, of the Board of Legislators, be and the same is hereby is authorized to make, execute, seal and deliver such applications, documents or writing as may be necessary to carry out the terms of this Resolution.

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

Moved by Legislator Hathway, seconded by Legislator King,

and adopted.

RESOLUTION NO. 351 - 2011**RESOLUTION APPOINTING MEMBER TO
DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY**

Introduced by Legislator Jack Bush, Chairman of the Board of Legislators.

WHEREAS, the term of Richard C. Lucas as a member of the Development Authority of the North Country will expire on December 3, 2011; and

WHEREAS, the Board wishes to re-appoint him to serve in that capacity.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby re-appoints **Richard C. Lucas**, of 8622 Whitesville Road, Copenhagen, New York 13626, as a member of the Development Authority of the North Country.

Section 2. That the term of said appointment shall be effective from December 3, 2011 through December 3, 2015.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 352 – 2011**RESOLUTION TO TRANSFER FUNDS
DISTRICT ATTORNEY**

Introduced by Legislator Jack Bush, Chairman of the Board of Legislators.

BE IT RESOLVED, as follows:

Section 1. That pursuant to Resolution #10-2010 adopted January 5, 2010 the position of Clerk (part-time) in the District Attorney's office is hereby abolished, due to the resignation of Archana Nayak; and the following transfers are approved:

<u>From:</u>	<u>Amount</u>
A1650.1999 (Personal Serv) DA	\$1,889.00
A1650.8999 (Fringe) DA	144.00

<u>To:</u>	
A1010.4199 (Special Contingency)	\$2,033.00

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

Moved by Legislator Boyd, seconded by Legislator

Wallace, and adopted.

RESOLUTION NO. 353– 2011**RESOLUTION AUTHORIZING AGREEMENT WITH THE LEWIS
COUNTY DEVELOPMENT CORP. IN CONNECTION WITH
FEASIBILITY STUDY FOR THE CROGHAN DAM**

Introduced by Legislator Rick Lucas, Chairman, Economic Development
Committee

WHEREAS, Section 224 of the County Law authorizes the County of Lewis (the “County”) to promote and publicize the economic advantages of the County and the region, and enter into contracts to accomplish such purposes; and

WHEREAS, the Lewis County Development Corp. (“LCDC”) is a duly organized domestic, not-for-profit, local development corporation established and operating pursuant to § 1411 of the New York State Not-for-Profit Corporation Law (“N-PCL”), for the statutory purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities, and lessening the burdens of government and acting in the public interest, and that in carrying out said purposes and in exercising the powers conferred by statute such corporation will be performing an essential governmental function; and

WHEREAS, in the performance of such statutory purposes, LCDC is empowered to furnish advice, technical assistance and liaison with federal, state and local authorities with respect thereto, to acquire by purchase, lease, gift, bequest, devise or otherwise real or personal property or interests therein, to borrow money and to issue negotiable bonds, notes and other obligations therefore; and

WHEREAS, the LCDC was specifically formed for the purpose of utilizing and creating assets for economic and community development and to identify, research, fund, develop and manage projects, programs, and businesses that increase economic opportunities for Lewis County and its residents, in order to achieve a common goal of increasing the quality of life for all people in Lewis County; and

WHEREAS, the Croghan Dam, located in the Village of Croghan presently serves as a source of hydrological energy for one local business and has the potential as an energy source for additional commercial businesses locally and throughout the region, and in addition serves to regulate water for numerous commercial and residential properties both upstream and downstream; and

WHEREAS, the Croghan Dam has been and remains in a serious state of disrepair and is at risk of catastrophic breach which would have a significant negative impact on the economy of the region; and

WHEREAS, prior to taking any steps to rehabilitate the Croghan Dam, it is necessary and prudent to conduct an engineering feasibility study to investigate and

evaluate the condition of the dam and its foundations and the LCDC has presented to the County a proposal to cause such study to be performed at an estimated cost of \$150,000.00; and

WHEREAS, the LCDC has proposed that Lewis County assist with the cost of the such engineering study in the amount of \$10,000, with the understanding that the LCDC will seek out additional public and private funding sources as deemed necessary in order to fully pay for such study; and

NOW THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators has identified both the entering into an Economic Development Services Agreement and the Services to be performed as "Type II" Actions pursuant to the State Environmental Quality Review Act ("SEQRA") and regulations promulgated pursuant thereto at 6 NYCRR Part 617.5(c) whereby the Services provided by LCDC entail conducting concurring environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, which will not commit the LCDC to commence, engage in or approve the acquisition of a particular facility or project. Therefore, no further SEQRA review is necessary at this time.

Section 2. That the Board of Legislators hereby authorizes an Economic Development Services Agreement with the Lewis County Development Corp. in an amount not to exceed \$10,000.00, for the purpose of obtaining an engineering feasibility study of the Croghan Dam to determine the necessity and scope of future rehabilitation work on the dam.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Economic Development Services Agreement, upon such form as approved by the County Attorney.

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

Moved by Legislator Boyd, seconded by Legislator Tabolt, and adopted.

RESOLUTION NO. 354 – 2011**RESOLUTION TO APPROPRIATE FUNDS
BOARD OF ELECTIONS**

Introduced by Legislator Jerry King, Chairman of the Elections Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the Board of Elections Department to cover the purchase of a computer printer, utilizing (HAE) Capital Data Processing funds:

<u>Appropriate:</u>	<u>Amount:</u>
A50310 (Inter-fund Transfer)	\$ 767.67
A1450.4909 (Misc)	\$ 767.67

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

Moved by Legislator Fanning , seconded by Legislator Tabolt ,
and adopted.

RESOLUTION NO. 355 – 2011**RESOLUTION TO APPROPRIATE FUNDS
TRANSPORTATION DEPARTMENT**

Introduced by Legislator Patrick Wallace, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the Highway Dept

Account for FEMA Project reimbursement:

Increase Revenue:

D47850 (Disaster Assistance CFDA #83.516)	\$170,522.00
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Increase Expense:

D5110.495110 (Maint Material)	\$170,522.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator King,

and adopted.

RESOLUTION NO. 356 - 2011

**RESOLUTION AMENDING COMPENSATION PLAN
LEWIS COUNTY GENERAL HOSPITAL**

Introduced by Legislator Michael Tabolt, Chairman of the Hospital Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Lewis County General Hospital, to create the following positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Respiratory Therapist (3)	Full-time	\$20.65 - \$26.71
Groundskeeper	Part-time	\$11.99 -\$15.44
Clinical Coordinator	Full-time	Not to Exceed \$72,995.00

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

Moved by Legislator Tabolt, seconded by Legislator Boyd,

Legislator Tabolt explained that one therapist would replace a senior therapist resulting in savings, and the others will respond to the demand for services in the sleep lab. The two-bed lab will be increased to four. A full-time groundskeeper will revert to part-time, so the new part-time groundskeeper results in essentially same level of service. The clinical coordinator requires a nurse degree and is needed to oversee the expansion of electronic medical records. Human Resources Director Timothy Ryan stated that this position will result in increased revenue.

The resolution was then adopted.

RESOLUTION NO. 357 – 2011**RESOLUTION TO TRANSFER FUNDS
MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved in the Mental Health accounts, to cover vehicle expenses.

<u>From:</u>	<u>To:</u>	<u>Amount</u>
A4310.4301 (Telephone)	A4310.4703 (Vehicle Expense)	\$1,200.00

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

Moved by Legislator Fanning, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 358 - 2011

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
OFFICE FOR THE AGING AND FOUR MEAL SITE FACILITIES**

Introduced by Legislator Philip Hathway, Chairman of the Office For The Aging Committee.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the following four (4) lease agreements for the term of one year commencing on January 1, 2012 and terminating on December 31, 2012.

<u>MEAL SITE RENTAL FACILITY</u>	<u>AMOUNT</u>
Croghan Housing Authority	\$0.00 per month
Harris Courts, Inc.	\$100.00 per month
Maple Ridge Center	\$1,000.00 per month
United Church of Copenhagen	\$100.00 per month

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Boyd, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 359 - 2011**RESOLUTION AUTHORIZING AGREEMENTS WITH
FREDERICK J. MCMANUS AND THERESA J. SULLIVAN
FOR NUTRITION PROGRAM SENIOR MEALS**

Introduced by Legislator Philip Hathway, Chairman of the Office For Aging Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes Agreements between the County of Lewis, by and through the Office For the Aging Department, and the following providers, for the purpose of providing senior meals at their respective sites for the Nutrition Senior Meals Program:

<u>CONTRACTOR</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
Frederick J. McManus (McManus Hotel)	Senior Meals	2012 - \$7.10/meal
		2013 - \$7.15/meal
		2014 - \$7.20/meal
Theresa J. Sullivan (Osceola Outpost)	Senior Meals	2012 - \$7.20/meal
		2013 - \$7.35/meal
		2014 - \$7.50/meal

Section 2. That the term of said Agreements shall be from January 1, 2012 through December 31, 2014.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreements.

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

Moved by Legislator Hathway seconded by Legislator Lucas,
and adopted.

RESOLUTION NO. 360 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY OFFICE FOR THE AGING AND DINA LAWSON**

Introduced by Legislator Philip Hathway, Chairman of the Office for the Aging Committee.

WHEREAS, the Lewis County Office for the Aging operates a Senior Nutrition Program pursuant to which nutritious meals are provided to senior citizens and their guests; and

WHEREAS, the Lewis County Office for the Aging has reviewed the Agreement with Dina Lawson for the purpose of providing nutrition services and to develop teaching and operational protocols to address relevant nutritional issues by a Registered Dietician; and

WHEREAS, Lewis County Office for the Aging desires that Dina Lawson work on a part time basis, with a maximum of fifteen (15) hours of service per week to provide said services.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Agreement between the County of Lewis, acting by and through the Lewis County Office for the Aging, to enter into an Agreement with Dina Lawson, Registered Dietician, to provide nutrition services and educational services regarding nutritional issues, on a part-time basis, with a maximum of fifteen (15) hours of service per week.

Section 2. That the term of this service shall be from January 1, 2012 through December 31, 2013 at a cost not to exceed \$33.00 per hour for 2012 and 2013, and shall not exceed 750 hours per calendar year.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Hathway, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 361 – 2011**RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR AGING**

Introduced by Legislator Philip Hathway, Chairman of the Office For the Aging Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriations be approved in the Office For Aging account for a contribution from Pratt-Northam Foundation to support the annual “Meet the Services that Make Your Community” event:

Increase Revenue:

A27051 (Contribution-OFA)	\$500.00
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Increase Expense:

A6772.4919 (other)	\$500.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator

Burke, and adopted.

RESOLUTION NO. 362 - 2011**RESOLUTION AUTHORIZING AGREEMENT WITH
NYS DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES
PROBATION ELIGIBILITY DIVERSION PROGRAM**

Introduced by Legislator John Boyd, Chairman of the Courts and Law
Enforcement Committee.

WHEREAS, the Lewis County Probation Department has received a grant
award for a Probation Eligibility Diversion Program through the NYS Division of
Probation and Correctional Alternatives, in the amount of \$10,444.00.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between
the New York State Division of Probation and Correctional Alternatives, by and through
the Lewis County Probation Department, in the amount of \$10,444.00, for a Probation
Eligible Diversion Program.

Section 2. That the term of said Agreement shall be from January 1, 2011 through
December 31, 2011.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is
hereby authorized to execute and deliver said Agreement.

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

Moved by Legislator Boyd seconded by Legislator King,
and adopted.

RESOLUTION NO. 363- 2011**RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY
AND FIDELIS CARE NEW YORK**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the New York State Catholic Health Plan Inc., doing business as Fidelis Care New York ("Plan"), and the Lewis County Public Health Agency ("Public Health") entered into an Agreement dated March 29, 2010 whereby Public Health provided health services; and

WHEREAS, Public Health currently participates in the Plan's prepaid health services plan and they wish to amend certain sections of said Agreement to include the Managed Long Term Care Program; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an amendment to the Agreement between the New York State Catholic Health Plan Inc., doing business as Fidelis Care New York and the Lewis County Public Health Agency for the purpose of amending certain sections of Agreement to include the Managed Long Term Care Program as set forth in Schedule 1.14B of Agreement.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Fanning, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 364 – 2011**RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH**

Introduced by Legislator Charles Fanning, Chairman of the Public Health
Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfers be approve in the Public Health
accounts to cover line item expenditures:

<u>From:</u>	<u>Account:</u>	<u>Amount:</u>
A4010.4903	Insurance	\$ 2,500.00
A4015.4908	Respite	500.00
A4015.4900	Outside Therapy Services	2,500.00
A4035.4900	Outside Contractor	1,500.00
A4092.4901	Professional Services	10,000.00
A4092.4909	Miscellaneous Expenses	<u>10,000.00</u>
		\$27,000.00
 <u>To:</u>		
A4010.4703	Vehicle Fuel	\$ 2,500.00
A4015.4407	Office Supplies	500.00
A4015.4503	Educational Materials	2,500.00
A4035.2211	Office Equipment	1,500.00
A4092.2909	Miscellaneous Equipment	<u>20,000.00</u>
		\$27,000.00

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

Moved by Legislator Stanford, seconded by Legislator

Burke and adopted.

RESOLUTION NO. 365 - 2011**RESOLUTION APPOINTING COMMITTEE FOR
COUNTY RE-APPORTIONMENT**

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

The within Board makes the following determinations: Local Law No. 1 of the Year 1968, County of Lewis being A LOCAL LAW IN RELATION TO THE IMPLEMENTATION OF RE-APPORTIONMENT WITHIN THE COUNTY OF LEWIS directs the appointment of a commission to evaluate existing County Legislative Districts for equity and representation; and

Local Law No. 3-2003 was enacted in accordance with the Reapportionment Committee then appointed to review and evaluate the Legislative Districts following receipt of the 2000 Census reports.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints a commission to evaluate the existing County Legislative Districts, in accordance with 2010 Census reports, to determine equity and proper representation in relation to population.

Section 2. That the committee shall consist of the following members:

- (1) Ann M. Nortz, Republican Commissioner of Elections
- (2) Elaine M. McLear, Democratic Commissioner of Elections
- (3) Jack T. Bush, Chairman of the Board of Legislators
- (4) Michael A. Tabolt, Individual selected by the legislative representatives
of the majority political party represented on the Board of
Legislators
- (5) John O. Boyd, Individual selected by the legislative representatives
of the minority political party represented on the Board of
Legislators

Section 3. That the commission is charged and directed as follows: Such commission shall study the district populations, and within three months after appointment make recommendations, if necessary, in the form of a proposed Local Law, as to changes in the boundaries of County Legislative Districts. In their deliberations to redesign the legislative districts, the commission shall consider the application of the Federal court decision for "one-man, one-vote" concept, and compliance with the equal protection clauses of the 14th Amendment of the United States Constitution and Article I, Sections 1 and 11 of the New York State Constitution.

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

Moved by Legislator Lucas, seconded by Legislator
Fanning, and adopted.

RESOLUTION NO. 366 2011**RESOLUTION TO APPROPRIATE FUNDS
RECREATION TRAILS**

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved using donations from Flat Rock Windpower to support the "Race the Wind" bike race:

<u>ACCOUNT</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
A27053.1	Contributions	\$ 500.00
A7989.4999	Race the Wind	\$ 500.00

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

Moved by Legislator Stanford , seconded by Legislator Wallace , and adopted.

RESOLUTION NO. 367 – 2011**RESOLUTION TO TRANSFER FUNDS
REFORESTATION PROGRAM**

Introduced by Legislator Jerry King., Chairman of the Reforestation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved in the Reforestation

Program Accounts to cover a deficit in Vehicle Gas Expense:

From:

A8711.4507 Travel	\$100.00
A8711.4400 Taxes	\$600.00
A8711.4903 All Types of Ins	\$ 50.00
A8711.4301 Telephone	\$ 50.00

To:

A8711.4703 Vehicle Exp Gas/Oil	\$800.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas,

and adopted.

RESOLUTION NO. 368 – 2011**RESOLUTION TO TRANSFER FUNDS
SHERIFF'S DEPARTMENT**

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED, as follows:

Section 1. That the following transfer of funds be approved in the Sheriff's Jail accounts, pursuant to Resolution #10-2010 adopted January 5, 2010; whereby one full-time Laborer is hereby abolished due to the retirement of James Skorupa:

From:

A3150.1999 (Personal Serv) Jail	\$7,700.00
A3150.8999 (Fringe) Jail	589.00

To:

A1010.41999 Contingency	\$8,289.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator

King, and adopted.

RESOLUTION NO. 369 – 2011**RESOLUTION TO TRANSFER FUNDS
SHERIFF'S DEPARTMENT**

Introduced by Legislator John Boyd, Chairman of the Courts and Law
Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfers be approved in the Sheriff's
Department accounts:

<u>From:</u>	<u>Amount</u>
A3112.1102 (Temporary Help)	\$1,000.00
A3112.1103 (Overtime)	500.00
A3115.1101 (Temporary Help)	38,000.00
 <u>To:</u>	
A3112.1104 (contracted items)	\$ 1,500.00
A3115.1102 (Temp help)	\$ 38,000.00

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

Moved by Legislator Boyd, seconded by Legislator
King, and adopted.

RESOLUTION NO. 370 – 2011

**RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT**

Introduced by Legislator John Boyd, Chairman of the Courts and Law
Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriations be approved in the
Sheriff's Jail Department accounts:

<u>Increase Revenue:</u>	<u>Amount</u>
A 22640 Inmate Board (Revenue)	\$ 35,000.00
<u>Increase Expense:</u>	
A3150.4509 (Inmate Medical)	\$ 25,000.00
A3150.4914 (Law Library)	5,000.00
A3150.4901 (Professional Services)	5,000.00

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

Moved by Legislator Boyd , seconded by Legislator
Lucas , and adopted.

RESOLUTION NO. 371- 2011**RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO STANLEY J. AND SHIRLEY A. BUSH)**

Introduced by Jack T. Bush, Chairman of the Lewis County Board of Legislators.

WHEREAS, Stanley J. and Shirley A. Bush were granted a Mortgage to the County of Lewis dated December 4, 1991, and recorded in the Lewis County Clerk's Office on December 12, 1991, in Liber 354 of mortgages at Page 323 to secure payment of a loan in the amount of \$7,500.00, pursuant to a program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforescribed Mortgage.

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

Moved by Legislator Hathway, seconded by Legislator
Lucas, and adopted.

RESOLUTION NO. 372 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
EXCELLUS BLUE CROSS BLUE SHIELD AND
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Department of Social Services ("DSS"), and Excellus Blue Cross Blue Shield for the purpose of supporting Case Management for Personal Care Services rendered to Managed Medicaid members for which services DSS shall receive \$200.00 per assessment/evaluation.

Section 2. That the term of this Agreement shall be from November 1, 2011 through December 31, 2012

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Hathway, seconded by Legislator Stanford,
and adopted.

RESOLUTION NO. 373 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND LEWIS COUNTY MENTAL HEALTH**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Lewis County Department of Social Services (“DSS”), and Lewis County Mental Health to partner up to provide family counseling services to clients referred by DSS whereby services will be home based so the client can be in their own natural setting.

Section 2. That the term of this agreement shall be November 1, 2011 through October 31, 2012 at a cost not to exceed \$75.00 per session, to include clinical treatment team meetings if applicable; \$18.00 for travel to and from home; and DSS will pay for any missed sessions due to DSS or the family’s responsibility.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement, pending approval by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Fanning,
and adopted.

RESOLUTION NO. 374 – 2011**RESOLUTION APPROPRIATING FUNDS FOR
SOCIAL SERVICES ADMINISTRATION
EMERGENCY PAYMENTS AND ASSISTANCE PAYMENTS**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the County of Lewis has received approval from the NYS Office of Children and Family Services for the State Fiscal Year 2011-2012 for the Supervision and Treatment Services for Juveniles funding in the amount of \$79,239.00.

Now, Therefore, **BE IT RESOLVED**, as follows:

Section 1. That the sum of \$79,239.00 be appropriated to Account No. A6123.4999 (DSS Juvenile Delinquent).

Section 2. That this be financed by estimated Federal Aid in the amount of \$79,239.00 to be distributed to Revenue Account No. A36190.

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

Moved by Legislator Boyd, seconded by Legislator Stanford, and adopted.

RESOLUTION NO. 375– 2011**RESOLUTION TO APPROPRIATE FUNDS
SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriations be approved to fund the NYS OTDA approved Food Stamp Nutrition Education Plan (FSNEP) project with Cornell Cooperative Extension for FFY 10/01/11 - 09/30/12:

Revenue:

A46430 (Food Stamp Nutrition)	\$80,394.00
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Expense:

A6143.4999 (DSS-Food Stamp Nutr Ed)	\$80,394.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 376 – 2011**RESOLUTION TO ADJUST FUNDS
SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services

Committee:

BE IT RESOLVED, as follows:

Section 1. That the following funds be adjusted to more closely reflect year end projections in the Department of Social Services budget:

Decrease Revenues:

A18450 Home Studies-Inv-Revenue	\$1,500.00
A18530 Atty Fees Right to Recovery – Revenue	1,500.00
A36060 Adult Special Needs – State Revenue	1,000.00
A36090 TANF ADC State Revenue	82,000.00
A36100 DSS Admin – State Revenue	224,000.00
A36400 Safety Net A – State Revenue	25,000.00
A36420 Emergency Asst – State Revenue	10,000.00
A44891 Medicaid Stimulus Aid – Federal Revenue	<u>31,272.00</u>
	\$376,272.00

Decrease Expense:

A6142.4999 Emergency Aid to Adults	\$10,000.00
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Increase to Revenues:

A46090 TANF – Federal Revenue	\$107,000.00
A46100 DSS Admin – Federal Revenue	<u>259,272.00</u>
	\$376,272.00

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

Moved by Legislator Hathway, seconded by Legislator

Boyd, and adopted.

RESOLUTION NO. 377 – 2011**RESOLUTION TO APPROPRIATE FUNDS
SOLID WASTE DEPARTMENT**

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriations be approved in the Solid Waste Department Accounts, to cover unaccounted Miscellaneous and Dental expenses:

<u>Increase Revenue:</u>	<u>Amount</u>
ES21301 (Recycling)	\$2,000.00
<u>Increase Expense:</u>	
ES8160.4909 (Misc Expense)	\$1,000.00
ES9070.8999 (Dental)	\$1,000.00

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

Moved by Legislator Stanford , seconded by Legislator Lucas ,
and adopted.

RESOLUTION NO. 378 – 2011**RESOLUTION TO TRANSFER FUNDS
WEIGHTS AND MEASURES**

Introduced by Legislator John Boyd, Chairman of the Weights & Measures Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved in the Weights & Measures accounts to cover line item expenses:

From:

A6610.4701 (Veh Repairs)	\$600.00
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To:

A6610.4407 (supplies)	\$200.00
A6610.4301 (telephone)	400.00

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

Moved by Legislator Stanford, seconded by Legislator Lucas,

and adopted.

RESOLUTION NO. 379 -2011**RESOLUTION AUTHORIZING DISMISSAL OF ETHICS COMPLAINT**

Introduced by Legislator Michael Tabolt, Vice – Chairman of the Board of Legislators

WHEREAS, the Lewis County Ethics Board (“Ethics Board”) was created by Section 201 of Lewis County Local Law No. 5 – 2005 (herein “Ethics Law”); and

WHEREAS, upon the receipt of a sworn complaint alleging that the Ethics Law has been violated (Ethics Law § 209[1]) by a County official or employee, the Ethics Board:

“shall have the power and duty to conduct any investigation necessary to carry out the provisions of this local law. In conducting any such investigation, the Ethics Board may hold hearings, administer oaths or affirmations, subpoena witnesses, compel their attendance, and require the production of any books or records which it may deem relevant and material.” (Ethics Law § 209[1]); and

WHEREAS, the Ethics Board received a sworn complaint from the late John Gehrlein, dated the 26th day of May, 2011, alleging that Richard Lucas, Lewis County Legislator for the 8th Legislative District had violated the Ethics Law by reason of certain legislative acts (the “Complaint”); and

WHEREAS, the Ethics Board has conducted an investigation, including meeting on six separate occasions to review the records, consider the allegations of the Complaint, confer with legal counsel, and has taken the sworn testimony of relevant County employees pertaining to the allegations of the Complaint; and

WHEREAS, after considering all of the relevant documentary evidence, the testimony received and applying the appropriate legal precedents, the Ethics Board reached a determination and filed a written decision thereon with the Clerk of the Board of Legislators on October 24, 2011, pursuant to Ethics Law § 209[3], stating in pertinent part:

“**FOUND AND DETERMINED**, that based upon the Complaint sworn to on the 26th day of May, 2011, alleging that Legislator Richard Lucas had violated the Lewis County Ethics Law (Local Law No. 5 – 2005), and the subsequent investigation of the Ethics Board, there was no violation of the Lewis County Ethics Law.

“It is therefore the recommendation of the Ethics Board that the Complaint be dismissed and that no further action be taken by the Board of Legislators.”

WHEREAS, a copy of the Decision and Recommendation of the Ethics Board has been provided to each of the Legislators for their consideration;

NOW, THEREFORE, be it resolved as follows:

Section 1. That based upon the investigation conducted by the Ethics Board and pursuant to the authority granted to the Board of Legislators by Section 209[3] of the Ethics Law, the Board of Legislators hereby

ORDERS AND DECREES, that the complaint filed by John Gehrlein sworn to on the 26th day of May, 2011, is hereby dismissed in its entirety.

Section 2. That based upon the forgoing, no further action by the Board of Legislators need be taken regarding the Complaint.

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

Moved by Legislator King, seconded by Legislator Wallace, and adopted.

Legislator Lucas abstained.

RESOLUTION NO. 380 - 2011**RESOLUTION AUTHORIZING AMENDMENT
TO CONTRACT BETWEEN
LEWIS COUNTY COMMUNITY MENTAL HEALTH CENTER
AND STAFF CARE WITH DR. STEVEN FOGELMAN**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Board of Legislators heretofore adopted Resolution No. 496-2010 on December 21, 2010 between the Lewis County Community Mental Health Center ("LCCMHC") and Staff Care with Dr. Steven Fogelman for per diem psychiatry services beginning January 1, 2011 through December 31, 2011; and

WHEREAS, by Resolution No. 181 – 2011, the Board of Legislators authorized an amendment to the Agreement increasing Dr. Fogleman's services by an additional two days per month; and

WHEREAS, LCCMHC finds that it is necessary to increase the "not-to-exceed" cost for the Agreement from \$52,000 to \$65,000 for term of the Agreement; and

WHEREAS, the Board of Legislators agrees to accept amendment;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby authorizes an amendment to the contract between LCCMHC and Staff Care to increase the "not-to-exceed" cost for the Agreement from \$52,000 to \$65,000 for term of the Agreement. All other terms and conditions of the Agreement shall remain the same.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Boyd, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 381 - 2011**RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY MENTAL HEALTH CENTER
AND LOCUM INTERACTIVE, INC.**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Board of Legislators has heretofore adopted Resolution No. 12-2011 on January 4, 2011 authorizing an agreement (the "Agreement") between the Lewis County Community Mental Health Center ("LCCMHC") and Locum Interactive, Inc. that provides for Larry Palinski to assess the physical and psychological status of patients at LCCMHC through interviews, health history, physical examinations, diagnostic tests and also to prescribe medications and monitor patient's medication status at a cost of \$80.00 per hour; and

WHEREAS, the Board of Legislators has heretofore adopted Resolution No. 133-2011 wherein the Board authorized an amendment to the Agreement which increased the allowable rate for services provided from \$80 to \$95 per hour;

WHEREAS, LCCMHC now desires to amend the Agreement to increase the "not- to-exceed" cost for the term of the Agreement by an additional \$5,200 for the period of January 1, 2011 through December 31, 2011; and

WHEREAS, the Board of Legislators agrees to accept amendment; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the amendment to the contract for Locum Interactive, Inc., that provides for the services of Larry Palinski at "LCCMHC" to increase the "not- to-exceed" cost for the term of the Agreement by an additional \$5,200 for the period of January 1, 2011 through December 31, 2011.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Boyd, seconded by Legislator Lucas,
and adopted.

OTHER BUSINESS:

The Clerk read a proclamation signed by Chairman Bush to declare the October as "National Hospice and Palliative Care Month".

There being no other business to come before the Board, Legislator Tabolt made a motion to adjourn at 5:34 p.m., seconded by Legislator Fanning and carried.

**ANNUAL SESSION
SECOND DAY
November 15, 2011**

The meeting was called to order at 3:30 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 32 persons present.

The Rules and Legislation Committee had met and recommends immediate action on all pre-filed resolutions.

Richard C. Lucas, Chairman
William J. Burke
Patrick Wallace

Dated: November 15, 2011

Legislator Tabolt made a motion to waive the rules as recommended, seconded by Legislator Boyd and carried.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Budget Officer David H. Pendergast has submitted the 2012 Tentative Lewis County Budget, attendant to the following budget message:

BUDGET MESSAGE 2012

Mr. Chairman
Members of the Legislature:

After many months of meetings, line by line reviews with Department Heads, elected Officials and the Public; I rise to present to you the 2012 tentative budget.

APPROPRIATIONS.:

This Tentative Budget calls for an increase in appropriations over the 2011 Budget of \$2,490,035.

The \$2,490,035 includes \$1,900,000 for Disproportionate Sharing, more commonly known as the Inter-Governmental Transfer or IGT payment, as the County contribution to the Lewis County General Hospital. The rest of the cost of Governmental business increases are \$590,035 over last year.

REVENUES:

Revenues are projected to increase by \$981,698 over the current budget from \$28,473,893 to \$29,455,591 or an increase of 3%. In the Revenue Section you will see that

the largest increase is in the line "Other than Real Property Tax" by an additional \$1,818,843. This is the full amount of the Wind Farm PILOT. This is the first time since 2008 that we have been able to fully reflect this PILOT, because of the uncertainty surrounding the Empire Zone Program in 2009 and 2010. In those years the budget reflected the "fall back" amount of \$636,157.

The Departmental Income is decreased by \$710,012, which is reflective primarily in Federal Aid Cuts.

State Aid is projected to increase by \$398,000, primarily in the Bus Transportation Operations by \$100,000, to reflect the continued growth in the ridership and use of the program.

PERSONNEL:

This Budget keeps all of the employee salaries at the same level for 2012. It does allow for the mandated step increases equal to \$155,562. We also continue negotiations with our three locals. This Budget reduces the workforce by 10.5 full time equivalents;

Those being:

1 in Mental Health

1 in Public Health, and reduced hours

1 in Office For the Aging

4 in Social Services, due to retirement and not filled

2 in the Sheriff's Dept., due to retirements

1.5 in Buildings and Grounds

and

17 summer laborers in the Highway Dept.

Also, 4 positions have been restored in the Sheriffs Law Enforcement Budget to allow for the full operation of the Road Patrol and 911 Dispatch for Public Safety. This restoration is based on the comments we all heard in support of Law Enforcement at the five public information sessions you held throughout the County.

OUTSIDE AGENCIES:

All outside Agencies have been zeroed out, with the exception of Cornell Cooperative Extension and the Lewis County Soil and Water Conservation District, which are included with a 19.6% reduction.

When you meet on Friday, we will give you a summary of what effects this budget has for each department and effected cuts in programs.

The bottom line is the budget calls for \$14,567,798 to be raised by taxes.

We are recommending the use of fund balance in the amount of \$1,530,119, an increase over last year's fund balance use by \$960,650.

This budget meets the 2% property tax cap. The tax rate, if adopted, will increase by \$0.36 per thousand to \$7.14 per thousand, versus the 2011 tax rate per thousand of \$6.78.

In closing, Mr. Chairman and Members of the Legislature, I would like to thank the Department Heads for their efforts, time and concern during this Budget process.

I would also like to acknowledge the energy and talent put forth by County Treasurer Patricia O'Brien, serving as the Deputy Budget Officer, into the production of the 2012 Tentative Budget.

Furthermore, I would be remiss if I didn't thank each and every one of you; who have dedicated a lot of time, thought and direction in a most difficult year.

Lastly, I want to beat the drum and give a continued "call to arms" for mandate relief. It must be at the highest priority of this, and every other Board across this State, who are affected by State Mandates.

Property taxpayers will not realize the State's hollow promise of property tax relief without meaningful relief of unfunded and under-funded mandates that impact upon Lewis County property owners.

Thank you.

David H. Pendergast
Budget Officer

COUNTY MANAGER REPORT:

Mr. Pendergast read his prepared 2012 Budget Message; and thanked the Board, Department Heads and Deputy Budget Officer Patricia O'Brien for all their time and efforts to develop the Tentative Budget.

Chairman Bush, in turn, thanked Mr. Pendergast for his un-tolled hours and dedication to formulate the 2012 Tentative Budget, followed by a round of applause from all Legislators.

RESOLUTIONS:

RESOLUTION NO. 382 - 2011RESOLUTION TO SET PUBLIC HEARING ON
2012 TENTATIVE LEWIS COUNTY BUDGET

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. In accordance with County Law Section 359, the Lewis County Board of Legislators hereby sets the public hearing on the 2012 Tentative County Budget to be held in the second floor board room of the County Court House, State Street, Lowville, New York on the 22nd day of November, 2011 to begin at 5:00 p.m.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Lucas,
and adopted.

RESOLUTION NO. 383 — 2011RESOLUTION TO TRANSFER FUNDS
BOARD OF ELECTIONS

Introduced by Legislator Jack Bush, Chairman of the Board of Legislators.

BE IT RESOLVED, as follows:

Section 1. That the following transfers be approved in the Board of Election accounts to cover budget shortfalls for payroll and supplies expense:

<u>From:</u>	Amount
A1450.4909	\$13,000.00
A1450.4901	5,000.00
 <u>To:</u>	
A1450.1999	\$10,000.00
A1450.1102	3,000.00
A1450.4407	5,000.00

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

Moved by Legislator Stanford , seconded by Legislator

King , and adopted.

RESOLUTION NO. 384 - 2011**RESOLUTION APPOINTING MEMBER TO
NYS REGION 6 FISH AND WILDLIFE MANAGEMENT BOARD**

Introduced by Legislator Jerry King, Chairman of the Agriculture Committee.

WHEREAS, the term of Jack T. Bush as a member of the NYS
Region 6 Fish and Wildlife Management Board will expire on December 31, 2011.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby re-appoints
Jack T. Bush of Post Office Box 177, Brantingham, New York 13312 as a member of
the New York State Region 6 Fish and Wildlife Management Board, as the Lewis County
Legislative Representative.

Section 2. That the term of said appointment shall be effective from January 1,
2012 through December 31, 2013.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator
Burke, and adopted.

RESOLUTION NO. 385 - 2011**RESOLUTION APPOINTING MEMBER TO
NYS REGION 6 FISH AND WILDLIFE MANAGEMENT BOARD**

Introduced by Legislator Jerry King, Chairman of the Agriculture Committee.

WHEREAS, the term of John G. Jones as a member of the NYS
Region 6 Fish and Wildlife Management Board will expire on December 31, 2011.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby re-appoints
John G. Jones of Post Office Box 57, Beaver Falls, New York 13305, as a member of
the New York State Region 6 Fish and Wildlife Management Board, as the Lewis County
Sportsman Representative.

Section 2. That the term of said appointment shall be effective from January 1,
2012 through December 31, 2013.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator

Lucas, and adopted.

RESOLUTION NO. 386 - 2011**RESOLUTION TO TRANSFER FUNDS
PROBATION DEPARTMENT**

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following transfer of funds be approved in the Probation Department accounts to cover vehicle gasoline expense for the remainder of 2011:

<u>From:</u>	<u>Amount</u>
A3140.4401 (Postage)	\$250.00
A3140.4903 (Insurance)	486.11

<u>To:</u>	
A3140.4703 (Vehicle Expense-Gas/Oil)	\$736.11

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

Moved by Legislator King, seconded by Legislator

Fanning, and adopted.

RESOLUTION NO. 387 - 2011**RESOLUTION AUTHORIZING LEWIS COUNTY OFFICE
OF REAL PROPERTY TAX SERVICES TO ENTER INTO
AGREEMENTS WITH TAX SERVICE COMPANIES**

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

WHEREAS, the Lewis County Office of Real Property Tax Services provides tax bill extract files to certain contract tax services; and

WHEREAS, the Board of Legislators wishes to authorize the Director of Real Property Services to charge a fee for the collection and distribution of such files;

NOW THEREFORE, BE IT RESOLVED, that

Section 1. The Board of Legislators hereby authorizes the Director of Real Property Services to charge a fee in the amount of one thousand five hundred dollars (\$1,500.00) for the collection and distribution of the Real Property Service 160D 1 extract files for Lewis County.

Section 2. That such distribution of the tax bill extract files shall be conditioned upon the tax service contractor agreeing that such information will not be further transferred, sold, granted or conveyed to any other person, entity, corporation and shall not be used for any commercial purpose, except to enhance the efficiency of the contractor to perform escrow closings and servicing of tax payments.

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

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

Moved by Legislator King, seconded by Legislator Stanford,

and adopted.

RESOLUTION NO. 388 – 2011RESOLUTION TO TRANSFER FUNDS
REFORESTATION

Introduced by Legislator Jerry King., Chairman of the Reforestation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved in the Reforestation Program Accounts to cover a deficit in Vehicle Repair Expense:

From:

A8711.4440 Taxes	\$1,400.00
A8711.8999Fringe	\$ 600.00

To:

A8711.4701 Vehicle Repair	\$2,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Lucas ,

and adopted.

RESOLUTION NO. 389 -2011**RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT**

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriations be approved for donations to the Shop with a Cop Program:

<u>ACCOUNT</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
A27053.4	Donations Shop with a Cop Program	\$1,500.00
A3110.4909	Misc Expense	\$1,500.00

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

Moved by Legislator Boyd , seconded by Legislator
King , and adopted.

RESOLUTION NO. 390 – 2011RESOLUTION TO TRANSFER FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator Jack Bush, Chairman of the Board of Legislators.

BE IT RESOLVED, as follows:

Section 1. That pursuant to Resolution No. 10-2010 adopted January 5, 2010, that one Deputy Sheriff/Correction Officer position be abolished due to the retirement of Devere Rumble, and the un-used funds be transferred as follows:

From:

A3110.1999 (Personal Serv) Sheriff	\$5,514.00
A3110.8999 (Fringe) Sheriff	\$ 422.00

To:

A1010.41999 Contingency	\$5,936.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator

Lucas, and adopted.

RESOLUTION NO. 391 – 2011RESOLUTION TO TRANSFER FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law
Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer be approved in the Sheriff's Department
accounts to cover personnel expense:

<u>From:</u>	<u>Amount</u>
A3112.1102 (Temporary Help)	\$500.00

<u>To:</u>	
A3112.1103 (Overtime)	\$500.00

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

Moved by Legislator Stanford, seconded by Legislator

Tabolt, and adopted.

RESOLUTION NO. 392 – 2011RESOLUTION TO TRANSFER FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator Jack Bush, Chairman of the Board of Legislators.

BE IT RESOLVED, as follows:

Section 1. That the following transfer be approved to correct the action taken by

Resolution No. 368-2011, to cover personnel costs:

From:

A1010.4199 Contingency	\$2,220.00
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To:

A3150.1999 (Personnel Serv) Jail	\$2,062.00
A3150.8999 (Fringe) Jail	158.00

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

Moved by Legislator King, seconded by Legislator

Lucas, and adopted.

RESOLUTION NO. 393 – 2011

**RESOLUTION TO TRANSFER FUNDS
VETERANS' SERVICES**

Introduced by Legislator Paul Stanford, Chairman of the Veterans' Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved in the Veterans' Services

Department accounts, to cover telephone expense:

<u>From:</u>	
A6510.8999 (fringe)	\$180.00

<u>To:</u>	
A6510.4301 (Telephone)	\$180.00

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

Moved by Legislator Boyd, seconded by Legislator Burke,

and adopted.

OTHER BUSINESS:

Legislator Hathway made a motion at 3:46 p.m. to enter executive session, to discuss a specific personnel issue, seconded by Legislator Fanning and carried. Following the session, Legislator Burke moved to re-enter regular session at 4:55 p.m., seconded by Legislator King and carried.

Legislator Hathway made a motion to appoint Legislators Michael Tabolt and Charles Fanning to a Review Committee, in conjunction with the Lewis County Community Services Board, for reviewing submitted agency proposals indicating their interest to provide mental health clinic services. The motion was seconded by Legislator King and unanimously carried.

Chairman Bush announced there would be a Committee Meeting-of-the-Whole on November 18, 2011, for another 2012 budget work session.

There being no other business to come before the Board, Legislator Fanning made a motion to adjourn at 4:58 p.m., seconded by Legislator Wallace and carried.

**ANNUAL SESSION
THIRD DAY
November 22, 2011**

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 51 persons present.

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on resolutions presented late this evening.

Dated: November 22, 2011

Richard C. Lucas, Chairman
William J. Burke
Patrick Wallace

Legislator Tabolt made a motion to waive the rules as recommended, seconded by Legislator Fanning and carried.

Chairman Bush opened the public hearing for comments on the 2012 Lewis County Tentative Budget, and asked that individual limit their comments to five minutes.

PRIVILEGE OF THE FLOOR:

Probation Director Randall Schell, reported that he and his staff had worked diligently to present a budget as the Board had requested, to reflect a 19.6% reduction in County share cost. His impending retirement was considered in the 2012 salary recommendation for his successor that represented a 5% reduction from the current salary. He gleaned from the newspaper article of this date that the Board was proposing a lesser salary that reflects a 15% reduction. Mr. Schell urged the Board to reconsider and approve the budget as he had proposed.

Youth Bureau Student Representatives Sydney O'Shaughnessy and Luke Evans spoke on behalf of all student representatives, to impress the importance of the County funding to maintain youth activities, such as the Buddy Program, Big Brothers/Big Sisters and the Lewis County ATV Safety Program. Other programs that may suffer or be diminished are the Lowville Free Library program that explores art and literacy; the "Freshman Seminars" program hosted by the South Lewis Central School; the "Pride Club" program at the Beaver River Central School; and the Mountain View Prevention Services provided through the Youth Advocacy Program.

Mr. Evans continued, stating that although alternative funding may be available, we substantially depend upon the County funding granted through the Youth Bureau to support

program initiatives that support youth education and emotional improvement that would otherwise be unavailable.

In closing, Ms. O'Shaughnessy urged the Board to maintain the proposed Youth Bureau level of funding to preserve the integrity of the youth programs that affect the schools and the community.

Tina Stanford, 11-year Office For Aging employee, relayed understanding of the difficult budget decisions the Board faces, while requesting their reconsideration to eliminate an Aging Services Worker position. Year-to-date Cheryl Steiner has assisted 1,262 seniors with health insurance issues; 45 seniors with limited incomes to obtain over \$4,300 with Medicare Part B reimbursements through the Medicaid Savings Program; 19 seniors to apply for Federal Food Stamps through the Senior Nutrition Assistance Program (SNAP); processed 228 HEAP applications; done outreach to home-bound seniors; and fills in at the office for absent employees. She is a certified NYS Ombudsmen who conducts NYS Office For Aging required monthly nursing home visits. As the only other certified Ombudsman, Tina is prohibited from the nursing home visits, due to a family member at the facility. Ms. Stanford respectfully urged the Board to restore funding of \$29,694 to cover Ms. Steiner's salary and benefits through her planned retirement in October 1, 2012. Eliminating her position will greatly diminish their ability to provide services to seniors.

Director of Community Services Jennifer Earl prefaced that in October 2010 the NYS Office of Mental Health (NYSOMH) implemented new regulations to require licensed clinicians for operations. This, in conjunction with the rebasing of Medicaid reimbursement rates by the NYS Dept. of Health, truly hampered their ability to generate revenue, and became the impetus for the proposed 2012 increased County share.

Mrs. Earl recognized and appreciates the Board's proposed appropriations being above the 2011 level, while they impose reductions for all other departments. As a departure from previous practice, however, she submits the 2012 estimates are justifiably based on actual 2010 services and County share cost. Hence, the \$250,000.00 proposed County share cap would be inadequate for effective and efficient clinic operations. Moreover, the Board's pursuit to privatize clinic services continues to foster the exodus of staff and declining morale. Three resignations since August have created a void for providing services, answering phones, scheduling clients and submitting bills.

The only logistical way to meet the proposed \$250,000.00 County share, she stated, was to consolidate resources and shut down the outpatient clinic, virtually eliminating mental health services and terminating 32 personnel. Eight satellite clinics throughout the County would also be closed. The 6-month process to complete a "closure prior approval request" through the NYSOMH, requires the County to identify a transition plan for 731 outpatient clinic patients, 20 high suicide risk patients, as well as Court-ordered services for 3 patients.

Impending closure would create a potential loss and/or repayment of \$878,514 State Aid; and increased exposure for State-imposed fines and penalties; while subjecting the County to legal liability issues. Mrs. Earl asserted that assistance from other counties would depend upon cooperation of respective governing boards, but would create burdensome travel for patients.

Karen Boliver, Program Director at Northern Regional Center for Independent Living (NRCIL) is also a member of two of the Lewis County Community Services Board sub-committees. Through her active involvement to provide peer support for persons with mental diagnoses, she is knowledgeable of relative community needs. On behalf of the community as a whole, she strongly encouraged the Board to stabilize the situation at the Mental Hygiene clinic, foremost to reduce anxiety for at-risk consumers, but for the staff as well. Ms. Boliver relayed her and the agency's availability to assist the Board in any way possible.

Chris Dragon, a mental health consumer, informed that if not for the services she receives through the mental hygiene department since her son was shot two years ago, she may not be here. Her son was hospitalized for 20 days and she was forced to make the ultimate decision to take him off life support. A mental health counselor continues to assist her with ongoing anger issues to facilitate a healthy life style.

Marsha Goodspeed, tearfully informed she was Ms. Dragon's sister, and relayed fear that her troubled 12-year old child may become further at risk if mental health services were unavailable. She impressed that it would be a bad idea to cut mental health programs.

Mr. Calvin Farney, CSEA President, recognized previously stated comments about Office For Aging and Mental Health personnel, while citing the job eliminations proposed in the Buildings and Grounds Department. One part-time maintenance worker is a veteran, the other a young man who had been appointed to a full-time position in July. Mr. Farney opined the proposed eliminations are contrary to the employees' plea not to diminish Lewis County services, while strongly urging the Board's reconsideration.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Letters of support to restore funding for the Lewis County Soil and Water Conservation District were received from Lynne Pominville, Peg Cook, Warren W. Shaw, Peter T. Jones and Glenn Beller.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Office For Aging/Youth Bureau Committee Chairman, stated that the comments heard this evening about the Youth Bureau and the Office For Aging would be considered during budget deliberations on November 28, 2011.

Legislator Michael Tabolt announced a scheduled conference call with the full Board on November 29, 2011 at 4:00 p.m. with a NYSAC official. The topic of discussion will be State mandates and the future trends of the State taking over services, to assist the Board in establishing their stance on these issues.

Legislator Tabolt relayed a recent trip to New York City to visit the world's largest Hunt's Point Food Distribution Center, from which 9% of the country's population receives home-grown food products. The Center encompasses six quarter-mile long warehouses, with a turnover rate of 3 to 5 times daily. In consideration of consumer's peaked interest for home-grown products, the Hunt's facility consistently encourages additional food sources, specifically inviting the North Country to participate.

Legislator Charles Fanning, Public Health Committee Chairman, made a motion to authorize Director Carol Paluck to fill one full-time Licensed Practical Nurse, effective immediately, due to a resignation. The motion was seconded by Legislator King and carried.

Legislator Fanning reported that a Committee has been appointed and charged with reviewing the submitted agency proposals for provision of Mental Hygiene services, and report their recommendation to the Board.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, made a motion to authorize Sheriff Tabolt to fill a vacant full-time Correction Officer position, seconded by Legislator Tabolt. Legislator Wallace inquired if there were budgetary appropriations to finance the position; and Legislator Lucas asked whether Sheriff-elect Carpinelli was aware of, or supports the request. Mr. Pendergast affirmed budgetary appropriations, but was unaware whether Mr. Carpinelli was aware of the request. However, he stated, the Jail position is needed to meet the Commissioner of Corrections' required number of employees for operations. Legislator King made a motion to table the request, seconded by Legislator Lucas and carried.

Chairman Bush declared the public hearing closed at 5:30 p.m., after confirming that no one else wished to speak.

RESOLUTIONS:

RESOLUTION NO. 394 - 2011**RESOLUTION APPOINTING MEMBERS TO
JUNKYARD REVIEW BOARD**

Introduced by Legislator Paul Stanford, Chairman of the Junkyard Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints the following individuals to the Lewis County Junkyard Review Board:

Bryan Monnat of 10593 State Route 126, Carthage, New York 13619

Brian Smith of 6572 Tillman Road, Lowville, New York 13367

Section 2. That the term of said appointments shall be effective for a five-year term from January 1, 2012 through December 31, 2016.

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

Moved by Legislator Boyd seconded by Legislator Burke,
and adopted.

RESOLUTION NO. 395 - 2011

**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO MENTAL HYGIENE DEPARTMENT**

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

Whereas, a Keyboard Specialist at the Mental Health Center has submitted his resignation, to be effective October 28, 2011.

Whereas, the duties of a Keyboard Specialist are essential to Mental Hygiene Department operations and assuring compliance with regulatory requirements.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Mental Hygiene Department, to re-create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Keyboard Specialist.	Full-time	Grade B9 (\$12.59-\$14.24)

Section 2. That Director of Community Services Jennifer Earl is hereby authorized to fill said position effective January 1, 2012.

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

Moved by Legislator Fanning, seconded by Legislator
Boyd, and adopted.

RESOLUTION NO. 396 - 2011**RESOLUTION AUTHORIZING
MEMORANDUM OF UNDERSTANDING BETWEEN
LEWIS COUNTY GENERAL HOSPITAL AND
LEWIS COUNTY COMMUNITY SERVICES BOARD**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Community Services Board is responsible to provide local or unified services and facilities directly and/or Contract for the provision of those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the Community Services Board has reviewed the Memorandum of Understanding by and between Lewis County General Hospital and the Community Services Board whereby the hospital agrees to provide a licensed physician to serve as Medical Director to provide medical services to consumers at Lewis County Community Recovery Center and has determined that these services are necessary to meet the needs of the community; and

WHEREAS, the Community Services Board has heretofore duly met to consider the Memorandum of Understanding and has resolved to recommend to the Board of Legislators to enter into such Agreement,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the Memorandum of Understanding by and between Lewis County General Hospital and the Community Services Board for the hospital to provide a licensed physician to serve as Medical Director to provide medical services to consumers at Lewis County Community Recovery Center for the term beginning January 1, 2012 and ending December 31, 2012 at a cost not to exceed \$31,200.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Stanford, seconded by Legislator King,
and adopted.

RESOLUTION NO 397 – 2011RESOLUTION TO TRANSFER FUNDS
MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental
Health Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer within the Mental
Hygiene Department accounts be approved to cover respite expenses for the remainder of
the year:

<u>From:</u>	<u>Amount</u>
A4310.4155 (Client Services)	\$2,500.00

<u>To:</u>	
A4310.4905 Personnel Expenses(respice)	\$2,500.00

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

Moved by Legislator Stanford, seconded by Legislator

Lucas, and adopted.

RESOLUTION NO. 398 – 2011RESOLUTION TO TRANSFER FUNDS
MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health
Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers be approved in the Mental Health
accounts to cover computer equipment and software licensing expenses:

<u>From:</u>	<u>Amount</u>
A4310.4407 Supplies	\$4,000
A4310.4507 Travel & Subsistence	5,265
A4330.4501 Educ/ Training	500
A4330.4507 Travel & Subsistence	200
A4330.4401 Postage	200
A4330.4909 Misc expense	1,135
A4330.4405 Copier	<u>200</u>
	\$11,500
<u>To:</u>	
A4310.4409 Data processing	2,715
A4310.2217 Computer Equip	6,550
A4330.2217 Computer Equip	<u>2,235</u>
	\$11,500

Section 2. That the within resolution shall take effect immediately

Moved by Legislator Tabolt, seconded by Legislator

Lucas, and adopted.

RESOLUTION NO. 399 – 2011RESOLUTION TO TRANSFER FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health
Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfers be approved in the Public Health
accounts to cover line item expenses:

<u>From:</u>	<u>Amount</u>
A4010.4401 (Postage)	\$100.00
A4010.4407 (Office Supplies)	2,000.00
A4015.4401 (Postage)	500.00
A4015.4900 (Outside Therapy Services)	5,000.00
A4035.4705 (Vehicle Insurance)	250.00
A4035.4900 (Outside Contractor)	5,000.00
A4089.4367 (Pharmaceuticals)	2,500.00
A4092.4901 (Professional Services)	500.00
	<u>\$15,850.00</u>

<u>To:</u>	
A4010.4403 (Printing)	\$100.00
A4010.4409 (D/P Costs)	2,000.00
A4015.4907 (Advertising)	500.00
A4015.4904 (Evaluations)	5,000.00
A4035.4703 (Vehicle Fuel)	250.00
A4035.4901 (Professional Services)	5,000.00
A4089.4907 (Advertising)	2,500.00
A4092.4407 (Office Supplies)	500.00
	<u>\$15,850.00</u>

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

Moved by Legislator Stanford, seconded by Legislator

Fanning and adopted.

RESOLUTION NO. 400 – 2011RESOLUTION APPROPRIATING FUNDS
SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the County of Lewis has received approval from the Office of Children and Family Services for the State Fiscal Year 2011-2012 NON- RESIDENTIAL DOMESTIC VIOLENCE SERVICES program funding for Lewis County Opportunities.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the sum of \$4,250.00 be appropriated to Account No. A6109.4609 Non-Residential Domestic Violence.

Section 2. That this be financed by Federal Aid in the amount of \$4,250.00 to be appropriated to Revenue Account No. A46090.

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

Moved by Legislator Boyd, seconded by Legislator King,
and adopted.

RESOLUTION NO. 401 – 2011RESOLUTION TO APPROPRIATE FUNDS
SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

Whereas, the Initial Home Energy Assistance Program (HEAP) Administrative allocations have been announced for the 2011-12 HEAP Season.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the following appropriations be approved for the 2011-2012 HEAP Season Administration.

Section 2. That the sum of \$60,000.00 be appropriated to the A6010.1101 Regular Pay – DSS Administration.

Section 3. That this return of Federal Aid in the amount of \$60,000.00 also be appropriated to the A46100 DSS Federal Administration Revenue Account.

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

Moved by Legislator Boyd, seconded by Legislator
Hathway and adopted.

RESOLUTION NO. 402 – 2011RESOLUTION TO APPROPRIATE FUNDS
SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services
Committee.

Whereas, the County of Lewis has collected Home Energy Assistance Program
(HEAP) funds, that are being returned to the Federal government.

Therefore, **BE IT RESOLVED**, as follows:

Section 1. That the sum of \$36,699.00 be expensed to Account No. A6141.4999
(HEAP Expense).

Section 2. That this return of Federal Aid in the amount of \$36,699.00 also be
offset as a reduction to Federal Revenue Account No. A46410 (HEAP).

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

Moved by Legislator Boyd, seconded by Legislator
Stanford and adopted.

RESOLUTION NO. 403 – 2011RESOLUTION TO ADJUST FUNDS
SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services
Committee.

BE IT RESOLVED, as follows:

Section 1. That the following adjustments be approved in the Social Services accounts
to cover projected line-item expenses through the end of the year:

<u>Decrease Expenses:</u>	<u>Amount</u>
A6010.4401 Postage	\$2,600.00
A6010.4403 Printing	1,600.00
A6010.4404 Imaging	9,686.00
A6010.4409 Data Processing Cost	1,400.00
A6010.4605 Repair and Maint Equip	500.00
A6010.4903 All Types Insurance	3,429.00
A6010.4908 Local Share Cost	<u>1,670.00</u>
	\$20,885.00

<u>Increase Expenses:</u>	
A6010.4366 Paternity Testing	\$ 250.00
A6010.4703 Vehicle Expense Gas/Oil	4,400.00
A6010.4801 Equipment Rentals	1,950.00
A6010.4901 Professional Services	5,000.00
A6010.2217 Computers	<u>9,285.00</u>
	\$20,885.00

<u>Appropriate Revenues:</u>	
A36100 DSS Admin (State)	\$12,250.00
A46100 DSS Admin (Federal)	<u>12,250.00</u>
	\$24,500.00

<u>Increase Expenses:</u>	
A6010.4609 MA Travel & Exams	\$24,500.00

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

Moved by Legislator Boyd, seconded by Legislator

Hathway, and adopted.

RESOLUTION NO. 404 – 2011RESOLUTION TO APPROPRIATE and TRANSFER FUNDS
SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services
Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget changes be approved in the Social Services
Accounts to allow for disproportionate share medical assistance payments for Lewis
County General Hospital:

<u>Transfer from:</u>	<u>To:</u>	<u>Amount</u>
A599 (Fund Balance)	A6102.4909 (IGT)	\$695,111.50
A599 (Fund Balance	A6102.4909 (IGT)	\$593,098.15

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

Moved by Legislator Boyd, seconded by Legislator
King, and adopted.

RESOLUTION NO. 405 – 2011RESOLUTION AMENDING 2012 TENTATIVE BUDGET
OFFICE FOR THE AGING DIRECTOR

Introduced by Legislator Philip Hathway, Chairman of the Office For the Aging Committee.

WHEREAS, in consideration of the impending retirement of Office For the Aging Director David Bush, the Board of Legislators wishes to set the salary of the Office For the Aging Director position at \$48,000, effective January 1, 2012.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, in reference to the Lewis County Office For the Aging Department, to set the salary of the Office For the Aging Director at \$48,000.00, effective January 1, 2012.

Section 2. That County Manager David Pendergast is authorized to advertise and fill said position.

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

Moved by Legislator Hathway, seconded by Legislator King.

Legislator Burke moved to table the resolution to allow further consideration of the comments heard this evening, seconded by Legislator Tabolt.

Legislator Fanning urged a vote to allow sufficient time for the advertising and job replacement process. Legislator Burke reminded there was a scheduled budget work session scheduled for November 28, 2011, at which the issue would be deliberated.

The motion to table carried by a vote of 8 to 2, with Legislators Fanning and Hathway opposed.

RESOLUTION NO. 406 – 2011RESOLUTION AMENDING 2012 TENTATIVE BUDGET
PROBATION DIRECTOR

Introduced by Legislator William Burke, Member of the Board of Legislators.

WHEREAS, in consideration of the impending retirement of Probation Director Randall Schell, the Board of Legislators wishes to set the salary of the Probation Director position at \$55,000, effective January 1, 2012.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, in reference to the Lewis County Probation Department, to set the salary of the Probation Director at \$55,000.00, effective January 1, 2012.

Section 2. That County Manager David Pendergast is authorized to advertise and fill said position.

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

Legislator Burke moved to table the resolution to allow further consideration of the comments heard this evening, seconded by Legislator Tabolt.

Legislator Fanning urged a vote to allow sufficient time for the advertising and job replacement process. Legislator Burke reminded there was a scheduled budget work session scheduled for November 28, 2011, at which the issue would be deliberated.

The motion to table carried by a vote of 8 to 2, with Legislators Fanning and Hathway opposed.

OTHER BUSINESS:

There being no other business to come before the Board, Legislator Fanning made a motion to adjourn at 5:35 p.m., seconded by Legislator Tabolt and carried.

**ANNUAL SESSION
FOURTH DAY
November 29, 2011**

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 18 persons present.

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on resolutions presented late this evening.

Dated: November 29, 2011

Richard C. Lucas, Chairman
William J. Burke
Patrick Wallace

Legislator Tabolt made a motion to waive the rules as recommended, seconded by Legislator Burke and carried.

REPORTS OF STANDING COMMITTEES:

Legislator Michael Tabolt reported on the Board's conference call just prior to this meeting with NYSAC Executive Director Stephen Acquario. They discussed possible actions to facilitate relief from State mandates. Although there was no definitive plan, a Resolution urging mandate relief would be presented for action, while also encouraging participation of other County Boards.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, made a motion to authorize Sheriff Tabolt to fill a vacant full-time Correction Officer position, seconded by Legislator Tabolt and carried

Legislator Patrick Wallace, Transportation Committee Chairman, announced that bids had been opened for automotive fluids, which are being reviewed for a recommendation, by Highway Superintendent Joseph Langs.

County Manager/Budget Officer David Pendergast informed that Treasurer Patricia O'Brien was absent because she is very ill.

RESOLUTIONS:

RESOLUTION NO. 407 – 2011

RESOLUTION AMENDING 2012 TENTATIVE BUDGET
TO CORRECT APPROPRIATION FOR MATCHING FUNDS
(I LOVE NY) PROGRAM
CHAMBER OF COMMERCE

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

WHEREAS, Resolution No. 313-2011 as adopted on October 4, 2011 approved a 2012 appropriation of \$28,000.00 for the Matching Funds (I Love NY) Program; with the Chamber of Commerce designated as Tourist Promotion Agency; and

WHEREAS, inadvertently, the appropriation in the 2012 Tentative Budget is listed at \$35,000.00; and

WHEREAS, the Board of Legislators wishes to correct the amount as previously approved.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget to authorize appropriation of \$28,000.00 to Account No. A6410.4901 for the Matching Funds (I Love NY) Program.

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

Moved by Legislator Lucas, seconded by Legislator

Boyd, and adopted.

RESOLUTION NO. 408 – 2011

RESOLUTION AMENDING 2012 TENTATIVE BUDGET
LEWIS COUNTY CORNELL COOPERATIVE EXTENSION SERVICE

Introduced by Legislator Michael Tabolt, Member of the Board of Legislators.

WHEREAS, in recognition of the vital services provided through the Cooperative Extension office, the Board of Legislators wishes to reduce the appropriation by 10% from the 2011 budget, rather than the proposed 19.6% reduction.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, in reference to the Lewis County Cornell Cooperative Extension Service, to appropriate an amount equal to a 10% reduction or \$30,000.00 from the 2011 level, that results in a \$270,000.00 appropriation to Account No. A8754.4999.

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

Moved by Legislator King, seconded by Legislator
Stanford, and adopted.

RESOLUTION NO. 409 – 2011

RESOLUTION AMENDING 2012 TENTATIVE BUDGET
HIGHWAY DEPARTMENT

Introduced by Legislator Richard Lucas, Member of the Board of Legislators.

WHEREAS, in an effort to meet the Board's request to reduce the budget by 19.6%, Highway Superintendent Joseph Langs eliminated the appropriation for striping County roads; and

WHEREAS, the Board of Legislators wishes to re-instate \$55,000.00 for the purpose of striping County roads.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, in reference to the Lewis County Highway Department, to appropriate \$55,000.00 to Account No. D5111.4999, for the purpose of striping County roads.

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

Moved by Legislator Lucas, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 410 – 2011RESOLUTION AMENDING 2012 TENTATIVE BUDGET
OUTSIDE CONTRACTED AGENCIES

Introduced by Legislator Michael Tabolt, Member of the Board of Legislators.

WHEREAS, following an in-depth review, consideration and discussion, the Board of Legislators wishes to restore funding to outside contracted agencies to respective amounts equal to a 20% reduction from the 2011 budgeted level.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, to restore funding to the following outside contracted agencies for the amounts set opposite each:

<u>AGENCY</u>	<u>AMOUNT</u>
Mountain View Prevention Services	\$ 8,000.00
Lewis County General Hospital Foundation	12,000.00
North Country Library System	19,416.00
West Leyden Library	382.00
Brantingham Library	202.00
Lewis County Historical Society	20,000.00
Constable Hall	800.00
Lewis County Maple Museum	600.00
Railway Historical Society of Northern NY	600.00
Adirondack Park Local Government Review Board	800.00
Lewis County Agricultural Society	<u>4,000.00</u>
	\$66,800.00

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

Moved by Legislator Tabolt, seconded by Legislator

Hathway, and adopted. Legislator Fanning was opposed.

RESOLUTION NO. 411 – 2011

RESOLUTION AMENDING 2012 TENTATIVE BUDGET
SOIL AND WATER CONSERVATION DISTRICT

Introduced by Legislator Paul Stanford, Member of the Agriculture Committee.

WHEREAS, in recognition for the vital services provided by the Soil and Water Conservation District to various sectors throughout the County population, the Board of Legislators directs restoration of their appropriation to \$60,000.00.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget in reference to the Lewis County Soil and Water Conservation District, to appropriate \$60,000.00 to Account No. A8730.4999.

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

Moved by Legislator Tabolt, seconded by Legislator
Stanford, and adopted.

RESOLUTION NO. 412 – 2011

RESOLUTION AMENDING 2012 TENTATIVE BUDGET
YOUTH BUREAU DIRECTOR

Introduced by Legislator Philip Hathway, Chairman of the Youth Bureau Committee.

WHEREAS, in consideration of the impending retirement of Youth Bureau Director Randall Schell, the Board of Legislators wishes to set the salary of the Youth Bureau Director position at \$4,000, effective January 1, 2012.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, in reference to the Lewis County Youth Bureau, to set the salary of \$4,000.00 for the Director, effective January 1, 2012.

Section 2. That the position of Youth Bureau Assistant shall be abolished effective January 1, 2012.

Section 3. That Penny Demo shall be appointed as the Lewis County Youth Bureau Director effective January 1, 2012.

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

Moved by Legislator Hathway, seconded by Legislator
Boyd, and adopted.

RESOLUTION NO. 413 – 2011RESOLUTION AMENDING 2012 TENTATIVE BUDGET
BUILDINGS – COURT HOUSE/STOWE STREET

Introduced by Legislator William Burke, Chairman of the Buildings and Grounds Committee.

WHEREAS, following review and analyzation, Building Maintenance Supervisor Frank Archer recommends retaining the Stowe Street building maintenance revenues and appropriations in the proposed line items, so the County avails the greatest amount of State reimbursement for maintenance services; and

WHEREAS, the Board wishes to re-instate one full-time cleaner and one part-time cleaner for Court House and Stowe Street building maintenance.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, with reference to Buildings – Court House and Stowe Street, to re-instate one full-time Cleaner in the Buildings-Court House Department; and one part-time Cleaner in the Buildings-Stowe Street Department; and transfer one full-time Custodial Worker to the Buildings-New Court House Department.

Section 2. That the following appropriations be approved to accomplish the changes:

<u>Increase Appropriations</u>	<u>Amount</u>
A1620.1101 (Regular Pay-CH)	\$22,550.00
A1620.8999 (Fringe Benefits)	10,883.00
A1621.1101 (Regular Pay-Stowe St)	12,518.00
A1621.8999 (Fringe Benefits)	8,508.00
A1622.1101 (Regular Pay-New CH)	31,529.00
A1622.8999 (Fringe Benefits)	20,249.00

<u>Decrease Appropriations</u>	
A1620.1101 (Regular Pay-CH)	\$31,529.00
A1620.8999 (Fringe Benefits)	20,249.00

<u>Increase Revenues</u>	
A30210 (Court Facility Aide)	\$30,881.00

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

Moved by Legislator Fanning, seconded by Legislator

Wallace, and adopted.

RESOLUTION NO. 414 – 2011RESOLUTION AMENDING 2012 TENTATIVE BUDGET
CIVIL SERVICE OFFICE

Introduced by Legislator Paul Stanford, Chairman of the County Officers Committee.

WHEREAS, the Board wishes to re-instate the 2012 proposed County appropriations for the Civil Service office personnel and operations.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, in reference to the Civil Service Office, to approve the following line item appropriations to:

<u>ACCOUNT</u>	<u>AMOUNT</u>
A1430.1999 (Personal Svs.)	\$59,780.00
A1430.4301 (Telephone)	650.00
A1430.4401 (Postage)	750.00
A1430.4403 (Printing)	400.00
A1430.4407 (Supplies)	750.00
A1430.4505 (Dues)	250.00
A1430.4605 (Repairs & Maint-Equip)	250.00
A1430.4901 (Professional Services)	4,000.00
A1430.4907 (Legal Notices)	100.00
A1430.8901 (Retiree H Ins)	6,042.00
A1430.8999 (Fringe Benefits)	<u>26,613.00</u>
Total:	\$99,585.00

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

Moved by Legislator Lucas, seconded by Legislator

Tabolt, and adopted.

RESOLUTION NO. 415 – 2011

RESOLUTION AMENDING 2012 TENTATIVE BUDGET
HUMAN RESOURCES DEPARTMENT

Introduced by Legislator Paul Stanford, Chairman of the County Officers Committee.

WHEREAS, the Board wishes to re-instate the County appropriations for the Civil Service office personnel and operations, thereby reducing the contractual appropriations for the Human Resources Department.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, in reference to the Human Resources Department, to reduce appropriations to Account No. A1431.4999 by \$97,085.00 for a total of \$256,279.00.

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

Moved by Legislator Stanford, seconded by Legislator

Tabolt, and adopted.

RESOLUTION NO. 416 – 2011

RESOLUTION AMENDING 2012 TENTATIVE BUDGET
COUNTY ATTORNEY

Introduced by Legislator Philip Hathway, Member of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, in reference to the Lewis County Attorney, to set the County Attorney salary at \$99,500.00 effective January 1, 2012.

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

Moved by Legislator Hathway, seconded by Legislator
Tabolt, and adopted. Legislator King was opposed.

RESOLUTION NO. 417 – 2011

RESOLUTION AMENDING 2012 TENTATIVE BUDGET
JUSTICES AND CONSTABLES

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

WHEREAS, the line item appropriation for Justices and Constables was inadvertently left out of the 2012 Tentative Budget.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, to appropriate \$1,200.00 to Account No. A1180.4999 for Justices and Constables.

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

Moved by Legislator Boyd, seconded by Legislator Lucas,
and adopted.

RESOLUTION NO. 418 – 2011

RESOLUTION AMENDING 2012 TENTATIVE BUDGET
OFFICE FOR THE AGING DIRECTOR

Introduced by Legislator Philip Hathway, Chairman of the Office For the Aging Committee.

WHEREAS, in consideration of the impending retirement of Director David Bush, the Board of Legislators wishes to set the salary of the Office For the Aging Director position at \$48,000, effective January 1, 2012.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, in reference to the Lewis County Office For the Aging Department, to set the salary of the Office For the Aging Director at \$48,000.00, effective January 1, 2012.

Section 2. That County Manager David Pendergast is authorized to advertise and fill said position.

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

Moved by Legislator King, seconded by Legislator Hathway,
and adopted.

RESOLUTION NO. 419 – 2011

RESOLUTION AMENDING 2012 TENTATIVE BUDGET
OFFICE FOR THE AGING

Introduced by Legislator Philip Hathway, Chairman of the Office For the Aging Committee.

WHEREAS, recognizing that the senior congregate meal sites have been reduced to three (3) days per week; and

WHEREAS, the Board wishes to authorize an additional one meal per month at each of the senior congregate meal sites, equating an additional cost of \$10,245.00; and

WHEREAS, that figure would be partially offset by estimated donations.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, in reference to the Lewis County Office For the Aging Department, to appropriate an additional \$10,245.00 to Account No. A6772.4911; and increase Revenue Account No. A27050 by \$1,745.00 equating an additional \$8,500.00 in County net share cost.

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

Moved by Legislator Stanford, seconded by Legislator King,
and adopted.

RESOLUTION NO. 420 – 2011

RESOLUTION AMENDING 2012 TENTATIVE BUDGET
PROBATION DIRECTOR

Introduced by Legislator William Burke, Member of the Board of Legislators.

WHEREAS, in consideration of the impending retirement of Probation Director Randall Schell, the Board of Legislators wishes to set the salary of the Probation Director position at \$58,000, effective January 1, 2012.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, in reference to the Lewis County Probation Department, to set the salary of the Probation Director at \$58,000.00, effective January 1, 2012.

Section 2. That County Manager David Pendergast is authorized to advertise and fill said position.

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

Moved by Legislator Lucas, seconded by Legislator Burke,
and adopted. Legislators Fanning, Hathway and King were opposed.

RESOLUTION NO. 421 – 2011

RESOLUTION AMENDING 2012 TENTATIVE BUDGET
PUBLIC HEALTH DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, following an in-depth review and analysis, Director Carol Paluck recommends additional program cost savings by eliminating two (2) full-time Service Coordinator positions for the Early Intervention Program, whose duties would be reassigned to other personnel and contractor agencies.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, in reference to the Public Health Department, to abolish two (2) full-time Service Coordinator positions for the Early Intervention Program, effective January 1, 2012.

Section 2. That Account No. A4015.1999 (Personal Services) be reduced by \$77,541.00; Account No. A4015.8999 (Fringe Benefits) be reduced by \$44,110.37; and Account No. A4015.4901 (Professional Services) be increased by \$12,000.00.

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

Moved by Legislator Fanning, seconded by Legislator

Burke, and adopted.

RESOLUTION NO. 422 – 2011RESOLUTION AMENDING 2012 TENTATIVE BUDGET
YOUTH BUREAU

Introduced by Legislator Philip Hathway, Chairman of the Youth Bureau Committee.

WHEREAS, after further consideration, the Board wishes to reinstate a portion of the funding for Youth County Projects authorized at the discretion of the Youth Bureau.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, in reference to the Lewis County Youth Bureau, to appropriate an additional \$1,579.00 to Account No. A7311.4505 for Misc. County Youth Projects, which equates a 20% reduction based on the 2011 level.

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

Moved by Legislator Boyd, seconded by Legislator

Hathway .

Legislator Hathway made a motion to reduce the appropriation to Account No. A7311.4505 to the amount of \$1,179.00, seconded by Legislator Tabolt and carried.

The resolution was then adopted.

RESOLUTION NO. 423 – 2011RESOLUTION AMENDING 2012 TENTATIVE BUDGET
MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Philip Hathway, Member of the Board of Legislators.

WHEREAS, following an in-depth review, analysis and discussion, the Board of Legislators wishes to reduce the Net County share cost of the Mental Hygiene program services to the amount of \$250,000.00.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, in reference to the Lewis County Mental Hygiene Department programs, to increase Revenue Account No. A16201 (Mental Health Fees) by \$496,554; and reduce appropriations to Account No. A4322.4909 (ARC County Share) by \$7,682.00; which equates a total County Net Share Cost of \$250,000.00.

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

Moved by Legislator Tabolt, seconded by Legislator
Boyd.

Legislator King asked for clarification for what the increase of \$496,554 revenues were based on. Mr. Pendergast submitted that he could not in good conscience recommend adoption of this resolution. Following the Board's directive yesterday, the amendment put forth merely inflates the mental health fees representing 18,787 units of service, for a total of \$1,679,594. He distinguished that current year revenues were projected at \$1,787,219; however, year-to-date receipts total only \$900,028 or 51%, which equates 10,069 units of service. Adding, that yesterday, the Director of Community Services queried the validity of the 17,000 units of service being proposed by Transitional Living Services (TLS).

The original budget submitted by the Director based mental health fee revenue on 14,000 units of service at \$89.40/unit. However, based on actual year-to-date units of 8,600 at that time, Mr. Pendergast reduced the figure equated on a more realistic 10,000 units. He surmised the amended figures were to appease the Board in response to their directive to reduce the budget to equate a \$250,000.00 County net share. Even though, he stated, the Board had affirmed their willingness to review the budget and make adjustments as the year progressed. He termed the proposed figures unrealistic and irresponsible.

Mr. Pendergast reminded that the original request of \$754,000.00 was reduced to \$537,000.00 Net County Share, in response to the Board's first directive to reduce to a Net County Share of \$250,000.00.

Legislator King suggested the Mental Health accounting staff be under the direction of the County Treasurer; also, there will be monthly scrutiny for units of service and quarterly financial reports.

Legislator Fanning stated the proposed resolution was unacceptable; adding there needs to be more efficiency at the clinic.

In response to Chairman Bush's inquiry, Legislator King would like to reduce the mental health fee revenue line to a more realistic figure, while supporting the reduced Net County Share of \$250,000.00. He cited the 2010 deficit of \$300,000 over the County cost; and the fact there is no tracking of units of service, or a disregard thereof.

Mr. Pendergast quoted the Tentative Budget figure for mental health fees is \$1,183,040 versus the original request of \$1,508,858.

There was general agreement not to unrealistically inflate the revenues. In consideration of the Board's intent to adopt the budget this evening, County Attorney Graham asserted the budget must balance.

Mr. Pendergast clarified that the Net County Share for the Mental Health programs was \$754,236.00. It would take some time to recalculate the line item appropriations to equate the Board's directive for a Net County Share of \$250,000.00. Moreover, in light of the impending discussion this evening, he has not yet submitted the required budget form to the State Comptroller in accordance with the 2% Property Tax Cap Legislation, which must be done prior to the Board's adoption thereof.

Legislator Hathway made a motion to table this resolution, seconded by Legislator Boyd and carried

RESOLUTION NO. 424 – 2011

RESOLUTION AMENDING 2012 TENTATIVE BUDGET
OFFICE FOR THE AGING

Introduced by Legislator Philip Hathway, Chairman of the Office For the Aging Committee.

WHEREAS, in consideration of program services provided by a tenured Specialist Service For Aging, and the respective impending retirement on October 1, 2012; and

WHEREAS, the Board wishes to reinstate the position on a temporary part-time basis for an amount equal to less than prospective unemployment costs.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, in reference to the Lewis County Office For the Aging Department, to re-instate a Specialist Service For Aging on a temporary part-time basis through October 1, 2012.

Section 2. That the Board hereby appropriates an additional \$6,100.00 to Account No. A6772.1999 to fund said position.

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

Moved by Legislator King, seconded by Legislator Hathway,
and adopted.

RESOLUTION NO. 425 – 2011RESOLUTION TO TRANSFER FUNDS
BUILDING AND FIRE CODES

Introduced by Legislator John Boyd, Chairman of the Building Codes Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers be approved in the Building Codes

Department accounts to cover expenses:

<u>From:</u>	<u>Amount:</u>
A3620.8999 (Fringe)	\$ 350.00
A3620.4301 (Phones)	<u>120.00</u>
	\$ 470.00
 <u>To:</u>	
A3620.4703 (Vehicle Exp-Gas/Oil)	\$ 470.00

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

Moved by Legislator Lucas , seconded by Legislator Burke ,

and adopted.

RESOLUTION NO. 426 – 2011RESOLUTION TO TRANSFER FUNDS
BUILDINGS AND GROUNDS

Introduced by Legislator William Burke, Chairman of the Buildings & Grounds
Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer be approved in the Buildings &
Grounds accounts to cover telephone expenses:

<u>From:</u>	<u>To:</u>	<u>Amount:</u>
A1620.4304 (Natural Gas)	A1620.4301 (telephone)	\$700.00

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

Moved by Legislator King, seconded by Legislator Tabolt,
and adopted.

RESOLUTION NO. 427 - 2011

**RESOLUTION AUTHORIZING CONTRACT WITH
LEWIS DEFENDERS, PLLC**

Introduced by Legislator John Boyd, Chairman of Courts and Law Committee

WHEREAS, County Law §722 directs each county to adopt a plan to provide legal counsel to persons charged with a crime or who are entitled to counsel pursuant to Family Court Act §262 and who are financially unable to obtain counsel (herein “public defense legal services”); and

WHEREAS, County Law §722(2) authorizes a county to provide representation through a corporation, voluntary association, or organization permitted to practice law under the authority of § 495 of the Judiciary Law, which includes organizations which have as their primary purpose the furnishing of legal services to indigent persons.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby approves the plan to provide public defense legal services through a contract with LEWIS DEFENDERS, PLLC to commence effective January 1, 2012 and continue through December 31, 2012.

Section 2. That the all inclusive annual cost of such services shall not exceed \$240,000.00, provided that such services shall not include the prosecution or defense of any appeals except to file the appropriate notice of appeal to preserve the rights of the indigent defendant.

Section 3. That the Chairman, or the Vice-Chairman, of the Board of Legislators be and the same are hereby authorized to execute and deliver such agreement to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

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

Moved by Legislator Lucas, seconded by Legislator

Burke, and adopted.

RESOLUTION NO. 429 – 2011RESOLUTION TO TRANSFER FUNDS
SHARED SERVICES

Introduced by Legislator William Burke, Chairman of the Ways and Means
Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer of funds to the Shared Services
account be approved, to cover Copier and Rent Expenses:

<u>From:</u>	<u>Amount</u>
A1990.4999 (Contingency)	\$30,000.00
<u>To:</u>	
A1650.4405 (Central Copier)	\$20,000.00
A1650.4803 (Rent)	\$10,000.00

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

Moved by Legislator King, seconded by Legislator

Boyd, and adopted.

RESOLUTION NO. 430 – 2011RESOLUTION TO TRANSFER FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator John Boyd, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers be approved in the Sheriff's Department and Jail accounts to cover contracted and other expenses:

<u>From:</u>	<u>Amount:</u>
A3150.1103 (Overtime)	\$10,000.00
A1990.4999 (Contingency)	21,349.12
A1010.4199 (Special Contingency)	<u>693.27</u>
	\$32,042.39

<u>To:</u>	
A3150.1104 (Contracted Items)	\$10,000.00
A3150.4301 (Telephone)	2,100.00
A3110.4605 (Repairs, Maintenance & Equip)	700.00
A3110.4703 (Vehicle Expense- Gas/Oil)	16,000.00
A3110.4903 (All types Insurance)	<u>3,242.39</u>
	\$32,042.39

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

Moved by Legislator Stanford, seconded by Legislator King,
and adopted.

RESOLUTION NO. 431 - 2011**RESOLUTION TO AMEND ADMINISTRATIVE MANUAL AND
TO ADOPT A WORKPLACE VIOLENCE PREVENTION POLICY**

Introduced by Jack T. Bush, Chairman, Board of Legislators.

WHEREAS, Lewis County has a long-standing commitment to promoting a safe and secure work environment for all its employees and has maintained a policy whereby all County employees and officials are expected to maintain a work environment free from violence, threats of harassment, intimidation or coercion including sexual harassment; and

WHEREAS, Labor Law § 27-b and the regulations promulgated thereunder require that the County continually review and amend as necessary its Workplace Violence Prevention Program including both its policies and their implementation; and

WHEREAS, the Board of Legislators has been presented with the attached amended Workplace Violence Prevention Policy;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby adopts the annexed amended Workplace Violence Prevention Policy and hereby authorizes its inclusion in the Lewis County Administrative Manual and the Lewis County Personnel Manual to apply to all County officers and employees.

Section 2. That the County Manager and the Director of Facilities for the hospital be and the same are hereby authorized to make, execute and deliver such documents, writings and forms and to take such other actions as deemed necessary to implement this Policy.

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

Moved by Legislator Stanford, seconded by Legislator
King, and adopted.

WORKPLACE VIOLENCE PREVENTION POLICY

Effective: **March 4, 2003**

Revised: **November 29, 2011**

Policy:

I. Policy

Lewis County has a long-standing commitment to promoting a safe and secure work environment for all its employees. All County employees and elected County Officials are expected to maintain a work environment free from violence, threats of harassment, intimidation or coercion including sexual harassment.

It is the policy of Lewis County to prohibit any acts or threats of violence by any employee or former employee against any other employee on County property or elsewhere at any time. In addition, threats, threatening behavior, or acts of violence against employees, customers, visitors, guests, or other individuals by anyone on Lewis County property will not be condoned. Nor will the County condone such behavior against County employees while performing County business whether on or off County property.

II. Zero tolerance

Violence, threats of violence, intimidation, harassment, coercion, or other threatening behavior towards people or property will not be tolerated. Complaints involving workplace violence or harassment will not be ignored and will be given the serious attention they deserve. Individuals who violate this policy may be removed from County property. Employees who violate this policy may be subject to disciplinary action up to and including termination, consistent with County policies, rules and collective bargaining agreements, and/or referral to law enforcement authorities for criminal prosecution.

III. Definitions

As used in connection with this Policy and the Workplace Violence Prevention Program, the following terms mean:

- (1) **Workplace violence:** Workplace violence is any physical assault threatening behavior or verbal abuse that occurs in the work setting. Examples of workplace violence may include, but are not limited to:
 - Disruptive behavior intended to disturb, interfere with or prevent normal work activities (such as yelling, using profanity, verbally abusing others,

or waving arms and fists).

- Intentional physical contact for the purpose of causing harm (such as slapping, stabbing, punching, striking, shoving, or other physical attack).
- Menacing or threatening behavior (such as throwing objects, pounding on a desk or door, damaging property, stalking, or otherwise acting aggressively; or making oral or written statements specifically intended to frighten, coerce, or threaten) where a reasonable person would interrupt such behavior as constituting evidence of intent to cause harm to individuals or property.
- Threatening physical harm either verbally, in writing or electronically.
- Possessing a weapon on County premises or in a County vehicle as further defined below.

- (2) ***Authorized Employee Representative:*** An employee authorized by the employees or the designated representative of an employee organization recognized or certified to represent the employees pursuant to Article 14 of the Civil Service Law.
- (3) ***Retaliatory Action.*** The discharge, suspension, demotion, penalization, discrimination, or other adverse employment action taken against any employee in the terms and conditions of employment.

IV. Workplace Violence Prevention Program

The adoption of this Policy is one component of the County's ongoing Workplace Violence Prevention Program. A copy of the Workplace Violence Prevention Program is attached as Appendix I. The Program shall encompass the following elements:

- Evaluation of risk factors
- Prevention Control Measures
- Posting of the Workplace Violence Prevention Statement in all County buildings
- Employee training
- Incident Reporting/Record keeping
- Annual evaluation of Program in its entirety and modification as necessary.

V. Workplace Risk Evaluation

A risk assessment shall be performed by the County as an essential component to its Workplace Violence Prevention Program (See, Appendix I). The risk assessment shall be conducted initially upon the adoption of this Policy and annually thereafter. The risk assessment shall be performed under the direction of the Program Administrators, with the participation of an authorized employee representative, and shall include a review of all County buildings and departments, to determine the presence of factors which may place employees at risk of workplace violence.

VI. Prevention control measures

It is the County's policy to establish such prevention control measures as are necessary and advisable in order to address the risks identified in the risk assessments performed as described above. The Workplace Violence Prevention Program shall provide for such control measures that are in place now and provide for continuing monitoring and/amendment following receipt of the risk assessments and as the need arises.

VII. All weapons banned

The County of Lewis specifically prohibits any employee from bearing or having in his or her possession, either openly or concealed, any firearm, gun explosive device or substance, lethal or debilitating chemical or gas, or any dangerous or deadly weapon or instrument of any description, including, but not limited to a handgun, pistol, target pistol, revolver, rifle, shotgun, dangerous knife, dagger, switchblade, taser, imitation pistol or other items defined by the Penal Law of the State of New York, while entering into or while being present in any building and/ or vehicles owned, leased or operated by or for the County of Lewis.

This ban includes keeping or transporting a weapon in a vehicle in a parking area, whether public or private. Employees are also prohibited from carrying a weapon while performing services off the County's business premises.

This policy shall not apply to any authorized peace officer or police officer, as defined in the New York State Criminal Procedure Law, or any authorized official of the County, State or Federal Government. This exemption being limited, however, to such times when the official duties of such an authorized officer or official cause him or her to be present in any building owned, leased or occupied by the County of Lewis.

Employees who violate this policy shall be subject to disciplinary action, up to and including termination.

VIII. Education/Training

All County employees will receive workplace violence prevention education through general orientation and annually thereafter. Education/training will be provided through both written materials and live training sessions. Training will include measures the employees can take to protect themselves from identified risks, specific procedures to protect themselves such as appropriate work practices, emergency procedures, how to report an incident and employee responsibility. All employees will be required to participate in this training at least once each year. Failure or refusal to participate in this training may result in disciplinary action.

Additionally, a written policy statement, in the form attached hereto as Appendix II will be posted prominently in each County building.

IX. Inspections

Desks, telephones, computers, fax machines, and mail systems, including e-mail are the property of the County and are intended for business use only. Employees are reminded that they have no expectation of, nor right to privacy in connection with any of these systems.

Management reserves the right to enter or inspect your work area including, but not limited to, desks, computers, hard drives, e-mails, computer storage disks and storage media of whatever form or format, with or without notice.

X. Reporting of incidents

1. General Reporting Responsibilities

Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not to be ignored by any County employee or elected official. Workplace violence should promptly be reported using the threat summary form to be made available to each department head. Additionally, County employees and elected officials are encouraged to report behavior that they reasonably believe poses a potential for workplace violence as defined in Section IV. It is important that all employees and elected officials take this responsibility seriously to effectively maintain a safe working environment.

2. Imminent or Actual Violence

Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call 911 immediately.

3. Commitment of a Crime

All individuals who believe a crime has been committed against them have the right, and are encouraged, to report the incident to the appropriate law enforcement agency.

4. Sexual Harassment

Sexual harassment can be a form of workplace violence and will not be tolerated in the workplace. Lewis County has established a separate Anti-Harassment Policy that fully details the steps that the County has taken to prevent such incidents from occurring.

Employees who have complaints of sexual harassment by anyone at work, including any supervisors, co-employees, or visitors, are urged to report such conduct so that the County may investigate and resolve the problem in a timely fashion. Employees may bring such matters to the direct attention of their supervisor, department heads, Human Resources Director or directly to the County Attorney. (See, Anti-Harassment Policy for

further information.)

5. *False Reports*

Employees and elected officials who make false and malicious complaints of workplace violence or sexual harassment, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action and/or referral to law enforcement authorities as appropriate.

XI. Incident management

The County has an Employee Assistance Program (“EAP”) in place to assist employees in the event that an incident of workplace violence occurs. Referrals to the EAP will be made upon request.

XII. Reports to the Department of Labor

Any employee or representative of employees who believes that a serious violation of a workplace violence protection program exists or that an imminent danger exists shall bring such matter to the attention of the employee’s department head and/or the County Manager in the form of a written notice and shall afford the County a reasonable opportunity to correct such activity, policy or practice.

If following a referral of such matter to the employee’s department head and/or the County Manager’s attention and after a reasonable opportunity to correct such activity, policy or practice the matter has not been resolved and the employee or representative of employees still believes that a violation of a workplace violence prevention program remains, or that an imminent danger exists, such employee or representative of employees may request an inspection by the Department of Labor by giving notice to the Commissioner of Labor of such violation or danger in writing and in accordance with the Commissioner’s rules and regulations regarding such requests.

XIII. No Retaliation

No County official or employee shall take any retaliatory action against any employee because the employee exercises any right accorded him or her by this Policy, or any law rule, or regulation established by the NYS Department of Labor. The County of Lewis shall take appropriate disciplinary action against any employee whose actions are retaliatory in nature up to and including termination.

APPENDIX I**WORKPLACE VIOLENCE PREVENTION PROGRAM**

The goal of this Program is to promote a safe and secure working environment for Lewis County employees as well as for the general public when on County premises.

I. Responsibility

A. The Program Administrators for workplace security are:

County Office Buildings/Highway
Garage

David Pendergast, County Manager
7660 N. State Street
Lowville, Ny 13367
315-376-5355

Lewis County General Hospital

Joseph Todora, Administrator
7785 N. State Street
Lowville, NY 13367
315-376-5794

II. Assessment of Risk Factors

The County shall conduct an initial assessment (and annually thereafter) of all County buildings and departments. Such assessments shall be performed with the participation of an authorized employee representative. The purpose of the assessments is to determine the presence of factors which may place employees at risk of workplace violence.

The assessment shall include the following:

A. Record Examination:

An examination of any records relevant to the purposes of this Program, including records compiled in the previous year that concern workplace violence incidents as well as workplace injuries. The examination will look towards identifying patterns in the type and cause of injuries. The examination will also look to identify patterns of injuries in particular areas of the workplace or incidents which involve specific operations or specific individuals.

B. Administrative Risk Factors

An assessment of relevant policies, work practices, and work procedures that may impact the risk of workplace violence.

C. Evaluation of Physical Environment

The County, with the participation of the authorized employee representatives, shall evaluate the workplace to determine the presence of factors which may place employees at risk of workplace violence.

III. Identified Risk Factors

The following factors have been identified as potentially placing employees at risk:

- (i) Working in public settings (e.g. emergency room staff, social service workers, police officers, emergency first responders, public transportation drivers, health care workers, other governmental workers or service workers);
- (ii) Working late night or early morning hours;
- (iii) Exchanging money with the public;
- (iv) Working alone or in small numbers;
- (v) Working in a location with uncontrolled public access to the workplace;
- (vi) Working in areas of previous security problems; or
- (vii) Working with clients or persons with a known history of violent behavior or behavior disorders.

Additional factors may be identified from time to time through the continuing evaluation process described above.

III. Prevention Control Measures

The following control measures have been put in place to eliminate or reduce the risk of workplace violence. Each risk area and resultant control measure will be evaluated according to the following hierarchy of control:

- A. Engineering controls eliminate or reduce the hazard through substitution or design. These include the following:
 - 1. High risk areas will be monitored by plant operations during security rounds each shift. Results will be reported to the appropriate Program Administrator.
 - 2. All external lighting will be checked on a regular basis and reported to the appropriate Program Administrator.
 - 3. Surveillance equipment and/or alarm systems will installed where deemed necessary and appropriate based upon an evaluation of County-owned buildings and premises.
 - 4. Access to the County's property before/after normal work hours will be subject to such security procedures as will be developed by County management for each County building or worksite. Such security procedures may include requiring sign in/sign out sheets for all persons entering or leaving the building after normal work hours. Additionally,

any employee working other than his or her normal hours must inform a supervisor prior to doing so.

5. Internal office entrance doors will be locked before/after normal work hours.
- B. Administrative or work practice controls eliminate or reduce the hazard by changing organizational policies and procedures. These include the following:
1. No weapons are permitted on County occupied/owned buildings or vehicles.
 2. Employees are reminded to not bring unnecessary cash to work and to lock personal belongings in assigned locker (for those departments where available).
 3. Posting signs in appropriate departments stating that limited cash is on hand.
 4. Employees will receive training in conflict resolution and non-violent self-defense methods.
 5. A reporting system has been established for incidents of aggressive behavior.
 6. The Program Administrators will work with their respective Department Heads or Managers to develop and administer Workplace Violence Response Procedures specific to work areas within each department detailing appropriate action and contact information and assure that such Procedures will be posted and circulated.
 7. County management will conduct periodic reviews of the security measures involving use of County premises.
 8. County employees required to work in the field will be provided with cell phones.
- C. Personal Protective Equipment.
- The County will provide employees with personal protective equipment such as gloves, respirators and hardhats, when necessary to reduce or avoid risk factors on the worksite.

IV. Education/Training

The County will provide education/training to all employees through both written materials and in live training sessions.

Training topics should include at least the following:

- Requirements of the workplace violence regulation
- Details of the risk factors identified in the risk assessment
- How to obtain a copy of the Workplace Violence Prevention Policy and this Program and where it is kept.
- How employees can protect themselves, report threats and incidents, and suggest improvements to the Program

- Description and details of the County's written Workplace Violence Prevention Program.
- How to obtain post-incident crisis counseling.
- Training on dealing with potentially violent clients, patients, co-workers and inmates.
- Safety Training, and Strategies for Crisis Intervention and Prevention (SCIP).

V. Recordkeeping and Recording Of Workplace Violence Incidents

A. The County shall establish and implement reporting systems for incidents of workplace violence. The reporting system will include, among other things, a Workplace Violence Incident Report to be filled out by the Department Head or Department Manager whenever an incident of workplace violence is reported. Such Report must contain:

- (a) Workplace location where incident occurred;
- (b) Time of day/shift when incident occurred;
- (c) A detailed description of the incident, including events leading up to the incident and how the incident ended;
- (d) Names and job titles of involved employees;
- (e) Name or other identifier of other individual(s) involved;
- (f) Nature and extent of injuries arising from the incident; and
- (g) Names of witnesses.

B. Privacy Concern Case

- (a) If the case is a "privacy concern case" as defined below, the Department Head or Department Manager is still responsible for developing a Workplace Violence Incident Report as set forth above. However, before sharing a copy of such Report with any party other than the County Attorney or designated legal counsel, the Department Head or Department Manager shall remove the name of the employee who was the victim of the workplace violence and shall instead enter "PRIVACY CONCERN CASE" in the space normally used for the employee's name.
- (b) The County will treat incidents involving the following injuries or illnesses as privacy concern cases:

- (1) An injury or illness to an intimate body part or the reproductive system;
 - (2) An injury or illness resulting from a sexual assault;
 - (3) Mental illness;
 - (4) HIV infection;
 - (5) Needle stick injuries and cuts from sharp objects that are or may be contaminated with another person's blood or other potentially infectious material; and
 - (6) Other injuries or illnesses, if the employee independently and voluntarily requests that his or her name not be entered on the Report.
- C. The Workplace Violence Incident Report must be maintained for use in annual program review and updates.
- D. The Program Administrators, with the participation of the authorized employee representative, shall conduct a review of the Workplace Violence Incident Reports at least annually to identify trends in the types of incidents in the workplace and review of the effectiveness of the mitigating actions taken.

Appendix II
ATTENTION:
EMPLOYEES, CONTRACTORS, VISITORS

Lewis County Workplace Violence Policy Statement

Lewis County is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our agency, staff, and clients. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on Lewis County property will be thoroughly investigated and appropriate action will be taken, including summoning criminal justice authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other as well as customers, clients, and/or patients, following all policies, procedures and program requirements, and for assisting in maintaining a safe and secure work environment.

This policy is designed to meet the requirements of NYS Labor Law 27b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law included a workplace evaluation that was designed to identify the workplace violence hazards our employees could be exposed to. Other tools that were utilized during this process included establishing a committee made up of management and Authorized Employee Representatives who will have an ongoing role of participation in the evaluation process, recommending methods to reduce or eliminate the hazards identified during the process and investigating workplace violence incidents or allegations. All employees will participate in the annual Workplace Violence Prevention Training Program.

The goal of this policy is to promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification. Lewis County has identified response personnel that include a member of management and an employee representative. If appropriate, the Lewis County will provide counseling services or referrals for employees.

All Lewis County personnel are responsible for notifying the contact person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received.

Designated Contact Person:

Name: David Pendergast, County Manager
Phone: 315-376-5355
Location: 7660 North State Street, Lowville, NY 13367

OTHER BUSINESS:

Legislator Hathway was distressed that the County does not advertise for timber sale bids. Reforestation Committee Chairman Jerry King relayed the committee's preliminary discussion, and their unofficial intent to recommend the bid process.

Legislator Stanford was of the opinion that the bid process would attract the same individuals who currently have County forestry contracts.

Legislator King made a motion to bid out the timber sales, seconded by Legislator Hathway. As a private forest owner, Legislator Tabolt was not opposed to exploring the issue. However, it is his experience as a conscious owner to select reputable, responsible operators to harvest the woodlands, rather than merely considering the highest price. Alternatively, constant supervision may be necessary to assure authorized removals and minimized damage.

Legislator King submitted that contracts could include specific articles of agreement to protect the land, or alternatively impose penalties.

As a private woodlands owner, Legislator Lucas concurred with Legislator Tabolt's comments, essentially stating that authorizing reputable loggers would enhance greater long-term management. Legislators King and Hathway distinguished the lands in question are publicly-owned. Legislator Lucas insisted the goal is to sustain a long-term revenue source, which would be promoted through management selection of reputable contractors rather than highest bid price, and be in the best interest of the taxpayers.

In response to Legislator Stanford, County Attorney Graham offered that a contract could be written to encompass the Board's discretionary directives, whether for advisory professional services on forestry management, or the bid process to maximize revenues.

The motion to advertise bids for timber sales was then carried by a voice vote of 6 to 4, with Legislators Tabolt, Lucas, Burke and Wallace opposed.

Legislator Lucas clarified that the next meeting of the Board would be held on December 1, 2011 at 3:00 p.m., to consider adoption of the 2012 County Budget.

There being no other business to come before the Board, Legislator Fanning made a motion to adjourn at 5:40 p.m., seconded by Legislator Wallace and carried.

**ANNUAL SESSION
FIFTH DAY
December 1, 2011**

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 14 persons present.

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on resolutions presented late this evening.

Richard C. Lucas, Chairman
William J. Burke
Patrick Wallace

Dated: December 1, 2011

Legislator Tabolt made a motion to waive the rules as recommended, seconded by Legislator Burke and carried.

PRIVILEGE OF THE FLOOR:

Mr. Michael DiNitto, Director of the ARC workshop in Lowville, reported the State many years ago had devised a funding formula for ARC's at 50% State, 25% County, with the agency responsible for the remaining 25%. Over the last decade the \$60,000 Lewis County appropriation has been cut to \$30,000, which is now proposed to be eliminated. While realizing the Board's budgeting challenges, Mr. DiNitto respectfully requested restoration of the appropriation.

In response to Legislator Fanning's inquiry, Mr. DiNitto affirmed there is no legal obligation for a County contribution connected with ARC's State funding. However, he explained that the funding supports programs for relief to families of disabled individuals. There has been some conversion of the State-devised formula to 50% Medicaid and 50% non-Medicaid funding.

Mr. DiNitto reported that most of the ARC workshop contracts are from Oneida County and other outside areas, to provide work for disabled individuals that enhance their self-esteem and self-sufficiency. They have on-site access to nursing services, psychiatric and nutrition counseling, occupational and physical therapy; all efforts to avoid institutionalization or hospitalization. Legislator Fanning relayed his intent to consider the funding issue with the Mental Health Committee.

COUNTY MANAGER REPORT:

Mr. Pendergast commended County Treasurer/Deputy Budget Officer Patricia O'Brien for all her assistance to formulate what was her first official budget. Chairman Bush imparted his thanks to both Mr. Pendergast and Mrs. O'Brien, followed by a round of applause.

RESOLUTIONS:

RESOLUTION NO. 432 – 2011RESOLUTION AMENDING 2012 TENTATIVE BUDGET
MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

WHEREAS, following an in-depth review, analysis and discussion, the Board of Legislators wishes to reduce the Net County Share cost of the Mental Health program services to the amount of \$250,000.00.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, in reference to the Mental Health programs, to amend appropriations and revenues to the amounts set opposite each of the following Accounts, to equate a total Net County Share of \$250,000.00:

<u>REVENUE ACCOUNT</u>	<u>AMOUNT</u>
A16201 (Mental Health Fees)	\$1,508,545.00
A16205 (Alcohol Services Fees)	184,230.00
A27056 (MH-ICM/CIM Fees)	219,576.00
A30001 (Early Recog. Coord. & Screening)	67,882.00
 <u>APPROPRIATION ACCOUNT</u>	
A4310.1101 (Regular Pay-MH)	\$1,282,845.00
A4310.4301 (Telephone)	16,000.00
A4310.4303 (Utilities-Gas/Electric)	18,960.00
A4310.4401 (Postage)	4,500.00
A4310.4407 (Supplies)	16,500.00
A4310.4409 (Data Processing Costs)	18,741.00
A4310.4501 (Education/Training)	3,617.00
A4310.4503 (Education Material)	2,500.00
A4310.4507 (Travel & Subsistence)	10,000.00
A4310.4804 (Rent Stipend)	60,500.00
A4310.4901 (Professional Service)	325,000.00
A4310.4902 (Other Psychiatry)	- 0 -
A4310.4907 (Legal Notices/Adv)	1,500.00
A4310.8999 (Fringe Benefits)	566,048.00

A4312.4903 (Ins Liability & Fire)	2,000.00
A4312.4907 (Audit)	4,500.00
A4317.4999 (Early Recog. Coord & Screening)	45,470.00
A4322.4909 (ARC County Share)	- 0 -
A4330.4407 (Supplies)	2,100.00
A4335.4301 (Telephone)	2,400.00
A4335.4501 (Education and Training)	1,700.00
A4335.4907 (Legal/Adv)	1,000.00

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

Moved by Legislator King, seconded by Legislator
Fanning, and adopted.

RESOLUTION NO. 433 – 2011

RESOLUTION AMENDING 2012 TENTATIVE BUDGET
MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the 2012 Tentative Budget to set the salary of the Director of Community Services at \$62,500, effective January 1, 2012.

Section 2. That the following amending appropriations are hereby authorized to reflect the amended salary, effective January 1, 2012:

<u>Decrease Account:</u>	<u>Amount</u>
A4310.1101 (Regular Pay-MH)	\$7,500.00

<u>Increase Account:</u>	
A1990.4999 (Contingency)	\$7,500.00

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

Moved by Legislator King, seconded by Legislator Boyd,

and adopted.

RESOLUTION NO. 434 – 2011

RESOLUTION AMENDING 2012 TENTATIVE BUDGET
OFFICE FOR THE AGING

Introduced by Legislator Philip Hathway, Chairman of the Office For the Aging
Committee.

WHEREAS, in reference to previously adopted Resolution No. 424-2011 authorizing
retention of a tenured Aging Services Worker .

WHEREAS, the Board wishes to increase the allowed hours per week for said position.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the 2012 Tentative Budget, in
reference to the Lewis County Office For the Aging Department, to increase the appropriations
in Account No. A6772.1999 by \$2,587.00.

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

Moved by Legislator Lucas, seconded by Legislator Hathway.

Prior to the vote, Mr. Pendergast explained the position was retained
at a rate equal to the prospective unemployment amount. The increased amount
is the disparity between the actual unemployment figure and that which was
incorrectly reported.

The resolution was then adopted.

Legislator King made a motion to enter executive session at 3:16 p.m. to discuss a specific personnel issue and union negotiations, seconded by Legislator Wallace and carried. Legislator Fanning moved to re-enter regular session at 3:29 p.m., seconded by Legislator Boyd and carried.

RESOLUTION NO. 435 - 2011**RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR
COMMENCING JANUARY 1, 2012 MAKING APPROPRIATIONS
FOR THE CONDUCT OF COUNTY GOVERNMENT AND
ESTABLISHING RATES OF COMPENSATION FOR OFFICERS
AND EMPLOYEES FOR FISCAL YEAR 2012**

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

WHEREAS, the governing body has met and considered the 2012 Tentative County Budget and has conducted a public hearing thereon as required by Section 359 of the County Law.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Tentative Budget as amended and revised and as hereinafter set forth is hereby adopted and that the several amounts as set forth in the "Adopted" column of such budget be and hereby are appropriated for the objects and purposes specified, and the salaries and wages set forth in Schedule 5 of that budget shall be and hereby are fixed at the amount shown therein, or by employees' contract effective January 1, 2012.

Moved by Legislator Lucas seconded by Legislator Burke,
and adopted by the following roll call vote:

YEAS: Boyd, Burke, Fanning, Hathway, Lucas, Stanford, Tabolt, Wallace, Bush

NAYS: King

Prior to their respective votes, Legislators Fanning, Hathway, and Stanford each expressed having reservations, while asserting the need for continued review to enhance greater efficiencies in County operations. Legislator King cited the use of too much fund balance as the reason for his opposing vote, in light of unknown future costs.

RESOLUTION NO. 436 - 2011**ASSESSING AND LEVYING AMOUNT OF TAX CALLED FOR
UNDER THE COUNTY BUDGET AS ADOPTED BY THE BOARD OF
LEGISLATORS ON THE 1st DAY OF DECEMBER 2011
AS PROVIDED FOR UNDER COUNTY LAW**

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

WHEREAS, the Board of Legislators of the County of Lewis by Resolution No. 435 -2011 adopted on the 1st day of December 2011, has adopted a County Budget for fiscal year 2012; and

WHEREAS, the said Board of Legislators by Resolution No. 435 - 2011 adopted on the 1st day of December 2011, has made appropriations for the conduct of Lewis County Government for fiscal year 2012.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That there be, and hereby is, assessed and levied upon and against the taxable property of the County of Lewis liable therefore the sum of \$ 12,761,123.00.

Moved by Legislator Tabolt, seconded by Legislator Burke, and adopted by the following roll call vote:

YEAS: Boyd, Burke, Fanning, Hathway, Lucas, Stanford, Tabolt, Wallace, Bush

NAYS: King

ABSENT: None

RESOLUTION NO. 437 - 2011RESOLUTION FOR MAINTENANCE ON THE
COUNTY ROAD SYSTEM FOR THE YEAR 2012

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

WHEREAS, the County Superintendent of Highways of Lewis County, pursuant to Section 129 of the Highway Law, has made and prepared an estimate for maintenance and repair of County roads covering a proposed program for maintenance of 248.6 miles of County roads; and

WHEREAS, the Committee, having examined the said proposed program, respectfully recommends the same be approved.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the proposed program for county road maintenance as submitted by the County Superintendent of Highways be and hereby is approved.

Section 2. That there be and hereby is appropriated and set aside from the County Road Fund as defined in Section 110 of the Highway Law the sum of \$ 1,018,440.00 as recommended in the report of the County Superintendent of Highways.

Section 3. That the County Treasurer be and hereby is authorized and directed to disburse from the County Road Fund said money on order from the County Superintendent of Highways pursuant to law.

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

Moved by Legislator Fanning seconded by Legislator Hathway,
and adopted.

RESOLUTION NO. 438 - 2011

RESOLUTION FOR SNOW REMOVAL ON
COUNTY ROAD SYSTEM FOR THE YEAR 2012

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the proposed program of snow removal on the County Road System as submitted by the County Superintendent of Highways, be and hereby is approved.

Section 2. That there be and hereby is appropriated and set aside from the County Road Fund as defined in Section 110 of the Highway Law the sum of \$1,794,361.00, as recommended in the report of the County Superintendent of Highways.

Section 3. That the County Treasurer be, and hereby is, authorized and directed to disburse from the County Road Fund said money on order from the County Superintendent of Highways, pursuant to Law.

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

Moved by Legislator Lucas seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 439 – 2011RESOLUTION AUTHORIZING THE SUPERVISOR OF
EACH TOWN IN THE COUNTY OF LEWIS TO ADD TO THEIR
TAX WARRANT THE 2012 COUNTY TAX APPORTIONED TO EACH

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

BE IT RESOLVED as follows:

Section 1. That the Supervisor of each Town in Lewis County be, and they hereby are, authorized and directed to add the amount of the apportioned 2012 County Tax to their warrant, payable to the Tax Collector of their Town, and that the sums collected be paid to the Lewis County Treasurer, and shall be paid out by her pursuant to Law.

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

Moved by Legislator Tabolt, seconded by Legislator
Fanning, and adopted.

OTHER BUSINESS:

Chairman Jack Bush thanked the entire Board and staff for all their time and hard work to formulate the budget.

There being no other business to come before the Board, Legislator Fanning made a motion to adjourn at 3:34 p.m., seconded by Legislator Tabolt and carried.

**ANNUAL SESSION
SIXTH DAY
December 6, 2011**

The meeting was called to order at 5:00 p.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 22 persons present.

The Rules and Legislation Committee had met and recommends to waive the rules to allow action on resolutions presented late this evening.

Dated: December 6, 2011

Richard C. Lucas, Chairman
William J. Burke
Patrick Wallace

Legislator Tabolt made a motion to waive the rules as recommended, seconded by Legislator Boyd and carried.

PRIVILEGE OF THE FLOOR:

Sheriff L. Michael Tabolt compared the number of 2003 complaints of 15,740 to the year-to-date number of 21,243. The inmate population is 32 males and 1 female. Several briefings have been shared with Sheriff-elect Michael Carpinelli and his appointed Undersheriff James Monnat in an effort to enhance administrative transition.

Sheriff Tabolt had met with Homeland Security representatives to facilitate upgrades to the E-911 geographic information system (GIS) that will enable identification of every building within the County. The system would also enhance Building Codes and Real Property Tax office operations. He expressed appreciation to the E-911 coordination group that referred him to the Homeland Security officials. Follow-up meetings will include Real Property Tax Map personnel, E-911 mapping personnel and the dispatch supervisor.

Sheriff Tabolt relayed his pleasure to work for this Board of Legislators. Chairman Bush bid him farewell, relating to enjoy his retirement.

Forester Rodney Buckingham took exception to finding out the Board's decision to bid out forest products through a newspaper article, asking for clarification. On behalf of the several contracting loggers in attendance, and considering the enormous amount of time for bid preparation, he requested the Board rescind their order to bid, to allow his input. Reforestation Committee Chairman Jerry King informed of a scheduled meeting to be held on 12/13/11 at 8:30 a.m. in this Board room, inviting anyone interested to attend. Chairman Bush reiterated the meeting was open to the public and encouraged Mr. Buckingham and anyone interested to attend.

Mr. Buckingham then requested that Legislator Hathway recuse himself from voting on forestry product bids, citing his personal “logger friends”, further accusing them of badgering contracted loggers. Chairman Bush asserted that any decision for recusal would be at Legislator Hathway’s discretion. In response to Legislator Hathway’s inquiry, several Legislators informed of personal friendships with loggers, querying whether everyone should recuse themselves from voting.

Legislator Tabolt explained his confusion about the vote to bid timber sales, relating his understanding the issue would be further discussed. At a meeting earlier today, he had learned that a required NYSDEC permit was obtained to allow access to County forest property by way of State land. The permit process was cumbersome and is specific for the upcoming winter months only. If the Board implements the bid process immediately, the permit is non-transferable and would prohibit logging during the upcoming months. Legislator Tabolt suggested the Committee consider forest timber sales on a case-by-case basis. Soft woods, he asserted, require greater management skills, suggesting that bids not be awarded based merely on financial revenue.

Legislator Lucas concurred, stating he has no issue with bidding for timber sales, while urging consideration to address other issues. Moreover, he cited concern for developed ATV trails on some forestry lands, which should be appropriately protected within logger agreements.

Legislator Lucas made a motion to authorize Forester Rodney Buckingham to proceed with the current logging contracts and procedures, until the Reforestation Committee has devised a specific plan to recommend to the full Board for future procedures. Legislator Tabolt seconded the motion.

Legislator King asked Rodney for the total number of acres to be cut this season. Legislator Lucas did not have a problem with changing the process, but took exception to what he termed micro-managing, instead urging trust in a long-term Department Head.

The motion was carried by a voice vote of 7 to 3, with Legislators Hathway, Fanning and King opposed.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Director of Community Services Jennifer Earl had submitted her resignation to become effective at the end of the day December 30, 2011.

The Tompkins County Legislature had forwarded a certified Resolution to urge passage of State Senate Bill No. S.5889-B and Assembly Bill A.8644, that would implement a multi-year State takeover of the local share of Medicaid.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

County Treasurer Patricia O’Brien had approved applications for refunds of real property tax to Donald Cameron for property located in the Camden School District for 2009 and 2010 in the respective amounts of \$463.25 and \$435.89.

Copies of the Treasurer's November report; 11/21/11 Highway Audit Report; 11/18/11 Solid Waste Audit Report; as well as minutes of the 10/27/11 911 Oversight Committee meeting and 11/9/11 Youth Bureau Advisory Board meeting, had been distributed to each Legislator.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services/Office For Aging Committee Chairman, reported a backlog of Medicaid long-term care open cases, which are causing issues at the Lewis County General Hospital, and attempts being made to mitigate those issues.

Legislator Hathway informed the issue with the Office For Aging senior meals would be addressed by the Committee at their next meeting.

Legislator Michael Tabolt, Hospital Committee Chairman, reported an October loss of \$170,025, primarily attributable to increased pension costs; drilling has commenced for construction of a dialysis unit; and Kathy Birchenough was named employee-of-the-month. The nursing home had been cited for three minor deficiencies in a recent NYSDOH survey, which bodes well compared to a State average of 6 and National average of 8.

Legislator Patrick Wallace, Solid Waste Committee Chairman, announced that bids would be opened on 12/8/11 at 12:30 p.m. for a trash compactor box.

Legislator Paul Stanford, Veterans Committee Chairman, reported year-to-date retroactive veteran benefit awards totaling \$292,727.00 had been generated by local Veterans' Service personnel. They have assisted 1,556 veterans, dependents and other agencies.

Legislator Richard Lucas, Economic Development Committee Chairman, reported receipt by each Legislator of Deputy Sheriff Leviker's 2011 ATV Safety Report. Safety training classes had been conducted in six school districts encompassing 351 students.

Legislator Lucas also reported work on 30 miles of ATV trails, including over 2,000 Tons of stone being placed, as well as work on nine bridges with spans between 20 – 60 feet. ATV Club volunteers performed over 3,000 hours of work. Through the ATV Fund, in 2011 only 600 hours of labor equating \$7,000.00 was paid.

Legislator Lucas informed that he and Chairman Bush had met newly appointed NYSDEC Commissioner Joe Martens, and gleaned his willingness to work with local officials on issues of mutual concern.

Legislator Lucas relayed an unofficial report from Lewis County Development Corporation President Glen Gagnier, that persons drilling at the Croghan Dam were surprised the stone was some of the hardest grade level they had ever drilled. Accordingly, there is renewed optimism for the viability of the dam. Furthermore, another company has expressed interest in constructing a hydro dam at that site.

Legislator Lucas also imparted optimism for securing \$2 Million through the Governor's economic development funds, to begin asbestos abatement for development of the Lyons Falls Pulp & Paper site. Krueger and Northbrook are committed to expansion of the hydro dam at that site.

Legislator Tabolt submitted his understanding that the original intent for imposing bed tax was to support economic development; querying how it is collected and where it is appropriated. Legislator Lucas affirmed payment of bed tax for his business. However, he is unaware what businesses submit bed tax, or the amounts paid; adding the revenue is deposited into the County general fund.

Legislator Lucas reiterated his comments at the public hearing to the then Board of Legislators, that he was not opposed to the bed tax, but voiced concern there was no enforcement mechanism. Business owners are essentially on their honor. In conclusion, Legislator Lucas posed that the request to earmark funds for specific tourism and/or economic development was also never addressed. Atty. Graham stated the County relies on the business owners to submit required reports and attendant tax revenues to the County Treasurer. He recommends a review of the respective Local Law by the Taxation Committee, to define specific enforcement procedures. Mr. Pendergast added that the bed tax revenues are deposited into the general fund, and are then appropriated for tourism activities.

Legislator William Burke, Buildings and Grounds Committee Chairman, reported completion of 82 November work orders by maintenance personnel. Also, Auctioneer Roy Teitsworth has been commissioned to conduct an on-line auction of several County surplus cars and other small items during the week of 12/7-12/14/11. Future similar auctions will be requested, pending the results of the initial on-line auction.

COUNTY MANAGER REPORT:

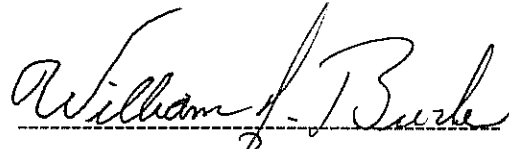
Mr. Pendergast announced the Radio Study consultants of Federal Engineering, Inc. were requesting a meeting with Legislators to discuss the results of their survey. A meeting date would be set and advertised.

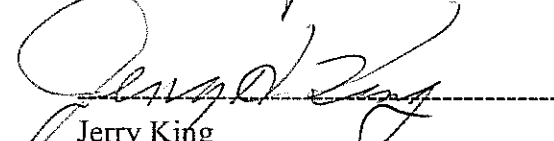
REPORT OF THE WAYS AND MEANS COMMITTEE:

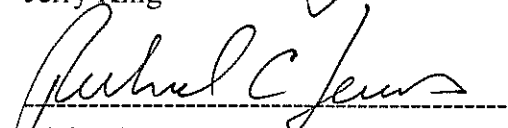
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,196,774.61 and recommend that they be audited and allowed for the amounts claimed.


William Burke Chair


Jerry King


Richard C. Lucas Committee

Dated: December 6, 2011

Approved on motion by Legislator Tabolt, seconded by
Legislator Lucas, and carried.

RESOLUTION NO. 437A-2011

AUDITING AND ALLOWING CLAIMS

Introduced by Legislator William Burke, Chairman of the Ways
and Means Committee.

RESOLVED that the claims presented for payment in the total amount of
\$ 1,196,774.61 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 Tabolt, seconded by
Legislator King and adopted by roll call vote:

All voted yea.

RESOLUTION NO. 438A - 2011**RESOLUTION AND ORDER WITH REFERENCE
TO DOG QUARANTINE**

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

WHEREAS, this Board of Legislators determines that the deer population in the County of Lewis is suffering from severe depredation due to dogs attacking, chasing or worrying deer.

Now, therefore, **BE IT RESOLVED**, pursuant to Section 122 of the Agriculture and Markets Law, and any other appropriate provisions of laws, rules and regulations as follows:

Section 1. It is ordered that all dogs in the County of Lewis shall be securely confined during the period of time from December 15, 2011 to May 15, 2012.

- a. Pursuant to Agriculture and Markets Law Section 122 (3), a dog shall not be deemed in violation of this order if it is accompanied by, and under the control of its owner.
- b. Pursuant to Agriculture and Markets Law Section 122 (6), this order shall not apply to dogs in special dog training areas or shooting preserves enclosed and licensed pursuant to the environmental conservation law, while such dogs are under the control of the owner or trainer.

Section 2. It is resolved and ordered that notice of this order shall immediately be given by publication in the Watertown Daily Times, as the Board's official newspaper with general circulation in Lewis County.

Section 3. It is resolved and ordered that the Clerk of the Board of Legislators be and she hereby is directed to file a copy of this Order and Resolution in the office of each Town Clerk in the area affected by the order; and that a certified copy of the resolution be forwarded to the NYS Commissioner of Agriculture and Markets.

Section 4. That such order shall be in full force and effect within 24 hours following publication.

Moved by Legislator Boyd, seconded by Legislator

Tabolt and adopted.

RESOLUTION NO. 439A 2011RESOLUTION APPOINTING MEMBERS TO
LEWIS COUNTY GENERAL HOSPITAL
BOARD OF MANAGERS

Introduced by Legislator Michael Tabolt, Chairman of the Hospital Committee.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby appoints the following individuals to the Lewis County General Hospital Board of Managers:

Leonard R. Puzzuoli of 5414 Hemlock Drive, #1008C, Lowville, New York 13367

Michael F. Young, Atty. of 5344 Clinton Street, Lowville, New York 13367

Section 2. That the term of said appointments shall commence January 1, 2012 and expire on December 31, 2016.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Tabolt,
and adopted.

RESOLUTION NO. 440 - 2011**RESOLUTION TO TRANSFER FUNDS
LAW DEPARTMENT**

Introduced by Legislator John Boyd, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following transfer be approved in the Law Department:

<u>From:</u>	<u>Amount:</u>
1420.4901 (Windfarm Legal Services)	\$300.00
<u>To:</u>	
1420.4301 (Telephone)	\$100.00
1420.4505 (Dues, Subscription, etc.)	\$200.00

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

Moved by Legislator Lucas, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 441 – 2011RESOLUTION TO RESCIND RES. NO. 398-2011
AND TRANSFER FUNDS
MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health
Committee.

WHEREAS, the figures in Resolution Number 398-2011 as adopted on November 22,
2011 were incorrect.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That Resolution Number 398-2011 is hereby rescinded and the following
budget transfers be approved in the Mental Health accounts to cover computer equipment and
software licensing expenses:

<u>From:</u>	<u>Amount:</u>
A4310.4407 Supplies	\$ 4,000.00
A4310.4507 Travel & subsistence	5,265.00
A4330.4501 Educ/Training	515.00
A4330.4507 Travel & Subsistence	200.00
A4330.4401 Postage	185.00
A4330.4909 Misc Expense	1,135.00
A4330.4405 Copier	<u>200.00</u>
	\$11,500.00
 <u>To:</u>	
A4310.4409 Data Processing	\$ 2,715.00
A4310.2217 Computer Equipment	6,550.00
A4330.2217 Computer Equipment	<u>2,235.00</u>
	\$11,500.00

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

Moved by Legislator Burke , seconded by Legislator Fanning ,
and adopted.

RESOLUTION NO. 442 - 2011

RESOLUTION AUTHORIZING COUNTY TREASURER
TO CORRECT ERRORS ON TAX ROLLS

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

WHEREAS, Section 554(9) of the Real Property Tax Law authorizes this Board of Legislators, by resolution, to delegate authority to perform said corrections to an appropriate official, who is either empowered to authorize payment of bills prior-to-audit by the Board of Legislators, or to an official responsible for the payment of bills upon audit by the Board of Legislators, provided said correction is \$2,500 or less; and

WHEREAS, the Director of Real Property Tax Service Agency has requested approval for said procedure for 2012.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That pursuant to Real Property Tax Law Section 554(9) the Lewis County Treasurer is hereby authorized to perform the duties set forth in Section 554(9) of the Real Property Tax Law when the recommended correction is \$2,500 or less, during calendar year 2012.

Section 2. That the Lewis County Treasurer, in performing such duties, shall be governed by the provisions of Section 554 of the Real Property Tax Law and shall submit required reports in accordance with Section 554.

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

Moved by Legislator Stanford seconded by Legislator King,
and adopted.

RESOLUTION NO. 443 - 2011RESOLUTION AUTHORIZING COUNTY TREASURER
TO MAKE NECESSARY BUDGET TRANSFERS

Introduced by Legislator William Burke, Chairman of the Ways and Means 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 2011 fiscal year.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Lucas ____, seconded by Legislator Boyd.

Legislator King made a motion to amend the Resolution to direct the County Treasurer to provide a list of specific departmental accounts with attendant end-of-year surplus and/or deficit transfer amounts. The motion was seconded by Legislator Hathway. Legislator Fanning expressed support, stating it would help to identify what budget areas have shortfalls. The motion was unanimously carried.

The resolution was then adopted.

RESOLUTION NO. 444 - 2011**RELEVYING UNPAID SCHOOL TAXES AND
VILLAGE TAXES ON ASSESSMENT ROLLS**

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

WHEREAS, the various school districts and villages in the County of Lewis have made their return of unpaid school taxes and village taxes to the County Treasurer as required by law.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Treasurer is hereby authorized to re-levy such returned school taxes and village taxes on the individual parcels as listed on the school returns and the village return to the corresponding parcels listed on the 2011 Assessment Rolls for the seventeen (17) Towns in Lewis County.

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

Moved by Legislator King seconded by Legislator Wallace,
and adopted.

RESOLUTION NO. 445 - 2011

RESOLUTION AUTHORIZING TREASURER
TO CARRY FORWARD APPROPRIATIONS

Introduced by Legislator William Burke, Chairman of the Ways and Means Committee.

WHEREAS, many resolutions are adopted throughout the year that affect funding for the successive year; and

WHEREAS, at the end of the fiscal year all unused balances are closed to the fund balance.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the Lewis County Treasurer to make such entries as may be necessary to carry forward certain balances into 2012.

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

Moved by Legislator Burke, seconded by Legislator Tabolt,
and adopted.

RESOLUTION NO. 446 -2011RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Mental Hygiene Department to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Mental Health Intake Specialist	Full-time	Grade 27 (\$19.58-\$23.02)

Section 2. That Director of Community Services Jennifer Earl is hereby authorized to fill said position effective immediately, and in accordance with Civil Service regulations.

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

Moved by Legislator Fanning, seconded by Legislator
Stanford and adopted.

RESOLUTION NO. 447 - 2011**RESOLUTION AUTHORIZING CONTRACT WITH MCCLUSKY LAW FIRM, LLC
TO PERFORM CONFLICT DEFENDER SERVICES**

Introduced by Legislator John Boyd, Chairman of Courts and Law Committee

WHEREAS, County Law §722 directs each county to adopt a plan to provide legal counsel to persons charged with a crime or who are entitled to counsel pursuant to Family Court Act §262 and who are financially unable to obtain counsel (herein “public defense legal services”); and

WHEREAS, contemporaneously herewith, the Board of Legislators is authorizing an agreement to provide indigent legal defense services with Lewis Defenders, PLLC; and

WHEREAS, it is necessary to appoint an attorney to assist in providing the statutory legal assistance as provided by the Lewis Defenders, PLLC, but to those individuals where the Lewis Defenders, PLLC would have a conflict of interest; and

WHEREAS, in light of its continuing statutory duty to provide legal counsel for the indigent pursuant to County Law §722-A and Family Court Act §262, the Board of Legislators desires to appoint an attorney to perform such services in those instances where the Lewis Defenders, PLLC has an actual conflict of interest;

NOW, THEREFORE, BE IT RESOLVED as follows:

SECTION 1. The Board of Legislators hereby approves an agreement with appoints the McClusky Law Firm, LLC of 8 Main Street, P.O. Box 97, Adams, New York 13605 to perform Conflict Defender services in those instances where the public defense firm is authorized to act, has an actual conflict of interest (herein, “Conflict Defender”). As such, the McClusky Law Firm will provide a licensed attorney, as needed, in Lewis County Family Court, Lewis County Court, and Town and Village Courts throughout Lewis County, provided, however, that McClusky Law Firm will not be required to provide such services in any matter involving child support that is before the Lewis County Hearing Examiner.

SECTION 2. The Board of Legislators hereby authorizes the Chairman of the Board and he is hereby authorized to execute and deliver such contracts or agreements to effectuate this Resolution, upon such terms as may be approved by the Lewis County Attorney, provided that the cost thereof shall not exceed \$70,000.00. The term of such agreement to commence effective January 1, 2012 and continue through December 31, 2012.

SECTION 3. This Resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 448 – 2011RESOLUTION AUTHORIZING AGREEMENTS FOR
OUTSIDE CONTRACTED AGENCIES

Introduced by Legislator Jack Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby authorizes agreements for Fiscal Year 2012 between the County of Lewis and the following outside agencies for the amounts opposite each:

<u>AGENCY</u>	<u>AMOUNT</u>
Lewis County Chamber of Commerce	\$ 50,000.00
Lewis County Chamber of Commerce (I Love NY)	28,000.00
Lewis County Cooperative Extension	270,000.00
Lewis County Soil & Water Conservation District	60,000.00

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreements.

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

Moved by Legislator Lucas, seconded by Legislator

King, and adopted.

RESOLUTION NO. 449 – 2011RESOLUTION COMMENDING
L. MICHAEL TABOLT

Introduced by Legislator John O. Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, L. Michael Tabolt commenced employment with Lewis County on February 4, 1975 as a Deputy Sheriff, and thereafter held the titles of Investigator/Deputy Sheriff and Criminal Investigator, while serving under several Lewis County Sheriffs; and

WHEREAS, on January 1, 1999 he was appointed as the Lewis County Emergency Management Coordinator, serving in that capacity until December 31, 2003; and

WHEREAS, after being successfully elected, L. Michael Tabolt assumed the duties of Lewis County Sheriff on January 1, 2004, a position he will hold until his retirement on December 31, 2011; and

WHEREAS, he continues as a volunteer firefighter, as he has during the past 25 years, with the New Bremen Volunteer Fire Department.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators, as friends and acquaintances of L. Michael Tabolt, wish to record their appreciation for the valuable and unselfish services, rendered by L. Michael Tabolt during his 37-year tenure of exemplary public service in Lewis County.

Section 2. That as an enduring record of respect and recognition of L. Michael Tabolt, a dedicated civil servant, this resolution shall be printed in the official proceedings of the Lewis County Board of Legislators, and a certified copy thereof presented to L. Michael Tabolt.

Moved by Legislator Tabolt, seconded by Legislator Boyd,
and unanimously adopted.

RESOLUTION NO. 450 - 2011**RESOLUTION RENEWING BOARD OF LEGISLATOR'S REQUEST FOR ACTION BY THE STATE LEGISLATURE FOR MANDATE REFORM**

Introduced by Legislator Jack T. Bush, Chairman of the Lewis County Board of Legislators.

WHEREAS, by Resolution No. 305-2011, the Lewis County Board of Legislators ("Board of Legislators") has recorded its support of Senate Bill S5889-B (A8644) which provides for the assumption of the local share of Medicaid costs by the State over a period of eight (8) years; and

WHEREAS, removing county taxpayers from the financing of Medicaid is the single most important thing the State Legislature can do to lower property taxes for New Yorkers; and

WHEREAS, the State takeover of county Medicaid costs will lead to lower property taxes and enhance New York's economic competitiveness and improve economic opportunities for all New Yorkers; and

WHEREAS, state lawmakers can fund the takeover with a combination of Medicaid program reforms, state-derived savings and other spending controls, including, applying MRT (Medicaid Redesign Team) reform savings to mandate relief and pursuing a federal Medicaid waiver to leverage state cost containment initiatives that can be applied to property tax relief and applying future revenues to lowering property taxes and by allowing federal health care reforms to cover New Yorkers; and

WHEREAS, by Resolution No. 344-2011, the Board of Legislators further requested that the State Legislature return to session before the end of the year to address desperately needed mandate reform; and

WHEREAS, the State Legislature is scheduled to return to session in the coming week to address the State's fiscal condition; and

WHEREAS, the Board of Legislators wishes to repeat and reiterate its support for the immediate adoption of Senate Bill S5889-B (A8644) and to join with NYSAC and the other counties throughout the State who are demanding that the State initiate immediate reforms to the mandates that are summarily imposed on the local taxpayer and over which the local taxpayer have no control; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators for Lewis County calls on State lawmakers to keep their promise, and sign on to legislation (S5889-B) designed to

provide mandate relief for counties, in the form of an eight-year State takeover of county Medicaid costs.

Section 2. That the Lewis County Board of Legislators again urges the State Legislature in the strongest possible terms to seriously address the unfunded and underfunded mandates whose costs are strapping the budgets of Lewis County and the other counties throughout New York State.

Section 2. That the Clerk is hereby directed to forward a certified copy of this resolution to New York Governor Andrew M. Cuomo, New York State Senator Joseph Griffo and Assemblyman Kenneth Blankenbush.

Moved by Legislator King, seconded by Legislator Tabolt.

In response to Legislator Lucas, Legislator Tabolt stated there was nothing more specific to add at this time, while explaining this action is in conjunction with that of several other County Boards at this time.

Legislator Fanning cited indications of similar concerns from many Counties, expressing his strong support to urge the State Legislature to commit to mandate relief.

County Attorney Richard Graham relayed that supporting letters in multiple formats are being hand delivered to the Governor and State representatives from varying Counties and affiliated Associations.

The resolution was then adopted.

OTHER BUSINESS:

The Clerk read a proclamation, whereby Chairman Bush had declared the Week of December 5-9, 2011 as "Employee Learning Week" in Lewis County.

Chairman Bush had re-appointed Robert Domagala, Active Farmer representative; and Fred Munk, Agricultural Land Preservation representative, to the Lewis County Agriculture and Farmland Protection Board.

Legislator Tabolt made a motion to enter executive session at 5:44 p.m. to discuss a specific personnel issue, and for an update from County Attorney Graham on litigation and union negotiations, seconded by Legislator King and carried. Following the session, Legislator Lucas moved to re-enter regular session at 6:33 p.m., seconded by Legislator Boyd and carried.

Legislator Tabolt made a motion to direct Human Resources Director Timothy Ryan to develop a standard performance evaluation form, for use by Legislators to conduct County Manager and County Attorney evaluations. The motion was seconded by Legislator Boyd and carried.

There being no other business to come before the Board, Legislator Fanning made a motion to adjourn at 6:34 p.m., seconded by Legislator Stanford and carried.

**ANNUAL SESSION
FINAL DAY
December 22, 2011**

The meeting was called to order at 10:00 a.m. by Chairman Jack T. Bush.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 9 persons present.

Chairman Bush announced approval of the December 6, 2011 meeting minutes.

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on resolutions presented late.

Richard C. Lucas, Chairman
William J. Burke
Patrick Wallace

Dated: December 22, 2011

Legislator Tabolt made a motion to waive the rules as recommended, seconded by Legislator Lucas and carried.

PRIVILEGE OF THE FLOOR:

Department of Social Services Commissioner Stacy Alvord, serving as Lewis County United Way Campaign Chair, presented a Community Spirit Award plaque to Chairman Jack Bush on behalf of all County employees who had collectively contributed a total of \$5,500.00. That amount, as well as the number of 60 donors, represent a 22% increase respectively. Ms. Alvord specifically thanked County Manager David Pendergast for his coordinating efforts throughout all departments that enhanced United Way donations.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

A copy of a letter authored by Amy M. Marolf, in regard to abolishing a Public Health Dept. position, was distributed to each Legislator.

Copies of supporting Resolutions were received from the Adirondack Park Local Government Review Board for rehabilitation of the Adirondack Railroad; urging Governor Cuomo to provide disaster assistance to the Town of Thurman located in Warren County; and urging the Adirondack Park Agency to vigorously pursue the appeal of the recent decision classifying the bed and waters of Lows Lake as wilderness.

The Chautauqua County Board of Legislators forwarded a Resolution urging passage of State Legislation that would implement a multi-year State takeover of the local share of Medicaid.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Minutes of the 9/15/2011 Public Health & Hospice EQA Committee meeting; and the 9/22/2011 Professional Advisory – Health Services Committee meeting would be placed on file.

Copies of the following reports had been distributed to each Legislator: 2011 Annual Report of the Lewis County Ethics Board; 12/19/2011 Highway Audit Report; 12/19/2011 Solid Waste Audit Report; minutes of the 12/8/2011 Junkyard Review Board meeting; minutes of the 10/25/2011 Soil & Water Conservation District Board of Directors meeting; and the following Report of Taxation Committee on Apportionment of the 2012 County Taxes:

REPORT OF TAXATION COMMITTEE
ON
APPORTIONMENT OF THE 2011 COUNTY TAXES
Due 1/1/2012

TOWN	COUNTY TAXABLE VALUE	Vet, Clergy Fire Exemptions	COUNTY EQUALIZATION RATE	FULL VALUE for Apportionment	AMOUNT TO BE RAISED
CROGHAN	184,758,334	20,450	72	256,637,200	1,793,824
DENMARK	134,251,144	11,000	100	134,262,144	938,456
DIANA	135,400,026	20,000	100	135,420,026	946,549
GREIG	199,642,795	14,000	100	199,656,795	1,395,546
HARRISBURG	30,439,804		100	30,439,804	212,766
LEWIS	54,915,005		100	54,915,005	383,841
LEYDEN	78,224,850	6,500	100	78,231,350	546,816
LOWVILLE	213,152,924	2,400	94	226,760,983	1,584,997
LYONSDALE	75,977,255	32,775	98.47	77,191,053	539,544
MARTINSBURG	59,105,461	5,300	100	59,110,761	413,168
MONTAGUE	34,673,659		100	34,673,659	242,359
NEW BREMEN	139,431,432	10,500	100	139,441,932	974,661
OSCEOLA	37,729,439		100	37,729,439	263,718
PINCKNEY	28,084,184		100	28,084,184	196,301
TURIN	51,719,377	3,300	100	51,722,677	361,527
WATSON	162,951,724	19,850	100	162,971,574	1,139,127
WEST TURIN	118,441,153	7,350	100	118,448,503	827,923
TOTALS	1,738,898,566	153,425		1,825,697,089	12,761,123
Budget	12,761,123.00				

Full Value Tax Rate
Per Thousand
0.006989726

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Social Services/Office For Aging Committee Chairman, reported that many of his sponsored resolutions address contract renewals.

Legislator Hathway also relayed conversations with State officials about varying options for Office For Aging administrative oversight. Ultimately, it was determined to replace the on-site Director from the field of 16 applications received for the position. They will proceed with the interview process during the next couple of weeks. Chairman Bush thanked Hospital Administrator Eric Burch for researching the possibility of administering the Office For Aging programs from their facility.

Legislator Charles Fanning, Mental Health/Public Health Committee Chairman, cited the resignation of Public Health Fiscal Manager Randolph Myers; and made a motion to authorize Carol Paluck to fill the position effective immediately, seconded by Legislator Stanford and carried.

Legislator Fanning made a motion to authorize the Mental Hygiene Department to lease a copier/printer for use at the Community Recovery Center, seconded by Legislator Boyd and carried.

Legislator John Boyd, Courts and Law Enforcement Committee Chairman, referenced the Radio Survey report provided earlier today by Federal Engineering consultants, urging the Board to indicate a direction to fire and emergency personnel, for implementing recommended upgrades.

Legislator Richard Lucas, Economic Development Committee Chairman, thanked the Planning/Economic Development and Recreation Trail Department personnel for their efforts and progress over the past year, while voicing optimism for continuing developments.

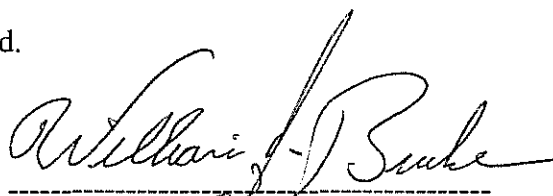
Legislator William Burke, Buildings and Grounds Committee Chairman, reported completion of 70 December work orders by maintenance personnel. Proceeds from the on-line auction of 11 surplus vehicles and 6 other items totaled \$13,485.00.

REPORT OF THE WAYS AND MEANS COMMITTEE:

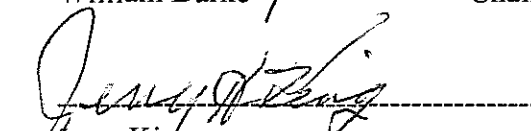
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

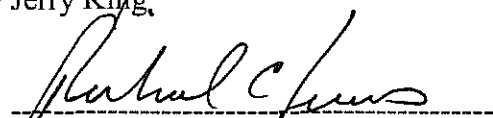
The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,020,721.95 and recommend that they be audited and allowed for the amounts claimed.



William Burke Chair



Jerry King,



Richard C. Lucas Committee

Dated: December 22, 2011

Approved on motion by Legislator Tabolt, seconded by
Legislator Lucas, and carried.

RESOLUTION NO. 451 -2011**AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator William Burke, Chairman of the Ways
and Means Committee.

RESOLVED that the claims presented for payment in the total amount of
\$ 1,020,721.95 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 King, seconded by
Legislator Burke and adopted by roll call vote:
All voted yea.

RESOLUTION NO. 452 - 2011RESOLUTION TO APPOINT COMMITTEE FOR
DEFERRED COMPENSATION PLAN/PROGRAM

Introduced by Legislator Paul Stanford, Chairman of the County Officers'
Committee.

Whereas, the Lewis County Deferred Compensation Plan (Plan) was instituted in
1990 as a voluntary employee benefit for individual financial investments; and

Whereas, the New York State Deferred Compensation Board imposes new
procedures that require amending the Plan; and

Whereas, from time to time there are optional provisions proposed that must be
reviewed for amendments to the Plan.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints the Lewis County
Human Resources Director, County Treasurer and Clerk of the Board, hereby designating
them as the Committee to review and make recommendations to the Board for any and all
amendments to the Lewis County Deferred Compensation Plan.

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

Moved by Legislator Stanford, seconded by Legislator
King, and adopted.

RESOLUTION NO. 453 - 2011RESOLUTION TO TRANSFER FUNDS
BOARD OF ELECTIONS

Introduced by Legislator Jerry King, Chairman of the Elections Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby approves the following transfer of funds within the Board of Election accounts to cover the purchase cost of three scanners:

<u>From:</u>	<u>To:</u>	<u>Amount</u>
A1450.4901 (Inspectors)	A1450.4909 (Misc. Exp.)	\$5,000.00

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator King,
and adopted.

RESOLUTION NO. 454 - 2011RESOLUTION APPOINTING MEMBER TO
NEW YORK REGION 6
FOREST PRACTICE BOARD

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints Legislator Michael

A. Tabolt of Post Office Box 171, Croghan, New York 13327, as their representative on the New York Region 6 Forest Practice Board.

Section 2. That the term of said appointment shall be for the period January 1, 2012 through December 31, 2013.

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

Moved by Legislator Boyd, seconded by Legislator Fanning,
and adopted.

RESOLUTION NO. 455 - 2011RESOLUTION APPOINTING MEMBER TO
NEW YORK REGION 6
FOREST PRACTICE BOARD

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints Haskell Yancey of 7981 Long Pond Road, Croghan, New York 13327, to the New York Region 6 Forest Practice Board.

Section 2. That the term of said appointment shall be for the period January 1, 2012 through December 31, 2014.

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

Moved by Legislator Tabolt, seconded by Legislator Burke,
and adopted.

RESOLUTION NO. 456 - 2011RESOLUTION APPOINTING MEMBERS TO
OFFICE FOR AGING ADVISORY COUNCIL

Introduced by Legislator Philip Hathway, Chairman of the Office For Aging
Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints the following
individuals as members of the Lewis County Office For Aging Advisory Council:

Marietta Virkler of 6489 Swiss Road, Castorland, New York 13620

Ann Pominville of 6773 Pine Grove Road, Lowville, New York 13367

Margaret Grant – Lewis County General Hospital Representative

Section 2. The term of said appointments shall be effective from January 1, 2012
through December 31, 2014.

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

Moved by Legislator Boyd seconded by Legislator Hathway,
and adopted.

RESOLUTION NO. 457 - 2011RESOLUTION AUTHORIZING AGREEMENTS
BETWEEN OFFICE FOR THE AGING AND
U.S. CARE SYSTEMS, INC.

Introduced by Legislator Philip Hathway, Chairman of the Office For the Aging Committee.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes Agreements between the County of Lewis, acting by and through the Lewis County Department of Office For the Aging with U.S. Care Systems, Inc. for program services for the elderly for the amounts opposite each:

<u>CONTRACTOR</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
U.S. Care Systems, Inc.	Caregiver Support Program	\$ 16,000.00
U.S. Care Systems, Inc.	Expanded-In-Home Services	\$ 171,000.00

Section 2. That the term of said Agreements shall be the period from January 1, 2012 through December 31, 2012.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreements.

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

Moved by Legislator Stanford, seconded by Legislator Wallace.

Legislator King made a motion to correct and amend the contract amounts as follows: Caregiver Support Program - \$14,800.00; and Expanded In-Home Services - \$155,981.00. The motion was seconded by Legislator Hathway and carried.

The resolution was then adopted.

RESOLUTION NO. 458 – 2011RESOLUTION WITH REFERENCE TO
ADJUSTMENT ON STATE LANDS

Introduced by Legislator Jerry King, Chairman of the Taxation Committee.

BE IT RESOLVED, as follows:

Section 1. That the County Treasurer is hereby directed to adjust, apportion, and charge back, such amount in the manner prescribed by law, in connection with the following State Lands:

<u>Town</u>	<u>School</u>	<u>Map No.</u>	<u>Billed Amt</u>	<u>Correct Amt</u>	<u>Adjustment</u>
New Bremen	Lowville	333.00-44-04.000	\$ 1,360.00	\$ 520.00	\$6.91

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

Moved by Legislator Stanford, seconded by

Boyd, and adopted.

RESOLUTION NO. 459 - 2011RESOLUTION APPOINTING MEMBERS TO
TRAFFIC SAFETY BOARD

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints the following individuals to the Lewis County Traffic Safety Board for a term effective for the period January 1, 2011 to December 31, 2013:

Thomas Jaconski of 5350 Fairview Drive, Lowville, NY 13367
Sgt. Peter J. Will, New York State Police, Troop E, Lowville, NY 13367
James Martin, Emergency Management Director, Outer Stowe St., Lowville, NY
Matt Bush, NYSDOT, 317 Washington Street, Watertown, NY 13601
Richard Dening, Town of Lowville Superintendent, 5481 Bostwick Street, Lowville, NY 13367

Section 2. That the following individuals are hereby re-appointed to the Traffic Safety Board for a term effective for the period January 1, 2012 to December 31, 2014:

Dr. John Herrman of 7739 N. State Street, Lowville, NY 13367
Carol Paluck, Public Health Director, 7785 N State St., Lowville, NY 13367
Warren Shaw, Town of Croghan Superintendent, 10333 State Route 812, Croghan, NY 13327
Michael Carpinelli, Lewis County Sheriff, Outer Stowe St., Lowville, NY 13367
Eric Fredenburg, Village of Lowville Police Chief, Bostwick St., Lowville, NY

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

Moved by Legislator Boyd seconded by Legislator Lucas,

and adopted.

RESOLUTION NO. 460 - 2011**RESOLUTION TO SCHEDULE
2012 ORGANIZATIONAL MEETING**

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 151, subd. 1 of the County Law, the Lewis County Board of Legislators hereby schedules their 2012 Organizational Meeting to be held on Tuesday, January 3, 2012 to begin at 5:00 p.m.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Burke,
and adopted.

RESOLUTION NO. 461 - 2011**RESOLUTION AUTHORIZING AGREEMENT WITH
LEWIS COUNTY GENERAL HOSPITAL FOR
RE-PAYMENT OF INDEBTEDNESS**

Introduced by Legislator Jack T. Bush, Chairman of the Board

WHEREAS, the County of Lewis (the "County") has heretofore made cash transfers from the Lewis County General Fund to Lewis County General Hospital ("the Hospital") for the purpose of providing operational support to the Hospital and where the Hospital has agreed to repay the County from Hospital revenues; and

WHEREAS, the Hospital is obligated to pay its contribution toward the NYS Retirement System for calendar year 2011 in the total amount of \$4,271,253.01; and

WHEREAS, the Hospital is able to pay \$1,400,000 towards that obligation;

WHEREAS, the Hospital has requested that County make an additional cash transfer in the amount of \$2,871,253.01 to assist the Hospital in meeting its obligation to the NYS Retirement System for calendar year 2011; and

WHEREAS, the total amount of payments to be made by the County on behalf the Hospital for 2011 is \$ 2,871,253.01, and the Hospital is justly indebted to the County in such amount (the "Indebtedness"); and

WHEREAS, the Hospital, through its Board of Managers, has acknowledged the operational support provided by the County, and has further acknowledged the Hospital's financial ability to commence repayment of the Indebtedness from Hospital revenues including but not limited to payments due the Hospital from NY State for uninsured losses pursuant to Public Health Law Section 2807-c *et. seq.* and therefore, wishes to acknowledge such debt and provide for such re-payment; and

NOW THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby approves the agreement between the Hospital the County whereby the Hospital promises and agrees to pay the Indebtedness (\$ 2,871,253.01) together with interest at the rate of 4% per year, to the County on or before December 31, 2012, from revenues to be received by the Hospital including but not limited to receipts from NYS State as reimbursement of uninsured losses pursuant to Public Health Law Section 2807-c *et. seq.* Further, upon payment by the Hospital to the County in the total sum of \$ 2,871,253.01 together with accrued interest, said Indebtedness shall be satisfied in full, and the Hospital shall have no further obligations with respect to same.

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

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 462 -2011

RESOLUTION CALLING UPON NEW YORK STATE ASSOCIATION OF
COUNTIES' EXECUTIVE COMMITTEE TO PREPARE AND DESSMINATE AN
ACTION PLAN TO BRING MANDATE RELIEF TO
NEW YORK STATE COUNTIES

Introduced by Legislator Michael A. Tabolt, Vice-Chairman of the Lewis County Board of Legislators

WHEREAS, the New York State Association of Counties (NYSAC) is a membership organization whose mission is to represent, educate and advocate for the 62 counties in New York State; and

WHEREAS, at the 2011 NYSAC Fall Seminar, NYSAC adopted 15 separate and distinct Resolutions concerning State funding, thereby seeking specific mandate relief; and

WHEREAS, NYSAC member Counties have decided that relief from State mandates, which are ultimately paid for by County Taxpayers, be their number one priority; and

WHEREAS, there is a need for a specific and detailed action plan to address the State Legislature and Governor Cuomo's promise to the County Taxpayers of mandate relief; and

WHEREAS, the State Legislature and Governor Cuomo have ignored individual calls from Counties, School Districts and Towns for mandate relief.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators of Lewis County hereby requests the NYSAC Executive Board direct its staff to create a specific and detailed action plan, for NYSAC and/or individual Counties, to implement to bring about the promised mandate relief. Such plan should address options available to Counties to use in protest of Governor Cuomo's and the State Legislature's failure to act on meaningful mandate relief.

Section 2. That each and every County Board in New York State that favors preparation of a detailed action plan, is hereby urged to timely adopt and forward a similar Resolution to NYSAC to consideration of said action at the NYSAC Legislative Conference, scheduled to be held on January 30, 2012.

Section 3. That the Clerk is hereby directed to forward a certified copy of this Resolution to each County Board in New York State.

Moved by Legislator Tabolt, seconded by Legislator Boyd, and adopted.

Prior to the vote on the Resolution calling upon NYSAC Executive Committee to prepare an action plan for mandate relief, Legislator Tabolt credited County Manager David Pendergast for the initiative. The County pays dues to NYSAC, in turn, it is reasonable to request their expertise to create a plan of action. Legislator Tabolt relayed his plans to attend the NYSAC conference on January 30, 2012 in Albany, and would like NYSAC to consider the Counties' request at that time.

RESOLUTION NO. 463 - 2011RESOLUTION AUTHORIZING AGREEMENT
LEWIS COUNTY CHAMBER OF COMMERCE
ATV PERMIT SERVICES

Introduced by Legislator Richard Lucas, Chairman of the Economic Development Committee.

WHEREAS, the Board of Legislators wishes to enter into an Agreement with the Lewis County Chamber of Commerce to administer and market the Lewis County ATV permits.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis and Lewis County Chamber of Commerce, to administer and market Lewis County ATV Permits for which services, the Chamber of Commerce shall receive an administration fee equal to 10% of the permit fees collected.

Section 2. That the term of said Agreement shall be for the period from January 1, 2012 through December 31, 2012.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreement.

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

Moved by Legislator King, seconded by Legislator Burke,
and adopted.

RESOLUTION NO. 464 - 2011RESOLUTION APPOINTING MEMBER TO
NEW YORK REGION 6
FOREST PRACTICE BOARD

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints Warren Mathis of 970 Route 26, West Leyden, New York 13489 to the New York Region 6 Forest Practice Board.

Section 2. That the term of said appointment shall be for the period January 1, 2012 through December 31, 2014.

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

Moved by Legislator Stanford, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 465 -2011

RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO MENTAL HYGIENE DEPARTMENT
COMMUNITY RECOVERY CENTER

Introduced by Legislator Charles Fanning, Chairman of the Mental Health Committee.

WHEREAS, upon Jennifer Earl's resignation, to become effective at the end of business on December 30, 2011, there must be an appointed replacement Coordinator to oversee operations at the Community Recovery Center, as required by State Law.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Community Recovery Center to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Alcohol and Substance Abuse Coordinator	Full-time	\$49,000.00

Section 2. That County Manager David Pendergast is hereby authorized to fill said position effective immediately.

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

Moved by Legislator Tabolt, seconded by Legislator

Fanning and adopted.

RESOLUTION NO. 466 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY MENTAL HYGIENE AND
CHILDREN'S HOME OF JEFFERSON COUNTY**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Community Services Board is responsible to provide local or unified services and facilities directly and/or Contract for the provision of those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the Community Services Board has reviewed the Agreement for Professional Services for the Children's Home of Jefferson County and has determined that these services are necessary to meet the needs of the community; and

WHEREAS, the Community Services Board has heretofore duly met to consider the Agreement for Professional Services for the Children's Home of Jefferson County, and has resolved to recommend to the Board of Legislators to enter into such Agreement.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the Agreement for Professional Services for the Children's Home of Jefferson County to prevent or divert unnecessary and/or inappropriate in-patient hospitalizations of youth between 10 and 16 years of age; and further to provide temporary care and maintenance of children in crisis while a treatment plan is developed with the child, family and related services providers.

Section 2. That the term of this Agreement shall be from January 1, 2012 through December 31, 2012 at a cost of \$120.18 per day or amount as designated by New York State Department of Social Services and not to exceed \$5,000.00.

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

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

Moved by Legislator Fanning, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 467 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY MENTAL HYGIENE DEPARTMENT
AND ASHOK K. GOYAL PHYSICIAN, PC**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Community Services Board is responsible to provide local or unified services and facilities directly and/or Contract for the provision of those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the Community Services Board has reviewed the contract from Ashok K. Goyal Physician PC, a professional corporation created for the practice of medicine by Ashok K. Goyal, MD and they have determined that these psychiatry services are necessary to meet the needs of the community and the costs are reasonable for servicing such needs; and

WHEREAS, the Community Services Board has heretofore duly met to consider the contract and has resolved to recommend to the Board of Legislators to enter into such Contract;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contract for Ashok K. Goyal Physician PC, to secure psychiatry services from Ashok K. Goyal, MD for the term of this service beginning January 1, 2012 and ending December 31, 2012 at the rate of \$125.00 per hour and for an amount not to exceed \$88,000 annually.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Stanford, seconded by Legislator Wallace, and
adopted.

RESOLUTION NO. 468 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY MENTAL HEALTH CENTER
AND THE HOUSE OF THE GOOD SHEPHERD**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Community Services Board is responsible to provide local or unified services and facilities directly and/or Contract for the provision of those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the Community Services Board has reviewed the Agreement for The House of the Good Shepherd for provision of short-term, planned respite for children and youth clients for certified foster care homes and has determined that these services are necessary to meet the needs of the community; and

WHEREAS, the Community Services Board has heretofore duly met to consider the Agreement for support services for The House of the Good Shepherd, and has resolved to recommend to the Board of Legislators to enter into such Agreement.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the Agreement for support services for The House of the Good Shepherd to provide short-term, planned respite for children and youth clients for certified foster care homes.

Section 2. That the term of this Agreement shall be from January 1, 2012 through December 31, 2012 at a cost of \$51.01 per day.

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

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

Moved by Legislator Lucas, seconded by Legislator King, and adopted.

RESOLUTION NO. 469 - 2011

**RESOLUTION AUTHORIZING SUB-LEASE AGREEMENT
BETWEEN MOUNTAIN VIEW PREVENTION SERVICES, INC. AND
THE LEWIS COUNTY COMMUNITY RECOVERY CENTER**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Board of Legislators has heretofore authorized a budget of \$32,274.00 for the sublease for the Lewis County Recovery Center with approximately 3,072 square feet of office space at the Mountain View Prevention Services building located at 7714 Number Three Road; and

WHEREAS, the Board of Legislators wishes to enter into a sublease agreement;

NOW THEREFORE, BE IT RESOLVED, that

Section 1. The Board of Legislators hereby approves the sublease between the Lewis County Community Recovery Center at the Mountain View Prevention Services building at an annual rental of \$32,274.00 commencing January 1, 2012 through December 31, 2012, payable in equal monthly installments of \$2,689.50.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon approval by the County Attorney as to form.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Burke.

Legislator King made a motion to table the Resolution for an opportunity to obtain clarifying information. The motion was seconded by Legislator Fanning and carried.

RESOLUTION NO. 470 - 2011**RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
MENTAL HEALTH AND ONEIDA-LEWIS NYSARC,
MOUNTAIN VIEW PREVENTION SERVICES, INC. AND
NORTHERN REGIONAL CENTER FOR INDEPENDENT LIVING**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Community Services Board is responsible to provide local or unified services and facilities directly and/or contract for the provision of those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the Community Services Board has reviewed the proposals for the following providers of mental health services and has determined that these services are necessary to meet the needs of the community and the costs are reasonable for servicing such needs; and

WHEREAS, the Community Services Board has heretofore duly met to consider the contracts for the following service providers and has resolved to recommend to the Board of Legislators to enter into such contracts;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the following contracts for fiscal year 2012, the term of these services are beginning January 1, 2012 and ending December 31, 2012, at the amounts set opposite to each respectively:

<u>ENTITY</u>	<u>AMOUNT</u>
Oneida-Lewis NYSARC	\$ 107,298.00
Mountain View Prevention Services, Inc.	229,586.00
Northern Regional Center for Independent Living (NRCIL)	73,755.00

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Fanning, seconded by Legislator King, and adopted.

RESOLUTION NO. 471 - 2011**RESOLUTION AUTHORIZING A
MEMORANDUM OF UNDERSTANDING BETWEEN
LEWIS COUNTY AND LEWIS COUNTY SCHOOLS**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Community Services Board is responsible to provide local or unified services and facilities directly and/or Memorandum of Understanding for the provision of those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the Community Services Board has reviewed the proposals for the following providers of mental health services and has determined that these services are necessary to meet the needs of the community and the costs are reasonable for servicing such needs; and

WHEREAS, the Community Services Board has heretofore duly met to consider the Memorandums of Understanding for the following schools and has resolved to recommend to the Board of Legislators to enter into such Memorandum of Understanding;

WHEREAS, Lewis County and the following schools cooperatively support the Lewis County Coordinated Children's Services Initiative; and

WHEREAS, Lewis County and the following schools recognize the need for individualized support services to meet the special needs of students served by the Lewis

County Coordinated Children's Services Initiative Tier I team, to insure that said students remain in school and in compliance with their educational and treatment plans.

BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the following Memorandum of Understanding between Lewis County and the following Lewis County schools for the purchase of individualized support services for eligible students under the Coordinated Children's Services Initiative funded by the New York State Office of Mental Health at the terms of services and amounts set opposite to each respectively:

<u>SCHOOL</u>	<u>TERMS OF SERVICE</u>	<u>AMOUNT</u>
Adirondack Central School District	1/1/12 – 12/31/12	\$ 500.00
Beaver River Central School District	1/1/12 – 12/31/12	\$1,000.00
Copenhagen Central School District	1/1/12 – 12/31/12	\$1,000.00
Harrisville Central School District	1/1/12 – 12/31/12	\$1,000.00
Lowville Academy Central School District	1/1/12 – 12/31/12	\$1,000.00
South Lewis Central School District	1/1/12 – 12/31/12	\$1,000.00

Section 2. That the Chairman, or the Vice-Chairman, of the Board of Legislators is and he hereby is authorized to make, execute, seal and deliver such memorandum of understanding.

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

Moved by Legislator Hathway, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 472 - 2011

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY MENTAL HYGIENE DEPARTMENT
AND STAFF CARE WITH DR. STEVEN FOGELMAN**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Community Services Board is responsible to provide local or unified services and facilities directly and/or Contract for the provision of those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the Community Services Board has reviewed the proposal for Staff Care with Steven Fogelman, M.D. for psychiatry services and has determined that these services are necessary to meet the needs of the community and the costs are reasonable for servicing such needs; and

WHEREAS, the Community Services Board has heretofore duly met to consider the contract for Staff Care and has resolved to recommend to the Board of Legislators to enter into such Contract,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contract for Staff Care with Steven Fogelman, M.D. for psychiatry services for the term of this service beginning January 1, 2012 and ending December 31, 2012. This is locum tenens coverage per diem at the rate of \$150.00 per hour and not to exceed \$83,700 annually.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator King, seconded by Legislator Lucas,
and adopted.

RESOLUTION NO. 473 – 2011RESOLUTION TO TRANSFER FUNDS
MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Charles Fanning, Chairman of the Mental Health
Committee.

BE IT RESOLVED as follows:

Section 1. This Board of Legislators hereby approves the following budget transfers
to cover rent expense at the Community Recovery Center for the remainder of the year:

<u>From:</u>	<u>Amount</u>
A4330.4903 Insurance	\$1,000.00
A4330.4901 Professional Services	1,365.00

<u>To:</u>	
A4330.4803 Rental & In lieu of	\$2,365.00

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

Moved by Legislator Stanford, seconded by Legislator

Fanning, and adopted.

RESOLUTION NO. 474 – 2011RESOLUTION TO TRANSFER FUNDS
MENTAL HYGIENE DEPARTMENT

Introduced by Legislator Philip Hathway, Chairman of the Mental Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the transfer of funds in the Mental Health accounts, to cover supported housing rents for the remainder of the year.

<u>From:</u>	<u>Amount</u>
A4310.4904 SH Client Services	\$9,800.00

<u>To:</u>	
A4310.4804 SH Rent Stipend	\$9,800.00

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

Moved by Legislator Boyd, seconded by
Legislator Tabolt, and adopted.

RESOLUTION NO. 475 - 2011**RESOLUTION AUTHORIZING
OFFICE FOR THE AGING
TO RETAIN OUTSIDE COUNSEL**

Introduced by Legislator Philip Hathway, Chairman of the Office for the Aging Committee.

WHEREAS, the Office for the Aging receives funds through the federal government pursuant to the Older Americans Act of 1965 to perform certain services for the elderly, including providing legal services [see, 42 U.S.C.A. § 3026(a)(2)(c)]; and

WHEREAS, David L. Bush, Director of Office for the Aging, has requested permission to retain outside counsel to assist in the providing legal services on behalf of elderly individuals;

NOW THEREFORE, be it resolved as follows:

Section 1. That David L. Bush, Director of Office for the Aging is hereby authorized to retain the Campany Law Firm, LLC, to assist in the representation of elderly individuals in various matters or as he deems necessary and appropriate and under his supervision, provided the cost does not exceed \$125.00 per hour for attorney services and does not exceed a maximum fee in all matters of \$5,500.00.

Section 2. That the term of this service shall be from January 1, 2012 through December 31, 2012.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such from as may be approved by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 476 - 2011**RESOLUTION AUTHORIZING CONTRACTUAL AGREEMENTS
BETWEEN OFFICE FOR THE AGING AND
VARIOUS PROVIDERS FOR PROGRAM SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Office For The Aging Committee.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby authorizes Agreements between the County of Lewis and the following various providers for program services for the elderly for the amounts opposite each:

<u>CONTRACTOR</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
S.T.A.T. Communications	Lifenet Services	\$ 25.00 monthly per unit
Volunteer Ombudsman	Mileage Reimbursement	\$.555 per mile
Volunteer Drivers	Mileage Reimbursement	\$.555 per mile

Section 2. That the term of said Agreements shall be the period from January 1, 2012 through December 31, 2012.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreements.

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

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 477 – 2011RESOLUTION TO APPROPRIATE AND TRANSFER FUNDS
OFFICE FOR THE AGING

Introduced by Legislator Phillip Hathway, Chairman of the Office for the Aging Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the Office for the Aging Department for the Grant-in-Aid from the State of New York for improvements to the senior meal site at the United Church of Copenhagen:

<u>Increase Revenue</u>	<u>Amount:</u>
A37724 OFA-CSE	\$3,000.00

<u>Increase Expense</u>	
A6772.4909 (Misc Expense)	\$3,000.00

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

Moved by Legislator King , seconded by Legislator Fanning ,
and adopted.

RESOLUTION NO. 478 - 2011RESOLUTION APPOINTING MEMBER TO
PLANNING BOARD

Introduced by Legislator Jack T. Bush, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Glen Gagnier of 9932 Bridge Street, Croghan, New York 13327, as a member of the Lewis County Planning Board.

Section 2. That the term of said appointment shall be effective from January 1, 2012 through December 31, 2014.

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

Moved by Legislator Burke, seconded by Legislator Wallace,
and adopted.

RESOLUTION NO. 479 - 2011**RESOLUTION AUTHORIZING
LEWIS COUNTY PUBLIC HEALTH AGENCY
TO CONTRACT WITH INDEPENDENT PROVIDERS
FOR EARLY INTERVENTION SERVICES**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency (“Agency”) identifies and evaluates infants and toddlers whose healthy development is compromised and provides appropriate intervention to improve child and family development as early as possible; and

WHEREAS, the County of Lewis wishes to authorize the Lewis County Public Health Agency to contract with independent service providers to assist the Lewis County Public Health Agency in the provision of Pre-K and Early Intervention services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Lewis County Public Health Agency to enter into contracts with independent providers for Pre-K and Early Intervention services for children with special education and health care needs, at the rates established in the fee schedule of agreement marked as “Appendix “B” for the term beginning November 14, 2011 through June 30, 2012.

Section 2. That Carol Paluck, the Interim Public Health Director, is hereby authorized to make, execute, seal and deliver such agreements on behalf of Public Health, subject to approval by the County Attorney as to form.

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

Moved by Legislator Stanford, seconded by Legislator King, and adopted.

RESOLUTION NO. 480 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY
AND THE HEALTH ADVANCEMENT COLLABORATIVE
OF CENTRAL NEW YORK, INC.**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency wishes to enter into an Agreement with The Health Advancement Collaborative of Central New York, Inc., a New York Not-for-Profit corporation with offices located at 109 South Warren Street, State Tower Building, Suite 2000, Syracuse, New York 13202, a Regional Health Information Organization that facilitates health information sharing and aggregation for treatment, payment, operations, public health and research related purposes; and

WHEREAS, this Agreement shall commence on January 1, 2012 at no cost to the county; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis by and through the Lewis County Public Health Agency and The Health Advancement Collaborative of Central New York, Inc., a Regional Health Information Organization that facilitates health information sharing and aggregation for treatment, payment, operations, public health and research related purposes.

Section 2. That said Agreement shall commence on January 1, 2012 at no cost to the county.

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

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

Moved by Legislator Fanning, seconded by Legislator Boyd,

and adopted.

RESOLUTION NO. 481 - 2011**RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF
THE COUNTY OF LEWIS AND HEALTH RESEARCH, INC. (HRI)**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency has received a grant award from the Center Disease Control Prevent in the amount of \$50,000.00 for the purpose of Public Health Emergency Preparedness Program; and

WHEREAS, Lewis County Public Health Department is an eligible provider of these services; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the Public Health Department and the Center Disease Control Prevent for the purpose of Public Health Emergency Preparedness Program for the period beginning August 10, 2011 and ending August 9, 2012 in the amount of \$50,000.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Tabolt, seconded by Legislator King, and adopted.

RESOLUTION NO. 482 - 2011**RESOLUTION APPROVING AMENDMENT TO AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF
THE COUNTY OF LEWIS AND HEALTH RESEARCH, INC. (HRI)**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency and Health Research, Inc. (“HRI”) entered into a grant agreement on or about the 29th day of August, 2011 regarding an Integrated Cancer Services Program in the amount of \$34,657.00; and

WHEREAS, it is now desired to amend that amount to \$44,639.00 for the same period of June 30, 2011 to June 29, 2012; and

WHEREAS, the Board of Legislators agrees to accept amendment .

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an amendment to the grant agreement between the Lewis County Public Health Agency and the Health Research, Inc. for the purpose of an Integrated Cancer Services Program for the period of June 30, 2011 and ending June 29, 2012 in the amount of \$44,639.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Burke, seconded by Legislator Lucas, and adopted.

RESOLUTION NO. 483 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH
AND JULIA IELFIELD**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the Lewis County Public Health wishes to renew their agreement with Julia Ielfield as a Child Safety Seat Technician for the purpose of checking, installing and replacing child and infant safety seats in motor vehicles as part of the required basic prevention for public health work.

WHEREAS, this is for the period beginning January 1, 2012 through December 31, 2012 at a cost of \$45.00 per hour in addition to the cost to attend an annual Tri-State Conference for Child Passenger Safety, which is mandatory for re-certification as a Car Seat Technician and Instructor, at a flat rate of \$300 plus mileage at the current IRS rate.

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County Public Health Agency and Julia Ielfield, Child Safety Seat Technician, for the purpose of checking, installing and replacing child and infant safety seats in motor vehicles as part of the required basic prevention for public health work.

Section 2. That this is for the period beginning January 1, 2012 through December 31, 2012 at a cost of \$45.00 per hour in addition to the cost to attend an annual Tri-State Conference for Child Passenger Safety, which is mandatory for re-certification as a Car Seat Technician and Instructor, at a flat rate of \$300 plus mileage at the current IRS rate.

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

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

Moved by Legislator King, seconded by Legislator Wallace, and adopted.

RESOLUTION NO. 484 - 2011**RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH
AND JEFFERSON-LEWIS CHILDCARE PROJECT**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, Lewis County Public Health wishes to enter into a Memorandum of Understanding with the Jefferson-Lewis Childcare Project to implement Health Care Consultant Services with licensed, registered and legally exempt physicians, nurse practitioners, or registered nurses to child care providers in Lewis County.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Understanding between Lewis County Public Health and the Jefferson-Lewis Childcare Project to implement Health Care Consultant Services with licensed, registered and legally exempt physicians, nurse practitioners, or registered nurses to child care providers in Lewis County.

Section 2. That this is for the period beginning October 1, 2011 through September 30, 2012 and Lewis County Public Health will be compensated at a rate of \$35.00 per unit of service provided to childcare programs.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Memorandum of Understanding, pending approval by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 485 - 2011**RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY
ON BEHALF OF THE COUNTY OF LEWIS AND NYS DOH FOR
CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM**

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

WHEREAS, the New York State Department of Health Division of Family Health wishes to enter into an agreement with Lewis County Public Health for the purpose of approving the budget and work plan in the amount of \$50,172 for the Children with Special Health Care Needs program.

WHEREAS, this is for the period beginning October 1, 2011 through September 30, 2014; and

WHEREAS, Lewis County Public Health Department is an eligible provider of these services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency and the New York State Department of Health Division of Family Health for the purpose of approving the budget and work plan in the amount of \$50,172 for the Children with Special Health Care Needs program.

Section 2. That this is for the period beginning October 1, 2011 through September 30, 2014 in the amount of \$50,172.00.

Section 3. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator Burke, and adopted.

RESOLUTION NO. 486 – 2011RESOLUTION TO APPROPRIATE FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following 2011 budget appropriation be approved for additional funding for Cancer Screening contract with the NYS Department of Health:

<u>Increase Revenue</u>	<u>Description</u>	<u>Amount</u>
A34011.4	Wellness Connection	\$20,604.00

<u>Increase Expense</u>		
A4035.4901	Patient Services	\$20,604.00

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

Moved by Legislator Fanning, seconded by Legislator

Lucas and adopted.

RESOLUTION NO. 487 – 2011RESOLUTION TO APPROPRIATE FUNDS
PUBLIC HEALTH

Introduced by Legislator Charles Fanning, Chairman of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following 2011 budget appropriations be approved for Handicapped Pre-School services:

<u>Transfer From</u>	<u>Description</u>	<u>Amount</u>
A34011.1	State Educ. Reimb.–Pre-K	\$50,000.00
	Fund Balance	<u>32,500.00</u>
		\$82,500.00
<u>To:</u>		
A4016.4501	Tuition	\$15,000.00
A4016.4506	Contracted Transportation	7,500.00
A4016.4900	Contracted Therapy Services	45,000.00
A4016.4904	Evaluations	<u>15,000.00</u>
		\$82,500.00

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

Moved by Legislator Burke, seconded by Legislator

Stanford and adopted.

RESOLUTION NO. 488 - 2011

**RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO FRANK AND SHIRLEY NEVILLS)**

Introduced by Jack T. Bush, Chairman of the Lewis County Board of Legislators.

WHEREAS, Frank A. and Shirley R. Nevills were granted a Mortgage to the County of Lewis dated July 5, 2000, and recorded in the Lewis County Clerk's Office on October 11, 2000, in Liber 574 of mortgages at Page 252 to secure payment of a loan in the amount of \$4,746.00, pursuant to a program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforescribed Mortgage.

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

Moved by Legislator Hathway, seconded by Legislator Boyd, and adopted.

RESOLUTION NO. 489 - 2011**RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Department of Social Services, to create the following positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Social Welfare Examiner	Temporary Full-time For Up to Six (6) Months	Grade 20 (\$16.26 - \$19.11)
Support Examiner	Permanent Full-time	Grade 20 (\$16.26 - \$19.11)

Section 2. That Commissioner Stacy Alvord is hereby authorized to fill said positions, effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Hathway,
and adopted.

RESOLUTION NO. 490 - 2011**RESOLUTION AUTHORIZING COOPERATIVE AGREEMENT
BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND THE COUNTY LAW DEPARTMENT**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, pursuant to § 397 of the Social Services Law, the Department is responsible to bring such cases as deemed necessary before the family court for adjudication with regard to children considered to be neglected or abused and to institute proceedings in a court of competent jurisdiction against a parent or adult for neglect or abuse of a child and is also responsible for voluntary placements, foster care review, extensions of placements, including without limitation those placements that may result from Juvenile Delinquencies (J.D.) and Persons In Need of Supervision (PINS); 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, shall be responsible for the filing and presentment on behalf of the Department, of child protective matters including, but not limited to, abuse, neglect, voluntary placement, foster care review, extensions of placements, habeas corpus proceedings, custody matters, and representing the Department concerning the Department requirements for Juvenile Delinquencies (J.D.) and Persons In Need of Supervision (PINS) and representing the Department in support matters; and

WHEREAS, it is appropriate that the parties hereto enter into a written agreement setting forth their respective duties under the above-mentioned provisions of State and Federal Law; and

WHEREAS, it is economically and organizationally feasible for the Department to contract with the County Attorney for the performance of these services;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves a Cooperative Agreement/Purchase Of Services Agreement by and between the Department of Social Services and the County Attorney whereby the County Attorney shall provide legal representation to the Department relating to the presentment of children's matters including but not limited to abuse, neglect, voluntary placement, foster care review, extension of placements, termination of parental rights, habeas corpus proceedings, custody matters where the Department is an interested party, and surrenders and enforcement proceedings related thereto, Juvenile Delinquent and PINS where the Department is either directly involved as a litigant or has an interest in the proceedings, as well as support collection matters.

Section 2. That the Cooperation Agreement shall further 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, and related office expense, at a cost of \$150 per hour of attorney time. 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. That the term of this Cooperation Agreement shall be from January 1, 2012 through December 31, 2012 for an amount not to exceed \$185,000.00.

Section 4. That the Chairman, or Vice-Chairman, of the Board of Legislators, along with the Commissioner of Social Services and the County Attorney be and the same are hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Hathway, seconded by Legislator Boyd,

and adopted.

RESOLUTION NO. 491 - 2011**RESOLUTION AUTHORIZING COOPERATIVE AGREEMENT
BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND THE COUNTY LAW DEPARTMENT FOR CHILD SUPPORT
ENFORCEMENT PROCEEDINGS**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

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 Lewis County 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 (hereinafter collectively referred to as "support enforcement proceedings"); 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, shall be responsible for representing the Department in such support enforcement proceedings; and

WHEREAS, it is appropriate that the parties hereto enter into a written agreement setting forth their respective duties under the above-mentioned provisions of State and Federal Law; and

WHEREAS, it is economically and organizationally feasible for the Department to contract with the County Attorney for the performance of these services;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves a Cooperative Agreement/Purchase Of Services Agreement by and between the Department of Social Services and the County Attorney whereby the County Attorney shall provide legal representation to the Department relating to the presentment of child support enforcement proceedings where the Department is either directly involved as a litigant or has an interest in the proceedings.

Section 2. That the Cooperation Agreement shall further 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, and related office expense at a cost of \$150 per hour of attorney time. 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. That the term of this Cooperation Agreement shall be from January 1, 2012 through December 31, 2012 for an amount not to exceed \$45,000.00.

Section 4. That the Chairman, or Vice-Chairman, of the Board of Legislators, along with the Commissioner of Social Services and the County Attorney be and the same are hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Hathway, seconded by Legislator King,

and adopted.

RESOLUTION NO. 492 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND THE HOUSE OF THE GOOD SHEPHERD**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with The House of the Good Shepherd for the provision of foster care services; and

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

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contract with The House of the Good Shepherd for the provision of foster care services for the period of January 1, 2012 through December 31, 2012 at a cost in accordance with the rates set forth by the state in the attached Schedule "B" of the Agreement.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 493 - 2011**RESOLUTION AUTHORIZING
MEMORANDUM OF UNDERSTANDING
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Understanding between the County of Lewis, by and through the Department of Social Services, and New York State Office of Children and Family Services for the purpose of registration and inspection of child day care providers.

Section 2. That the term of this Memorandum of Understanding shall be from January 1, 2012 through December 31, 2012 for an amount not to exceed \$33,600.00.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Hathway, seconded by Legislator Fanning,
and adopted.

RESOLUTION NO. 494 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
LEWIS COUNTY OPPORTUNITIES**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and Lewis County Opportunities, Inc. for the purpose of providing non-residential services to victims of domestic violence.

Section 2. That the term of this Agreement shall be from January 1, 2012 through December 31, 2012 for an amount not to exceed \$24,000.00.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Hathway, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 495 - 2011**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
THE RESOLUTION CENTER OF JEFFERSON AND LEWIS COUNTIES, INC.**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an Agreement with the Resolution Center of Jefferson and Lewis Counties, Inc. to provide employment and training programs for employable recipients of Temporary Assistance and Food Stamps; and

WHEREAS, these services will be for the period of January 1, 2012 through December 31, 2012 for an amount not to exceed \$45.00 for each case requiring mediation and \$10.00 for each case in which a mediation hearing is scheduled but not held.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and the Resolution Center of Jefferson and Lewis Counties, Inc. for the purpose of providing employment and training programs for employable recipients of Temporary Assistance and Food Stamps.

Section 2. That the term of this Agreement shall be from January 1, 2012 through December 31, 2012 for an amount not to exceed \$45.00 for each case requiring mediation and \$10.00 for each case in which a mediation hearing is scheduled but not held.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator Boyd, seconded by Legislator Fanning,
and adopted.

RESOLUTION NO. 496 - 2011

**RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
THE RESOLUTION CENTER OF JEFFERSON AND LEWIS COUNTIES, INC.**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an Agreement with the Resolution Center of Jefferson and Lewis Counties, Inc. to provide mediators to facilitate the process of Lewis County Department of Social Services administering child welfare services for youth and families in Lewis County; and

WHEREAS, these services will be for the period of January 1, 2012 through December 31, 2012 for an amount not to exceed \$250.00 for each Family Team Meeting and \$25.00 for each meeting scheduled that the family fails to arrive without a prior cancellation.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and the Resolution Center of Jefferson and Lewis Counties, Inc. for the purpose of providing mediators to facilitate the process of Lewis County Department of Social Services administering child welfare services for youth and families in Lewis County.

Section 2. That the term of this Agreement shall be from January 1, 2012 through December 31, 2012 for an amount not to exceed \$250.00 for each Family Team Meeting and \$25.00 for each meeting scheduled that the family fails to arrive without a prior cancellation.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement.

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

Moved by Legislator King, seconded by Legislator Fanning,
and adopted.

RESOLUTION NO. 497 - 2011**RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT
BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND SNOW BELT HOUSING COMPANY, INC.**

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services (“DSS”) wishes to enter into a Memorandum of Agreement with Snow Belt Housing Company, Inc. (“Snow Belt”) for the provision of having Snow Belt assess and document DSS clients who are eligible and meet the requirements for the services of Temporary Assistance to Needy Families and provide a monthly count to DSS so that Snowbelt can provide up to one month rent, utility arrears, and/or security deposit for clients referred by DSS when funds will ameliorate the housing crisis through Snow Belt’s rapid rehousing for the homeless grant; and

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

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the Memorandum of Agreement with Snow Belt Housing Company, Inc. (“Snow Belt”) for the provision of having Snow Belt assess and document DSS clients who are eligible and meet the requirements for the services of Temporary Assistance to Needy Families for the period of January 1, 2012 through December 31, 2012 at a cost of \$12,220.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Stanford, seconded by Legislator Boyd,
and adopted.

RESOLUTION NO. 498 - 2011

RESOLUTION TO TRANSFER FUNDS
SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services
Committee.

WHEREAS, the Temporary Assistance to Needy Families budget line includes
foster care expenses; and

WHEREAS, there is a need to monitor the foster care expenses and create a
separate account for clarity.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the sum of \$500,000.00 be transferred from Account No.
A6109.4999 (TANF) to Account No. A6109.4900 (TANF-Foster Care).

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Boyd, seconded by Legislator Hathway,
and adopted.

RESOLUTION NO. 499 – 2011RESOLUTION APPROPRIATING FUNDS
SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

WHEREAS, the County of Lewis has received approval from the New York State Office of Temporary and Disability Assistance for the period July 1, 2011 through June 30, 2012 for Community Solutions for Transportation (CST XI).

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the sum of \$3,077.00 be appropriated to Account No. A6109.4809 DSS Solutions.

Section 2. That this be financed by Federal Aid in the amount of \$3,077.00 to be appropriated to Revenue Account No. A46090.

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

Moved by Legislator Hathway, seconded by Legislator Wallace,
and adopted.

RESOLUTION NO. 500 -- 2011RESOLUTION APPROPRIATING FUNDS
SOCIAL SERVICES

Introduced by Legislator Philip Hathway, Chairman of the Social Services
Committee.

WHEREAS, Commissioner Stacy Alvord has received approval to pay the
County Attorney for Services rendered.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the following appropriations be approved to cover the additional
County Attorney expenses:

<u>Increase Revenue</u>	<u>Amount</u>
A46100 (DSS Admin-Federal)	\$20,500.00
A36100 (DSS Admin-State)	10,250.00

<u>Increase Expense</u>	
A6010.4901 (Professional Services)	\$41,000.00

Section 2. The balance of \$10,250.00 is from Local Share.

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

Moved by Legislator Hathway, seconded by Legislator Fanning,
and adopted.

RESOLUTION NO. 501 - 2011RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION
FOR A STATE GRANT-IN-AID FOR A MUNICIPAL WASTE REDUCTION
AND/OR RECYCLING PROJECT AND SIGNING OF THE ASSOCIATED STATE
CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste Committee.

WHEREAS, the State of New York provides financial aid for municipal waste reduction and municipal recycling projects; and

WHEREAS, the County of Lewis, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid.

Now, Therefore, BE IT RESOLVED by the LEWIS COUNTY BOARD OF LEGISLATORS:

Section 1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York, including all understanding and assurances in said application is hereby authorized.

Section 2. That the Chairman, or Vice-Chairman, of the Lewis County Board of Legislators, is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required, and to sign the resulting contract if said application is approved by the STATE.

Section 3. That the MUNICIPALITY agrees that it will fund its portion of the cost of said Municipal Waste Reduction and/or Recycling Project.

Section 4. That the MUNICIPALITY or MUNICIPALITIES set forth their respective responsibilities by attached joint resolution relative to a joint Municipal Waste Reduction and/or Recycling Project.

Section 5. That this resolution shall take effect immediately.

Moved by Legislator Stanford, seconded by Legislator
Wallace, and adopted.

RESOLUTION NO. 502 – 2011RESOLUTION TO APPROPRIATE FUNDS
SOLID WASTE DEPARTMENT

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste
Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget changes be approved in the Solid Waste Department
Accounts to appropriate money for the purchase of equipment:

<u>Increase Revenue:</u>	
ES26650 (Sale of Equipment)	\$25,625.00

<u>Increase Expense</u>	
ES8160.2233 (Vehicles, Related Equip)	\$25,625.00

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

Moved by Legislator Hathway , seconded by Legislator Boyd ,
and adopted.

RESOLUTION NO. 503 - 2011

RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INVESTMENT ACT

Introduced by Legislator Philip Hathway, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

NOA#PY11-3

Section 1. That the following funds be appropriated for the Program Year 2011, 7/1/2011-6/30/2013, Adult and Dislocated Worker, per the Notice of Obligational Authority (NOA), #PY11-3, dated November 2, 2011, through the New York State Department of Labor, as indicated below.

Adult

CD6292.1999	\$ 32,500.00
CD6292.4909	\$ 5,793.45
CD6292.8999	\$ <u>14,500.00</u>
Total	\$ 52,793.45

WIA Revenue

CD47910	\$ 52,793.45
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Dislocated Worker

CD6291.1999	\$ 10,000.00
CD6291.4909	\$ 16,367.74
CD6291.8999	\$ <u>4,000.00</u>
Total	\$ 30,367.74

WIA Revenue

CD47910	\$ 30,367.74
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator

Lucas, and adopted.

RESOLUTION NO. 504 -2011RESOLUTION TO TRANSFER FUNDS
WORKFORCE INVESTMENT ACT

Introduced by Legislator Philip Hathway, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following changes be approved for Program Year 2010 funding for the period 7/1/10-6/30/12 for the Employment and Training Administration budget:

Administration:

CD6295.1999	- \$2,000.00	Wages
CD6295.8999	- 4,200.00	Fringes
CD6295.4909	6,200.00	Contractual

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

Moved by Legislator Boyd, seconded by Legislator

Hathway, and adopted.

RESOLUTION NO. 505 - 2011**RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY MENTAL HEALTH CENTER
AND LOCUM INTERACTIVE, INC.**

Introduced by Legislator Charles Fanning, Chairman of the Mental Hygiene Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Community Services Board is responsible to provide local or unified services and facilities directly and/or Contract for the provision of those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the Community Services Board has reviewed the Agreement for Locum Interactive, Inc., and has determined that this corporation is necessary to meet the needs to provide the services of a Nurse Practitioner and that these services are necessary to meet the needs of the community and the costs are reasonable for servicing such needs; and

WHEREAS, Locum Interactive, Inc. has offered to provide Larry Palinski to assess the physical and psychological status of patients at Lewis County Community Mental Health Center ("LCCMHC") through interviews, health history, physical examinations, diagnostic tests and also to prescribe medications and monitor patient's medication status; and

WHEREAS, the Community Services Board has heretofore duly met to consider the contract for Locum Interactive, Inc., and has resolved to recommend to the Board of Legislators to enter into such Contract,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby approves the contract for Locum Interactive, Inc., to provide the services of Larry Palinski at "LCCMHC" for the term beginning January 1, 2012 and ending December 31, 2012 at a cost of \$95.00 per hour and not to exceed the cost of \$53,010 annually.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator King, seconded by Legislator Fanning, and adopted.

RESOLUTION NO. 506 – 2011

**RESOLUTION IN RECOGNITION OF
DAVID L. BUSH**

Introduced by Legislator Philip Hathway, Chairman of the Office For Aging Committee.

WHEREAS, **David L. Bush** commenced employment with Lewis County on February 18, 1992 as Coordinator of Services for the Aging, and had worked under the supervision of several Office For Aging Directors; and

WHEREAS, upon his appointment, he assumed the duties of Lewis County Office For the Aging Director on November 17, 2005, a position he will hold until his retirement on December 31, 2011; and

WHEREAS, **David L. Bush** was dedicated to improving and enhancing the lives of Lewis County seniors by promoting programs to assist them and their caregivers.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators, as friends and acquaintances of **David L. Bush**, wish to record their appreciation for the valuable and unselfish services, rendered by **David L. Bush** during his tenure of exemplary public service in Lewis County.

Section 2. That as an enduring record of respect and recognition of **David L. Bush**, a dedicated civil servant, this resolution shall be printed in the official proceedings of the Lewis County Board of Legislators, and a copy thereof presented to **David L. Bush**.

Moved by Legislator Boyd, seconded by Legislator Hathway,

and adopted.

RESOLUTION NO. 507 – 2011**RESOLUTION IN RECOGNITION OF
RANDALL A. SCHELL**

Introduced by Legislator John O. Boyd, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, **Randall A. Schell** commenced employment with Lewis County on June 16, 1975 as a Probation Officer Trainee through the Comprehensive Employment and Training Act; and

WHEREAS, on January 1, 1977 he was appointed as a Probation Officer by then Director Loren Schoff; and

WHEREAS, **Randall A. Schell** assumed the duties of Lewis County Probation Director on October 27, 1985, a position he will hold until his retirement on December 31, 2011; and

WHEREAS, he also commenced as Lewis County Youth Bureau Director on September 1, 2003; and

WHEREAS, many residents have been the benefactors of his knowledgeable leadership and compassionate manner, particularly youths.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators, as friends and acquaintances, wish to record their appreciation for the valuable and unselfish services rendered by **Randall A. Schell**, for his exemplary public service throughout his tenure with Lewis County.

Section 2. That as an enduring record of respect and recognition of **Randall A. Schell**, a dedicated civil servant, this resolution shall be printed in the official proceedings of the Lewis County Board of Legislators, and a certified copy thereof presented to **Randall A. Schell**.

Moved by Legislator King, seconded by Legislator Stanford,
and adopted.

OTHER BUSINESS:

Legislator Boyd reiterated his query for the Board's thoughts about proceeding with radio upgrades. Legislator Lucas respectively recommends an opportunity for the Committee to review and discuss the report received today, prior to offering their recommendation to the full Board for consideration. Moreover, Chairman Bush cited ongoing research for available project funding resources.

Chairman Bush wished everyone happy holidays, thanking them for their good work during the past year.

There being no other business to come before the Board, Legislator Fanning made a motion to adjourn at 10:34 a.m., seconded by Legislator Stanford and carried.

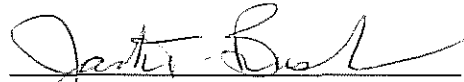
STATE OF NEW YORK

SS:

COUNTY OF LEWIS

We, Jack T. Bush, Chairman of the Lewis County Board of Legislators and Teresa K. Clark, Clerk of the Board of Legislators of Lewis County, pursuant to the provisions of the statute, DO HEREBY CERTIFY that the foregoing was printed by authority of said Board of Legislators and does contain a true record of the proceedings of the Lewis County Board of Legislators, and the whole thereof, for the year of 2011.

Dated at Lowville, New York on December 31, 2011



Jack T. Bush, Chairman



Teresa K. Clark, Clerk of the Board

**TAX WARRANT
TOWN OF CROGHAN**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	2.3404250
Croghan Fire Protection	0.720844	General Tax Key-Outside Town	2.289118
Beaver Falls Fire Dist	0.990918	Highway Tax Key	
Beaver Falls Light Dist	0.085844	State Reforestation Tax Key	
Equalization Rate 72		County Tax Key	9.709029

STATE OF NEW YORK}

ss:

County of Lewis }

To : Ruth Ann Hammond

Collector of the Town CROGHAN

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$	422,655.00	422,655.00
Town Outside Tax Levy General	\$	2,300.00	2,300.00
Highway Money-Outside Village Item 1	\$	415,350.00	
(Donovan Plan)Outside Village Item 1A	\$		415,350.00

Special District Tax:

Croghan Fire Protection	125,300.00
Beaver Falls Fire District	98,260.00
Beaver Falls Light District	8,400.00
Sewer	30,387.50

TOTAL TO SUPERVISOR

\$ 1,102,652.50

TO THE COUNTY TREASURER:

County Tax	\$	1,793,824.00	
Levy & Assess BR Regulating District	\$	6,706.07	
Workmen's Compensation Insurance	\$	25,186.00	
			\$ <u>1,825,716.07</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$	147,695.99	
Returned Village Tax	\$	13,674.10	
Amount Spread on Town	\$	271.17	
			\$ <u>161,641.26</u>

TOTAL TO COUNTY TREASURER

\$ 1,987,357.33

WHOLE AMOUNT OF WARRANT

\$ 3,090,009.83

LESS: Balance Due Town	\$		
Amount Paid County Treasurer	\$		\$ <u>0.00</u>

NET AMOUNT OF WARRANT

\$ 3,090,009.83

Excess \$ (0.10)

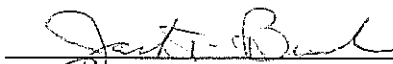
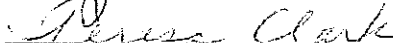
Deficit \$

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 3,090,009.73

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand eleven.

 Chairman
 Clerk

**TAX WARRANT
TOWN OF DENMARK**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	4.620427
Denmark Fire Protection	0.419156	General Tax Key-Outside Town	2.872281
Equalization Rate 100.00		Highway Tax Key	
		State Reforestation Tax Key	
		County Tax Key	6.990302

STATE OF NEW YORK}

ss:

County of Lewis }

To : Rita WoodruffCollector of the Town of DENMARK

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$	<u>605,851.00</u>	\$ <u>605,851.00</u>
Town Outside Tax Levy General	\$	<u>2,121.00</u>	\$ <u>2,121.00</u>
Highway Money-Outside Village Item 1	\$	<u>282,416.00</u>	
(Donovan Plan)Outside Village Item 1A	\$		\$ <u>282,416.00</u>

Special District Tax:

Denmark Fire Protection		44,000.00
--------------------------------	--	------------------

TOTAL TO SUPERVISOR\$ 934,388.00**TO THE COUNTY TREASURER:**

County Tax	\$	<u>938,456.00</u>	
Levy & Assess BR Regulating District	\$		
Workmen's Compensation Insurance	\$	<u>12,008.00</u>	
			\$ <u>950,464.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$	<u>120,580.42</u>	
Returned Village Tax	\$	<u>42,915.25</u>	
Amount Spread on Town	\$	<u>1,251.84</u>	
			\$ <u>164,747.51</u>

TOTAL TO COUNTY TREASURER\$ 1,115,211.51**WHOLE AMOUNT OF WARRANT**\$ 2,049,599.51

LESS: Balance Due Town

\$ _____

Amount Paid County Treasurer

\$ _____

\$ 0.00**NET AMOUNT OF WARRANT**\$ 2,049,599.51

Excess

\$ _____

Deficit

\$ 0.27**AMOUNT OF TAX LIST(Final Recapitulation)**\$ 2,049,599.78

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREDF FAIL NDT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand eleven.

 Chairman
 Clerk

**TAX WARRANT
TOWN OF DIANA**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	2,353,121
Diana Fire Protection	0.670697	General Tax Key-Outside Town	1,222,767
Natural Bridge Fire District	1.643273	Highway Tax Key	
Natural Bridge Light District	0.598637	State Reforestation Tax Key	
Equalization Rate 100		County Tax Key	6,990,759

STATE OF NEW YORK

County of Lewis } ss:

To : Janet Taylor

Collector of the Town of DIANA

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, viz:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$	<u>321,235.00</u>	\$	<u>321,235.00</u>
Town Outside Tax Levy General	\$	<u>5,250.00</u>	\$	<u>5,250.00</u>
Highway Money-Outside Village Item 1	\$	<u>154,959.00</u>		
(Donovan Plan)Outside Village Item 1A	\$		\$	<u>154,959.00</u>

Special District Tax:

Diana Fire Protection		<u>89,452.00</u>
Natural Bridge Fire District		<u>2,400.00</u>
Natural Bridge Light District		<u>325.00</u>

TOTAL TO SUPERVISOR

\$ 573,621.00

TO THE COUNTY TREASURER:

County Tax	\$	<u>947,692.11</u>		
Levy & Assess BR Regulating District	\$			
Workmen's Compensation Insurance	\$	<u>24,397.00</u>		
			\$	<u>972,089.11</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$	<u>218,284.55</u>		
Returned Village Tax	\$	<u>29,649.18</u>		
Amount Spread on Town	\$	<u>135.06</u>		
			\$	<u>248,068.79</u>

TOTAL TO COUNTY TREASURER

\$ 1,220,157.90

WHOLE AMOUNT OF WARRANT

\$ 1,793,778.90

LESS: Balance Due Town	\$			
Amount Paid County Treasurer	\$	<u>0.00</u>	\$	<u>0.00</u>

NET AMOUNT OF WARRANT

\$ 1,793,778.90

Excess \$ 0.39

Deficit \$

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 1,793,779.29

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand eleven.

 Chairman
 Clerk

**TAX WARRANT
TOWN OF GREIG**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.322724
Greig Fire Protection	0.302832	General Tax Key-Outside Town	
Brantingham Water Control	0.022248	Highway Tax Key	
Equalization Rate 100		State Reforestation Tax Key	
		County Tax Key	6.990215

STATE OF NEW YORK)

ss:

County of Lewis }

To : Karin FayleCollector of the Town of GREIG

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$	<u>651,414.00</u>	\$	<u>651,414.00</u>
Town Outside Tax Levy General	\$	<u> </u>	\$	<u> </u>
Highway Money-Outside Village Item 1	\$	<u> </u>		
(Donovan Plan)Outside Village Item 1A	\$	<u> </u>	\$	<u> </u>

Special District Tax:

Greig Fire Protection	<u>62,399.00</u>
Brantingham Water Control	<u>1,800.00</u>

TOTAL TO SUPERVISOR\$ 715,613.00**TO THE COUNTY TREASURER:**

County Tax	\$	<u>1,395,546.00</u>		
Workmen's Compensation Insurance	\$	<u>16,813.00</u>		
			\$	<u>1,412,359.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$	<u>226,264.81</u>		
Returned Village Tax	\$	<u> </u>		
Amount Spread on Town	\$	<u>668.30</u>		
			\$	<u>226,933.11</u>

TOTAL TO COUNTY TREASURER\$ 1,639,292.11**WHOLE AMOUNT OF WARRANT**\$ 2,354,905.11

LESS: Balance Due Town

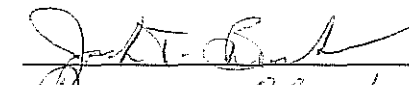
\$

Amount Paid County Treasurer

\$ \$ 0.00**NET AMOUNT OF WARRANT**\$ 2,354,905.11Excess \$ 0.54Deficit \$ **AMOUNT OF TAX LIST(Final Recapitulation)**\$ 2,354,905.65

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand eleven.

 Chairman
 Clerk

**TAX WARRANT
TOWN OF LEWIS**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	7.613206
Lewis Fire Protection	0.597663	General Tax Key-Outside Town	
		Highway Tax Key	
Equalization Rate 100		State Reforestation Tax Key	
		County Tax Key	6.989729

STATE OF NEW YORK}

ss:

County of Lewis }

To : Christina StinebricknerCollector of the Town LEWIS

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 411,172.00	\$ 411,172.00
Town Outside Tax Levy General	\$	\$
Highway Money-Outside Village Item 1	\$	\$
(Donovan Plan)Outside Village Item 1A	\$	\$

Special District Tax:

Lewis Fire Protection	35,068.00
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TOTAL TO SUPERVISOR\$ 446,240.00**TO THE COUNTY TREASURER:**

County Tax	\$ 383,841.00	
Workmen's Compensation Insurance	\$ 20,937.00	
		\$ 404,778.00

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 96,898.55	
Returned Village Tax	\$	
Amount Spread on Town	\$ 248.80	
		\$ 97,147.35

TOTAL TO COUNTY TREASURER\$ 501,925.35**WHOLE AMOUNT OF WARRANT**\$ 948,165.35

LESS: Balance Due Town

\$

Amount Paid County Treasurer

\$

\$ 0.00**NET AMOUNT OF WARRANT**\$ 948,165.35

Excess

\$

Deficit

\$ (0.03)**AMOUNT OF TAX LIST(Final Recapitulation)**\$ 948,165.32

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand eleven.


 _____ Chairman

 _____ Clerk

**TAX WARRANT
TOWN OF LEYDEN**

SPECIAL DISTRICT TAX KEY	General Tax Key-Town Wide	3.105479
Leyden Fire Prot & Ambulanc 0.354951	General Tax Key-Outside Town	2.379921
	Highway Tax Key	
EQUALIZATION RATE: 100.00	State Reforestation Tax Key	
	County Tax Key	6.990311

STATE OF NEW YORK}

ss:

County of Lewis }

To: Kim Hrim

Collector of the Town LEYDEN

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 241,430.00	\$ 241,430.00
Town Outside Tax Levy General	\$ 15,750.00	\$ 15,750.00
Highway Money-Outside Village Item 1	\$ 147,075.00	
(Donovan Plan)Outside Village Item 1A	\$	\$ 147,075.00

Special District Tax:

Leyden Fire Protection & Ambulance 25,315.00

TOTAL TO SUPERVISOR

\$ 429,570.00

TO THE COUNTY TREASURER:

County Tax	\$ 546,816.00	
Workmen's Compensation Insurance	\$ 19,623.00	
		\$ 566,439.00

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 108,347.26	
Returned Village Tax	\$ 42,610.75	
Amount Spread on Town	\$ 36.57	
		\$ 150,994.58

TOTAL TO COUNTY TREASURER

\$ 717,433.58

WHOLE AMOUNT OF WARRANT

\$ 1,147,003.58

LESS: Balance Due Town

\$

Amount Paid County Treasurer

\$

\$ (19,623.00)

NET AMOUNT OF WARRANT

\$ 1,127,380.58

Excess

\$ (0.34)

Deficit

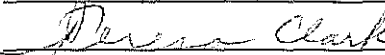
\$

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 1,127,380.24

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand eleven.

 Chairman
 Clerk

**TAX WARRANT
TOWN OF LOWVILLE**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.106658
<u>Lowville Fire Protection</u>	<u>0.376407</u>	<u>General Tax Key-Outside Town</u>	<u>2.991790</u>
		<u>Highway Tax Key</u>	
<u>Equalization Rate 94</u>		<u>State Reforestation Tax Key</u>	
		<u>County Tax Key</u>	<u>7.435962</u>

STATE OF NEW YORK)

ss:
County of Lewis }

To : Malinda ZehrCollector of the Town LOWVILLE

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 641,420.00	\$ 641,420.00
Town Outside Tax Levy General	\$ 30,570.00	\$ 30,570.00
Highway Money-Outside Village Item 1	\$ 194,600.00	
(Donovan Plan)Outside Village Item 1A	\$	\$ 194,600.00

Special District Tax:

<u>Lowville Fire Protection</u>	<u>34,344.00</u>
<u>Flat Rock 1 Fire Protection</u>	<u>6,695.00</u>
<u>Flat Rock 2 Fire Protection</u>	<u>5,634.00</u>
<u>Water/Sewer Relevy</u>	<u>45,086.15</u>

TOTAL TO SUPERVISOR\$ 958,349.15**TO THE COUNTY TREASURER:**

County Tax	\$ 1,584,997.00	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ 20,060.00	
		\$ <u>1,605,057.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 97,713.37	
Returned Village Tax	\$ 78,168.60	
Amount Spread on Town	\$ 616.52	
		\$ <u>176,498.49</u>

TOTAL TO COUNTY TREASURER\$ 1,781,555.49**WHOLE AMOUNT OF WARRANT**

LESS: Balance Due Town	\$	
Amount Paid County Treasurer	\$	\$ 0.00

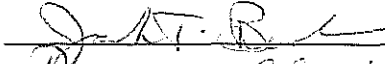
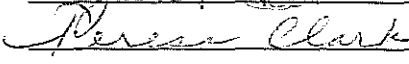
NET AMOUNT OF WARRANT

	\$ <u>2,739,904.64</u>
Excess	\$ 0.29
Deficit	\$
	\$ <u>2,739,904.93</u>

AMOUNT OF TAX LIST(Final Recapitulation)

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand eleven.

 Chairman
 Clerk

**TAX WARRANT
TOWN OF LYONSDALE**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.841746
Lyonsdale Fire Protection	0.384706	General Tax Key-Outside Town	2.507563
Lyonsdale Light District	0.403063	Highway Tax Key	
Equalization Rate: 98.47		State Reforestation Tax Key	
		County Tax Key	7.101388

STATE OF NEW YORK)

County of Lewis } ss:

To: Fred Rocker

Collector of the Town LYONSDALE

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 298,429.00	\$ 298,429.00
Town Outside Tax Levy General	\$ 6,000.00	\$ 6,000.00
Highway Money-Outside Village Item 1	\$ 176,149.00	
(Donovan Plan)Outside Village Item 1A	\$	\$ 176,149.00

Special District Tax:

Lyonsdale Fire Protection	32,852.00
Lyonsdale Light District	800.00

TOTAL TO SUPERVISOR

\$ 514,230.00

TO THE COUNTY TREASURER:

County Tax	\$ 539,544.00	
Levy & Assess BR Regulating District	\$ 371.68	
Workmen's Compensation Insurance	\$ 7,333.00	
		\$ <u>547,248.68</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 71,701.98	
Returned Village Tax	\$ 9,252.39	
Amount Spread on Town	\$ 116.48	
		\$ <u>81,070.85</u>

TOTAL TO COUNTY TREASURER

\$ 628,319.53

WHOLE AMOUNT OF WARRANT

\$ 1,142,549.53

LESS: Balance Due Town

\$

Amount Paid County Treasurer

\$

\$ 0.00

NET AMOUNT OF WARRANT

\$ 1,142,549.53

Excess

\$

Deficit

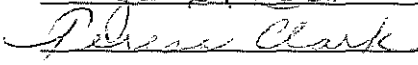
\$ (0.10)

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 1,142,549.43

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand eleven.


 Chairman

 Clerk

**TAX WARRANT
TOWN OF MARTINSBURG**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	5.413358
Martinsburg Fire Protection	0.214737	General Tax Key-Outside Town	
Glenfield Light District	0.646999	Highway Tax Key	
Martinsburg Fire District	0.000000	State Reforestation Tax Key	
Martinsburg Light District	0.892272	County Tax Key	6.990352
<u>Equalization Rate 100.</u>			

STATE OF NEW YORK
ss:
County of Lewis }

To : Deanna Doviak

Collector of the Town MARTINSBURG

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 327,345.00	\$ 327,345.00
Town Outside Tax Levy General	\$	\$
Highway Money-Outside Village Item 1	\$	
(Donovan Plan)Outside Village Item 1A	\$	\$

Special District Tax:

Martinsburg Fire Protection	77,495.00
Flat Rock Fire	48,418.60
Glenfield Light District	4,980.00
Martinsburg Fire District	4,400.00
Martinsburg Light District	0.00
Glenfield Water and Glenfield Sewer	14,567.56
Martinsburg Water	8,151.76

TOTAL TO SUPERVISOR \$ 485,357.92

TO THE COUNTY TREASURER:

County Tax	\$ 413,168.00	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ 8,227.00	
		\$ <u>419,395.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 60,382.12	
Returned Village Tax	\$	
Amount Spread on Town	\$ 704.15	
		\$ <u>61,086.27</u>

TOTAL TO COUNTY TREASURER \$ 480,481.27

WHOLE AMOUNT OF WARRANT \$ 965,839.19

LESS: Balance Due Town	\$		
Amount Paid County Treasurer	\$		\$ <u>0.00</u>

NET AMOUNT OF WARRANT \$ 965,839.19

Excess	\$	
Deficit	\$	(0.29)

AMOUNT OF TAX LIST(Final Recapitulation) \$ 965,838.90

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand eleven.

 Chairman
 Clerk

**TAX WARRANT
TOWN OF MONTAGUE**

SPECIAL DISTRICT TAX KEY	General Tax Key-Town Wide	4.590610
Montague Fire Protection 0.203826	General Tax Key-Outside Town	
	Highway Tax Key	
	State Reforestation Tax Key	
Equalization Rate: 100	County Tax Key	6.9897150

STATE OF NEW YORK}

ss:
County of Lewis }

To : Barbara LoomisCollector of the Town MONTAGUE

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 156,317.00	\$ 156,317.00
Town Outside Tax Levy General	\$	\$
Highway Money-Outside Village Item 1	\$	\$
(Donovan Plan)Outside Village Item 1A	\$	\$

Special District Tax:

Montague Fire Protection	7,139.00
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TOTAL TO SUPERVISOR\$ 163,456.00**TO THE COUNTY TREASURER:**

County Tax	\$ 242,359.00	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ 3,400.00	
		\$ 245,759.00

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 22,973.45	
Returned Village Tax	\$	
Amount Spread on Town	\$ 249.88	
		\$ 23,223.33

TOTAL TO COUNTY TREASURER\$ 268,982.33**WHOLE AMOUNT OF WARRANT**\$ 432,438.33

LESS: Balance Due Town

\$

Amount Paid County Treasurer

\$

\$ 0.00**NET AMOUNT OF WARRANT**\$ 432,438.33Excess \$ 0.00

Deficit \$

AMOUNT OF TAX LIST(Final Recapitulation)\$ 432,438.33

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand eleven.

 Chairman
 Clerk

**TAX WARRANT
TOWN OF NEW BREMEN**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.697544
New Bremen Fire District	0.833068	General Tax Key-Outside Town	2.434871
Beaver Falls Fire District	0.938541	Highway Tax Key	
New Bremen Fire Protection	0.348069	State Reforestation Tax Key	
		County Tax Key	6.990253

Equalization Rate 100.

STATE OF NEW YORK

ss:
County of Lewis }

To : Elizabeth B Jones

Collector of the Town NEW BREMEN

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 505,130.00	\$ 505,130.00
Town Outside Tax Levy General	\$ 500.00	\$ 500.00
Highway Money-Outside Village Item 1	\$ 318,465.00	
(Donovan Plan)Outside Village Item 1A	\$	\$ 318,465.00

Special District Tax:

New Bremen Fire District	56,274.00
Beaver Falls Fire District	11,490.00
New Bremen Fire Protection	16,275.00
New Bremen Light District	10,800.00
Water Relevy	1,816.04

TOTAL TO SUPERVISOR

\$ 920,750.04

TO THE COUNTY TREASURER:

County Tax	\$ 974,661.00	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ 13,005.00	
		\$ <u>987,666.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 136,842.59	
Returned Village Tax	\$ 3,088.66	
Amount Spread on Town	\$ 1,134.18	
		\$ <u>141,045.43</u>

TOTAL TO COUNTY TREASURER

\$ 1,128,711.43

WHOLE AMOUNT OF WARRANT

\$ 2,049,461.47

LESS: Balance Due Town
Amount Paid County Treasurer

\$ _____
\$ _____ \$ 0.00

NET AMOUNT OF WARRANT

\$ 2,049,461.47

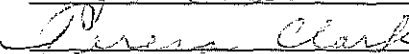
Excess \$ _____
Deficit \$ (0.92)

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 2,049,460.55

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand eleven.

 Chairman
 Clerk

**TAX WARRANT
TOWN OF OSCEOLA**

SPECIAL DISTRICT TAX KEY	General Tax Key-Town Wide	9.519160
Osceola Fire Protection 0.973174	General Tax Key-Outside Town	
	Highway Tax Key	
	State Reforestation Tax Key	
Equalization Rate: 100	County Tax Key	6.989714

STATE OF NEW YORK)

ss:
County of Lewis }

To : Andrew Burns

Collector of the Town Osceola

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 377,800.00	\$ 377,800.00
Town Outside Tax Levy General	\$	\$
Highway Money-Outside Village Item 1	\$	\$
(Donovan Plan)Outside Village Item 1A	\$	\$

Special District Tax:

Osceola Fire Protection	43,000.00
-------------------------	-----------

TOTAL TO SUPERVISOR

\$ 420,800.00

TO THE COUNTY TREASURER:

County Tax	\$ 263,718.00	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ 7,108.00	
		\$ <u>270,826.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 67,030.51	
Returned Village Tax	\$	
Amount Spread on Town	\$ (0.05)	
		\$ <u>67,030.46</u>

TOTAL TO COUNTY TREASURER

\$ 337,856.46

WHOLE AMOUNT OF WARRANT

\$ 758,656.46

LESS: Balance Due Town	\$	
Amount Paid County Treasurer	\$	\$ <u>0.00</u>

NET AMOUNT OF WARRANT

\$ 758,656.46

Excess \$ 0.01

Deficit \$

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 758,656.47

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand eleven.

 Chairman
 Clerk

**TAX WARRANT
TOWN OF PINCKNEY**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	8.286204
Pinckney Fire Protection	0.196992	General Tax Key-Outside Town	
		Highway Tax Key	
		State Reforestation Tax Key	
Equalization Rate 100		County Tax Key	6.989735

STATE OF NEW YORK}

County of Lewis }
SS:

To : Susan Townsend

Collector of the Town Pinckney

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 278,428.00	\$ 278,428.00
Town Outside Tax Levy General	\$	\$
Highway Money-Outside Village Item 1	\$	\$
(Donovan Plan)Outside Village Item 1A	\$	\$

Special District Tax:

Pinckney Fire Protection & Ambulance 6,700.00

TOTAL TO SUPERVISOR

\$ 285,128.00

TO THE COUNTY TREASURER:

County Tax	\$ 196,301.00	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ 15,040.00	
		\$ 211,341.00

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 41,468.12	
Returned Village Tax	\$	
Amount Spread on Town	\$ 0.17	
		\$ 41,468.29

TOTAL TO COUNTY TREASURER

\$ 252,809.29

WHOLE AMOUNT OF WARRANT

\$ 537,937.29

LESS: Balance Due Town

\$

Amount Paid County Treasurer

\$ 15,040.00

\$ 15,040.00

NET AMOUNT OF WARRANT

\$ 522,897.29

Excess

\$

Deficit

\$ 0.25

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 522,897.54

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand eleven.

 Chairman
 Clerk

**TAX WARRANT
TOWN OF TURIN**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	6.672709
Turin Fire Protection	0.762932	General Tax Key-Outside Town	
		Highway Tax Key	2.240088
		State Reforestation Tax Key	
Equalization Rate 100		County Tax Key	6.990165

STATE OF NEW YORK}

ss:
County of Lewis }

To : Malinda Widrick Macleiko

Collector of the Town TURIN

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, viz:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 342,814.00	\$ 342,814.00
Town Outside Tax Levy General	\$ 3,350.00	\$ 3,350.00
Highway Money-Outside Village Item 1	\$ 95,656.00	
(Donovan Plan)Outside Village Item 1A	\$	\$ 95,656.00

Special District Tax:

Turin Fire Protection	35,888.00
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TOTAL TO SUPERVISOR

\$ 477,708.00

TO THE COUNTY TREASURER:

County Tax	\$ 361,527.00	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ 4,892.00	
		\$ 366,419.00

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 89,675.96	
Returned Village Tax	\$ 5,777.40	
Amount Spread on Town	\$ 0.04	
		\$ 95,453.40

TOTAL TO COUNTY TREASURER

\$ 461,872.40

WHOLE AMOUNT OF WARRANT

\$ 939,580.40

LESS: Balance Due Town

\$

Amount Paid County Treasurer

\$

\$ 0.00

NET AMOUNT OF WARRANT

\$ 939,580.40

Excess

\$

Deficit

\$ 0.13

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 939,580.53

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand eleven.

 Chairman
 Clerk

**TAX WARRANT
TOWN OF WATSON**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	5.288294
<u>Walson Fire Protection</u>	<u>0.205356</u>	<u>General Tax Key-Outside Town</u>	
		<u>Highway Tax Key</u>	
		<u>State Reforestation Tax Key</u>	
<u>Equalization Rate 100.</u>		<u>County Tax Key</u>	<u>6.990580</u>

STATE OF NEW YORK}

 ss:
 County of Lewis }
To : Christina MerryCollector of the Town WATSON

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ <u>863,425.00</u>	\$ <u>863,425.00</u>
Town Outside Tax Levy General	\$ _____	\$ _____
Highway Money-Outside Village Item 1	\$ _____	
(Donovan Plan)Outside Village Item 1A	\$ _____	\$ _____

Special District Tax:

<u>Watson Fire Protection</u>	<u>35,991.00</u>
<u>Watson Light & Water Districts</u>	<u>5,949.57</u>

TOTAL TO SUPERVISOR\$ 905,365.57**TO THE COUNTY TREASURER:**

County Tax	\$ <u>1,139,127.00</u>	
Levy & Assess BR Regulating District	\$ _____	
Workmen's Compensation Insurance	\$ <u>17,301.00</u>	
		\$ <u>1,156,428.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ <u>111,321.66</u>	
Returned Village Tax	\$ _____	
Amount Spread on Town	\$ <u>808.85</u>	
		\$ <u>112,130.51</u>

TOTAL TO COUNTY TREASURER\$ 1,268,558.51**WHOLE AMOUNT OF WARRANT**\$ 2,173,924.08

LESS: Balance Due Town

\$ _____

Amount Paid County Treasurer

\$ _____

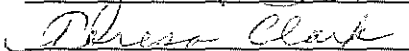
\$ 0.00**NET AMOUNT OF WARRANT**\$ 2,173,924.08Excess \$ (0.08)

Deficit \$ _____

AMOUNT OF TAX LIST(Final Recapitulation)\$ 2,173,924.00

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand eleven.

 Chairman
 Clerk

**TAX WARRANT
TOWN OF WEST TURIN**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.193396
West Turin Fire Protection	0.436256	General Tax Key-Outside Town	1.581432
Constableville Fire Protection	0.389100	Highway Tax Key	
		State Reforestation Tax Key	
Equalization Rate: 100		County Tax Key	6.990163

STATE OF NEW YORK}

ss:
County of Lewis }

To : Beth Ann McGovern

Collector of the Town WEST TURIN

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 388,673.00	\$ 388,673.00
Town Outside Tax Levy General	\$ 6,650.00	\$ 6,650.00
Highway Money-Outside Village Item 1	\$ 133,575.00	
(Donovan Plan)Outside Village Item 1A	\$	\$ 133,575.00

Special District Tax:

West Turin Fire Protection	10,471.00
Constableville Fire Protection	25,674.00

TOTAL TO SUPERVISOR

\$ 565,043.00

TO THE COUNTY TREASURER:

County Tax	\$ 827,923.00	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ 11,404.00	
		<u>839,327.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 204,469.83	
Returned Village Tax	\$ 41,159.39	
Amount Spread on Town	\$ 563.25	
		<u>\$ 246,192.47</u>

TOTAL TO COUNTY TREASURER

\$ 1,085,519.47

WHOLE AMOUNT OF WARRANT

\$ 1,650,562.47

LESS: Balance Due Town
Amount Paid County Treasurer

\$
\$ 0.00

NET AMOUNT OF WARRANT

\$ 1,650,562.47

Excess
Deficit

\$
\$ (0.05)

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 1,650,562.42

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand eleven.

 Chairman
 Clerk

**ANNUAL CASH REPORT
OF
Patricia O'Brien**

**LEWIS COUNTY TREASURER
FOR FISCAL YEAR ENDING
DECEMBER 31, 2011**

GENERAL FUND

Bal on Hand 1/1/11		21,846,653.89	
Cash on Hand	12,015,548.05		
Time Deposits	9,831,105.84		
Plus: Receipts 1/1-12/31/11		86,341,802.01	
Total Receipts+Beg Bal		<u>\$ 108,188,455.90</u>	
Disbursements: 1/1-12/31/11		87,148,475.85	87,803,480.31
Bal on Hand 12/31/11		21,039,980.05	655,004.46
Cash on Hand	10,553,869.75		
Time Deposits	10,486,110.30		
Total 2011 Disb+Ending Bal		<u>\$ 108,188,455.90</u>	87,148,475.85

Note: Includes Windfarm monies paid 12/30/11 \$9,004,767+
Includes Reserved Cash for MH/DSS \$1,964,365+

Trail Fund

Bal on Hand 1/1/11		78,000.01	
Cash on Hand	78,000.01		
Time Deposits			
Plus: Receipts 1/1-12/31/11		95,691.64	
Total Receipts+Beg Bal		<u>\$ 173,691.65</u>	
Disbursements: 1/1-12/31/11		58,003.08	58,003.08
Bal on Hand 12/31/11		115,688.57	0.00
Cash on Hand	115,688.57		0.00
Time Deposits			58,003.08
Total 2011 Disb+Ending Bal		<u>\$ 173,691.65</u>	

ANNUAL CASH REPORT**HOSPITAL FUND**

Bal on Hand 1/1/11		2,366,565.85	
Cash on Hand	793,000.64		
Time Deposits(includes Foundation)	1,573,565.21		
Plus: Receipts 1/1-12/31/11		59,698,676.83	
Total Receipts+Beg Bal		<u>\$ 62,065,242.68</u>	
Disbursements:1/1-12/31/11		60,727,105.59	60,622,844.21
Bal on Hand 12/31/11		1,338,137.09	(104,261.38)
Cash on Hand	(131,166.74)		60,727,105.59
Time Deposits(includes Foundation)	1,469,303.83		
Total 2011 Disb+Ending Bal		<u>\$ 62,065,242.68</u>	

COUNTY ROAD FUND

Bal on Hand 1/1/11		635,341.64	
Cash on Hand	235,341.64		
Time Deposits	400,000.00		
Plus: Receipts 1/1-12/31/11		6,155,982.68	
Total Receipts+Beg Bal		<u>\$ 6,791,324.32</u>	
Disbursements:1/1-12/31/11		6,172,534.29	5,985,606.06
Bal on Hand 12/31/11		618,790.03	(186,928.23)
Cash on Hand	405,718.26		6,172,534.29
Time Deposits	213,071.77		
Total 2011 Disb+Ending Bal		<u>\$ 6,791,324.32</u>	

MACHINERY FUND

Bal on Hand 1/1/11		608,397.50	
Cash on Hand	194,275.88		
Time Deposits	414,121.62		
Plus: Receipts 1/1-12/31/11		2,267,553.96	
Total Receipts+Beg Bal		<u>\$ 2,875,951.46</u>	
Disbursements:1/1-12/31/11		2,265,767.68	2,137,584.59
Bal on Hand 12/31/11		610,183.78	128,183.09
Cash on Hand	324,245.25		2,265,767.68
Time Deposits	285,938.53		
Total 2011 Disb+Ending Bal		<u>\$ 2,875,951.46</u>	

ANNUAL CASH REPORT**SOLID WASTE**

Bal on Hand 1/1/11		127,004.18	
Cash on Hand	127,004.18		
Time Deposits	-		
Plus: Receipts 1/1-12/31/11		1,911,118.62	
Total Receipts+Beg Bal		<u>\$ 2,038,122.80</u>	
Disbursements: 1/1-12/31/11		1,675,826.89	1,675,826.89
Bal on Hand 12/31/11		362,295.91	0.00
Cash on Hand	362,295.91		1,675,826.89
Time Deposits			
Total 2011 Disb+Ending Bal		<u>\$ 2,038,122.80</u>	

WIA

Bal on Hand 1/1/11		9,055.34	
Cash on Hand	9,055.34		
Time Deposits	-		
Plus: Receipts 1/1-12/31/11		207,180.95	
Total Receipts+Beg Bal		<u>\$ 216,236.29</u>	
Disbursements: 1/1-12/31/11		207,911.85	
Bal on Hand 12/31/11		8,324.44	
Cash on Hand	8,324.44		
Time Deposits	-		
Total 2011 Disb+Ending Bal		<u>\$ 216,236.29</u>	

SELF INSURANCE FUND

Bal on Hand 1/1/11		1,213,201.00	
Cash on Hand	32,943.79		
Time Deposits	1,180,257.21		
Plus: Receipts 1/1-12/31/11		1,189,479.93	
Total Receipts+Beg Bal		<u>\$ 2,402,680.93</u>	
Disbursements: 1/1-12/31/11		1,124,558.81	1,128,417.51
Bal on Hand 12/31/11		1,278,122.12	(3,858.70)
Cash on Hand	94,006.21		1,124,558.81
Time Deposits	1,184,115.91		
Total 2011 Disb+Ending Bal		<u>\$ 2,402,680.93</u>	

ANNUAL CASH REPORT**INTERNAL SERVICE FUND**

Bal on Hand 1/1/11		4,939,112.94	
Cash on Hand-Int Bearing	1,442,933.57		
Time Deposits	3,496,179.37		
Plus: Receipts 1/1-12/31/11		19,815,735.14	
Total Receipts+Beg Bal		<u>\$ 24,754,848.08</u>	
Disbursements:1/1-12/31/11		18,861,120.82	19,841,371.63
Bal on Hand 12/31/11		5,893,727.26	(980,250.81)
Cash on Hand-Int Bearing	1,417,297.08		18,861,120.82
Time Deposits	4,476,430.18		
Total 2011 Disb+Ending Bal		<u>\$ 24,754,848.08</u>	

TRUST & AGENCY FUND

Bal on Hand 1/1/11		432,829.07	
Trust Cash	425,658.59		
Time Deposit Cash	7,170.48		
Plus: Receipts 1/1-12/31/11		16,682,772.77	
Total 2011 Receipts+Beg Bal		<u>\$ 17,115,601.84</u>	
Disbursements:1/1-12/31/11		16,683,435.38	16,688,448.97
Bal on Hand 12/31/11		432,166.46	(5,013.59)
Trust Cash (incl Ct & Trust)	419,982.39		16,683,435.38
Time Deposit Cash	12,184.07		
Total 2011 Disb+Ending Bal		<u>\$ 17,115,601.84</u>	

Micro Loan Fund

Bal on Hand 1/1/11		5,370.34	
Time Deposit Cash	5,370.34		
Plus: Receipts 1/1-12/31/11		37,148.29	
Total 2011 Receipts+Beg Bal		<u>\$ 42,518.63</u>	
Disbursements:1/1-12/31/11		124.80	
Bal on Hand 12/31/11		42,393.83	
Trust Cash	42,393.83		
Time Deposit Cash			
Total 2011 Disb+Ending Bal		<u>\$ 42,518.63</u>	

ANNUAL CASH REPORT**HOSP SP GIFT EXPENDABLE/NON-EXPENDABLE**

Bal on Hand 1/1/11		29,175.02	
Trust Cash	1,854.23		
Time Deposit Cash	27,320.79		
Plus: Receipts 1/1-12/31/11		1,601.96	
Total 2011 Receipts+Beg Bal		<u>\$ 30,776.98</u>	
Disbursements:1/1-12/31/11		2,726.53	2,782.68
Bal on Hand 12/31/11		28,050.45	(56.15)
Trust Cash	673.51		2,726.53
Time Deposit Cash	27,376.94		
Total 2011 Disb+Ending Bal		<u>\$ 30,776.98</u>	

CAPITAL FUNDS

Bal 1/1/11		2,095,659.65	
Bridges Cash	178,511.49		
West Main/SRB Deposit	49,380.05		
Mad River Br Deposit	40,000.00		
West Road Rehab	431.70		
Em Radio Cash	34.80		
Em Radio Time Deposit	124,411.27		
Capital Building Cash	35,084.29		
Capital Building Invested	1,111.69		
Utilites Cash	52.91		
E911 Cash	428.88		
Paving Time Deposit	-		
Bld Maint Cash	-		
Bld Maint Time Deposit	204,300.55		
Capital Equipment	(5,334.00)		
Capital Equipment Deposit	469,430.25		
Data Processing	-		
Data Proc Deposit	7,875.08		
Hospital BR Project	-		
Hwy Bldg Time Deposit	154,058.34		
DSS Bldg	-		
DSS Bldg Time Deposit	835,882.35		
Plus: Receipts 1/1-12/31/11		3,274,125.82	
Total 2011 Receipts+Beg Bal		<u>\$ 5,369,785.47</u>	

ANNUAL CASH REPORT

Disb: 1/1-12/31/11		3,260,009.76	3,221,073.67
Bal on Hand 12/31/11		2,109,775.71	38,936.09
Bridges Cash	226,667.00		3,260,009.76
West Main/SRB Deposit	49,579.91		
Mad River Br Deposit	40,146.55		
West Road Rehab	-		
Em Radio Cash	-		
Em Radio Time Deposit	136,962.37		
Capital Building Cash	35,113.43		
Capital Building Invested	1,115.35		
Utilites Cash	52.91		
E911 Cash	428.88		
Paving Time Deposit	-		
Bld Maint Cash	-		
Bld Maint Time Deposit	496,940.73		
Capital Equipment	-		
Capital Equipment Deposit	323,600.51		
Data Processing	-		
Data Proc Deposit	18,420.71		
Hospital BR Project	19,726.31		
Hwy Bldg Time Deposit	154,733.34		
DSS Bldg	-		
DSS Bldg Time Deposit	606,287.71		
Disbursements:1/1-12/31/11			
Bal on Hand 12/31/11			
Trust Cash			
Time Deposit Cash			
Total 2011 Disb+Ending Bal		<u>\$ 5,369,785.47</u>	

	ANNUAL CASH REPORT			
	CONSOLIDATED TOTALS			
	BALANCE 12/31/2010	RECEIVED 2011	DISBURSED 2011	BALANCE 12/31/2011
Bal on Hand 1/1/11	21,846,653.89	86,341,802.01	87,148,475.85	21,039,980.05
TRAIL FUND	78,000.01	95,691.64	58,003.08	115,688.57
HOSPITAL FUND	2,366,565.85	59,698,676.83	60,727,105.59	1,338,137.09
COUNTY ROAD FUND	635,341.64	6,155,982.68	6,172,534.29	618,790.03
MACHINERY FUND	608,397.50	2,267,553.96	2,265,767.68	610,183.78
SOLID WASTE	-	1,911,118.62	1,675,826.89	235,291.73
WIA	9,055.34	207,180.95	207,911.85	8,324.44
Bal on Hand 1/1/11	1,213,201.00	1,189,479.93	1,124,558.81	1,278,122.12
INTERNAL SERVICE FUND	4,939,112.94	19,815,735.14	18,861,120.82	5,893,727.26
TRUST & AGENCY FUND	432,829.07	16,682,772.77	16,683,435.38	432,166.46
MICRO LOAN PROGRAM	5,370.34	37,148.29	124.80	42,393.83
HOSP SP GIFT EXP/NON-EXP	29,175.02	1,601.96	2,726.53	28,050.45
CAPITAL FUNDS	2,095,659.65	3,274,125.82	3,260,009.76	2,109,775.71
TOTAL	34,259,362.25	197,678,870.60	198,187,601.33	33,750,631.52

**ANNUAL CASH REPORT
COUNTY INDEBTEDNESS**

TYPE & PURPOSE	OUTSTANDING 12/31/2011	MATURITY DATE
SERIAL-GENERAL OBLIGATION 2010 RECONSTRUCTION HOSP FACILITES	3,650,000.00	2030
2010 GENERAL OBLIGATION COURT HOUSE PROJECT	9,320,000.00	2037
2011 HOSPITAL BAN-Due 8/12/2012	1,600,000.00	2012

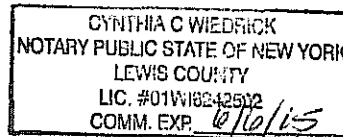
STATE OF NEW YORK}

ss:

COUNTY OF LEWIS}

Patricia O'Brien, being duly sworn, deposes and says that she is the Treasurer of the County of Lewis, State of New York, and the foregoing cash report is a true and correct statement of the Cash Transactions of said County for the Fiscal Year ending DECEMBER 31, 2011, as shown by the official records of said County.

Subscribed and Sworn to Before Me
this 11th Day of January 2012:



Cynthia C. Wiedrick
NOTARY PUBLIC

Patricia O'Brien
PATRICIA O'BRIEN

REPORT INFORMATION

The above cash report was made as required by Law to report the Cash Flow of funds through the County Treasurer's Office.

It by no means shall be considered as a report of actual operating expenses or revenues.

ADOPTED COUNTY BUDGET

LEWIS COUNTY

2012

DAVID H. PENDERGAST
BUDGET OFFICER

PATRICIA O'BRIEN
DEPUTY BUDGET OFFICER

Presented to Clerk of the Board
11/15/2011

(Section 354 of County Law)

Public Hearing
11/22/2011

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