

*Proceedings*  
OF THE  
***BOARD OF LEGISLATORS***  
OF  
***LEWIS COUNTY***  
FOR  
**2014**

**Chairman**  
Michael A. Tabolt  
Croghan, New York

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



**Michael A. Tabolt**  
**Chairman of the Board**



Front Row: County Attorney Joan McNichol, Clerk of the Board Teresa Clark, County Manager Elizabeth Swearingin, and County Treasurer Patricia O'Brien.  
Second Row: Gregory Kulzer, Lawrence Dolhof, Andrea Moroughan, Chairman of the Board Michael A. Tabolt, and Philip Hathway.  
Third Row: Neil Pepper, Craig Brennan, Jerry King, Richard Chartrand, and Bryan Moser.

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

**State Senator – 47<sup>th</sup> District**  
HON. JOSEPH GRIFFO  
Utica, New York

**Member of Assembly – 122<sup>nd</sup> District**  
HON. KENNETH BLANKENBUSH  
Black River, New York

**COUNTY OFFICIALS – 2014**

	<b>Supreme Court Judge</b>	
CHARLES MERRELL .....		Lowville, New York
	<b>Supreme/County Court Clerk</b>	
BART PLESKACH .....		Glenfield, New York
	<b>County/Surrogate &amp; Family Court Judge</b>	
DANIEL KING .....		Lowville, New York
	<b>Family Court/Surrogate’s Clerk</b>	
LORI PFENDLER .....		Lowville, New York
	<b>County Manager/Budget Officer</b>	
ELIZABETH SWEARINGIN 4/1-12/31/14 .....		Lowville, New York
	<b>County Clerk</b>	
DOUGLAS HANNO .....		Lowville, New York
	<b>Deputy County Clerk</b>	
KATHLEEN R. BUSH .....		Lowville, New York
	<b>District Attorney</b>	
LEANNE MOSER .....		Castorland, New York
	<b>Sheriff</b>	
MICHAEL CARPINELLI .....		Osceola, New York
	<b>Undersheriff</b>	
JAMES MONNAT .....		Croghan, New York
	<b>Treasurer/Deputy Budget Officer</b>	
PATRICIA O’BRIEN .....		Lowville, New York
	<b>Deputy Treasurer</b>	
CYNTHIA WIEDRICK .....		Turin, New York
	<b>Attorney</b>	
RICHARD GRAHAM 1/1-3/29/14 .....		Lowville, New York
JOAN MCNICHOL 4/1-12/31/14.....		Lowville, New York
	<b>Civil Service Administrator</b>	
MARYLOU VANBROCKLIN .....		Lowville, New York
	<b>Commissioner of Jurors</b>	
ANN HIL .....		Lowville, New York
	<b>Interim Community Services Director</b>	
SARAH BULLOCK .....		Lowville, New York

**Economic Development Director**

ERIC VIRKLER ..... Lowville, New York

**Election Commissioners**

ANN NORTZ (Republican) ..... Lowville, New York

LINDSAY BURRISS (Democrat) ..... Croghan, New York

**Emergency Medical Services Coordinator**

ROBERT MACKENZIE 1/1-9/26/14 ..... Lowville, New York

**Fire and Emergency Management Director**

JAMES M. MARTIN 1/1-9/26/14 ..... Croghan, New York

ROBERT MACKENZIE 10/08-12/31/14 ..... Lowville, New York

**Highway Superintendent**

DAVID L. BECKER ..... Lowville, New York

**Hospital Administrator**

ERIC BURCH ..... Lowville, New York

**Human Resources Director**

JAMES SWORDS ..... Black River, New York

**Junkyard Inspector**

WILLIAM HOUPPERT 1/1-8/1/14 ..... Lowville, New York

**Nursing Home Administrator**

JOSEPH TODORA ..... Watertown, New York

**Office For Aging Director**

BRENDA BOURGEOIS ..... Lowville, New York

**Probation Director**

MARYJO BURKHARD ..... Beaver Falls, New York

**Public Health Director**

PENNY INGHAM ..... Lowville, New York

**Real Property Tax Director**

LINDA GYDESEN ..... Boonville, New York

**Records Management Officer**

DOUGLAS HANNO ..... Lowville, New York

**Recreation, Forestry & Parks Director**

JACQUELINE MAHONEY ..... Lowville, New York

**Sealer of Weights & Measures**

BARBARA COOPER ..... Harrisville, New York

**Social Services Commissioner**

STACY ALVORD ..... Lowville, New York

**Solid Waste Coordinator**

PETER WOOD ..... Harrisville, New York

**Veterans' Services Director**

DEREK DAVEY ..... Lowville, New York

**Workers' Compensation Administrator**

TERRY CLARK ..... Lowville, New York

**Chairman, Board of Legislators**

MICHAEL A. TABOLT

Croghan, New York

**Clerk, Board of Legislators**

TERESA K. CLARK

Lowville, New York

JANUARY 9, 2014

**ORGANIZATIONAL MEETING  
January 9, 2014**

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

Roll Call: All Legislators were present. County Clerk Douglas Hanno administered the Oath of Office to each Legislator individually.

There were 30 persons present.

Mrs. Clark opened the floor for nominations of a Temporary Chairman. Legislator Hathway nominated Legislator Jerry King, seconded by Legislator Brennan. There being no other nominations, Legislator Brennan directed the clerk close the polls and cast one ballot for Legislator King's appointment. Legislators Hathway and Brennan escorted Legislator King to the podium.

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

Temporary Chairman King opened the floor for nominations of a Permanent Chairman. Legislator Brennan nominated Legislator Michael Tabolt, seconded by Legislator Dolhof. There being no other nominations, Legislator Brennan directed the polls be closed and the clerk cast one ballot for Legislator Tabolt's appointment. Legislators Chartrand and Pepper escorted Chairman Tabolt to the Chair.

Chairman Tabolt called for nominations for Clerk of the Board. Legislator Moser nominated Teresa Clark, seconded by Legislator Brennan. There being no other nominations, Legislator Brennan directed the polls be closed and the Clerk cast one ballot for the appointment.

County Clerk Douglas Hanno administered the Oath of Office to Teresa Clark; and she thanked the Board for the privilege to serve them.

Chairman Tabolt then called for nominations for a Vice-Chair of the Board. A late resolution was enacted to appoint Legislator Craig Brennan.

Chairman Tabolt prefaced to predict that 2014 will present many opportunities, expressing gratitude for his new colleagues' enthusiasm, interest and questions.

He recognized accomplishments by former Legislators for their coordinated efforts with County personnel, emergency responders and interested citizens to garner a \$6 Million Homeland Security grant for impending upgrades to the emergency radio communications system.

Also, in cooperation with the Hospital Board of Managers changes were enacted that enhanced Hospital operations to effect a breakeven point at the close of 2013. The Hospitalist

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Program, Critical Access designation, new Dialysis Center and the recently hired orthopedic surgeon will collectively enhance the financial plight of the facility.

The excitement from within the Economic Development Department, he said, has become contagious. Projects have been magnified with offers of financial assistance from regional and State representatives.

Chairman Tabolt expressed ease for assigning Committees reporting Legislator Hathway as the logical choice for Ways and Means Committee Chair, because he has thoroughly analyzed all facets of the County Budget. As a key player to assess and initiate the emergency communications system Legislator King will Chair the Courts & Law Enforcement Committee. Legislator Chartrand is well suited to Chair the Hospital Committee as a previous long-time member of the Board of Managers. Legislator Dolhof well known for his dedication to economic development was the logical choice to Chair the Economic Development Committee. Legislator Kulzer has spent his career in the agriculture industry and will Chair the Taxation/Information Technology/Elections/Agriculture Committee. As a Hospice volunteer Legislator Moroughan was the logical choice to Chair the Public Health and Community Services Committee. Legislator Moser will Chair the County Officers/Junkyard/Veterans' Services Committee. Legislator Pepper offered to serve anywhere needed and will Chair the Social Services/Office For Aging/Youth Committee. Legislator Brennan will Chair the Transportation/Solid Waste Committee, noting his relentless ambition for any assignment. In conclusion, Chairman Tabolt expressed his enthusiasm for future prospects and developments.

The following are the 2014 Legislative Committee assignments:

**COUNTY OFFICERS AND EMPLOYEES, VETERANS'  
SERVICES, JUNKYARD INSPECTOR, HUMAN RESOURCES, HISTORICAL  
RECORDS**

Bryan Moser, Chairman  
Jerry King  
Gregory Kulzer

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

Jerry King, Chairman  
Andrea Moroughan  
Neil Pepper

**HOSPITAL**

Richard Chartrand, Chairman  
Philip Hathway  
Gregory Kulzer

JANUARY 9, 2014

**PUBLIC HEALTH, COMMUNITY SERVICES**

Andrea Moroughan, Chairperson  
Philip Hathway  
Neil Pepper

**RULES AND LEGISLATION, WORKERS' COMPENSATION,  
ECONOMIC DEVELOPMENT, RECREATION/FORESTRY & PARKS, INSURANCE**

Lawrence Dolhof, Chairman  
Craig Brennan  
Bryan Moser

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

Neil Pepper, Chairman  
Andrea Moroughan  
Lawrence Dolhof

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

Gregory Kulzer, Chairman  
Lawrence Dolhof  
Craig Brennan

**TRANSPORTATION, SOLID WASTE**

Craig Brennan, Chairman  
Bryan Moser  
Richard Chartrand

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

Philip Hathway, Chairman  
Jerry King  
Richard Chartrand

Chairman Tabolt then approved the December 19, 2013 meeting minutes.

**REPORT OF THE RULES AND LEGISLATION COMMITTEE:**

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

Lawrence Dolhof, Chairman  
Bryan Moser  
Craig Brennan

Dated: January 9, 2014



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Legislator Dolhof made a motion to waive the rules, seconded by Legislator Moser and carried.

At 5:16 p.m. Chairman Tabolt opened the public hearing for comments on Local Law Introductory No.16-2013 "Establishing Rules and Regulations for the Payment of Defense Counsel Assigned Pursuant to County Law Article 18-B.

### PRIVILEGE OF THE FLOOR:

No one wished to speak relative to the proposed Local Law.

### PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Allegany, Essex and Schoharie County Legislatures have each forwarded a resolution to the Governor and State Legislature recording their strong objection to NYS using their County Seal and office names for pistol permit re-certification notices.

The Ulster County Legislature has also forwarded a resolution urging amendment of the Public Service Law in relation to providing consumers the option to elect not to use transmitting utility meters referred to as "smart meters". They cite potential health impacts from chronic exposure to wireless radio frequencies radiation, and concerns the meters may enable hackers to electronically alter the electricity usage when persons are not at home.

The Washington County Legislature forwarded a resolution urging the Governor and State Legislature, and Federal representatives to recognize industrial hemp as a valuable agricultural commodity. They request it be defined as non-psychoactive and genetically identifiable species; and acknowledge that allowing and encouraging farmers to produce it will improve the balance of trade by promoting domestic sources of industrial hemp, and to assist producers by removing regulatory barriers.

The following Newspaper Designations had been submitted from each the Republican and Democratic Legislators and placed on file with the Clerk of the Board:

### 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 9, 2014

JANUARY 9, 2014

NAME/SIGNATURE	ADDRESS
Philip Hathway	<u>P.O. Box 82, Harrisville, NY 13648</u>
Michael A. Tabolt	<u>P.O. Box 171, Croghan, NY 13327</u>
Craig P. Brennan	<u>10859 NYS Route 26, Carthage, NY 13619</u>
Bryan D. Moser	<u>8736 Erie Canal Road, Croghan, NY 13327</u>
Andrea Moroughan	<u>6697 Pine Grove Rd., Glenfield, NY 13343</u>
Gregory Kulzer	<u>7451 Rice Road, Lowville, NY 13367</u>
Lawrence Dolhof	<u>P.O. Box 308, Lyons Falls, NY 13368</u>
Neil H. Pepper	<u>P.O. Box 181, Brantingham, NY 13312</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 9, 2014

NAME/SIGNATURE	ADDRESS
Richard Chartrand	<u>7563 Cedar Street, Lowville, NY 13367</u>

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

The Clerk reported that each Legislator had received a copy of the Treasurer's December monthly report and Fourth Quarterly Bed Tax report; the Fourth Quarterly Report and 2013 Annual Report of the Sr. Code Enforcement Officer; the 12/23/13 Solid Waste audit report; the 12/20/13 Highway Audit report; and the 2013 Annual Report of the Youth Bureau Advisory Board and Lewis County General Hospital.

Fire Coordinator James Martin informed that he has named the following Deputy Coordinators for 2014: Richard Ross, Randy Roggie, Edwin Sinclair, Joseph Shue, Richard Defone and Fr. Chris Carrara.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Former Hospital Committee Chairman, recapped that the Hospital has satisfied all current County debt, excepting the \$4.7 Million and \$5.1 Million for retirement payments up-fronted by the County. That debt will be offset by anticipated Hospital

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revenue, leaving a potential increased debt of \$200,000 from one year ago. Comparatively, Legislator Hathway credits the Administration for substantial strides toward financial stability, while citing optimism for critical access care designation within the next 90 days that would equate additional daily revenue of \$10,000.

As Buildings and Grounds Committee Chairman, Legislator Hathway reported 51 December work orders, including repair of the sally port and water repairs at the jail, furnace repairs at the Highway Garage, adjustments to Court House radiators, and shoveling snow and ice off the DSS roof. There were a total number of 967 work orders completed in 2013.

In response to the Governor's offer of incentives to stay within the 2% property tax cap, Legislator Hathway in turn suggests the cap would be easily accomplished if the State would provide relief for unfunded mandates.

In conclusion, Legislator Hathway applauded the Harrisville Firefighters and Fire and Emergency Management Director James Martin for their commendable service during the recent ice storm and power outage, as well as the latest snowstorm.

Legislator Neil Pepper, Social Services/Office For Aging Committee Chairman, relayed his intent to stop by the respective offices to introduce himself.

Legislator Bryan Moser, County Officers/Junkyard Inspector/Veterans' Director/ Human Resources Committee Chairman, encouraged respective Department Heads or employees to contact him with any concerns.

Legislator Jerry King, Courts and Law Enforcement/Fire & Emergency Management Director/Building Codes Committee Chairman, reported having their first meeting this morning for general updates. He apologized for late resolutions, offering to answer questions at the time of presentation.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, commended the Highway Department, Sheriff Department and all employees who had worked diligently during the latest snow storm to keep the highways open and safe, thanking them for their dedication. He also welcomed his colleagues and the opportunity to work across political lines on mutual projects and concerns.

Legislator Richard Chartrand, Hospital Committee Chairman, relayed having been informed of his committee assignments with the Board of Managers, and would report next month.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, relayed having met a lot of people and is excited to initiate her Committee assignments.

COUNTY MANAGER REPORT:

JANUARY 9, 2014

Acting Manager Michael Tabolt reported that Legislator laptops would be purchased and set up with assigned County e-mail. Legislator Brennan asserted the laptop was a very useful tool; and Legislator Hathway impressed the value of access to the County IFM financial information, while suggesting some improvements to the system.

Chairman Tabolt asked for an executive session later today to discuss Legislators' candidate preference for County Manager and County Attorney interviews.

At the request of the Hospital Board of Managers, Legislators agreed to meet jointly with their Board on January 24<sup>th</sup> at noon.

Legislators were asked to inform Terry Clark if they wanted to change the time of their respective monthly Committee meeting.

Chairman Tabolt announced Legislator tours of the Cooperative Extension, Soil & Water, Mountain View Prevention and the Certified Home Health Agency/Hospice offices on 1/21/14.

He announced that the NYSAC Legislative Conference is scheduled from 2/3-2/5/14 and offers a one-day orientation seminar for newly elected officials, encouraging Legislators' participation. However the date conflicts with the Board's regular meeting date.

Accordingly, Legislator Brennan made a motion to change the date of the Board's regular meeting to February 6, 2014 at 5:00 p.m., seconded by Legislator Moser and carried.

Chairman Tabolt expressed gratitude for the contacts and interest on local issues from the Governor's representative Jeff Farrow, whom encourages coordination with regional committees to avail grant funds. Mr. Farrow was especially attentive during the recently declared weather emergency to offer State assistance. A meeting will be scheduled with State representatives and the Economic Development Committee for relative discussion.

#### COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien stated the end-of-year financial process has begun, estimating three months before she was prepared to report 2013 figures.

At 5:38 p.m. Chairman Tabolt closed the public hearing after confirming that no one wished to comment on Local Law Introductory No. 16-2013.

#### REPORT OF THE WAYS AND MEANS COMMITTEE:

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

To: The Honorable County Legislators

PROCEEDINGS OF THE BOARD OF LEGISLATORS

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 581,395.83 and recommend that they be audited and allowed for the amounts claimed.

Dated: January 7, 2014

Philip Hathway, Chair  
Jerry King, Committee  
Richard Chartrand, Committee

Approved on motion by Legislator Pepper, seconded by Legislator King, and carried.

RESOLUTIONS:

**RESOLUTION NO. 1 - 2014  
RESOLUTION TO AMEND AND ADOPT THE STANDING RULES  
OF THE BOARD OF LEGISLATORS OF LEWIS COUNTY**

Introduced by Legislator Michael Tabolt, Chairman of the Board of Legislators.

WHEREAS, the Board of Legislators has heretofore adopted Local Law No. 10 -2013, entitled "A LOCAL LAW ESTABLISHING THE RECREATION FORESTRY AND PARKS DEPARTMENT;" and

WHEREAS, the Board of Legislators has heretofore changed the name of the Mental Health Department to the Community Services Department; and

WHEREAS, the Board of Legislators wishes to amend the Standing Rules of the Board of Legislators of Lewis County ("Standing Rules") with respect to the Powers and Duties of Committees to correctly reflect the changes to County organization and function.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the Standing Rules of the Board of Legislators of Lewis County by replacing and substituting those portions of Rule XII, attached hereto, for the corresponding sections therein presently.

Section 2. That except as specifically amended herein, the Standing Rules of the Board of Legislators of Lewis County are hereby adopted for fiscal year 2014, and shall remain in full force and effect.

Section 3. That this resolution shall take effect immediately.

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

**RULE XII  
POWERS AND DUTIES OF COMMITTEES**

JANUARY 9, 2014

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**PUBLIC HEALTH, COMMUNITY SERVICES COMMITTEE**

This committee shall have general supervision of all matters relating to public health and particularly of all matters involving the Public Health Nursing Agency, the administration of all public health programs, the Lewis County Health Association, control of tuberculosis and other communicable diseases, assistance for physically handicapped children and all matters relating to public health. One member of this committee shall be a member of the County Health Services Advisory Board. The committee shall also work with and have general supervision over the Lewis County Community Services Board, as well as the provision of mental health and alcoholism and substance abuse services within Lewis County.

**RULES AND LEGISLATION,  
WORKERS' COMPENSATION, ECONOMIC DEVELOPMENT, RECREATION  
FORESTRY AND PARKS, AND INSURANCE COMMITTEE**

This committee shall have charge of all matters relating to the Clerk of the Board and of the preparation and procurement of suitable forms for all matters connected with the transaction of business of the Board; shall each year after the adjournment of the State Legislature, examine these Rules and the prescribed forms for the purpose of determining any changes or amendments required by law or desirable for expediting and improving the conduct of the business of the Board; shall perform the duties prescribed under Rule VI; and shall have general charge, where not in conflict with other committees, and on an advisory basis for all officers and committees, of matters pertaining to state or federal legislation of interest to the County and the introduction, passage, amendment, interpretation and enforcement thereof.

This committee shall also work in cooperation with the Lewis County Chamber of Commerce and with other interested groups and organizations in publicizing the recreation, industrial and agricultural advantages of the County, in promoting the economic prosperity of the County, and in planning generally for the future welfare and growth of the County. Such committee shall perform the duties prescribed by Section 225 of the County Law in connection with any program carried on under ppe. of subd. 1 of said section for publicizing the advantages of the County or region. They shall work in cooperation with the Lewis County Planning Board.

This committee shall also have charge of all Workers' Compensation matters and of the consideration, payment and litigation of all claims against the County relating to Workers' Compensation. The Board shall provide personnel to perform such clerical, administrative and other duties as the committee may direct, and the County Attorney shall assist in the consideration and litigation of any claims at the request of the committee.

This committee shall also have charge over the provision of general liability insurance protection for the County, shall make such recommendations to the Board concerning insurance protection as it deems advisable, and shall at least once in each year examine the entire county program of insurance protection to determine adequacy of coverage and as a basis for recommendation and report to the Board. The committee shall also have jurisdiction over the County health insurance plan.

This committee shall have general supervision and control of all county reforestation

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projects; the acquisition of land for such projects; the planting, lumbering, management and care of county forests; the conservation of game, fish, wildlife and timber; and provision of public recreational facilities, where feasible, in connection with forest and conservation projects.

This committee shall have general supervision over the services provided by Lewis County to promote and enhance outdoor recreational activities and tourism within Lewis County including without limitation: ATV and snowmobile use, horseback riding, biking, hiking, canoeing, kayaking, running, kiting, kite-skiing, cross-country skiing.

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**TAXATION, INFORMATION TECHNOLOGY,  
ELECTIONS AND AGRICULTURE COMMITTEE**

This committee shall have general oversight of all administrative and procedural matters relative to taxation, including, but not limited to, the footing and verification of assessment rolls; the amount, purpose and apportionment of taxes to be levied for the various purposes in each of the towns of the county as determined from county and town budgets, records of unpaid taxes and returned school taxes and other sources; preparation of appropriate resolutions for the apportionment and levy of all taxes; preparation of tax statements for persons and corporations engaged in business of a public service nature; proper execution of tax warrants; and recommendation to the Rules and Legislation Committee of new or changed forms for tax purposes. This committee shall have the power to prescribe reasonable rules regarding the date and manner of submission of assessment rolls, budgets and all other documents required for the use of the committee in performing its duties.

This committee shall also have general supervisory and advisory jurisdiction over all matters related to the Department of Information Technology and all matters pertaining to information management including the acquisition, implementation and support of technology and telecommunications.

This committee shall have general supervisory and advisory jurisdiction over all matters relating to the Board of Elections and all matters pertaining to elections properly referable to the County.

This committee shall have general supervisory and advisory jurisdiction of all matters relating to agriculture, including all programs for control of animal diseases, the programs of the office of Cornell Cooperative Extension Service of Lewis County; the affairs of the County Soil and Water Conservation District, relations with the Lewis County Agricultural Society, programs and policies of State and Federal departments and agencies and the general improvement of agricultural conditions within the county.

**RESOLUTION NO. 2 - 2014  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 581,395.83 be and each is hereby audited and allowed for the amounts claimed, and that the

JANUARY 9, 2014

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 Hathway, seconded by Legislator Chartrand, and adopted by roll call vote:

YEAS: Brennan, Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, Pepper, Tabolt  
NAYS: None  
ABSENT: None

**RESOLUTION NO. 3 - 2014  
RESOLUTION ADOPTING AND OTHERWISE TREATING  
LOCAL LAW NO. 2-2014, COUNTY OF LEWIS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, a resolution was duly adopted by the Board of Legislators on December 19, 2013, directing that a public hearing be held by said Board on January 7, 2014, 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 RULES AND REGULATIONS FOR THE PAYMENT OF DEFENSE COUNSEL ASSIGNED PURSUANT TO COUNTY LAW ARTICLE 18-B”**; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on January 2, 2013, 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. 16 – 2013), County of Lewis, being **“A LOCAL LAW ESTABLISHING RULES AND REGULATIONS FOR THE PAYMENT OF DEFENSE COUNSEL ASSIGNED PURSUANT TO COUNTY LAW ARTICLE 18-B”**, be and the same hereby is designated as Local Law No. 2 –2014, County of Lewis.



PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That Local Law No. 2 – 2014, 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 Moser, seconded by Legislator Dolhof, and adopted.

YEAS: Brennan, Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, Pepper, Tabolt

NAYS: None

ABSENT: None

**RESOLUTION NO. 4 - 2014  
RESOLUTION APPROVING THE FORM AND THE AMOUNT OF  
A BLANKET UNDERTAKING COVERING OFFICERS,  
CLERKS AND EMPLOYEES OF LEWIS COUNTY**

Introduced by Legislator Michael A. Tabolt, 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.

JANUARY 9, 2014

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

**RESOLUTION NO. 5 - 2014  
RESOLUTION WAIVING THE NEED FOR A SURETY BOND  
ON THE PART OF THE CHAIRMAN OF THE  
BOARD OF LEGISLATORS**

Introduced by Legislator Michael A. Tabolt, 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 Brennan, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 6 - 2014  
RESOLUTION APPOINTING MEMBER TO  
LEWIS COUNTY AGRICULTURAL SOCIETY BOARD**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Gregory Kulzer as the Board's representative to the Lewis County Agricultural Society Board.

Section 2. That the term of said appointment shall be in effect from January 1, 2014 through December 31, 2015.

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Moved by Legislator Chartrand, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 7 - 2014  
RESOLUTION TO EXTEND AUTHORIZATION TO  
CANARX SERVICES, INC. AS  
LEWIS COUNTY HEALTH INSURANCE VENDOR**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

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, 2014 through December 31, 2014.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 8 - 2014  
RESOLUTION TO APPOINT MEMBER TO  
LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL  
DISABILITIES AND ALCOHOLISM SERVICES BOARD**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Andrea Moroughan of 6697 Pine Grove Road, Glenfield, New York 13343, as their representative on the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. That the term of said appointment shall be effective from January 1, 2014 through December 31, 2015.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 9 - 2014**

JANUARY 9, 2014

**RESOLUTION APPOINTING MEMBERS TO  
LEWIS COUNTY COMPREHENSIVE ECONOMIC  
DEVELOPMENT STRATEGY COMMITTEE**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislators Craig Brennan and Lawrence Dolhof as their representatives to the Lewis County Comprehensive Economic Development Strategy Committee.

Section 2. That the term of said appointments shall be effective from January 1, 2014 through December 31, 2015.

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

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 10 - 2014  
RESOLUTION APPOINTING MEMBER TO  
LEWIS COUNTY COOPERATIVE EXTENSION  
BOARD OF DIRECTORS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Gregory Kulzer of 7451 Rice Road, Lowville, New York 13367, as the Board's representative to the Lewis County Cooperative Extension Service Board of Directors.

Section 2. That the term of said appointment shall be effective immediately and terminate on December 31, 2015.

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

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

**RESOLUTION NO. 11 - 2014  
DESIGNATION OF DEPOSITORIES FOR 2014**

Introduced by Legislator Michael Tabolt, Chairman of the Board of Legislators.

PROCEEDINGS 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 are hereby designated as depositories for County monies and for the maximum amount as set opposite the name of each

Community Bank N.A.	\$20,000,000.00
Key Bank of Central NY N.A.	\$20,000,000.00
First Niagara	\$20,000,000.00
Chase Bank	\$20,000,000.00
Citizens Bank	\$20,000,000.00

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 Dolhof , seconded by Legislator Pepper , and adopted.

**RESOLUTION NO. 12 - 2014  
RESOLUTION URGING LEWIS COUNTY RESIDENTS  
TO JOIN THE DONOR REGISTRY**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, Lewis County residents have demonstrated their commitment to one another in the most difficult of circumstances through organ, tissue, stem cell and blood donation; and

WHEREAS, across our State, we face a shortage of donors; and

WHEREAS, only 18% of New Yorkers age 18 and over have enrolled in the NYS Donate Life Registry, compared to the national average of 42%; and

WHEREAS, in an effort to raise awareness and increase donor registration in New York, counties across New York State have adopted resolutions encouraging residents to register as organ donors; and

WHEREAS, becoming a registered organ donor in New York State is easy and can be done on-line through the New York Organ Donor Network website, the NYS DMV website or at any DMV office.

JANUARY 9, 2014

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby encourages County residents to register as organ donors.

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

Moved by Legislator Chartrand, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 13 - 2014  
RESOLUTION AUTHORIZING FIRE ADVISORY BOARD  
AND PROVIDING FOR PAYMENT OF ALLOWABLE EXPENSES**

Introduced by Legislator Michael A. Tabolt Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 225-a of the County Law, the Lewis County Fire Advisory Board shall consist of the following members, who are hereby appointed to such Board for the term of one year commencing January 1, 2014 through December 31, 2014 to wit: Fire Chief of each Volunteer Fire Department in Lewis County, or a designated Assistant Fire Chief, all of whom shall be county officers and shall serve without compensation.

Section 2. That Lewis County Fire Coordinator James M. Martin is hereby authorized to appoint up to six (6) Deputy Coordinators, who shall serve without compensation, and that said Fire Coordinator must submit a list of his appointees to the Clerk of the Board of Legislators as soon as appointments have been made.

Section 3. That the necessary expenses of the Lewis County Fire Advisory Board and the Deputy Coordinators shall be paid upon due audit as provided by law.

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

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

**RESOLUTION NO. 14 - 2014  
RESOLUTION APPOINTING MEMBER TO  
REGION 6 FISH AND WILDLIFE MANAGEMENT BOARD**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Lewis County Board of Legislators hereby appoints Lawrence Dolhof of Post Office Box 308, Lyons Falls, New York 13368, as a member of the Region 6 Fish and Wildlife Management Board, as the Lewis County Legislator Representative .

Section 2. That the term of said appointment shall be for the period from January 1, 2014 through December 31, 2015.

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

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

**RESOLUTION NO. 15 - 2014  
RESOLUTION APPOINTING MEMBER TO  
NEW YORK REGION 6  
FOREST PRACTICE BOARD**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Lawrence Dolhof of Post Office Box 308, Lyons Falls, New York 13368 as the Legislator 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, 2014 through December 31, 2015.

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

Moved by Legislator Brennan, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 16 - 2014  
RESOLUTION APPOINTING AUDITOR OF  
COUNTY HIGHWAY FUNDS AND  
SOLID WASTE ENTERPRISE FUND**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

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:

JANUARY 9, 2014

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

TERESA K. CLARK

Section 2. That said appointment shall be in effect for the period from January 1, 2014 through December 31, 2015.

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

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

**RESOLUTION NO. 17 - 2014  
RESOLUTION APPOINTING MEMBER TO  
NORTH COUNTRY HOME CONSORTIUM BOARD**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Craig Brennan of 10859 NYS Route 26, Carthage, New York 13619 as the Legislator Representative on the North Country Home Consortium Board.

Section 2. That the term of said appointment shall be for the period January 1, 2014 through December 31, 2015.

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

Moved by Legislator Dolhof, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 18 - 2014  
RESOLUTION APPOINTING MEMBER TO  
LEWIS COUNTY GENERAL HOSPITAL  
BOARD OF MANAGERS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby appoints Legislator Richard Chartrand of 7563 Cedar Street, Lowville, New York 13367 to the Board of Managers of the Lewis County General Hospital.



PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the term of said appointment shall commence January 1, 2014 and expire on December 31, 2015.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Brennan , seconded by Legislator Moser , and adopted.

**RESOLUTION NO. 19 - 2014  
RESOLUTION APPOINTING MEMBER TO  
INTER-COUNTY LEGISLATIVE  
COMMITTEE OF THE ADIRONDACKS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Michael A. Tabolt as their representative to the Inter-County Legislative Committee of the Adirondacks.

Section 2. That the term of said appointment shall be effective from January 1, 2014 through December 31, 2015.

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

Moved by Legislator Dolhof , seconded by Legislator Kulzer , and adopted.

**RESOLUTION NO. 20 - 2014  
RESOLUTION APPOINTING MEMBER TO  
JUNKYARD REVIEW BOARD**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints John O. Boyd of 8279 NYS Route 812, Lowville, New York 13367, to the Lewis County Junkyard Review Board, to fill the un-expired term of Brian Smith.

Section 2. That the term of said appointment shall be effective from January 1, 2014 through December 31, 2016.

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

JANUARY 9, 2014

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

**RESOLUTION NO. 21 - 2014  
RESOLUTION TO APPOINT REPRESENTATIVE  
TO NYSDEC OPEN SPACE COMMITTEE**

Introduced by Legislator Michael A. Tabolt, 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.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Neil H. Pepper of 5728 North Shore Road, P.O. Box 181, Brantingham, New York 13312, as the their representative on the New York State Department of Environmental Conservation Region 6 Open Space Committee.

Section 2. That said appointment shall be effective for the period January 1, 2014 through December 31, 2015.

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

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

**RESOLUTION NO. 22 - 2014  
RESOLUTION TO TRANSFER FUNDS  
NON-DEPARTMENTAL**

Introduced by Legislator Michael Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the following transfers are hereby approved in the 2014 Budget for the payments to the North Country Library System:

<u>From:</u>	<u>Amount</u>
A7411.4999 (West Leyden)	\$77.00

To:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

A7410.4999 (Libraries)	\$53.00
A7412.4999 (Brantingham)	\$24.00

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

Moved by Legislator Brennan, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 23 - 2014  
RESOLUTION APPOINTING MEMBER TO  
PUBLIC HEALTH PROFESSIONAL ADVISORY-  
HEALTH SERVICES COMMITTEE**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Andrea Moroughan of 6697 Pine Grove Road, Glenfield, New York 13343 as the Board's representative on the Public Health Professional Advisory-Health Services Committee.

Section 2. That the term of said appointment shall be effective from January 1, 2014 through December 31, 2015.

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

Moved by Legislator Kulzer, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 24 - 2014  
RESOLUTION TO APPROPRIATE  
FOR SNOWMOBILE TRAIL PROGRAM  
2013-2014 SEASON**

Introduced by Legislator Michael Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That \$300,195.00 is hereby appropriated to Account No. A7141.4999, Snowmobile Trail Program, and offset by State Aid Account A38202.

Section 2. That the funds shall be passed on to the Lewis County Snowmobile Association when received.

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

JANUARY 9, 2014

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

**RESOLUTION NO. 25 - 2014  
RESOLUTION TO RE-APPOINT MEMBER TO  
SOIL AND WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints John Rohr of Deer River, New York 13627 as a Member-at-Large, to the Lewis County Soil & Water Conservation District Board of Directors.

Section 2. That the term of said appointment shall be from January 1, 2014 to December 31, 2016.

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

Moved by Legislator Pepper, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 26 - 2014  
RESOLUTION TO APPOINT MEMBERS TO  
SOIL AND WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Legislators Lawrence Dolhof of Post Office Box 308, Lyons Falls, New York 13368, and Legislator Gregory Kulzer of 7451 Rice Road, Lowville, New York 13367, to the Lewis County Soil & Water Conservation District Board of Directors.

Section 2. That the term of said appointments shall be from January 1, 2014 to December 31, 2015.

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

Moved by Legislator Moser, seconded by Legislator Pepper, and adopted.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 27 - 2014  
RESOLUTION APPOINTING MEMBER TO  
YOUTH BUREAU ADVISORY BOARD**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Neil H. Pepper as their representative on the Lewis County Youth Bureau Advisory Board.

Section 2. That the term of said appointment shall be effective from January 1, 2014 to December 31, 2015.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 28 - 2014  
RESOLUTION TO APPOINT MEMBER TO  
LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL  
DISABILITIES AND ALCOHOLISM SERVICES BOARD**

Introduced by Legislator Michael A. Tabolt, Member of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Jane O'Connor of 5336 Waters Terrace, Lowville, New York 13367, as a member 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 January 1, 2014 through December 31, 2017.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 29 - 2014  
RESOLUTION TO TRANSFER FUNDS  
COUNTY MANAGER**

Introduced by Legislator Michael Tabolt, Member of the Board of Legislators.

JANUARY 9, 2014

BE IT RESOLVED as follows:

Section 1. That the following transfer is hereby approved in the County Manager's accounts to cover association dues:

<u>From:</u>	<u>Amount</u>
A1020.4909 (Misc)	\$400.00

<u>To:</u>	
A1020.4505 (Dues)	\$400.00

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

Moved by Legislator Pepper, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 30 - 2014  
RESOLUTION APPOINTING MEMBERS TO  
E-911 OVERSIGHT BOARD**

Introduced by Legislator Michael A. Tabolt, Member of the Board of Legislators.

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 term effective immediately to terminate on December 31, 2014:

Law Enforcement:

State Police: Sgt. Cornell Parrish  
Sheriff: Michael Carpinelli  
Undersheriff: James Monnat  
LVPD: Eric Fredenburg  
NYSDEC: Joel Norwalk  
Leg Chair: Michael A. Tabolt  
Cts/Law: Jerry King  
Co Manger: TBA  
Hwy Supt: David L. Becker  
Bldg Maint: Frank Archer

Fire Service:

Fire/Emergency Mgmt: James M. Martin  
Haz. Mat. Coordinator: Richard Defone  
911 Dispatch: Cheryl Lalonde

Emergency Medical Services:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

EMS Coordinator: Robert MacKenzie  
Search & Rescue: Trevor Perry

Information Technology: Thomas Mallette

Lewis County General Hospital: Nick Hanno  
Dale Barker

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

Moved by Legislator Moroughan, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 31 - 2014  
RESOLUTION APPOINTING MEMBER TO  
LEWIS COUNTY PLANNING BOARD**

Introduced by Legislator Michael A. Tabolt, Member of the Board of Legislators.

WHEREAS, pursuant to the By-Laws of the Lewis County Planning Board, the Chairman of the Legislative Economic Development/Planning Committee shall be appointed as a voting member of the Lewis County Planning Board.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Lawrence Dolhof of Post Office Box 308, Lyons Falls, New York 13368 as a voting member of the Lewis County Planning Board.

Section 2. That the term of said appointment shall be effective from January 1, 2014 through December 31, 2015.

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

Moved by Legislator Pepper, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 32 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY SHERIFF'S DEPARTMENT  
& BLACK CREEK INTEGRATED SYSTEMS CORPORATION**

Introduced by Legislator Jerry King, Member of the Board of Legislators.

JANUARY 9, 2014

WHEREAS, the Lewis County Sheriff's Department desires to enter into an Agreement with Black Creek Integrated Systems Corporation, ("Black Creek") a corporation located at 2900 Crestwood Boulevard, Irondale, Alabama; and

WHEREAS, Black Creek provides computer software support, specifically for the program Sally-Port NY that the Lewis County Jail uses as a management system for the collection of data for the inmates; 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 Sheriff's Department and Black Creek Integrated Systems Corporation for the purpose of utilizing Black Creek's computer software support for the program Sally-Port NY that the Lewis County Jail uses as a management system for the collection of data for the inmates.

Section 2. That this is for the term commencing on January 1, 2014 through December 31, 2014 in an amount not to exceed \$10,225.

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 Pepper, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 33 - 2014**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN**  
**LEWIS COUNTY SHERIFF'S DEPARTMENT AND**  
**ELW SOFTWARE**

Introduced by Legislator Jerry King, Member of the Board of Legislators.

WHEREAS, the Lewis County Sheriff's Department desires to enter into an Agreement with ELW Software to provide computer software support and maintenance of several programs integral to operations of the Lewis County Sheriff's Department; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:



PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Sheriff's Department and ELW Software to provide computer software services utilized by the Lewis County Sheriff's Department.

Section 2. That this is for the term commencing on January 1, 2014 through December 31, 2014 in an amount not to exceed \$8,500.

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 Dolhof, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 34 - 2014  
RESOLUTION TO APPOINT MEMBER TO  
SOIL AND WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS**

Introduced by Legislator Michael A. Tabolt, Member of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints Ashley Marolf of Carthage, New York 13619 as the Grange Representative on the Lewis County Soil & Water Conservation District Board of Directors.

Section 2. That the term of said appointments shall be from January 1, 2014 to December 31, 2016.

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

Moved by Legislator Pepper, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 35 - 2014  
RESOLUTION WITH REFERENCE TO VICE-CHAIRMAN  
OF LEWIS COUNTY BOARD OF LEGISLATORS**

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

BE IT RESOLVED as follows:

JANUARY 9, 2014

Section 1. 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 2. 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 3. That the powers and duties so authorized to said Vice-Chairman shall not be executed by the Chairman during the above designated time periods.

Section 4. That this Board of Legislators hereby appoints LEGISLATOR CRAIG BRENNAN to perform the duties of Vice-Chairman of the Lewis County Board of Legislators for calendar year 2014.

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

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

OTHER BUSINESS:

The Clerk announced Chairman Tabolt's appointment of Legislators Moroughan, Chartrand and Moser to the Corporate Compliance Ad Hoc Committee; and Legislator Kulzer to the Agriculture and Farmland Protection Board for the period 1/1/14 to 12/31/15.

As requested by Chairman Tabolt, Legislator Pepper made a motion to enter executive session at 5:50 p.m. to discuss County Manager and County Attorney applicants; and an update by Atty. Graham on litigation and union negotiations, seconded by Legislator Dolhof and carried.

After a short recess, the session began at 5:59 p.m. Following the session, Legislator Brennan made a motion to re-enter regular session at 7:21 p.m., seconded by Legislator Pepper and carried.

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**REGULAR MEETING  
February 6, 2014**

The meeting was called to order at 5:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

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

There were 45 persons present.

Chairman Tabolt announced approval of the January 9, 2014 meeting minutes.

**REPORT OF THE RULES AND LEGISLATION COMMITTEE:**

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

Lawrence Dolhof, Chairman  
Bryan Moser, Committee  
Craig Brennan, Committee

Dated: February 6, 2014

Legislator Brennan made a motion to waive the rules, seconded by Legislator Dolhof and carried.

**PRIVILEGE OF THE FLOOR:**

Eric Griffin spoke in opposition to the County purchasing the Lewis Lanes property. He asserted the bowling alleys provide a good option and experience for kids that he predicts may otherwise turn to crime, further alleging that Legislators could be held responsible. He estimates a similar building could be built for \$100,000, exclaiming the \$1 Million offer as exorbitant. "The community wants to keep the alleys", he said, citing birthday celebrations and that "people like to bowl". Mr. Griffin further alleged the County was bailing out the owners for poor investment of heavy equipment purchases.

Mr. William Tarasek urged the Board to reject the purchase of the Lewis Lanes property, relating that he has been a league bowler for 30 years. He reminisced about his involvement with youth bowlers 20 years ago. He encouraged Legislators to visit the alleys during league bowling to witness the posted "professional category scores" accomplished by local bowlers, as well as the memorial tributes to deceased long-tenured bowlers.

**PRESENTATION OF COMMUNICATIONS AND NOTICES:**

The Chemung, Onondaga, Schuyler and Wyoming County Legislatures have each forwarded a resolution to the Governor and State Legislature recording their strong objection to NYS using their County Seal and office names for pistol permit re-certification notices.

FEBRUARY 6, 2014

The Yates County Legislature has forwarded a resolution to allow the State and Local primary election to be conducted on the fourth Tuesday of June each year commencing in 2014, coinciding with the Federal Primary election.

The Chemung County Legislature forwarded a supporting resolution to award Tioga Downs as the selected site for an Eastern Southern Tier region casino gaming license.

#### REPORTS OF COUNTY OFFICES AND DEPARTMENTS:

The Clerk reported that all Legislators have received copies of the Treasurer's January monthly report, the 1/23/14 Highway Audit Report, the 1/22/14 Solid Waste Audit Report; the 12/16/13 meeting minutes of the Soil and Water Conservation District Board of Directors; and the 2013 Annual Reports of Civil Service, Community Services, County Clerk, Economic Development/Planning, Fire and Emergency Management, EMS, Highway, Office For Aging, Probation, Public Health, Recreation Trails, Real Property Tax, Sheriff, Solid Waste and Veterans' Services Departments.

The County Sealer's activities report for the period March – December 2013; and the 10/17/2013 minutes of the Public Health Services Advisory Committee meeting have been received and will be placed on file.

#### REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Buildings and Grounds/Ways and Means Committee Chairman, reports budget review will be continuous and that 5-year financial appropriation vs. expenditure reports would be provided to Committees for their jurisdictional departments. Thereafter, quarterly budget status reports will be disbursed.

The Committee has authorized Treasurer Patricia O'Brien to purchase equipment to implement acceptance of property tax payments by credit card, at an estimated cost of \$200.00. Any related fees would be charged to the credit card holder.

At the request of Treasurer O'Brien, Legislator Hathway made a motion to authorize her office to collect \$1.00 for additional copies of receipts, other than the issued original. The motion was seconded by Legislator Chartrand and carried.

Legislator Hathway stated that the Treasurer would be providing a report to each Legislator of the County's fund balance and appropriated windmill revenues. He further reported the Committee's review of the radio system payment plan devised by the Courts and Law Enforcement Committee, a copy of which was distributed to each Legislator.

Legislator Hathway further reported that Building Maintenance personnel had completed 75 work orders in January for all buildings; and the contractor had repaired a Court House rooftop heating unit.

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Legislator Neil Pepper, Social Services/Office For Aging/Youth Committee Chairman, reported the Commissioner of Social Services and supervisory personnel had provided an overview of their daily operations. As affirmed by Buildings and Grounds Committee Chairman Hathway, there are preliminary plans to repair the parking lot at that location in the spring.

The Committee had also met with the Office For Aging Director and staff who explained their programs and daily functions. The Director's request for additional office space is being considered by the Buildings and Grounds Committee.

In conclusion, Legislator Pepper relayed meeting with the Youth Bureau Director, whom had provided an overview of youth programs; and announced the Committee's initial Youth Bureau Advisory meeting is scheduled for 2/12/14.

Legislator Bryan Moser, County Officers/Veterans/Junkyards/Human Resources Committee Chairman, reported meeting with the Junkyard Inspector and Director of Veterans' Services, who each provided a summary of their programs. He relayed surprise for the number of Lewis County veterans and the substantial amount of benefits received. He also referenced the new van provided through the Office of Disabled American Veterans that will provide volunteer transportation to veteran clinics starting in March.

Legislator Moser thanked his colleagues and Department Heads for adjusting meeting schedules to accommodate his work obligations.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, reported the Committee's diligent efforts to educate themselves on the impending emergency communications system project. In response to concern for an estimated \$400,000 increased expense for personnel, Sheriff Carpinelli; Undersheriff Monnat and Cheryl LaLonde have affirmed their understanding and willingness to work with the Board to retain E-911/ Dispatch operations within the Public Safety Building.

Legislator Lawrence Dolhof, Economic Development Committee Chairman, urged support of proposed resolutions to participate in the 3-County consortium through Drum Country to attract new business; as well as the mobile app and website for tourism efforts. Respective budgetary appropriations were previously approved. The Committee is prepared to promote priority projects if anticipated increased State funds become available.

Legislator Dolhof reported that after an initial meeting with ATV Club members, the sponsors of the ATV SNIRT Run have agreed to meet with the Committee on 2/20/14, to discuss overall event management, mitigation of environmental issues and safety. Participation for the annual event has grown from 300 to 3,000 ATV's.

Legislator Dolhof reported the Committee agreed to an ATV \$20.00 3-day pass to accommodate enthusiasts wanting to ride for one weekend, rather than paying the full permit fee.

Legislator Dolhof referenced renewed interest and support for amending State Legislation to change the Vehicle and Traffic Law definition of ATV's to increase the allowable weight from 1,000 to 1,500 pounds. This would allow registration of heavier machines commonly

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known as UTV's. Legislator Dolhof made a motion for the Chairman to forward a letter to Governor Andrew Cuomo to urge respective amending State Legislation, seconded by Legislator Hathway and carried. Chairman Tabolt relayed previously speaking to Assemblyman Ken Blankenbush, who has offered to personally deliver the letter on behalf of the Board.

Legislator Dolhof reported authorizing the Recreation/Forestry and Parks Director to allow tapping of only those maple trees previously tapped on County forest lands.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, commended Highway Superintendent David Becker and his crew for the outstanding job to keep roads clear and safe during this particularly snowy winter. He urged support of the resolution authorizing an agreement with Fastenal for safety items.

Legislator Brennan also reported touring the Lowville Transfer Station to learn about their daily operations. Coordinator Pete Wood, he stated, continues to research the possibility of debit card payments, specifically citing the requests from young soldier customers.

Legislator Gregory Kulzer, Taxation/Information Technology/Elections/Agriculture Committee Chairman, reported that Legislator computers have been ordered. Also, phone system upgrades have been initiated as required by the vendor company for continuation of their maintenance agreement, for an estimated cost of \$14,000.00.

Legislator Kulzer thanked Legislator Brennan for his commitment of weekly oversight of the Information Technology staff.

Legislator Richard Chartrand, Hospital Committee Chairman, commended the Board of Managers, pleased with their productivity. He announced that Auxiliary President Nina Gregory has a Valentine's Day fund raiser scheduled in the Hospital lobby on 2/13 and 2/14/14, reporting that proceeds would be donated toward the "Breast Cancer Dinner".

Legislator Chartrand reported that required paperwork has been submitted for critical access designation, and a related on-site survey is scheduled. The designation is estimated to equate additional monthly revenue of \$300,000. A Vital Access Provider grant of \$1.3 Million has been obtained that will cover additional personnel expense for the next three years. He further reported that orthopedic surgeon Dr. Gundel has been well received, and has surgeries scheduled through April.

Legislator Chartrand reported the facility-wide computer MediTech system will be implemented on 3/1/14. Also, a medical student started work with the Hospital on 2/3/14. He urged support of a proposed resolution to create five positions, of which two are existing Civil Service cards.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported the need for additional Early Intervention staff to comply with State requirements to meet increased program demands. There are adequate budget appropriations to cover the increased personnel expense; and billable services should increase from 27% to 35%. She urged

PROCEEDINGS OF THE BOARD OF LEGISLATORS

support of the proposed salary increase of the Quality Assurance Nurse, which had been inadvertently overlooked.

Legislator Moroughan also reported that all eligible CHHA and Hospice services have been billed, thanking Hospital Administration for their billing assistance. Due to inclement weather, the Community Services Board is rescheduled to meet on 2/11/14.

COUNTY MANAGER REPORT:

Acting Manager Michael Tabolt recognized and expressed appreciation for the overwhelming attention to Lewis County issues by the Governor and State representatives.

He reported that Birnie Bus is proposing to, again, operate a route to Old Forge this upcoming summer. In an effort to serve the entire County, possible car pools from West Leyden and Harrisville to the nearest bus stop are being discussed.

Chairman Tabolt reminded Legislators of the invitation for a snowmobile ride and tour on Tug Hill on 2/27/14 from Barnes Corners Sno-Pals.

He stated the recent flu clinic held in the Legislative chambers had been well received and served several residents.

Chairman Tabolt expressed pride and appreciation for the very good representation by 7 of 10 Legislators at the NYSAC conference in Albany. He relayed concern expressed by NYSAC Board of Directors that the Governor is not willing to substantiate his statements about property tax relief, and reduce County financial responsibility for mandated programs, Medicaid being foremost. One initiative of the NYSAC Board is for the State to reduce the number of primaries by scheduling coinciding dates of Federal primaries.

Chairman Tabolt and Legislator Brennan attended an emergency management training course, which is a prerequisite to be eligible for Homeland Security grant funding for disasters.

COUNTY TREASURER REPORT:

Patricia O'Brien reported that 2/3/14 was the last day for owners to redeem their properties before foreclosure. The County foreclosed on 77 parcels, which is slightly more than the previous year.

REPORT OF THE WAYS AND MEANS COMMITTEE:

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

To: The Honorable County Legislators

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The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,230,174.53 and recommend that they be audited and allowed for the amounts claimed.

Dated: February 6, 2014

Philip Hathway, Chair  
Jerry King, Committee  
Richard Chartrand, Committee

Approved on motion by Legislator Hathway, seconded by Legislator Pepper, and carried.

RESOLUTIONS:

**RESOLUTION NO. 36 - 2014  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 1,230,174.53 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 Hathway, seconded by Legislator King, and adopted by roll call vote:

All voted yea.

**RESOLUTION NO. 37 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
CAPITAL COUNTY ROAD STRIPING**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved to the Capital County Road Striping account, balance of \$55,000.00; by transferring funds from A9950.9926 (To Capital Hwy Bldg):

HAI50310 (Inter-fund transfer)	\$55,000.00
HAI(5150.4) Striping	\$55,000.00

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

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



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**RESOLUTION NO. 38 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
CAPITAL DATA PROCESSING**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Capital Data Processing account, balance of \$28,050.84 funds from A9950.9940 (To Capital Data Processing):

HAE50310 (Inter-fund transfer)	\$58,000.00
HAE9901.9 (Inter-fund transfer)	\$58,000.00

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

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

**RESOLUTION NO. 39 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
CAPITAL EMERGENCY RADIO SYSTEM**

Introduced by Legislator Philip Hathway., Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved to the Capital Emergency Radio System account, funds to be transferred from A9950.9940 (To Capital ERS): balance of \$1,014,156.71.

HA50310 (Inter-fund transfer)	\$800,000.00
HA3310.4 (Contractual)	\$800,000.00

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

Moved by Legislator Hathway, seconded by Legislator King.

Legislator King invoked the annual appropriations would completely fund the project within five years.

In response to Legislator Pepper, Treasurer Patricia O'Brien stated that \$300,000 of the annual \$2 Million of windmill revenues is budgeted for the project, while \$600,000 is appropriated for Court House construction debt.

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Legislator Pepper pondered a tabling motion, expressing concern for the low fund balance in the event of an emergency, such as a bridge collapse. Legislator Hathway queried whether the project bid award should also be delayed until the funding resources were clearly identified. Legislator Brennan urged the low bid be awarded to move the project forward, while continuing discussion to determine financial resources.

Legislator Pepper reiterated concern for the State's informed award of \$6 Million, but that an agreement has not yet been forwarded, and would appreciate further discussion prior to a vote.

Legislator Brennan made a motion to table the resolution, seconded by Legislator Dolhof. The tabling motion was carried by a vote of 8 to 2, with Legislators King and Moser opposed.

**RESOLUTION NO. 40 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
CAPITAL EQUIPMENT**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved to the Capital Equipment account, balance of \$84,578.71, funds transferred from A9950.9925 (To Capital Equipment):

HAD50310 (Inter-fund transfer)	\$386,000.00
HAD9901.9 (Inter-fund transfer)	\$386,000.00

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

Moved by Legislator King, seconded by Legislator Moser.

Legislator Hathway reported the monies would cover the purchase of a tractor/mower and half the cost of a tandem truck for the Highway Department; a truck for the Recreation/Forestry Department, and two cars for yet-to-be-determined Departments; leaving a Capital Equipment Fund balance of \$125,000.

In response to Legislator Kulzer, Highway Superintendent David Becker stated that companies are reluctant to lease equipment due to the known wear and tear.

The resolution was then adopted.

**RESOLUTION NO. 41 - 2014**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
THE COUNTY OF LEWIS AND NYS DIVISION  
OF HOMELAND SECURITY & EMERGENCY SERVICES  
FOR THE PUBLIC SAFETY ANSWERING POINTS GRANT**

Introduced by Legislator Jerry King, Chairman of the Fire and Emergency Management Committee.

WHEREAS, the County of Lewis has received a grant award from the New York State Division of Homeland Security and Emergency Services in the amount of \$808,615 for the Public Safety Answering Points Project; and

WHEREAS, the Board of Legislators wishes to accept such grant.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the contract with the County of Lewis and the New York State Division of Homeland Security and Emergency Services to implement the installation of Spillman Technologies CAD system and Cassidian Sentinel 4.0 IP-based Next-Gen capable phone system to integrate with Lewis County's other E-911 communications equipment for the term beginning May 1, 2013 through April 30, 2015 in the amount of \$808,615.

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 Brennan, and adopted.

**RESOLUTION NO. 42 - 2014  
RESOLUTION AUTHORIZING AGREEMENT WITH  
FORT DRUM REGIONAL LIAISON ORGANIZATION**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, economic development agencies from Jefferson, St. Lawrence and Lewis Counties have worked collaboratively to undertake a Regional Marketing Initiative for business attraction purposes; and

WHEREAS, representatives from the Fort Drum Regional Liaison Organization (FDRLO), Development Authority of the North Country (DANC), St. Lawrence County Industrial Development Agency (SLCIDA), Jefferson County Job Development Corporation

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(JCJDC) and Lewis County Office of Planning and Economic Development (LCOPED), have named this marketing initiative, "Drum Country Business"; and

WHEREAS, the term of this agreement will be for the period of January 1, 2014 through December 31, 2016 at a cost of \$5,000.00 annually and the participating economic development agencies will agree at a later date what the appropriate annual contribution will be for the subsequent two years.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Memorandum of Understanding by and between Fort Drum Regional Liaison Organization, DANC, SLCIDA, and JCJDC to work collaboratively with participating Economic Development Agencies to undertake a Regional Marketing Initiative for business attraction purposes for a term of January 1, 2014 and ending December 31, 2016.

Section 2. That Lewis County shall contribute no more than \$5,000.00 for fiscal year 2014.

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

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

Moved by Legislator Dolhof, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 43 - 2014  
RESOLUTION TO AUTHORIZE PAYMENT OF FUNDS  
ECONOMIC DEVELOPMENT/PLANNING**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

BE IT RESOLVED as follows:

Section 1. That the payment in the amount of \$5,000.00 is hereby authorized to be made to Drum Country Business for the Economic Development Consortium, from Account No. A6420.4999 in the Planning Department:

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

Moved by Legislator Dolhof, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 44 - 2014**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY HIGHWAY DEPARTMENT  
AND FASTENAL**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

WHEREAS, the Lewis County Highway Department desires to enter into an Agreement with Fastenal, a company that provides vending solutions, with offices located at 23171 Murrock Circle, Watertown, New York 13601; and

WHEREAS, Fastenal shall provide the Lewis County Highway Department located at 7362 East Road, Lowville, New York with the FAST 5000 vending machine and stock it with the distributed products and is responsible for refilling the vended products for the term of the agreement; 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 Fastenal that provides the FAST 5000 vending machine and distributed products.

Section 2. That said Agreement shall be for the period beginning November 18, 2013 through November 18, 2014.

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 Moser, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 45 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY GENERAL HOSPITAL  
OCCUPATIONAL MEDICINE AND  
LEWIS COUNTY HIGHWAY DEPARTMENT**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

WHEREAS, the Lewis County Highway Department wishes to enter into an Agreement with Lewis County General Hospital Occupational Medicine for the purpose of employee drug and alcohol testing; and

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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 by and between the Lewis County Highway Department and Lewis County General Hospital Occupational Medicine for the purpose of employee drug and alcohol testing.

Section 2. That this is for the term beginning January 1, 2014 and ending December 31, 2014 for the Company/Consortium Pricing Package at a rate of \$78.00 per employee. Additional fees will apply for “post-accident”; “reasonable suspicion”; and “follow-up drug and alcohol testing as well as onsite testing” as follows: DOT Drug Screen – \$71.00; Breath Alcohol Test – \$22.00; Breath Alcohol Confirmation Test – \$22.00; and Onsite Testing – \$40.00.

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 Brennan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 46 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
LEWIS COUNTY GENERAL HOSPITAL**

Introduced by Legislator Richard Chartrand, 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>
Registered Professional Nurse (2)	Full-Time	\$26.12-\$32.93/hr.

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

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 47 - 2014  
RESOLUTION TO TRANSFER FUNDS**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**LEGISLATIVE BOARD**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following transfer is hereby approved in the Legislative Board account for payment of five (5) laptop computers for use by Legislators, utilizing Capital Data Processing funds:

<u>Revenue</u>	Amount
A50310 (Inter-fund)	\$3,530.00
<u>Expense:</u>	
A1010.2909 (Misc Equip)	\$3,530.00

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

Moved by Legislator Brennan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 48 - 2014  
RESOLUTION TO APPOINT MEMBER TO  
LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL  
DISABILITIES AND ALCOHOLISM SERVICES BOARD  
DEVELOPMENTAL DISABILITIES SUB-COMMITTEE**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Stephen Virkler of 4791 State Route 410, Castorland, New York 13620, to the Developmental Disabilities 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 February 7, 2014 through December 31, 2017.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 49 - 2014**

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**RESOLUTION TO APPOINT MEMBER TO  
LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL  
DISABILITIES AND ALCOHOLISM SERVICES BOARD  
SUB-COMMITTEE**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re- appoints Mary Wormuth of 7646 Collins Street, Lowville, New York 13367, to the Alcohol and 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 January 1, 2014 through December 31, 2017.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Dolhoff, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 50 - 2014  
RESOLUTION AUTHORIZING AGREEMENT WITH  
NYS DIVISION OF CRIMINAL JUSTICE SERVICES AND  
PROBATION DEPARTMENT – IGNITION INTERLOCK PROGRAM**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a grant Agreement between the New York State Division of Criminal Justice Services, by and through the Probation Department, for a GTSC Ignition Interlock Device Monitoring Program.

Section 2. That said Agreement shall be effective for the period from October 1, 2013 through September 30, 2014, in the total amount of \$4,628.00

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 Moroughan, seconded by Legislator Pepper, and adopted.



PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 51 - 2014  
RESOLUTION AUTHORIZING CONTRACT WITH THE  
COUNTY OF LEWIS AND NEW YORK STATE  
OFFICE OF INDIGENT LEGAL SERVICES**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement 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; and

WHEREAS, the County of Lewis has received a grant award from the New York State Office of Indigent Legal Services in the amount of \$8,347 for the provision of funds to assist the County in improving the quality of indigent legal services provided; 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 by and between the County of Lewis and New York State Office of Indigent Legal Services to provide grant funds in the amount of \$8,347 to assist the County in improving the quality of indigent legal services provided.

Section 2. That said contract is for the term commencing effective June 1, 2011 and ending May 31, 2012.

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 Moser, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 52 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO PUBLIC HEALTH DEPARTMENT**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED as follows:

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Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Public Health Department to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Early Intervention Service Coordinator	Up to 28 hrs/week	Grade C24 \$18.44-\$19.93/hr.

Section 2. That Public Health Director Penny Ingham is hereby authorized to fill said position effective immediately pursuant to Civil Service rules and regulations.

Section 3. That the within resolution shall take effect immediately

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

**RESOLUTION NO. 53 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO PUBLIC HEALTH DEPARTMENT**

Introduced by Legislator Andrea Moroughan, Chair of the Public 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 Public Health Department to increase the Early Intervention Service Coordinator hours from 21 hrs/week to 28 hrs/week.

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

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

**RESOLUTION NO. 54 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO PUBLIC HEALTH**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED as follows:

Section 1. That this Board hereby amends the Compensation Plan of the County of Lewis with reference to the Public Health Department to approve an increase in the salary for Jan Widrick, Quality Assurance Nurse to \$31,667 (equating a 3% raise for 2014) likewise approved for all other management personnel.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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

**RESOLUTION NO. 55 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
PUBLIC HEALTH**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation increase is hereby approved for the 2013-2014 COLA (Cost of Living) Funds:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
A34461	COLA-PH	\$3,899.00
A4020.4909	COLA-Misc.	\$3,899.00

Programs providing COLA funds are as follows:

Rabies Program -	\$ 824.00
Lead Program -	\$ 1,734.00
CHSCN -	\$ 1,341.00

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

Moved by Legislator Pepper, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 56 - 2014  
RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN  
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES  
AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK, INC.**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services (“DSS”) wishes to enter into a Memorandum of Agreement with Transitional Living Services of Northern New York, Inc. (“TLS”) for the purpose of supporting the TLS Gateway Project with their case management and supportive housing services for vulnerable adults and families; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

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Section 1. That the Board of Legislators hereby approves the Memorandum of Agreement with Transitional Living Services of Northern New York, Inc. ("TLS") for the purpose of supporting the TLS Gateway Project with their case management and supportive housing services for vulnerable adults and families for the period from January 1, 2014 through December 31, 2014.

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 Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 57 - 2014**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN**  
**THE DEPARTMENT OF SOCIAL SERVICES AND**  
**HAND IN HAND EARLY CHILDHOOD CENTER**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to purchase day care services through Hand in Hand Early Childhood Center for eligible recipients; 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 Hand in Hand Early Childhood Center for the period of January 1, 2014 through December 31, 2014 at the Day Care market rate established by Hand in Hand Early Childhood Center and pursuant to the DSS Fair Market Rates as established by the State. The cost for eligible recipients is approximately 1% for the County and 99% federally reimbursed.

	Infant Under 1 ½	Toddler 1 ½ - 2	Preschool (3-5)	School Age Child Care (6-12)	Summer	School Vacation/ Snow Day
Weekly: Full Time	\$190	\$180	\$170	\$160	\$160	\$140
Daily: Part Time	\$42	\$40	\$38	\$35		
				\$11 (am)		
				\$11 (pm)		
Part-Day	\$28	\$27	\$25	\$23		

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Hourly	\$6.75	\$6.75	\$6.25	\$6.25		
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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 Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 58 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
THE CENTER OF LIFELONG EDUCATION AND RECREATION  
OF SUNY POTSDAM**

Introduced by Legislator Neil Pepper, 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 Services 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, 2014 through December 31, 2014, 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, pending approval by the County Attorney.

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

Moved by Legislator Pepper, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 59 - 2014**

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**RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY GENERAL HOSPITAL  
OCCUPATIONAL MEDICINE AND  
LEWIS COUNTY SOLID WASTE DEPARTMENT**

Introduced by Legislator Craig Brennan, Chairman of the Solid Waste Committee.

WHEREAS, the Lewis County Solid Waste Department wishes to enter into an Agreement with Lewis County General Hospital Occupational Medicine for the purpose of employee drug and alcohol testing; 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 by and between the Lewis County Solid Waste Department and Lewis County General Hospital Occupational Medicine for the purpose of employee drug and alcohol testing.

Section 2. That this is for the term beginning January 1, 2014 and ending December 31, 2014 for the Company/Consortium Pricing Package at a rate of \$78.00 per employee. Additional fees will apply for “post-accident”; “reasonable suspicion”; and “follow-up drug and alcohol testing as well as onsite testing” as follows: DOT Drug Screen – \$71.00; Breath Alcohol Test – \$22.00; Breath Alcohol Confirmation Test – \$22.00; and Onsite Testing – \$40.00.

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 Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 60 - 2014  
RESOLUTION APPOINTING MEMBERS TO  
TRAFFIC SAFETY BOARD**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following individuals to the Lewis County Traffic Safety Board:

James M. Martin, Fire & Emergency Management Director

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Mark Tabolt, Town of Lowville Superintendent, 5481 Bostwick Street,  
Lowville, New York 13367  
Kenneth Bibbins, NYSDOT Resident Engineer, 5527 Bostwick Street,  
Lowville, New York 13367

Section 2. That the term of said appointments shall be effective immediately and terminate on December 31, 2016.

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

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 61 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO TREASURER'S DEPARTMENT**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means 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 Treasurer's Department to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Clerk	Temporary Up to 35 Hrs/Week	Grade C7 \$12.28/hr.

Section 2. That Treasurer Patricia O'Brien is hereby authorized to fill said position effective February 7, 2014.

Section 3. That the within resolution shall take effect immediately

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

**RESOLUTION NO. 62 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
THE COUNTY OF LEWIS AND POMCO, INC. FOR  
WORKERS' COMPENSATION ADMINISTRATION SERVICES**

Introduced by Legislator Lawrence Dolhof, Chairman of the Workers' Compensation Committee.

WHEREAS, the County of Lewis "(County)" is duly qualified as self-insured under the Workers' Compensation Law of the State of New York and desires to retain POMCO, Inc.

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("POMCO") to provide claims administration, medical management, return-to-work, and other agreed upon services for its Workers' Compensation program; and

WHEREAS, POMCO is duly licensed by the State of New York as a Workers' Compensation Benefits Third Party Administrator and has the experience, staff and facilities necessary to provide the claims administration services desired by the County.

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 POMCO, Inc. to provide the claims administration services.

Section 2. That the term of said Agreement shall be from March 1, 2014 through February 28, 2017, for an annual amount not to exceed \$46,150.00.

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

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

Moved by Legislator Moser, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 63 - 2014  
RESOLUTION TO REPEAL RESOLUTION NO. 456 - 2013**

Introduced by Legislator Michael A. Tabolt, Chairman, Board of Legislators.

WHEREAS, on October 28, 2013, the Board of Legislators adopted Resolution No. 420 - 2013 wherein the Board authorized a Contract For The Purchase of a certain parcel of land located on State Route 26, in the Town of Lowville, County of Lewis and State of New York, together with the improvements located thereon and more commonly known as "Lewis Lanes" (herein referred to as the "Contract"); and

WHEREAS, the Contract contained certain contingencies, including without limitation the following:

Purchaser's obligation to close and accept title to the Property hereunder shall be specifically conditioned upon the following:

- a. Purchaser's receipt of an appraisal prepared by an "MAI" or similarly designated appraiser, setting forth an opinion of value for the Property that meets or exceeds the Purchase Price;



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- b. Purchaser's receipt of a report from its architects/engineers that the Property is suitable for use by the Purchaser as office space for its intended purposes;
- c. Purchaser's receipt of an acceptable environmental assessment report that indicates that the Property, including all of its improvements, does not contain any environmentally hazardous materials, is not presently in violation of any environmental law, rule or regulation, and that the renovation of the Property to meet the Purchaser's needs will not cause or result in an adverse environmental impact as that term is defined in the State Environmental Review Act ("SEQRA") and its implementing regulations.

and

WHEREAS, on November 5, 2013, the Board of Legislators adopted Resolution No. 456 - 2013 which repealed Resolution No. 420 -- 2013 and formally withdrew from the Contract; and

WHEREAS, the Board of Legislators has reviewed all of the facts and circumstances leading up to the previous Board's decision on October 28, 2013 to enter into the Contract as well as the facts and circumstances that lead up to the November 5, 2013 vote to repeal the previous action and withdraw from the Contract including the legal consequences of such actions; and

WHEREAS, after due consideration, the Board of Legislators finds that it is in the public interest to undertake the studies and evaluations as contemplated under the Contract, more particularly, to obtain an evaluation from an architect/engineer to determine whether the Property is suitable for use by the County as office space for its intended purposes, and to obtain an environmental evaluation of the Property as required under SEQRA, and to obtain an appraisal setting forth an opinion of value of the Property;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby repeals Resolution No. 456 -- 2013 with the intent that in doing so, the Board is reinstating the Contract For The Purchase And Sale of the above described Real Property, dated October 28, 2013.

Section 2. That consistent with the terms and conditions of the Contract, and pursuant to Part 617 of the Implementing Regulations pertaining to State Environmental Quality Review Act ("SEQRA"), the Board of Legislators hereby initiates its review of the proposed action under SEQRA, determines this to be an "Unlisted" action, and declares its intent to proceed as lead agency with an environmental review of the proposed project.

Section 3. That the Board of Legislators hereby directs the Building and Grounds Committee to initiate an RFP process to select an engineering firm to (a) conduct the environmental evaluation as described above, and (b) perform an analysis of the structural and mechanical components of the Property as well as the County's intended use for the Property in order to determine whether the Property is "suitable for use by the Purchaser as office pace for its

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intended purposes," as set forth in the Contract. Upon completion of the RFP process, the Buildings and Grounds Committee will report to the Board of Legislators its recommendations.

Section 4. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such writings, documents or instruments necessary to fulfill the intent of this Resolution on such form(s) as may be approved by the County Attorney.

Section 5. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 64 - 2014**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN**  
**THE COUNTY OF LEWIS AND E. F. JOHNSON TECHNOLOGIES, INC.**  
**FOR VOICE, ALERT PAGING AND DISPATCH MONITOR RADIO SYSTEMS AND**  
**RELATED HARDWARE AND SOFTWARE FOR THE EMERGENCY**  
**COMMUNICATIONS CENTER**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

WHEREAS, the County of Lewis has been in the process of studying, evaluating, and planning with the ultimate goal of constructing and installing capital equipment for the purpose of upgrading its emergency radio communications system for use by all emergency service agencies (the "Project"); and

WHEREAS, one of the components of the needed upgrades to the emergency communications center is a turn-key implementation of an upgraded integrated Voice, Alert Paging And Dispatch Monitor Radio System (collectively, "Radio System") that meets New York State and local government requirements. The proposed system will replace the existing system which is currently outdated and in need of replacement; and

WHEREAS, a Request for Proposals was issued in September, 2013 for a Radio System to provide wireless communications between multiple Public Safety, Emergency Response and Law Enforcement agencies within Lewis County and also be compatible with communications systems in adjoining counties;

WHEREAS, in November, 2013, the Courts & Law Committee received three proposals in response to the RFP; and

WHEREAS, the Courts & Law committee reviewed the proposals together with the assistance of County staff and the County's technical consultants; and

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WHEREAS, in December, 2013, the Courts & Law Committee issued questions to each of the bidders to further clarify the specifics of the proposals received;

WHEREAS, In January, 2014, the Courts & Law Committee interviewed each of the bidders to further understand the nature and scope of each of the proposals submitted and to also better understand the extent to which each proposal fulfilled the specifications outlined in the RFP; and

WHEREAS, therefore, upon a full review and analysis of all proposals, the Courts & Law Committee finds that E. F. Johnson Technologies, Inc. to be the lowest responsible bidder to have submitted a proposal that meets the County's performance specification and requirements as outlined in the Request For Proposals issued on or about September 11, 2013, together with addendums thereon, and therefore the Committee recommends to the full Board of Legislators to award the contract to purchase the radio system and related hardware and software as proposed by E. F. Johnson Technologies, Inc. in its Proposal dated November 22, 2013; and

WHEREAS, the Board of Legislators has recently received notice that it has been awarded a grant in the amount of \$6,000,000 to be applied toward the purchase of radio infrastructure equipment from NYS Division of Homeland Security and Emergency Services, however, the County is awaiting receipt of an executed contract committing those funds; and

WHEREAS, the Board of Legislators wish to award the contract to purchase the within described equipment

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby determines that the E. F. Johnson Technologies, Inc. Proposal is the "best value" for the County as that term is defined by Local Law No. 7 - 2013 in that it best optimizes quality, cost and efficiency, among responsive and responsible bidders and therefore is in the best interest of the County of Lewis.

Section 2. The Board of Legislators finds and determines that the action contemplated herein is the furnishing of radio and electronic equipment and software only which will be installed and constructed under a separate contract and action under the State Environmental Quality Review Act ("SEQRA") for which an evaluation and determination of significance will be made consistent with SEQRA and its implementing regulations.

Section 3. That the Board of Legislators hereby authorizes entering into a contract with E. F. Johnson Technologies, Inc. for the turn-key implementation of an integrated Voice, Alert Paging, And Dispatch Monitor Radio System for the Lewis County Emergency Communications Center, consistent with their proposal submitted November 22, 2013, their response to questions dated December 11, 2013, January 8, 2014, and January 30, 2014, at a cost not to exceed \$5,956,268.00.

Section 4. The contract with E. F. Johnson Technologies, Inc. shall contain, in addition to other terms and conditions, an express provision that the County's performance under the

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contract shall be conditioned upon receipt of a fully executed contract with the State of New York confirming the grant awarded by NYS Division of Homeland Security and Emergency Services referenced above, as follows:

ARTICLE 5. EXECUTORY CLAUSE

The parties' obligations under this Contract and the other Contract Documents are expressly contingent upon the COUNTY receiving an executed contract from the State of New York confirming receipt of grant funding for this project. This Contract shall be deemed executory only to the extent of funds appropriated by the Lewis County Board of Legislators and available for the purposes of this Agreement; and no liability on account thereof shall be incurred by Lewis County beyond the amount of such funds. It is understood and agreed that neither this Agreement, nor any representation by any public employee or officer creates any legal, moral or equitable obligation on the part of the County to request, appropriate or make additional funds available for the purposes of this Agreement. Any Services performed by CONTRACTOR prior to the COUNTY obtaining funding for this Agreement are at CONTRACTOR's sole discretion and risk.

Section 5. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form(s) as may be approved by the County Attorney.

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

Moved by Legislator Brennan, seconded by Legislator King.

Legislator King distinguished the County's financial commitment is tied to receipt of the Homeland Security grant funds. The Fire Departments, he said, are working with County officials for impending consideration and determination for how many radio units are required.

In response to Legislator Pepper, Atty. Graham verified that the resolution does authorize the vendor agreement, however, would be contingent upon discretionary determinations on various terms.

Legislator Moser thanked Legislator King for his diligent efforts over the past couple of years, and particularly the considerable amount of time he has committed to relate knowledgeable project information to new Legislators.

Legislator Chartrand declared not having a clear understanding of project funding mechanisms or resources. Legislator King responded that the County is not eligible for additional grants until approval of a vendor agreement, explaining his proposal to largely finance the project with windmill revenues. The County's ultimate local taxpayer responsibility could be reduced by several conditional variances, or additional grant funds. The radios would not be purchased until the Fall of 2011, he stated.

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Mr. Robert Duclos, C & S Engineering consultant, explained E.F. Johnson Technologies' offer for an additional one year maintenance and warranty on the equipment with an estimated worth of \$100,000, if their Agreement were approved today, February 6, 2014. Accordingly, he highly recommends its approval, citing the opportunity for the County Attorney to assure contract language and terms would satisfy all the Board's concerns prior to execution. Mr. Duclos relayed being involved in several State grant agreements, being unaware of any instance where the State reneged on its obligation, affirming his confidence for the commitment of the Department of Homeland Security and Emergency Management.

Legislator Dolhof also expressed justifiable concern for the potential \$5 Million exposure, wanting further discussion to determine a financial payment plan. Legislator Chartrand concurred.

Atty. Graham clarified the Agreement shall not exceed the amount in the proposal; citing the Company's offered discounts from the initial offer, as well as yet-to-be determined discretionary items that are projected to lessen the cost; although, none of which would change the essence of the Agreement. E.F. Johnson Technologies submitted the lowest bid and was most compliant with the parameters outlined in the "Request for Proposals".

Legislator Moser recited the ultimate question being "How much of the windmill revenue is the Board willing to tie up?"

Legislator Hathway added that the company proposes 95% coverage throughout the County, which is currently only 50%. He submits the Board seldom has an opportunity to positively affect the entire County citizenry, thereby affirming his support.

Referencing the State's financial commitment and the importance of interoperability for emergency first responders and law enforcement, Legislator Brennan urged approval of the Agreement.

The resolution was then unanimously adopted.

**RESOLUTION NO. 65 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY AND MOHAWK VALLEY GIS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the Lewis County Economic Development and Planning Department desires to enter into an Agreement with Mohawk Valley GIS to provide comprehensive data plan and GPS computer software support and maintenance and mobile program applications to further enhance the public's access to information regarding the recreation and other resources in Lewis County; and

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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 and Mohawk Valley GIS to provide computer software services utilized by the Lewis County Economic Development and Planning Department.

Section 2. That this is for the term commencing on January 1, 2014 through December 31, 2014 in an amount not to exceed \$23,858.43.

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 Dolhof, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 66 - 2014  
RESOLUTION TO AMEND COMPENSATION PLAN  
WITH REFERENCE TO HIGHWAY SUPERINTENDENT**

Introduced by Legislator Philip Hathway, Chairman of Ways and Means Committee.

WHEREAS, the Board of Legislators appointed David L. Becker ("Becker") as the interim County Highway Superintendent effective June 21, 2012 at a salary of \$60,000; and

WHEREAS, the Board of Legislators appointed David L. Becker as the County Highway Superintendent effective December 30, 2012 at a salary of \$60,600 to fill out a term that expired on December 31, 2013; and

WHEREAS, the Board of Legislators appointed David L. Becker as the County Highway Superintendent effective January 1, 2014 at a salary of \$63,875.

WHEREAS, from June 21, 2012 to date, the County has inadvertently paid Becker longevity payments of \$1,300 per year in addition to his stated salary; and

WHEREAS, the Board of Legislators finds that under the County's current policies, a County Highway Superintendent is not eligible to receive longevity and therefore it is necessary and appropriate to amend the Compensation Plan for Lewis County to correctly reflect that the payments made to Becker as County Highway Superintendent were intended and the same are hereby deemed to be salary payments not longevity.

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NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan for the County of Lewis as follows:

<u>Title</u>	<u>Dates</u>	<u>Salary</u>
Interim Highway Superintendent	6/21/12 to 12/30/12	\$ 61,300
Highway Superintendent	12/30/12 to 12/31/13	\$ 61,900
Highway Superintendent	01/01/14 to 12/31/17	\$ 65,175

Section 2. That effective June 21, 2012, the Compensation Plan for the County of Lewis is amended to the extent that all references of longevity payments to the County Highway Superintendent are deleted.

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

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

**RESOLUTION NO. 67 - 2014  
RESOLUTION TO AMEND COMPENSATION PLAN  
WITH REFERENCE TO TREASURER'S OFFICE**

Introduced by Legislator Philip Hathway, Chairman of Ways and Means Committee.

WHEREAS, the Board of Legislators wishes to amend the Compensation Plan for the County of Lewis as it pertains to the position of Benefits Specialist.

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 Treasurer's office as follows:

<u>Title</u>	<u>Status</u>	<u>Salary</u>
Benefits Specialist	Full-time	\$ 42,000

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

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

**RESOLUTION NO. 68 - 2014  
RESOLUTION TO INFORM GOVERNOR CUOMO OF  
LEWIS COUNTY'S INTEREST TO BE CONSIDERED AS A SITE FOR  
A SUNY COLLEGE OF EMERGENCY PREPAREDNESS, HOMELAND SECURITY  
AND CYBER SECURITY**

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Introduced by Legislator Craig Brennan, District No. 3 Representative.

WHEREAS, the Lewis County Board of Legislators strongly supports Governor Andrew Cuomo's proposal for a State University of New York College of Emergency Preparedness, Homeland Security and Cyber Security; and

WHEREAS, Lewis County is one of a minimal number of counties in the State without a college or higher educational facility; and

WHEREAS, the December 2013 unemployment rate in Lewis County was 8.9%, the fourth highest in New York State; and

WHEREAS, Lewis County's economy has consistently lagged behind the State and the Nation; and

WHEREAS, Lewis County's economy is diverse, yet relies on traditional industries such as agriculture, forestry, renewable energy and manufacturing, and the creation of a new higher education facility would have an incredible economic impact to our region; and

WHEREAS, Lewis County is proximally located to major municipal locations in upstate New York and is also centrally located to major northeast urban centers – Toronto, Montreal, Boston, New York and Philadelphia; and

WHEREAS, Lewis County is in close proximity to a major military installation at Fort Drum, including its urban training facilities; and

WHEREAS, the strong rural character, beautiful natural environment, quality of life and excellent primary educational system make Lewis County a great place to live; and

WHEREAS, Lewis County can offer multiple sites with supporting infrastructure for the educational facility; and

WHEREAS, the County of Lewis and its partners are committed to making this project a reality and will ensure that all necessary steps are completed to build a new facility.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators unanimously requests Governor Andrew Cuomo and the State of New York to give strong consideration to Lewis County as a primary site, or a partner or affiliate for the development of the proposed SUNY College of Emergency Preparedness, Homeland Security and Cyber Security.

Section 2. That Michael A. Tabolt, Chairman of the Lewis County Board of Legislators, is immediately prepared, and hereby authorized, to begin discussions with the Governor's office to initiate the SUNY College project.



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Section 3. That the Clerk is directed to forward a certified copy of this resolution to New York State Governor Andrew Cuomo.

Section 4. This resolution shall take effect immediately.

Moved by Legislator Moroughan , seconded by Legislator Brennan .

Legislator Brennan explained that upon hearing Governor Cuomo announce plans to establish an educational facility for homeland security related training, he immediately felt that Lewis County may be a viable site.

Recognizing the established higher educational facilities in the region may be more adept to accommodate the Governor's initiative, the Board respectfully requests that Lewis County be considered as a partner or affiliate. Legislator Brennan cited Lewis County's close proximity to cultural opportunities, the Canadian border and most particularly Fort Drum. Additionally, our low crime rate and generally safe surroundings bodes well for a potential developer or interested local partner to build accommodating student housing.

The resolution was unanimously adopted.

### OTHER BUSINESS:

Legislator Dolhof reiterated his concern about unknown financing resources for the emergency communications system. C & S Consultant Bob Duclos cited that many terms and conditions are yet to be negotiated prior to contract execution, that are certain to impact on the ultimate cost. He further impressed the possibility for additional grant funding as the project progresses. Mr. Duclos offered to address any questions and encouraged Legislators and County personnel to submit their written concerns, while suggesting it is premature to discuss long-term issues.

As requested by Chairman Tabolt, at 6:42 p.m. Legislator Brennan made a motion to enter executive session to discuss County Attorney and County Manager applicants, seconded by Legislator Pepper and carried. The session began at 6:55 p.m. after a short recess. Following the session, Legislator Pepper made a motion to re-enter regular session at 7:29 p.m., seconded by Legislator Chartrand and carried.

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

MARCH 4, 2014

**REGULAR MEETING  
March 4, 2014**

The meeting was called to order at 5:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

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

There were 23 persons present.

Chairman Tabolt announced approval of the February 6, 2014 meeting minutes.

The Chairman then introduced Joan McNichol, whom was appointed as Lewis County Attorney later in the meeting.

**REPORT OF THE RULES AND LEGISLATION COMMITTEE:**

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

Lawrence Dolhof, Chairman

Bryan Moser

Dated: March 4, 2014

Craig Brennan, Committee

Legislator Moser made a motion to waive the rules, seconded by Legislator Moroughan, and carried.

**PRESENTATION OF COMMUNICATIONS AND NOTICES:**

The Clerk reported that NYSAC acknowledged receipt of this Board's resolution urging residents to register for organ donation; and the Chemung County Legislature had adopted a similar resolution.

Receipt of resolutions was acknowledged from the following County Legislatures:

Greene and Ontario Counties recording their strong objection for use of their County Seal and office names for pistol permit re-certification notices.

Niagara County rejecting the Governor's plans to reward prison inmates by providing them with college educations at taxpayer expense.

Orleans County offering an alternative to the property tax freeze they submit would result in permanent and historic property tax reductions by eliminating the cost of State mandated spending imposed on County taxpayers.

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Schuylers County urges establishment of a residency requirement for recipients of welfare benefits.

### REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

County Treasurer Patricia O'Brien and Real Property Tax Director Linda Gydesen have submitted approved applications for corrected tax rolls for the year 2013 for Jeffrey S. Blazey, two for Croghan Island Mill Lumber Co., Carolyn Nagy, Rosanne Ozog, Daniel C. Pearson III, and Ramona L. and Jay W. Zehr. Also approved was a tax refund to Julian Joseph, Jr. in the amount of \$64.05.

All Legislators have received copies of the Treasurer's February monthly report, the 2/12 and 2/24/14 Highway Audit Reports, the 2/19/14 Solid Waste Audit Report; minutes of the 2/13/14 Junkyard Review Board and 2/12/14 Youth Bureau Advisory Board meetings; and the 2013 Annual Reports of the EMS, Junkyard Inspector, Social Services and Workers' Compensation Departments.

The January/February 2014 County Sealer activity report has been received and will be placed on file.

### REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, credited Treasurer Patricia O'Brien for the recent upgrade of the County's credit rating from A to A+, which would positively impact any County borrowing.

Legislator Hathway reported the Committee's recommendation to request an increase from the Farm Service Agency through the USDA, for their leased space at the Outer Stowe Street office building from \$15.75 to \$16.00 per sq. ft.

Legislator Hathway reported ongoing negotiations with the Lowville Commons owner in an effort to ease Office For Aging space needs.

He also reported that Highway Superintendent David Becker and Building Supervisor Frank Archer, accompanied by a NYSDEC official, had inspected the foreclosed delinquent property in Greig that was formerly a gas station. They cited four tanks in front of the building, two of which were empty. Highway personnel had emptied the others containing 40 gal. and 20 gal. of fuel oil respectively. The status of another tank located behind the building is unknown. A Request For Proposals for tank removal is being formulated for the Board's consideration.

The Committee had toured the Social Services building to identify preliminary renovations. Also, Mr. Becker and Mr. Archer are formulating a proposal and cost estimate to rehabilitate the parking lot.

MARCH 4, 2014

Legislator Hathway distributed a copy to Legislators of a Request For Proposals prepared by Mr. Archer and Planner Frank Pace for an engineering study and environmental review of the Lewis Lanes property with a return date of 3/25/14. He requested the Chairman schedule a subsequent Committee-meeting-of-the-Whole Board on 3/26/14 to review submitted proposals. He further relayed that a preliminary analysis suggests the building would best accommodate County offices currently located in leased spaces.

Legislator Hathway made a motion to authorize advertising the Request For Proposals for the engineering study, seconded by Legislator Brennan and carried.

Legislator Hathway asked the Board's pleasure for hiring an appraiser/s for the Lewis Lanes property. Atty. Graham advised the Board to discuss the issue in executive session. Accordingly, Chairman Tabolt deferred the discussion.

In conclusion, Legislator Hathway reported that maintenance personnel had completed 71 February work orders.

Legislator Neil Pepper, Social Services/Office For Aging/Youth Committee Chairman, encouraged Legislators to review the 2013 Social Services annual report, and deferred related discussion until his sponsored resolutions were presented.

Legislator Pepper encouraged Legislators to participate in the Mayors For Meals program scheduled for 3/19/14, to accompany drivers delivering senior home meals.

The Youth Bureau has reinstated the "Student's Voice" column in the Journal and Republican to highlight challenges faced by youths. Legislator Pepper also reported that the popular daily bus route to Old Forge will run again this summer, particularly for youth employment opportunities. At the recent Youth Bureau meeting, Jay LaDuc presented an overview of his travel to South Africa with the Future Farmers of America group.

Legislator Bryan Moser, County Officers/Veterans/Junkyards/Human Resources Committee Chairman, reported that a compromising agreement had been negotiated between County Attorney Richard Graham and Paul Kaflin's attorney, to address his respective junkyard non-compliance issues. The agreement imposes compliance deadlines.

Legislator Moser reported the Committee's recommendation to increase the Veteran Services Director's salary, affirming the additional expense would be borne within his budgetary appropriations.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, made a motion to authorize Undersheriff James Monnat and Sgt. Ryan Lehman to travel to Washington, D.C. from 5/12-5/14/2014 to attend the commemoration of Turnkey Patrick J. Fogarty to the National Law Enforcement Officers Memorial. Mr. Fogarty had died in 1958 from injuries sustained in the line of duty at the Lewis County jail. The motion was seconded by Legislator Brennan and carried.

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Legislator King reported the Committee's recommendation to approve an agreement with Aviat for the microwave system for emergency radio communications project.

Legislator Lawrence Dolhof, Economic Development Committee Chairman, urged support of proposed resolutions; and reported the Committee's recommendation to defer consideration for opening roads for the ATV SNIRT Run until the sponsoring Barnes Corners Sno-Pals Club provides required insurance indemnification.

Legislator Dolhof reported initiating formulation of a Request For Proposals for a website design for tourism advertising through the Chamber of Commerce, to be funded by the "I Love NY" grant funds. Also, a recommendation to pay the membership dues to the Fort Drum Regional Liaison Organization; and having the Industrial Development Agency administer the Micro-Revolving Enterprise Fund.

Legislator Dolhof further announced that effective 3/1/14 the POMCO Group commenced third party administration of the County's workers' compensation plan.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, made a motion to award the bid to Walldroff Equipment for the purchase of a 2014 Tractor/Mower in the amount of \$107,850.00. There were five bids submitted. The motion was seconded by Legislator King and carried.

Legislator Brennan made a motion to accept and award bids for oil/liquid bituminous and re-profiling to Vestal Asphalt, Midland Asphalt, Gorman Bros., and Suit Kote; and for filling cracks, micro-surfacing and slurry seal to Gorman Bros. and Suite Kote, according to the list of bids on file with the Clerk of the Board for year 2014. The motion was seconded by Legislator Moser and carried.

Legislator Brennan made a motion to award the bid to Seneca Pavement Marking, Inc. for 2014 pavement markings according to the list on file with the Clerk of the Board, seconded by Legislator Chartrand and carried.

Legislator Brennan made a motion to award all low vendor bids determined by project location for sand, stone, crushing and concrete according to the list of bids on file with the Clerk of the Board for year 2014. The motion was seconded by Legislator Kulzer and carried.

Pursuant to the Committee's recommendation, Legislator Moser made a motion to award low hot asphalt bids for 2014 to Paverite, Hanson and Barretts, determined by project location, according to the list of bids on file with the Clerk of the Board, seconded by Legislator Pepper and carried.

Legislator Brennan also reported the engineer's rehabilitation estimate for the Harrisville French Settlement Road Bridge is \$193,180. Highway Superintendent David Becker is researching with NYSDOT for available State or Federal funding to finance the repairs.

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Legislator Gregory Kulzer, Taxation/InformationTechnology/Elections/Agriculture Committee Chairman, reported interviewing candidates for the Information Technology Director position, with plans to recommend an appointment by April 1, 2014.

The Real Property Tax office plans to assume data entry of 911 address changes, and does not anticipate needing additional personnel.

Legislator Kulzer reported the committee recommends authorizing Haroff Auction & Realty, Inc. access to certain digital property tax parcel data related to the delinquent property auction. The County foreclosed on 77 parcels, of which two have been removed upon the recommendation of Treasurer Patricia O'Brien, County Attorney Richard Graham and Real Property Tax Director Linda Gydesen. The remaining 75 parcels will be included in the delinquent property auction scheduled for 5/21/14 at the Lowville Elks Club. Owners may redeem their property until 5/16/14. Also, Treasurer O'Brien continues to pursue implementing credit card payment of property taxes.

Legislator Richard Chartrand, Hospital Committee Chairman, announced the January employee-of-the-month was registered nurse Andrea Moser. The nursing home occupancy was up, and FTE's paid were below budget levels. There was an increase in cash of \$194,000; and cash-on-hand is above projections at 9.3 days. Utility expenses were 58% above budget. Federal meaningful use revenue was received. The \$30,000 ultrasound equipment will generate \$112,000 - \$200,000 monthly revenue. Also, NYSDOH officials are conducting their final on-site survey to progress the critical care access application. When approved, monthly revenue of \$250,000 is anticipated based on utilization volumes.

Legislator Chartrand announced a scheduled open house for the Dialysis Unit on 3/18/14. There are 17 patients registered and outreach continues for unassigned patients toward a goal of 30 patients.

He further reported anticipated receipt of 2012 IGT funds of \$4.4 Million within six weeks; while 2013 \$4.4 Million IGT reimbursement is not expected until December. The accumulative reimbursements equate \$800,000 above budgeted levels. Legislator Hathway reminded of the County's obligation to match the IGT revenues, aware the Ways and Means Committee is tasked to identify the revenue source.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, recommends renewal of Public Health's office space lease with the Hospital, which includes a "right of first refusal" clause, for common space on the first floor. Also, additional State grant funds of \$22,710 will be used to finance Cancer Services Program screenings; and the \$4,570.00 cost of living adjustment increase will be used to offset personnel fringe benefit expense.

Legislator Moroughan reported that staff had provided an analysis of the 2013 pre-school program services, citing their goal to provide appropriate and high quality services with an adequate work force, while effecting maximum control over expense and revenues. Program expenses totaled \$1.3 Million, of which 49.5% were financed by State aid, with the balance

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borne by the County. Director Penny Ingham continues to pursue increased utilization of Hospital-based services that would advantage each entity.

Legislator Moroughan also reported that the Community Services Board committed their support for applications of The Children's Home of Jefferson County and Transitional Living Services to establish local satellite offices with Lowville Medical Associates and Lewis County General Hospital, which await approval by the NYS Office of Mental Health.

COUNTY MANAGER REPORT:

Acting Manager Michael Tabolt announced the Board's selection of Elizabeth Swearingin as County Manager, who was officially appointed later in the meeting. She will start on 3/31/14, but will be available to meet with Department Heads and those interested on 3/26 and 3/27/14.

He extended an invitation to Legislators for an open house on 3/13/14 at St. Peter's Church with the organized Housing Group that is working to address homeless needs.

Chairman Tabolt announced and invited all Legislators to meet with the Governor's representatives Jeff Farrell and June O'Neill on March 11, 2014 to discuss potential assistance with local economic development projects and garnering grant funds.

Preceding the Board's next meeting on April 1, 2014, Tug Hill Commission Executive Director John Bartow; and Development Authority of the North Country Executive Director James Wright, will each present an overview of their programs.

Chairman Tabolt referenced the Orleans County Legislature's resolution submitted in response to the Governor's proposed property tax freeze. The State taxpayer rebate initiative is tied to the 2% tax cap, he said, terming the formula very complicated for subsequent years. Moreover, he added, Counties are expected to track all shared services among respective municipalities, and current shared services may not be considered to meet the 2% tax cap.

Legislator Moser defined the initiative as increased bureaucracy, he proposed a late resolution similar to that of Orleans County, urging elimination of State mandated costs that are passed on to County property taxpayers, as an alternative to the Governor's property tax freeze.

REPORT OF THE WAYS AND MEANS COMMITTEE:

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

To: The Honorable County Legislators

MARCH 4, 2014

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 758,874.46 and recommend that they be audited and allowed for the amounts claimed.

Dated: March 4, 2014

Philip Hathway, Chair  
Jerry King, Committee  
Richard Chartrand, Committee

Approved on motion by Legislator Pepper, seconded by Legislator Moroughan, and carried.

RESOLUTIONS:

**RESOLUTION NO. 69 - 2014  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 758,874.46 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 Hathway, seconded by Legislator King, and adopted by roll call vote:

All voted yea.

**RESOLUTION NO. 70 - 2014  
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW  
(INTRODUCTORY LOCAL LAW NO. 1 - 2014), COUNTY OF LEWIS**

Introduced by Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on March 4, 2014, a proposed Local Law entitled "**A LOCAL LAW AMENDING LOCAL LAW NO. 2 – 2009 REGARDING THE DIRECTOR OF RECREATION, FORESTRY AND PARKS.**"

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on April 1, 2014 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.



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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 Pepper, seconded by Legislator Hathway, and adopted.

**LOCAL LAW (INTRODUCTORY NO. 1 - 2014)  
COUNTY OF LEWIS  
A LOCAL LAW AMENDING LOCAL LAW NO. 2 – 2009 REGARDING  
THE DIRECTOR OF RECREATION, FORESTRY AND PARKS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

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

**SECTION 1. TITLE**

This Local Law shall be known as “A LOCAL LAW AMENDING LOCAL LAW NO. 2 – 2009 REGARDING THE DIRECTOR OF RECREATION, FORESTRY AND PARKS.”

**SECTION 2. STATUTORY AUTHORITY**

This local law is enacted pursuant to Municipal Home Rule Law (“MHL”) § 10(1)(i) which provides that a county may adopt local laws relating to its property, affairs or government provided it is not inconsistent with the provisions of the constitution or any general law.

**SECTION 3. LEGISLATIVE FINDINGS**

The Board of Legislators makes the following findings in support of this Local Law:

1. That the Board of Legislators has heretofore adopted Local Law No. 2 – 2009 whereby the Board established the Lewis County Trail System (“Trail System”).
2. Local Law No. 2 - 2009 was amended by Local Law No. 1 - 2010 which amended the permit fee schedule to include a discount for purchasing multiple permits by a single ATV operator.
3. Local Law No. 2 - 2009 was further amended by Local Law No. 6 - 2013, which amended and restated the fee schedule for Trail Permits and repealed Local Law No. 1 - 2010.
4. That throughout Local Law No. 2 – 2009 and each of the foregoing amendments, references are made to the “Trails Coordinator,” who at the time was the

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department head responsible for managing and administering the Lewis County ATV Trail System, as well as to the "Conservation Foreman," who at the time was deemed the department head responsible for managing the County's reforestation lands.

5. That the Board of Legislators has heretofore adopted Local Law No. 10 - 2013 whereby the Board consolidated the Trails Department and the Reforestation Department into a single department under the leadership of the Director of Recreation, Forestry and Parks.
6. That the Board of Legislators finds that it is necessary and appropriate to amend Local Law No. 2 - 2009 to clarify that any and all references contained in Local Law No. 2 - 2009, as well as each of its amendments, that refer to either the "Trails Coordinator" and/or the "Conservation Foreman" shall now collectively be deemed to refer to the Director of Recreation, Forestry and Parks.

#### SECTION 4. AMENDED DESIGNATION

Local Law No. 2 - 2009, including any amendments thereto, is hereby amended to the effect that any and all references to the Trails Coordinator and/or the Conservation Foreman shall hereafter be deemed to refer to the Director of Recreation, Forestry and Parks and that all powers, duties and responsibilities that were heretofore delegated to the Trails Coordinator and/or the Conservation Foreman under Local Law No. 2 - 2009, as amended, shall hereafter be deemed delegated to the Director of Recreation, Forestry and Parks.

#### SECTION 5. EFFECTIVE DATE.

This Local Law shall become effective upon filing with the Secretary of State.

**RESOLUTION NO. 71 - 2014  
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW  
(INTRODUCTORY LOCAL LAW NO. 2 - 2014), COUNTY OF LEWIS**

Introduced by Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on March 4, 2014, a proposed Local Law entitled "**A LOCAL LAW AMENDING LOCAL LAW NO. 2 - 2009 AND LOCAL LAW NO. 6 - 2013 ESTABLISHING A THREE-DAY TRAIL PASS FOR USE ON THE LEWIS COUNTY ATV TRAIL SYSTEM.**"

NOW, THEREFORE, BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That a public hearing will be held on April 1, 2014 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 Moser, and adopted.

**LOCAL LAW (INTRODUCTORY NO. 2 - 2014)  
COUNTY OF LEWIS  
A LOCAL LAW AMENDING LOCAL LAW NO. 2 – 2009 AND LOCAL LAW NO. 6 -  
2013 ESTABLISHING A THREE DAY TRAIL PASS FOR USE ON THE LEWIS  
COUNTY ATV TRAIL SYSTEM**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

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

**SECTION 1. TITLE**

This Local Law shall be known as “A LOCAL LAW AMENDING LOCAL LAW NO. 2 – 2009 AND LOCAL LAW NO. 6 - 2013 ESTABLISHING A THREE DAY TRAIL PASS FOR USE ON THE LEWIS COUNTY ATV TRAIL SYSTEM.”

**SECTION 2. STATUTORY AUTHORITY**

This local law is enacted pursuant to Municipal Home Rule Law (“MHL”) § 10(1)(i) which provides that a county may adopt local laws relating to its property, affairs or government provided it is not inconsistent with the provisions of the constitution or any general law.

**SECTION 3. LEGISLATIVE FINDINGS**

The Board of Legislators makes the following findings in support of this Local Law:

1. The Board of Legislators has heretofore adopted Local Law No. 2 – 2009 whereby the Board established the Lewis County Trail System (“Trail System”).
2. Local Law No. 2 – 2009 established a permit system pursuant to which no person shall operate any ATV on any County Reforestation Land, County property, or on any trail on private property that has been incorporated into the Lewis County Trail System unless

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such ATV has received a Lewis County Trail Permit in accordance with the provisions of that Local Law.

3. Local Law No. 2 - 2009 has been amended by Local Law No. 1 - 2010 which amended the permit fee schedule to include a discount for purchasing multiple permits by a single ATV operator.
4. Local Law No. 2 - 2009 has been further amended by Local Law No. 6 - 2013, which amended and restated the fee schedule for Trail Permits and repealed Local Law No. 1 - 2010.
5. Local Law No. 2 - 2009 has been further amended by Local Law No. 3- 2014 which clarified that all references contained in Local Law No. 2 - 2009 to the Trails Coordinator and/or to the Conservation Foreman are deemed amended to refer to the Director of Recreation, Forestry and Parks by reason of the enactment of Local Law No. 10-2013.
6. The County receives numerous requests each year from tourists and potential tourists who wish to use the Trail System for brief periods of time during their travels to or through Lewis County, but do not want or have a need for a permit for the entire season.
7. The Board of Legislators therefore finds that it is in the public interest to amend the fee schedule of Local Law No. 2 – 2009, as amended and restated by Local Law No. 6 - 2013, to provide for a three (3) day Trail Pass that would allow ATV operators the opportunity to use the Trail System for up to three (3) days.
8. The Board of Legislators further finds that a three (3) day Trail Pass will accommodate the demand from tourists and enhance the marketability of the ATV Trail System.

#### SECTION 4. LEWIS COUNTY ATV TRAIL PERMITS.

1. Paragraph “4” of Section “11” of Local Law No. 2 – 2009, entitled, “LEWIS COUNTY ATV TRAIL PERMITS,” as amended by Local Law No. 6 --2013 is hereby amended by inserting the following as a new subparagraph “f” of Paragraph “4.”
  - f. As an alternative to obtaining a Trail Permit, an ATV operator may purchase a three (3) day Trail Pass. The fee for purchasing the Trail Pass shall be twenty dollars (\$20) each. The Trail Pass shall allow the holder thereof use of the Trail System for a period of no longer than three consecutive (3) days, including the date of purchase.
    - i. The Trail Pass shall be of such design and material as determined by the Director of Recreation, Forestry and Parks.

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- ii. To obtain a Trail Pass, an ATV operator must complete an application and provide the same information and proof of insurance as is required to obtain a Trail Permit.
- iii. The Director of Recreation, Forestry and Parks may establish such other rules and regulations for administering the purchase and sale of Trail Passes as deemed necessary, consistent with the regulations provided in these local laws. All other rules and regulations that apply to Trail Permits shall equally apply to Trail Passes.

SECTION 5. SAVINGS CLAUSE

Except as specifically amended or modified herein, the provisions of Local Law No. 2 – 2009, as the same has been amended, shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE.

This Local Law shall become effective upon filing with the Secretary of State.

**RESOLUTION NO. 72 - 2014  
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW  
(INTRODUCTORY LOCAL LAW NO. 3 - 2014), COUNTY OF LEWIS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on March 4, 2014, a proposed Local Law entitled “**A LOCAL LAW AMENDING LOCAL LAW NO. 2 – 2009 REGARDING THE OPENING AND CLOSING OF THE LEWIS COUNTY TRAIL SYSTEM.**”

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on April 1, 2014 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 Dolhof, seconded by Legislator Brennan, and adopted.

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**LOCAL LAW (INTRODUCTORY NO. 3 - 2014)  
COUNTY OF LEWIS  
A LOCAL LAW AMENDING LOCAL LAW NO. 2 – 2009 REGARDING  
THE OPENING AND CLOSING OF THE  
LEWIS COUNTY TRAIL SYSTEM**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

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

**SECTION 1. TITLE**

This Local Law shall be known as “A LOCAL LAW AMENDING LOCAL LAW NO. 2 – 2009 REGARDING THE OPENING AND CLOSING OF THE LEWIS COUNTY TRAIL SYSTEM.”

**SECTION 2. STATUTORY AUTHORITY**

This local law is enacted pursuant to Municipal Home Rule Law (“MHL”) § 10(1)(i) which provides that a county may adopt local laws relating to its property, affairs or government provided it is not inconsistent with the provisions of the constitution or any general law.

**SECTION 3. LEGISLATIVE FINDINGS**

The Board of Legislators makes the following findings in support of this Local Law:

1. That the Board of Legislators has heretofore adopted Local Law No. 2 – 2009 whereby the Board established the Lewis County Trail System (“Trail System”).
2. Local Law No. 2 – 2009 established a permit system pursuant to which no person shall operate any ATV on any County Reforestation Land, County property, or on any trail on private property that has been incorporated into the Lewis County Trail System unless such ATV has received a Lewis County Trail Permit in accordance with the provisions of that Local Law.
3. Local Law No. 2 - 2009 was amended by Local Law No. 1 - 2010 which amended the permit fee schedule to include a discount for purchasing multiple permits by a single ATV operator.
4. Local Law No. 2 - 2009 was further amended by Local Law No. 6 - 2013, which amended and restated the fee schedule for Trail Permits and repealed Local Law No. 1 - 2010.
5. Local Law No. 2 - 2009 was further amended by Local Law No. 3 - 2014 which clarified that any and all references contained in Local Law No. 2 - 2009, as amended, to the Trails

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Coordinator or to the Conservation Foreman are deemed amended to refer to the Director of Recreation, Forestry and Parks by virtue of the enactment of Local Law No. 10 - 2013.

6. That Local Law No. 2 - 2009 was further amended by Local Law No.4 - 2014 which provided for a three (3) day Trail Pass as an alternative to purchasing a Trail Permit to use the Trail System.
7. That Local Law No. 2 - 2009 provided a defined time period during which the Trail System would be open to the public each calendar year as follows:

“2. The Lewis County Trails Coordinator is hereby authorized to issue a Lewis County Trail Permit certificate and assign a Lewis County Trail Permit number to each such ATV, upon the receipt of a completed application and appropriate permit fees as hereinafter provided. All such Trail Permits shall be valid commencing May 1, 2009 through the opening day of hunting season (rifle) as the same is prescribed each year by NYS DEC, unless, prior to expiration such period, it is surrendered, cancelled, revoked or suspended pursuant to the provisions of this Local Law. Commencing in 2010 and each year thereafter, such permits shall be valid from April 1, through the opening day of hunting season (rifle).” (Emphasis added).

8. That in order to improve both the management of the Trail System as well as the administration of the permit fees, the Board of Legislators finds that it is in the public interest to fix the time period when Permits may be purchased to commence on May 1 and continue through the Tuesday immediately following Columbus Day of each year (hereinafter referred to as the “ATV season”) and further to authorize the Board of Legislators to modify the dates of the ATV season at any time by resolution.

**SECTION 4. ATV TRAIL SEASON**

A. Section “11”, Paragraph “2” of Local Law No. 2 - 2009 is hereby amended by deleting the following language:

“2. The Lewis County Trails Coordinator is hereby authorized to issue a Lewis County Trail Permit certificate and assign a Lewis County Trail Permit number to each such ATV, upon the receipt of a completed application and appropriate permit fees as hereinafter provided. All such Trail Permits shall be valid commencing May 1, 2009 through the opening day of hunting season (rifle) as the same is prescribed each year by NYS DEC, unless, prior to expiration such period, it is surrendered, cancelled, revoked or suspended pursuant to the provisions of this Local Law. Commencing in 2010 and each year thereafter, such permits shall be valid from April 1, through the opening day of hunting season (rifle).”

and substituting the following language:

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“2. The Director of Recreation, Forestry and Parks or its designee, is hereby authorized to issue a Lewis County Trail Permit or a Trail Pass and assign a Lewis County Trail Permit or Trail Pass number to each such ATV, upon receipt of a completed application and appropriate permit fee as hereinafter provided. A Trail Permit or Trail Pass may be issued only during the “ATV Permit Season” which for calendar year 2014 shall commence on May 1 and continue through the Tuesday immediately following Columbus Day. Thereafter, the Board of Legislators shall establish the dates of the ATV Permit season by resolution to be adopted on or before the Board’s regular February Board meeting.

- a. A Trail Permit shall be valid from the date of issuance through and including the last day of the ATV Permit Season for which it was issued.
- b. A Trail Pass shall be valid for a period not to exceed three (3) consecutive days including the date of purchase, provided that in no event shall a Trail Pass allow use of the Trail System beyond the closing date of the ATV Permit Season as set forth above.

SECTION 5. SAVINGS CLAUSE

Except as specifically amended or modified herein, and as previously amended as referenced herein above, the provisions of Local Law No. 2 – 2009 shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE.

This Local Law shall become effective upon filing with the Secretary of State.

**RESOLUTION NO. 73 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
BUILDINGS AND GROUNDS DEPARTMENT**

Introduced by Legislator Philip Hathway, Chairman of the Buildings & Grounds Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the Building Maintenance Department account for third party insurance recovery to cover vehicle repairs:

<u>Increase Revenue:</u>	
A26800 (Insurance Recovery)	\$1,152.94
<u>Increase Expense:</u>	
A1620.4703 (Vehicle Exp)	\$1,152.94



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

Moved by Legislator Moser, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 74 - 2014  
RESOLUTION TO TRANSFER FUNDS  
COMMUNITY SERVICES**

Introduced by Legislator Andrea Moroughan, Chair of The Community Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Community Services Accounts to cover CREDO share:

From:  
A4330.8999 (Fringe) \$19,577.00

To:  
A4319.4999 (Credo/County) \$19,577.00

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

Moved by Legislator Pepper, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 75 - 2014  
RESOLUTION APPOINTING LEWIS COUNTY ATTORNEY  
AND AUTHORIZING EMPLOYMENT AGREEMENT**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints Joan McNichol of 5228 Ebbly Road, Lowville, New York 13367, as Lewis County Attorney.

Section 2. That the Lewis County Board of Legislators hereby approves an Employment Agreement by and between the County of Lewis and Joan McNichol, setting forth the terms and conditions of employment for Lewis County Attorney

Section 3. That the term of said Employment Agreement shall be effective from March 31, 2014 through December 31, 2015.

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Section 4. That the 2014 annualized salary of said position shall be \$95,000.

Section 5. That the Chairman, or the Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Employment Agreement.

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

Moved by Legislator Moroughan, seconded by Legislator Chartrand, and adopted.

At this time County Clerk, Douglas Hanno, administered the Oath of Office, accompanied by her husband.

**RESOLUTION NO. 76 - 2014  
RESOLUTION APPOINTING LEWIS COUNTY MANAGER  
AND AUTHORIZING EMPLOYMENT AGREEMENT**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, the County has heretofore established the position of County Manager pursuant to Lewis County Local Law No. 4-1987, whose function is to serve as the chief administrative officer, as well as the budget officer, on behalf of the Board of Legislators; and

WHEREAS, the Board of Legislators wishes to appoint Elizabeth Swearingin as County Manager; and

WHEREAS, the parties wish to enter into an Employment Agreement to provide for the terms and conditions of the employment of the County Manager.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Elizabeth Swearingin of 5502 Pine Woods Drive, Brantingham, New York 13312 to the position of County Manager pursuant to Local Law No. 4-1987, to perform such duties and responsibilities as described therein, and as may be delegated from time to time by the Board of Legislators.

Section 2. That the Lewis County Board of Legislators hereby approves an Employment Agreement by and between the County of Lewis and the County Manager, setting forth the terms and conditions of employment for the County Manager.

Section 3. The term of said Employment Agreement shall be effective from March 31, 2014 through December 31, 2015.

Section 4. That the 2014 annualized salary is hereby established and set at \$85,000.

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Section 5. That the Chairman, or the Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Employment Agreement upon such form as may be approved by the County Attorney.

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

Moved by Legislator Brennan , seconded by Legislator Pepper , and adopted.

**RESOLUTION NO. 77 - 2014  
RESOLUTION AUTHORIZING COUNTY MANAGER  
TO APPROVE BUDGET TRANSFERS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, budget transfers are required on a consistent basis to assure adequate funds are available within detail codes to cover departmental expenditures.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the County Manager to approve all budget transfers within respective Departmental contractual codes (.4) up to an amount of \$1,000.00.

Section 2. That the County Treasurer shall provide a monthly listing of all said contractual (.4) transfers to the Board of Legislators.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moser , seconded by Legislator Pepper , and adopted.

**RESOLUTION NO. 78 - 2014  
RESOLUTION TO EXPRESS OPPOSITION TO PROPOSED NYS LEGISLATION  
REGARDING THE PUBLIC AUTHORITY REFORM ACT BILL A.3630**

Introduced by Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, NYS Legislation in 2009 created the Public Authorities Reform Act to monitor the effectiveness and transparency of public authorities and;

WHEREAS, the Lewis County Board of Legislators believes expanding portions of the Public Authorities Law (PAL), the Public Authorities Accountability Act (PAAA) and Public Authorities Reform Act (PARA) to private, non-governmental not-for profit corporations created outside of State legislation would be counterintuitive and counterproductive; and

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WHEREAS, imposing on private, non-governmental not-for-profit corporations compliance, reporting and administrative requirements specifically designed for governmental agencies could seriously impede the mission of organizations that promote economic growth and job creation in the State; and

WHEREAS, arbitrarily redefining what constitutes a public authority by including a category of corporation not even borne of the statute itself constitutes serious mission creep with no discernable benefit; and

WHEREAS, the proposed legislation, bill # A.3630 would create even more burdens and unnecessary regulations upon small non-governmental, non-profit organizations, and;

WHEREAS, these regulatory requirements and extraneous oversights from NYS agencies impede effective economic development activities in every county in New York State.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators of the County of Lewis expresses its opposition to Assembly Bill #A.3630 and specifically the inclusion of private, non-governmental not-for-profit corporations under the certain provisions of the Public Authorities Law, PAAA or PARA, and;

Section 2. That the Clerk is directed to forward a certified copy of this resolution to Governor Cuomo, Assembly Speaker Sheldon Silver, Senate Leaders Dean Skelos and Jeffrey Klein, Assemblyman Kenneth Blankenbush and Senator Joseph Griffo expressing the County of Lewis' opposition to this bill and to the regulations required in the Public Authorities Reform Act and the Authority Budget Offices unequal enforcement of this Act.

Moved by Legislator Dolhof , seconded by Legislator Brennan .

Legislator Dolhof explained the legislation would expand the depth of State oversight of not-for-profit clubs and agencies by requiring website posting of meeting dates and minutes, investment policy, and require an annual audit. These impositions equate financial burden upon not-for-profit organizations, particularly ATV and snowmobile clubs, declaring it another unfunded State mandate.

The resolution was then unanimously adopted.

**RESOLUTION NO. 79- 2014  
RESOLUTION AUTHORIZING AGREEMENT WITH  
LEWIS COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
MICRO-ENTERPRISE REVOLVING LOAN FUND**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

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WHEREAS, Lewis County has received certain funds pursuant to Small Cities Community Development Block Grants for the purpose of developing and administering a Micro-Enterprise Revolving Loan Fund Program; and

WHEREAS, Lewis County intends these funds can be utilized as match for other loan funds including USDA Rural Business Enterprise Grant; and

WHEREAS, Lewis County wishes to contract for administration of the Micro-Enterprise Revolving Loan Fund Program.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby authorizes a Micro-Enterprise Revolving Loan Fund Program Service Agreement between the County of Lewis and Lewis County Industrial Development Agency pursuant to which Lewis County Industrial Development Agency shall provide administrative and consulting services to administer the existing outstanding loans, develop strategies as appropriate for marketing the Program to Lewis County businesses, and seeking additional grant sources or other assistance, to refund the Program consistent with Program goals and objectives.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is and he hereby is authorized to execute, seal and deliver said Service Agreement and any related and necessary document or instrument, as the same may be approved by the County Attorney.

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

Moved by Legislator Dolhof, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 80 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO DEPARTMENT OF HIGHWAYS**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

WHEREAS, upon a review of the Highway Superintendent, it was determined that the four positions of Motor Equipment Operator (Light) should be adjusted to Motor Equipment Operator (Medium); and

WHEREAS, CSEA, Local 825, as the collective bargaining agent for such positions, has agreed in writing to such adjustments, in a Memorandum of Agreement dated February 14, 2014;

NOW, THEREFORE, BE IT RESOLVED as follows:

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Section 1. That the Board of Legislators hereby amends the Compensation Plan with reference to the Department of Highways, to create the following positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Motor Equipment Operator (Medium)	Permanent Full-Time	Grade C18 \$15.84-\$17.12/hr.
Motor Equipment Operator (Medium) (4)	Permanent Full-time	Grade 18

Section 2. That Highway Superintendent David Becker is hereby authorized to fill said positions in accordance with Civil Service regulations, effective immediately.

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

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

**RESOLUTION NO. 81 - 2014**  
**RESOLUTION AMENDING COMPENSATION PLAN**  
**WITH REFERENCE TO DEPARTMENT OF HIGHWAYS**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan with reference to the Department of Highways, to create the following positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Motor Equipment Operator (Light) (7)	Temporary Full-Time	Grade C15 \$14.66-\$15.84/hr.

Section 2. That Highway Superintendent David Becker is hereby authorized to fill said positions in accordance with Civil Service regulations, for the period from April 1, 2014 to September 30, 2014.

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

Moved by Legislator Brennan, seconded by Legislator Kulzer and adopted.

**RESOLUTION NO. 82 - 2014**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION TO TRANSFER FUNDS  
TRANSPORTATION DEPARTMENT**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Highway Department Accounts to correct original budget entries:

From:

D5110.4909 (Do Not Use) \$172,963.00

To:

D5110.49 (Maint Materials) \$172,963.00

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

Moved by Legislator Brennan , seconded by Legislator Pepper , and adopted.

**RESOLUTION NO. 83 - 2014  
RESOLUTION AUTHORIZING MEMORANDUM  
OF UNDERSTANDING BETWEEN OFFICE FOR THE AGING  
AND LEWIS COUNTY SOCIAL SERVICES  
WITH NEW YORK CONNECTS**

Introduced by Legislator Neil Pepper, Chairman of the Office for the Aging Committee.

WHEREAS, the Office for the Aging and Department of Social Services wish to enter into a Memorandum of Understanding in order to implement and maintain a New York Connects Program in Lewis County to meet the long term services and support needs of New York State residents; 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 Understanding between the County of Lewis by and through the Lewis County Office For The Aging and the Lewis County Department of Social Services with New York Connects to meet the long term services and support needs of New York State residents for the term commencing January 1, 2014 through December 31, 2018.

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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 such from as may be approved by the County Attorney.

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

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

**RESOLUTION NO. 84 - 2014**  
**RESOLUTION AUTHORIZING AGREEMENT**  
**BETWEEN OFFICE FOR THE AGING AND VOLUNTEER**  
**TRANSPORTATION CENTER OF JEFFERSON COUNTY, INC.**

Introduced by Legislator Neil Pepper, Chairman of the Office for the Aging Committee.

WHEREAS, the Office for the Aging wishes to enter into an Agreement with Volunteer Transportation Center of Jefferson County, Inc., a New York Not-for-Profit corporation with a principal place of business located at 203 North Hamilton Street, Suite 200, Watertown, New York 13601, to provide transportation services to certain elderly residents of Lewis County.

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 Office For the Aging and Volunteer Transportation Center of Jefferson County, Inc., to provide transportation services to certain elderly residents of Lewis County for the term commencing March 1, 2014 through December 31, 2015 for an amount not to exceed \$19,250.

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 such from as may be approved by the County Attorney.

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

Moved by Legislator Moroughan , seconded by Legislator Moser , and adopted.

**RESOLUTION NO. 85 - 2014**  
**RESOLUTION AUTHORIZING LEASE AGREEMENT**  
**BETWEEN LEWIS COUNTY GENERAL HOSPITAL**  
**AND LEWIS COUNTY PUBLIC HEALTH AGENCY**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.



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WHEREAS, Lewis County Public Health Agency (“Tenant”) desires to enter into a Renewal Lease Agreement with Lewis County General Hospital (“Landlord”) for the purpose of renewing the lease at the property located at 7785 North State Street, Lowville, New York 13367 that houses the Lewis County Public Health Agency; and

WHEREAS, the Board of Legislators wishes to enter into a lease renewal agreement.

NOW, THEREFORE, BE IT RESOLVED that

Section 1. The Board of Legislators hereby approves the lease renewal by and between the Lewis County General Hospital and the Lewis County Public Health Agency with office space that includes common area space in various areas of the Children’s Clinic Building located at 7785 North State Street, Lowville, New York 13367 for a term commencing on November 1, 2013 through October 31, 2015 at the monthly rental of \$7,384.00.

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, pending approval by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 86 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
PUBLIC HEALTH**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved for the Cancer Services Program Clinical Services Contract:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
A34011.4	Cancer Services Program	\$22,710.00
A4035.4901	Professional Services	\$22,710.00

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

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

**RESOLUTION NO. 87 - 2014  
RESOLUTION TO APPROPRIATE FUNDS**

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**PUBLIC HEALTH**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved for the 2013-2014 increase of COLA (Cost of Living Adjustment) funds:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
A34461	COLA-PH	\$4,570.00
A4020.4909	COLA-Misc.	\$4,570.00

Programs providing COLA funds are as follows:

Cancer Services Program - \$ 4,570.00

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

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

**RESOLUTION NO. 88 - 2014  
RESOLUTION AUTHORIZING DIGITAL DATA  
RELEASE LICENSE AGREEMENT BETWEEN  
THE COUNTY OF LEWIS AND HAROFF AUCTION & REALTY, INC.**

Introduced by Legislator Gregory Kulzer, Chairman of the Taxation Committee.

WHEREAS, the County is the owner of certain real property tax parcel data in GIS polygon format, including all applicable rights to patents, copyrights, trademarks and trade secrets, if any; and

WHEREAS, the County of Lewis wishes to enter into a Digital Data Release License Agreement with the Haroff Auction & Realty, Inc. ("Haroff") for the purpose of allowing Haroff the nonexclusive, nontransferable, and limited license to use certain real property tax parcel data in GIS polygon format; and

WHEREAS, the Board of Legislators wishes to accept such license agreement.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the contract with Haroff Auction & Realty, Inc. for the purpose of allowing Haroff the nonexclusive, nontransferable, and limited license to use certain real property tax parcel data in GIS polygon format for the time period commencing January 1, 2014 and ending December 31, 2015.

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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 Kulzer , seconded by Legislator Moser , and adopted.

**RESOLUTION NO. 89 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO  
RECREATION/FORESTRY & PARKS DEPARTMENT**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation/ Forestry & Parks 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 Recreation/Forestry & Parks Department, to create the following positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Recreation Crew Worker (2)	Temporary Part-Time	Grade C15 \$14.66/hr.
Forestry Crew Leader	Temporary Part-Time	Grade C18 \$15.84/hr.

Section 2. That Recreation/Forestry & Parks Director Jackie Mahoney is hereby authorized to fill said positions in accordance with Civil Service regulations, for a period of up to six (6) months effective April 1, 2014.

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

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

**RESOLUTION NO. 90 - 2014  
RESOLUTION DENYING THE STATE OF NEW YORK  
PERMISSION TO USE THE LEWIS COUNTY SEAL AND NAME IN  
ENFORCEMENT OF THE NYS SAFE ACT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

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WHEREAS, the State of New York has passed a gun control law referred to as the NYSAFE Act; and

WHEREAS, this Act clearly indicates that the enforcement of this law is the responsibility of New York State; and

WHEREAS, in recent discussions the State has indicated an interest in using the Seal of Lewis County and the names of the offices of the Lewis County Sheriff and Lewis County Clerk in pistol permit recertification notices; and

WHEREAS, the County Sheriff and County Clerk have each voiced their strong objection to this request and suggestion.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators denies the State of New York permission to use the Name, Seal of the County, letterhead or address for purposes of correspondence with legal and registered gun owners regarding permit recertification or for any other purpose associated with the NYSAFE Act.

Section 2. That certified copies of this resolution shall be sent by the Clerk of the Board to the Governor of New York State, the Superintendent of State Police, NYS Senator Joseph Griffo; Assemblyman Kenneth Blankenbush; and the Legislature of every County in the State of New York.

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

**RESOLUTION NO. 91 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
SHERIFF'S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriation is hereby approved in the Sheriff's Canine accounts for the purchase of a K-9 vehicle kennel utilizing T87.04 (Fed Monies-Sheriff Department):

<u>Increase Revenue:</u>	
A27063 (Canine Fund)	\$1,000.00

Increase Expense:

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A3110.4911 (Canine fund) \$1,000.00

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

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

**RESOLUTION NO. 92 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Neil Pepper, 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>
Child Support and Fraud Supervisor	Permanent Full-Time	Grade 29 \$21.15/hr.

Section 2. That Commissioner Stacy Alvord is hereby authorized to fill said position effective immediately, pursuant to Civil Service rules and regulations.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Pepper, seconded by Legislator Moroughan and adopted.

**RESOLUTION NO. 93 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, a current Temporary Social Welfare Examiner position is due to expire on April 4, 2014; and

WHEREAS, Commissioner Stacy Alvord has requested an extension of the Temporary employee, to cover the impending maternity leave-of-absence of a regular employee.

NOW, THEREFORE, BE IT RESOLVED as follows:

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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 extending a current Temporary Social Welfare Examiner from April 4, 2014 to July 27, 2014.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 94 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO SOCIAL SERVICES**

Introduced by Legislator Neil Pepper, 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 for the Summer Youth Employment Program:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Summer Youth Counselor	Temporary Full-time June 9, 2014 to Sept. 30, 2014	\$12.50/hr.
Student Worker (Up to 50 positions)	Temporary Full-time June 30, 2014 to Sept. 30, 2014	\$8.00/hr.
Student Worker Highway Department (5)	Temporary Full-time June 30, 2014 to Sept. 30, 2014	\$8.75/hr.
Summer Youth PINS Counselor (2)	Temporary Full-time June 16, 2014 to Aug. 23, 2014	\$12.50/hr.

Section 2. That Commissioner Stacy Alvord is authorized to fill said positions for the period of time attendant to each.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Pepper, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 95 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**DANSER AND KNUDSEN PSYCHOLOGICAL SERVICES, P.C.**

Introduced by Legislator Neil Pepper, 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, 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 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, 2014 through December 31, 2014 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, pending approval by the County Attorney.

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

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 96 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
DEPARTMENT OF SOCIAL SERVICES AND  
COMMUNITY ACTION PLANNING COUNCIL OF JEFFERSON COUNTY, INC.**

Introduced by Legislator Neil Pepper, 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

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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, 2014 through December 31, 2014 at a cost not to exceed \$31,920.00.

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

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

Moved by Legislator Moroughan , seconded by Legislator Brennan , and adopted.

**RESOLUTION NO. 97 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
INSIGHTS FORENSIC COUNSELING**

Introduced by Legislator Neil Pepper, 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.

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 January 1, 2014 through December 31, 2014 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, pending approval by the County Attorney.

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

Moved by Legislator Pepper , seconded by Legislator Dolhof , and adopted.



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**RESOLUTION NO. 98 - 2014  
RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT  
BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES  
AND TRANSITIONAL LIVING SERVICES OF  
NORTHERN NEW YORK, INC.**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services (“DSS”) wishes to enter into a Memorandum of Agreement with Transitional Living Services of Northern New York, Inc. (“TLS”) for the purpose of purchasing the services of psychiatric and/or psychological evaluations of individuals receiving services from 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 approves the Memorandum of Agreement with Transitional Living Services of Northern New York, Inc. (“TLS”) for the purpose of purchasing the services of psychiatric and/or psychological evaluations of individuals receiving services from DSS.

Section 2. That the term of this agreement shall be from January 1, 2014 through December 31, 2014 at a cost not to exceed \$143.75 per psychiatric or psychological assessment; \$92.00 per clinical treatment; a rate of \$23.00 for 15 minutes per telephone case consultations with DSS personnel and travel cost to and from home visits and case consultations/treatment plan meetings held outside the TLS office at the rate of 56 cents per mile.

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 Pepper, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 99 - 2014  
RESOLUTION APPROVING AGREEMENT BETWEEN  
LEWIS COUNTY SOLID WASTE DEPARTMENT  
AND NATIONAL GRID / SMARTWATT ENERGY INC.**

Introduced by Legislator Craig Brennan, Chairman of the Solid Waste Committee.

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WHEREAS, National Grid is offering an energy conservation program to certain commercial and industrial customers and installing certain energy efficiency measures at the facilities of eligible customers; and

WHEREAS, the Lowville Transfer Station is eligible for this program and the Lewis County Solid Waste Department desires to enter into an Agreement with National Grid/Smartwatt Energy, Inc., to upgrade lighting equipment; 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 National Grid/Smartwatt Energy, Inc., to participate in the energy conservation program and to upgrade lighting equipment in the Lowville Transfer Station at a County apportionment cost not to exceed \$7,646.60.

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 Moser, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 100 - 2014  
STANDARD WORK DAY AND REPORTING RESOLUTION**

Introduced by Legislator Michael A. Tabolt, 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:

<b>Title</b>	<b>Name</b>	<b>Registration Number</b>	<b>Standard Work Day</b>	<b>Term Begins/Ends</b>	<b>Participates in Employer's Time Keeping System (Y/N)</b>	<b>Days/ Month</b>

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Election Specialist	Nicole Demo	60268398	7	01/01/2013 – 12/31/2015	N	19.21
Election Specialist	Angela Peters	60433034	7	01/01/2013-12/31/2015	N	20.02

Moved by Legislator Dolhof, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 101 - 2014  
RESOLUTION TO TRANSFER FUNDS STOP DWI**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Stop DWI accounts to correct a posting error:

<u>From:</u> A4252.4901 (DWI-DA)	<u>Amount:</u> \$18,250.00
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<u>To:</u> A4252.4909 (Misc Exp)	\$18,250.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 102 - 2014  
RESOLUTION AUTHORIZING SECTION 5311  
OPERATING ASSISTANCE CONTINUING AGREEMENTS  
BETWEEN NEW YORK STATE DEPARTMENT OF TRANSPORTATION  
AND THE COUNTY OF LEWIS FOR THE  
LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, Section 5311 of Title 49, United States Code, provides federal financial assistance for public transportation in rural and small urban areas by way of a formula grant program to be administered by the States; and

WHEREAS, the County of Lewis may make application annually to the New York State Department of Transportation for such federal aid for operating assistance for a Project to

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provide public mass transportation service on a continuing basis in and around Lewis County, NY; and

WHEREAS, the County of Lewis desires to enter into a continuing agreement with the State of New York for the undertaking of the Project;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Legislators, or the Vice-Chairman is authorized to sign the following:

- 1) A continuing agreement between the County of Lewis and the State of New York providing for the undertaking of the Project and authorizing annual grant applications for such Section 5311 funds;
- 2) Any and all agreements between the County of Lewis and any third party subcontractors necessary to complete the Project.

Moved by Legislator Moser, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 103 - 2014  
RESOLUTION APPROVING CORRECTION OF TAX BILL**

Introduced by Legislator Gregory Kulzer, 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	#538.00-08-06.000 \$	624.82	Charge Town:	\$137.90
	#538.00-08-06.000	69.42		15.32
	#538.00-08-00.000	60.69		17.04
	#550.00-05-13.000	679.12		172.00
Denmark	#552.00-03-00.000	334.89		184.67
	#552.00-05-00.000	20.02		11.04
Diana	#552.00-05-08.000	189.27		44.90
	#552.00-05-00.000	122.19		36.42
Greig	#542.02-07-09.000	1,307.86		545.53
Lewis	#550.00-10-11.000	416.65		390.20
Leyden	#550.00-07-12.000	1,113.19		306.35
	#550.00-10-12.000	548.30		150.89
	#550.00-07-00.000	55.04		21.06
Lowville	#550.00-05-00.000	523.35		183.93
Lyonsdale	#550.00-07-00.000	99.18		50.64

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	#550.00-07-00.000	359.96	183.77
Martinsburg	#542.02-05-15.000	621.24	358.68
New Bremen	#552.00-08-00.000	8.93	4.19
	#542.05-08-05.000	121.48	40.53
	#552.00-08-02.000	1,651.79	538.50
Watson	#542.02-05-21.000	314.44	202.25
	#542.02-07-21.000	322.94	207.72
	#542.02-08-21.000	212.46	136.66
West Turin	#550.00-07-00.000	108.85	47.40
	#550.00-07-00.000	367.90	160.20

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 \$4,147.79.

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

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

**RESOLUTION NO. 104 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO VETERANS' SERVICE DIRECTOR**

Introduced by Legislator Bryan Moser, Chairman of the Veterans' 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 Veterans' Service Director, to increase the current 2014 salary.

Section 2. That the 2014 annualized salary of the Veterans' Service Director is hereby increased and set at \$38,623.41.

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

Moved by Legislator Moser , seconded by Legislator Kulzer , and adopted.

**RESOLUTION NO. 105 - 2014  
RESOLUTION AUTHORIZING PURCHASE OF  
TWO NEW COUNTY VEHICLES FOR  
CERTIFIED HOME HEALTH AGENCY PROGRAM**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

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WHEREAS, the Board of Legislators wishes to purchase two (2) new vehicles to be utilized for services related to the Certified Home Health Agency (CHHA) Program.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes the purchase of two (2) new vehicles intended for the use of CHHA program services, which is now under the administration of the Lewis County General Hospital, and therefore, the Board of Legislators hereby directs that up to \$40,000 of the purchase price of said vehicles shall be paid from County funds, and the balance shall be paid from Hospital funds.

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

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

**RESOLUTION NO. 106 - 2014  
RESOLUTION APPOINTING MEMBER TO  
LEWIS COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
BOARD OF DIRECTORS**

Introduced by Legislator Michael A. Tabolt, 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 Legislator Craig P. Brennan of 10859 NYS Route 26, Carthage, New York, to the Lewis County Industrial Development Agency to serve at the pleasure of the Board.

Section 2. That the within resolution shall be effective immediately.

Moved by Legislator Moser, seconded by Legislator Chartrand and adopted.

**RESOLUTION NO. 107 - 2014**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
THE COUNTY OF LEWIS AND AVIAT NETWORKS  
FOR MICROWAVE RADIO SYSTEM AND RELATED HARDWARE AND  
SOFTWARE FOR THE EMERGENCY COMMUNICATIONS SYSTEM**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

WHEREAS, the County of Lewis has been in the process of studying, evaluating, and planning with the ultimate goal of constructing and installing capital equipment for the purpose of upgrading its emergency radio communications system for use by all emergency service agencies (the "Project"); and

WHEREAS, one of the components of the needed upgrades to the emergency communications center is a turn-key implementation of an upgraded Microwave Radio System (collectively, "Microwave System") that meets New York State and local government requirements. The proposed system will replace the existing system which is currently outdated and in need of replacement; and

WHEREAS, a Request for Proposals was issued in September, 2013 for a Microwave Radio System to provide wireless communications between multiple radio communications sites in Lewis County; and

WHEREAS, in November, 2013, the Courts & Law Enforcement Committee received four (4) proposals in response to the RFP; and

WHEREAS, the Courts & Law Enforcement Committee reviewed the proposals, together with the assistance of County staff and the County's technical consultants; and

WHEREAS, in February, 2014, the Courts & Law Enforcement Committee issued questions to lowest responsive bidders to further clarify the specifics of the proposals received; and

WHEREAS, upon a full review and analysis of all proposals, the Courts & Law Enforcement Committee finds Aviat Networks to be the lowest responsible bidder to have submitted a proposal that meets the County's performance specifications and requirements as outlined in the Request For Proposals issued on or about September 11, 2013, together with addendums thereon, and therefore, the Committee recommends to the full Board of Legislators to award the contract to purchase the radio system and related hardware and software as proposed by Aviat Networks in its Proposal dated November 22, 2013 and subsequent clarifications dated February 25 and February 26, 2014 ; and

WHEREAS, the Board of Legislators has recently received notice that it has been awarded a grant in the amount of \$6,000,000 to be applied toward the purchase of radio infrastructure equipment from the NYS Division of Homeland Security and Emergency Services, however, the County is awaiting receipt of an executed contract committing those funds; and

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WHEREAS, the Board of Legislators wishes to award the contract to purchase the within described equipment.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby determines that the Aviat Networks Proposal is the "best value" for the County as that term is defined by Local Law No. 7- 2013 in that it best optimizes quality, cost and efficiency, among responsive and responsible bidders and therefore is in the best interest of the County of Lewis.

Section 2. The Board of Legislators finds and determines that the action contemplated herein is the furnishing of radio and electronic equipment and software only which will be installed and constructed under a separate contract and action under the State Environmental Quality Review Act ("SEQRA") for which an evaluation and determination of significance will be made consistent with SEQRA and its implementing regulations.

Section 3. That the Board of Legislators hereby authorizes the entering into a contract with Aviat Networks for the turn-key implementation of a Microwave Radio Network for the Lewis County Emergency Communications Project, consistent with their proposal submitted November 22, 2013, their response to questions dated February 25 and February 26, 2014, at a cost not to exceed \$1,170,659.

Section 4. The contract with E. F. Johnson Technologies, Inc. shall contain, in addition to other terms and conditions, an express provision that the County's performance under the contract shall be conditioned upon receipt of a fully executed contract with the State of New York confirming the grant awarded by the NYS Division of Homeland Security and Emergency Services referenced above, as follows:

#### ARTICLE 5. EXECUTORY CLAUSE

The parties' obligations under this Contract and the other Contract Documents are expressly contingent upon the COUNTY receiving an executed contract from the State of New York confirming receipt of grant funding for this project. This Contract shall be deemed executory only to the extent of funds appropriated by the Lewis County Board of Legislators and available for the purposes of this Agreement; and no liability on account thereof shall be incurred by Lewis County beyond the amount of such funds. It is understood and agreed that neither this Agreement, nor any representation by any public employee or officer creates any legal, moral or equitable obligation on the part of the County to request, appropriate or make additional funds available for the purposes of this Agreement. Any Services performed by CONTRACTOR prior to the COUNTY obtaining funding for this Agreement are at CONTRACTOR's sole discretion and risk.



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Section 5. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form(s) as may be approved by the County Attorney.

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

Moved by Legislator Pepper , seconded by Legislator Moroughan , and adopted.

**RESOLUTION NO. 108 - 2014  
RESOLUTION TO APPROPRIATE FUNDS STOP DWI**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriation is hereby approved in the STOP DWI accounts for the NYS STOP-DWI 2013-2014 "Crackdown" grant:

Increase Revenue:

A33110 (DWI Grant)	\$5,600.00
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Increase Expense:

A3315.4906 (DWI Grant)	\$5,600.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 109 - 2014  
RESOLUTION AUTHORIZING AGREEMENT WITH THE  
TOWN OF OSCEOLA -- ZONING CODE ENFORCEMENT**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, the County of Lewis through its Code Enforcement Department ("Codes Department") currently provides administration services for enforcing the NYS Uniform Building and Fire Code in the Town of Osceola; and

WHEREAS, the Supervisor for the Town of Osceola has requested that the Codes Department also provide administration of their local zoning code; and

WHEREAS, General Municipal Law § 119-u [4](d) and in particular, Town Law § 284 [4](d), authorize a Town to enter into an inter-municipal agreement with a County to carry out all or a portion of the ministerial functions related to land use regulation within such Town and to

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provide for a land use administration and enforcement program, the terms and conditions of which shall be set forth in such agreement; and

WHEREAS, Lewis County wishes to promote inter-governmental cooperation to the extent of offering to participating Towns the opportunity to have the Lewis County Codes Department perform certain ministerial functions related to the permitting and inspection of properties within such participating Towns for the purpose of enforcing the zoning and land use regulations of such Town; and

WHEREAS, the Board of Legislators wishes to enter into an Agreement with the Town of Osceola to administer and enforce the zoning and land use regulations of the Town.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Inter-Municipal Cooperation Agreement between the County of Lewis and the Town of Osceola to provide the following administrative services:

- (1) Receive applications for zoning, subdivision, special use permit or site plan approval pursuant to the Municipality's zoning law, ordinance, rule or regulation or any other regulations which prescribe the appropriate use of property or the scale, location, and intensity of development within the Municipality.
- (2) Charge an application fee to the applicant in accordance with such fee schedule as the Lewis County Codes Department may establish from time to time, and collect the fee therefor.
- (3) Review such applications to determine whether the same complies with the Municipality's zoning law, ordinance, rule or regulation and report thereon to the Municipality's Planning Board, Zoning Board of Appeals or such similar board or agency which is responsible under the Municipality's zoning law, ordinance, rule or regulation to approval or disapprove such applications.
- (4) Upon approval by such board or agency, the County Codes Department shall inspect the applicant's premises as often as may be necessary in order to determine whether the applicant's project as constructed, conforms to the Municipality's zoning law, ordinance, rule or regulation.
- (5) Provide periodic reports of activities and fees collected as may be required by the Municipality.
- (6) In the event that enforcement proceedings become necessary, prosecution thereof shall be handled by the Town Attorney.

Section 2. That the term of said Agreement shall be for the period from January 1, 2014 through December 31, 2014.

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Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to 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 Dolhof, seconded by Legislator King.

Legislator Pepper took exception for what he perceives as the Town deferring cost onto the County, because of their unwillingness to do the work. The County cannot continue to add services and expense, he exclaimed. Towns, he said, should share the expense of services for their residents, supposing that Towns can accomplish services more cost effectively.

At the Board's request, Building Code Officer Don Mallette stated it unlikely that additional personnel would be required to assume the zoning permits for one Town, while asserting that County personnel would not "police" the area for zoning non-compliance. The State Law for building code permits defaults to the County when Towns opt out, but zoning permits do not, he stated.

County Attorney Richard Graham explained that Town residents currently acquire building permits from County personnel, suggesting it efficient for them to obtain their zoning permit simultaneously, also citing the additional County permit revenue. However, Mr. Mallette countered it is not always possible to issue both permits initially, while noting the travel distance for required site evaluations. The County has assumed building code enforcement for several Towns over the past eight (8) years, without additional staff.

Legislator King relayed understanding Legislator Pepper's opinion, while relating the County had assumed zoning permits for other Towns, and he encourages that all Towns be treated equally. At the Board's discretion however, he was amenable to reviewing the policy as long as Towns are treated equitably.

Legislator Moser favors less bureaucracy, terming this as greater bureaucracy. While terming it another unfunded State mandate upon the County, Legislator Dolhof did not deem it fair to discretionally exclude any one Town.

The resolution was then adopted. Legislator Pepper was opposed.

**RESOLUTION NO. 110 - 2014**  
**RESOLUTION OFFERING AN ALTERNATIVE TO THE PROPERTY TAX FREEZE**  
**THAT WILL LEAD TO PROPERTY TAX REDUCTIONS BY ELIMINATING**  
**THE COST OF STATE MANDATED SPENDING IMPOSED ON COUNTY**  
**PROPERTY TAXPAYERS**

Introduced by Legislator Bryan Moser, District No. 4 Representative.

MARCH 4, 2014

WHEREAS, the Governor and State Legislature have prioritized property tax relief as necessary to help improve New York's economic competitiveness especially in struggling upstate areas where the high property tax burden has contributed to a loss of economic opportunity, industrial and business decline, and flat or negative population growth over the last two decades; and

WHEREAS, the Governor has proposed a two year property tax freeze in these same economically burdened areas, that includes a state financed rebate for any increase in property taxes in municipalities that stay within the state imposed property tax cap over the next two years, while also pursuing shared services or consolidation of functions with other local governments in the second year; and

WHEREAS, the proposed property tax freeze would create a new layer of tax bureaucracy and procedures with unknown costs to the taxpayers, which have not been adequately analyzed, calculated, and publicly discussed; and

WHEREAS, County government has been a strong proponent of increasing cooperation, sharing services and consolidating major governmental functions across multiple jurisdictions as highlighted in the 2013 Cornell University study, "Shared Services in New York: A Reform That Works"; and

WHEREAS, recent law changes enacted by the Governor and State Legislature to cap the growth in county Medicaid costs and the creation of another pension tier will help reduce pressure on future county property tax levy growth, especially in 2020 and beyond; and

WHEREAS, County elected leaders strongly support meaningful State and County efforts to lower the property tax burden for homeowners and businesses across the State; and

WHEREAS, the levying of County property taxes is directly linked to state mandated spending as County governments act as the State's administrative arm through the delivery and financing of State programs; and

WHEREAS, County officials believe the best way to improve New York's economic climate and competitiveness is to reduce property taxes through fundamental reform of State mandates that directly impact the causes of high property taxes and not simply the symptoms (not just slow the rate of growth); and

WHEREAS, recognizing the need for property tax relief and consistent with the call for realignment of responsibilities between governments, aligning the cost of the State's Human Services Programs with the government obligated to provide them will result in a historic and sustainable reduction in County property taxes and a more appropriate and equitable distribution of the cost of the State's Human Services Programs; and

WHEREAS, the local cost of paying for the State Medicaid program in Lewis County equates thirty-five percent (35%) of the County property tax levy; and

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WHEREAS, the benefits, scope and ultimate cost of Medicaid has been set and controlled by the State for nearly 50 years, but not fully financed with State resources, therefore, transferring a significant cost burden to local property tax payers that contributes greatly to the disparity between property taxes in New York State and those in other states; and

WHEREAS, New York City tax payers also dedicate a large amount of locally raised non-property taxes to support the State Medicaid program

NOW, THEREFORE, BE IT RESOLVED that Lewis County finds no quantifiable evidence that the property tax freeze would result in significant property tax relief, while a phased State takeover of the costs of its own mandated human services, starting with Medicaid, would provide immediate, permanent and measurable property tax reduction; and be it

FURTHER RESOLVED, the State should also provide fiscal relief to New York City for a portion of the local taxes they commit to State mandated programs; and be it

FURTHER RESOLVED, that copies of this resolution be sent to the sixty-two counties of New York State encouraging member counties to enact similar resolutions; and be it

FURTHER RESOLVED, the Clerk shall forward copies of this resolution to Governor Andrew M. Cuomo, Senator Joseph Griffo, Assemblyman Kenneth Blankenbush, NYSAC, Lewis County Towns and Villages, and all others deemed necessary and proper.

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

OTHER BUSINESS:

The Clerk read a proclamation, whereby the Chairman declared the week of March 3-9, 2014 as "Multiple Sclerosis Awareness Week in Lewis County".

Legislator Brennan made a motion to enter executive session at 6:24 p.m. for legal advice pertaining to a potential property acquisition and engaging relative professional services, seconded by Legislator Moser and carried. The session began at 6:33 p.m. after a short recess. Following the session, Legislator Moser made a motion to re-enter regular session at 7:07 p.m., seconded by Legislator Pepper and carried.

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

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**REGULAR MEETING  
April 1, 2014**

The meeting was called to order at 5:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislator Pepper whom had been excused.

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

There were 32 persons present.

Chairman Tabolt announced approval of the March 4, 2014 meeting minutes.

He then introduced newly appointed County Manager Liz Swearingin.

**REPORT OF THE RULES AND LEGISLATION COMMITTEE:**

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

Dated: April 1, 2014

Lawrence Dolhof, Chairman  
Bryan Moser, Committee  
Craig Brennan, Committee

Legislator Brennan made a motion to waive the rules, seconded by Legislator Dohof, and carried.

Chairman Tabolt opened the public hearing for comments on Local Law Intro. No. 1-2014 "Amending Local Law No. 2-2009 Regarding the Director of Recreation, Forestry Parks"; Local Law Intro. No. 2-2014 "Amending Local Law No. 2-2009 and Local Law No. 6-2013 Establishing A Three-Day Trail Pass for Use on the Lewis County ATV Trail System"; and Local Law Intro. No. 3-2014 "Regarding the Opening and Closing of the Lewis County Trail System".

At this time, no one wished to comment.

**PRESENTATION OF COMMUNICATIONS AND NOTICES:**

The Croghan Free Library Board of Trustees and staff penned a note of gratitude for the Board's continued financial support of libraries.

The Adirondack Park Local Government Review Board forwarded their resolution requesting matching funds from the State of New York for Adirondack municipalities that spend funds to prevent, control or eradicate invasive species in State-owned waters.

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

We acknowledge receipt of resolutions from the following County Legislatures:

Cayuga and Fulton Counties recording their objection for use of their County Seal and office names for pistol permit re-certification notices.

Delaware and St. Lawrence Counties to rejecting the Governor's plans to reward prison inmates by providing them with college educations at taxpayer expense.

Chemung and Tioga Counties, as well as the Village of Harrisville Board, offering an alternative to the property tax freeze that will lead to property tax reductions by eliminating the cost of State mandated spending imposed on County taxpayers.

Cattaraugus, Greene, St. Lawrence, Steuben, Tioga and Wayne Counties in support of the Statewide Indigent Defense Legal System and Settlement of Hurrell-Harring v. the State of New York, encouraging the Governor to fix the inefficient patchwork of County services and establish a Statewide Indigent Defense System.

Delaware County urging the Governor to refund the three-year projected \$2.2 Billion State tax surplus directly to the taxpayers, instead of his proposed expenditures through estate, corporate and real property tax relief.

Delaware County urging Congress to pass Home Rule 1494 "Blue Water Navy Accountability Act" and Home Rule 543 "Blue Water Navy Vietnam Veterans Act of 2013" for review of the logs to determine where navy ships operated near Vietnam during the Vietnam War Era to determine each ship's closest proximity to shore during operation and report to the Secretary of Veteran Affairs. This will provide public access to documents that may substantiate Veteran claims for benefits connected to the United States spraying of "agent orange" and other herbicides over Vietnam from 1962 to 1975.

### REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

The Clerk reported that all Legislators had received copies of the Treasurer's March monthly report, the Quarterly Bed Tax Report; the 3/24/14 Highway Audit Report, the 3/24/14 Solid Waste Audit Report; and minutes of the 1/16/14 Telecommunications Advisory Board, 1/14/14 Soil & Water Conservation District Board of Directors, and 3/18/14 Youth Bureau Advisory Board meetings.

Sealer of Weights and Measures Barbara Cooper has submitted her March monthly activity report to be placed on file.

### REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, reported that Maintenance personnel had completed 67 work orders during the month of March, including various plumbing repairs.

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The committee had toured the Social Services building to ascertain the scope of renovations needed, and they plan tours of the Highway garage during April and the Public Safety Building in May.

Legislator Hathway made a motion to authorize Donald G. Coon to complete an appraisal of the Lewis Lanes property for an amount of \$1,800.00 to be financed by Capital funds, seconded by Legislator King and carried.

Legislator Hathway made a motion to authorize Bernier & Carr Associates to complete a preliminary engineering study of the Lewis Lanes property for possible acquisition and modification for an amount of \$5,000.00 to be financed by Capital funds, seconded by Legislator Brennan. Contrary to suppositions posed by Legislator Kulzer, Legislator Hathway affirmed there was no balance owed to Bernier Carr & Associates, yet they were offering a discount. Legislator Chartrand stated that one of the other engineering proposals had also included a discount. The motion was then carried.

Legislator Hathway made a motion to authorize Paragon Environmental Construction to remove and remediate the tanks on parcel #290.02-01-2100 in the Town of Greig for a base price of \$19,075.00. Additional services would be approved as needed pursuant to the per unit quote. Legislator Hathway requested Board authorization for the Committee to negotiate with the company to reduce related costs by utilizing County personnel and equipment for the project. The project costs will be covered by delinquent property auction proceeds. The motion was seconded by Legislator Chartrand and carried.

Legislator Hathway made a motion to authorize the Chairman to enter and execute an amended lease agreement with Lowville Commons, LLC for 900 sq. ft. of additional space to accommodate Office for the Aging personnel, for an amount not to exceed \$12,000.00 annually, to be financed by various sources. The motion was seconded by Legislator Moroughan and carried.

Legislator Bryan Moser, County Officers/Veterans/Junkyards/Human Resources Committee Chairman, reported that Junkyard Inspector William Houppert and the County Attorney would assure that Mr. Kaflin complies with the deadlines and terms of the negotiated compromising agreement relative to his junkyard.

Legislator Moser reported that Lewis County veterans received \$130,000 benefits during the first quarter. Director Derek Davey works closely with Social Services to assure that veterans avail Veteran Administration medical benefits to minimize Medicaid costs.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, made a motion to authorize Sheriff Michael Carpinelli to fill a permanent part-time deputy sheriff position effective immediately. The motion was seconded by Legislator Moroughan and carried.

Legislator King made a motion to authorize the Sheriff to purchase one new patrol vehicle, to be financed by Capital funds up to \$35,000.00. Any balance shall be borne by the Sheriff's budgetary appropriations. The motion was seconded by Legislator Moser and carried.



PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator King reported the emergency communication contracts are moving forward with timely progress.

Legislator Lawrence Dolhof, Economic Development Committee Chairman, deferred discussion until his sponsored resolutions are presented; stating the need to amend the roads to be opened for the ATV SNIRT Run, to minimize potential problems.

Legislator Dolhof reported the purchase of a new GPS unit for the Parks and Recreation Department that will be shared with multiple County Departments. The Committee has provided their reappointment recommendations to the Chairman of the Board. They have also discussed the County-sponsored Economic Development conference to be held in the fall.

Executive Director James Wright of the Development Authority of the North Country has offered an information session to explain the Joint Infrastructure Management Information (JIMI) and Geographic Information Services (GIS) grants to the Board prior to the next meeting.

Legislator Dolhof made a motion to authorize renewal of all County general and professional liability insurance policies in accordance with the 3/26/14 proposal by Rose & Kiernan, Inc. for the period 4/5/14 to 4/5/2015, for a total premium amount of \$251,041.69. The motion was seconded by Legislator Moser and carried.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, reported that the adopted State Budget includes an additional \$478 Million for Consolidated Highway Improvement Projects (CHIP's), equating \$100,000 for Lewis County. Highway Superintendent David Becker suggests utilizing those funds to repair the Harrisville bridge.

Legislator Gregory Kulzer, Taxation/InformationTechnology/Elections/Agriculture Committee Chairman, anticipates I.T. Director Adam Zehr to start on 4/21/14.

Legislator Kulzer reported the County's AT&T cell phone service will be changed to Verizon, with resulting cost savings.

Legislator Kulzer relayed a request from the Election Commissioners to forward a letter to the Governor requesting consolidation of the June and September primaries, impressing the measure would save the County \$65,000.00.

Legislator Kulzer relayed concern expressed at the recent Soil & Water Conservation District Board of Directors meeting, that the U.S.D.A. has not yet appointed a permanent Farm Service Agency manager for Lewis County. Currently, Jefferson County personnel are covering our area. It is suggested the Board forward another letter of request to Congressman Bill Owens.

Legislator Richard Chartrand, Hospital Committee Chairman, announced that Tracy Goldthrite, R.N. was chosen as the employee-of-the-year. She has worked with the Hospital since 1998 in various departments. Her peers speak of her as an inspiring nurse and hold her in the highest regard for her professionalism, excellence in nursing and strong leadership. She is

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also a generous mentor, known for her skills and compassion with new and seasoned nurses alike.

Legislator Chartrand also announced the employee-of-the-month is Michelle Kelley, administrative assistant to CEO Eric Burch. Observing her professionalism and work ethic, he said, "I recall the adage "Do you want to talk with the man in charge or the woman who knows what's going on?" extolling her fantastic job of keeping everyone informed.

Legislator Chartrand reported the Board of Manager's decision to authorize exclusive negotiations with St. Joseph's Hospital Health Center to develop a mutually beneficial collaborative arrangement. The first step is to formulate a non-binding "Letter of Intent" pursuant to their submitted proposal. The document will provide the framework to enable good faith negotiation toward a final agreement that benefits both organizations, which will take a minimum of six months. In response to expressed concerns, Legislator Chartrand affirmed there is no move toward privatization, merging or sale of the Hospital facility,

Legislator Chartrand reported that the Hospital's Critical Care Access designation took effect on March 5, 2014, estimated to equate monthly revenue of \$250,000.

Legislator Chartrand reported the Hospital's County debt of \$10,839,335.19, with anticipated 2014 payments of \$5,850,000.00. At the current pace, the Hospital may potentially add \$5.8 Million to the debt for health, dental, workers' compensation and various loans for an aggregate debt of \$10,789,335.00 on 12/31/2014. Critical Access, VAP and NYS Dialysis Unit grants and revenue could reduce the debt by \$3,458,798.00. Accordingly, it is reasonably assumed the debt would be somewhere between \$7 and \$10 Million. Legislator Chartrand concluded that he would be closely monitoring and reporting the debt status. He cautioned that it would take a minimum of eight years even if the Hospital could reduce the debt by \$1.5 Million annually.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, urged support of her sponsored resolutions for contract renewals and fund transfers.

Legislator Moroughan stated the Public Health fiscal manager had reported the final 2013 receipts of \$107,370 and \$93,512 respectively for the Certified Home Health Agency and Hospice programs. As of 3/31/2014 \$444,755 had been received, of the total 12/31/2013 accounts receivable of \$942,510 for public health programs, with the remainder expected.

The committee recommends the Chairman declare the week of April 7 to 13, 2014 as Public Health Week in Lewis County.

Legislator Moroughan also reported that the Director of Community Services Sarah Bullock is working with the Community Services Board to update the Local Services Plan, which is due to the State Office of Alcoholism and Substance Abuse Services by 6/1/2014.

COUNTY MANAGER REPORT:

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Acting Manager Michael Tabolt relayed a call from the Governor's representative Jeffrey Farrell in response to the Board's resolution opposing the proposed property tax freeze. Chairman Tabolt took exception because previous consolidation of services would not be considered toward meeting the tax cap. This was the focal issue of discussion at the recent meeting of the Inter-County Committee of the Adirondacks, where participating County representatives cited similar objections. NYSAC officials explained that five years from now County levies would have to be 3% lower than current levels in order for local taxpayers to avail rebates under the Governor's proposal.

Chairman Tabolt reported that the adopted 2014-2015 State Budget reduced the property tax freeze plan from five to a 3-year plan. First-year eligibility is contingent upon local governments not exceeding the 2% Tax Cap; and second-year eligibility requires illustrations of reduced taxes by creating efficiencies and consolidations that equal 1% of the respective tax levy.

He also expressed concern with the minimal (.01%) interest rate for County investments. Formerly, this was a lucrative revenue source. The Inter-County Committee Plans to focus attention and enhance awareness on this issue.

Lewis County will host the April 24, 2014 Inter-County Committee meeting, to be held at the Adirondack International Speedway, followed by lunch at the Maple Museum.

Legislator King expressed frustration with the State 2% Tax Cap, which based on the formula equates 1.66% for Lewis County. He submits it impossible to remain within the cap citing the substantial annual State aide reductions. The State must fund their mandates, he asserted.

The Chairman closed the public hearing at 5:39 p.m. after assuring that no one wished to comment on the proposed Local Laws.

### 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 \$ 1,359,631.52 and recommend that they be audited and allowed for the amounts claimed.

Dated: April 1, 2014

Philip Hathway, Chair  
Jerry King, Committee  
Richard Chartrand, Committee

Approved on motion by Legislator Dolhof, seconded by Legislator Moser, and carried.

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RESOLUTIONS:

**RESOLUTION NO. 111 – 2014  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 1,359,631.52 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 Dolhof , seconded by Legislator Moser , and adopted by roll call vote:

All Voted YEA. Legislators Brennan and Pepper were absent.

**RESOLUTION NO. 112 - 2014  
RESOLUTION ADOPTING AND OTHERWISE TREATING  
LOCAL LAW NO. 3 – 2014, COUNTY OF LEWIS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on March 4, 2014, directing that a public hearing be held by said Board on April 1, 2014, 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. 2 – 2009 REGARDING THE DIRECTOR OF RECREATION, FORESTRY AND PARKS**”; and

WHEREAS, notice of said public hearing was duly advertised in the Watertown Daily Times, the official newspaper designated by the County, on March 26, 2014, 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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NOW, THEREFORE, BE IT FURTHER RESOLVED as follows:

Section 1. This Local Law (Introductory No. 1 – 2014), County of Lewis, being **“A LOCAL LAW AMENDING LOCAL LAW NO. 2 – 2009 REGARDING THE DIRECTOR OF RECREATION, FORESTRY AND PARKS”**, be and the same hereby is designated as Local Law No. 3 – 2014, County of Lewis.

Section 2. That Local Law No. 3 – 2014, 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 Dolhof, seconded by Legislator Hathway, and adopted.

YEAS: Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, Tabolt

NAYS: None

ABSENT: Brennan, Pepper

**RESOLUTION NO. 113 - 2014  
RESOLUTION ADOPTING AND OTHERWISE TREATING  
LOCAL LAW NO. 4 – 2014, COUNTY OF LEWIS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on March 4, 2014, directing that a public hearing be held by said Board on April 1, 2014, 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. 2 – 2009 AND LOCAL LAW NO. 6 – 2013 ESTABLISHING A THREE DAY TRAIL PASS FOR USE ON THE LEWIS COUNTY ATV TRAIL SYSTEM”**; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on March 26, 2014, 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.

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NOW, THEREFORE, BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 2 – 2014), County of Lewis, being “**A LOCAL LAW AMENDING LOCAL LAW NO. 2 – 2009 AND LOCAL LAW NO. 6 – 2013 ESTABLISHING A THREE DAY TRAIL PASS FOR USE ON THE LEWIS COUNTY ATV TRAIL SYSTEM**”, be and the same hereby is designated as Local Law No. 4 – 2014, County of Lewis.

Section 2. That Local Law No. 4 – 2014, 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 Dolhof, seconded by Legislator King, and adopted.

YEAS: Brennan, Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, Tabolt

NAYS: None

ABSENT: Pepper

**RESOLUTION NO. 114 - 2014  
RESOLUTION ADOPTING AND OTHERWISE TREATING  
LOCAL LAW NO. 5 – 2014, COUNTY OF LEWIS**

Introduced by Legislator Lawrence Dolhof, Chairman Economic Development Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on March 4, 2014, directing that a public hearing be held by said Board on April 1, 2014, 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. 2 – 2009 REGARDING THE OPENING AN CLOSING OF THE LEWIS COUNTY TRAIL SYSTEM**”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on March 26, 2014, 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.

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NOW, THEREFORE, BE IT FURTHER RESOLVED as follows:

Section 1. This Local Law (Introductory No. 3 – 2014), County of Lewis, being **“A LOCAL LAW AMENDING LOCAL LAW NO. 2 – 2009 REGARDING THE OPENING AND CLOSING OF THE LEWIS COUNTY TRAIL SYSTEM”**, be and the same hereby is designated as Local Law No. 5 –2014, County of Lewis.

Section 2. That Local Law No. 5 – 2014, 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 Dolhof, seconded by Legislator Moser, and adopted.

YEAS: Brennan, Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, Tabolt

NAYS: None

ABSENT: Pepper

**RESOLUTION NO. 115 - 2014  
RESOLUTION TO AMEND THE LEWIS COUNTY POLICY FOR CLOSING COUNTY  
FACILITIES IN THE EVENT OF INCLEMENT WEATHER**

Introduced by Legislator Bryan Moser, Chairman of the County Officers' Committee.

WHEREAS, the Board of Legislators has an established policy to provide for the closing of individual departments or County facilities (other than the Lewis County General Hospital) in the event of inclement weather which is set forth in the Personnel Handbook as follows:

*“Emergency Weather Closing*

The County Manager is responsible for determining if and when one or more departments must be closed due to inclement weather or other emergency. If a department head believes that weather conditions are such that their department should closed for any portion of the usual work, he or she must discuss this with the County Manager and obtain the County Manager's approval prior to closing their department. Unless advised otherwise, the County Manager shall be responsible for communicating such emergency closures to the local media.

Time off from scheduled work due to emergency closings will be unpaid for all non-exempt employees. However, if employees would like to be paid, they are permitted to use vacation and/or personal time if it is available to them. Time lost in any week due to emergency closings may be made up during that week or the immediately succeeding three weeks.”

WHEREAS, the Board of Legislators finds that it is in the public interest and necessary and essential to the operation of County facilities that it have a clear policy in place that allows

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management to make decisions as to what operations or facilities should remain open and what operations or facilities should be closed in the event of inclement weather; and

WHEREAS, the Board of Legislators further finds that the decision as to what operations or facilities should remain open and what operations or facilities should be closed in the event of inclement weather must take into consideration both the safety, health and welfare of the general public who rely upon County services as well as the safety, health, and welfare of the County's employees; and

WHEREAS, in light of these factors, the Board of Legislators finds that the above policy no longer fully expresses the needs of the County and must therefore be amended;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends its "Emergency Weather Closing" policy as the same applies to all County operations and facilities except the Lewis County General Hospital, by deleting the existing policy as quoted above and replacing it with the following:

“Closing of County Facilities During Inclement Weather

I. Designation of Essential Services.

For purposes of this policy, the following departments/administrative units are designated as essential to the safety, health and welfare of the general public.

*a. Essential Services:*

Lewis County Sheriff's Department

Lewis County Highway Department

The department head for each such department providing essential services to the public shall develop its own policies and procedures for continuing operations in the event of inclement weather and shall provide copies to all employees. Such policies and procedures shall incorporate provisions that provide for the coordination of services and regular communication with the County Manager and the Chair of the Board.

*b. Non-essential Services:*

All other County departments are deemed non-essential for the purposes of this policy.

II. Closing of County Offices/Facilities

*a. Decision Making Authority*

The County Manager is the designated public official responsible for determining if, and when one or more County departments, offices, buildings or facilities may be closed due to inclement weather. In the absence or incapacity of the County Manager, the Chair of the Board of Legislators or in his or her absence or incapacity, the Vice-Chair shall be



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responsible for making such decisions. If none of those officials are available, then the County Clerk shall be so designated. For ease of reference throughout this policy, references to the "County Manager" shall be deemed to include all the above potential instances.

If a department head believes that weather conditions are such that their department should be closed for any portion of the usual workday, the department head shall discuss the same with the County Manager. No department may be closed for any portion of the usual work day except upon the order/direction of the County Manager.

### *b. Communication with the Media*

In the event of a closure of a County department, office, building or facility, the County Manager shall be responsible for communicating such emergency closures to the local media.

### *c. Payroll Issues*

#### 1. Employees Providing Essential Services:

All employees who work within a department providing essential services as identified above are required to report to work at their assigned duty station as scheduled or as directed by their department head/manager, even in the event of inclement weather. In the event that an employee is unable to travel to their assigned duty station due to inclement weather or is otherwise unable to fulfill their scheduled work day, then the employee must immediately inform his or her department head/manager of such circumstances. Any time off from the employee's scheduled work day, for non-exempt employees, shall be unpaid. If an employee wishes to be paid for that time, he or she may (i) make up the time off during the following week or within the immediately succeeding three weeks, or (ii) use vacation or personal time if available.

#### 2. Employees Providing Non-Essential Services:

(i) In the event that a County department, office, building or facility is closed by order/direction of the County Manager due to inclement weather, all employees who were scheduled to work within such department, office, building or facility shall be paid for the hours they were scheduled to work, but were prevented from doing so as a result of such closure(s).

(ii) In the event that the County Manager has not closed a County department, office, building or facility, and an employee is unable to travel to their assigned duty station due to inclement weather or is otherwise unable to fulfill their scheduled work day due to

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inclement weather, then the employee must immediately inform his or her department head/manager of such circumstances. Any time off from the employee's scheduled work day, for non-exempt employees, shall be unpaid. If an employee wishes to be paid for that time, he or she may (i) make up the time off during the following week or within the immediately succeeding three weeks, or (ii) use vacation or personal time if available.

### III. Savings Clause

Nothing herein is intended to amend, modify or repeal the County's Emergency Management Plan with respect to emergency closures due to emergencies other than inclement weather. In the event of an emergency other than inclement weather, then the procedures and protocols contained in the Emergency Management Plan shall control."

Section 2. That the Board Clerk is hereby directed to incorporate the foregoing amendment into the County's Administrative Policy Manual and the Director of Human Resources is directed to incorporate the same into the County's Personnel Handbook.

Section 3. That the amendment to the County's policies set forth herein shall be deemed effective January 1, 2014.

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

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

**RESOLUTION NO. 116 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
AND TRANSFER FUNDS CIVIL SERVICE/HUMAN RESOURCES**

Introduced by Legislator Bryan Moser, Chairman of the Human Resources 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 Civil Service and Human Resources Departments, to temporarily increase the hours of the Civil Service Keyboard Specialist to full-time (35 hours) to cover additional hours in the Human Resources office, effective from April 1, 2014 through October 1, 2014.

Section 2. That the following budget transfer is hereby approved to cover the additional personnel expense:

<u>From:</u>	<u>Amount:</u>
A1431.4999 HR	\$16,000.00

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To:

A1430.1999 Civil Serv Pers Services	\$12,500.00
A1430.8999 Civil Serv Fringe	\$ 3,500.00

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

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

**RESOLUTION NO. 117 - 2014  
RESOLUTION TO APPOINT MEMBER TO  
LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL  
DISABILITIES AND ALCOHOLISM SERVICES BOARD  
DEVELOPMENTAL DISABILITIES SUB-COMMITTEE**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following individuals to the Developmental Disabilities Sub-Committee of the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board:

Deborah Blair of 7124 Loson Road, Lowville, New York 13367  
Susan Pierce of 10113 State Route 812, Castorland, New York 13620

Section 2. That the term of said appointment shall be effective January 1, 2014 through December 31, 2015.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 118 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
COMMUNITY SERVICES**

Introduced by Legislator Andrea Moroughan, Chair of the Community Services Committee:

BE IT RESOLVED as follows:

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Section 1. That the following budget appropriation increase be approved for the increase in State Aid for Transitional Living Services:

<u>Revenue</u>	
A34915 TLS	\$38,376.00
<u>Expense</u>	
A4318.4225 (TLS MRT Supported Housing)	\$38,376.00

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

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

**RESOLUTION NO. 119 - 2014  
RESOLUTION AUTHORIZING GRANT APPLICATION  
TO DIVISION OF HOMELAND SECURITY  
AND EMERGENCY SERVICES**

Introduced by Legislator Jerry King, Chairman of the Emergency Management Committee.

WHEREAS, the Emergency Management Department has received notification of grant approval from the Division of Homeland Security and Emergency Services for funding in the amount of \$29,416.00 to cover a portion of emergency managers annual compensation to ensure that county safety and emergency plans are up to date.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Grant Agreement between the County of Lewis and the Division of Homeland Security and Emergency Services in the amount of \$29,416.00, for the grant period from 10/1/2012 to 5/31/2014, which requires a 50% local match of \$14,708.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators be and the same is hereby authorized to execute, seal and deliver said Grant Agreement.

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

Moved by Legislator Kulzer, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 120 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE  
COUNTY OF LEWIS AND JEFFERSON COUNTY FOR  
NYS DIVISION OF HOMELAND SECURITY  
AND EMERGENCY SERVICES IN RELATION TO**

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**HAZMAT GRANT PROGRAM**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, Jefferson County has been awarded funds through the New York State Division of Homeland Security and Emergency Services in relation to the Hazmat Grant Program; and

WHEREAS, Lewis County was named as a Shared Municipal Services recipient as a partner of that 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 Jefferson County, for the Hazmat Grant award through the NYS Division of Homeland Security and Emergency Services for the Shared Municipal Services award in the amount of \$5,000.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreement subject to approval of the County Attorney as to form.

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

Moved by Legislator Kulzer, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 121 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
FIRE AND EMERGENCY MANAGEMENT**

Introduced by Legislator Jerry King, Chairman of the Emergency Management Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriations are hereby approved for FY13 Homeland Grant:

<u>Revenue:</u>	
A43060 FY13 Homeland CFDA 97.067	\$30,000.00
<u>Expense:</u>	
A3418.2909 FY13 Equip	\$28,500.00
A3418.4407 FY13 Supplies	1,200.00

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A3418.4909 FY13 Misc

300.00

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

Moved by Legislator Kulzer, seconded by Legislator Moroughan.

In response to Legislator Brennan's inquiries, Legislator King assured he would confirm the authorized equipment purchases to be financed with these grant monies.

The resolution was then adopted.

**RESOLUTION NO. 122 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO PUBLIC HEALTH DEPARTMENT**

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, the Public Health Fiscal Manager position is subject to a civil service test;  
and

WHEREAS, the current employee has successfully passed the civil service test.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a 2% increase in the 2014 annualized salary of the Public Health Fiscal Manager as follows:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Fiscal Manager	Full-time	\$49,449.60

Section 2. That the within resolution shall take effect immediately

Moved by Legislator Moser, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 123 - 2014  
RESOLUTION APPROVING AGREEMENT BETWEEN  
LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF  
THE COUNTY OF LEWIS AND ACC TECHNICAL SERVICES, INC.**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency ("Agency") wishes to enter into an agreement with ACC Technical Services, Inc. for the purpose of Local Health Department Immunization Billing Implementation, and in collaboration with six other Counties that have

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agreed to work together to pool and leverage resources to develop an accurate, efficient billing system that maximizes reimbursement for services provided to immunization clients; and

WHEREAS, the Agency has received a grant award from the Center Disease Control Prevent for this purpose.

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 ACC Technical Services, Inc. for the purpose of Local Health Department Immunization Billing Implementation for the period beginning November 1, 2013 and ending August 31, 2014, in the amount of \$17,000.

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

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

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

**RESOLUTION NO. 124 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY  
AND BENCHMARK FAMILY SERVICES  
FOR PRESCHOOL RELATED SERVICES**

Introduced by Legislator Andrea Moroughan, Chair 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 Benchmark Family Services 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 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 Benchmark Family Services 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.

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Section 2. That this Agreement is for the period commencing March 17, 2014 and ending June 30, 2014, 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 Hathway, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 125 - 2014  
RESOLUTION TO AUTHORIZE  
CANCER SCREENING SERVICES AGREEMENTS**

Introduced by Legislator Andrea Moroughan, Chairperson of the Public Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the contracts related to the agencies that provide screening services to the Cancer Services Program ("CSP").

Section 2. That the Board of Legislators hereby authorizes the Lewis County Public Health Director to execute and enter into the CSP Provider Agreements as they are presented by the providers. Language referencing such authorization will be incorporated in the CSP Provider Agreement. Agreements will be executed by the Public Health Director upon signature by the Provider Agency, subject to approval by the County Attorney as to form.

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

Moved by Legislator Moroughan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 126 - 2014  
RESOLUTION TO TRANSFER FUNDS  
PUBLIC HEALTH**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers are hereby approved in the Public Health accounts to allow for spending in the Immunization Program Grant:



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<u>From:</u>		
A4089.4401	Postage	\$ 800.00
A4089.4403	Printing	\$ 900.00
A4089.4408	Nursing Supplies	\$ 800.00
A4089.4503	Educational Material	\$ 1,700.00
A4089.4507	Travel	\$ 175.00
A4089.4907	Advertising	\$ 550.00
	Total	\$ 4,925.00

<u>To:</u>		
A4089.2909	Equipment	\$ 3,700.00
A4089.4301	Telephone	\$ 300.00
A4089.4407	Office Supplies	\$ 925.00
	Total	\$ 4,925.00

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

Moved by Legislator Moroughan , seconded by Legislator Moser , and adopted.

**RESOLUTION NO. 127 - 2014  
RESOLUTION TO AUTHORIZE DIRECTOR OF  
RECREATION, FORESTRY AND PARKS DEPARTMENT  
TO EXECUTE FORESTRY CONTRACTS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the contracts related to the sale of forest products from Lewis County forest lands.

Section 2. That the Board of Legislators hereby authorizes the Lewis County Director of Recreation, Forestry and Parks Department to execute and enter into the contracts as they are presented by independent contractors, subject to approval by the County Attorney as to form.

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

Moved by Legislator Chartrand , seconded by Legislator Dolhof .

In response to Legislator King's and Hathway's inquiries, Legislator Dolhof assured that the process would be transparent. Director Jackie Mahoney stated that she would conduct a lot-by-lot assessment, and the larger projects would be advertised for bids.

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The resolution was then adopted.

**RESOLUTION NO. 128 - 2014  
RESOLUTION AUTHORIZING ACCESS AGREEMENT WITH  
PETER BURKHOLDER FOR MAPLE TREE TAPPING  
AT THE HOUGH MEMORIAL FOREST**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation/ Forestry/Parks Committee.

WHEREAS, the County of Lewis owns property located in the Town of New Bremen, County of Lewis and State of New York more commonly referred to as Hough Memorial Forest, Tax Map No. 163.00-02-38.100 (herein, the "Property"); and

WHEREAS, the County wishes to grant access to Peter Burkholder, 7356 River Road, Lowville, New York 13367 by entering into an Access Agreement for the purpose of tapping up to 550 maple trees.

NOW THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves entering into an Access Agreement with Peter Burkholder, 7356 River Road, Lowville, New York 13367 to grant access to Lewis County property more commonly known as the Hough Memorial Forest, located in the Town of New Bremen to tap maple trees at the cost of \$.75 per tap for a term commencing February 15, 2014 through June 30, 2014.

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, upon approval by the County Attorney as to form.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 129 - 2014  
RESOLUTION TO TRANSFER FUNDS  
TRAIL MAINTENANCE**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

BE IT RESOLVED as follows:

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Section 1. That the following transfers are hereby approved in the Trail Maintenance accounts for the purchase of the Chamber of Commerce computer:

From:  
A7990.4907 (Advertising) \$701.00

To:  
A7990.2409 (Data Processing) \$701.00

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

Moved by Legislator Dolhof, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 130 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO SHERIFF'S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement 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 Sheriff's Department to create the following position to replace a retiring employee:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Deputy Sheriff	Full-time	Grade 22A

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said position effective immediately.

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

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

**RESOLUTION NO. 131 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
SHERIFF'S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

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Section 1. That the following appropriation of third party insurance recovery be approved in the Sheriff's Department account for vehicle repairs:

<u>Increase Revenues</u>	<u>Amount:</u>
A26800 (Insurance Recoveries)	\$ 402.83

<u>Increase Expense:</u>	<u>Amount</u>
A3110.4701 (Vehicle Repairs)	\$ 402.83

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

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted.

**RESOLUTION NO. 132 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
SHERIFF'S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriation be approved for Law Enforcement items using a donation that was received from The NRA Foundation, Inc.:

<u>Increase Revenues</u>	<u>Amount:</u>
A27061 (Contributions – Sheriff)	\$3,980.00

<u>Increase Expense:</u>	<u>Amount</u>
A3110.4800 (Law Enforcement Items)	\$3,980.00

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

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

**RESOLUTION NO. 133 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
CHILDREN'S HOME OF JEFFERSON COUNTY**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

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WHEREAS, Children’s Home of Jefferson County (“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, emergency respite care and non-secure detention 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 Department of Social Services, and Children’s Home of Jefferson County for the provision of foster care, emergency respite care and non-secure detention services for the term beginning January 1, 2014 through December 31, 2014 at a cost in accordance with the rates set forth by the State of New York in 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 Moroughan, seconded by Legislator King, and adopted.

**RESOLUTION NO. 134 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES  
AND THE COUNTY LAW DEPARTMENT**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Department of Social Services (“DSS”) is responsible for the collection of overpayments or recovery of assets in certain programs that provide financial support to Lewis County citizens; and

WHEREAS, the County Attorney has the expertise to provide collection services for the County and to represent the Department in collection and recovery matters; and

WHEREAS, the parties hereto desire to enter into a written agreement setting forth their respective duties; and

WHEREAS, it is economically and organizationally feasible for the Department to contract with the County Attorney for the performance of these services;

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NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves a Purchase Of Services Agreement by and between the Department of Social Services and the County Attorney whereby the County Attorney shall be responsible for the collection of overpayments or recovery of assets in certain programs that provide financial support to Lewis County citizens.

Section 2. That the Purchase Of Services Agreement shall further provide for reimbursement to the County Attorney's Office for the cost of providing such collection services. 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 Purchase Of Services Agreement shall be from January 1, 2014 through December 31, 2014 for an amount not to exceed \$29,943.00.

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 Moroughan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 135 - 2014  
RESOLUTION AUTHORIZING COOPERATIVE AGREEMENT  
BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES  
AND THE COUNTY LAW DEPARTMENT FOR CHILD SUPPORT ENFORCEMENT  
PROCEEDINGS**

Introduced by Legislator Neil Pepper, 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,

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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 presentation 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. 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, 2014 through December 31, 2014, for an amount not to exceed \$35,000.00.

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 Moroughan, and adopted.

**RESOLUTION NO. 136 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES  
AND THE HOUSE OF THE GOOD SHEPHERD**

Introduced by Legislator Neil Pepper, 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

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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, 2014 through December 31, 2014 at a cost in accordance with the rates set forth by the State of New York in 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 Dolhof, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 137 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
LABORATORY CORPORATION OF AMERICA HOLDINGS**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, Laboratory Corporation of America Holdings ("Agency") 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 wishes to enter into an agreement with this Agency to utilize their paternity testing 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 Laboratory Corporation of America Holdings for the provision of paternity testing services in the Support Unit, at a cost of \$55.00 per sample and not to exceed an annual cost of \$10,000.

Section 2. That the term of this agreement shall be from January 1, 2014 through December 31, 2014.

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.



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

Moved by Legislator Chartrand, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 138 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
THE DEPARTMENT OF SOCIAL SERVICES AND  
NATASHA'S KIDDIE SHACK DAYCARE**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to purchase day care services through Natasha's Kiddie Shack Daycare for eligible recipients.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the contract with Natasha's Kiddie Shack Daycare for the period of January 1, 2014 through December 31, 2014 at the Day Care market rate established by Natasha's Kiddie Shack Daycare and pursuant to the DSS Fair Market Rates as established by the State. The cost for eligible recipients is approximately 1% for the County and 99% federally reimbursed.

	<b>Infant Under 1 ½</b>	<b>Toddler 1 ½ - 2</b>	<b>Preschool (3-5)</b>	<b>School Age Child Care (6-12)</b>
Weekly: Full Time	\$175	\$170	\$170	\$165
Daily: Part Time	\$45	\$45	\$45	\$45
Part-Day	\$30	\$30	\$30	\$30
Hourly	\$6.00	\$6.00	\$6.00	\$6.00

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 Moser, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 139 - 2014  
RESOLUTION TO TRANSFER FUNDS  
SOCIAL SERVICES**

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Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Social Services accounts for the purchase of a laptop computer for the Assistant County Attorney, utilizing Capital Data Processing funds (HAE9901.9) \$ 99,693.26:

Increase Revenue:

A50310 (Inter-fund transfers) \$741.00

Increase Expense:

A6010.2217 (Computers) \$741.00

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

Moved by Legislator Moroughan, seconded by Legislator Chartrand, and adopted.

**RESOLUTION NO. 140 - 2014  
RESOLUTION TO ADJUST FUNDS  
SOCIAL SERVICES SFY 13-14**

Introduced by Legislator Neil Pepper, 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 13-14 TANF NON-RESIDENTIAL DOMESTIC VIOLENCE SERVICES program funding for Lewis County Opportunities; and

WHEREAS, this amount was errantly duplicated in the 2014 budget.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the sum of \$4,250.73 be dis-appropriated from Expense Account No. A6109.4609 Non-Res DV.

Section 2. That this be unfinanced by reducing Federal Aid Revenue Account No. A46090 for an amount of \$4,250.73.

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

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

**RESOLUTION NO. 141 - 2014**

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**RESOLUTION AUTHORIZING RESOURCE ALLOCATION PLAN  
WITH NYS OFFICE OF CHILDREN AND FAMILY SERVICES**

Introduced by Legislator Neil Pepper, Chairman of the Youth Bureau Committee.

WHEREAS, execution of the Resource Allocation Plan will qualify the County for State reimbursement in accordance with NYS Office of Children and Family Services' allocation of funds appropriated for counties engaged in comprehensive planning for youth services.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Resource Allocation Plan between the County of Lewis and the New York State Office of Children and Family Services (OFCS) for the 2014 program year, in the amount of \$21,115.00

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver said Resource Allocation Plan.

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

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 142 - 2014  
RESOLUTION URGING AMENDMENT OF THE NYS VEHICLE AND TRAFFIC LAW  
TO RAISE THE DEFINED WEIGHT OF AN ATV TO 1500 POUNDS OF DRY WEIGHT  
TO ALLOW CERTAIN UTV'S TO BE REGISTERED  
IN NEW YORK STATE**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

WHEREAS, New York State Vehicle and Traffic Law Section 2281 currently defines an "all terrain vehicle" or "ATV" as any self-propelled vehicle which is manufactured for sale for operation primarily on off-highway trails or off-highway competitions and only incidentally operated on public highways providing that such vehicle does not exceed seventy inches in width or one thousand pounds dry weight; and

WHEREAS, all of the different manufactured ATV brands weigh more than 1000 pounds, making registration an impossibility; and

WHEREAS, amending the NYS Vehicle and Traffic Law to increase the maximum weight up to 1500 pounds would allow the registration of Utility Transport Vehicles (UTV's) commonly referred to as "side by sides", would be advantageous to the tourism industry; and

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WHEREAS, other States have adopted legislation to allow registration of the larger vehicles; and ATV's have evolved into vehicles that are suitable for aging baby boomers; and

WHEREAS, the Lewis County Board of Legislators recognize that the UTV's, although larger in stature than conventional ATV's are characterized as a passive mode of recreational vehicle that allow the users a more practical way to accomplish chores, an opportunity for two or more hunters to reach their destination with a single machine, and a more comfortable and safe avenue to enjoy the beautiful outdoors that Lewis County and New York State have to offer; and

WHEREAS, Legislators recognize the necessary revenue gains for both the County and State that could be attained through sales of both conventional ATV's and side by side UTV's; and

WHEREAS, proposed amending legislation is a critical step toward creating economic development, job creation, and increased tourism opportunities in Lewis County that is rich in natural resources for responsible ATV/UTV users.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators for Lewis County supports the plan of the County of Lewis Recreation, Forestry and Parks Department to draft an amendment to the NYS Vehicle and Traffic Law § 2281 to raise the defined weight of ATV's to 1500 pounds of dry weight to allow certain UTV's to be registered in New York State.

Section 2. That certified copies of this resolution shall be forwarded to Governor Andrew Cuomo, Senator Patricia Ritchie, Senator Joseph Griffo, Assemblywoman Addie Russell, Assemblyman Ken Blankenbush, Lewis County Trails Advisory Board and the Adirondack Park Agency Review Board.

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

**RESOLUTION NO. 143 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
LEWIS COUNTY GENERAL HOSPITAL**

Introduced by Legislator Richard Chartrand, 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:

TITLE

STATUS

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Certified Nursing Assistant (3)      Full-Time

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

Moved by Legislator Chartrand, seconded by Legislator Moser.

In consideration of the financial report, Legislator Hathway suggested close scrutiny for increased personnel requests. Legislator Chartrand reported that these positions were partially supported by grant funds.

The resolution was then adopted.

**RESOLUTION NO. 144 - 2014  
RESOLUTION AUTHORIZING RETAINER AGREEMENT WITH RICHARD J.  
GRAHAM, ESQ. FOR LABOR NEGOTIATING AND CONSULTING SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, attorney Richard J. Graham, Esq., in his capacity as County Attorney has been the lead negotiator for the County in collective bargaining matters; and

WHEREAS, the Ways and Means Committee finds that it is in the County's best interest to maintain continuity in labor negotiations and recommends that Atty. Graham be retained to continue as lead negotiator through the conclusion of the contract process, as well as such other general counsel services as the Board may assign.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes a contract to retain the legal services of Richard J. Graham, Esq. for collective bargaining and such other general counsel services as the Board may assign at a rate of \$185 per hour, plus expenses (not including travel) to commence April 1, 2014, provided that services rendered between April 1 and June 1, 2014 shall not be charged.

Section 2. That Richard J. Graham, Esq. shall submit a bi-weekly time record to County Attorney Joan McNichol.

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 retainer 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 Brennan, seconded by Legislator Dolhof, and adopted.

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**RESOLUTION NO. 145 - 2014  
RESOLUTION APPOINTING DIRECTOR OF  
INFORMATION TECHNOLOGY**

Introduced by Legislator Gregory Kulzer, Chairman of the Information Technology Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Adam Zehr of 6549 River Road, Lowville, New York 13367 as the Lewis County Director of Information Technology, effective April 21, 2014.

Section 2. That the annual salary for said position is hereby established at \$60,000.00.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 146 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
THE COUNTY OF LEWIS AND PAIGE GROUP  
FOR MARKETING AND ADVERTISING SERVICES**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the County of Lewis and the Lewis County Chamber of Commerce, hereinafter "County" desires to create a fresh, up-to-date look for the County's tourism and chamber websites and build upon existing marketing and social media efforts, driving more visitors to the website and to visit the area; and

WHEREAS, a Request for Proposals was issued on or about March 1, 2014 for a marketing and advertising service to also work with Mohawk Valley GIS, currently contracted with the County to provide a comprehensive data plan and GPS computer software support and maintenance and mobile program applications to further enhance the public's access to information regarding the recreation and other resources in Lewis County; and

WHEREAS, the Economic Development Committee received proposals in response to the RFP and has reviewed the same together with the assistance of County staff, and consultants; and

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WHEREAS, the Economic Development Committee believes that the proposal submitted by Paige Goup provides all of the functional specifications outlined in the RFP without exception and offers the County the marketing and advertising expertise to meet the County's needs; and

WHEREAS, therefore, upon a full review and analysis of all of the proposals, the Economic Development Committee recommends to the full Board of Legislators to enter into an agreement with Paige Group.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the contract with Paige Group at 258 Genesee Street, Suite 204, Utica, New York 13502 to create a fresh, up-to-date look for the County's tourism and chamber websites and build upon existing marketing and social media efforts, driving more visitors to the website and to visit the area for the County of Lewis and the Lewis County Chamber of Commerce, consistent with their proposal submitted on March 27, 2014, at a cost not to exceed \$25,000.00.

Section 2. The Board of Legislators hereby determines that the Paige Group Proposal is the "best value" for the County as that term is defined by Local Law No. 7 - 2013 in that it best optimizes quality, cost and efficiency, among responsive and responsible bidders and therefore is in the best interest of the County of Lewis.

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 form(s) as may be approved by the County Attorney.

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

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

**RESOLUTION NO. 147 - 2014  
AUTHORIZING OPENING OF CERTAIN PORTIONS OF  
COUNTY ROADS FOR ATV SPECIAL EVENT**

Introduced by Legislator Larry Dolhof, Chairman of the Economic Development Committee

WHEREAS, Barnes Corners Sno-Pals Snowmobile Club (herein "Event Sponsor") has requested that the Board of Legislators open:

- *CR 2 Seven by Nine Road, from NYS Rte 177 south to County Line;*
- *CR 18 Cronk Rd; from Corey Road, West to the Town of Pinckney begins;*
- *CR 21 Whitesville Road; From CR 194 north to Cronk Road;*
- *CR 194; from NYS Rte 177 north to Corey Road;*

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- *CR 27 Sears Pond Road; from Gardner Road to CR 28 Liberty Road;*
- *CR 28 Liberty Road; From Factory Road to CR 27 Sears Pond Road;*
- *CR 29; West Road from NYS Rte 12 to Rector Road;*
- *CR 39 Greig Road from Burdick's Crossing Road north to Sweeney Road*
- *CR 36 Burdick's Crossing all of;*
- *CR 79 Lee Road; from Milk House Road west to CR 43 East Road;*
- *CR 43 East Rd; from CR 79 Lee Road south to CR 38 East Main;*
- *CR 38 East & West Main Streets in the Village of Turin;*
- *CR 51 West Road; from NYS 26 south to Gomer Hill Road;*
- *CR 45; Mackay Rd; all of;*
- *CR 48; Highmarket Rd; from CR 45 Mackay Rd to North Rd;*

for a one day all terrain vehicle (ATV) road rally event ("SNIRT") to be held on April 12, 2014; and

WHEREAS, Vehicle and Traffic Law § 2408 and the accompanying regulations promulgated by the Department of Motor Vehicles (15 NYCRR 103.8) provide that no person may hold a special event involving ATV's without first obtaining the written permission of the government agency or agencies having jurisdiction over the event; and further that the local governmental authority having jurisdiction may establish safety requirements with respect to protection of the participants and observers for any event for which a permit is required; and

WHEREAS, the Event Sponsor has indicated to the Board of Legislators that the purpose of the proposed event is to hold a road rally for ATV's with a prescribed route of travel over various County and town roads throughout Lewis County for the purpose of raising funds for the Event Sponsor; and

WHEREAS, the Event Sponsor has made similar requests to several townships within Lewis County to obtain their permission to open town roads for this one day event; and

WHEREAS, the request by the Event Sponsor has been reviewed by the Director of Reforestation, Recreation and Parks, the Lewis County Highway Superintendent, the Lewis County Sheriff, as well as the Lewis County Soil and Water Conservation District; and

WHEREAS, as a condition precedent to granting permission to the Event Sponsor to hold the event as requested, the Event Sponsor has agreed to enter into an agreement (herein the "Event Agreement") with the County and to abide by its terms and conditions;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators finds and determines that this action is a "Type II" action for purposes of the State Environmental Quality Review Act, and the regulations promulgated thereunder, more particularly, 6 NYCRR § 617.5(15) which provides that "minor temporary uses of land having negligible or no permanent impact on the environment" do not require further environmental review. This finding is expressly made upon the following considerations:



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- A. That the Event Sponsor represents and warrants that this is a "road only" event (with one limited exception over a trail on private property) and that all promotional materials provided before, during and after the event, including flyers, maps, and website material will clearly state that participants in the event are only allowed to operate their ATV's on designated roads and the one designated trail, and that riding on any other trails or private property is strictly prohibited.
- B. That the Event Sponsor shall meet with the Director and other designated County officials within a two weeks prior to the event to assess each road to ascertain current conditions and look for vulnerable areas adjoining the designated roads such as ditches, streams and wetlands that may be at risk if the traffic volume is too great for the designated road. The Event Sponsor will put barriers and proper signage in place where requested to ensure that the routes for ATV traffic are clearly identified and that traffic from the Event will be directed to remain on the designated roads.
- C. That one of the goals of the pre-event assessment is to determine where volunteers will be needed to direct ATV operators and to ensure that the rules of the event are followed and that participants stay on their appointed routes in the event they are unclear as to where to proceed. The Event Sponsor agrees to provide an adequate number of volunteers to be designated in those areas to direct traffic and be able to assist participants that may be blocking traffic so that those waiting can pass safely and on the designated road.
- D. That the Event Sponsor will publish an easy to read map for use by the participants that clearly outlines the route(s) specifically designated for this event. The map to be used must be approved in form and substance by the Director of Recreation, Forestry and Parks (herein the "Director") prior to being published or distributed to the public.
- E. The Event Sponsor shall assure that all participants in the event sign consent forms with the Event Sponsor that they agree to stay on the roads and the single trail specifically designated for the SNIRT Run, and shall not travel on the road shoulders or off-road trails. It should be noted in this consent form that violators of the Event Sponsor's policies and regulations are subject to prosecution. Violators may be held liable for any and all damages caused by their actions in areas not relating to the designated roads set forth in the SNIRT Run maps. Further, violators may also be subject to criminal prosecution.
- F. The Event Sponsor will provide equipment and staffing at designated locations to assist with a) removing ATV's that get stuck during the event

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and b) cleaning up the roads and road crossings of mud tracked onto the roads by the participants.

- G. All promotional materials will clearly state that the permission granted herein for ATV operators to participate in the SNIRT Run event is for 6:00 a.m. to 8:00 p.m. only on Saturday, April 12, 2014. Anyone operating an ATV outside those time limits will be subject to prosecution. The Event Sponsor agrees to inspect the designated SNIRT Run route at 8:00 p.m. to assure that any ATV operator remaining on the roads is advised that the event is concluded and that they must remove their ATV's from the roads.
- H. That the Event Sponsor shall meet with the Director and other designated County officials after the event to conduct a post-event assessment of the roads. During this post-event assessment, the parties will determine what actions are needed to mitigate any issues that have arisen as a result of the event, and to plan for such measures that may be needed for next year's event.
- I. That each of these sub-paragraphs "A" through "H" shall be incorporated into the Event Sponsor's written Agreement with the County.

Section 2. In consideration of the agreement of the Event Sponsor to terms set forth in this Resolution and such other and additional terms as may be incorporated into the Event Agreement, the Board of Legislators hereby authorizes the operation of ATV's on the following County roads or portions thereof for a one day all terrain vehicle (ATV) road rally event to be held on April 12, 2014:

- *CR 2 Seven by Nine Road, from NYS Rte 177 south to County Line;*
- *CR 18 Cronk Rd; from Corey Road, West to the Town of Pinckney begins;*
- *CR 21 Whitesville Road; From CR 194 north to Cronk Road;*
- *CR 194; from NYS Rte 177 north to Corey Road;*
- *CR 27 Sears Pond Road; from Gardner Road to CR 28 Liberty Road;*
- *CR 28 Liberty Road; From Factory Road to CR 27 Sears Pond Road;*
- *CR 29; West Road from NYS Rte 12 to Rector Road;*
- *CR 39 Greig Road from Burdick's Crossing Road north to Sweeney Road*
- *CR 36 Burdick's Crossing all of;*
- *CR 79 Lee Road; from Milk House Road west to CR 43 East Road;*
- *CR 43 East Rd; from CR 79 Lee Road south to CR 38 East Main;*
- *CR 38 East & West Main Streets in the Village of Turin;*
- *CR 51 West Road; from NYS 26 south to Gomer Hill Road;*
- *CR 45; Mackay Rd; all of;*
- *CR 48; Highmarket Rd; from CR 45 Mackay Rd to North Rd;*

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Section 3. 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 defend, indemnify and hold the County of Lewis, its officers, agents and employees harmless from any injury, loss, claim, liability, lawsuit, damage, penalty, fine, assessment or judgment, cost or expense of whatsoever nature, relating to, arising out of or occurring in connection with the use of the County roads identified herein for or during the event, including without limitation injuries, losses, claims, liabilities, lawsuits, etc., incurred by reason of injury to person(s) or property, including death, environmental impacts/damage or any other action or special proceeding 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 further agrees that it will hold harmless all property owners adjoining any road utilized in this event from any claim or injury to real property that occurs during or as a result of sponsoring this Event, regardless of whether the individual ATV operator reimburses the Event Sponsor pursuant to the terms of the consent form referenced above. This means that as the Event Sponsor, Barnes Corners Sno-Pals Snowmobile Club will timely respond to any property owner who identifies damages to their real property arising from this event and promptly make repairs thereto;
3. 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 \$2,000,000 on account of any one occurrence and naming the County of Lewis as an additional insured; and
4. Such other terms as the Chairman of the Board of Legislators with the consultation of County Attorney may deem acceptable.

Section 4. The Board of Legislators reserves the right to rescind this Resolution and the Agreement contemplated herein in the event that the Event Sponsor fails to comply with the conditions set forth in this Resolution or as contained in the Event Agreement. In the event that the Board takes such action, it will notify the Event Sponsor in writing immediately (but in no event later than April 2, 2014) of the rescission and the reasons for taking such action.

Section 5. 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.

APRIL 1, 2014

Section 6. That this Resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Brennan.

Legislator Dolhof made a motion to amend Section 1 paragraph A. to insert a sentence to wit: The event sponsor shall provide identifying sticker for each participant to be placed on the headlight of his or her event vehicle.” The motion was seconded by Legislator King and carried.

Legislator Dolhof further reported meeting with officials to confirm that the law is enforceable and prosecution shall be pursuant to Vehicle and Traffic (V & T) Law Section 2403. County Attorney Joan McNichol affirmed that enforcement is covered by the V & T Law.

In response to Legislator Moser, Director Jackie Mahoney confirmed that all roads have been appropriately designated.

The resolution was then adopted.

**RESOLUTION NO. 148 - 2014  
RESOLUTION TO TRANSFER FUNDS  
SHERIFF’S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following transfer of funds is hereby approved in the Sheriff’s Department for the purchase of a Patrol Vehicle utilizing Capital Equipment funds (HAD9901.9) balance \$478,132.54:

<u>Appropriate:</u>	<u>Amount:</u>
A50310 (Inter-fund Transfer)	\$35,000.00
A3110.2233 (Vehicles)	\$35,000.00

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

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

OTHER BUSINESS:

Legislator Hathway made a motion to authorize the Chairman to execute a severance agreement with Richard J. Graham, Esq., seconded by Legislator Chartrand and carried.

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Legislator Kulzer reiterated the Election Commissioners' request to urge the Governor to consolidate the June and September primaries for substantial cost savings. The 2014 dates are firm, but a request may successfully consolidate subsequent primaries. Legislator Hathway made a motion to forward a letter of request, seconded by Legislator Kulzer and carried.

Legislator Kulzer, again, posed corresponding with Congressman Bill Owens to advocate filling the Farm Service Agency manager position, citing the disadvantage for local farming residents having to travel to Jefferson or Oneida Counties for assistance. Legislator Kulzer made a motion to forward a letter of request, seconded by Legislator King and carried.

Legislator Chartrand thanked Legislator Dolhof, the Economic Development staff, Director of Recreation, Forestry and Parks and the Barnes Corners Sno-Pals Club for their diligence to address all the concerns with the upcoming ATV SNIRT Run event.

The Clerk read proclamations signed by the Chairman to declare:

1-April 11, 2014 as the 46<sup>th</sup> anniversary of Congress passing the Fair Housing Law of the Civil Rights Act of 1968, enunciating a national fair housing policy.

2-The Week of April 7-14, 2014 as Public Health Week to promote healthy life choices

3-April as Alcohol Awareness Month, on behalf of Mountain View Prevention Services

The Clerk announced that Chairman Tabolt had appointed the following individuals to the Comprehensive Economic Development Strategy Committee for a term effective through April 30, 2016:

Jacqueline Mahoney, Director of Recreation, Forestry and Parks  
Dan Salmon, Lowville, New York  
Anne Merrill, Chamber of Commerce Executive Director  
Carl S. Golas, Wood Products Industry Specialist  
Michele Ledoux, Cooperative Extension Executive Director  
Glen Gagnier, Croghan, New York  
Stevie Smith, Transitional Living Services Executive Director  
Nichelle Billhardt, Soil & Water Conservation District Manager  
Douglas Hanno, Agricultural Society President

There being no other business to come before the Board, the meeting adjourned at 6:09 p.m. on motion by Legislator Hathway, seconded by Legislator Brennan and carried.

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**REGULAR MEETING  
May 6, 2014**

The meeting was called to order at 5:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

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

There were 29 persons present.

Chairman Tabolt announced approval of the April 1, 2014 meeting minutes.

**REPORT OF THE RULES AND LEGISLATION COMMITTEE:**

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

Dated: May 6, 2014

Lawrence Dolhof, Chairman  
Bryan Moser, Committee  
Craig Brennan, Committee

Legislator Brennan made a motion to waive the rules, seconded by Legislator Pepper, and carried.

**PRIVILEGE OF THE FLOOR:**

Jen Karelus, President of Farm Bureau spoke about their role in educating on the importance of agriculture in our community. In the past, part of their initiative has been to arrange tours for the Board of Legislators and other county officials. Working in conjunction with Cooperative Extension and Soil & Water, they have previously organized visits to farms, Kraft, AMF, Lumber Yards, and the Vineyard. While last year, there was no tour, they would like to provide one in September, and she asked the board for preference between a week day or a Saturday. The majority were in favor of weekdays. A "save the date" will be sent out soon. The tour will consist of a tour of a 4<sup>th</sup> generation dairy farm on 126 near Carthage; there will be a panel of farmers to speak with, as well as a tour of Kraft.

Todd Lyndaker presented the Board with a petition consisting of 859 signatures in favor of eliminating the Junkyard Inspector position. They feel that it would make more fiscal sense for complaints to be handled by law enforcement, or have the responsibility turned over to Buildings & Codes. He further stated we are "wasting a lot of money" on a position that is not needed.

**PRESENTATION OF COMMUNICATIONS AND NOTICES:**

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

NYSAC Executive Director Stephen Acquario acknowledged receipt of this Board's resolution supportive of eliminating cost of State-mandates as an alternative to property tax freeze.

We acknowledge receipt of resolutions from the following County Legislatures:

Chenango County recording their objection for use of their County Seal and office names for pistol permit re-certification notices.

Greene County rejecting the Governor's plans to reward prison inmates by providing them with college educations at taxpayer expense.

Greene and Schuyler Counties, offering an alternative to the property tax freeze that will lead to property tax reductions by eliminating the cost of State mandated spending imposed on County taxpayers.

Greene and Schuyler Counties in support of the Statewide Indigent Defense Legal System and Settlement of Hurrell-Harring v. the State of New York, encouraging the Governor to fix the inefficient patchwork of County services and establish a Statewide Indigent Defense System.

Fulton County urging establishment of a residency requirement for recipients of welfare benefits.

Fulton County opposing legislation to mandate early voting in New York, due to substantial increased costs upon already overburdened taxpayers.

Schuyler County advocating to increase funding for public transportation and allow local distribution of Department of Health Transportation funds.

### REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

The Deputy Clerk reported that all Legislators had received copies of the Treasurer's April monthly report, and the updated 2013 annual report; the 4/23/14 Highway Audit Report, the 4/21/14 Solid Waste Audit Report; and minutes of the 3/20/14 Telecommunications Advisory Board, 3/17/14 Soil & Water Conservation District Board of Directors, 4/10/14 Junkyard Review Board; 4/22/14 Youth Bureau Advisory Board meeting; 1/14/14 Health Services Advisory Committee meeting; and Sr. Code Enforcement Officer Ward Dailey's first quarterly report.

Sealer of Weights and Measures Barbara Cooper has submitted her April monthly activity report to be placed on file.

### REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, reported that as a result of the efforts of the Chairman, County Manager and County Attorney, a rental agreement is now in place with the Lowville Commons.

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He further reported that the tanks at the Greig Convenience Store have been removed; that no 5<sup>th</sup> tank was found. There was some contamination, and we will have more information on the cost affect when the tests come back, but he feels we will probably be within the budget. Legislator Hathway again acknowledged the County Manager, County Attorney and Chairman for getting contracts out, and negotiating the sale of the store, putting the County in a neutral position of revenue and cost.

Regarding Lewis Lanes, they have met with Bernier Carr & Associates to redefine the scope. They will present a draft at the next regular Committee Meeting on June 16<sup>th</sup>, so that a final proposal can be provided by the next regular Board Meeting. The appraisal completed by Don Coon should be received in a week.

A tour of the Highway Garage was completed to see what needs to be fixed. The purchase of a new overhead door was authorized. There are many repairs that need to be made. Legislator Hathway explained that a few years ago an estimate of repair was given in the amount of \$225,000. Due to the age of the building, the Committee doesn't feel it makes sense to spend so much money on the existing building, but rather have the Department put some money away in the budget each year, to construct a new building in the future. In the meantime, there are structural issues that need to be addressed immediately. In the past, an engineering firm came in and made a recommendation. Their suggested fix was not adequate. Legislator Hathway made a motion to authorize Bernier Carr & Associates to provide an engineering evaluation of the issues, and provide options for repair and estimated cost. The cost for this service would be \$2,500.00. The motion was seconded by Legislator Chartrand, and carried.

The County cost for the energy efficient inside and outside lighting for the Highway will be \$11,462.10, and National Grid has agreed to pay \$10,956.43. It has been determined that savings would be recognized in 24 months, maximum. Legislator Hathway feels because it will take a lengthy period of time to get a new building, the lighting project should be completed. Legislator Hathway then made a motion to allow the Highway Department to take \$11,462.10 from their Capital Account for the energy efficient lighting. The motion was seconded by Legislator King, and carried.

Concerning the DSS parking lot, the Highway Department has repaired what needed major attention, and Maintenance has and will continue to patch as necessary. The estimate for full and proper repair, which includes drains and better lighting, etc, is \$586,000; which, the County does not have. Several options have been discussed, including spreading the work out over several years, which would still amount to approximately \$312,000; even with DSS reimbursement, it would ultimately cost about \$150,000. The account presently has \$64,000 so there is still a significant short fall.

There are two grant possibilities, one of which is a "Green" grant which will require a redesign, and come at a cost of \$69,000. While the Committee is hesitant because of that large cost, they would like to explore the possibility. The second grant would have a \$5,000 cost associated. The grant applications are due June 16<sup>th</sup>, so there is just a short period of time to make a decision, apply for the grant, and get the project underway. He acknowledged there are



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many unanswered questions and concerns that need to be resolved. There will be a meeting at 3:00 on Tuesday May 13<sup>th</sup> with Economic Development and Bernier & Carr to get further information. Because of the strict timing associated with the grant applications, he is seeking Board approval for the Committee to make the decision based on the findings and information provided by Bernier Carr. In response to Legislator Brennan's question on the availability of matching funds; Legislator Hathway replied that there are some funds available; in-kind funds, for example, by utilizing the Highway Department for some work, and Planning for estimating. Typically they have always been able to get the matching funds without "killing" the budget.

Legislator Brennan made a motion that the Board authorize the Ways & Means/ Buildings & Grounds Committee's put forth the "Green" grant application with its associated cost of \$69,000 for the engineering re-design IF the committee felt it was feasible based on the information they receive at Tuesday's meeting. The motion was seconded by Legislator Chartrand.

Legislator Moser cautioned that not everything will be covered on the project by the grant. So the project cost will be higher, and the Grant may not provide the return on funds as we hope. There can likely be so much extra cost because of specific criteria involved.

Legislator Brennan confirmed that is why further information is needed so the determination could be made as to whether or not it is feasible. Legislator Hathway reiterated the need for more information to determine what path to take. He clarified to Legislator Kulzer that if the committee decides it is not feasible, the \$69,000 in engineering costs will not be spent.

Legislator Pepper voiced his objection to a vote without hearing all of the information necessary to make the decision. Legislator Hathway offered again that the purpose of Tuesday's meeting is to gather all of the critical information necessary for making a decision; if the information received didn't concretely offer that applying for the "Green" grant made sense for the County, it would not go forward, and therefore the \$69,000 additional monies would not be spent. He again stated that the Committee is extremely skeptical, and that they will obtain all necessary information before proceeding, including whether or not the \$69,000 (which includes the engineering fees, grant application, and the indirect costs relative to the grant application) would be considered part of the project cost and therefore included in grant. While Legislator Hathway doesn't feel that the grant will be feasible, he does think it worthy of investigating. The Grant deadline is key at this time, and the reason the Committee is asking for the Board's authorization for them to make a decision based on findings at the informational meeting.

Legislator Chartrand then asked to clarify that the motion presently on the floor is basically a show faith in the Ways & Means Committee to make the decision if they feel the information provided would make the "Green" grant a worthwhile endeavor.

Chairman Tabolt asked that the decision be a "clear cut" one to the Committee, or he would ask them to then involve the full Board. Legislator Hathway then stated that if the information does not provide clarity in favor of the costly grant application, they would not move forward. Legislator Pepper again voiced his desire to hear from committee before action is taken. Chairman

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Tabolt asked for a vote on the motion, allowing the Committee to go forward if they feel it is feasible. The motion carried. Legislator Pepper was opposed.

Legislator Hathway acknowledged the Highway Department for their assistance with both the Greig Store project, as well as the DSS parking lot.

He went on to inform the Board that the County Manager had set up a meeting with them to help understand the 2% tax cap. Without all the details from the State, they can only use a worst case scenario as a starting point, which doesn't provide much encouragement for staying within the cap. The Ways & Means Committee will keep everyone informed as it moves along. He relayed on a more positive note, the Sales Tax revenue showed an increase of \$364,000. While largely due to the percentage increase, even at the base rate it would have been an increase of \$148,000.

Legislator Hathway informed the Board that a late resolution in the packet was created at the encouragement of Legislators Chartrand and King, in order to recapture unfilled position monies. The Committee then felt it was appropriate to put this unused money into the Legislative Contingency account, which the Board has to approve spending from.

Commenting on another late resolution, he advised that there is a safety issue with a bridge in need of repair, for which the Highway Department has gone to great lengths to get the money for from other areas of their budget in order to fix. Having \$180,000 of the necessary \$190,000, the resolution is to transfer \$10,000 out of the Legislative Contingency to cover the remaining money necessary for the bridge.

Legislator Hathway concluded on his reporting by encouraging the Board to review the year end closing papers from the Treasurer. Information contained for all departments will be useful in preparing next year's budget. More detailed information will come in the future.

Legislator Neil Pepper, Chairman of the Social Services Committee expressed sincere gratitude to the Foster Parents present at the meeting, and to his own parents, whom had adopted him as a baby. While his parents are no longer here, they were there for him through "thick and thin", and he commended them, along with the parents present at the meeting, for taking in children like him, and providing the love and caring they can only hope to get. He thanked them sincerely for all that they do.

Legislator Pepper thanked the Ways & Means committee for finding the additional space for Office for Aging. His understanding is that work is underway and they should be able to move into the new space in a couple of weeks. He reported that there will be a Senior Forum on May 21<sup>st</sup> at Maple Ridge, as well as a presentation on Alzheimers on May 24<sup>th</sup>, and commended OFA for all that they do.

Legislator Pepper then reported that the Youth Board is "doing a lot of great things" and that the children in our community are really stepping up and keeping things going. They have received a \$2,000.00 grant being distributed to: Pine Grove Community Church; Lowville Village Police; Cornell Cooperative Extension; Harrisville Free Library; Olympique Soccer Club; and to Mountain View Prevention for their youth day care. He additionally noted there is

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

an article every week in the Journal, that may be of interest to many. Legislator Pepper encouraged his fellow Legislators to walk on May 8<sup>th</sup> at 4:00 for the “Walk for Wellness”; he will be walking with the youth group.

Legislator Bryan Moser, Chairman of the County Officers, Veteran’s and Junkyard reported that the Junkyard Inspector office is being moved to the Commons. Additionally, they are in the final stages of proposing changes to the Local Law regarding the Junkyard. Once finalize, a Public Hearing will be set.

Legislator Moser reported on the services provided by our Veteran’s office. In just the first quarter of 2014, 1292 services were provided, with \$268,267 in benefits awarded. In 2013, the services numbered 659, with \$135,000 in benefit awards.

Legislator Jerry King, Chairman of the Courts & Law Committee, reported that the Lewis County Police Appreciation Committee will be holding their 4<sup>th</sup> annual event on May 16<sup>th</sup> at 7 p.m. at the Beaver River Central School Auditorium.

Legislator King reported that they are in the process of getting bid documents together for shelters, towers, generators, and dirt work for the radio system project. Additionally, the paperwork has been submitted and is being processed for the \$6 million grant award.

Legislator Lawrence Dolhof, Chairman of the Economic Development and Recreation/Forestry & Parks Committee, reported that Snowbelt Housing has received a \$522,500 grant from CDBG for home owner maintenance.

He reported that the Lyons Falls Mill project will be moving forward soon, as authorization for phase 1 – demolition of the Lyons Falls Mill project will be issued in the near future.

In the Recreation/Forestry & Trails Department, interviews have been held for the seasonal positions on the trail crew, and processing through HR for hiring has begun.

The SNIRT run was held on April 23<sup>rd</sup>, most agree the changes put in place were positive, and not too much negative feedback has been received. There were some private land owner trespass issues, which they are working through.

In conclusion, Legislator Dolhof reported the website design kickoff meeting with the Paige Group was held on April 21<sup>st</sup>.

Legislator Craig Brennan, Chairman of the Transportation and Solid Waste Committee, made a motion to authorize filling an existing Recycling Laborer position on a Temporary part-time basis for a period effective May 7, 2014 for up to six months, to cover during a medical leave of absence for a regular employee. The motion was seconded by Legislator Hathway and carried.

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Legislator Brennan made a motion to authorize waiving the solid waste \$15/ton tipping fee for materials removed from the Lyons Falls Pulp & Paper site for the Lewis County Development Corporation project, which will be hauled directly to the Rodman Landfill. Legislator Brennan expressed that he thought that DANC would waive their fee to assist in getting the site cleaned up. Legislator King seconded the motion. Legislator Dolhof clarified that DANC is not likely to completely waive their fee, but he feels they will reduce the fees significantly. The motion then carried.

Legislator Brennan made a motion to authorize waiving the tipping fees for the contaminated soil as a result of the tank removal from the Greig Convenient Store Site, to be transferred to the Rodman Landfill. The motion was seconded by Legislator Hathway, and carried.

Work has been completed by National Grid on the Smart Energy Project. A savings of \$2500 per year is expected, with a pay back of one and one-half to two years.

Legislator Brennan reported the Highway Department is asking for the public's patience on the Sears Pond Road from the Liberty Road to Montague, as well as the entire length of the Mackay road. The exceptional amount of run-off and rains following the harsh winter is causing the clay to push up through the stone. They are not able to immediately address the issues as the areas are not accessible by the equipment at this time.

Legislator Greg Kulzer, Chairman of Taxation, Elections and IT Department welcomed Adam Zehr, IT Director, who began work on April 21<sup>st</sup>.

Legislator Kulzer reported that the Real Property office was in need of a new plotter/scanner/printer. After comparing costs between leasing and buying, they were able to find an acceptable purchase price, and will therefore be making that purchase from Capital Equipment funds.

Legislator Chartrand, Hospital Committee Chairman, reported that the Employee of the Month is Raymond Hastwell, Respiratory Therapist in the Sleep Lab. He was nominated for going above and beyond in his duties, and taking exceptional care with his patients.

The letter of intent for St. Joseph's in Syracuse is being worked up. Hospital CEO Eric Burch will be meeting with that hospital to discuss the Delivery System Reform Incentive Payment (DSRIP) Community Grant, as well as Capital Project Funding, and physician recruitment. Legislator Chartrand will keep the Board updated as information is received.

Legislator Chartrand reported that the Critical Access date was March 5<sup>th</sup>. Payments should be coming in soon; the money does not come in as a lump sum of \$250,000 per month, but rather piece by piece. The CFO has been asked to track this so there is reconciliation, as some of the money will come back to the county, to help in reducing the debt owed. The debt update at this time is \$11,085,157 up from \$10,839,335 reported on 3/14/14. These numbers do change rapidly, however, and they have made some payments.

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In March, the Accounts Payable for all vendors owing \$500 or less and local vendors over 90 days were paid, reducing the number of open invoices by nearly 200.

A contract agreement has been entered into with Striker Corporation. They have provided \$1 million worth of orthopedic equipment, which the surgeon will utilize and bill for over a span of three years.

Legislator Andrea Moroughan, Chairperson of Public Health and Community Services, provided an overview of the resolutions being put forth for the meeting. She further reported that the Public Health Emergency Preparedness Coordinator has resigned and the position is presently being reviewed. Finally, the Community Services Board and the Sub Committees are working to finalize the Annual Local Services Plan which is due to the State by June 1, 2014.

### COUNTY MANAGER REPORT:

Liz Swearingin reported that as of working day 27, she has now met with the Legislators, all Department Heads, many of their associated staff, and has had numerous meetings.

Regarding the recent flooding, she stated that many departments, businesses, churches, and state agencies quickly and professionally stepped forward in response to the need as a result of the floods; pointing out the benefit of living in a smaller community where so many are willing to reach out in time of need.

While thank you letters were sent to many external agencies, she wanted to take a moment to acknowledge the following for the roles they played in assisting the community: EMS and Jim Martin and Bob Mackenzie; Michele Ledoux, Cornell Cooperative Extension; Penny Ingham and the Public Health staff; the Sheriff's Department; Nichelle Billhardt, Soil & Water; David Becker and the Highway team; and Frank Archer. She took note that all went above and beyond, and shared her gratitude for their service.

On May 28<sup>th</sup>, the NYS Division of Homeland Security and the Office of Emergency Management, in conjunction with Lewis County EMS will be presenting a Public Officials Conference and New York State Tier 3 Emergency Management Certification and Training Program to be held at the Lowville Elk's Club from 9:30 a.m. to 2:00 p.m. This conference will provide information on how to efficiently and effectively manage any major emergencies or disasters in our communities on a Federal, State, and Local level. Invitations have been sent out, and they are hoping for good attendance.

Finally, the Governor's office has announced Round IV of the Regional Economic Development Council's Grant Competition. There is \$750,000,000 available in this round. The Economic Development team is reaching out to see if there are opportunities for municipalities, non-profits and businesses, and they stand ready to assist with grant writing and guidance where needed. The deadline is Monday, June 16<sup>th</sup>.

### TREASURER'S REPORT

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Treasurer Patricia O'Brien reminded everyone of the Tax Foreclosure Auction on May 21<sup>st</sup>. The last date for repurchase is May 16<sup>th</sup>, and they have approximately 60 parcels, which is slightly higher than last year, but there is time still for people to come forward.

OTHER BUSINESS:

At the request of the Chairman, the Deputy Clerk read a proclamation signed by the Chairman to declare May as Foster Parent Recognition Month. The Chairman then asked the foster parents present to stand for recognition, and thanked them for what they do, and to express how important they are to 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 \$ 993,442.01 and recommend that they be audited and allowed for the amounts claimed.

Dated: May 6, 2014

Philip Hathway, Chair  
Jerry King, Committee  
Richard Chartrand, Committee

Approved on motion by Legislator Hathway, seconded by Legislator Moser, and carried.

RESOLUTIONS:

**RESOLUTION NO. 149 - 2014  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 993,442.01 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 Pepper, and adopted by roll call vote:

All voted yea.

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**RESOLUTION NO. 150 - 2014  
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING  
BETWEEN THE NYS DEPARTMENT OF HEALTH AND THE NYS MENTAL  
HYGIENE OFFICES AND THEIR LOCAL GOVERNMENTAL UNITS FOR THE  
PERFORMANCE OF CERTAIN MEDICAID ADMINISTRATIVE ACTIVITIES**

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

WHEREAS, the Lewis County Community Services Department, (Local Government Unit) desires to enter into a Memorandum of Understanding with the New York State Department of Health (“DOH”), the Office of Mental Health (“OMH”), the Office of Alcoholism and Substance Abuse Services (“OASAS”), the Office for People With Developmental Disabilities (“OPWDD”), and Local Governmental Units (“LGUs”) to perform Medicaid administrative activities; and

WHEREAS, DOH is the single State agency responsible for the administration of the NYS Medicaid program under title XIX of the Social Security Act. The parties acknowledge that DOH has the authority to make all final decisions on all issues affecting the NYS Medicaid program; and

WHEREAS, OMH, OASAS, and OPWDD perform certain Medicaid administrative activities at the request of and on behalf of DOH. LGUs also perform certain Medicaid administrative activities at the request of and on behalf of OMH, OASAS, OPWDD and DOH; and

WHEREAS, DOH will seek appropriate federal Medicaid reimbursement with respect to state and local expenditures made by OMH, OASAS, and OPWDD, and LGUs in order to carry out Medicaid administrative activities which have been delegated to them by DOH.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Understanding between the NYS Department of Health, the Office of Mental Health, the Office of Alcoholism and Substance Abuse Services, the Office for People With Developmental Disabilities, and Local Governmental Units, (the Lewis County Community Services Department) to perform Medicaid administrative activities at a term beginning April 1, 2014.

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 such form as may be approved by the County Attorney.

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

MAY 6, 2014

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

**RESOLUTION NO. 151 - 2014  
RESOLUTION TO TRANSFER FUNDS  
COUNTY MANAGER**

Introduced by Legislator Michael Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the County Manager account to cover salary and fringe expense:

<u>From:</u>	<u>Amount</u>
A1020.4909 (Misc)	\$98,915.00

<u>To:</u>	
A1020.1999 Personal Serv	\$60,249.00
A1020.8999 Fringe	\$38,666.00

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

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

**RESOLUTION NO. 152 - 2014  
RESOLUTION TO SET A PUBLIC HEARING TO  
OBTAIN PUBLIC INPUT WITH REFERENCE TO  
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

Introduced by Legislator Lawrence Dolhof, 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, citizen's 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



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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 June 3, 2014 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 at least 10 days prior to the hearing date.

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

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

**RESOLUTION NO. 153 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
THE COUNTY OF LEWIS AND  
NYS DIVISION OF HOMELAND SECURITY  
AND EMERGENCY SERVICES**

Introduced by Legislator Jerry King, Chairman of Courts and Law Committee.

WHEREAS, the County of Lewis has received a grant award from the New York State Division of Homeland Security and Emergency Services in the amount of \$6,000,000.00 for the Radio System Project ("Project"); and

WHEREAS, the Project consists of constructing and installing capital equipment for the purpose of upgrading the emergency radio communications system for use by all emergency service agencies including but not limited to the Public Safety, Emergency Response and Law Enforcement within Lewis County, and also to be compatible with communications systems in adjoining counties; and

WHEREAS, the Board of Legislators wishes to accept such grant.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves an Agreement between the County of Lewis and the New York State Division of Homeland Security and Emergency Services and the grant award of \$6,000,000.00 for the Radio Systems Project for the term commencing December 3, 2013 through December 2, 2014.

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

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

Moved by Legislator Pepper , seconded by Legislator Brennan , and adopted.

**RESOLUTION NO. 154 - 2014**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN**  
**LEWIS COUNTY EMERGENCY MANAGEMENT AND**  
**NYS DIVISION OF HOMELAND SECURITY**

Introduced by Legislator Jerry King, Chairman of Emergency Management Committee.

WHEREAS, the Lewis County Emergency Management Office has been awarded a grant from the New York State Division of Homeland Security and Emergency Services in the amount of \$28,500.00 to purchase equipment for emergency services and responders; 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 an Agreement between the County of Lewis, by and through the Office of Emergency Management, and the New York State Division of Homeland Security and Emergency Services in the amount of \$28,500.00 for the term commencing September 1, 2012 through August 31, 2014.

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

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

Moved by Legislator Moser , seconded by Legislator Moroughan .

In response to questions from Legislators Brennan and Tabolt regarding the specific use for this grant money, Legislator King noted that while he believed it was for computers, he could not confirm without the breakdown, which he will obtain. He explained that with each grant award, there is a list of items for which the money can be used. Legislator King will ask for this information to be provided with each grant going forward.

The resolution was then adopted.

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**RESOLUTION NO. 155 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
FIRE AND EMERGENCY MANAGEMENT**

Introduced by Legislator Jerry King, Chairman of the Emergency Management Committee.

BE IT RESOLVED as follows:

Section 1. That the FY13 HazMat Grant funds are hereby appropriated as follows:

A43052.3	FY13 HazMat CFDA#97.067	\$5,000.00
A3416.4910	FY13 HazMat CFDA#97.067	\$5,000.00

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

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

**RESOLUTION NO. 156 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO HIGHWAY DEPARTMENT**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

WHEREAS, the Automotive Mechanic at Grade 19 in the Highway Department has been re-classified by Civil Service as a Mechanic Welder.

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 Highway Department, to approve the Automotive Mechanic reclassification to Mechanic Welder at Grade 21 effective May 5, 2014.

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

Moved by Legislator Moser, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 157 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
TRANSPORTATION DEPARTMENT**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

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Section 1. That the following budget appropriation of additional CHIP's funding is hereby approved in the Highway Department accounts:

<u>Increase Revenue:</u>	
D35011 (CHIPS Capital)	\$148,398.95

<u>Increase Expense:</u>	
D5500.491520 (Bridge Exp)	\$148,398.95

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

Moved by Legislator Moroughan , seconded by Legislator Brennan , and adopted.

**RESOLUTION NO. 158 - 2014**  
**RESOLUTION TO TRANSFER FUNDS**  
**LEGISLATIVE BOARD**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following 2014 budget changes are hereby approved to transfer apportioned share of personnel appropriations due to late filled positions:

<u>From:</u>	<u>Amount</u>
A1020.4909 (Misc)	\$15,000.00
A1040.1999 (Pers Serv)	500.00
A1680.1999 (Pers Serv)	15,000.00
A1680.8999 (fringe)	<u>5,000.00</u>
	\$35,500.00

<u>To:</u>	
A1010.4199(Special Contingency)	\$35,500.00

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

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

**RESOLUTION NO. 159 - 2014**  
**RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN**  
**THE COUNTY OF LEWIS AND**  
**THE LOWVILLE VOLUNTEER FIRE DEPARTMENT**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, the Lowville Volunteer Fire Department wishes to enter into a Training and Services Agreement with the County of Lewis for the purpose of providing annual training services which will include semi-annual inspection of all fire systems, access points, and system entry maps to verify conditions and revise and/or update as necessary; conduct active training exercises for various scenarios involving possible emergencies; appoint a member to the safety committee and meet quarterly; and participate in annual meetings to review and update the Training and Services Agreement; 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 Lowville Volunteer Fire Department to provide annual training services at a cost of \$2,000.00, for the period of January 1, 2014 through December 31, 2014.

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 such form as approved by the County Attorney.

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

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

Legislator Chartrand abstained.

**RESOLUTION NO. 160 - 2014  
RESOLUTION APPOINTING MEMBER TO  
PUBLIC HEALTH PROFESSIONAL ADVISORY-  
HEALTH SERVICES COMMITTEE**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Lewis County Animal Rabies Coordinator Dr. Jennifer Nightingale of East State Street, Lowville, New York 13367, to the Public Health Professional Advisory-Health Services Committee.

Section 2. That the term of said appointment shall take effect May 7, 2014 for an indefinite term.

Section 3. That the within resolution shall take effect immediately

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Moved by Legislator Moser seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 161 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY PUBLIC HEALTH AGENCY  
AND UNIVERSITY PATHOLOGIST LABORATORIES, LLP**

Introduced by Legislator Andrea Moroughan, Chairperson 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, 2014 through March 31, 2015.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to 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 Pepper, and adopted.

**RESOLUTION NO. 162 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY PUBLIC HEALTH DEPARTMENT  
AND NEW YORK STATE DEPARTMENT OF HEALTH  
BUREAU OF EARLY INTERVENTION**

Introduced by Legislator Andrea Moroughan, Chair 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 \$18,011 for administrative costs 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

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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 New York State Department of Health for the purpose of administering the Early Intervention Program for the period beginning October 1, 2013 and ending September 30, 2014 in the amount of \$18,011.

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 Moroughan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 163 - 2014  
AUTHORIZING OPENING OF CERTAIN PORTIONS OF  
COUNTY ROADS FOR ATV SPECIAL EVENT**

Introduced by Legislator Larry Dolhof, Chairman of the Economic Development Committee

WHEREAS, Highmarket Wheelers Club and Catspaw Country Market, LLC have requested that the Board of Legislators open:

- CR 39 Pine Grove Road, from Eatonville Road to Odett Road, a distance of 325 feet
- CR 40 Greig Road, from Odett Road to Main Street, Glenfield, a distance of 1.4 miles
- CR 53 Main Street, Glenfield, from Greig Road South, a distance of 200 feet
- CR 41 Blue Street, from Greig Road North, a distance of 700 feet

for a one day all terrain vehicle (ATV) rally event to be held on May 31, 2014; 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, this action is a "Type II" action for purposes of the State Environmental Quality Review Act, and the regulations promulgated thereunder, more particularly, 6 NYCRR § 617.5(15) which provides that "minor temporary uses of land having negligible or no permanent impact on the environment" do not require further environmental review; and

WHEREAS, Highmarket Wheelers Club and Catspaw Country Market, LLC as sponsors of the event, have 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,

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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 39 Pine Grove Road, from Eatonville Road to Odett Road, a distance of 325 feet
  - CR 40 Greig Road, from Odett Road to Main Street, Glenfield, a distance of 1.4 miles
  - CR 53 Main Street, Glenfield, from Greig Road South, a distance of 200 feet
  - CR 41 Blue Street, from Greig Road North, a distance of 700 feet
- for a one day all terrain vehicle (ATV) rally event to be held on May 31, 2014.

Section 2. That the permission granted herein is specifically conditioned upon Highmarket Wheelers Club and Catspaw Country Market, LLC entering into a written agreement with the County of Lewis whereby:

- a) Highmarket Wheelers Club and Catspaw Country Market, LLC agree 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;
- b) Highmarket Wheelers Club and Catspaw Country Market, LLC agree 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 \$2,000,000 on account of any one occurrence and naming the County of Lewis as an additional insured; and
- c) Sponsors agree to pay for and fully indemnify, save and hold harmless the County and all of its officers, agents and employees from and against any and all property damage claims and expenses incurred and/or made by any person or entity as a result of this Event.
- d) 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 King, seconded by Legislator Kulzer.



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Legislator Dolhof informed the Board that the proceeds of this ride will go to people in need in this County through "Taking Care of their Own". Legislator Pepper noted that each year this group chooses a different organization to which the funds will go.

The resolution was then adopted.

**RESOLUTION NO. 164 - 2014  
RESOLUTION TO AUTHORIZE ACCESS AGREEMENTS  
BETWEEN THE COUNTY OF LEWIS AND PROPERTIES OWNED BY  
PAMELA STRATTON AND WALTER BURSZTYNSKI**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

WHEREAS, the County of Lewis owns property in the Town of Turin near Mill Creek and intends to perform construction, repair or maintenance work in, on, or about the public trail by stabilizing a stream bank by Mill Creek; and

WHEREAS, Pamela Stratton, (Tax Map No. 322.00-02-2.15) and Walter Bursztynski, (Tax Map No. 322.00-02-2.14) each own property that adjoins or is in close proximity to County owned property, where the public trail is located and the County has certain ingress and egress rights to enter over, upon and through the properties; and

WHEREAS, the County of Lewis wishes to enter into Access Agreements with these properties owners; and

WHEREAS, the property owners wish to grant the County of Lewis a temporary license to access the adjoining trail.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes Access Agreements between the County of Lewis, by and through the Recreation, Forestry and Parks Department, with Pamela Stratton and Walter Bursztynski to provide access to their properties that adjoins or is in close proximity to County owned property in the Town of Turin near Mill Creek, where the public trail is located so the County can stabilize a stream bank.

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

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

Moved by Legislator Brennan, seconded by Legislator Moroughan, and adopted.

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**RESOLUTION NO. 165 - 2014  
RESOLUTION AUTHORIZING REIMBURSEMENT TO  
ATV CLUBS FOR MEMBERS WITH VALID ATV PERMIT  
TO COVER COST OF NYSORVA INSURANCE**

Introduced by Legislator Larry Dolhof, Chairman of the Economic Development Committee.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a reimbursement in the amount of \$5.00 to Lewis County ATV Clubs with active county trail agreements to cover the cost of New York State Off-Highway Recreational Vehicle Association (“NYSORVA”) insurance for members with a valid Lewis County ATV permit.

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

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

**RESOLUTION NO. 166 - 2014  
RESOLUTION AUTHORIZING THE SALE OF CERTAIN  
REAL PROPERTY**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

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 situate in the Town of Greig, County of Lewis and State of New York, more commonly known as 5223 Greig Road, Greig, NY, and commonly referred to as the former Greig Convenience Store, and more particularly described and identified as tax map # 290.02-01-21.000 (“Property”).

WHEREAS, the County offered the Property for sale and has received an offer to purchase the Property for the purchase price of \$24,000.00.

WHEREAS, the parcel of land and improvements thereon are not needed for any public purpose; and

WHEREAS, the parcel of land has out-of-service petroleum storage tanks which the County is in the process of having removed and closed in accordance with the New York State Department of Environmental Conservation oversight, rules, regulations and consent agreement; and

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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 5223 Greig Road, Greig, NY 13345 located in the Town of Greig, County of Lewis, and State of New York and is commonly identified by Tax Map No. 290.02-01-21.000 for the sum of Twenty-Four Thousand Dollars (\$24,000.00) to DAVID KOGUT, of 5249 Greig Road, Greig, NY 13345.

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, but subject to the removal of the tank, the back fill of same, and compliance with the Department of Environmental Conservation requirements. Closing of title to take place on or about June 1, 2014 or as soon as reasonably possible after receipt of the compliance report/letter from the Department of Environmental Conservation with respect to the tank removals and disposals of same. Purchaser, who is currently in possession of said premises, shall pay any and all utilities incurred on said premises, and pay the sum of \$200.00 per month as rent to the County commencing June 1, 2014 and the first day of each month thereafter as a month-to-month tenant, until closing of title or termination of the month- to- month tenancy.

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 Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 167 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
SHERIFF'S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

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BE IT RESOLVED as follows:

Section 1. That the following appropriation of insurance recover funds is hereby approved in the Sheriff's Department account to cover vehicle repairs:

<u>Increase Revenues</u>	<u>Amount:</u>
A26800 (Insurance Recoveries)	\$ 255.20

<u>Increase Expense:</u>	<u>Amount</u>
A3110.4701 (Vehicle Repairs)	\$ 255.20

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

Moved by Legislator Moser, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 168 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
SHERIFF'S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the FY13 Homeland Security Grant funds are hereby appropriated to the Sheriff's Department accounts:

<u>Revenue</u>	
A43051.5 FY13 Homeland Grant-Sheriff	\$10,000.00

<u>Expense</u>	
A3119.2908 FY13 Homeland-Sheriff Equip	\$ 1,450.00
A3119.2218 FY13 Homeland-Sheriff Computer	\$ 8,550.00

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

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

**RESOLUTION NO. 169 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
SHERIFF'S DEPARTMENT**

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Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriations are hereby approved to the Sheriff Department accounts for the PSAP Grant:

<u>Revenue</u>	
A30888 PSAP Grant	\$808,615.00
A50310 Local Share	\$ 37,044.00
<u>Expense</u>	
A3115.2908 PSAP Grant-Equip	\$604,634.00
A3115.4908 PSAP Grant-Services	\$241,025.00

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

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

**RESOLUTION NO. 170 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN COUNTY OF LEWIS AND  
NEW YORK STATE HOUSING TRUST FUND CORPORATION**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the County of Lewis has applied to the New York State Housing Trust Fund Corporation (Corporation) for Community Development Block Grant (CDBG) funds to finance the community development activities (NYS CDBG Project No. 636HR51-13); and

WHEREAS, the Corporation has awarded the County of Lewis \$522,500.00 in Community Block Grant funds for housing rehabilitation.

NOW, THEREFORE, BE IT RESOLVED that

Section 1. The Board of Legislators hereby approves the Grant Agreement between the County of Lewis and the New York State Housing Trust Fund Corporation, pursuant to which the County of Lewis shall receive \$522,500.00 in Community Development Block Grant funds.

Section 2. The Chairman, or Vice-Chairman, of the Board of Legislators is and he hereby is authorized to execute, seal and deliver said Grant Agreement and any related and necessary supplemental documents.

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

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Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 171 - 2014  
RESOLUTION APPROPRIATING FUNDS  
SOCIAL SERVICES**

Introduced by Legislator Neil Pepper, 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 October 1, 2013 through September 30, 2014 to increase the Nutrition Education State Plan in the amount of \$28,092.00:

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the sum of \$28,092.00 be appropriated to Expense Account No. A6143.4999, DSS Food Stamp Nutrition Education.

Section 2. That this be financed by Federal Aid in the amount of \$28,092.00 to be appropriated to Revenue Account No. A46430.

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

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

**RESOLUTION NO. 172 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
STOP DWI**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriation is hereby approved in the DWI accounts for Victim Impact payments:

<u>Increase Revenue:</u>	<u>Amount:</u>
A26151VIP	\$621.00
<u>Increase Expense:</u>	
A3315.4907 VIP	\$621.00

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

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Moved by Legislator Moser, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 173 - 2014  
RESOLUTION APPOINTING MEMBERS TO  
YOUTH BUREAU ADVISORY BOARD**

Introduced by Legislator Neil Pepper, 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:

Michele Ledoux  
Ward Dailey  
Mickey Dietrich  
Dan Myers  
John Monnat

Section 2. That the term of said appointments shall be effective from May 6, 2014 through May 6, 2016.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 174 - 2014  
RESOLUTION AUTHORIZING ENGINEERING SERVICES AGREEMENT  
BETWEEN LEWIS COUNTY HIGHWAY DEPARTMENT  
AND BARTON & LOGUIDICE**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

WHEREAS, the Lewis County Highway Department (hereinafter "Highway Department") desires to enter into an Agreement with BARTON & LOGUIDICE, D.P.C., (hereinafter "B&L"), engineers, planners and landscape architects, with offices located at 290 Elwood Davis Road, Box 3107, Syracuse, New York 13220; and

WHEREAS, the Highway Department seeks to have B&L provide engineering services for the rehabilitation of the bridge carrying French Settlement Road over West Branch Oswegatchie River (BIN 3339990), which is in need of repair, with B&L's services to include but not be limited to gathering site data, develop repair design in compliance with all NYS DOT requirements and regulations, prepare contract plans and specifications to be used in obtaining

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bids on the Project, attend pre-construction conference with the Highway Department and successful bidder(s), provide administration and oversight of the construction with onsite visits and inspections to assess the execution and quality of executed construction in accordance with the contract documents; 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 Highway Department and Barton & Loguidice that provides engineering, repair design, contract plans and specifications for bids, and administration and oversight of construction.

Section 2. That the term of this Agreement shall be from May 7, 2014 through June 30, 2015 for an amount not to exceed \$25,000.00, in accordance with a detailed Scope of Services.

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 Dolhof, seconded by Legislator Hathway, and adopted.

Legislator Tabolt abstained.

**RESOLUTION NO. 175 - 2014**  
**RESOLUTION TO APPROPRIATE FUNDS**  
**HIGHWAY**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee:

BE IT RESOLVED as follows:

Section 1. That the following 2014 budget change take place in the Highway Dept Account for the repair of a bridge:

Part One:

<u>From:</u>	<u>Amount:</u>
A1010.4199 (Special Contingency)	\$10,000.00

To:



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A9901.9912 (to County Rd) \$10,000.00

Part Two:

Increase Revenue:

D50310(Inter fund Revenue) \$10,000.00

Increase Expense:

D5500.491520(Bridge Supplies) \$10,000.00

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

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

**RESOLUTION NO. 176 - 2014  
RESOLUTION APPROVING AGREEMENTS BETWEEN LEWIS COUNTY PUBLIC  
HEALTH AGENCY AND VARIOUS PROVIDERS FOR PRESCHOOL SPECIAL  
EDUCATION PROGRAM**

Introduced by Legislator Andrea Moroughan, Chairperson of the Public Health Committee:

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the contracts related to the following agencies that provide services to the Preschool Special Education Program for children with special education and health care needs for the period beginning July 1, 2014 and ending June 30, 2015 at a cost in accordance with the rates set forth by the State Education Department.

<b>AGENCY CONTRACTORS</b>
Special Programs, Inc. (d/b/a Little Lukes)
Milestones Children's Center
The Rowland Center
Upstate Cerebral Palsy
Madison-Oneida BOCES
Central Association for the Blind and Visually Impaired
Jefferson Rehabilitation Center
Faxton-St. Lukes
Lewis County General Hospital
St. Lawrence-Lewis BOCES
Benchmark Family Services
Building Blocks
<b>INDEPENDENT CONTRACTORS</b>
Susan Gydesen, CSW

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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 Brennan, seconded by Legislator Moser.

Legislator Pepper questioned the services provided by Benchmark Family Services. Public Health Director Penny Ingham reported that they are contracted to provide an Aide to a student at Copenhagen School.

The resolution was then adopted.

**RESOLUTION NO. 177 - 2014**  
**RESOLUTION APPROVING AGREEMENTS BETWEEN LEWIS COUNTY PUBLIC**  
**HEALTH AGENCY AND VARIOUS PROVIDERS FOR PRESCHOOL SPECIAL**  
**EDUCATION PROGRAM**

Introduced by Legislator Andrea Moroughan, Chairperson of the Public Health Committee:

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the extension of the contracts related to the following contractors that provide services to the Preschool Special Education Program for children with special education and health care needs for the period beginning July 1, 2014 and ending August 31, 2014, at a cost in accordance with the rates set forth by the State Education Department to allow the Independent Contractors to complete their work with the individual children through the summer session.

<b>INDEPENDENT CONTRACTORS</b>
Sandra Beasock, PT
Christine Lee, OT
Patricia Jones, SLP
Tina Sullivan, OT

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Contract.

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

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 178 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
SHERIFF**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriation of (DA Proceeds of Arrest) T87.01 is hereby approved in the Sheriff's Canine accounts for the purchase of a kennel:

Increase Revenue:

A27063(Canine Fund)	\$1,000.00
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Increase Expense:

A3110.4911(Canine fund)	\$1,000.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 179 - 2014  
RESOLUTION APPOINTING MEMBER TO LEWIS COUNTY  
SOIL AND WATER CONSERVATION BOARD OF DIRECTORS**  
Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints William Burke, 4218 State Route 177, Lowville, New York 13367 to the Lewis County Soil and Water Conservation District Board of Directors as a Member-at-Large.

Section 2. That the term of said appointment shall be effective May 6, 2014 to December 31, 2016.

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

MAY 6, 2014

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

**RESOLUTION NO. 180 - 2014  
RESOLUTION AUTHORIZING THE TOWN OF MARTINSBURG TO PURCHASE A  
PARCEL FROM LEWIS COUNTY THAT WAS LISTED FOR SALE IN THE TAX  
FORECLOSURE AUCTION PROCEEDINGS FOR DELINQUENT TAXES**

Introduced by Legislator Gregory Kulzer, Chairman of the Taxation Committee

WHEREAS, the County is the owner of certain real property located in the Town of Martinsburg, County of Lewis and State of New York, more commonly known as 5657 Glendale Road, and more particularly described and identified as tax map number 243.03-05-08.000; and

WHEREAS, the Town of Martinsburg has cleaned up the property at their own expense and now desires to purchase the parcel at the cost of the taxes and penalties that are due; and

WHEREAS, the County of Lewis desires to sell this parcel to the Town of Martinsburg at the cost of the taxes and penalties still owing in the amount of \$1,396.43; and

WHEREAS, the Lewis County Taxation Committee has reviewed this offer and deemed it to be fair and adequate consideration for said parcel;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the sale of the real property located at 5657 Glendale Road, Martinsburg, New York, County of Lewis and State of New York at the cost of the taxes and penalties still owing in the amount of \$1,396.43; and

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 Pepper, seconded by Legislator Dolhof, and adopted.

OTHER BUSINESS:

Legislator Hathway made a motion to appoint Chairman Mike Tabolt to the Black River - St. Lawrence Resource, Conservation & Development Council, (RC&D), replacing Legislator Hathway on the Council. The motion was seconded by Legislator King, and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Bryan Moser read a Proclamation signed by the Board of Legislators recognizing Chairman Tabolt for his service as acting County Manager. The Proclamation was presented to the Chairman by Legislator King.

The Deputy Clerk read proclamations signed by the Chairman to declare:

- 1 - May as Older Americans Month
- 2 - May as Mental Health Month
- 3 - National Nursing Home Week – May 12 to May 16, 2014
- 4 - Police Appreciation Week – May 12 to May 16, 2014

Legislator Brennan made a motion to enter Executive Session at 6:27 p.m. for the purpose of discussing present litigation, seconded by Legislator Kulzer, and carried.

Regular Session resumed at 6:51 on motion by Legislator Moser, seconded by Legislator Brennan, and carried.

Legislator Hathway made a motion authorizing the County Attorney to settle a present litigation matter at the recommendation of our Insurance Carrier Legal Counsel. The motion was seconded by Legislator Brennan, and carried.

There being no further business to come before the Board, the meeting adjourned at 6:53 p.m. on motion by Legislator Pepper, seconded by Legislator Chartrand, and carried.

JUNE 3, 2014

**REGULAR MEETING**  
**June 3, 2014**

The meeting was called to order at 5:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Hathway, followed by a moment of silence for those deceased. Chairman Tabolt led the Pledge of Allegiance to the Flag.

There were 24 persons present.

Chairman Tabolt announced approval of the May 6, 2014 meeting minutes.

**REPORT OF THE RULES AND LEGISLATION COMMITTEE:**

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

Dated: June 3, 2014

Lawrence Dolhof, Chairman  
Bryan Moser, Committee  
Craig Brennan, Committee

Legislator Moser made a motion to waive the rules, seconded by Legislator Brennan, and carried.

Chairman Tabolt opened the public hearing for comments on community development and housing needs relative to the proposed Community Development Block Grant homeownership application.

Director of Economic Development Eric Virkler stated that in December of 2013, five Regional Economic Development Councils were awarded \$13.2 million in funding through the Consolidated Funding Application as part of the CDBG Community Renewal Fund. From this Fund, the North Country REDC was awarded \$700,000 for eligible projects in the region. Applications are now being accepted and are due June 30, 2014. The Small Cities Community Development Block Grant Program is a federally funded program authorized by Title I of the Housing and Community Development Act of 1974 administered by the New York State Housing Trust Fund Corporation's Office of Community Renewal. The program provided funds to municipalities that can be used for housing rehabilitation; homeownership; public facilities projects, and public infrastructure, such as water and sewer projects and Economic Development projects. Proposed projects eligible for funding under this round include up to \$200,000 for Public infrastructure, facilities and housing; between \$25,000 and \$100,000 for Small Business Assistance; and up to \$200,000 for Microenterprise Programs.

At least 51% of the persons benefiting from the CDBG Program must be low and moderate-income persons according to the HUD income limits provided in the application. 70% of the NYS CDBG funds must benefit low and moderate income persons. Assistance is also

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

available for preventing slums and blight in an area in which more than 51% of the residents are low and moderate income persons or in a declared disaster area. Meeting urgent needs is another eligible national objective activity. The urgent need would have to be relatively recent in order to qualify. The county must conduct at least one public hearing prior to the application to solicit citizen comments on any proposed application. A second public hearing would be held after the application is awarded to discuss the amount awarded and the program administration and activities.

Snow Belt Housing Company, Inc Executive Director Cheryl Shenkle-O'Neill suggested and urged the County Board to consider a homeownership application for up to \$200,000. The program would provide down payment, closing costs and repair assistance to income eligible applicants to purchase their first home. The assistance will be in the form of a 100% deferred payment loan for up to \$25,000 per unit that would become a grant as long as they remain in their home for ten years. The home must be an existing single family home located anywhere in the county. Snow Belt would administer the grant as a sub-recipient of the county. We are soliciting applications from income eligible applicants to demonstrate there is a need in the county for this type of program. Anyone who is interested is to call us at 376-2639.

Ms. O'Neill stated that typically, one (1) out of every six (6) applicants is eligible. During each of the last two grant periods 4 or 5 first-time Lewis County homebuyer applicants were assisted. Lewis competes with applicants from within the 7-County North Country region.

Legislator Brennan asked whether the documentation supports the success of the program. Ms. O'Neill affirmed there are 8 -10 applicants, of which historically two (2) are pre-qualified to pursue home ownership. It provides an affordable option for those whom otherwise are economically incapable. They receive many of their referrals from banking institutions.

In response to Legislator Hathway, Ms. O'Neill estimated that 50 or more persons have received CDBG funding assistance for successful home ownership.

Lewis County Cornell Cooperative Extension Executive Director Michele Ledoux introduced Jake Moser of Moser Maples to introduce their new hard maple candy product. Mr. Moser recognized and thanked his mom for passing out the sample candies to Legislators and other personnel this evening. He reported their company is a two-time World Maple Festival winner; and a member of the NYS Maple Producers Association and Lewis County Maple Institute.

Mr. Moser reported that maple syrup is the biggest growing industry in the United States and his company is proud to promote their Lewis County products. Per capita, Lewis County taps the most trees in New York, but the average \$40.00 per gallon sale price ranks as third lowest in the State.

Prospectively, the price per gallon may increase to \$120 - \$150 when computed against the sale price of 2.5-3 oz. packages of the new hard candy product with a one year shelf life. Mr. Moser stated they are presently capable of producing and packaging up to 400,000 candies for

JUNE 3, 2014

shipment within three weeks. Cooperative Extension is assisting them with marketing the product.

Legislator Brennan offered the County's assistance and exclaimed "If you succeed, we all succeed!" Mr. Moser was appreciative, but stated his request is merely for verbal promotion of their new product. Chairman Tabolt thanked him for his presentation and the opportunity to sample the product.

Lewis County Farm Bureau President Jen Karelus, referenced the newly proposed rule issued jointly by the Environmental Protection Agency and the U.S. Army Corps of Engineers to amend the definition of "Waters of the U.S." under the Clean Water Act, to expand their current jurisdiction over "navigable waters" to include any water that flows into a "Waters of the U.S." This would encompass municipally-owned and maintained roadside ditches, flood channels, drainage conveyances, storm water systems, green infrastructure construction and maintenance thereof. Farmers would be negatively impacted to comply with greater regulatory permits. Likewise, Ms. Karelus estimates increased County costs of \$750,000 to \$1,000,000 annually.

Ms. Karelus credited the New York State Association of Counties for assisting them to formulate the proposed opposing Resolution, while urging its adoption by the County Legislature. Chairman Tabolt relayed speaking with a local NYS DEC representative who also urged the Board to record their opposition to the proposed amendment of the Clean Water Act.

#### PRESENTATION OF COMMUNICATIONS AND NOTICES:

The NYS Office of Parks, Recreation and Historic Preservation had informed that the Collinsville Cemetery has been listed on the National Register of Historic Places; and that the Pinckney Corners Cemetery is being considered by the State Review Board.

The Croghan Town Board adopted a resolution urging the State Legislature to initiate alternatives to the property tax freeze that will lead to property tax reductions by eliminating the cost of State mandated spending imposed on Town property taxpayers.

We acknowledge receipt of resolutions from: Allegany County in support of the Statewide Indigent Defense Legal System and Settlement of Hurrell-Harring v. the State of New York, encouraging the Governor to fix the inefficient patchwork of County services and establish a Statewide Indigent Defense System; from Chenango and Genesee Counties opposing expansion of Federal control under the Clean Water Act; and from Greene County declaring "Mayday for Mandate Relief" urging the State Legislature to adopt laws that prohibit unfunded mandates on local governments.

#### REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

All Legislators have received copies of the Treasurer's May monthly report; the 5/23/14 Highway Audit Report, the 5/20/14 Solid Waste Audit Report; and minutes of the 5/27/14 Youth Bureau Advisory Board meeting.



## PROCEEDINGS OF THE BOARD OF LEGISLATORS

County Sealer Barbara Cooper has submitted her May activity report to be placed on file.

### REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, reported the total cost from Paragon Environmental Construction for clean up at the Greig Store property is \$26,205.80. Highway Department personnel were acknowledged for hauling in the back-fill that was donated by the Town of Greig for estimated savings of \$1,800.

Legislator Hathway reported authorizing County Clerk Doug Hanno to purchase a new printer for pistol permits. Also, DMV personnel are sharing the work of one employee currently on a leave of absence, relaying Mr. Hanno's request for the public's patience for intermittent longer wait times.

The overhead door at the Highway garage will soon be replaced, the engineering study on the drainage issues is expected within three weeks; and the lighting replacement project has commenced.

Legislator Hathway also reported that maintenance personnel completed 78 work orders during May at the various buildings; and Frank Archer is negotiating service vendor renewal agreements.

A feasibility study is required as a prerequisite to apply for a "Green" grant to offset Social Services parking lot renovation costs estimated at \$580,000. Legislator Hathway made a motion to authorize Bernier, Carr and Associates to conduct the feasibility study for a cost of \$2,500, seconded by Legislator Chartrand and carried.

Legislator Neil Pepper, Social Services/Office For the Aging/Youth Committee Chairman, made a motion to authorize Commissioner Stacy Alvord to fill two (2) permanent full-time Caseworker positions upon impending vacancies, due to resignations. The motion was seconded by Legislator Moroughan and carried.

Legislator Pepper thanked the Buildings and Grounds Committee for their favorable support to relocate Office For Aging personnel into adequate space at the Lowville Commons. He also announced the Office For Aging would be sponsoring a Father's Day luncheon on 6/16 and a Caregiver Support Group meeting on 6/19.

Legislator Pepper reported that the Youth Bureau Advisory Board and the Sheriff's Department will co-sponsor the annual "National Night Out" event at the Fairgrounds on 9/11/14. Several agency presentations will heighten crime and drug prevention awareness and strengthen community spirit and police agency partnerships. Allison LaBarge will recognize military families during the opening ceremony.

Legislator Pepper announced Scott Mathys as the newly elected Youth Bureau Advisory Board Chairman, Nathan DeSantis, student representative of South Lewis Central School as Vice-Chairman was recognized as the first ever student representative to hold an officer position;

JUNE 3, 2014

and Rhonda Vanucchi as Secretary/Treasurer. He commended outgoing Chairman John Exford for all his efforts, and reminded everyone to read the weekly "Student's Voice" column in the Journal and Republican.

Legislator Bryan Moser, County Officers/Veterans/Junkyards/Human Resources Committee Chairman, reported their ongoing review of the Junkyard Law for amending recommendations.

Legislator Moser reported that \$1,000,000 was expended by the Veteran's Administration for educational instruction of Lewis County veterans. There are 694 local veterans that avail health services at regional veteran's clinics, representing 25% of Lewis County veterans.

Legislator Moser made a motion to authorize Clerk of the Board Teresa Clark to re-fill her Deputy position due to the resignation of Deanna Smith, seconded by Legislator Brennan and carried.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, recommends awarding the low bids and authorize contracts for the emergency communications system equipment as recommended by C & S Consultant Robert Duclos. Legislator King made a motion to award the equipment shelters to Thermo Bond Buildings, LLC in the amount of \$611,627.00; the packaged engine generators to Cummins Northeast, LLC in the amount of \$248,850.00; and the steel lattice antenna towers to Sabre Communications Corp. in the amount of \$360,907.00. The bid total is within budgetary estimates. The motion was seconded by Legislator Moroughan.

In response to Legislator Hathway, Robert Duclos stated there are ten shelters, including a new one to be erected outside the Public Safety Building, nine generators and seven new towers. There are no renovations planned for the Copenhagen, Number Three Road or the New York Power Authority towers. In response to Legislator Moser, Mr. Duclos stated the generator maintenance agreement includes a one-year guarantee plus two years of maintenance. Thereafter, the Board will decide who will maintain the system. Mr. Duclos asserted confidence that each of the companies are reputable and may utilize regional personnel. He reported continuing bi-weekly conference calls with all County and contractor parties. A customer design meeting is also planned with bidders to discuss and determine parcel locations for towers, with a goal to build all towers this fall.

The motion to award the bids was then unanimously carried.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry & Parks Committee Chairman, urged support of his sponsored resolution authorizing the County to finance equipment to be purchased by the Chamber of Commerce in the amount of \$6,000 from economic development budget appropriations. Director of Recreation, Forestry and Parks Jackie Mahoney and Chamber Executive Director Anne Merrill will utilize the equipment to showcase local tourism opportunities at large trade shows and the New York State Fair.

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Dolhof cited a late resolution to participate in a joint application for New York State Main Street Grant funds, sponsored by the Adirondack North Country Association, available to any town or village for improvement projects.

Legislator Dolhof also reported that the Phase I and II State snowmobile trail grant application have been submitted. ATV trail maintenance and development are ongoing. County personnel will repair the Mill Creek culvert located on the Iroquois Gas Trail, and covered by budgetary appropriations.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, commended Highway Superintendent David Becker and his entire crew for their timely and willing response to assist Town and Village personnel during the Port Leyden flood emergency. The respective County expense is estimated at \$300,000. Information from FEMA representatives indicates the eight-County aggregate will meet the \$26 Million loss threshold that would facilitate financial recovery.

Legislator Brennan made a motion to award the low bid of \$228,443 for a 2015 International truck with Viking snow plow, and authorize David Becker to order the truck, but defer delivery until after 1/1/2015. Half the cost was appropriated in 2014, and the balance will be appropriated in 2015. The truck would replace two older vehicles. The motion was seconded by Legislator King and carried.

Legislator Brennan reported that bids for the French Settlement Bridge deck replacement are due on June 11<sup>th</sup> and the steel must be ordered immediately to allow ample time to finish the bridge project by October. Otherwise, the project could not be done until next spring. Legislator Brennan made a motion to authorize the Committee to award the bids for a total up to \$200,000, and authorize David Becker to order the steel. The motion was seconded by Legislator Moser and carried.

Legislator Brennan reported the Committee had approved waiving the County tipping fees for the Town of Greig for construction debris from a destroyed building. Legislator Pepper had notified the Greig Town Supervisor to direct relative questions to the County Manager. In response to concern the Oneida County hauler may not be aware of the law requiring the debris be deposited at the Rodman Landfill, Solid Waste Director Pete Wood had been directed to forward an informational letter to the respective hauler.

Legislator Gregory Kulzer, Taxation/Information Technology/Elections/Agriculture Committee Chairman, reported that I.T. Director Adam Zehr has met with all Department Heads to assess their technological needs, and is researching broadband expansion related to emergency radio upgrades. New copiers have been delivered resulting in estimated annual savings of \$30,000. The switch to Verizon for cell phone service will also have attendant cost savings. Adam has implemented an electronic work order to enhance assignment and tracking of personnel time; and will be conducting a complete fixed asset inventory.

Legislator Richard Chartrand, Hospital Committee Chairman, announced that Linda Denning, R.N., with over 23 years in the obstetrics unit was the chosen employee-of-the-month.

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Legislator Chartrand reported ongoing negotiations to formulate a "Letter of Intent" to affiliate with St. Joseph's Hospital in Syracuse, in consideration of a community grant, capital project funding and physician recruitment. St. Joseph's had been instrumental in securing orthopedic surgeon coverage for our area.

The Chief Financial Officer will separately track the estimated \$250,000 monthly revenues resulting from the Hospital's Critical Care Access designation.

Legislator Chartrand reported the Hospital's County debt effective 5/16/14 is \$11,519,251.23 up from two months previous of \$11,085,157.29. The anticipated IGT payment of \$4,459,000.00 due on 6/11/14 would reduce the debt to \$7,060,251.23.

An action plan outlining initiatives predicts increased revenue from restored orthopedic and dermatology service; and cost reductions through operating efficiencies by monitoring and optimizing utilization of services, as well as pursuing grant opportunities. Legislators Chartrand and Hathway, County Manager Liz Swearingin and County Treasurer Patricia O'Brien will meet with CEO Eric Burch and CFO Jeffrey Hellinger on 6/6/14 to discuss cash flow projections for the remainder of 2014.

Three college students are working throughout the Hospital facilities this summer without remuneration. One student may assist elderly persons in the waiting room with computer searches for respective information.

In conclusion, Legislator Chartrand proudly reported the Skilled Nursing Facility has won its second prestigious Quintile quality award, with an attendant yet-to-be-announced monetary award, and is the only facility within a 50-mile radius to attain this achievement.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, urged approval of the proposed agreement between Public Health and the Hospital for required lab services for various programs. Director Penny Ingham had explained why the 2013 County expenditures were less than budget appropriations, and discussed the 2014 1<sup>st</sup> Quarterly Board of Health Report for program utilization, as well as an update on Medicaid billings for the immunization and Preschool programs.

Legislator Moroughan relayed the Committee was provided an update on the Children With Special Healthcare Needs Program services and funding; and the NYS Department of Health had informed Director Penny Ingham that her submitted Community Health Assessment and Improvement Plan would be used as a "Good" example for other County public health agencies throughout the State. On behalf of the Committee, she commended Penny and her staff for their good work.

Legislator Moroughan reported that the St. Lawrence psychiatric Center is planning to close their adult beds by next January and are researching alternative employment opportunities to redeploy their staff.

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

The Suicide Prevention Coalition meets regularly and plans to update posters and brochures to increase membership. Also, Interim Director of Community Services has submitted the Services Plan to the State that had been approved by the Community Services Board. They are working to join the NYS Success Systems of Care Initiative that will provide technical assistance to improve existing networks to better serve children and families in the community.

### COUNTY MANAGER REPORT:

Liz Swearingin thanked all County Law Enforcement, Highway, Emergency Management and EMS personnel for their assistance during the recent Port Leyden flood emergency. If ultimately approved, FEMA reimbursement would equate 75% of expenditures, and apportioned share of the remaining 25% would be determined for each local municipality. The current respective estimate of \$1.3 - \$1.5 Million losses will be part of the required State aggregate threshold of \$2.6 Million.

The primary topic at the recent New York State County Administrator's meeting revolved around the undefined meaning of shared services, in preparation of County Shared Services Plans due to the State by June 2015. The State has yet to provide a standard format for Plan submission or reference instructions for eligible time periods for implemented practices or types of services.

Ms. Swearingin reported that of the 39 County-owned nursing homes within New York, 20 have been sold, closed or merged for private ownership. Concern was expressed with State Legislation that would impose a one-year moratorium on divestiture or merging of County nursing homes, while also requiring NYSDOH review.

Citing concerns with awarding and reporting processes of Industrial Development Agencies (IDA's) throughout the State, the State Comptroller recommends IDA's be required to go through the Consolidated Funding Application process. A majority of County Administrators spoke unfavorably about the Comptroller's recommendation, terming it another layer of unnecessary bureaucracy.

In conclusion, Ms. Swearingin, reported that 45 persons attended the County-sponsored class for training by State Emergency Management officials on the roles and responsibilities, chain-of-command, prevention and preparedness actions for local officials. She thanked Jim Martin and Bob MacKenzie for facilitating the informational event.

Legislator Chartrand commended Liz for composing and forwarding thank you letters to all of the volunteer agencies and businesses that contributed time and/or goods during the flood emergency. He relayed appreciation for the recognition on behalf of the Lowville Fire Department volunteers.

### COUNTY TREASURER REPORT:

Patricia O'Brien reported that all 32 parcels listed for the 5/21/14 Delinquent Real Property Tax auction had been sold; and the current property tax parcels are now being returned

JUNE 3, 2014

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 \$ 715,441.28 and recommend that they be audited and allowed for the amounts claimed.

Dated: June 3, 2014

Philip Hathway, Chair  
Jerry King, Committee  
Richard Chartrand, Committee

Approved on motion by Legislator Moser, seconded by Legislator Brennan, and carried.

RESOLUTIONS:

**RESOLUTION NO. 181 - 2014  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 715,441.28 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 Hathway, seconded by Legislator Pepper, and adopted by roll call vote:

All voted YEA.

**RESOLUTION NO. 182 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO  
BUILDING MAINTENANCE DEPARTMENT**

Introduced by Legislator Philip Hathway, Chairman of the Buildings and Grounds Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Cleaner	Part-time (15 hrs/wk.)	Grade C2 Step1 (\$11.02/hr.)

Section 2. That Superintendent of Buildings Frank Archer is hereby authorized to fill said position effective immediately.

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

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

**RESOLUTION NO. 183 - 2014  
RESOLUTION OPPOSING CLEAN WATER ACT REGULATION  
PROPOSED BY THE ENVIRONMENTAL PROTECTION AGENCY AND ARMY  
CORPS OF ENGINEERS**

Introduced by Legislator Michael Tabolt, Chairman of the Board of Legislators.

WHEREAS, Lewis County affirms its commitment to environmental stewardship and the protection of our natural resources, and recognizes the need to harmonize municipal programs and services with the legislative intent and objectives of the Clean Water Act (CWA); and

WHEREAS, the CWA was not intended to protect ditches and other channels through which water flows intermittently nor was it intended to capture seeps, wet areas, isolated man-made ponds and other structures not currently subject to the CWA; and

WHEREAS, the Environmental Protection and Agency (EPA) and the United States Corps of Engineers (Corps) have developed a proposed regulation on Definition of “Waters of the United States” Under the Clean Water Act to clarify the EPA and Corps’ understanding and definition of the CWA that will inform all of EPA’s regulatory programs and policy actions; and

WHEREAS, this proposed regulation creates greater uncertainty rather than clarity and would now capture a significant number of public works activities and transportation infrastructure that will now be subject to the CWA and its costly and time-consuming permitting and regulatory protocols; and

WHEREAS, the proposed regulation greatly expands the number of projects subject to jurisdictional determination or CWA permitting which do not currently require such oversight at

JUNE 3, 2014

great expense to the taxpayers of Lewis County with little, if any, substantive environmental benefit while diverting scarce resources from other programs that do provide environmental protection and conservation benefits; and

WHEREAS, the financial impact of the proposed regulation to Lewis County will create significant ongoing maintenance costs and delays to Lewis County citizens due to the need for jurisdictional determinations and expanded jurisdictional authority of EPA and the Corp; and

WHEREAS, Lewis County believes that the standards for making jurisdictional determinations under the CWA and clarification or definition of the intent of the CWA should be accomplished only through the U.S. Congress, and limited by the decisions of the U.S. Supreme Court;

NOW, THEREFORE, BE IT RESOLVED that Lewis County urges EPA and the Corps to withdraw the proposed CWA regulation immediately, work collaboratively with states and local governments to clarify federal jurisdiction under the CWA that is reasonable, environmentally responsible and respects the authority of state and local governments in ensuring the protection of our water resources and;

BE IT FURTHER RESOLVED that Lewis County supports any federal legislation consistent with the above recommendations and urges its Congressional and State representatives to intercede with EPA and request that EPA report to them on their response and adaptations regarding the aforementioned concerns; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be transmitted to U.S. Senators Charles Schumer and Kirsten Gillibrand, U.S. House Representative Bill Owens , EPA Administrator Gina McCarthy, New York Governor Andrew Cuomo, New York State Senator Joseph Griffo, New York Assembly Representative Ken Blankenbush and EPA Region 2 Administrator Judith Enck.

Move by Legislator Dolhof , seconded by Legislator King , and adopted.

**RESOLUTION NO. 184 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY COMMUNITY SERVICES DEPARTMENT  
AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK**

Introduced by Legislator Andrea Moroughan, Chair of the Community Services Committee

WHEREAS, the Lewis County Community Services Department desires to enter into a Memorandum of Understanding with Transitional Living Services of Northern New York (“TLS”); and



PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, TLS wishes to provide comprehensive out-patient clinic services to the residents of Lewis County to those who have mental illness, behavior problems, emotional distress and co-occurring disorders.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Understanding between the Lewis County Community Services Department and Transitional Living Services of Northern New York to provide out-patient clinic services to the residents of Lewis County at no cost to the County for a term commencing January 1, 2014 through December 31, 2014.

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

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

Moved by Legislator Moroughan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 185 - 2014  
RESOLUTION TO TRANSFER FUNDS  
COUNTY ATTORNEY**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the County Attorney's account for a new laptop, utilizing Capital Data Processing funds (HAE9901.4), balance \$99,432.52:

<u>Increase Revenue:</u>	
A50310 (Inter-fund transfers)	\$713.00
<u>Increase Expense:</u>	
A1420.2909 (Misc Equip)	\$713.00

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

Moved by Legislator Kulzer, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 186 - 2014**

JUNE 3, 2014

**RESOLUTION AUTHORIZING AGREEMENT WITH  
NYS DIVISION OF CRIMINAL JUSTICE SERVICES  
DISTRICT ATTORNEY AID-TO-PROSECUTION**

Introduced by Legislator Jerry King, 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 experienced 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 retention of experienced prosecution personnel.

Section 2. The term of said Agreement is from April 1, 2014 through March 31, 2015, in the amount of \$29,200.00

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

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

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

**RESOLUTION NO. 187 - 2014  
RESOLUTION TO TRANSFER FUNDS  
ECONOMIC DEVELOPMENT & PLANNING**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the Lewis County Chamber of Commerce to purchase tradeshow equipment to market tourism in Lewis County.

Section 2. That the following budget transfer is hereby approved to cover the purchase of this equipment:

From:

Amount:

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A6420.4999 (Economic Development Projects) \$6,000.00

To:

A6410.4907 (Chamber of Commerce) \$6,000.00

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

Moved by Legislator Dolhof, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 188 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
TRANSPORTATION DEPARTMENT**

Introduced by Legislator Craig Bennan , Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Highway Department Account for the purchase of a new computer, utilizing Capital Data Processing funds (HAE9901.4) balance \$ 99,432.52:

Increase Revenue:

D50310 (Inter- fund Transfers) \$821.00

Increase Expense:

D5010.2211 (Office Equip) \$821.00

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

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

**RESOLUTION NO. 189 - 2014  
RESOLUTION APPROVING AGREEMENT BETWEEN  
LEWIS COUNTY HIGHWAY DEPARTMENT AND  
ROY TEITSWORTH, INC., dba RTI INTERNET AUCTIONS**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

WHEREAS, Lewis County Highway Department wishes to enter into an Auctioneers Online Auction Agreement with Roy Teitsworth, Inc., d/b/a RTI Internet Auctions, with offices at 6502 Barber Hill Road, Geneseo, New York 11454; and

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WHEREAS, the Lewis County Highway Department wishes to sell and dispose of its used tires by participation in the online auction services provided by Roy Teitsworth, Inc., at no cost to the County; 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, through the Lewis County Highway Department and Roy Teitsworth, Inc, dba RTI Internet Auctions, to participate in the on line auction services to sell county used tires beginning July 15, 2014 through July 22, 2014.

Section 2. That the Lewis County Highway Department Superintendent or 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 Moser, seconded by Legislator King, and adopted.

**RESOLUTION NO. 190 - 2014  
RESOLUTION AUTHORIZING ENGINEERING SERVICES AGREEMENT  
BETWEEN LEWIS COUNTY HIGHWAY DEPARTMENT  
AND BARTON & LOGUIDICE**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

WHEREAS, the Lewis County Highway Department (hereinafter "Highway Department") desires to enter into an Agreement with BARTON & LOGUIDICE, D.P.C., (hereinafter "B&L"), engineers, planners and landscape architects, with offices located at 290 Elwood Davis Road, Box 3107, Syracuse, New York 13220; and

WHEREAS, in connection with a federal-aid project funded through the New York State Department of Transportation ("NYSDOT") identified as CR 33 Van Amber Road over Beaver River, the Lewis County Highway Department desires to have B&L provide engineering services for the additional design phase services to incorporate the Integral Abutment design required by NYSDOT regarding the bridge replacement project (PIN 775306; BIN 3339920); 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 Highway Department and Barton &

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Loguidice to provide engineering services for the additional design phase services to incorporate the Integral Abutment design required by NYSDOT regarding the bridge replacement project identified as CR 33 Van Amber Road over Beaver River (PIN 775306; BIN 3339920).

Section 2. That the term of this Agreement shall be from June 4, 2014 through June 30, 2015 for an amount not to exceed \$61,000.00.

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 King, seconded by Legislator Moser, and adopted.

Legislator Tabolt Abstained.

**RESOLUTION NO. 191 - 2014  
RESOLUTION APPOINTING MEMBER TO  
JUNKYARD REVIEW BOARD**

Introduced by Legislator Bryan Moser, Chairman of the Junkyard Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Brian Smith of 6572 Tillman Road, Lowville, New York 13367, to the Lewis County Junkyard Review Board to fill the unexpired term of Chad LaPlatney.

Section 2. That the term of said appointment shall be effective from June 4, 2014 through December 31, 2016.

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

Moved by Legislator Kulzer, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 192 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN LEWIS COUNTY PROBATION DEPARTMENT AND  
CHILDREN'S HOME OF JEFFERSON COUNTY**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

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WHEREAS, Children's Home of Jefferson County ("Agency") is a private non-profit agency authorized by the New York State Office of Children and Family Services that provides a non-secure detention program; and

WHEREAS, the Lewis County Probation Department wishes to enter into an agreement with this Agency to utilize their services for the provision of non-secure detention services for the temporary boarding and care of juveniles placed into the custody of the County by the Family Court.

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 Probation Department, and Children's Home of Jefferson County for the provision of non-secure detention services for the temporary boarding and care of juveniles placed into the custody of the County by the Family Court for the term beginning January 1, 2014 through December 31, 2014 at a cost of \$240.00 per day.

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 Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 193 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
NYS DIVISION OF CRIMINAL JUSTICE SERVICES  
AND PROBATION DEPARTMENT FOR  
PRE-TRIAL RELEASE/ALTERNATIVES TO INCARCERATION**

Introduced by Legislator Jerry King, 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/Alternatives to Incarceration in the amount of \$1,714.00.

Section 2. That said Agreement shall be in effect from July 1, 2014 through June 30, 2015.

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Section 3. That the Chairman, or Vice-Chairman, is hereby authorized to execute and deliver said Agreement.

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

Moved by Legislator Moser, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 194 - 2014  
RESOLUTION AUTHORIZING  
MEMORANDUM OF AGREEMENT BETWEEN  
LEWIS COUNTY PUBLIC HEALTH AGENCY AND  
LEWIS COUNTY GENERAL HOSPITAL  
FOR CONSULTATION SERVICES OF MEDICAL TECHNOLOGIST**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, Public health performs screenings and testing as a Limited Clinical Laboratory as defined in the Clinical Laboratories Improvement Act of 1988 and this activity is regulated by the Clinical Laboratory Evaluation Program of Wadsworth Center of the New York State Department Of Health (“NYSDOH”); and

WHEREAS, NYSDOH requires limited clinical laboratories to retain the services of a medical technologist as a technical consultant to review Public Health’s services and quality controls twice a year and be available for telephone consultation; and

WHEREAS, Lewis County General Hospital employs a medical technologist as the hospital’s Director of Ancillary Services and all parties are willing to have said director act as Public Health’s technical consultant.

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 Public Health Agency, and Lewis County General Hospital (“LCGH”) for the purpose of retaining consulting services of a medical technologist currently employed by LCGH.

Section 2. That Lewis County General hospital will be compensated \$2,500 annually for the term commencing June 3, 2014 through May 31, 2015.

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.

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

**RESOLUTION NO. 195 - 2014  
2014-2015 LOCAL GOVERNMENT EFFICIENCY  
NORTH COUNTRY REGIONAL SHARED GEOGRAPHIC INFORMATION SYSTEM  
(GIS) IMPLEMENTATION PROGRAM**

Introduced by Legislator Gregory Kulzer, Chairman of the Taxation Committee.

WHEREAS, the Board of Legislators, through Resolution #80 of 2012, authorized participation in a 2011-2012 Local Government Efficiency Grant (LGE) application to secure planning study funds for North Country Regional Shared Geographic Information System (GIS) services with partnering agencies including: the Development Authority of the North Country, Jefferson County, St. Lawrence County, the City of Watertown, and New York State Tug Hill Commission; (hereafter referred to as partners or co-applicants), and

WHEREAS, the Development Authority of the North Country acting as project lead and fiscal agent for the County and other partners was awarded a \$70,000 project consisting of \$63,000 grant and \$7,000 local co-share; the Development Authority covered the local co-share for all of the partners, and

WHEREAS, the purpose of the planning study was to study the feasibility of shared GIS services, partnerships, and service delivery efficiencies among governments that currently deploy GIS mapping technology in the region and to develop recommendations for shared services projects, and

WHEREAS, the aforementioned co-applicants have accepted the recommendations of the planning study and identified three priority recommendations for implementation in a project referred to as the 'North Country Regional Shared GIS Implementation Project', and

WHEREAS, the scope of the North Country Shared GIS Services Implementation Project will encompass: 1) share data to be incorporated into Regional Public Map Viewers; 2) developing a specialized, Self-Service Map Viewer platform that can be used by the partners for special projects and accessed by internal departments within the partnering agencies; and 3) acquiring Light Detection and Ranging (LiDAR) data for the tri-county region (excluding Ford Drum and the Adirondack Park) and deriving various elevation products from the LiDAR data to be made publicly available via the Regional Public Map Viewer, and

WHEREAS, the Development Authority of the North Country is seeking support from the partners to act as the lead applicant for the North Country Shared GIS Services Implementation Project with a Department of State Local Government Efficiency (LGE) Implementation Grant for a total project cost up to \$1,000,000, and

WHEREAS, the Development Authority of the North Country has agreed to provide the necessary 10% local share for the regional map and self-service map viewers applications on



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behalf of the Authority and its County partners, and 5% local share for the LiDAR data, matching the Country's share, and

WHEREAS, the County understands that they will be required to pay \$9,998, which represents 5% of Lewis County's portion of the LiDAR data that will benefit their County and region.

NOW, THEREFORE, BE IT RESOLVED

Section 1. That the Lewis County Board of Legislators authorizes the County to participate as a co-applicant as required for the LGE application to be filed with the NYS Department of State by the Development Authority of the North Country as lead applicant.

Section 2. That Lewis County authorizes the Development Authority of the North Country's Executive Director, or his designee, to execute all financial and/or administrative processes relating to the implementation of the grant program project as lead applicant.

Section 3. That Lewis County will provide the required documentation and the support of its staff (as necessary), to assist the Development Authority of the North Country in performance of the North Country Shared GIS Services Implementation Project.

Moved by Legislator Kulzer, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 196 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY GENERAL HOSPITAL  
OCCUPATIONAL MEDICINE AND  
LEWIS COUNTY RECREATION, FORESTRY & PARKS DEPARTMENT**

Introduced by Legislator Larry Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

WHEREAS, the Lewis County Recreation, Forestry and Parks Department wishes to enter into an Agreement with Lewis County General Hospital Occupational Medicine for the purpose of employee drug and alcohol testing; 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 by and between the Lewis County Recreation, Forestry and Parks Department and Lewis County General Hospital Occupational Medicine for the purpose of employee drug and alcohol testing.

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Section 2. That this is for the term beginning May 19, 2014 for the Company/Consortium Pricing Package at a rate of \$78.00 per employee. Additional fees will apply for “post-accident”; “reasonable suspicion”; and “follow-up drug and alcohol testing as well as onsite testing” as follows: DOT Drug Screen – \$71.00; Breath Alcohol Test – \$22.00; Breath Alcohol Confirmation Test – \$22.00; and Onsite Testing – \$40.00.

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 King, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 197 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
SHERIFF’S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved for Law Enforcement items using money from a Class Claim Distribution for Zylon Vests:

<u>Increase Revenues</u>	<u>Amount:</u>
A27010 (Ref of Prior Years Exp)	\$ 5.23

<u>Increase Expense:</u>	<u>Amount</u>
A3110.4910 (Uniforms)	\$ 5.23

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

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

**RESOLUTION NO. 198 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO SHERIFF’S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

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Section 1. That 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 position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Sheriff's Dispatcher/ Correction Officer	Permanent Part-time	Grade C-18 (\$19.36/hr.)

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said position effective immediately.

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

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

**RESOLUTION NO. 199 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
TO CREATE SHERIFF PARKS & RECREATION SEASONAL PATROLS**

Introduced by Legislator Jerry King, 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 (5)	Temporary Part-time	Grade 22A

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said positions effective immediately through October 31, 2014.

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

Moved by Legislator Moroughan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 200 - 2014  
RESOLUTION TO TRANSFER FUNDS  
SHERIFF'S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

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BE IT RESOLVED as follows:

Section 1. That the following transfer is hereby approved in the Sheriff's Department account to cover the balance due for the new patrol car:

<u>From</u>	<u>Amount:</u>
A3110.4701 (Vehicle Repairs)	\$301.00

<u>Increase Expense:</u>	<u>Amount</u>
A3110.2233 (Vehicles/Related Equipment)	\$301.00

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

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

**RESOLUTION NO. 201 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO SOCIAL SERVICES**

Introduced by Legislator Neil Pepper, 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>
Community Services Worker (2)	Temporary Full-Time	Grade C9, Step 1 \$12.84/hr.

Section 2. That Commissioner Stacy Alvord is hereby authorized to fill said positions for the period from September 15, 2014 through April 3, 2015.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 202 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE SOCIAL SERVICES**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

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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	Temporary Full-time	Grade C20- Step 1 \$16.59/hr.

Section 2. That Commissioner Stacy Alvord is hereby authorized to fill said position effective from June 4, 2014 through March 27, 2015.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 203 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
TAX SALE AUCTION**

Introduced by Legislator Gregory Kulzer, Chairman of the Taxation Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriation is hereby approved in the Tax Sale accounts for the cleanup of Tax Foreclosure Property in Town of Greig:

<u>Increase Revenue:</u>	
A10510(Gain from Sale)	\$27,000.00
<u>Increase Expense:</u>	
A1362.4999(Misc)	\$27,000.00

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

Moved by Legislator Moser, seconded by Legislator Hathway.

Legislator Hathway made a motion to amend the figure to \$26,205.80, the amount of the invoice from Paragon for the clean up at the Greig Store. The motion was seconded by Legislator King and carried.

The resolution was then adopted.

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**RESOLUTION NO. 204 - 2014  
RESOLUTION TO TRANSFER FUNDS  
WEIGHTS & MEASURES**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee:

BE IT RESOLVED as follows:

Section 1. That the following 2014 budget changes take place in the Weights & Measures account for repair to equipment, funds appropriated from HAD9901.4, balance \$ 493,436.81:

Increase Revenue:

A50310(interfund transfers)	\$3,630.00
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Increase Expense:

A6610.4605(Repairs Equip)	\$3,630.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 205 - 2014  
RESOLUTION AUTHORIZING APPOINTMENTS TO  
JEFFERSON-LEWIS  
WORKFORCE INVESTMENT BOARD**

Introduced by Legislator Neil Pepper, Chairman of the Employment and Training Committee.

WHEREAS, the Workforce Investment Act of 1998, Public Law 105-220 requires that there be established a local Workforce Investment Board to oversee local job training services and activities; and

WHEREAS, Chapter 2, Section 117 (a)(b) of the Workforce Investment Act authorizes the establishment, membership and composition of the local Workforce Investment Board; and

WHEREAS, Chapter 2, Section 117 (c) of the Workforce Investment Act authorizes the appointment and certification for local Workforce Investment Board membership; and

WHEREAS, Article V of the Workforce Investment Board By-Laws indicates the procedures for membership on the Board; and

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WHEREAS, the Counties of Jefferson and Lewis seek to appoint individuals to the local Workforce Investment Board who have interest and experience in the delivery of local workforce development services.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the appointment of the following individuals to serve as members of the Jefferson-Lewis Workforce Investment Board:

Jefferson County

Lynn Pietroski, President & CEO of Greater Watertown North Country Chamber of Commerces  
Peter Fazio, Director of Jefferson County Office For the Aging  
Peter Whitmore, Owner of Jreck Sub  
Jody Pettit, General Manager at Hilton Garden Inn  
Mary Beth LaValle, Human Resources Manager at Knowlton Technologies  
Jill Parker, Corporate Administrative Manager at City Electric Company, Inc.  
Kathy Watson, Human Resources Director at Timeless Frames  
Carol Urbanowicz, Human Resources Supervisor at Hi-Lite Markings

Lewis County

Matthew Cooper, Principal Engineer of Bernier, Carr & Associates  
Scott Mathys, CEO of Lewis County Opportunities  
Michael Schantz, Human Resources & Safety Manager of Qubica AMF  
Eric Virkler, Lewis County Economic Development Director

Section 2. That the term of said appointments shall be effective through June 30, 2014 to June 30, 2017.

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

Moved by Legislator Moroughan, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 206 - 2014  
RESOLUTION TO CREATE AND APPROPRIATE FUNDS  
FOR STUDENT WORKER PROGRAM**

Introduced by Legislator Michael Tabolt, 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 2014 at an hourly rate of \$8.00, minimum wage and;

WHEREAS, the cost to the County of Lewis would only be for the fringe benefits other than Social Security.

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NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That upon approval by the Pratt-Northam Foundation, the following amounts will be appropriated to expense account Nos. A.6380.1999 \$14,400.00 and A.6380.8999 \$1,104.00 and revenue account No. A27052 \$15,504.00.

Section 2. That the students employed shall be distributed to the County Departments as approved by the 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 will 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 Pepper, seconded by Legislator King, and adopted.

**RESOLUTION NO. 207 - 2014  
AUTHORIZING PARTICIPATION IN A JOINT APPLICATION FOR NYS MAIN  
STREET GRANT FUNDS SPONSORED BY THE  
ADIRONDACK NORTH COUNTRY ASSOCIATION (ANCA)**

Introduced by Legislator Lawrence Dolhof, Economic Development Committee Chairman.

WHEREAS, the Board of Legislators of Lewis County understands the importance of development of our downtown municipal centers and encourages our towns and villages to seek projects that will improve their main streets; and

WHEREAS, the Adirondack North Country Association has agreed to complete a NYS Consolidated Funding Application for Office of Community Renewal Main Street funds and ANCA will work with Lewis County and other counties in the North Country region to seek projects for Main Street funding, and

WHEREAS, Lewis County agrees to work with ANCA if funding is received for outreach to our towns and villages to seek potential projects and applicants for the grant funding.

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. The Lewis County Board of Legislators hereby agrees to be a partner with the Adirondack North Country Association to seek funding from the NYS Main Street program and that the County will actively participate in the future by working with local businesses and municipalities to identify projects to improve downtown communities.



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

Moved by Legislator Dolhof , seconded by Legislator Moser , and adopted.

**RESOLUTION NO. 208 - 2014  
RESOLUTION ESTABLISHING HEALTH INSURANCE PREMIUMS  
EFFECTIVE AUGUST 1, 2014**

Introduced by Legislator Lawrence Dolhof, 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, the Lewis County Treasurer has reviewed the Health Insurance Fund balance and has determined that the Fund balance is critically below the levels recommended by the health plan administrators; and

WHEREAS, the Lewis County Treasurer reports that the health claims are exceeding premiums, and have been doing so for the past two and one-half (2 ½) years, with this trend continuing in the current year; and

WHEREAS, the Lewis County Treasurer, having reviewed and analyzed the health insurance plan and fund balance, is hereby recommending that the Board of Legislators increase the health insurance premium equivalents up to 20%.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby approves the Plan Administrator's recommendations effective August 1, 2014 until further amended or modified by the Board of Legislators.

Section 2. That this Resolution shall take effect immediately.

Moved by Legislator Pepper , seconded by Legislator Dolhof , and adopted.

**RESOLUTION NO. 209 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN**

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**LEWIS COUNTY GENERAL HOSPITAL**

Introduced by Legislator Richard Chartrand, 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 position:

<u>TITLE</u>	<u>STATUS</u>
Occupational Therapist	Full-Time

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

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

**RESOLUTION NO. 210 - 2014  
AUTHORIZING APPLICATION FOR 2014 SMALL CITIES  
COMMUNITY DEVELOPMENT BLOCK GRANT**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the Board of Legislators has heretofore duly advertised and held a public hearing on the 3<sup>rd</sup> day of June, 2014 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 a 2014 Small Cities Community Development Block Grant (CDBG) Application to secure funding to assist low and moderate income households with the purchase of existing single family homes 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 Brennan, seconded by Legislator Moser, and adopted.

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OTHER BUSINESS:

Legislator Chartrand made a motion to enter executive session at 6:37 p.m. to discuss a potential real property purchase, seconded by Legislator Pepper and carried. After a brief recess, the session began at 6:47 p.m. Legislator Brennan moved to re-enter regular session at 7:38 p.m., seconded by Legislator Chartrand and carried.

There being no other business to come before the Board, the meeting adjourned by motion of Legislator Chartrand, seconded by Legislator Brennan and carried.

JUNE 19, 2014

**SPECIAL MEETING  
June 19, 2014**

The meeting was called to order at 2:30 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Hathway, followed by a moment of silence for those deceased. Chairman Tabolt led the Pledge of Allegiance to the Flag.

There were 24 persons present.

**REPORT OF THE RULES AND LEGISLATION COMMITTEE:**

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

Dated: June 19, 2014

Lawrence Dolhof, Chairman  
Bryan Moser, Committee  
Craig Brennan, Committee

Legislator Brennan made a motion to waive the rules, seconded by Legislator Moser, and carried.

**PRIVILEGE OF THE FLOOR:**

County Attorney Joan McNichol provided an overview of the process to-date to purchase the Lewis Lanes property. In October 2013 a contract was entered between the parties to purchase the property; in November 2013 the Board rescinded that contract, and the owners filed a respective lawsuit. The newly elected Board on 2/6/2014 reinstated the purchase contract with stipulations, which if not met, would give them the right to rescind the contract. Simultaneously the parties agreed to rescind the legal action. Professionals were retained to appraise the building, and provide an engineering study and analysis to include potential environmental impacts if the building. The Board subsequently received the professional reports and have thoroughly studied and considered each, and have also conferred with counsel. The Board is now convened to take action they deem appropriate relative to the Lewis Lanes property.

Mrs. Jeanette Murphy asserted she had been a league bowler for 45 years, and had hoped that her career would end on her own terms, not at the whim of the business owners. The County's prospective purchase would remove the property from the tax roll. She credited the owners for rebuilding after the structure fire, and operating a "successful business". They have 12 lanes and are guaranteed revenue from league bowlers for at least 30-33 weeks of the year. Mrs. Murphy opined that "The County was moving in the wrong direction, and the owners were taking the easy way out into retirement. They are selling their business and are selling out the bowlers!", she exclaimed.

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Mrs. Darlene Crouse, Lewis Lanes co-owner, responded to inquiries as to why a “For Sale” sign was not placed on the property. After speaking with an attorney in June 2013 for advice on how best to sell their commercial property, impressing the importance of confidentiality due to negative repercussions, they authorized the attorney be the sole negotiator. Upon reading an October 2013 newspaper article that the Legislators voted to reject purchasing the Commons building, and after conferring with her husband Rick, Mrs. Crouse contacted Chairman Michael Tabolt.

After some Legislators had viewed the property, the Committee had indicated their support to purchase the building, while suggesting potential relocation of the Department of Motor Vehicles, Office For the Aging and Board of Elections offices. Legislators had indicated a contract would be drawn up by the County Attorney.

Mrs. Crouse relayed confidence the new code-compliant, handicapped accessible building on a two-acre parcel, and easy access to utilities were all advantages; and would meet all the contract stipulations. Moreover, referencing environmental issues, Mrs. Crouse invoked that their commercial mortgage would not have been approved without an environmental report. However, after executing and delivering the purchase offer, the Board rescinded it one week later.

At this point, Mrs. Crouse affirmed the owners’ intent to allow league bowlers to finish their season, while timely informing them of their intent to sell the property.

Mrs. Crouse further cited the Town of New Bremen’s plans to have voters utilize the fire hall because of handicapped accessibility and adequate parking. Mrs. Crouse then invoked that “Lewis County citizens expect their elected government representatives to honor their commitments and live up to their word”.

Continuing, she referenced one of the largest bowling manufacturing companies had filed for Chapter 11 bankruptcy, and plans to merge with another company to remain viable. The future of bowling, she said, depends upon attracting new bowlers, citing the consistent annual decline. Their losses will be further compounded because the L.A.C.S. school students will not be returning in the fall. Mrs. Crouse assured that increasing bowling prices is not an option, due to already low interest. Ever increasing gas prices also continue to negatively impact as well.

Mrs. Crouse further reported attending a buyer’s show as a venue to buy bowling equipment. She had spoken to many PBA bowlers who expressed difficulty in obtaining sponsors. Also, no one has approached them to purchase the business. “ The industry has changed; people get older, and our family would like to go in a different direction”, she concluded.

Legislator Neil Pepper directed a comment toward Watertown Daily Times reporters Christina Scanlon and Steve Virkler, chiding them for their assumed non-response to an invitation to attend a barbecue event at the Re-energy business in Lyonsdale, which may not be viable after 2014 because of losing their State funding revenue source. “I think the local paper

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could show some support to a business that employs many and impacts several others. Christina affirmed she had not been invited, but was aware of the event through another reporter.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Clerk read a letter authored by G. Wesley Barnard of Lowville, expressing his opposition to the Lewis Lanes purchase.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Buildings and Grounds Committee Chairman, reported obtaining and reviewing an engineering study for the Highway garage drain, and concur to move forward with their recommended repairs. Legislator Hathway made a motion to authorize an engineering firm to prepare the design and bid specifications for an amount of \$7,200, seconded by Legislator Pepper and carried.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, made a motion to authorize prior-to-audit payment to E.F. Johnson Technologies in the amount of \$697,450.00 which is equal to 20% of the emergency radio system infrastructure, pursuant to the approved contractual agreement. The motion was seconded by Legislator Pepper and carried.

RESOLUTIONS:

**RESOLUTION NO. 211 - 2014  
RESOLUTION TO RESCIND CONTRACT**

Introduced by Legislator Philip Hathway, Chairman of Ways and Means, Buildings and Grounds Committee.

WHEREAS, on October 28, 2013, the Board of Legislators adopted Resolution No. 423 - 2013 wherein the Board authorized a Contract For The Purchase of a certain parcel of land located on State Route 26, in the Town of Lowville, County of Lewis and State of New York, together with the improvements located thereon and more commonly known as "Lewis Lanes" (herein referred to as the "Contract"); and

WHEREAS, the Contract contains certain contingencies, including without limitation the following:

Purchaser's obligation to close and accept title to the Property hereunder shall be specifically conditioned upon the following:

- d. Purchaser's receipt of an appraisal prepared by an "MAI" or similarly designated appraiser, setting forth an opinion of value for the Property that meets or exceeds the Purchase Price;

PROCEEDINGS OF THE BOARD OF LEGISLATORS

- e. Purchaser's receipt of a report from its architects/engineers that the Property is suitable for use by the Purchaser as office space for its intended purposes;
- f. Purchaser's receipt of an acceptable environmental assessment report that indicates that the Property, including all of its improvements, does not contain any environmentally hazardous materials, is not presently in violation of any environmental law, rule or regulation, and that the renovation of the Property to meet the Purchaser's needs will not cause or result in an adverse environmental impact as that term is defined in the State Environmental Review Act ("SEQRA") and its implementing regulations.

and

WHEREAS, on November 5, 2013, the Board of Legislators adopted Resolution No. 456 - 2013 which repealed Resolution No. 423 -- 2013 and formally withdrew from the Contract; and

WHEREAS, on February 6, 2014, the Board of Legislators adopted Resolution No. 63-2014 which repealed Resolution No. 456-2013, with the intent in so doing, of reinstating the Contract for the Purchase and Sale of the above described Real Property, and with the Board of Legislators therein initiating and undertaking the appropriate steps and actions to properly investigate and evaluate the conditions under which the County would close and accept title to the premises, or determine to rescind under the terms and conditions of the Contract; and

WHEREAS, after due consideration and evaluation, including but not limited to the architects/engineers report, and pursuant to the conditions and contingencies contained in the Contract of Sale, the Board of Legislators finds and determines that it is in the public interest to rescind the contract, because the Property is not suitable for use by the County as office space for its intended purposes, and the unforeseen extensive renovations of and to the Property for the intended purposes may cause or result in adverse environmental impacts.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That consistent with the findings and report of its Engineer and pursuant to the Contract contingency provisions, The Board of Legislators hereby rescinds the Contract of Sale dated October 28, 2013.

Section 2. That the Board of Legislators hereby directs the County Attorney to immediately deliver such notice and writings to the Sellers as provided under the Contract, to advise the Sellers of the rescission of the Contract.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such writings, documents or instruments necessary to fulfill the intent of this Resolution on such form(s) as may be approved by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

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Moved by Legislator Hathway, seconded by Legislator King.

Legislator Hathway explained that the Committee's recommendation to rescind the contract to purchase Lewis Lanes is subsequent to numerous meetings and discussions specific to the appraisal and engineering study obtained as charged by the Board on 2/6/2014.

The engineering study, he stated, cited inadequate parking area for prospective County purposes thereby requiring the purchase of additional land; planned paving of the parking lot would impact adjacent property with storm water run-off thereby requiring the purchase of additional land and mitigation costs; and building renovations were substantially above estimates due to the need to raise the floor height by two feet in a substantial part of the building.

Chairman Tabolt referenced that office space issues have been discussed since he was first elected to the Board in 2003. The Board had considered purchasing the Lowville Commons, a portion of the East Road Seeber property, space in the Lowville Plaza and the former McDonald's building; however, none of those initiatives ever came to a vote. An attempt to purchase the building that houses the Department of Motor Vehicles was voted down. An office space needs study was obtained, but annual leasing expenditure of approximately \$250,000 continue.

Annual bond payments will continue for the next 23 years for the State-mandated Court House building with a balance of \$8.8 Million.

Chairman Tabolt affirmed his support for the County's commitment to commence the emergency communications radio project, while citing its respective financial commitment makes constructing a new office building unattainable for the foreseeable future.

Confirming his support to purchase the building, he stated, "The bowling alley is not ideal, but we could have made it work".

Legislator Moser explained that his vote will represent what he feels is in the best interest of the County as a whole after considering all of the obtained facts, not on the emotions expressed by bowlers; while asserting his respect for the Crouse's right to sell their business.

The resolution was adopted pursuant to the following roll call vote:

YEAS: Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, Pepper

NAYS: Brennan, Tabolt

ABSENT: None

**RESOLUTION NO. 212 - 2014  
RESOLUTION TO TRANSFER/APPROPRIATE FUNDS  
TRANSPORATION DEPARTMENT**



PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers and appropriations are hereby approved in the Highway Department Accounts to cover repairs to the French Settlement Road Bridge:

<u>From:</u> A1010.4199 (Sp Contingency)	\$6,602.00
<u>To:</u> A9901.9912 (to County Road)	\$6,602.00
<u>From/Increase Revenue:</u> D5150.499 (Paving Materials)	\$168,627.00
D50310 (Inter-fund Transfers)	\$ 6,602.00
<u>To:</u> D5500.49 (Bridge Materials)	\$175,229.00

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

Moved by Legislator Hathway, seconded by Legislator Pepper.

Legislator Brennan explained that Mr. Becker had pared back other budget areas to find enough money to complete this bridge project, citing critical safety issues for fire and emergency personnel response time. Legislator Chartrand affirmed the awarded low bid was one of four submissions.

Additionally, in response to Legislators' concerns about the disparity between the consultant's estimate and the actual bids, Legislator Brennan relayed the consultant's agreement to meet with Legislators for an opportunity to explain. Although, he distinguished, the consultants were tasked to provide a structural engineering proposal, not necessarily an estimate for materials.

The resolution was then unanimously adopted.

**RESOLUTION NO. 213 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
CAPITAL EMERGENCY RADIO SYSTEM**

Introduced by Legislator Jerry King., Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

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Section 1. That the following budget appropriations are hereby approved to the Capital Emergency Radio System account:

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

HA57300 (Serial Bonds)	\$5,100,000.00
HA33060 (Homeland Security Grant)	\$6,000,000.00
HA3310.4 (Contractual)	\$11,100,000.00

Moved by Legislator Dolhof, seconded by Legislator Moser.

In response to Legislator King about the serial bonds, Treasurer Patricia O'Brien stated that she had estimated the amount to fund the project that would be presented for Board approval at a future meeting, but that it would not require a public hearing.

The resolution was then unanimously adopted.

**RESOLUTION NO. 214 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO SHERIFF'S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement 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 Sheriff's Department to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Correction Officer	Permanent Part-time	Grade 23
\$21.52/hr.		

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said position effective immediately.

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

Moved by Legislator Pepper, seconded by Legislator Brennan, and adopted.

OTHER BUSINESS:

There being no other business to come before the Board, Legislator Brennan made a motion to adjourn at 3:02 p.m., seconded by Legislator Chartrand and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**REGULAR MEETING  
July 1, 2014**

The meeting was called to order at 5:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Hathway, followed by a moment of silence for those deceased. Chairman Tabolt led the Pledge of Allegiance to the Flag.

There were 13 persons present.

Chairman Tabolt announced approval of the June 3<sup>rd</sup> and June 19th, 2014 meeting minutes.

**REPORT OF THE RULES AND LEGISLATION COMMITTEE:**

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

Lawrence Dolhof, Chairman  
Bryan Moser  
Craig Brennan, Committee

Dated: July 1, 2014

Legislator Pepper made a motion to waive the rules, seconded by Legislator Moser, and carried.

**PRESENTATION OF COMMUNICATIONS AND NOTICES:**

The Clerk acknowledged receipt of resolutions from Chenango County Board of Supervisors opposing proposed NYS Public Health Law amendments to impose new regulations on children's camps; from Delaware County Board of Supervisors recognizing NY State's first invasive species awareness week from 7/6-7/12/14; from Greene County Legislature calling upon the Governor and State Senate to release individual school districts from mandating veteran's real property school tax exemptions and ensure that the State will immediately and forever reimburse each school district the total of their respective veteran's real property tax exemptions; and from the Yates County Legislature supporting repeal of the NY Labor Scaffold Law; and calling upon the Governor and State Legislature to refrain from enacting new public employee benefit mandates.

**REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:**

The County Treasurer and Real Property Tax Director have reported their approval of a 2013 corrected tax roll for Ronald Crane in the Town of Diana.

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All Legislators have received copies of the Treasurer's June monthly report and the 2<sup>nd</sup> Quarterly Bed Tax Report, the 6/24/14 Highway Audit Report, the 6/20/14 Solid Waste Audit Report; and minutes of the 6/24/14 Youth Bureau Advisory Board and 5/27/14 Soil & Water Conservation District meetings.

County Sealer Barbara Cooper has submitted her June activity report to be placed on file.

#### REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, announced the July monthly committee meeting would be held on 7/29/14 at 2:00 p.m.

After reviewing engineered drawings from a 2008 study of the Highway garage that indicated needed repair of the deteriorating brick on the west side of the Highway garage, Legislator Hathway stated the committee plans further review and consideration and will present their recommendation. The Committee anticipates recommending to award the bid for drain repair at the September Board meeting. Also, additional lights had been replaced in and outside the garage, to be partially covered by the National Grid energy grant.

Legislator Hathway reported the Highway Department would be shimming the recently paved portion of the Outer Stowe Street parking lot; and that the "Green" grant application had been submitted.

Legislator Neil Pepper, Social Services/Office For the Aging/Youth Committee Chairman, relayed listening to a very informative and interesting account from Jake Ledoux of the Youth Bureau Advisory Board, about his Costa Rica trip. The Youth Board will be reviewing their By-laws; and monitoring the entities that had received Youth Bureau funding for youth activities.

Legislator Pepper made a motion to authorize Office For Aging Director Brenda Bourgeois to fill two (2) Title V Aging Services Aides, who work up to 17 hours per week at minimum wage. The durational limit of four (4) years is set by the NYS Office For Aging for these positions. Two of the current Aides are due to terminate on 7/27/2014 and 10/25/2014 respectively. The motion was seconded by Legislator Moroughan and carried.

Legislator Pepper made a motion to authorize Social Services Commissioner Stacy Alvord to fill a Temporary Support Examiner position for the Child Support Unit, effective immediately, seconded by Legislator Moroughan. Legislator Pepper explained the Board had previously approved filling a Temporary Social Welfare Examiner in an effort to minimize impending 2015 layoffs due to the State Medicaid takeover. However, Civil Service rules prohibit transferring a Social Welfare Examiner to the Child Support Unit. The motion then carried.

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Bryan Moser, County Officers/Veterans/Junkyards/Human Resources Committee Chairman, cited the Introductory Local Law to amend the Junkyard Law and set the public hearing for 8/5/2014.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, referenced his sponsored resolutions, while explaining time was required to confer with bond counsel to assure accuracy. Although the County received notification of Public Safety Answering Point (PSAP) Grant denial, Legislator King thanked Dispatch Supervisor Cheryl LaLonde for her efforts to submit the application.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry & Parks Committee Chairman, reported ongoing discussion about economic development projects, and specifically the need for housing development; as well as topics for the annual local conference. A round table discussion is scheduled for 7/8/14 for involved stakeholders about ATV's and trail development. He also reported that Director Jackie Mahoney has hired a summer intern through the Pratt- Northam Foundation program.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, reported engineering development for a cold storage building at the Lowville Transfer Station. In response to persistent calls from citizens requesting recycle containers similar to those initially distributed to all Lewis County households, they are searching for a vendor.

Legislator Brennan also reported meeting with Barton & Loguidice engineers who explained the disparity between their estimate and the actual bids received for rehab materials for the French Settlement Road Bridge. Their estimate included only one of the two spans of the bridge; and they have agreed to refund the County an amount of \$5,000.

In conclusion, Legislator Brennan reported that most of the paving projects have completed.

Legislator Gregory Kulzer, Taxation/Information Technology/Elections/Agriculture Committee Chairman, recognized and highly commended Tax Map Technician Russ Brownell for completing a mapping Nad83 upgrade, which otherwise would have required an outside vendor at a cost of up to \$45,000. He also urged approval of the contract with GIS Cloud, Inc. for mapping software that will be utilized by several County departments to enhance operations.

I.T. Director Adam Zehr is conferring with the Development Authority of the North Country for upgraded fiber optic connectivity of the sprawling County buildings. Legislator Kulzer also reported that Building Supervisor Frank Archer is pursuing an appropriate solution, in response to a power outage that effected the Board of Elections on primary day.

Legislator Kulzer also reported that Cooperative Extension Executive Director Michele Ledoux and her staff are performing beyond expectations to assist farmers with third party audits to assess agricultural flood damage during the recent emergency. Citing equitable milk prices and dairy-related construction, he submitted that dairy farmers are having a good year. The 4-H Clubs invite and encourage everyone to visit the Lewis County Fair.

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Legislator Richard Chartrand, Hospital Committee Chairman, announced that Selina Hughes, Nurse Practitioner with the Women's Health Unit was the chosen employee-of-the-month. Several patients had recognized her kind consoling advice.

Legislator Chartrand reported ongoing negotiations to formulate a "Letter of Intent" to affiliate with St. Joseph's Hospital in Syracuse, in consideration of a community grant, capital project funding and physician recruitment. They were instrumental in assisting with an orthopedic surgeon.

The Hospital is beginning to receive revenues relative to the Hospital's Critical Care Access designation, estimated at \$1 Million by year end.

Legislator Chartrand reported the Hospital's County debt effective 5/16/14 of \$11,519,251.23, has been offset by IGT and other reimbursements for a current County debt balance of \$6,497,390.83.

Legislator Chartrand cited the recent joint meeting of the Board and the Hospital Board of Managers as an informative overview of Hospital Administration's financial and operational plans.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, listed and urged support of her sponsored resolutions. Public Health staff has completed Medicaid billing for Pre-School program services in the amount of \$8,500. If approved, the State reimbursement of 50% would offset the County's cost share. Pre-billing audits are completed to assure that appropriate records and documentation are on file before submission of any bill. She further reported that 43% of children in the program are Medicaid eligible.

Legislator Moroughan reported that the Community Services Board (CSB) and Interim Director of Community Services (DCS) Sarah Bullock have reviewed and discussed the State Office of Mental Health's (OMH) personnel redeployment plan for the impending closure of the St. Lawrence Psychiatric Center, which appears to favor the host County. Jefferson and Lewis County officials are formulating opposing letters to document their knowledgeable opinions of the woefully inadequate service indicated by the State's redeployment plan.

Mrs. Bullock held a meeting of the Local Government Unit, vendor providers, and Samaritan Medical Center in-patient mental health unit discharge planners, to facilitate communication for assurance that appropriate medical and counseling support are provided to discharged patients.

Legislator Moroughan also reported that Transitional Living Services (TLS) has been approved to provide behavioral health services at the Beaver River and South Lewis Health Clinics, however, an implementation date has not yet been determined.

COUNTY MANAGER REPORT:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

County Manager Liz Swearingin reported that she, Legislator Hathway and County Treasurer Patricia O'Brien will meet with Hospital CEO Eric Burch and CFO Jeffrey Hellinger to further discuss debt repayment plans and monthly tracking of progress toward defined goals.

She announced that union members of two Local CSEA Units are scheduled to vote on proposed agreement terms next week.

Ms. Swearingin also relayed that she and several County and local agency representatives had attended a meeting with stakeholders of the proposed Nano-Tech Center on the Utica SUNY Institute of Technology campus. The multi-year development project will infuse public and private investment of several billion dollars. The Research and Development (R&D) Phase I encompasses cutting-edge prototyping of computer chips in a 250,000 sq. ft. building, with anticipated employment of up to 500 by the close of 2014. Immediate efforts are focused on housing development to meet the needs of the impending residential influx, particularly for high wage engineering employees with two year assignments; and highly skilled management employees that will oversee the 21<sup>st</sup> century technological systems and buildings.

The second phase, she said, would be a 5-7 year \$8.2 Million manufacturing facility construction for a global consortium of companies. It is estimated the facility will employ up to 5,000, with an additional 15,000 indirect jobs. Ms. Swearingin encouragingly submits that Lewis County's adjacent geographic location lends itself to employment opportunities, as well as various other residual economic benefits.

Ms. Swearingin stated that she and Economic Development Director Eric Virkler plan to meet with officials at the initial New York Nano-Tech facility located in Albany. Investors have chosen our region due to the availability of water, power, and the lack of seismic activity, which is crucial to the viability of the buildings and the operations they house. She recommends focused development efforts, particularly in southern Lewis County, to avail potential economic advantages.

COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien confirmed that Fiscal Advisors are prepared to move forward with the bonds for the emergency communications system, upon the Board's approval.

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 \$ 1,516,552.04 and recommend that they be audited and allowed for the amounts claimed.

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Philip Hathway, Chair  
Jerry King, Committee  
Richard Chartrand, Committee

Dated: July 1, 2014

Approved on motion by Legislator King, seconded by Legislator Pepper, and carried.

**RESOLUTION NO. 215 - 2014  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 1,516,552.04 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 Brennan, seconded by Legislator Dolhof, and adopted by roll call vote:

All voted YEA.

**RESOLUTION NO. 216 - 2014  
AUTHORIZING OPENING OF CERTAIN PORTIONS OF  
COUNTY ROADS FOR ATV SPECIAL EVENT**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

WHEREAS, Highmarket Wheelers Club has requested that the Board of Legislators open:

▪ *CR 51 West Road, from State Route 26 to the Gomer Hill Road in the Town of Turin* for a one-day all terrain vehicle (ATV) rally event to be held on July 26, 2014; 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, this action is a "Type II" action for purposes of the State Environmental Quality Review Act, and the regulations promulgated thereunder, more particularly, 6 NYCRR § 617.5(15) which provides that "minor temporary uses of land having negligible or no permanent impact on the environment" do not require further environmental review; and



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WHEREAS, Highmarket Wheelers Club as sponsors of the event, have 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 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 51 West Road, from State Route 26 to the Gomer Hill Road in the Town of Turin* for a one-day all terrain vehicle (ATV) rally event to be held on July 26, 2014.

Section 2. That the permission granted herein is specifically conditioned upon Highmarket Wheelers Club entering into a written agreement with the County of Lewis whereby:

5. Highmarket Wheelers 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;
6. Highmarket Wheelers 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 \$2,000,000 on account of any one occurrence and naming the County of Lewis as an additional insured; and
7. Sponsor agrees to pay for and fully indemnify, save and hold harmless the County and all of its officers, agents and employees from and against any and all property damage claims and expenses incurred and/or made by any person or entity as a result of this Event.
8. 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 King, seconded by Legislator Dolhof, and adopted.

JULY 1, 2014

**RESOLUTION NO. 217 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
THE COUNTY OF LEWIS AND TRANE BUILDING SERVICES**

Introduced by Legislator Philip Hathway, 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”); 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, 2015 through December 31, 2017 at a cost not to exceed \$32,069.13 for 2015; \$33,031.20 for 2016; and \$34,022.14 for 2017;

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 Moser, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 218 - 2014  
RESOLUTION TO TRANSFER FUNDS  
COMMUNITY SERVICES**

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

BE IT RESOLVED as follows:

Section 1. That the following budget changes are hereby approved in the Community Services Accounts to cover increased professional services:

<u>From:</u>	
A4335.4505 (Dues/Sub)	\$2,500.00
A4335.4507 (Travel)	\$ 800.00
A4335.4301 (Telephone)	\$ 700.00

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A4335.4407 (Supplies)	\$ 250.00
A4335.490 7(Legal)	<u>\$ 300.00</u>
Total	\$4,550.00

To:  
A4335.4901 (Prof Serv) \$4,550.00

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

Moved by Legislator Pepper , seconded by Legislator Moroughan , and adopted.

**RESOLUTION NO. 219 - 2014  
RESOLUTION TO TRANSFER FUNDS  
CONTINGENCY TO CORONER**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following transfer of funds is hereby approved to the Coroner account to cover additional costs related to autopsies:

<u>From:</u>	<u>Amount</u>
A1910.4999 (Contingency)	\$10,000.00

To:  
A1185.4901 (Prof Serv Coroner) \$10,000.00

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

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

**RESOLUTION NO. 220 - 2014  
RESOLUTION TO TRANSFER FUNDS  
COUNTY CLERK**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following transfer is hereby approved in the County Clerk accounts for purchase of a printer:

<u>From:</u>	<u>Amount</u>
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A1410.1999 (Pers Serv) \$3,090.00

To:

A1410.2211 (Office Equip) \$3,090.00

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

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

**RESOLUTION NO. 221 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
TO ESTABLISH THE SALARY FOR DEPUTY CLERK OF THE BOARD**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, Deputy Clerk of the Board Deanna Smith had submitted her resignation effective June 28, 2014; and

WHEREAS, the Board of Legislators had given the Clerk of the Board permission to refill the Deputy Clerk position; and

WHEREAS, Cassandra Moser has been appointed as Deputy Clerk of the Board effective June 25, 2014.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby sets the annualized salary for the newly appointed Deputy Clerk of the Board at \$33,000.00, effective June 25, 2014.

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

Moved by Legislator Dolhof , seconded by Legislator King , and adopted. Legislator Moser abstained.

**RESOLUTION NO. 222 - 2014  
RESOLUTION AUTHORIZING ENGINEERING SERVICES AGREEMENT  
BETWEEN LEWIS COUNTY HIGHWAY DEPARTMENT  
AND C&S COMPANIES**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

WHEREAS, the Lewis County Highway Department (hereinafter "Highway Department") desires to enter into an Agreement with C&S Companies (hereinafter "C&S"), that

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provides engineering, architecture, planning, environmental and construction services, with offices located at 499 Col. Eileen Collins Boulevard, Syracuse, New York 13212; and

WHEREAS, the Highway Department desires to have C&S perform field inspection and remedial construction plans and details for the High Market Road Bridge that has been yellow flagged located over the North Branch of Sugar River in the Town of West Turin for the project (BIN 3340360); 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 C&S Companies to provide engineering services for the bridge repair project identified as High Market Road Bridge over North Branch of Sugar River in the Town of West Turin, Lewis County, New York (BIN 3340360).

Section 2. That the term of this Agreement shall be from July 2, 2014 through July 31, 2015 for an amount not to exceed \$7,500.00.

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 Brennan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 223 - 2014  
RESOLUTION TO AUTHORIZE CLOSING PORTION OF  
WEST ROAD IN TURIN DURING CONCERT EVENT**

Introduced by Legislator Gregory Kulzer District No. 7 Representative for the Town of Turin.

WHEREAS, the owners of Snow Ridge Ski Resort will sponsor the moe.down concert event, which attracts thousands of tourists; and

WHEREAS, closure of a portion of the West Road would greatly enhance the safety of pedestrians, as well as ensure an open pathway for emergency and law enforcement vehicles.

NOW, THEREFORE, BE IT RESOLVED as follows:

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Section 1. That the Board of Legislators hereby authorizes the closure of the West Road in the Town of Turin from the intersection of West Main Street northerly to the intersection of Route 26.

Section 2. That the West Road closure will be in effect from 10 a.m. on Friday, August 29, 2014 through 10 a.m. on Monday, September 1, 2014.

Section 3. That said road closure is contingent upon Snow Ridge Ski Resort, as the event sponsor, entering into an agreement with the County of Lewis to indemnify and hold the County harmless from all claims liability, damages and costs (including attorney fees) that may arise by reason of injury to person or property and arising out of the “moe.down” event.

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

Moved by Legislator Pepper , seconded by Legislator Moser .

In response to Legislator King, Legislator Kulzer stated that the event sponsor will be held responsible for any clean up or costs associated with the event.

The resolution was then unanimously adopted.

**RESOLUTION NO. 224 - 2014**  
**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN**  
**THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION**  
**AND THE COUNTY OF LEWIS**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

WHEREAS, pursuant to Transportation Law Sections 14(14) and 14(15) and Section 99-4 of the General Municipal Law, the New York State Department of Transportation (“NYSDOT”) and the County of Lewis (“County”) have entered into a Shared Services Agreement to share certain materials and services and desire to extend the completion date to August 31, 2014; and

WHEREAS, the sharing of such materials and services shall promote and assist the maintenance of NYSDOT and County roads and highways and provide a cost savings by maximizing the effective utilization of both parties resources.

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 authorizes and approves the extension of the Shared Services Agreement between the New York State Department of Transportation and the County of Lewis to share certain materials and services whereby the sharing of such materials and services shall promote and assist the maintenance of NYSDOT and

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the County of Lewis roads and highways and provide a cost savings by maximizing the effective utilization of both parties resources.

Section 2. That this Shared Services Agreement is for the period beginning September 1, 2012 and ending August 31, 2014, and the amount shall not exceed \$150,000 during the term of this Agreement.

Section 3. That the Lewis County Highway Superintendent, or in his absence the deputy superintendent, be and the same is hereby authorized to 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 Pepper, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 225 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
OFFICE FOR THE AGING**

Introduced by Legislator Neil Pepper, Chairman of the Office for the Aging Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Office for the Aging account representing designated donations from Wal-Mart:

<u>Increase Revenues</u>	
A27051 (Contrib-OFA)	\$500.00
<u>Increase Expense</u>	
A6772.4919 (Other)	\$500.00

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

Moved by Legislator Moroughan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 226 - 2014  
RESOLUTION TO APPOINT MEDICAL CONSULTANT/  
DIRECTOR OF PUBLIC HEALTH PROGRAMS**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, in order for Lewis County to receive State financial aid for mandatory core services, or non-core optional services, provided by the Lewis County Public Health Agency, the

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Board must appoint a physician licensed to practice in New York State whom meets the requirements of the New York State Department of Health, as a Medical Consultant to the Public Health Director and a Medical Director for County Programs.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby reappoints DANIEL T. ROOT, M.D. of 7785 N. State Street, Lowville, New York 13367 to serve as Medical Consultant to the Lewis County Public Health Director, Medical Director of the Physically Handicapped Children's Program, and Medical Director of the Diagnostic and Treatment Center Program.

Section 2. That the term of said appointment shall be for the period January 1, 2014 through December 31, 2016.

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

Moved by Legislator Moroughan, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 227 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
PUBLIC HEALTH**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation increase be approved for the 2014-2015 COLA (Cost of Living) Funds:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
A34461	COLA-PH	\$ 18,514.00
A4020.4909	COLA-Misc.	\$ 18,514.00

Programs providing COLA funds are as follows:

Rabies Program -	\$ 778.00
Lead Poisoning Prevention -	\$ 1,696.00
Immunization Action Program -	\$ 2,406.00
Cancer Services Program -	\$13,634.00
	\$18,514.00

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

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



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**RESOLUTION NO. 228 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY PUBLIC HEALTH AGENCY AND  
NEW YORK STATE DEPARTMENT OF HEALTH  
FOR CANCER SCREENING PROGRAM - RENEWAL**

Introduced by Legislator Andrea Moroughan, Chair 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 \$170,000 for cancer screening services; 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 cancer screening services for the period of April 1, 2014 through March 31, 2015 in the amount of \$170,000.

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, pending approval by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 229 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO PUBLIC HEALTH DEPARTMENT**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, a current Public Health employee has been approved for an impending medical leave-of-absence; and

WHEREAS, Director of Public Health Penny Ingham requests to increase a part-time employee to full-time, to assume additional duties during the employee's absence.

NOW, THEREFORE, BE IT RESOLVED as follows:

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Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis to authorize a temporary increase to full-time of the current part-time Public Health Program Assistant (Grade 20 - \$16.59/hr.) for the period from July 28, 2014 to November 7, 2014.

Section 2. That the within resolution shall take effect immediately

Moved by Legislator Pepper, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 230 - 2014  
RESOLUTION TO TRANSFER FUNDS  
PUBLIC HEALTH**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Public Health accounts to allow for spending of the Public Health Emergency Preparedness Program Grant:

<u>From:</u> A4092.1999	Pers Svs –PH Preparedness	\$ 2,500.00
<u>To:</u> A4092.2909	Misc Equipment	\$ 2,500.00

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

Moved by Legislator Moser, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 231 - 2014  
LEWIS COUNTY  
EMERGENCY COMMUNICATIONS SYSTEM IMPROVEMENTS PROJECT  
SEQR NEGATIVE DECLARATION RESOLUTION**

Introduced by Legislator Jerry King, Chairperson of the Courts & Law Enforcement Committee.

WHEREAS, the Lewis County Board of Legislators (the “County”) is the lead agency pursuant to the State Environmental Quality Review Act (“SEQR”) for the environmental review of the action to upgrade the Emergency Communications System Improvements for Lewis County First Responders, hereinafter referred to as the “Project”; and

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WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, and the SEQR regulations adopted by the New York State Department of Environmental Conservation, being 6 NYCRR Part 617, as amended (the "Regulations"), the County desires to determine whether the upgrade of the Emergency Communications System may have a "significant effect on the environment" and therefore require the preparation of an environmental impact statement; and

WHEREAS, to aid the County in determining whether the Project may have a significant effect upon the environment, the County has reviewed an environmental assessment form (the "EAF"), a copy of which is on file at the office of the County Board of Legislators; and

WHEREAS, pursuant to the Regulations, the County has examined the EAF in order to make a determination as to the potential environmental significance of the Project; and

WHEREAS, the County has completed a coordinated review of the project pursuant to the 6 NYCRR Part 617.6 Regulations; and

WHEREAS, the Project constitutes a "Type 1 Action" (as the quoted term is defined in the Regulations).

NOW, THEREFORE, BE IT RESOLVED:

Section 1. Based upon the County's consideration and examination of the EAF, together with the further review and input of its consultants, the County finds that with respect to the Project, no potentially significant impacts on the environment are noted in the EAF, and none are known to the County.

Section 2. Based upon the foregoing investigation of the potential environmental impacts, the County makes the following findings and determinations with respect to the execution of the Project Agreement.

- a) The Project constitutes a "Type 1 Action" (as the quoted term is defined in the Regulations); and
- b) The Project will result in no significant adverse impact(s) to the environment. Therefore, the County will not require the preparation of an environmental impact statement; and
- c) In consideration of the foregoing, the County states that a negative declaration has been prepared with respect to the Project; said negative declaration to be substantially to the effect of the attached draft negative declaration.

Section 3. Copies of the negative declaration and supporting documentation shall be maintained in the office in the Board of Legislators in a file that will be readily accessible to the public.

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Section 4. 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 5. That this Resolution shall take effect immediately.

Moved by Legislator Dolhof , seconded by Legislator Moroughan , and adopted.

**RESOLUTION NO. 232 - 2014  
RESOLUTION AUTHORIZING SOFTWARE LICENSING  
AGREEMENT BETWEEN THE COUNTY OF LEWIS  
AND GIS CLOUD, INC.**

Introduced by Legislator Gregory Kulzer, Chairman of the Taxation Committee.

WHEREAS, the County of Lewis wishes to enter into a Software Licensing Agreement with GIS Cloud, Inc. for the purpose of utilizing mapping software to create, edit and share data layers with others, as well as online maps for the Lewis County web site and to field data collection; and

WHEREAS, the Board of Legislators wishes to accept such license agreement.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the License Agreement with GIS Cloud, Inc. for the purpose of utilizing mapping software to create, edit and share data layers with others as well as online maps for the Lewis County web site and to field data collection.

Section 2. That this Agreement is for the time period commencing July 1, 2014 at the cost of \$1,200.00 per year, subject to renewal at the same annual cost upon Board of Legislators approval at its March, 2015 monthly meeting.

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 Dolhof , seconded by Legislator King , and adopted.

**RESOLUTION NO. 233 - 2014  
RESOLUTION TO AUTHORIZE DIRECTOR OF  
RECREATION, FORESTRY AND PARKS DEPARTMENT**

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**TO EXECUTE TRAIL AGREEMENTS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the contracts related to the trail agreements regarding private landowners, clubs, stewardship agreements and volunteers.

Section 2. That the Board of Legislators hereby authorizes the Lewis County Director of Recreation, Forestry and Parks to execute and enter into the contracts, subject to approval by the County Attorney as to form.

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

Moved by Legislator Moser, seconded by Legislator Pepper.

Legislator Hathway made a motion to amend Section 2, to add the language, 'and the Economic Development Committee is advised'. The motion was seconded by Legislator Dolhof and carried.

The resolution was then adopted.

**RESOLUTION NO. 234 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN THE COUNTY OF LEWIS AND  
BIRNIE BUS SERVICE, INC.  
FOR EMERGENCY EVACUATION OF INMATES**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the County of Lewis desires to enter into an agreement with Birnie Bus Service, Inc. to provide transportation of inmates incarcerated at the Lewis County Jail to a different facility in the event of an emergency situation that is deemed necessary to evacuate all or part of the Lewis County Jail inmate population as directed by the Lewis County Sheriff or his designee in his absence.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the contract between the County of Lewis and Birnie Bus Service, Inc. to transport the inmates that are incarcerated at the Lewis County Jail to a different facility in case of an emergency evacuation.

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Section 2. That the term of this Agreement shall be from July 1, 2014 through June 30, 2016 at a cost of \$75.00 per hour and \$1.25 per mile.

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 Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 235 - 2013  
RESOLUTION TO APPROPRIATE FUNDS  
SHERIFF'S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriation be approved in the Law Enforcement budget to cover personnel expense utilizing DWI Crackdown Patrol grant funds:

<u>Increase Revenues</u>	<u>Amount:</u>
A15890 (Sheriff-DWI)	\$600.21

<u>Increase Expense:</u>	<u>Amount</u>
A3111.1103 (Overtime)	\$589.71
A3111.1104 (Shift Differential)	\$ 10.50

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

Moved by Legislator Moroughan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 236 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN THE COUNTY OF LEWIS AND  
LOWVILLE ACADEMY AND CENTRAL SCHOOL  
FOR EMERGENCY EVACUATION OF INMATES**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

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WHEREAS, the County of Lewis desires to enter into an agreement with Lowville Academy and Central School to provide back -up transportation for inmates incarcerated at the Lewis County Jail to a different facility in the event of an emergency situation that is deemed necessary to evacuate all or part of the Lewis County Jail inmate population, as directed by the Lewis County Sheriff or his designee in his absence.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the contract between the County of Lewis and Lowville Academy and Central School to transport the inmates that are incarcerated at the Lewis County Jail to a different facility in case of an emergency evacuation, with the Lowville Academy and Central School providing this emergency transportation only as a back-up to emergency transportation provided by Birnie Bus Service, Inc.

Section 2. That the term of this Agreement shall be from July 1, 2014 through June 30, 2016 at no cost to the County unless for some reason the financial burden on Lowville Academy and Central School would be more than the school could afford to donate, then the cost would be at a rate of \$20.00 per hour for the driver and \$1.75 per mile.

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 Moser, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 237 - 2014  
RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENTS BETWEEN  
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES  
AND JEFFERSON-LEWIS WORKFORCE INVESTMENT BOARD**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Jefferson-Lewis Workforce Investment Board (“WIB”) brings together committed representatives from business, labor, education, economic development, community-based organizations, local government, and other stakeholders to design and structure the way local workforce development services are delivered to job seekers and business customers; and

WHEREAS, the mission of the WIB is to build an integrated, customer-focused workforce system that provides guaranteed access to a full array of high quality services for job seekers and business customers that maximizes career potential and labor market success, while providing economic development and business growth in Jefferson and Lewis Counties; and

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WHEREAS, the Lewis County Department of Social Services (“DSS”) wishes to enter into three (3) separate Memorandum of Agreements with Jefferson-Lewis Workforce Investment Board for “One-Stop Career Center”, “One-Stop Operator Agreement” and “One-Stop Operator Consortium”.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Memorandum of Agreements between the Lewis County Department of Social Services and Jefferson-Lewis Workforce Investment Board for the purpose of workforce development and to build upon collaborative partnership efforts to develop a local system that is driven by the principle of high quality customer service and measurable outcomes.

Section 2. That this is for the period commencing July 1, 2014 and will continue from year to year unless modified or terminated at no cost to the County.

Section 3. That the Commissioner of the Department of Social Services is hereby authorized to make, execute, seal and deliver such Agreements, pending approval by the County Attorney.

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

Moved by Legislator Moroughan , seconded by Legislator Pepper , and adopted.

**RESOLUTION NO. 238 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
SOCIAL SERVICES**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Department of Social Services has received an allocation in the amount of \$46,736.00 to support 2014 Summer Youth Employment (SYEP).

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the following appropriations are hereby approved for 2014 TANF Summer Youth Employment Program (SYEP):

<u>Increase Revenue:</u>		
A36090	State TANF	\$48,364.00
<u>Increase Expenses:</u>		
A6109.1999	Pay-TANF SYEP	\$44,596.00
A6109.8999	Fringes- TANF SYEP	3,768.00



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Section 2. That this resolution shall take effect immediately.

Moved by Legislator Dolhof , seconded by Legislator Moroughan , and adopted.

**RESOLUTION NO. 239 - 2014  
RESOLUTION TO AUTHORIZE COMMISSIONER OF THE  
DEPARTMENT OF SOCIAL SERVICES  
TO EXECUTE AGREEMENTS**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the Lewis County Commissioner of Social Services to execute and enter into certain renewal agreements as long as there is no money exchange for services and there are no modifications to the agreement, subject to approval by the County Attorney as to form and the Social Services Committee is advised.

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

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

**RESOLUTION NO. 240 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
THE RESOLUTION CENTER OF JEFFERSON AND LEWIS COUNTIES, INC.**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services (“DSS”) wishes to enter into an Agreement with the Resolution Center of Jefferson and Lewis Counties, Inc. to provide mediators to facilitate the process of DSS administering child welfare services for youth and families in Lewis 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 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 DSS administering child welfare services for youth and families in Lewis County.

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Section 2. That the term of this Agreement shall be from May 1, 2014 through December 31, 2014 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 such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 241 - 2014**  
**RESOLUTION AUTHORIZING AGREEMENT**  
**BETWEEN DEPARTMENT OF SOCIAL SERVICES AND**  
**THE RESOLUTION CENTER OF JEFFERSON AND LEWIS COUNTIES, INC.**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services ("DSS") wishes to enter into an Agreement with the Resolution Center of Jefferson and Lewis Counties, Inc. to provide diversion education services to youth identified by DSS PINS unit; 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 Resolution Center of Jefferson and Lewis Counties, Inc. for the purpose of providing diversion education services to youth identified by DSS PINS unit.

Section 2. That the term of this Agreement shall be from July 28, 2014 through August 8, 2014 for an amount not to exceed \$5,527.00.

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 Moroughan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 242 - 2014**

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**RESOLUTION TO TRANSFER FUNDS  
SOCIAL SERVICES**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following fund transfer is hereby approved in the Social Services account to purchase a battery backup for the DSS server, utilizing Capital Data Processing funds with a current balance of \$97,899.96:

<u>Revenue</u>	Amount
A50310 (Inter-fund)	\$405.97

<u>Expense</u>	
A6010.2217 (computers)	\$405.97

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

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

**RESOLUTION NO. 243 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
TAX SALE**

Introduced by Legislator Gregory Kulzer, Chairman of the Taxation Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the Tax Sale accounts for cleanup of the Tax Foreclosure Property in the Town of Greig:

<u>Increase Revenue:</u>	
A10510 (Gain from Sale)	\$1,810.41

<u>Increase Expense:</u>	
A1362.4999 (Misc)	\$1,810.41

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

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

**RESOLUTION NO. 244 - 2014  
RESOLUTION APPOINTING MEMBERS TO**

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**TRAFFIC SAFETY BOARD**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following individuals to the Lewis County Traffic Safety Board:

Marcia Ashline, Public Health Nurse Supervisor

Jackie Mahoney, Recreation, Forestry and Parks Director

Frank Monnat, Beaver River Central School, P.O. Box 179, Beaver Falls, NY 13305

Section 2. That the term of said appointment shall be effective July 2, 2014 and terminate on December 31, 2017.

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

Moved by Legislator Pepper, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 245 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
WORKFORCE INVESTMENT ACT**

Introduced by Legislator Neil Pepper, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

NOA #PY14-1

Section 1. That the following funds be appropriated for Program Year 2014 for the period 4/1/14-6/30/16 for Youth, per the Notice of Obligational Authority (NOA), #PY14-1, dated May 19, 2014, through the New York State Department of Labor, in the amount of \$64,345.77.

<u>Youth</u>	
CD6290.1999	\$48,316.83
CD6290.4909	\$ 4,103.62
CD6290.8999	<u>\$11,925.32</u>
	\$64,345.77
<u>WIA Revenue</u>	
CD47910	\$64,345.77

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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

**RESOLUTION NO. 246 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY AND JEFFERSON COUNTY  
REGARDING THE WORKFORCE INVESTMENT ACT**

Introduced by Legislator Neil Pepper, Chairman of the Employment and Training 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 Department of Social Services, and Jefferson County for the conduct of activities pursuant to the Workforce Investment Act of 1998 pursuant to Public Law 105-220, which is to consolidate, coordinate, and improve employment, training, literacy, and vocational rehabilitation programs in the United States.

Section 2. That the term of this agreement shall be from July 1, 2014 through June 30, 2015.

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 Dolhof, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 247 - 2014  
RESOLUTION TO DEOBLIGATE FUNDS  
WORKFORCE INVESTMENT ACT**

Introduced by Legislator Neil Pepper, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

Rapid Response Discretionary  
Dislocated Worker Interface Sealing Solutions  
CFDA#17.278

JULY 1, 2014

Section 1. That the following funds shall be de-obligated.:

Dislocated Workers – Interface - Expense

CD6291.4901                      \$5,780.04

WIA Revenue

CD47910                              \$5,780.04

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

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

**RESOLUTION NO. 248 - 2014  
RESOLUTION APPOINTING MEMBERS TO  
YOUTH BUREAU ADVISORY BOARD**

Introduced by Legislator Neil Pepper, Chairman of the Youth Bureau Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following Student Representatives of their respective School District, as members of the Lewis County Youth Bureau Advisory Board:

Megan Weber - Lowville Academy & Central School  
7021 West Road  
Lowville, NY 13367

Christy Thomas - Copenhagen Central School  
10280 Old State Road  
Carthage, NY 13619-4106

Luke Moser - Beaver River Central School  
9482 State Rte 812  
Croghan, NY 13327

Seth Shaw - Beaver River Central School  
10456 State Rte 126  
Carthage, NY 13619

Tyler Eddy - Harrisville Central School  
14047 South Creek Road  
Harrisville, NY 13648

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the term of said appointments shall be effective from July 2, 2014, and shall terminate either on the date of their high school graduation, or they cease to be full-time High School students.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Moroughan, and adopted. Legislator Moser abstained.

**RESOLUTION NO. 249 - 2014  
RESOLUTION AUTHORIZING TO AMEND RESOURCE ALLOCATION PLAN  
WITH NYS OFFICE OF CHILDREN AND FAMILY SERVICES**

Introduced by Legislator Neil Pepper, Chairman of the Youth Bureau Committee.

WHEREAS, execution of the Resource Allocation Plan will qualify the County for State reimbursement in accordance with NYS Office of Children and Family Services' allocation of funds appropriated for counties engaged in comprehensive planning for youth services.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves amending the 2014 Resource Allocation Plan Between the County of Lewis and the New York State Office of Children and Family Services (OCFS) for the 2014 program year from \$21,115.00 to \$23,069.00. This request is made due to an increase of funding of \$1,954.00 allocated to the County by OCFS.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver said Resource Allocation Plan.

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

Moved by Legislator Pepper, seconded by Legislator Brennan, and adopted.

**LOCAL LAW (INTRODUCTORY NO. 4 - 2014)  
COUNTY OF LEWIS**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

**A LOCAL LAW PROVIDING FOR THE ESTABLISHMENT  
OF AN E-911 WIRELESS SURCHARGE**

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

JULY 1, 2014

Section 1. LEGISLATIVE INTENT.

The Lewis County Board of Legislators hereby finds and determines that the imposition of a surcharge on wireless communications service in the County of Lewis to finance the costs associated with the design, construction, maintenance and administration of a wireless E-911 system will provide the means to better serve the residents and visitors of Lewis County.

Section 2. DEFINITIONS.

1. "Wireless communications device" means any equipment used to access a wireless communications service.

2. "Wireless communications service" means all commercial mobile services, as that term is defined in section 332(d) of title 47, United States Code, as amended from time to time, including, but not limited to, all broadband personal communications services, wireless radio telephone services, geographic area specialized and enhanced specialized mobile radio services, and incumbent-wide area specialized mobile radio licensees, which offer real time, two-way voice or data service that is interconnected with the public switched telephone network or otherwise provides access to emergency communications services.

3. "Place of primary use" shall mean the street address representative of where a wireless communications customer's use of the wireless telecommunications service primarily occurs, and must be: (i) the residential street address or the primary business street address of the wireless communications customer and (ii) within the licensed service area of the wireless communications service supplier.

4. "Wireless communications service supplier" means any commercial entity that operates a wireless communications service in New York State.

Section 3. ESTABLISHMENT OF A SURCHARGE.

For the purposes of paying for the costs associated with the design, construction, operation, maintenance, and administration of public safety communications networks service Lewis County and for payment of system costs, the County of Lewis hereby imposes a surcharge in the amount of thirty cents (\$.30) per month on wireless communications service in the County of Lewis. The surcharge shall be imposed on each wireless communication device and shall be reflected and made payable on bills rendered for wireless communications service that is provided to a customer whose place of primary use is within the County.

Section 4. COLLECTION OF SURCHARGE.

1. All wireless communications service suppliers are hereby authorized and directed to begin billing their customers for the surcharge established herein on October 1, 2014.

2. Each wireless communications service supplier serving the County of Lewis shall act as collection agent for the County and shall remit the funds collected pursuant to a surcharge imposed under the provisions of this section to the Lewis County Treasurer every month.

3. Each wireless communications service supplier shall be entitled to retain, as an administrative fee, an amount equal to two percent of its collections of a surcharge imposed under the provisions of this section.



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4. Any surcharge required to be collected by a wireless communications service supplier shall be added to and stated separately in its billings to customers.

5. Each wireless communications service supplier shall annually provide to the County of Lewis an accounting of the surcharge amounts billed and collected.

Section 5. LIABILITY FOR PAYMENT OF A SURCHARGE.

1. Each wireless communications service customer who is subject to the provisions of this section shall be liable to such County for the surcharge until it has been paid to the County of Lewis except that payment to a wireless communications service supplier is sufficient to relieve the customer from further liability for such surcharge.

2. No wireless communications service supplier shall have a legal obligation to enforce the collection of any surcharge imposed under the provisions of this section, provided, however, that whenever the wireless communications service supplier remits the funds collected to the County of Lewis, it shall provide the County of Lewis with the name and address of any customer refusing or failing to pay a surcharge imposed under the provisions of this section and shall state the amount of such surcharge remaining unpaid.

Section 6. SYSTEM REVENUES.

This Local Law shall not be interpreted as precluding other means of funding all or part of an E-911 wireless system. The County of Lewis may apply for and accept federal monies and may accept contributions and donations from any source for the purpose of funding the County's E-911 wireless system. All surcharge monies remitted to the County of Lewis by a wireless communications service supplier shall be expended only upon authorization of the local county legislative body and only for payment of those costs permitted by County Law Article 6. The County of Lewis shall separately account for and keep adequate books and records of the amount and source of all such monies and of the amount and object or purpose of all expenditures thereof. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

Section 7. VALIDITY AND SEVERABILITY.

If any section or part of this Local Law is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section of this Law.

Section 8. EFFECTIVE DATE.

This Local Law shall take effect immediately upon full compliance with all the requisite statutes and laws applicable to its adoption and promulgation.

**RESOLUTION NO. 250 - 2014  
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW  
(INTRODUCTORY NO. 4 - 2014), COUNTY OF LEWIS**

JULY 1, 2014

Introduced by Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on July 1, 2014, a proposed Local Law entitled **“A LOCAL LAW PROVIDING FOR THE ESTABLISHMENT OF AN E-911 WIRELESS SURCHARGE.”**

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on August 5, 2014, from 9:00 a.m. to 9:30 a.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Court House at 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 Moser.

Legislator Hathway cited that previous research on this initiative estimated \$15,000 annual revenue. Chairman Tabolt affirmed that he had obtained the revenue estimate a few years ago with assistance from NYSAC and Dispatch Supervisor Cheryl LaLonde. At that time, the Board chose not to implement the surcharge. However, citing impending annual expense for operation and maintenance of the emergency communication system upgrades, Legislator Hathway surmised the surcharge may be substantiated. Legislator King stated his intent to acquire the number of cell phones subject to the surcharge.

The resolution was then unanimously adopted.

**LOCAL LAW (INTRODUCTORY NO. 5 - 2014)  
COUNTY OF LEWIS**

Introduced by Legislator Bryan Moser, Chairman of the Junkyard Inspector Committee.

**A LOCAL LAW AMENDING LOCAL LAW NO. 3-2001, (and as AMENDED BY  
LOCAL LAW NO. 3- 2011) , REPEALING ALL FORMER JUNKYARD LAWS AND  
ESTABLISHING A NEW COUNTY OF LEWIS JUNKYARD LAW**

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

ARTICLE A. INTRODUCTION

Section 1. AUTHORITY

PROCEEDINGS OF THE BOARD OF LEGISLATORS

This law is adopted pursuant to the authority granted to the County in Articles 2 and 3 of the Municipal Home Rule Law.

Section 2. TITLE

This Local Law shall be known as the “County of Lewis Junkyard Law”.

Section 3. PURPOSE OF THE JUNKYARD LAW

By adoption of this Law, the County of Lewis declares its intent to regulate and control the storage or keeping of junk, and to regulate junkyards whether operated for commercial profit or otherwise. The Lewis County Legislature hereby declares that a clean, wholesome, and attractive environment is of vital importance to the continued general welfare of its citizens, and that junk and junkyards can constitute a hazard to property and persons and can be a public nuisance. Such materials may be highly flammable and sometimes explosive. Junk and particularly junked vehicles can constitute attractive nuisances to children and certain adults. The presence of junk and junkyards is unsightly and tends to detract from the value of surrounding properties unless properly is screened from view.

ARTICLE B: DEFINITIONS

For the purpose of this Law, the following words and phrases shall have the meaning ascribed to them in this Article.

**Code Enforcement Officer:** Any County Building Codes Department officers or any person proposed by and approved by the Lewis County Board of Legislators to represent the Junkyard Review Board in particular matters pertaining to this Local Law.

**Junk Storage Area:** The areas of any parcel of land or water used, or intended to be used for the placement or storage of junkyard items.

**Junk Vehicles:** Any motor vehicle whether automobile, bus, trailer, truck, tractor-trailer, motor home, motor cycle, bicycle, mini-bicycle, snowmobile, or any other device originally intended for travel on the public highways which meets any of the following conditions:

- 1) One (1) or more is unlicensed, and
- 2) Is either abandoned, wrecked, stored, discarded, dismantled, or partly dismantled.
- 3) Is not in any condition for legal use upon the public highway.
- 4) With respect to any motor vehicle not required to be licensed, or any motor vehicle not usually used on public highways, the fact that such motor vehicle has remained unused for more than six (6) months and is not in condition to be removed under its own

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power shall be presumptive evidence that such motor vehicle is a junk motor vehicle.

Junkyard: The outdoor storage or deposit of any of the following:

- 1) Two (2) or more junk vehicles.
- 2) Three (3) or more junk appliances including but not limited to washing machines, dryers, dishwashers, stoves, furnaces, refrigerators, freezers, televisions, computers, scrap parts of junked vehicles, and metals.
- 3) Any combination of the above that totals three or more items.

Junkyard Appliance: A household appliance, including but not limited to, washing machine, dryer, dishwasher, stove, furnace, water heater, refrigerator, freezer, television, or computer that is stored outside of any residence or structure.

Junkyard Items: Any junk, junk vehicles, parts of a junk vehicle, or junk appliance.

Junkyard Review Board: Any board appointed or designated by the County Legislature to administer this Law.

Person: A person, firm, partnership, association, corporation, company, or organization of any kind.

Right-of-Way Line: Line forming boundary of the right of way of a street, road, or highway as dedicated by a deed of record. Where the width of the right-of-way is not established, the right-of-way line shall be considered to be twenty-five (25) feet from the center line of the road pavement.

## ARTICLE C: JUNKYARD REGULATIONS

### Section 1. LOCATION

No junk storage area shall be located within:

- A. Fifty (50) feet of any adjoining property line.
- B. Five hundred (500) feet of any public park, church, educational facility, nursing home, public building, or other place of public gathering.
- C. One hundred (100) feet of any stream, lake, pond, wetland, or other body of water.
- D. One hundred (100) feet from the right-of-way line of any public street, road, or highway.

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Section 2. SCREENING

- A. Where a junkyard is or would be visible from a public highway or from neighboring properties, there shall be erected and maintained an eight (8) foot high opaque fence to screen the junk storage area. All junkyard items dealt with by the operation of the junkyard shall be kept within such screening at all times so that the junkyard items are not visible from the public highway or from neighboring properties. The applicant may secure waivers from any and all neighboring property owners with respect to requirement of the eight (8) foot high fence to screen. However, if the Junkyard is still visible from a public highway, the eight (8) foot high screening is still required.
- B. The fence provided for in this section shall be of wood or other materials as required by the Junkyard Review Board to totally screen the junk storage area from view.
- C. As an alternative, the Junkyard Review Board may permit or require such other screening by adequate planting of evergreen trees and shrubbery in place of or in addition to an eight (8) foot high fence. The following requirements shall apply in those cases where this alternative is permitted or required:
  1. The applicant shall provide evidence that within five (5) years of the issuance of the initial license the proposed method of screening will provide a year-round opaque screen of the junk storage area from public highways and from neighboring properties.
  2. The screening shall be opaque, and remain opaque and attain a height of five (5) feet within five (5) years of the issuance of the initial license. If such requirement is not met within five (5) years of the issuance of the initial license, the applicant shall be required to install an eight (8) foot high fence approved by the Junkyard Review Board pursuant to this Section.
  3. Prior to the Junkyard Review Board approval of the license renewal, the junkyard owner shall be required to provide evidence of compliance with this section of the law. In addition, the junkyard owner shall be required to provide evidence that all dead trees and shrubbery constituting the screen have been replaced with flora of the same species as the approved screen. Such replacements shall be planted at a height sufficient to maintain an opaque screen. Replacements shall be planted prior to application for renewal.

Section 3. BURNING

No materials shall be burned in a junkyard except in compliance with the New York State Outdoor Burning Law (see 6 NYCRR 215).

Section 4. BURYING

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No junkyard items shall be buried in a junkyard except in compliance with the New York State Solid Waste Disposal Law (see 6 NYCRR 360).

#### Section 5. APPROVED JUNKYARD ITEMS

No junkyard items shall be stored in any junk storage area other than those items specified on a junkyard license approved by the Junkyard Review Board pursuant to this Law.

#### ARTICLE D: JUNKYARD LICENSE

##### Section 1. LICENSE REQUIRED

- A. No person shall establish or maintain a junkyard within the County of Lewis unless a license has first been issued for such junkyard pursuant to this Law.
- B. No person owning, having any right to, or any interest in any real property within the County of Lewis shall license, rent, lease, or otherwise permit the use of such real property or any part thereof for a junkyard unless a license has first been issued for such junkyard pursuant to this Law.
- C. All licenses shall be issued for a period of four (4) years, after which time, renewal shall be required.
- D. Any modification to an existing license requires a new application.

#### ARTICLE E: APPLICATION PROCEDURE

##### Section 1. APPLICATION

The applicant for a junkyard license shall obtain application from the Lewis County Code Enforcement Officer. The completed forms, along with one copy of the proposed site plan, and the appropriate fees, shall be returned to the Lewis County Clerk. The Lewis County Clerk shall notify and provide the application materials to the Code Enforcement Officer. The Code Enforcement Officer shall submit the application materials to the Junkyard Review Board.

##### Section 2. SITE PLAN CONTENTS

The site plan shall be drawn to scale or indicating all dimensions and show:

- A. All existing and proposed structures, including fences;
- B. All property lines including the names of owners of adjacent property;
- C. All streams, lakes, wetlands, floodplains, and other water bodies;

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- D. All wells and sanitary facilities;
- E. All roads and easements;
- F. All existing and proposed junk storage areas;
- G. All existing and proposed access ways, and parking and loading areas.

Section 3. ENVIRONMENTAL IMPACT STATEMENT

An Environmental Assessment Form (EAF) shall be completed and submitted with all applications pursuant to the provisions of the State Environmental Quality Review Act (SEQRA) (see 6 NYCRR 617). If the EAF indicates that the proposed activity may have significant environmental consequences, the Junkyard Review Board shall require that a Draft Environmental Impact Statement (DEIS) be submitted with the application. The application shall not be considered complete until the DEIS has been accepted by the Junkyard Review Board.

Section 4. FEES

The application fee shall be in the minimum amount of ONE HUNDRED DOLLARS (\$100.00) and must accompany all applications. A license fee shall be in the minimum amount of FIFTY DOLLARS (\$50.00). The Junkyard Review Board is, in its discretion, empowered to set a higher application fee and license fee, and may also set such other fees and charges as it shall determine appropriate. All fees shall be collected by the Lewis County Clerk for and on behalf of the Lewis County Junkyard Review Board.

Section 5. PUBLIC HEARING

The Junkyard Review Board shall conduct a public hearing within forty-five (45) days of the date a complete application is received by the Review Board. Notice of the hearing shall be made in the official newspaper of the County at least five (5) days prior to the date thereof. At the hearing, the Junkyard Review Board shall hear the applicant and all other persons wishing to be heard on the application for a junkyard license.

Section 6. JUNKYARD REVIEW BOARD ACTION

Within forty-five (45) days of said hearing, the Junkyard Review Board shall render a decision to approve, to approve with conditions, or to disapprove the application for a junkyard license. The forty-five (45) day period may be extended by mutual consent of the applicant and the Junkyard Review Board. All findings of the Junkyard Review Board shall be entered into the Junkyard Review Board minutes. The decision of the Junkyard Review Board shall immediately be filed in the office of the Lewis County Clerk. The applicant shall be notified of the decision and the reasons for such decision within ten (10) days of the decision of the Board. Upon approval of the site plan and application, and payment of all fees and reimbursable costs due the

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County, the Junkyard Review Board shall endorse its approval upon a copy of the final site plan and application.

#### Section 7. ISSUANCE OF LICENSE

- A. If the application is approved by the Junkyard Review Board, a Junkyard License shall be issued by the Enforcement Officer upon presentation of a paid receipt from the County Clerk with respect to payment of the license fee.
- B. If the application is approved with conditions by the Junkyard Review Board, the Enforcement Officer shall issue a Junkyard License upon completion of an on-site inspection verifying conditions at the proposed site are compliant with the Board's conditions and this Law, and upon presentation of a paid receipt from the County Clerk with respect to payment of the license fee.

#### Section 8. LICENSE RENEWAL

Applications for renewal shall be approved by the Junkyard Review Board upon notification by the Code Enforcement Officer that the junkyard remains in compliance with this Law. Upon receipt of a copy of the Board's approval, and presentation of a paid receipt from the County Clerk with respect to payment of the application and license fees, the Code Enforcement Officer shall issue the Junkyard License Renewal.

#### Section 9. BY-LAWS, RULES, DIRECTIVES, AND REGULATIONS

There is hereby delegated to the Junkyard Review Board, full power and authority to adopt and enact any and all by-laws, rules, directives, and regulations necessary or appropriate in furtherance of carrying out its duties and responsibilities under this Local Law.

### ARTICLE F: GENERAL CONSIDERATIONS

#### Section 1. AESTHETIC CONSIDERATIONS

In granting or denying a license, the Junkyard Review Board shall take the following aesthetic factors into consideration:

- A. Type of road servicing the junkyard or from which the junkyard can be seen.
- B. Natural or artificial barriers protecting the junkyard from view.
- C. Proximity of the site to established residential or recreational areas or main access routes thereto.

#### Section 2. LOCATIONAL CONSIDERATIONS



## PROCEEDINGS OF THE BOARD OF LEGISLATORS

In granting or denying a license, the Junkyard Review Board shall take the following locational factors into consideration:

- A. The nature and development of surrounding property, such as the proximity of public parks, churches, educational facilities, nursing homes, public buildings, or places of public gathering.
- B. Whether or not the proposed location can be reasonably protected from affecting the public health and safety by reason of offensive or unhealthy noise, odors, smoke, or of other causes.
- C. The proximity of streams, lakes, wetlands, flood plains, groundwater supplies, and public water supplies.
- D. Local drainage patterns.
- E. Long range comprehensive plans for the County.
- F. Proximity of the site to established residential or recreational areas.
- G. Availability of other suitable sites for the junkyard.

### ARTICLE G. ADMINISTRATION AND ENFORCEMENT

#### Section 1. WAIVERS

Where the Junkyard Review Board finds that due to special circumstances of a particular case, a waiver of certain requirements as stated in Article C herein is justified, a waiver may be granted. No waiver shall be granted, however, unless the Junkyard Review Board finds and records in its minutes that:

- A. Granting the waiver would be in keeping with the intent and spirit of this Law, does not violate the granting of a variance (which is the domain of the local Planning and/or Zoning Boards), and is in the best interest of the community.
- B. There are special circumstances in the particular application.
- C. Denial of a waiver would result in undue hardship to the applicant, provided that such hardship has not been self-imposed by the applicant and/or circumstances known to the applicant.
- D. The waiver is the minimum necessary to accomplish the purpose, without violation of any local Planning or Zoning Board requirements.

#### Section 2. ENFORCEMENT OFFICER DUTIES

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- A. The Enforcement Officer shall make inspections of any junkyard for which application for a license has been made, or any other existing junkyard within the County, and shall report to the Junkyard Review Board on the conditions of such junkyard.
- B. The Enforcement Officer shall make periodic inspections of the properties in the County to ensure that all existing junkyards have licenses, and that the requirements under this Law are met. Any observed violations shall be reported to the Junkyard Review Board.
- C. The Enforcement Officer shall not enter the premises of any private property without the consent of the owner. It shall, however, be the responsibility of an applicant to arrange for required access by the enforcement officer to inspect the premises prior to license issuance and/or license renewal.
- D. The Enforcement Officer shall investigate and report to the Junkyard Review Board, any and all written complaints he/she receives with respect to any alleged violation of this Law.

### Section 3. REVOCATION OF LICENSE

The Junkyard Review Board may revoke a Junkyard License upon reasonable cause, should the applicant/license holder fail to comply with any provision of this Law. Before a license may be revoked, a public hearing shall be held by the Junkyard Review Board. Notice of the hearing shall be made in the official newspaper of the County at least five (5) days prior to the date thereof. The license holder shall be notified of the hearing by certified mail at least five (5) days prior to the hearing. At the hearing, the Junkyard Review Board shall hear the license holder and all other persons wishing to be heard on the revocation of the junkyard license. Should the Junkyard Review Board decide to revoke a license, the reasons for such revocation shall be stated in the Junkyard Review Board minutes. The license holder shall be immediately notified of the revocation by certified mail and regular mail.

### Section 4. PENALTIES

- A. Any person convicted of a criminal violation under this Local Law shall for a first conviction thereof, be punished by a fine of not more than TWO HUNDRED FIFTY (\$250.00), or by imprisonment for not more than fifteen (15) days, or by both such fine and imprisonment; for a second such conviction within thirty-six (36) months thereafter, such person shall be punished by a fine of not more than FIVE HUNDRED DOLLARS (\$500.00), or by imprisonment for not more than forty-five (45) days or by both such fine and imprisonment; upon a third or subsequent conviction within thirty-six (36) months after the first conviction, such person shall be punished by a fine of not more than ONE THOUSAND DOLLARS (\$1,000.00), or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment. Every such person shall be deemed guilty of a separate violation for each week such violation, disobedience, omission, neglect, or refusal shall continue.

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Any reference for legal help in connection with assistance or prosecution herein shall be made to the District Attorney of the County of Lewis.

- B. Any person who shall violate any of the provisions of this Local Law shall be guilty of a civil violation and shall be subject to a penalty of FIVE HUNDRED DOLLARS (\$500.00), to be recovered by the County in a civil action. Every such person shall be deemed guilty of a separate violation for each week such violation, disobedience, omission, neglect, or refusal shall continue. Any reference for legal help in connection with assistance or prosecution herein shall be made to the County Attorney of the County of Lewis.
  
- C. In addition to the above provided penalties, the Junkyard Review Board may also maintain an action or proceeding in the name of the County in a court of competent jurisdiction to compel compliance with or restrain by injunction, the violation of any article of this Local Law. Any reference for legal help in connection with assistance or prosecution herein shall be made to the County Attorney of the County of Lewis.

ARTICLE H: REMEDIES AT LAW

The appropriate remedy for an applicant who disputes a finding and decision of the Junkyard Review Board is an appropriate action brought in a court of competent jurisdiction at the applicant's sole cost and expense.

ARTICLE I: APPLICABILITY

This Local Law shall not apply to any city, village, or town during such time as such city, village, or town is regulating or licensing junkyards.

ARTICLE J: SEVERABILITY

If any clause, sentence, paragraph, section or article of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or article thereof directly involved in the controversy in which such judgment shall have been rendered.

ARTICLE K: EFFECTIVE DATE

This Local Law shall be effective immediately upon all legal requirements being met.

ARTICLE L: PRIOR JUNKYARD LAWS

This Local Law replaces Local Law No. 5-1987, Local Law No. 3-1992, Local Law No. 3-2001 (and as amended by Local Law No. 3-2011).

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**RESOLUTION NO. 251 - 2014  
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW  
(INTRODUCTORY NO. 5 - 2014), COUNTY OF LEWIS**

Introduced by Legislator Bryan Moser, Chairman of the Junkyard Inspector Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on July 1, 2014, a proposed Local Law entitled **“A LOCAL LAW AMENDING LOCAL LAW NO. 3-2001, (and as AMENDED BY LOCAL LAW NO. 3-2011), REPEALING ALL FORMER JUNKYARD LAWS AND 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 August 5, 2014, from 9:00 a.m. to 9:30 a.m., before the Lewis County Board of Legislators in the Second Floor Board Room at the Lewis County Court House at 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 Brennan, and adopted.

**RESOLUTION NO. 252 - 2014  
BOND RESOLUTION ADOPTED JULY 1, 2014  
LEWIS COUNTY, NEW YORK**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

**BOND RESOLUTION OF THE BOARD OF LEGISLATORS OF LEWIS COUNTY, NEW YORK (THE “COUNTY”), AUTHORIZING THE COUNTY TO UNDERTAKE IMPROVEMENTS TO THE COUNTY’S EMERGENCY COMMUNICATIONS SYSTEM AT A MAXIMUM ESTIMATED COST OF \$11,115,000; APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF \$11,115,000 IN SERIAL BONDS OF THE COUNTY TO FINANCE SAID APPROPRIATION; AND MAKING CERTAIN FINDINGS AND DETERMINATIONS IN CONNECTION THEREWITH**

WHEREAS, the Board of Legislators (the “Board of Legislators”) of Lewis County, New York (the “County”) proposes to authorize the County to undertake certain improvements related to the County’s Emergency Communications System, as described herein; and

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WHEREAS, the Board of Legislators now wishes to approve such public improvements and purposes, appropriate funds therefor and authorize the issuance of the County's serial bonds or bond anticipation notes to finance said appropriation; and

WHEREAS, the Board of Legislators acting as lead agency under the New York State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation promulgated thereunder (6 NYCRR Part 617) (collectively, "SEQRA"), by resolution adopted on July 1, 2014, immediately prior to the consideration of this resolution (i) determined that such proposed improvements constitute a "Type I" action within the meaning of SEQRA; (ii) determined such proposed improvements will have no adverse impact to the environment; and (iii) issued a negative declaration with respect thereto.

NOW, THEREFORE, THE BOARD OF LEGISLATORS OF LEWIS COUNTY HEREBY RESOLVES (by the favorable vote of at least two-thirds of all the members of such Board) as follows:

Section 1. The County is hereby authorized to undertake certain improvements to the County's Emergency Communication System, including all preliminary, ancillary, incidental and related costs in connection therewith, consisting of (a) the construction of radio transmission towers to be located at various sites throughout the County (each a "Tower Site"), with each Tower Site to include (i) the construction of a new, or upgrading of an existing, galvanized steel tower, with a cast-in-place concrete foundation, (ii) the installation of a prefabricated concrete equipment shelter (a "Shelter") to house radio transmission, hardware and control equipment, (iii) the installation of an emergency power generator to provide auxiliary power, including a cast-in-place concrete slab, (iv) fencing to surround the Shelter, including an access gate, (v) the construction of an access drive to the nearest public or existing road, (vi) the installation of underground electrical service routed from the nearest available connection point, including the installation of transformers and equipment, (vii) the installation of antennas, microwave dishes and ice shields, including in each case the installation of hardware, transmission lines and other equipment, and (viii) the acquisition of land, permanent rights in land or a leasehold or other interest therein and any existing improvements thereon which is to serve as the location of a Tower Site; and (b) the reconstruction, renovation and improvement of the County's existing Operations Center, located at the County's Public Safety Facility and of a backup Operations Center in the current County office building, including upgrades and improvements for electrical power, communications systems, back-up power, fencing, site work improvements and the acquisition and installation of equipment (collectively, the "Project"). The estimated maximum cost of the Project, including all costs incidental thereto and the financing thereof, is \$11,115,000 and said amount is hereby appropriated therefor.

Section 2. Serial bonds of the County in the principal amount of \$11,115,000 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the Project.

Section 3. It is hereby determined the plan for the financing for the Project shall consist of (i) the issuance of up to \$11,115,000, in serial bonds of the County authorized to be issued pursuant to this resolution, or bond anticipation notes issued in anticipation of such serial bonds,

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(ii) the partial repayment of any such bond anticipation notes through the application of up to \$6,000,000 in grant monies expected to be received by the County from the State of New York with respect to the Project, and (iii) to the extent not so repaid with such grant funds and to the extent necessary, the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and bond anticipation notes and the interest thereon as the same shall become due and payable.

Section 4. It is hereby determined that the period of probable usefulness for the aforementioned object or purpose is ten (10) years, pursuant to subdivision 90. of paragraph a. of Section 11.00 of the Law.

Section 5. The temporary use of available funds of the County, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in Section 1 of this resolution. The County shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

Section 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the such serial bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and the said serial bonds and any bond anticipation notes issued in anticipation of the Bonds shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the real property within the County without legal or constitutional limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal and interest on the serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Section 63.00 of the Law, the powers and duties of the Board of Legislators relative to authorizing serial bonds and bond anticipation notes, including without limitation the determination of whether to issue bonds providing for substantially level or declining debt service, and all matters incidental thereto, and prescribing the terms, form and contents as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of the such bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Treasurer of the County, as the chief fiscal officer of the County (the "County Treasurer"). Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other bond resolutions of the Board of Legislators of the County, then the power of the Board

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of Legislators to determine the “weighted average period of probable usefulness” (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the County Treasurer, as the chief fiscal officer of the County.

Section 8. The County Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary (i) to ensure the continued status of the interest on the bonds authorized by this resolution and any bond anticipation notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”) and (ii) to designate the bonds authorized by this resolution and any bond anticipation notes issued in anticipation thereof, if applicable, as “qualified tax-exempt bonds” in accordance with Section 265(b)(3)(B)(i) of the Code.

Section 9. The County Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

Section 10. The intent of this resolution is to give the County Treasurer sufficient authority to execute those applications, agreements, instruments, certificates or to do any similar acts necessary or in the opinion of the County Treasurer advisable to effect the issuance of the bonds or bond anticipation notes authorized by this resolution without resorting to further action of the Board of Legislators.

Section 11. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 12. This resolution shall take effect immediately and the Clerk of the Board of Legislators is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the County for such purpose.

Section 13. This resolution shall take effect immediately upon its adoption.

Moved by Legislator King, seconded by Legislator Moroughan.

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Legislator King stated the approval is requested for the total project cost in the event that expenditures are required before receipt of the State grant funds. Treasurer Patricia O'Brien confirmed the Bond Anticipation Note (BAN) would be issued for the amount of \$5.1 Million, which is the estimated total project, less the amount of the approved State grant of \$6 Million.

The following vote was taken and recorded in the public or open session of said meeting, which resulted as follows:

YEAS: Brennan, Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, Pepper, Tabolt

NAYS: None

ABSENT: None

**RESOLUTION NO. 253 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO SHERIFF'S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement 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 Sheriff's Department, to create the following Temporary position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Secretary to the Sheriff	Temporary (Up to 35 hrs./week)	\$17.00/hr.

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said Temporary position to fill in during the medical leave of the Sr. Account Clerk/Typist, effective immediately.

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

Moved by Legislator Moser, seconded by Legislator Kulzer, and adopted.

OTHER BUSINESS:

Legislator Moser made a motion to change the beginning time of the August 5, 2014 Board meeting to 9:00 a.m. to accommodate the annual golf outing and dinner at Brantingham Golf Course and Coachlight Inn. The motion was seconded by Legislator Dolhof and carried.



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In response to Legislator Chartrand, Clerk of the Board Teresa Clark affirmed the Board could not take collective action on several disparate Resolutions, citing required recording of Board votes on separate actions.

In response to Legislator Chartrand, Treasurer O'Brien confirmed there are no businesses delinquent for bed tax over 30 days. A delay in reporting occurs when receipts are received close to the date of reports.

There being no other business to come before the Board, the meeting adjourned by motion of Legislator Brennan at 5:55 p.m., seconded by Legislator Pepper and carried.

AUGUST 5, 2014

**REGULAR MEETING**  
**August 5, 2014**

The meeting was called to order at 9:00 a.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Hathway, followed by a moment of silence for those deceased. Chairman Tabolt led the Pledge of Allegiance to the Flag.

There were 26 persons present.

Chairman Tabolt announced approval of the July 1, 2014 meeting minutes.

**REPORT OF THE RULES AND LEGISLATION COMMITTEE:**

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

Lawrence Dolhof, Chairman  
Bryan Moser  
Craig Brennan, Committee

Dated: August 5, 2014

Legislator Moser made a motion to waive the rules, seconded by Legislator Brennan, and carried.

Chairman Tabolt opened the public hearing for comments on Local Laws (Intro. No. 6-2014) Establishing an E-911 Wireless Surcharge; and (Intro. No. 7-2014) Amending Local Law No. 3-2001 (And As Amended by Local Law No. 3-2011) Repealing all Former Junkyard Laws and Establishing a New County of Lewis Junkyard Law.

**PRIVILEGE OF THE FLOOR:**

Junkyard Inspector William Houppert opined the proposed law lessens restrictions on junkyard owners, while imposing greater restriction on residents, especially citing that anyone with more than one unlicensed vehicle would in violation. However, he expressed support for allowing a junkyard owner to obtain written statements from neighboring property owners to waive screening requirements.

In reference to abolishing his position, Mr. Houppert reminded that prior to his appointment, it was a full-time job, submitting his latest performance evaluation was favorable. He does not believe the Code Enforcement Officers will be able to perform the duties as cost effectively as he did. He reported starting as an advisor to the Junkyard Review Board in 1991, after which he served 18 years as a member of that Board, encompassing 5 years as its Chairman. He proclaimed pride to serve as the Inspector for the past four years, as well as secretary to the Junkyard Review Board. In his official capacity, however, Mr. Houppert took

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

exception to times when he had been threatened or insulted; further taking exception to the public hearing being held at an inconvenient time for the public-at-large.

Mr. Edward Yancey proclaimed being a tax paying, law abiding citizen of Harrisburg and serves as the Town ZBA Chairman. He expressed support of Mr. Houppert as always been fair and works well with the people. He favors local enforcement over State regulation. Junkyards are a benefit, he said, by providing a place to isolate junk, while providing a livelihood for respective owners. Mr. Yancey commended Mr. Houppert for reasoned consideration of screening or fencing requirements based on each site's location and surroundings. He objects to someone being subject to fines for having more than one unlicensed vehicle, citing antique vehicles; while comparatively citing old farming equipment that is exempt from the law. In conclusion, Mr. Yancey expressed support for an experienced Inspector, because it has been proven to work, rather than opting for the State law.

Sheriff Michael Carpinelli wanted to affirm the good working relationship with the Board of Legislators, encouraging communication, while asserting that in his absence Undersheriff Monnat is available. He reportedly approaches budget requests in an unbiased manner, while being mindful he cannot please everyone. To strengthen communication, he requested an opportunity to meet separately with the Board.

Sheriff Carpinelli then made a request for the 911 Coordinator duties to be combined with the Sheriff Dispatch Supervisor's title. County Manager Liz Swearingin took grave exception that he had not followed protocol to discuss his request with either the Courts and Law Enforcement or the Human Resource Committee prior to broaching his proposal today. Sheriff Carpinelli asserted no disrespect for the process, and then agreed to put forth his request through the appropriate process.

### PRESENTATION OF COMMUNICATIONS AND NOTICES:

Mr. George Feuerstein has submitted his letter of resignation as a member of the Lewis County Junkyard Review Board effective 7/30/2014.

On behalf of the Lewis County Farm Bureau, President Jan Karelus relayed appreciation for the County Legislature's supporting resolution to record their opposition to the proposed rule to change the definition of "Waters of the U.S." under the Clean Water Act, terming it an "overreach of the EPA's jurisdiction" that would hinder everyday practices and projects for farmers, municipalities and other entities.

The NYS Office of Parks, Recreation and Historic Preservation has informed they are recommending the Pinckney Corners Cemetery, located on Pinckney Road in Copenhagen, be placed on the National Register of Historic Places.

We acknowledged receipt of resolutions from Chenango County Board of Supervisors declaring "Mayday for Mandate Relief" and urging the Mandate Relief Council to take swift action to submit proposals to the Governor and State Legislature;

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from Seneca County Board of Supervisors and Yates County Legislature recognizing NY State's first invasive species awareness week from 7/6-7/12/14; and from Wayne County Board of Supervisors opposing implementation of the International Joint Commission Plan 2014, that they submit will cause catastrophic damage to the Lake Ontario shoreline due to extreme fluctuations for high and low water levels, as a result of regulating flows of Lake Ontario and the St. Lawrence River.

**REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:**

The County Treasurer and Real Property Tax Director have submitted approved reports for refund of Town of Pinckney property taxes to Jennifer C. West for 2010, 2011, 2012 and 2013 in the amounts of \$780.30, \$819.56, \$831.41 and \$875.48 respectively.

All Legislators have received copies of the Treasurer's July monthly report; the 7/29/14 Highway Audit Report, the 7/22/14 Solid Waste Audit Report; Sr. Code Enforcement Officer Ward Dailey's second quarterly report; and minutes of the 7/22/14 Youth Bureau Advisory Board and 6/17/14 Soil & Water Conservation District meetings.

Minutes of the 4/8/2014 Health Services Advisory Committee meeting were received to be placed on file.

**REPORTS OF STANDING COMMITTEES:**

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, reported the maintenance department had finished 109 work orders during July; and cost estimates would be obtained for a fence to protect adjacent property at the Route 12 building occupied by Department of Motor Vehicle staff. NYSEG has informed they will install piping to the Highway Garage at no cost to the County, which would enable immediate natural gas utilization to effectuate estimated annual savings of \$3,800. Cost estimates to convert the waste oil boiler are also being obtained. They continue to study proposals for repairs to the garage wall.

Legislator Hathway made a motion to authorize Bernier, Carr & Associates to design, and prepare the construction and bid documents for the maintenance repairs of the Highway garage interior, for a cost of \$7,200.00. The motion was seconded by Legislator Chartrand. Referencing previous engineering documents prepared by the stated firm, and terming the cost too high, Legislator Brennan inquired whether the engineering could be handled by County staff. Legislator Hathway deemed the prior engineering documents as totally inadequate, and recommended professional engineering because of the structural issues. Legislator Chartrand concurred, stating that 11% of larger projects is standard, deeming the 15% for this smaller project as reasonable.

Legislators Moser and Brennan queried whether it would be more cost effective to have an engineering firm on retainer for all County projects. Following relative discussion, it was determined it would not be feasible. The motion then carried.

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Hathway made a motion to authorize the County Treasurer to deposit the balance of \$874.90 from the dog license account for previously collected fees, into the Sheriff's Canine Unit account, as an authorized use. The motion was seconded by Legislator King and carried. Accordingly, the County Treasurer formulated a late resolution.

Legislator Bryan Moser, County Officers/Veterans/Junkyards/Human Resources Committee Chairman, stated that, if approved, the Local Law establishing a new Junkyard Law would require an amendment to the Standing Rules of the Board relative to powers and duties of committees. The changes will be read at the next meeting, but, pursuant to the rules, voting will be deferred until the subsequent Board meeting.

Legislator Moser also reported that the number of local veteran contacts continues to escalate, proportionate to beneficiary benefits.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, reported agreement to share frequencies with an adjacent county for the emergency radio communications, reporting the overall project continues to progress. He urged approval of the proposed resolution to authorize the tower lease agreements.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry & Parks Committee Chairman, reported the website and apps for trails and tourism is being formulated, and County staff continues to assist the Chamber of Commerce with their trade show display. Also, the year-to-date number of ATV permits are comparatively greater.

Legislator Dolhof announced that economic development and planning personnel continue preparation for the local Economic Development conference to be held on 10/23/2014; and discussion continues for a business park concept. The River Fest sponsored by the Chamber of Commerce included 104 boat participants, and the NYSDEC had provided two jet ski patrols. He also reported that Sno Pals had repaired or reimbursed for damages caused during the April SNIRT Run.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, reported that 27 road miles were deleted from the pavement marking list, due to budget constraints. In consideration of the overwhelming popularity, he suggests increased appropriations to continue the regularly scheduled road striping. Also, delivery of the steel for the French Settlement Road Bridge is expected by the end of August.

Legislator Brennan recognized and commended the Highway Department personnel for their willingness to assist the State Highway crew during the past weekend, to remediate flooding on Route 12.

Legislator Brennan reported that prior to advertising bids for the building addition at the Lowville Transfer Station, one of the contractors identified an unstable wall on the existing building. Accordingly, Terrence Thisse has been asked to amend his engineering plans to encompass repair of the wall.

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Legislator Brennan made a motion to authorize waiving the solid waste \$25.00 per ton surcharge for friable asbestos removed from the Lyons Falls Pulp & Paper site for the Lewis County Development Corporation project, which will be hauled directly to the Rodman Landfill. The motion was seconded by Legislator Hathway and carried.

Legislator Gregory Kulzer, Taxation/Information Technology/Elections/Agriculture Committee Chairman, reported the telephone system will be transitioned from Windstream to Time Warner and the Internet connection will be based at the Court House, equating a \$1,000 monthly cost savings. Information Technology Director Adam Zehr was authorized to purchase firewall hardware; and is researching the process and cost to enable electronic record storage on cloud-based software. Also, the committee urges Board approval of the agreement with the Development Authority of the North Country to install fiber optic to enhance connectivity between County buildings.

Legislator Richard Chartrand, Hospital Committee Chairman, announced Dennis Meyer as the employee-of-the-month, as having a friendly helpful attitude who mentors other workers.

He further reported the critical care access designation will equate monthly revenue of \$250,000.00, projecting \$3 Million for 2015.

Legislator Chartrand reported County receipts from the Hospital of \$4,459,000 and \$572,876, reducing the debt to \$6,497,390, with a promise to pay an additional \$5,250,000.00 in August. The subsequent debt balance would be \$1,247,390, which the Hospital plans to pay off by 12/31/2014. The projected debt as of 1/1/2015 is estimated at \$5 Million, the amount equal to the Hospital pension payment due on 12/15/2014.

Legislator Chartrand further announced that Jeffrey Hellinger had been appointed as the new Chief Financial Officer (CFO) after serving as the Acting Interim CFO.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported that the United Health Care grant awards would be announced in October. The Physically Handicapped Children's Program will utilize \$15,000-\$19,000 County appropriations to sustain service levels. There has been no confirmed rabies or West Nile disease in the County year-to-date. Public Health nurses offered tetanus vaccination to first responders, volunteers and anyone affected during the recent disaster.

In response to minor citations by the NYS Dept. of Health following their survey of the Diagnostic and Treatment Center, Director Penny Ingham has submitted her plan of correction. She had relayed the NYS Dept of Health had not issued any citations for the two on-site surveys of the Emergency Preparedness Program.

Legislator Moroughan further reported that the State has approved Sarah Bullock's appointment as Interim Community Services Director through 12/31/2014. The Community Services Board is requesting to extend her appointment through mid-2016, by which time she will have served the required time to become the permanent Director.

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Moroughan reported a collaborative approach and efforts to urge re-allocation of State resources from the St. Lawrence Psychiatric to more adequately serve the outlying areas.

In conclusion, she reported that Transitional Living Services will be staffing satellite offices one day each week at the Beaver River and South Lewis clinics, commencing in September.

### REPORTS OF SPECIAL COMMITTEES:

Chairman Tabolt reported that he, Legislator Brennan and Eric Virkler had attended a meeting of the Regional Economic Development Council, reporting that over the past three years the North Country has garnered \$50 Million. He strongly encouraged local governments and businesses to submit applications for project initiatives.

Eric Virkler explained the Governor had streamlined the grant application process, combining several previous separate funding sources into one. The funds, he said, are available for any government entity, organization, not-for-profit or private business, noting that very few local businesses had submitted applications. Priority is given to projects that would impact the largest population. If re-elected, the Governor will continue the Council, if not, he surmised the process may change.

In response to Legislator Kulzer, Mr. Virkler could not recite the aggregate amount of funding received within the County, relaying that not-for-profit agencies apply directly to the Council. To Legislator Kulzer's suggestion to hire a grant writer, Chairman Tabolt and Legislator Brennan each impressed the importance of putting forth initiatives to vie for funding, adding that the State Council's staff would assist to refine the grant and channel the process. Mr. Virkler invoked the State's key consideration for any project application is the sponsor's commitment to invest.

As an example, Legislator King referenced the \$6 Million grant award for the radio project, largely due to the County's funding commitment. Legislator Dolhof cited the Lyons Falls Pulp & Paper \$800,000 grant award and a prospective additional \$500,000, contingent upon local investment.

Legislator Brennan reported that he and Legislator Chartrand are the Board's representatives on the Fort Drum Regional Liaison Organization (FDRLO), relaying the threat of losing up to 16,000 troops and civilian employees as a result of a Base Realignment and Closure and U.S. Government Sequestration. Each Legislator impressed the regional economic devastation could not be overstated, if the reduction occurred. Again, they strongly urged everyone to sign the on-line supporting petition and submit their comments at FDRLO Drum 2025.

### COUNTY MANAGER REPORT:

County Manager Liz Swearingin clarified that Eric Virkler is gathering information for any viable County projects for submission to the Regional Council.

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Fire and Emergency Management Director James Martin is working with the State Office of Emergency Management to sponsor a local "Citizens' Emergency Preparedness" training session to be held in September, similar to the recent local officials' training.

Ms. Swearingin reported penning her displeasure to Frontier for their lack of accurate or timely information during the latest storm that affected the County's phone lines, awaiting their response.

She and Recreation, Forestry & Parks Director Jackie Mahoney teleconferenced with the new Executive Director of the Adirondack Council, whom has agreed to schedule a meeting with Legislators to enhance communication and foster a better relationship.

At 10:02 a.m., Chairman Tabolt closed the public hearing for comments on the proposed Local Laws.

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 \$ 882,619.11 and recommend that they be audited and allowed for the amounts claimed.

Philip Hathway, Chair  
Jerry King, Committee  
Richard Chartrand, Committee

Dated: August 5, 2014

Approved on motion by Legislator Pepper, seconded by Legislator Brennan, and carried.

RESOLUTIONS:

**RESOLUTION NO. 254 - 2014  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of \$882,619.11 be and each is hereby audited and allowed for the amounts claimed, and that the



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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 Dolhof , seconded by Legislator Moser , and adopted by roll call vote:

All Voted Yea.

**RESOLUTION NO. 255 - 2014  
RESOLUTION ADOPTING AND OTHERWISE TREATING  
LOCAL LAW NO. 6 – 2014, COUNTY OF LEWIS**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on July 1, 2014, directing that a public hearing be held by said Board on August 5, 2014, from 9:00 a.m. to 9:30 a.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 PROVIDING FOR THE ESTABLISHMENT OF AN E-911 WIRELESS SURCHARGE**”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on July 30, 2014, 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, BE IT FURTHER RESOLVED as follows:

Section 1. This Local Law (Introductory No. 4 – 2014), County of Lewis, being “**A LOCAL LAW PROVIDING FOR THE ESTABLISHMENT OF AN E-911 WIRELESS SURCHARGE**”, be and the same hereby is designated as Local Law No. 6 – 2014, County of Lewis.

Section 2. That Local Law No. 6 – 2014, 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 Moser , seconded by Legislator King .

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Chairman Tabolt reported annual revenue is estimated between \$50,000-\$75,000 based on the premise that 50% of the local population has a cell phone. He further conveyed information from NYSAC that State annual cell phone surcharge collections average \$200,000,000, based on \$1.20/month for each unit. Although the State is supposed to distribute the revenue to Counties, a mere \$10,000,000 is forwarded, plus an additional \$18,000,000 awarded in grants. The State, he said, chooses to retain the lucrative surcharge revenue, while paying an annual unknown fine for non-compliance.

Legislator King stated the surcharge revenue would offset the \$500,000 - \$600,000 annual maintenance and operational costs of the emergency communications system, submitting that everyone would benefit from the upgrades.

Legislator Moser cited the fact that all cell phone users would be subject to the surcharge, thereby affecting a much larger citizen base, as opposed to just property owners.

The resolution was adopted by the following roll call vote:

YEAS: Brennan, Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, Pepper, Tabolt

NAYS: None

ABSENT: None

**RESOLUTION NO. 256 - 2014  
RESOLUTION ADOPTING AND OTHERWISE TREATING  
LOCAL LAW NO. 7 – 2014, COUNTY OF LEWIS**

Introduced by Legislator Bryan Moser, Chairman of the Junkyard Inspector Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on July 1, 2014, directing that a public hearing be held by said Board on August 5, 2014, from 9:00 a.m. to 9:30 a.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, (AND AS AMENDED BY LOCAL LAW NO. 3-2011), REPEALING ALL FORMER JUNKYARD LAWS AND ESTABLISHING A NEW 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 July 30, 2014, 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

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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, BE IT FURTHER RESOLVED as follows:

Section 1. This Local Law (Introductory No. 5 – 2014), County of Lewis, “**A LOCAL LAW AMENDING LOCAL LAW NO. 3-2001, (AND AS AMENDED BY LOCAL LAW NO. 3-2011), REPEALING ALL FORMER JUNKYARD LAWS AND ESTABLISHING A NEW COUNTY OF LEWIS JUNKYARD LAW**”, be and the same hereby is designated as Local Law No. 7 – 2014, County of Lewis.

Section 2. That Local Law No. 7 – 2014, 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 King, seconded by Legislator Moser .

Legislator Hathway disagreed with reducing the number of allowed unlicensed vehicles to one, asserting that the State Law already over-protects the public, while indicating the County Law is more punitive. County Attorney Joan McNichol clarified that if an unlicensed vehicle can be moved under its own power, it is not in violation of the law.

Legislator Moser referenced past practice, asserting the public-at-large would not be policed, instead Code Enforcement Officers would largely respond to complaints, while assuring junkyard compliance during annual inspections. Also, the 100’ buffer from adjacent landowners was reduced to 50’, as recommended by a member of the Junkyard Review Board.

Junkyard Inspector William Houppert invoked his differing interpretation of the definition of “junk vehicles”. Currently, he said, he is charged to survey the County for potential violations, not merely respond to complaints. He felt he was micro-managed and, admittedly, did not always agree with Legislators’ opinions. Mr. Houppert informed being familiar with precedents, having served for several years on the Review Board, which he had considered while making decisions.

Legislator Pepper referenced the State Junkyard Law, which he feels is stringent enough, expressing strong objection to imposing greater restrictions. He queried the wisdom of creating or inciting angst, most importantly if existing neighboring property owners are not raising issues.

Chairman Tabolt expressed his objection to the limit of one unlicensed vehicle, supposing a vehicle needing minor repair. Legislator Brennan asserted the possibility of tabling the action. Legislator Moser invoked his objection, explaining that Legislators had one month during which to relay desired changes to the proposed law prior to the hearing today. He strongly urged a vote to allow the process to move forward.

Legislator Chartrand relayed his understanding that some Towns and Villages also have embellished the State law restrictions. Legislator King stated that several municipalities had

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opted out because of expense, thereby requiring County enforcement. He further referenced owners of very nice properties that do not want junk vehicles next door, potentially reducing their property value.

Attorney McNichol explained the proposed law incorporates all previous amendments, affirming the Board's discretion to amend the law at any time.

In reference to municipalities opting for County enforcement, Legislator Pepper reiterated his objection to impose greater restrictions to the existing State Junkyard Law.

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

YEAS: Brennan, Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser

NAYS: Pepper, Tabolt

ABSENT: None

**RESOLUTION NO. 257 -2014  
RESOLUTION SUPPORTING RETENTION OF FORT DRUM  
AND THE 10<sup>TH</sup> MOUNTAIN DIVISION**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the Army released a Supplemental Programmatic Environmental Assessment (SPEA) for Army 2020 Force Structure Realignment in June 2014 to evaluate force reductions and realignments; and

WHEREAS, this proposed action will reduce and realign active component Soldiers and Army civilian employees to help the Army meet current and future national security and defense requirements; and

WHEREAS, the Army's proposal is to reduce end-strength to as low as 420,000, double the reduction proposed in 2013; and

WHEREAS, the Army's SPEA is looking to cut 16,000 jobs from Fort Drum; 15,417 Soldiers and 583 Army civilians which includes the loss of the 3<sup>rd</sup> BCT from the 10<sup>th</sup> Mountain Division which was announced last year; and

WHEREAS, this SPEA looks at the socio-economic impact of this action and it predicts a loss of \$877,512,000 in area income, a loss of 19,102 jobs, and a decrease in population of 40,288; and

WHEREAS, Fort Drum and the surrounding communities have developed a unique relationship in regard to providing housing, education, health care, and infrastructure to support the installation; and

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WHEREAS, this proposed force reduction under review by the Army would have a devastating impact on jobs, education, health care, quality of life and the ability of local governments to provide essential services for its residents; and

WHEREAS, the County of Lewis has welcomed Soldiers and their families as residents.

WHEREAS, the board of the County of Lewis recognizes the Army needs to review force reductions and realignments as part of a long-term solution to the current fiscal crisis;

NOW, THEREFORE, BE IT RESOLVED that the Board of the County of Lewis believes that the proposed cut of 16,000 at Fort Drum currently under review by the Army will have devastating and long lasting impacts on the local economy as forecast in the Army's own SPEA; and

BE IT FURTHER RESOLVED that the Board of the County of Lewis asks that the Army, as part of their decision making process, consider our community's ability to continue to support Fort Drum and the 10<sup>th</sup> Mountain Division and to provide those essential services needed by our citizens; and

BE IT FURTHER RESOLVED that the Board of the County of Lewis asks that, due to these socio-economic impacts no further reductions in personnel occur at Fort Drum or to the 10<sup>th</sup> Mountain Division beyond those that were identified in the 2013 PEA.

Moved by Legislator Dolhof , seconded by Legislator Moser .

Legislator Chartrand reported that as the Board's representative on the Fort Drum Regional Liaison Organization, he had been assigned to the Sub-Committee on Sustainability. Town and Village Boards throughout the region have also been asked for supporting resolutions. The Organization remains vigilant to garner local support, while impressing the importance of retaining Fort Drum for economic viability of the Tri-County region.

Legislator Chartrand had forwarded an electronic message to Legislators, urging them to respond and encourage everyone to sign the on-line Drum 2025 petition, providing their comments for retention of Fort Drum by the deadline on 8/25/2014.

The resolution was then unanimously adopted.

**RESOLUTION NO. 258 -2014  
RESOLUTION CALLING UPON NEW YORK STATE PUBLIC SERVICE  
COMMISSION TO APPROVE ELECTRICAL TRANSMISSION UPGRADES**

Introduced by Chairman Michael Tabolt, Chairman of the Board of Legislators.

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WHEREAS, the United States Department of Energy and the New York Independent System Operator have identified New York State electric transmission lines as being aged and unable to deliver adequate capacity, a condition known as “transmission congestion”; and

WHEREAS, there is a growing demand for electricity in the New York City area, but because of the inadequate transmission system in New York State, specifically the “choke points” for electric transmission from Utica going east, and Albany going south, plants in Upstate New York that have abundant available power, the Somerset Generating Station included among them, cannot get their product to this demand market; and

WHEREAS, customers across New York State are paying higher utility bills due to congestion charges which cost ratepayers across the state more than \$650 million a year while impeding grid reliability; and

WHEREAS, in 2012, the Honorable Andrew M. Cuomo, Governor of the State of New York, announced his Energy Highway initiative to address this problem, establishing a goal of developing transmission improvement projects that would ease congestion charges, allow the transfer of an additional 1000 megawatts of power from upstate generators to New York City and create thousands of additional jobs in the process; and

WHEREAS, the Public Service Commission (PSC) initiated the AC transmission proceeding in order to vet various transmission proposals generated from said Energy Highway initiative; and

WHEREAS, the improvement of the state’s transmission system will have numerous economic and environmental benefits including \$7 billion in economic activity in the state and the creation of nearly 38,000 total jobs, as well as reducing carbon emissions and Nitrous oxide emissions by 370,000 and 200,000 tons respectively; and

WHEREAS, Governor Cuomo called for an expedited ten month approval process for transmission upgrades that are undertaken within the existing right of way;

NOW, THEREFORE, BE IT RESOLVED that the Legislature of the County of Lewis does call upon the Public Service Commission to act expeditiously to approve the necessary transmission upgrades through the AC Transmission proceeding, so that Western New York and the entirety of New York State may realize the economic and environmental benefits that such upgrades will provide; and

BE IT FURTHER RESOLVED that the County of Lewis shall forward copies of this Resolution to the Honorable Andrew M. Cuomo, NYS Governor; Senator George D. Maziarz, Chairman, NYS Senate Energy & Telecommunications Committee; Senator Dean G. Skelos, Temporary President and Majority Coalition Leader; Senator Thomas W. Libous, Deputy Majority Leader; Senator Joseph Griffo; Gil A. Quiniones, President and CEO NY Power Authority; John R. Koelmel, Chairman NY Power Authority; Assemblywoman Amy Paulin, Chairwoman, Assembly Energy Committee; Leecia Eve, NYS Deputy Secretary of Economic

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Development; NYS Assemblyman Kenneth Blankenbush; Thomas Congdon, NYS Deputy Secretary of Energy; New York State Public Service Commission Chairwoman Audrey Zibelman; Commissioner Patricia L. Acampora; Commissioner Gregg C. Sayre; Commissioner Garry A. Brown; Commissioner Diane X. Burman; and all others deemed necessary and proper.

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

**RESOLUTION NO. 259 - 2014  
AUTHORIZING OPENING OF CERTAIN PORTIONS OF  
COUNTY ROADS FOR ATV SPECIAL EVENT**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee

WHEREAS, Highmarket Wheelers Club has requested that the Board of Legislators open:

- *CR 51 West Road, from State Route 26 to the Gomer Hill Road in the Town of Turin*

for a one day all terrain vehicle (ATV) rally event to be held on August 16, 2014; 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, this action is a "Type II" action for purposes of the State Environmental Quality Review Act, and the regulations promulgated thereunder, more particularly, 6 NYCRR § 617.5(15) which provides that "minor temporary uses of land having negligible or no permanent impact on the environment" do not require further environmental review; and

WHEREAS, Highmarket Wheelers Club as sponsors of the event, have 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 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 51 West Road, from State Route 26 to the Gomer Hill Road in the Town of Turin*

for a one day all terrain vehicle (ATV) rally event to be held on August 16, 2014.

Section 2. That the permission granted herein is specifically conditioned upon Highmarket Wheelers Club entering into a written agreement with the County of Lewis whereby:

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9. Highmarket Wheelers 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;
10. Highmarket Wheelers 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 \$2,000,000 on account of any one occurrence and naming the County of Lewis as an additional insured; and
11. Sponsor agrees to pay for and fully indemnify, save and hold harmless the County and all of its officers, agents and employees from and against any and all property damage claims and expenses incurred and/or made by any person or entity as a result of this Event.
12. 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 King, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 260 – 2014  
RESOLUTION AUTHORIZING AND RATIFYING  
CONTRACT BETWEEN THE COUNTY OF LEWIS AND  
LOCAL 825 OF THE CIVIL SERVICE  
EMPLOYEES ASSOCIATION, INC.**

Introduced by Legislator Bryan Moser, Chairman of the County Officers and Employees Committee.

WHEREAS, the existing contract between the County of Lewis and Local 825 of the Civil Service Employee's Association ("CSEA") expired on December 31, 2013; and

WHEREAS, the negotiating teams representing the County of Lewis and the CSEA, signed on to the Mediator's Recommended Tentative Agreement dated June 16, 2014, which was ratified by the Local CSEA on July 9, 2014; to be effective beginning January 1, 2014 and expiring on December 31, 2017.



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NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the agreement as developed by the mediator and negotiating teams, memorialized as the Mediator's Recommended Tentative Agreement dated June 16, 2014, and accepted by the CSEA Local 825.

Section 2. That 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, 2014 through December 31, 2017 upon such form as may be approved by the County Attorney.

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 shall produce copies of such contract for distribution to employees of the CSEA Local 825.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Pepper.

Legislator Hathway expressed concern that the aggregate wage increases equates 41% of the 2% tax cap for the 2015 County budget. However, considering that unknown wage increases were not appropriated in 2014 departmental budgets, on behalf of the Ways and Means Committee, upon approval, it is recommended that respective appropriations be transferred from the Contingency Fund into Department budgets to cover the expense.

The resolution was then adopted. Legislators Hathway and King were opposed.

**RESOLUTION NO. 261 – 2014  
RESOLUTION AUTHORIZING AND RATIFYING  
CONTRACT BETWEEN THE COUNTY OF LEWIS AND THE SHERIFF  
EMPLOYEES UNIT OF THE LEWIS COUNTY LOCAL 825 OF THE CIVIL SERVICE  
EMPLOYEES ASSOCIATION, INC.**

Introduced by Legislator Bryan Moser, Chairman of the County Officers and Employees Committee.

WHEREAS, the existing contract between the County of Lewis and the Sheriff Employees Unit of Lewis County Local 825 of the Civil Service Employee's Association ("CSEA") expired on December 31, 2013; and

WHEREAS, the negotiating teams representing the County of Lewis and the CSEA, signed on to the Mediator's Recommended Tentative Agreement dated June 16, 2014, which was ratified by the Local CSEA on July 8, 2014; to be effective January 1, 2014 and expiring on December 31, 2016;

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NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the agreement as developed by the mediator and negotiating teams, memorialized as the Mediator's Recommended Tentative Agreement dated June 16, 2014 and accepted by the CSEA Local 825.

Section 2. That 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, 2014 through December 31, 2016 upon such form as may be approved by the County Attorney.

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 shall produce copies of such contract for distribution to employees of the Sheriff Employees Unit of Lewis County Local 825.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Pepper, and adopted. Legislators Hathway and King were opposed.

**RESOLUTION NO. 262 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO COMMUNITY SERVICES DEPARTMENT**

Introduced by Legislator Andrea Moroughan, Chair of the Community Services 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 Community Services Department, thereby reducing the Community Services Keyboard Specialist from full-time to part-time, to work 17.5 hours per week, effective August 4, 2014.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 263 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
DISTRICT ATTORNEY**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

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BE IT RESOLVED as follows:

Section 1. That the following appropriation of forfeited funds is hereby approved in the office of the District Attorney:

<u>Increase Revenues</u>	
A26260 (Forfeiture Proceeds)	\$1,528.40

<u>Increase Expense</u>	
A1165.4906 (Prosecution Fund)	\$1,528.40

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

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

**RESOLUTION NO. 264 – 2014  
RESOLUTION TO TRANSFER FUNDS  
DISTRICT ATTORNEY**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the District Attorney's account for a new laptop for the Assistant District Attorney utilizing Capital Data Processing funds; HAE9901.9 balance \$97,494:

<u>Increase Revenue:</u>	
A50310 (Inter-fund transfers)	\$1,107.50

<u>Increase Expense:</u>	
A1165.2217 (Computers)	\$1,107.50

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

Moved by Legislator Brennan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 265 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
FIRE & EMERGENCY MANAGEMENT DEPARTMENT**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

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Section 1. That the following appropriation is hereby approved for Emergency Management Fire Training Tower for contributions from the County Fireman's Association:

<u>Increase Revenues</u>	<u>Amount:</u>
A27064 (Contributions Emerg Management)	\$417.81

<u>Increase Expense:</u>	
A3410.4919 (Fire Training Tower)	\$417.81

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

Moved by Legislator Moser , seconded by Legislator Kulzer , and adopted.

**RESOLUTION NO. 266 - 2014  
RESOLUTION AUTHORIZING  
PROFESSIONAL CONSULTING SERVICES WITH  
LOCEY AND CAHILL, LLC**

Introduced by Legislator Lawrence Dolhof, 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 forms for the Retiree Drug Subsidy Program for Lewis County.

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 County of Lewis, for professional consulting services for the period of September 1, 2014 to August 31, 2015 at a cost of \$2,000.

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

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

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

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**RESOLUTION NO. 267 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
TRANSPORTATION DEPARTMENT**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriation is hereby approved in the Highway Department Accounts for the purchase of a tractor and mower, utilizing Capital Equipment funds with a balance of \$489,817:

<u>Increase Revenue:</u>	
DM50310	\$107,850.00
<u>Increase Expense:</u>	
DM5130.2233	\$107,850.00

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

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

**RESOLUTION NO. 268 - 2014  
RESOLUTION AUTHORIZING SERVICE AGREEMENT  
BETWEEN DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY  
AND LEWIS COUNTY TO CONSTRUCT FIBER OPTIC NETWORK**

Introduced by Legislator Greg Kulzer, Chairman of the Information Technology Committee.

WHEREAS, the County of Lewis wishes to enter into a Service Agreement with the Development Authority of the North Country (DANC) to construct a fiber optic data network to improve connectivity between County buildings; and

WHEREAS, the Board of Legislators wishes to accept such service agreement.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators wishes to enter into a Service Agreement with the Development Authority of the North Country to construct a fiber optic data network to improve connectivity between County buildings.

Section 2. That all construction costs for fiber installation will be covered by DANC as part of a NY State Connect NY Grant for local municipalities.

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Section 3. That a 100MB connection will be installed from the Court House to the Public Safety Building at 5252 Outer Stowe Street, at a per month cost of \$200.00 for a contract term of twenty-four (24) months upon delivery.

Section 4. That a 100MB connection will be installed from the Court House to Lowville Commons at 7550 South State Street, at a per month cost of \$200.00 for a contract term of twenty-four (24) months upon delivery.

Section 5. That a 10MB connection will be installed from the Court House to the County Highway Garage at 7362 East Road, at a per month cost of \$80.00 for a contract term of twenty-four (24) months upon delivery.

Section 6. 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 7. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 269 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
OFFICE FOR THE AGING**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Office for the Aging from Senior Prom Committee donations given to the department:

<u>Increase Revenues</u>	
A27051 (Contrib-OFA)	\$100.00

<u>Increase Expense</u>	
A6772.4919 (Other)	\$100.00

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

Moved by Legislator Moser, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 270 - 2014  
RESOLUTION RE-APPOINTING MEMBER TO**

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**LEWIS COUNTY OPPORTUNITIES, INC.  
BOARD OF DIRECTORS**

Introduced by Legislator Michael Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-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, 2017.

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

Moved by Legislator Dolhof, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 271 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO PROBATION DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, Probation Officer Trainee Lisa Peebles commenced her position in August 2013; and

WHEREAS, Probation Director MaryJo Burkhard recommends she be promoted to Probation Officer.

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>
Probation Officer	Full-time	Grade B27

Section 2. That Director Burkhard is hereby authorized to promote Lisa Peebles to Probation Officer effective immediately.

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

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

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**RESOLUTION NO. 272 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY PUBLIC HEALTH DEPARTMENT  
AND ABILITY NETWORK, INC.**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency wishes to enter into a short term agreement with Ability Network, Inc. for the purpose of Medicare billing as a result of Ivans discontinuing the prior service; 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 Ability Network, Inc. for the purpose of Medicare billing for the period beginning July 22, 2014 for one year in the amount of \$180.00 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 Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 273 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY PUBLIC HEALTH DEPARTMENT  
AND CHILDREN'S THERAPY NETWORK**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency wishes to enter into an agreement with Children's Therapy Network that provides comprehensive, high-quality therapy and education services to children with special health needs; 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 Children's Therapy Network that provides comprehensive, high-quality therapy and education services to children with special health needs



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for the period beginning July 1, 2014 through June 30, 2015 based on the State Education Department approved rates.

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 Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 274 - 2014  
RESOLUTION APPROVING MEMORANDUM OF AGREEMENT  
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND  
SHANNON ETHIER, INDEPENDENT CONTRACTOR, FOR  
EMERGENCY PREPAREDNESS PLANNING SERVICES**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, the County of Lewis provides Public Health Emergency Preparedness planning and services through Lewis County Public Health Emergency Preparedness Program; and

WHEREAS, the County of Lewis wishes to enter into a Memorandum of Agreement with Shannon Ethier, an independent contract, who provides such Emergency Preparedness Planning Services.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Agreement between the County of Lewis, by and through the Lewis County Public Health Agency, with Shannon Ethier, an independent contractor, who provides Emergency Preparedness Planning Services.

Section 2. That the term of this Agreement shall be from August 6, 2014 through December 31, 2014 for an amount not to exceed \$60.00 per hour.

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 Moroughan, and adopted.

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**RESOLUTION NO. 275 - 2014  
RESOLUTION APPROVING AGREEMENT BETWEEN  
LEWIS COUNTY PUBLIC HEALTH AGENCY  
ON BEHALF OF THE COUNTY OF LEWIS AND NYS DOH FOR  
LEAD POISONING PREVENTION**

Introduced by Legislator Andrea Moroughan, Chair 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 \$21,142.00 for the purpose of a Lead Poisoning Prevention Program; 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 a Lead Poisoning Prevention Program for the period of October 1, 2014 through September 30, 2015 in the amount of \$21,142.00.

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, pending approval by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 276 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
PUBLIC HEALTH**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved for the 2014-2015 COLA (Cost of Living) Funds:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
A34461	COLA-PH	\$ 671.00
A4020.4909	COLA-Misc.	\$ 671.00

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Programs providing COLA funds are as follows:

Children With Special Health Care Needs - \$671.00

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

Moved by Legislator Moroughan , signed by Legislator Pepper , and adopted.

**RESOLUTION NO. 277 – 2014  
RESOLUTION TO TRANSFER FUNDS  
PUBLIC HEALTH**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfers are hereby approved in the Public Health accounts for Medical Consultant/Director expense:

From:

A4042.4367	Vaccines/Pharmaceutic	\$ 3,000.00
A4089.4367	Vaccines/Pharmaceutic	\$ 3,000.00

To:

A4013.4901	Professional Services	\$ 6,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan , seconded by Legislator Brennan , and adopted.

**RESOLUTION NO. 278 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
SHERIFF'S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriation be approved for Law Enforcement items using money from the DWI Crackdown Patrol Grant:

<u>Increase Revenues</u>	<u>Amount:</u>
A15890 (Sheriff DWI)	\$1,392.83

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<u>Increase Expense:</u>	<u>Amount</u>
A3111.1104 (Shift Differential)	\$ 26.25
A3111.1103 (OT)	\$1,366.58

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

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

**RESOLUTION NO. 279 - 2014**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN**  
**LEWIS COUNTY SEALER OF WEIGHTS AND MEASURES**  
**AND NYS DEPARTMENT OF AGRICULTURE AND MARKETS**

Introduced by Legislator Jerry King, Chairman of Sealer of Weights and Measures Committee.

WHEREAS, the Lewis County Sealer of Weights and Measures wishes to enter into an Agreement with the New York State Department of Agriculture and Markets for inspecting, testing and sampling petroleum products; and

WHEREAS, the Lewis County Sealer of Weights and Measures wishes to renew the contract for an additional five-year term; 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 Sealer of Weights and Measures and the New York State Department of Agriculture and Markets for inspecting, testing and sampling petroleum products.

Section 2. That the term of this Agreement shall be from April 1, 2014 and ending March 31, 2019, for an amount not to exceed \$18,760.00.

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 Dolhof , seconded by Legislator Pepper , and adopted.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 280 - 2014  
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE  
(COUNTY OF LEWIS TO SARAH L. WENDELL)**

Introduced by Michael A. Tabolt, Chairman of the Lewis County Board of Legislators.

WHEREAS, Sarah L. Wendell was granted a Mortgage to the County of Lewis dated July 11, 2012, and recorded in the Lewis County Clerk's Office on April 25, 2013, as Instrument # 2013-003286 to secure payment of a loan in the amount of \$21,575.00, 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 King, and adopted.

**RESOLUTION NO. 281 - 2014  
RESOLUTION AUTHORIZING SUB-RECIPIENT AGREEMENT  
BY AND BETWEEN LEWIS COUNTY AND  
SNOW BELT HOUSING COMPANY, INC.**

Introduced by Legislator Lawrence Dolhof, Chairman of Economic Development Committee.

WHEREAS, Lewis County ("County") has heretofore applied for and received a Small Cities Community Development Block Grant ("CDBG"), Project No. 636HR51-13, in the amount of \$522,500.00 to finance the community development activities for housing rehabilitation assistance to income eligible homeowners in the County; and

WHEREAS, Snow Belt Housing Company, Inc. ("Snow Belt") is a not-for-profit corporation organized under the laws of New York State, and whose offices are located at 7500 South State Street, Lowville, New York 13367 and has the experience and is willing to act as sub-recipient to the County by administering said Grant; and

WHEREAS, the Board of Legislators wishes to enter into a Sub-Recipient Agreement with Snow Belt and the County is desirous of having Snow Belt administer said Grant on its behalf.

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NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes and approves Snow Belt Housing Company, Inc. to administer the Small Cities Community Development Block Grant in accordance with the program requirements, and to act as a sub-recipient of the above referenced funding.

Section 2. That the term of this agreement shall commence as of May 1, 2014 and shall continue through December 31, 2016. However, pursuant to 24 CFR 570.503(a), this Agreement shall remain in effect during any period that the sub-recipient has control over the CDBG funds, including program income.

Section 3. That the sub-recipient will be entitled to receive a maximum of \$83,000.00 from said grant to cover the administration and program delivery expenses thereto.

Section 4. That the Chairman of the Board, or the Vice-Chairman, be and the same hereby is authorized to execute and deliver such documents, contracts or agreements, including a Sub-recipient Agreement to effectuate this Resolution, upon such terms as may be approved by the Lewis County Attorney.

Section 5. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 282 -2014**  
**RESOLUTION AUTHORIZING LEWIS COUNTY**  
**TO LEASE AND/OR PURCHASE CERTAIN PROPERTIES FOR**  
**CONSTRUCTION AND PLACEMENT OF RADIO TOWERS AS PART OF THE**  
**EMERGENCY COMMUNICATIONS SYSTEM IMPROVEMENT PROJECT**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

WHEREAS, the Board of Legislators of Lewis County ("County") is in the process of upgrading the Emergency Radio Communications System. The system upgrade requires placement of six (6) additional radio towers and the supporting structures and equipment for same in various locations in the County and proposes to authorize the County to undertake certain improvements; and

WHEREAS, the County, with the assistance of the engineer on this project, has identified certain property locations in Lyons Falls, Osceola, Croghan, Turin, Harrisville and Montague wherein the towers are to be placed; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the County desires to enter into lease agreements and/or contracts to purchase portions of property at said locations sufficient for the construction and maintenance of the County's radio towers with the property owners of the identified properties.

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the Board of Legislators hereby authorizes Lease Agreements and/or Property Purchase Agreements with certain property owners in Lewis County at locations identified in Lyons Falls, Osceola, Croghan, Turin, Harrisville and Montague to construct and maintain radio towers for the Emergency Radio Communications System.

Section 2. That the term of these lease agreements is for ninety-nine plus (99+) years and the cost of each Lease/Purchase Agreement is not to exceed \$15,000.00 plus no more than \$750.00 for attorney's fees to said property owners for each location.

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, subject to the approval of the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Brennan , seconded by Legislator Moroughan .

Legislator Pepper made a motion to amend the resolution to delete payment to Harrisville, objecting to any municipality charging the County for antennae space, particularly when their constituents will be the benefactors of enhanced fire and emergency radio transmission and communication, upon completion of the multi-million dollar project. The motion was seconded by Legislator Dolhof.

Legislator Hathway clarified the Town of Diana would receive the lease fees, clarifying their request would be far less than \$15,000. He suggested that in lieu of a lease agreement, the County could provide some radios for their plows that would enhance transmission communication on very rural outlying roads. Legislator Hathway relayed the Town's concern for revenue loss, predicting that cell phone companies that currently lease tower space for antennae will choose to transfer to the County's much higher tower to enhance transmissions. The lease revenue offsets road maintenance and plowing expenses, he said, asserting their request would not exceed the amount of displaced antennae lease fees.

Legislator King reported that negotiations for the tower leases are continuing.

Legislator Brennan termed it "ludicrous" to pay a municipality rent fees, considering the benefits to the respective municipality.

Legislator Pepper queried whether the Town of Diana may want to build a tower and have the County lease antennae space?

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In response to Legislator Dolhof, Legislator King affirmed there are no cell towers in the areas of the proposed new tower sites. The height of the Harrisville and Osceola towers will be 300 feet, and the Montague tower will exceed that height. Legislator King urged approval of the lease agreements to progress with the planned timeline to advertise by the end of August for tower construction. He agreed to abide by any terms set by the Board, reiterating ongoing negotiations.

Legislator Hathway had spoken with consultant Robert Duclos, relating doubt that cell phone companies would want to move their antennae from the shorter existing tower, due to known diminished reception at higher altitudes.

County Attorney Joan McNichol clarified that five (5) of the tower sites involve private property owners; the Montague location involves the County purchase of one acre; and the Harrisville site is the only municipally owned property. Except the Lyons Falls site proposed for \$1.00, all other sites are projected at \$15,000 at this time. She assured that current cell phone frequencies will not interfere with emergency radio communication frequencies. The County would consider, but is not seeking requests for antennae leases on the new towers.

Legislator King agreed to poll the Legislators upon determination of the final lease with the Town of Diana.

The amending motion to delete payment to Harrisville was unanimously defeated.

Legislator Pepper made a motion that Harrisville does not receive any compensation to install a tower on their property, seconded by Legislator Dolhof. The motion was defeated by a vote of 4 to 6. Legislators Chartrand, Hathway, King, Kulzer, Moser and Tabolt were opposed.

In response to Legislator Chartrand's inquiry, it was confirmed that all lease agreements will be for a period of 99 plus (99+) years.

After further discussion, it was agreed that all Legislators would be advised of the terms of the lease agreement for the Harrisville site, prior to approval.

The resolution was then unanimously adopted.

**RESOLUTION NO. 283 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY TREASURER'S OFFICE AND  
FISCAL ADVISORS & MARKETING, INC.**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.



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WHEREAS, Fiscal Advisors and Marketing, Inc. wishes to enter into an agreement with the Lewis County Treasurer's Office for the purpose of providing financial advisory 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 Fiscal Advisors and Marketing, Inc. to provide financial advisory services effective July 1, 2014 pursuant to the fee schedule attached and marked as Appendix "B" of the contract.

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

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

**RESOLUTION NO. 284 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
WORKFORCE INVESTMENT ACT**

Introduced by Legislator Neil Pepper, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

**NOA #PY13-4**

Section 1. In accordance with the Workforce Investment Board of Jefferson County request, pursuant to Technical Advisory 13-9.2 dated May 30, 2014, the following transfer of funds has been approved for transfer from Dislocated Worker Account to Adult Account:

<u>From: Dislocated Worker</u>	
CD6291.1999	\$5,300.00
CD6291.8999	\$2,300.00
CD6291.4999	\$10,700.00
<u>To: Adult</u>	
CD6292.1999	\$4,000.00
CD6292.4999	\$4,300.00
CD6292.4909	\$8,000.00
CD6292.8999	\$2,000.00

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No change to revenue.

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

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

**RESOLUTION NO. 285 - 2014  
RESOLUTION APPOINTING MEMBERS TO  
YOUTH BUREAU ADVISORY BOARD**

Introduced by Legislator Neil Pepper, Chairman of the Youth Bureau Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following individuals as members of the Lewis County Youth Bureau Advisory Board:

Karrie McCullouch  
Mountain View Prevention Services  
7714 Number Three Road  
Lowville, NY 13367  
376-2321

Sgt. Randy Roggie  
Lowville Village Police Department  
5535 Bostwick Street  
Lowville, NY 13367  
376-6511

Sgt. Eric Schmitt  
Lewis County Sheriff's Office  
PO Box 233  
Lowville, NY 13367  
376-3511

Section 2. That the term of said appointments shall be effective August 6, 2014 through June 30, 2016.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 286 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
YOUTH BUREAU**

Introduced by Legislator Neil Pepper, Chairman of the Youth Bureau Committee.

BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the following State Aid budget appropriation increase is hereby approved in the Youth Bureau accounts:

<u>Revenue</u>		
A38201 (Youth Bureau)		\$15,160.00
A7311.4909 (Initiatives)		<u>\$ 2,291.00</u>
		\$17,451.00
<u>Expense</u>		
A7311.4904 (Services Funding)		\$ 7,341.00
A7311.4905 (Recreation Funding)		\$ 7,842.00
A7311.4906 (National Night Out)		\$ 1,954.00
A7311.4401 (Postage)		<u>\$ 314.00</u>
		\$17,451.00

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

Moved by Legislator Dolhof, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 287 – 2014  
RESOLUTION TO TRANSFER FUNDS  
PUBLIC HEALTH**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers are hereby approved in the Public Health accounts for Clinical Laboratory Improvement Amendments (CLIA) expense:

<u>From:</u>		
A4014.1999	Pers Svs – Prenatal	\$ 1,000.00
A4071.1999	Pers Svs – Lead	\$ 1,000.00
A4086.1999	Pers Svs – Disease Control	<u>\$ 500.00</u>
	Total	\$ 2,500.00
<u>To:</u>		
A4014.4901	Professional Services	\$ 1,000.00
A4071.4901	Professional Services	\$ 1,000.00
A4093.4909	Miscellaneous	<u>\$ 500.00</u>
	Total	\$ 2,500.00

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

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

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**RESOLUTION NO. 288 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
LEWIS COUNTY GENERAL HOSPITAL**

Introduced by Legislator Richard Chartrand, 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>
Certified Nursing Assistant (2)	Full-Time

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

Moved by Legislator Dolhof , seconded by Legislator Chartrand .

Legislator Chartrand explained the C.N.A.'s would assist the dermatologist starting in September, for which there has been over 200 prospective patient inquiries. The positions may be filled by transferring existing C.N.A.'s from the Skilled Nursing Facility, which would allow re-filling of those positions. He cited the recent prestigious award recognizing the excellent nursing continuous of care attendant to \$50,000, strongly discouraging any negative impact to that distinction. He inquired whether the issue is with the overall hospital employee numbers, distinguishing that as a separate issue.

Legislator Pepper referenced the recent critical care access designation that was attendant to a reduced number of hospital beds, inquiring the possibility of reassigning nursing staff to cover the dermatologist's office. He queried whether the hospital may be over-estimating the dermatologist's potential income revenue, indicating his favor to defer creating positions until the dermatologist resumes her practice. Legislator Moser concurred with those sentiments.

Chairman Tabolt clarified that the reduced number of beds had not impacted the number of patients. Nursing staff have consistently been assigned based on the average patient census of 17.

County Manager Liz Swearingin reported the Hospital's history of hiring over the last 10 years had effectually doubled their payroll during that period, while the population base has remained static. She urged the Board to inquire the possibility of the Hospital re-allocating existing staff to fill the requested need. Legislator Kulzer expressed his support to re-allocate staff, recalling the report was to staff the dermatologist four days per week, with the C.N.A.'s being assigned to the clinics for remaining day.

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While commending the dermatologist for accepting lesser paid C.N.A.'s rather than desired LPN's, Legislator Hathway also expressed support to explore whether a re-allocation of nursing staff could fill the need.

In response to the doubling of payroll from \$15 Million to \$30 Million as reported by Ms. Swearingin, Legislator Chartrand was certain the figures had been, at least partially, impacted by union contractual agreements. He reiterated his affirmation that denying the C.N.A.'s was not the solution, instead urging an overall factual study.

Legislators Moser, King and Kulzer affirmed their earlier statements to explore the feasibility of whether a re-allocation of staff could serve the dermatologist.

Chairman Tabolt understands the need to hold the line on job creation, "But not at the expense of C.N.A.'s", he asserted. Citing them as some of the lowest paid employees, he relayed commendations from many persons that have experienced skilled nursing home services. Considering the wage differential, he does not deem it cost effective to fill the need with LPN's or RN's, even on a temporary basis. The Hospital hopes to fill the C.N.A. shortage by recruiting some of the soon-to-be nursing class graduates, he concluded.

The resolution was then defeated by a vote of 8 to 2. Legislators Brennan, Dolhof, Hathway, King, Kulzer, Moroughan, Moser and Pepper were opposed.

**RESOLUTION NO. 289 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
LEWIS COUNTY GENERAL HOSPITAL**

Introduced by Legislator Richard Chartrand, 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>
Nurse Case Manager (2)	Part-Time

Section 2. That upon depletion and/or termination of the related \$1.9 Million grant through the Lewis County General Hospital, the above captioned positions shall be re-evaluated.

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

Moved by Legislator Pepper, seconded by Legislator Chartrand.

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Legislator Chartrand distinguished the meaning is to re-evaluate the positions if the grant is lost, to determine related profit or loss impact, as opposed to automatic termination. He submits the estimated \$60,000-\$70,000 personnel cost is a minute commitment against the total grant.

The resolution was then unanimously adopted.

**RESOLUTION NO. 290 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
SHERIFF'S DEPARTMENT**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Sheriff's Department Canine Unit to appropriate the balance of funds from the County Dog Money trust account:

Increase Revenues

A27063 Contributions-Canine Fund \$874.90

Increase Expense

A3110.4911 K9 Unit expense \$874.90

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

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

OTHER BUSINESS:

Legislator Chartrand made a motion to enter executive session at 11:16 a.m. for discussion with Sheriff Carpinelli and Undersheriff Monnat relative to specific personnel issues; and for legal advisory council from County Attorney McNichol. The motion was seconded by Legislator Dolhof and carried. The session commenced at 11:28 a.m. following a recess called by Chairman Tabolt. Following the session, Legislator Hathway moved to re-enter regular session at 12:23 p.m., seconded by Legislator Pepper and carried.

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**SPECIAL MEETING**

**August 11, 2014**

The meeting was called to order at 1:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislators Chartrand and Moser.

The Invocation was offered by Legislator Hathway, followed by a moment of silence for the family of the recently deceased local race car driver. Chairman Tabolt then led the Pledge of Allegiance to the Flag.

There were two newspaper reporters present.

**REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:**

County Sealer of Weights and Measures Barbara Cooper had submitted her July activity report, to be placed on file.

**REPORTS OF STANDING COMMITTEES:**

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, reported that the height of the Montague tower would be increased from 220' to 390' and the Harrisville tower from 199' to 300' for additional cost of \$60,048 and \$41,389 respectively. He declared it more cost effective to construct heightened towers, than to defer corrective measures at a later date.

Legislators Dolhof and Brennan each took exception with the additional cost, referencing the contractor's guarantee that the towers would provide 95% coverage. Legislator King defended E.F. Johnson Company, admitting the bids were advertised last fall, prior to "the line of site analysis" that was not done until this past spring. The contractor bid for advertised nine (9) towers. However, it was subsequently learned that the Montague tower needed to be increased to 390' due to microwave requirements. Likewise the height of the Harrisville tower would need to be increased to 300' to increase its coverage to 95% in that area.

Legislator Hathway clarified that upon learning that 80% of the non-covered 5% coverage was in the Town of Diana, he asked for further review and consideration. Hence, the increased Harrisville tower height. The 20% balance of the non-coverage was in Montague.

Legislator Pepper also referenced the contractor's guarantee of 95% coverage, opining they should be held accountable. It is reasonably assumed they depended upon information from professional consultants. He further reiterated his grave exception to paying a municipality for leasing tower space, particularly citing the thousands of dollars being infused by the County to strengthen reception in the Harrisville area.

Legislator King proclaimed that "E.F. Johnson is not the reason we have issues with the towers!" "If we had bid them correctly initially, the prices would be the same as they are

AUGUST 11, 2014

today”, he exclaimed. He, again submitted, that constructing the heightened towers now would be more cost effective than to make correcting additions at a later day.

Legislators Dolhof expressed surprise and concern that the quoted initial annual maintenance cost of \$300,000 had escalated to as much as \$600,000. Legislator King explained there is a 2-year maintenance contract. Thereafter, the annual estimated cost is \$320,000, which is being thoroughly analyzed to determine whether it would be more cost effective to make repairs as they are required, than to opt for the static annual cost.

Legislator King affirmed that none of the tower lease agreements had been finalized or executed, reiterating his agreement of last week to bring the final agreement for the Harrisville tower lease to the full Board for their approval. He further stated that E.F. Johnson was not increasing their cost, while asserting the project would remain within budget.

While assuring no disrespect for Legislator Hathway, Legislator Pepper again sparred over the proposed lease payment for the Harrisville tower, personally objecting to any municipality receiving lease fees, considering the benefits of the project.

Legislator Bryan Moser, by phone, expressed support for heightening the Harrisville tower to affect the 95% coverage, as likewise throughout the County. “You cannot penalize one municipality”, he exclaimed.

Justifying the municipal tower site, Legislator Hathway reported the consultants had considered an alternate site in Harrisville that would have cost \$50,000.

Legislator King asked the Board to indicate their support for the two heightened tower sites. Legislator Brennan requested C & S Company consultant Robert Duclos to prepare all tower leases and collectively present them for Board approval. Legislator King responded that whether the proposed Harrisville site is chosen, there must be a tower built in that vicinity.

Legislator Kulzer relayed his understanding that the Town of Diana was merely asking for an unknown amount equal to cell phone company lease revenue, only if the company ultimately transferred their antennae to the County’s tower, which was affirmed correct.

Legislator King made a motion to approve extending each of the two towers to the quoted heights for an additional cost of \$105,000. The motion was seconded by Legislator Kulzer. Legislator Dolhof indicated support for the additional cost if there was a guarantee the towers will provide 95% coverage. Legislator Pepper concurred.

Legislator Dolhof called the question, seconded by Legislator Brennan. The motion then carried by a voice vote of 7 to 1. Legislator Pepper was opposed. Legislators Chartrand and Moser were absent.

**RESOLUTIONS:**



PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 291 - 2014  
RESOLUTION AMENDING THE COMPENSATION PLAN  
OF THE COUNTY OF LEWIS WITH REFERENCE TO  
JUNKYARD INSPECTOR**

Introduced by Legislator Bryan Moser, Chairman of the Junkyard Inspector Committee.

WHEREAS, pursuant to Local Law No. 7-2014 as adopted by this Board of Legislators, thereby directing that all duties relative to junkyards shall be under the jurisdiction of the Code Enforcement Officers.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the Compensation Plan of the County of Lewis, to abolish the position of Junkyard Inspector, effective immediately.

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

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

**OTHER BUSINESS:**

Chairman Tabolt directed Clerk of the Board Teresa Clark to formulate a commending letter for Junkyard Inspector William Houppert, for his signature.

There being no other business to come before the Board, the meeting adjourned at 1:49 p.m. on motion of Legislator Dolhof, seconded by Legislator King and carried.

SEPTEMBER 2, 2014

**REGULAR MEETING  
September 2, 2014**

The meeting was called to order at 5:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Hathway, followed by a moment of silence for those deceased. Chairman Tabolt led the Pledge of Allegiance to the Flag.

There were 16 persons present.

Chairman Tabolt announced approval of the August 5 and August 11, 2014 meeting minutes.

**REPORT OF THE RULES AND LEGISLATION COMMITTEE:**

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

Lawrence Dolhof, Chairman  
Bryan Moser, Committee  
Craig Brennan, Committee

Dated: September 2, 2014

Legislator Moser made a motion to waive the rules, seconded by Legislator Brennan, and carried.

**PRIVILEGE OF THE FLOOR:**

Legislator Philip Hathway relayed having attended a recent ceremony to recognize an Eagle Scout; one of 29 that have attained the distinguished honor from the Boy Scout Troup in Croghan. He highly commended their Scout Master, impressed with his accomplishments.

**PRESENTATION OF COMMUNICATIONS AND NOTICES:**

Mr. William Wormuth has submitted his letter of resignation as a member of the Lewis County Hospital Board of Managers, effective 8/19/2014.

Mr. Jack T. Bush has submitted his letter of resignation as a member of the Lewis County Industrial Development Agency Board of Directors, effective 8/27/2014.

Lewis County Farm Bureau President Jennifer Karelus penned a letter of support for the upgrades to the Soil and Water District stream gauge monitoring system.

The Tompkins County Legislature has forwarded certification of their adoption of a Local Law Overriding the Tax Levy Limit for their 2015 County Budget.

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Delaware County Board of Supervisors adopted a Resolution to record their opposition to the proposed rule to change the definition of “Waters of the U.S.” under the Clean Water Act, that would hinder everyday practices and projects for farmers, municipalities and other entities.

### REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

All Legislators have received copies of the Treasurer’s August monthly report; the 8/25/14 Highway Audit Report, the 8/21/14 Solid Waste Audit Report; and minutes of the 8/26/14 Youth Bureau Advisory Board meeting.

The County Sealer of Weights and Measures had submitted her August monthly activity report to be placed on file.

### REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, was pleased to cite the additional Public Health monies expensed to the Lewis County General Hospital for physical therapy services to children with special needs. He recognized the efforts of the Director to utilize hospital services, rather than alternate vendors.

Legislator Hathway recognized Legislator Dolhof and former Legislator Richard Lucas for their part to facilitate an agreement through the Lewis County Development Corporation (LCDC), that leveraged private entity infusion of \$650,000 and an additional \$700,000 from the State, by committing a \$50,000 County appropriation.

Legislator Hathway made a motion to authorize advertising for a 2015 F-150 truck, 4-door, crew cab, 4-wheel drive, or equivalent, for the Recreation, Forestry and Parks Department. The vehicle will be financed 75% by ATV permit fees and 25% through the Capital Equipment account. The motion was seconded by Legislator Brennan and carried. Legislator Pepper was opposed.

Legislator Hathway reported that due to the tractor bid coming in well under budget, the Capital Equipment account has sufficient funds to also finance the upgrades to the stream gauge system and recommends approval of the proposed resolution.

County Manager Liz Swearingin is exploring the feasibility of retaining an engineering consultant for all County needs. The most prominent needs are for Highway Department bridge projects, reported Legislator Hathway.

The Committee had authorized Building Maintenance Supervisor Frank Archer to have a galvanized fence installed at the property that houses the DMV office, to address safety issues.

Legislator Hathway announced the scheduled bid opening on 9/3/14 for the Highway garage repairs. He asked the Board’s pleasure whether to allow the Committee to award the bid if the figure is within budgetary appropriations; or to schedule a special meeting to award the bid. The original budget, he said, was \$56,650, of which \$7,200 has been expensed to the

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engineering consultant firm. Legislator Kulzer made a motion to authorize the Ways and Means Committee to award the bid to the lowest responsible bidder up to an amount of \$50,000, seconded by Legislator Moser and carried. Legislator Hathway affirmed he would report the bid results to the Board.

Legislator Hathway stated that the repairs to the Highway garage exterior would be deferred until next year. However, RSI Roofing is scheduled to repair the roof.

Continuing, Legislator Hathway reported that NYSEG plans to extend the natural gas line to the Highway garage, and Griffith Energy has analyzed the furnaces and will provide a quote to covert to natural gas.

Frank Archer has negotiated renewal agreements with Siemens Industries for HVAC maintenance at the Outer Stowe Street and Public Safety buildings.

In conclusion, Legislator Hathway reported that Budget Officer Liz Swearingin was preparing the schedule for 2015 budget presentations.

Legislator Neil Pepper, Office For the Aging/Social Services/Youth Committee Chairman, announced the National Night Out event scheduled for 9/11/14 at the Lewis County Fairgrounds, at which military families will be recognized.

Legislator Pepper also announced a scheduled Prom Night at the Glenfield Fire Hall on 9/12, and Octoberfest at the Hayloft in Collinsville on 9/26, sponsored by the Office For the Aging.

Legislator Pepper reported that Social Services personnel are searching for alternative providers to replace after-school day care services at the Harrisville and South Lewis schools and Hand-In-Hand center at Beaver River, that had been terminated due to lost funding.

Legislator Bryan Moser, County Officers/Veterans/Junkyards/Human Resources Committee Chairman, reported that Veterans' Service Director Derek Davey recognized Veterans' Service Counselor Steve Kilionski for his commendable performance to obtain pension benefits for local veterans. Mr. Davey had also explained that the well publicized problems with the Veterans' Administration involve not only access to medical treatment, but a backlog of claims and delayed benefit approvals.

Legislator Moser had introduced Sr. Building Code Officer Ward Dailey at a recent Junkyard Review Board meeting. He reports having received only one response to the Board's advertising for candidates to fill the three (3) vacancies on the Junkyard Review Board, stating their desire for representatives from the most southern and northern ends of the County.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, made a motion to authorize advertising for applicants to re-fill the Fire and Emergency Management Director position upon the impending retirement of James Martin. The motion was seconded by Legislator Moser and carried.

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Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry & Parks Committee Chairman, announced that Sunvestment Group is sponsoring informational seminars for those interested in solar projects, to be held on 9/16/14 at the Martinsburg Town Hall at 10 a.m. and at the Croghan Fire Hall at 6 p.m.

Legislator Dolhof also announced a meet-and-greet is scheduled with Willie Janeway, the new executive director of the Adirondack Council on 9/29/14 at 1 p.m. in the Legislative chambers. Also, the Lewis County Development Corporation will meet on 9/10/14 at 8 a.m. in the Town of Lowville office building.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, reported construction of the French Settlement Bridge is in progress with anticipated completion by the end of October. Legislator Brennan noted an inadvertent error in a proposed resolution to transfer funds would be corrected. Highway personnel over-time expenditures are within budgetary appropriations, although he cautioned that impending winter weather could impact that budget.

Legislator Brennan cited his sponsored resolutions to create a solid waste laborer to replace a retiree; and the appropriation of insurance recovery proceeds to offset the repairs at the transfer station caused by the tornado. In response to many requests, he reported receipt of three recycling bin samples that are being analyzed to determine the feasibility of offering to them to residents at a cost. The annual Household Hazardous Waste Day will be held on 9/6/14 at the transfer station from 8 a.m. to noon, sponsored by the Development Authority of the North Country.

Legislator Brennan made a motion to accept the resignation of Jack T. Bush from the Lewis County Industrial Development Agency (IDA) Board of Directors effective 8/27/14, seconded by Legislator King and carried. At the suggestion of Legislator Hathway, Chairman Tabolt affirmed that a letter of appreciation would be forwarded to Mr. Bush.

Legislator Brennan informed that Edward Boliver, also a member of the IDA Board of Directors, had verbally indicated his intent to resign, citing health issues, although we await his resignation letter.

Legislator Brennan reported that the IDA Board proposes to appoint an Ad Hoc Committee comprised of the Legislative Economic Development Committee and the IDA Board to prioritize and recommend a sole structure to promote economic development in Lewis County. The IDA Board will meet on 9/4/14 for further discussion. Legislators are urged to propose appointment recommendations to fill IDA Board vacancies.

In conclusion, Legislator Brennan made a motion to notify the NYS Department of Transportation that the Board supports the Jerden Falls Bridge BIN#334000 in the Town of Croghan be listed as Lewis County's number one priority project on the State's Rehabilitation Plan list. The motion was seconded by Legislator Chartrand and carried.

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Legislator Gregory Kulzer, Taxation/Information Technology/Elections/Agriculture Committee Chairman, relayed the Election Commissioners' request for the Board to enact a resolution urging the State Legislature to consolidate election primaries that would effect savings of \$67,000. Also, the Commissioners successfully garnered a "Shoebox" grant of \$19,000 to offset voting and training expenses.

Legislator Kulzer reported that Real Property Tax personnel continue to update 911 addresses, estimating two years for completion. Director Linda Hoskins has redistributed work assignments among her personnel to efficiently accomplish the additional tasks. School tax bills were mailed last week.

Information Technology Director Adam Zehr has set up test accounts for "Office 365", which is governmental cloud-based software for electronic record storage. Also, Frontier submitted the lowest quote for phone service, including 20,000 minutes of long-distance service.

Legislator Kulzer made a motion to extend the temporary appointment of Betsy Boliver as Tax Map Technician Trainee up to April 2, 2015, pending civil service testing results. The motion was seconded by Legislator Hathway and carried.

Legislator Kulzer further reported that wireless internet has been installed in the Board room, and is available to public guests attending meetings. Mr. Zehr stated the system would be password protected for Legislators.

Legislator Richard Chartrand, Hospital Committee Chairman, reported that Critical Care Access designation will equate revenue of approximately \$3 Million annually. The Hospital intends to satisfy the current debt to the County of \$2,763,000 by the end of 2014. However, the projected County debt as of 1/1/2015 will be \$4.3 Million equal to the Hospital's pension payment to be incurred by the County and due by 12/15/2014. A repayment agreement is being finalized to delineate monthly Hospital payments until the County debt is exhausted. The repayment schedule enables retention of current level operations.

The Legislators met jointly with the Hospital Board of Managers for an explanation of expenses and how timing of receipts impacts revenue sources.

Legislator Chartrand strongly urged approval of the request to create two certified nursing assistants pursuant to civil service regulations, that will facilitate needed employees for the Dermatology Department.

Legislator Chartrand made a motion to accept the resignation of William Wormuth from the Hospital Board of Managers effective 8/19/14, seconded by Legislator Moroughan and carried. A letter of appreciation shall be forwarded to Mr. Wormuth.

Legislator Chartrand made a motion to authorize advertising for interested applicants to fill the Board of Managers' vacancy, seconded by Legislator King. County Atty. Joan McNichol clarified that the Board of Legislators appoints and would be responsible to interview

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

candidates. Legislator Hathway posed advertising jointly for IDA Board members. In response to Legislator Pepper, Atty. McNichol affirmed that only one Legislator may be appointed to the Board of Managers pursuant to Section 127 of the General Municipal Law. In reference to interviews, Legislator Chartrand suggested the Board be mindful that the term of another member will expire 12/31/14. As suggested by Legislator Brennan, the advertisement shall request candidates for both the IDA and the Board of Manager vacancies. The motion then carried.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported that Director Penny Ingham had reviewed the quality assurance report with the Health Services Advisory Board, and the management review resulted in no findings. The Public Health Department was the beneficiary of a monetary improvement incentive award from the NYSDOH for implemented improvements for disease control recording and investigations. It is projected that \$300,000 of Public Health budget appropriations will remain unspent.

Public Health Nurse Supervisor Marcia Ashline reviewed chronic diseases, family and environmental health programs, reporting three positive rabies tests. 17 people were treated for post-rabies exposure, 13 of which occurred in August.

Legislator Moroughan further reported that opening of the satellite behavior and wellness centers at the Beaver River and South Lewis Health clinics have been delayed until October.

### COUNTY MANAGER REPORT:

County Manager Liz Swearingin thanked Legislators Tabolt, Pepper and Brennan, Anne Merrill, Eric Virkler, Jackie Mahoney and Frank Pace for manning the Lewis County tourism booth at the New York State Fair. Record attendance attributed to all informational materials being distributed. There were also many positive comments about the new display.

The initial 2015 budget schedule has been distributed to Legislators and Department Heads, requiring all departmental entries into the IFM electronic system by 9/26/14. Department Head presentations to the Ways and Means Committee, and any other interested Legislators, are scheduled from 10/1 -10/8/14.

Ms. Swearingin reported that she and Legislator Brennan listened to a presentation about the prospect of siting a ground-based interceptor at Fort Drum, as one of four sites being considered, pending a 2-year environmental impact study. If ultimately approved, up to 60 ground-based missiles would be housed at the site for deployment in the event of an east coast attack. All officials and representatives in attendance were unconditionally supportive of this initiative. Legislator Brennan asserted that any affects of prospective missile deployment would occur in the outer atmosphere.

### COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien referenced proposed Resolution No. 299-2014, clarifying the balance of the Capital Equipment account is \$489,973.

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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 \$ 756,039.84 and recommend that they be audited and allowed for the amounts claimed.

Philip Hathway, Chair  
Jerry King, Committee  
Richard Chartrand, Committee

Dated: September 2, 2014

Approved on motion by Legislator Moser, seconded by Legislator Pepper, and carried.

RESOLUTIONS:

**RESOLUTION NO. 292 - 2014  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 756,039.84 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 Moser, second by Legislator Brennan, and adopted by roll call vote:

All voted yea.

**RESOLUTION NO. 293 - 2014  
RESOLUTION AMENDING RULE XII  
POWERS AND DUTIES OF COMMITTEES OF THE STANDING RULES  
OF THE BOARD OF LEGISLATORS OF LEWIS COUNTY**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.



PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Board of Legislators has established a “New Junkyard Law pursuant to Local Law No. 7-2014, thereby invoking an amendment to Rule XII of the Standing Rules of the Board of Legislators of Lewis County.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends and supersedes the Standing Rules of the Board of Legislators of the County of Lewis, by amending Rule XII Powers and Duties of Committees, under the County Officers and Employees, Veterans’ Services, Junkyard Inspector, Historian, Human Services Committee.

Section 2. That the Committee shall hereby be known as the County Officers and Employees, Veterans’ Services, Junkyards, Historian, Human Services Committee.

Section 3. That the third paragraph under said Committee shall read as follows:

This committee shall have general supervisory and jurisdiction over all matters relative to junkyards and junkyard issues within the County and shall consult and advise with Building Code Enforcement Officers concerning such matters including interpretation and application of State and Federal laws relating to enforcement of junkyard laws within the County of Lewis.

Section 4. That pursuant to Rule X “Amendment of Rules” of said Standing Rules of the Board of Legislators of the County of Lewis, action shall be deferred until the next meeting of this Board of Legislators.

**RESOLUTION NO. 294 -2014  
LEWIS COUNTY POST BOND ISSUANCE COMPLIANCE  
POLICIES AND PROCEDURES RESOLUTION**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

**RESOLUTION OF THE BOARD OF LEGISLATORS OF LEWIS  
COUNTY, NEW YORK (THE “COUNTY”) AUTHORIZING AND  
ADOPTING POST-ISSUANCE COMPLIANCE POLICIES AND  
PROCEDURES RELATED TO THE COUNTY’S TAX-EXEMPT  
OBLIGATIONS, SUCH POLICIES AND PROCEDURES INTENDED  
TO ENSURE THAT THE REQUIREMENTS IMPOSED UPON THE  
COUNTY PURSUANT TO THE INTERNAL REVENUE CODE OF  
1986, AS AMENDED, WILL BE SATISFIED**

WHEREAS, Lewis County, New York (the “County”) previously has issued bond and notes (the “Tax-Exempt Obligations”), the interest on which is excluded from gross income of

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the owners thereof pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the County intends to issue additional series of Tax-Exempt Obligations in the future; and

WHEREAS, in order to ensure that interest on County's Tax-Exempt Obligations will continue to be excluded from gross income of the owners thereof for purposes of federal income taxation, and that the County complies with its tax certifications relating to the Tax-Exempt Obligations, the Board of Legislators has determined, based on the advice of the County's Bond Counsel, to adopt certain written Post-Issuance Compliance Policies and Procedures in the form attached hereto as Exhibit A and made a part hereof (the "Post-Issuance Compliance Procedures").

NOW, THEREFORE, BE IT RESOLVED by the Board of Legislators of Lewis County, New York (the "Board"), as follows:

Section 1. The Board hereby approves and adopts the Post-Issuance Compliance Procedures.

Section 2. The Board hereby appoints the County Treasurer to serve as the "Designated Tax Compliance Official" under the Post-Issuance Compliance Procedures and hereby authorizes and directs the County Treasurer, acting in such capacity, to take such actions, after appropriate consultation with Bond Counsel to the County, as the County Treasurer deems necessary, appropriate or desirable to effect the implementation of the Post-Issuance Compliance Procedures, and hereby further authorizes the County Treasurer, as such Designated Tax Compliance Official, to delegate to such other County officials or employees as the County Treasurer shall determine is necessary or appropriate, the responsibility to take certain specific actions called for by the Post-Issuance Compliance Procedures.

Section 3. This Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Moser.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Legislator Craig Brennan	VOTING	<u>Yea</u>
Legislator Richard Chartrand	VOTING	<u>Yea</u>
Legislator Lawrence Dolhof	VOTING	<u>Yea</u>
Legislator Philip Hathway	VOTING	<u>Yea</u>
Legislator Jerry King	VOTING	<u>Yea</u>
Legislator Gregory Kulzer	VOTING	<u>Yea</u>
Legislator Andrea Moroughan	VOTING	<u>Yea</u>
Legislator Bryan Moser	VOTING	<u>Yea</u>
Legislator Neil Pepper	VOTING	<u>Yea</u>

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Legislator Michael Tabolt VOTING Yea

The foregoing resolution was thereupon declared duly adopted.

**RESOLUTION NO. 295 – 2014  
RESOLUTION AUTHORIZING GRANT APPLICATION  
WITH DIVISION OF HOMELAND SECURITY  
AND EMERGENCY MANAGEMENT SERVICES**

Introduced by Legislator Jerry King, Chairman of the Emergency Management Committee.

WHEREAS, the Emergency Management Department has received notification of grant approval from the NYS Division of Homeland Security and Emergency Services for funding in the amount of \$15,222.00 to cover a portion of emergency personnel compensation to conduct planning activities.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Grant Agreement between the County of Lewis, by and through the Emergency Management Department, and the NYS Division of Homeland Security and Emergency Services in the amount of \$15,222.00 to support personnel to conduct planning activities.

Section 2. That said grant is for the period from 10/01/2013 to 09/30/2015.

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

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

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 296 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO  
DEPARTMENT OF HIGHWAYS**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

WHEREAS, a Motor Equipment Operator (Medium) has submitted written notice of his impending retirement.

NOW, THEREFORE, BE IT RESOLVED as follows:

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Section 1. That the Board of Legislators hereby amends the Compensation Plan with reference to the Department of Highways, to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Motor Equipment Operator (Medium)	Full-Time	Grade C18

Section 2. That Highway Superintendent David Becker is hereby authorized to fill said position, in accordance with Civil Service regulations, effective immediately.

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

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 297 – 2014  
RESOLUTION TO TRANSFER FUNDS  
TRANSPORTATION DEPARTMENT**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Highway Department Accounts to cover cost of repairs to the French Settlement Bridge:

<u>From:</u>		
D5150.499 (Paving Materials)		\$5,000.00
<u>To:</u>		
D5500.49 (Bridge Materials)		\$5,000.00

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

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

**RESOLUTION NO. 298 – 2014  
RESOLUTION TO TRANSFER FUNDS  
OFFICE FOR THE AGING**

Introduced by Legislator Neil Pepper, Chairman of the Office For the Aging Committee.

BE IT RESOLVED as follows:

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Section 1. That the following budget transfer is hereby approved in the Office for the Aging Accounts to cover repairs to the 2007 Chevy Malibu:

From:  
A6772.4911 (Prof Svc Nutrition) \$1,300.00

To:  
A6772.4701(Vehicle Repairs) \$1,300.00

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

Moved by Legislator Moroughan, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 299 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
PLANNING DEPARTMENT**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Planning Department account to pay for sensors and training enhancements to Lewis County Soil and Water Conservation District's existing stream gauge system, utilizing Capital Equipment funds (HAD9901.9), HAD balance \$489,823:

Increase Revenue:  
A50310 (Inter-fund transfers) \$12,258.50

Increase Expense:  
A6420.4909 (Planning Projects) \$12,258.50

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

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

**RESOLUTION NO. 300 - 2014  
RESOLUTION APPROVING AGREEMENT BETWEEN  
LEWIS COUNTY PUBLIC HEALTH AGENCY AND THE  
PRESCHOOL SPECIAL EDUCATION PROGRAM  
FOR TRANSPORTATION WITH BIRNIE BUS SERVICE, INC.**

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Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency wishes to enter into an Agreement with Birnie Bus Service, Inc. to provide transportation for eligible pre-school special education children; 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 Birnie Bus Service, Inc. to provide transportation for pre-school special education children.

Section 2. That said Agreement shall be for the period of September 1, 2014 through August 31, 2015 and shall be at a cost of:

- \$282.44 per day for first child (round trip and includes bus aide)
- \$49.97 per day for additional children (round trip and includes bus aide)

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 Dolhof, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 301 - 2014**  
**RESOLUTION APPROVING AGREEMENT BETWEEN**  
**LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF**  
**THE COUNTY OF LEWIS AND HEALTH RESEARCH, INC. (HRI)**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, Health Research, Inc. ("HRI") has received a grant award from the Center Disease Control Prevent in the amount of \$133,672.00 with a maximum reimbursable amount of \$66,836.00 available from June 30, 2014 through June 29, 2015 for the purpose of an integrated breast, cervical and colorectal cancer screening 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.

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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 Health Research, Inc. ("HRI") for the purpose of an integrated breast, cervical and colorectal cancer screening program for the period beginning June 30, 2014 and ending June 29, 2015 in a maximum reimbursable amount to Public Health of \$66,836.00 in accordance with the terms of the Grant.

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 Moroughan, and adopted.

**RESOLUTION NO. 302 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
PUBLIC HEALTH**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation of the revenues received from the Home Health Program to pay the Medicaid Self-Disclosure Payback:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
A16100	Home Nursing Charges	\$ 1,054.75
A4010.4909	Misc. Exp.	\$ 1,054.75

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

Moved by Legislator Dolhof, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 303 – 2014  
RESOLUTION TO TRANSFER FUNDS  
PUBLIC HEALTH**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED, as follows:

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Section 1. That the following budget transfers are hereby approved in the Public Health accounts to allow for mid-year adjustments to cover line item expenditures:

<u>From:</u>	<u>Account</u>	<u>Amount</u>
A4011.1999	Personal Svs-PHCP	\$ 5,000.00
A4013.1999	Public Health Admin	\$ 55,000.00
A4017.1999	Pers Svs-Spec Needs	\$ 5,000.00
A4019.1999	Personal Services-Quality Assurance	\$ 15,000.00
A4042.1999	Personal Svs-Rabies	\$ 10,000.00
A4071.1999	Pers Svs-Lead Poison	\$ 5,000.00
A4087.1999	Personal Svs-Hlth Ed	\$ 20,000.00
A4015.4900	Outside Therapy Svs	<u>\$ 48,200.00</u>
	Total	\$ 164,200.00
 <u>To:</u>		
A4012.1999	Personal Svs-PHCP	\$ 1,000.00
A4015.1999	Pers Svs-Early Inter	\$ 25,000.00
A4016.1999	Personal Svs-Pre-K	\$ 25,000.00
A4035.1999	Per.Services-Canser Services Program	\$ 5,000.00
A4086.1999	Pers Svs-Disease Control	\$ 6,000.00
A4089.1999	Pers Svs-Immunize	\$ 28,000.00
A4092.1999	Pers Svs-PH Preparedness	\$ 10,000.00
A4093.1999	Pers Svs-Chronic Disease	\$ 15,000.00
A4012.4401	Postage	\$ 30.00
A4013.4407	Supplies	\$ 3,000.00
A4013.4409	Data Processing Costs	\$ 5,000.00
A4013.4605	Repairs & Maint-Equip	\$ 500.00
A4014.4407	Supplies	\$ 300.00
A4014.4703	Vehicle Exp-Gas/Oil	\$ 400.00
A4015.4405	Copier/Reproduction	\$ 150.00
A4015.4703	Vehicle Exp-Gas/Oil	\$ 250.00
A4016.4405	Copier/Reproduction	\$ 150.00
A4016.4407	Office Supplies	\$ 1,000.00
A4035.4401	Postage	\$ 1,500.00
A4042.4367	Vaccines/Pharmaceutic	\$ 25,000.00
A4042.4405	Copier/Reproduction	\$ 50.00
A4071.4301	Telephone	\$ 40.00
A4086.4905	HIV	\$ 830.00
A4089.4407	Office Supplies	\$ 1,000.00
A4092.4407	Office Supplies	\$ 1,000.00
A4092.4901	Professional Services	<u>\$ 9,000.00</u>
	Total	\$ 164,200.00

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

Moved by Legislator Moser, seconded by Legislator Moroughan, and adopted.



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**RESOLUTION NO. 304 -2014  
RESOLUTION TO APPROPRIATE FUNDS  
CAPITAL EMERGENCY RADIO SYSTEM**

Introduced by Legislator Jerry King., Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved to the Capital Emergency Radio System account.

HA57300 (Serial Bonds)	\$ 5,100,000
HA33060 (Homeland Security Grant)	\$ 6,000,000
HA3310.4 (Contractual)	\$11,100,000

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

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 305 -2014  
RESOLUTION SUPPORTING NECESSARY REFORMS TO  
NEW YORK LABOR LAW §240 and §241  
“SCAFFOLD LAW”**

Introduced by Legislator Michael A. Tabolt, Chairman of the Lewis County Board of Legislators.

WHEREAS, New York Labor Law §240 and §241, commonly known as the “Scaffold Law,” outlines liability for injuries caused by an employee’s fall from a height; and

WHEREAS, the laws impose strict liability on employers and owners of buildings if a worker falls from any height; and

WHEREAS, the law was first imposed in 1885 at a time when worker safety was largely neglected in New York State and at a time when modern safety equipment and scaffolding techniques did not exist; and

WHEREAS, the Scaffold Law has caused a dramatic increase in construction costs due to increased insurance required for employers in the construction business, causing New York State to have the highest general liability insurance costs in the nation; and

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WHEREAS, the Scaffold Law is a boon to personal injury lawyers as half of the 30 largest law suits in New York State stem from Scaffold Law issues; and although scaffold related injuries have decreased in the past 20 years, the number of Scaffold Law claims has increased by 500 percent; and

WHEREAS, New York is the only state in the country to impose a construction law like the Scaffold Law that imposes strict liability on the employer; further it is one of a very few laws that mandates strict liability in the State of New York; and

WHEREAS, the increase in costs in New York greatly distracts investment in our infrastructure when developers and contractors can get better rates in other States; and

WHEREAS, not only does the law drive away out-of-state investment in infrastructure, but the lost investment to other States also serves to decrease the number of new construction jobs created every year, making it more difficult for many of New York's skilled laborers to find adequate employment; and

WHEREAS, recent studies by SUNY's Nelson Rockefeller Institute of Government suggests that workers are more likely to be injured due to the current version of the Scaffold Law; and

WHEREAS, this was based on statistics on construction injuries in Illinois that show a decrease in work related injuries since the 1995 repeal of its Scaffold Law, at a much quicker pace than here in New York; and

WHEREAS, following the removal of the Illinois Scaffold Law, the State has realized an annual increase in the number of construction jobs created; and

WHEREAS, comparative negligence standards would help maintain worker safety while decreasing some of the insurance costs related to implementation of the current Scaffold Law; and

WHEREAS, this negligence standard under the Scaffold Law would not ban recovery for an injured worker due to their own negligence, but would allow the employer to bring issues with employee culpability to mitigate the damages in cases where the worker's actions contributed to his or her injury; and

WHEREAS, Federal regulations have been enacted that attempt to protect workers from injury to falls by requiring certain precautions to be in place for people working at heights and allows an outlet for workers concerned about their safety to engage Federal review of any worksite for compliance with these regulations.

NOW, THEREFORE, BE IT RESOLVED that

Section 1. The Lewis County Board of Legislators is strongly in support of Scaffold Law reform, as well as meaningful protection of construction workers.

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Section 2. The Lewis County Board of Legislators supports the full repeal of the Scaffold Law, or its modification, to include a pure standard of comparative negligence.

Section 3. The Clerk of the Board is directed to forward a certified copy of this resolution to Governor Andrew Cuomo, Assembly Speaker Sheldon Silver, Senate Majority Leaders Dean Skelos and Jeffrey Klein; Senator Joseph Griffo and Assemblyman Kenneth Blankenbush.

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

**RESOLUTION NO. 306 – 2014  
RESOLUTION TO TRANSFER FUNDS  
SHERIFF’S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Sheriff’s Department payroll accounts to pay for temporary help due to employee leave:

<u>From:</u>	Amount
A3110.1101 (Pers Serv)	\$14,153.20
<u>To:</u>	
A3110.1102 (Temp help)	\$14,153.20

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

Moved by Legislator Moroughan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 307 -2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
LEWIS COUNTY OFFICE FOR THE AGING**

Introduced by Legislator Neil Pepper, 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

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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, 2014 through September 30, 2015, 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, pending approval by the County Attorney.

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

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

**RESOLUTION NO. 308 - 2014**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN**  
**LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND**  
**CORNELL COOPERATIVE EXTENSION**  
**OF LEWIS COUNTY**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an Agreement with Cornell Cooperative Extension of Lewis County to receive parent education services to families whose children have been named in a child abuse and/or maltreatment report, or who have been assessed at risk of foster care placement, or who are in foster care and whose placements could be shortened through the provision of such services, or families who are below 200% of the Federal Poverty Limit and evidence an ability to benefit from parent education services in accordance with criteria established by department regulations; and

WHEREAS, Cooperative Extension is a recognized agency with the experience and capacity to offer parenting programs; 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 Department of Social Services, and Cornell University Cooperative Extension of Lewis County for the purpose of receiving parent education services to families whose children have been named in a child abuse and/or maltreatment report, or who have been assessed at risk of foster care placement, or who are in foster care and whose placements could be shortened through the provision of such services, or families who are below 200% of the Federal Poverty Limit and evidence an ability to benefit from parent education services in accordance with criteria established by department regulations.

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Section 2. That the term of this Agreement shall be from August 5, 2014 through December 31, 2015 for an amount not to exceed \$48,000.00.

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

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

Moved by Legislator Brennan, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 309 - 2014  
RESOLUTION MODIFYING INDIGENT BURIAL POLCY THROUGH  
THE DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Pepper, Chairman of the Social Services Committee.

WHEREAS, the Department of Social Services is required pursuant to Section 141 of the Social Services Law to pay the expense for Indigent Burials; and

WHEREAS, costs for the burial of indigent individuals have increased for funeral directors since the last adjustment to the burial schedule that was made in the 2009 resolution; and

WHEREAS, the burial costs for which the Lewis County Department of Social Services is responsible includes all reasonable costs incident to the proper burial of a deceased indigent person; and

NOW, THEREFORE, BE IT RESOLVED for the purpose of continuing and amending a burial payment policy and financially protecting the County of Lewis; the Lewis County Board of Legislators directs and mandates the policy and the reimbursement rates for Indigent Burials are set as follows effective September 2, 2014:

Section 1. INITIAL RESPONSIBILITY FOR FUNERAL EXPENSE: If a recipient of public assistance or care or other person dies leaving no funds or insurance sufficient to pay the expense of his or her burial, the relatives who survive him who were or would have been responsible for this support, shall be responsible for such expense to the extent that they are able to pay the same in whole or in part; and to the extent that the Department of Social Services pays such expense or any part thereof, he or she may recover all or part of the amounts expended from such relatives, who shall be severally and jointly liable therefore in accordance with their respective abilities.

Section 2. RESPONSIBILITY OF DEPARTMENT OF SOCIAL SERVICES: In those instances where the decedent leaves no funds or insurance sufficient to pay the expense of his or

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her burial AND there are no known relatives, friends or personal representatives liable or willing to become responsible for such expense, then the Department of Social Services (“Department”) is authorized to pay such expense in accordance with the terms of the policy outlined in this Resolution. In no event shall the Department pay or be liable to pay any expense for the care, removal and burial of the body of an eligible individual that exceeds the amounts set forth herein.

Section 3. REIMBURSEMENT POLICY: When indigent burial arrangements are made by relatives or friends of the deceased and the expense of such burial does not exceed the amount fixed by this resolution, the Department may:

(1) If such relatives or friends were required to pay the expense of such burial in order to arrange the same, the Department may wholly or partly reimburse them from assets transferred or assigned to the Department by or on behalf of the deceased recipient; but shall not reimburse a legally responsible relative of the deceased for any part of the amount paid by such relative, which in the judgment of the Department, such relative is able to bear; nor shall the Department expend from such assets for such purpose more than is permitted by or pursuant to this policy;

(2) Pay part of the expense of such burial, to the extent and under the circumstances permitted by this local policy; but in no event shall the Department pay more than the balance remaining to be paid after the total of the amounts paid or to be paid by all other sources is credited to and deducted from such expense.

a. Such “sources” shall include without limitation, payments made or to be made by such legally responsible relatives of the deceased, which in the judgment of the Department, such relative is able to bear; assets remaining from deceased recipient’s estate; or other agencies, such as the Department of Veterans Affairs.

Section 4. PROFESSIONAL SERVICES FEE: For funeral services rendered to eligible individuals, the Department will pay to the Funeral Director the sum stated in the following schedule; less any reimbursements for funeral services provided from other sources as described in Section 3.

(1) DIRECT CREMATION: \$1,400 + Crematory Charge Includes transfer of remains within 30 mile radius to funeral home except when exceeding 30 miles after which there is a charge of \$1.85 per loaded mile up to a maximum of an additional 20 miles, coordination services of funeral director and staff, securing necessary authorizations, transportation of remains to crematory by livery and return of cremains to funeral home. DSS will reimburse actual crematory charge. Funeral homes will provide bill from Crematory for payment. DSS will not cover any services, embalming, or burial of cremains.

(2) DIRECT BURIAL: \$1,950 (including casket and liner) + Cemetery Charge Includes the transfer of remains within a 30 miles radius to funeral home except when exceeding 30 miles after which there is a charge of \$1.85 per loaded mile up to a maximum of an additional 20 miles; coordination services of funeral director and staff, securing necessary authorizations

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and the transfer of the remains to the cemetery by livery within 50-mile radius; funeral home to supply alternative container and grave liner. DSS will reimburse actual cemetery charges, including burial plot and the opening / closing of the grave. Funeral homes will provide bill from Cemetery for payment. Cost of burial plot not to exceed \$550. With no preference expressed by the person making the arrangements, DSS will choose the burial plot. When an oversized interment receptacle is required, the actual cost difference will be covered. DSS will not cover embalming nor dressing / casketing. Should no one be available to make arrangements, DSS will arrange for burial.

(3) STILLBORN/INFANT DIRECT BURIAL OR DIRECT CREMATION: \$600 + Cemetery or Crematory Charges. Still born is defined as over 20 weeks gestation and issued a Fetal Death Certificate. Infant is up to six months after birth. All policies and fees remain as defined above.

(4) ANATOMICAL DONATION: \$850 + fee/mileage reimbursement provided by institution to be kept by the Funeral Director. NYS Department of Health considers body donation to an accredited institution an accepted form of final disposition. All policies and fees remain as defined above.

(5) WINTER: County will pay vault storage at cost not to exceed \$100; if embalming is necessary, cost shall not exceed \$400.

(6) DEATH NOTICE: DSS will not pay for obituaries. Funeral Directors will arrange for Death Notice through local newspaper at no cost.

(7) TRANSPORTATION CHARGES: Where an eligible individual dies outside of the thirty (30) mile radius to the funeral home charged with the funeral arrangements, the Lewis County Department of Social Services shall pay the funeral director the rate of \$1.85 per loaded mile for transportation of the remains up to a maximum of an additional 20 miles; or by exception when waived by the Commissioner of Social Services, excepting any transportation provided by common carrier, which will be billed by the funeral director to the Lewis County Department of Social Services, at cost and used when necessary. Transportation charges shall include, but not be limited to, (a) the removal from place of death to the funeral home; (b) transportation of the deceased from the funeral home to an authorized hospital or medical center for the purposes(s) of a coroner/medical examiner-ordered autopsy or other postmortem examination; (c) transportation to the cemetery, mausoleum or other final resting place of the deceased; (d) transportation to and/or from a crematorium; (e) the Commissioner of Social Services has the discretion to waive requirements under exceptional circumstances.

Section 5. AUTHORIZATION: Where a decedent is not a recipient of Public Assistance or care, or a person found dead in the welfare district within the meaning of the statute; applications for burial benefits may be made to the Lewis County Department of Social Services by a member of the family, other relative or person responsible or by a funeral director. No such burial expense shall be considered a charge against the Lewis County Department of Social Services unless and until it has been approved by the Department of Social Services, following an investigation into the extent of any assets that may be available for payment of same. There

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may be exceptional circumstances where a waiver may be granted by the Commissioner of Lewis County Social Services to the policies set forth in this resolution.

Section 6. SELECTION OF FUNERAL HOMES: It is the policy of the Lewis County to provide an opportunity for the relative or other person responsible for making the funeral arrangement to select a funeral home from the professional-at large. However, it is at the sole discretion of the Commissioner based upon financial considerations of the Department of Social Services to approve the funeral home choice. In the event of the death of an individual eligible for payment of funeral expenses by the Lewis County Department of Social Services, and where said decedent leaves no known relative or other person willing to take or accept the responsibility of making the funeral arrangements, the Commissioner of Social Services or a designee, shall rotationally assign the funeral of these persons among the Lewis County Funeral Homes.

Section 7. SUPPLEMENTATION: Supplementation by a legally or non-legally responsible party is not allowed for additional services. Items and services provided for an indigent burial by the Department are not upgradeable services. No additional services are to be purchased by a legally or non-legally responsible third party. Should a third party seek to take over responsibility for the burial of a body, that contract would be between the funeral director and the legally or non-legally responsible third party.

Section 8. ACCEPTANCE OF PAYMENT BINDS RECIPIENT: Receipt and acceptance of payment for burial and/or funeral benefits provided for under this Policy, shall constitute the recipient's agreement with the County of Lewis to accept such payment of benefits in full payment of any and all claims against the County and to hold the County harmless on account thereof. The County reserves the right to bring appropriate action at law or in equity to enforce the provisions of this Resolution.

Section 9. EFFECTIVE DATE. This Resolution shall take effect on September 2, 2014.

Moved by Legislator Moroughan , seconded by Legislator Pepper .

Legislator Hathway asked whether indigents are to chase down relatives to discern whether they can pay for services before the County authorizes the expense, specifically referring to clothing of the body. County Manager Liz Swearingin responded that the focus is on liability and limitations to provide services imposed by law and based on best judgment. Legislator Pepper stated the goal is to keep expenses to a minimum for transport and burial, while understanding the dignity for dressing. Legislator Moser cited the majority of the deceased are transported from the nursing home, assuming they are already dressed. Chairman Tabolt suggested assuming the deceased would be dressed. Legislator Dolhof posed to add language to supply clothes when there is no other resource to do so. Commissioner of Social Services Stacy Alvord explained that the body is picked up and transported. There is no viewing, nor casketing.

The resolution was then unanimously adopted.



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**RESOLUTION NO. 310 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
THE RESOLUTION CENTER OF JEFFERSON AND LEWIS COUNTIES, INC.**

Introduced by Legislator Neil Pepper, 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 Supplemental Nutrition Assistance Program.

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 Supplemental Nutrition Assistance Program.

Section 2. That the term of this Agreement shall be from June 1, 2014 through December 31, 2015 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 from 6/1/14 - 12/31/14; and
- \$50.00 for each case requiring mediation and \$15.00 for each case in which a mediation hearing is scheduled but not held from 1/1/15 - 12/31/15.

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 Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 311 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO SOLID WASTE DEPARTMENT**

Introduced by Legislator Craig Brennan, Chairman of the Solid Waste Committee.

WHEREAS, a laborer in the Solid Waste Department has resigned.

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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 Solid Waste Department, to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Laborer	Part-Time (Up to 19 Hrs/Week)	Grade C1

Section 2. That Director Pete Wood is hereby authorized to fill said position, in accordance with Civil Service regulations, effective immediately.

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

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 312 - 2014  
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS  
SOLID WASTE DEPARTMENT**

Introduced by Legislator Craig Brennan, Chairman of the Solid Waste Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget changes are hereby approved in the Solid Waste Department Accounts to appropriate Insurance recovery proceeds and transfer funds to cover building repairs from the tornado storm damage :

<u>Increase Revenue:</u>	
ES26800 (Ins recovery)	\$12,168.00
<u>Decrease Expense:</u>	
ES8160.2233 (Vehicle & Related Equip)	\$10,000.00
<u>Increase Expense:</u>	
ES8160.4603 (Repairs & Maint Bldgs)	\$22,168.00

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

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 313 - 2014  
STANDARD WORK DAY AND REPORTING RESOLUTION**

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Introduced by Legislator Michael A. Tabolt, Chairman of the Lewis County Board of Legislators.

Title	Standard Work Day  (Hrs/day) Min. 6 hrs Max. 8 hrs	Name  (First and Last)	Registration Number	Current Term Begin & End Dates  (mm/dd/yy-mm/dd/yy)	Participates in Employer's Time Keeping System  (Yes/No-If Yes, do not complete the last two columns)	Record of Activities Result*
<b>Elected Officials</b>						
Legislator	6	Gregory Kulzer	33705286	01/01/14-	NO	1.16/Mo.
<b>Appointed Officials</b>						

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:

Moved by Legislator King, second by Legislator Pepper, and adopted.

**RESOLUTION NO. 314 -2014  
RESOLUTION TO APPROPRIATE FUNDS  
TRAIL MAINTENANCE**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry & Parks Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Trail Maintenance accounts to cover personnel expense to extend the crew working until October 31, 2014.

<u>Increase Revenue:</u>	
A20010 (Trail Permits)	\$8,939.00
<u>Increase Expense:</u>	
A7990.1999 (Pers Serv)	\$6,174.00
A7990.8999 (fringe)	<u>\$2,765.00</u>

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\$8,939.00

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

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

**RESOLUTION NO. 315 - 2014  
RESOLUTION AUTHORIZING ADDENDUM TO THE  
AGREEMENT BETWEEN THE COUNTY OF LEWIS AND  
BIRNIE BUS TOURS, INC.**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the County of Lewis and Birnie Bus Tours, Inc. entered into a transportation management agreement for coordinated public transportation in Lewis County dated December 19, 2013; and

WHEREAS, the fee rates referenced as “Schedule B: 2014 Public Transportation Rates” was inadvertently not attached.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Addendum to the Agreement dated December 19, 2013 between the County of Lewis and Birnie Bus Tours, Inc. that now incorporates the fee rates marked as “Schedule B: 2014 Public Transportation Rates” for the period beginning January 1, 2014 through December 31, 2014.

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 Pepper, and adopted.

**RESOLUTION NO. 316 - 2014  
RESOLUTION SETTING 2015  
WORKERS’ COMPENSATION APPORTIONMENT  
FOR LEWIS COUNTY SELF-INSURANCE PLAN**

Introduced by Legislator Lawrence Dolhof, Chairman of the Workers’ Compensation Committee.

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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 based on experience and related expense; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby sets the computation of the 2015 workers' compensation assessments for participants of the Lewis County Self-Insurance Plan, to assess a 50% experience rating based on actual respective expenses in 2011, 2012 and 2013 that shall be capped at \$40,000 for any one claim per annum; 30% shall be based on proportionate 2014 gross payroll expense, and the remaining 20% shall be computed on proportionate property valuation.

Section 2. That the within resolution shall take effect immediately

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

**RESOLUTION NO. 317 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
WORKFORCE INVESTMENT ACT**

Introduced by Legislator Neil Pepper, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

NOA#PY14-02

Section 1. That the following funds be appropriated for the Program Year 2014, 7/1/14-6/30/16, per the Notice of Obligational Authority (NOA), #PY-14-02 dated July 21, 2014 through the New York State Department of Labor as indicated below:

Dislocated Worker

CD6291.1999	\$	3,431.59
CD6291.8999	\$	<u>1,544.21</u>
Total	\$	4,975.80

Adult

CD6292.1999	\$	7,661.12
CD6292.8999	\$	<u>3,447.50</u>
Total	\$	11,108.62



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Lewis County Court House, at 7660 North State Street, Lowville, New York to hear all persons for or against such local law.

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

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

**LOCAL LAW (INTRODUCTORY NO. 6 - 2014)  
COUNTY OF LEWIS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

**A LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT  
ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-c (A/K/A “2% TAX CAP”) FOR  
THE LEWIS COUNTY 2015 BUDGET**

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

SECTION 1. TITLE

This Local Law shall be known as “**A LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-c (A/K/A “2% TAX CAP”) FOR THE LEWIS COUNTY 2015 BUDGET.**”

SECTION 2. LEGISLATIVE FINDINGS

The Board of Legislators for the County of Lewis hereby finds and determines that the anticipated budgetary needs for fiscal 2015 require that Lewis County adopt the appropriate legislation necessary to override the tax levy limit established by General Municipal Law § 3-c, and more commonly referred to as the “2% tax cap.”

SECTION 3. ENACTMENT AUTHORITY

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

SECTION 4. OVERRIDE AUTHORIZATION

The Board of Legislators be and the same is hereby authorized to adopt a budget for fiscal year 2015 that exceeds the “tax levy limit” as that term is defined and calculated pursuant to the provisions of General Municipal Law § 3-c.

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SECTION 5. EFFECTIVE DATE

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

**RESOLUTION NO. 320 – 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY AND  
MIDSTATE COMMUNICATIONS AND ELECTRONICS, INC.**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis and Midstate Communications and Electronics, Inc., pursuant to their submitted bid proposal for the Emergency Communications System Improvements Project, Phase I Site Construction.

Section 2. That said Agreement shall be for an amount not to exceed \$1,360,295.00.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to 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 Pepper, seconded by Legislator Moroughan, and adopted.

OTHER BUSINESS:

Chairman Tabolt relayed the announcement from the Governor's office that the State will sponsor a citizen preparedness training program at the South Lewis School on 9/15/14 at 6 p.m. He encouraged all residents to participate and pre-register at [www.prepare.ny.gov](http://www.prepare.ny.gov).

The Clerk read a proclamation, whereby the Chairman had declared September 11, 2014 as "National Night Out" in Lewis County.

There being no other business to come before the Board, Legislator Brennan made a motion to adjourn at 6:10 p.m., seconded by Legislator Moser and carried.



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**REGULAR MEETING  
October 7, 2014**

The meeting was called to order at 5:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

The Invocation was offered by Legislator Hathway, followed by a moment of silence for those deceased. Chairman Tabolt led the Pledge of Allegiance to the Flag.

There were 17 persons present.

Chairman Tabolt announced approval of the September 2, 2014 meeting minutes.

**REPORT OF THE RULES AND LEGISLATION COMMITTEE:**

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

Dated: October 7, 2014

Lawrence Dolhof, Chairman  
Bryan Moser  
Craig Brennan, Committee

Legislator Moser made a motion to waive the rules, seconded by Legislator Pepper, and carried.

Chairman Tabolt opened the public hearing for comments on Local Law (Intro. No. 6-2014) "A Local Law To Authorize Overriding the Tax Levy Limit Established by General Municipal Law Section 3-C (A/K/A 2% Tax Cap) for the Lewis County 2015 Budget".

**PRIVILEGE OF THE FLOOR:**

Mr. Erik Griffin referenced the tornado that caused local destruction earlier this year, and proposed the County purchase tornado sirens to be placed at six (6) locations within the County to forewarn residents of threatening forecasts. He had distributed informational literature indicating siren costs up to \$20,985 each. He additionally quoted installation costs of \$3,500-\$8,500 each. Chairman Tabolt directed the Courts and Law Enforcement Committee to review the information and make their recommendation to the Board.

**PRESENTATION OF COMMUNICATIONS AND NOTICES:**

The Railroad Historical Society of Northern New York received an Adirondack Architectural Heritage Preservation Award in recognition of their exemplary historic preservation projects and long-term regional stewardship.

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The Osceola Town Board forwarded a certified copy of their adopted resolution condemning the manner and passage of the erroneously named NY SAFE Act and supporting repeal of the State legislation infringing on the Second Amendment of the Constitution.

The NYS Office of Parks, Recreation and Historic Preservation informed that the Pinckney Corners Cemetery located in Copenhagen has been placed on the National Register of Historic Places.

**REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:**

All Legislators had received copies of the Treasurer's September monthly report and her third quarterly Bed Tax Report; the 9/25/14 Highway Audit Report, the 9/19/14 Solid Waste Audit Report; and Sr. Code Enforcement Officer Ward Dailey's third quarterly report.

Minutes of the 7/8/2014 Health Services Advisory Committee have been received and placed on file.

**REPORTS OF STANDING COMMITTEES:**

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, cited his proposed resolution to create a capital economic development account with unexpended public health and economic development appropriations. He also reported that refinancing the Hospital emergency room and diagnostic department rehabilitation project bond balance will impact savings of \$439,000 over the term of the bond. The Committee and County Treasurer will perform ongoing review to identify potential bond refinancing opportunities.

Legislator Hathway reported the Committee had met with 28 department heads and representatives who presented their 2015 budget requests, some of which have been invited for a subsequent meeting.

Legislator Hathway made a motion to authorize retaining the professional services of the Harbridge Consulting Group for \$2,500.00 to conduct an actuarial study of the County health insurance fund to provide future cost projections. The motion was seconded by Legislator Chartrand. In response to Legislator Kulzer, Liz Swearingin explained the consultant would analyze the existing number of participants, their projected retirement date, consider current premiums, and provide a future 10-year range of estimated costs. She impressed the plan's significant impact on the annual County budget. The motion carried unanimously.

The results of a recent Financial Stress Study conducted of Counties across the State, reported Lewis County's score of 225, indicating good financial status. Legislator Hathway thanked Treasurer Patricia O'Brien for all her efforts to achieve the favorable rating, being well above the potential stress score of 54.

Legislator Hathway reported that maintenance workers completed 97 work orders during September. Building Supervisor Frank Archer recommends removing old and corrosive 1,000-gallon water tanks at the Public Safety Building, submitting they are no longer necessary to

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assure adequate water pressure since installation of the new water lines. Mr. Archer is researching the possibility of Clarkson University engineering students conducting a study to assist with a conclusive determination for tank removal. Legislator Hathway further reported that repairs of the Highway garage drain should be concluded by the end of October.

Legislator Neil Pepper, Office For the Aging/Social Services/Youth Committee Chairman, relayed the Office For Aging sponsored Oktoberfest was a great success, complimenting Director Brenda Bourgeois and staff for their diligent efforts.

Legislator Bryan Moser, County Officers/Veterans/Junkyards/Human Resources Committee Chairman, thanked the Building Code Officers for their willing initiative to assume oversight of the junkyards within the County.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, made a motion to authorize District Attorney Leanne Moser to advertise for Assistant District Attorney applicants to refill a prospective future vacancy, seconded by Legislator Pepper and carried.

Legislator King reported that the tower foundation has been poured and access roads completed at the Gomer Hill and Croghan sites, and those towers should be up by mid-October.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry & Parks Committee Chairman, reported that Cornell Cooperative Extension Executive Director Michele Ledoux had requested funding to advertise Maple Weekend events, and Sr. Planner Frank Pace asked for additional funding for mobile application marketing development. Legislator Dolhof made a motion to authorize expending \$5,000.00 from the Economic Development Projects Account No. A6420.4999 for the requested purposes, seconded by Legislator Brennan and carried.

Legislator Dolhof reported opening three bids for a utility transport vehicle (UTV), of which only one met the specifications for a street legal work vehicle to be used by the trail crew. Legislator Dolhof made a motion to award the bid to Lowville Sport & Farm Equipment, Inc. for a new 2015 Honda Pioneer 500 Side-by-Side UTV in the amount of \$11,200.00, seconded by Legislator King and carried.

Legislator Dolhof announced the County sponsored economic development conference is scheduled for 10/23/14 at the Ridgeview Inn, urging support of his sponsored resolution to authorize expending \$5,000.00 for the conference.

Legislator Dolhof referenced a proposed resolution to reduce the number of Industrial Development Agency (IDA) Board members from 7 to 5, explaining the temporary reduction is necessary to enable the Board to legally accept the resignations of Jack T. Bush and Edward Boliver. County Attorney Joan McNichol stated that General Municipal Law authorizes Legislators to appoint from 3 to 7 IDA Board members, clarifying that Legislators may vote at any time to change the number of members. Legislator Kulzer would like to define a time limit for the reduced number of members, while Chairman Tabolt suggested discerning whether there

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are interested persons to serve on the IDA Board, citing the Board's ability to change the number at any time. Legislator King reiterated concurrence, after which Legislator Kulzer acquiesced.

In response to Legislator Chartrand, Legislator Dolhof stated the number was increased from 5 to 7 at the request of the IDA Board Chairman, because he was more confident to have quorum meeting attendance.

Legislator Kulzer referenced the Legislators' joint meeting with the IDA Board, at which he recalled agreement to have a subsequent meeting to discuss proposed recommendations of the Economic Development Committee and the IDA Board, which never occurred.

Legislator Dolhof posed the resolution to contract with the IDA for administration by the County Economic Development Director. He recalled discussing three scenarios for future economic development efforts at the joint meeting, and his committee and the IDA Board being designated to formulate a recommended structure for future efforts. The options were to retain the current separate County economic development administration from the IDA Board; have all administrative efforts under the auspice of the IDA Board, or have the County Economic Development Director provide joint administration. The Committee recognized the Board's displeasure with the current structure, and opposes the second option because it removes Legislators' direct oversight or input. The joint administrative option is proposed as the favored structure for future economic development efforts.

Legislator Dolhof reported that as a result of requested research, the County Attorney identified that Ontario County has a similar joint economic development model. It has successfully operated and was the basis for formulating their proposal. As an expert counsel on IDA regulations, Atty. Shawn Griffin of Harris Beach Consulting, Inc. advised and highly recommended the Committee's proposed administrative structure, as did consultant Patrick Brennan. Legislator Dolhof affirmed there would be no additional salary compensation. Legislator Brennan added that the IDA would supplement County funding appropriations at an hourly rate of \$55.00 for recorded administrative services.

In response to Legislator Kulzer, Atty. McNichol relayed comments from Ontario County representatives that the joint administrative structure has worked well for nearly 20 years. Instead of multiple factions, a sole administrator facilitates cohesive efforts with various stakeholders having specific roles. Meetings are consolidated promoting comprehensive planning while maximizing collective financial resources and reducing overall administrative costs. However, she had not discerned specific business projects or employment impacts.

Legislator Kulzer impressed his desire to obtain specific industry enhancements and/or job creation in Ontario County before voting to amend the structure for economic development. He, again, reiterated his recollection for an agreed joint subsequent meeting, voicing his displeasure to the various amending actions being put forth without an opportunity for input by all Legislators.

Atty. McNichol clarified the proposed resolution does not identify specific performances by the Director, but merely outlines the conjoined structure to facilitate related discussion for

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ultimate decisions by both Boards, particularly citing the IDA Executive Director's resignation. Legislator Brennan affirmed the IDA Board unanimously supports the proposals. Legislator Dolhof asserted the proposed plan is an effort to combine forces with the IDA to enhance economic development, but is subject to amendment at the Board's discretion. Ms. Swearingin encouraged Legislators to view the Ontario County website that indicates respective business and job impacts since 2002.

Legislator Dolhof lastly, cited his proposed resolution to retain Bernier, Carr & Associates for preliminary concept designs for a potential business park not to exceed \$10,000.00. The IDA Board has essentially agreed to reimburse the County 50% of the actual cost estimated at \$7,500.00. In response to Legislator Pepper's concerns for a fair process, it was confirmed that a request for proposals had not been issued, which is not required for professional services. Legislator Brennan stated that this firm had done preliminary design for a private entity and the IDA Board supports having the study expanded for business park concepts. Legislator King stated that sometimes it is more cost effective to retain the firm that has already completed preliminary work, which Legislator Moser confirmed was related to infrastructure to the purported site. Ms. Swearingin interjected that the action would allow for very preliminary concept designs that would facilitate discussion and debate, affirming there was no further commitment to the firm.

Legislator Hathway also expressed concern for having no opportunity for input before submission of the proposal, wanting clarification. Legislator Chartrand submits the firm should present available site options, instead of focusing on a chosen site. Ms. Swearingin asserted the Economic Development Committee and the IDA Board support obtaining very preliminary concept designs at the referenced property to determine whether there is any real prospect of a business park. She, again, emphasized there had been no commitment made to the firm or any other party.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, made a motion to authorize Highway Superintendent David Becker to re-fill a full-time MEO Medium position, effective October 13, 2014, due to a resignation. The motion was seconded by Legislator Moser and carried.

He announced the planned opening date of the rehabilitated French Settlement Bridge is October 24, 2014.

Legislator Brennan reported there were no bids received to construct a building addition at the transfer station for cold storage and e-waste, therefore, the Committee will further discuss and consider whether County personnel could erect the addition. Otherwise, they would propose re-bidding the project in the spring of 2015.

Legislator Brennan further reported a change in the law for electronic waste effective 1/1/2015 would increase the County monthly cost by approximately \$1,600. Accordingly, the committee will consider imposing a handling fee for electronic waste to offset the additional cost.

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Legislator Gregory Kulzer, Taxation/Information Technology/Elections/Agriculture Committee Chairman, reported that the Development Authority of the North Country will complete fiber optic installation between the Court House and Public Safety Building to accommodate the 911 system operations. A resolution is proposed to approve the negotiated agreement with Frontier for telephone service to effect estimated annual savings of \$4,300. However, the Time Warner connection at the Outer Stowe Street building will be retained for redundant back-up to avoid service interruption.

Legislator Kulzer reported that Information Technology Director Adam Zehr has completed an inventory of all electronic equipment; and upon concluding his research will make a recommendation for cloud-based record storage software.

Legislator Richard Chartrand, Hospital Committee Chairman, announced the August employee-of-the month was Charity Glenn, an ICU Department registered nurse, recognized for her dedication to patient care and knowledgeable MediTech system assistance to co-workers. The memorandum of understanding (MOU) outlining the Hospital debt repayment plan had been distributed to each Legislator. If the debt balance on 12/31/2014 is greater than \$4.8 Million, the Hospital agrees to make payments within the first two months of 2015 to reduce the debt so that monthly payments of \$100,000 over the subsequent 46 months will satisfy the debt. The agreement also identifies an accounts payable threshold and payments within 120 days.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, announced that Lead Poisoning Prevention week is October 19-25, 2014; and that Public Health officials are working to increase lead testing rates of 1-2 year olds. She further reported that 90% of the Medicaid-eligible Pre-school Program services provided through 12/31/2013 have been billed, and that staff continue to audit 100% of subsequent services and reports prior to submitting bills.

She reported that Shay Richards, Transitional Living Services counselor, informed the Community Services Board (CSB) about the services she provides to jail inmates, as well as recommended program improvements.

Legislator Moroughan also announced the resignation of long-time CSB member Mary Wormuth, whose substantial time was served as a member of the Alcohol and Substance Abuse sub-committee. The CSB recognized Mary for her work and efforts with the community in this capacity.

#### COUNTY MANAGER REPORT:

County Manager Liz Swearingin thanked Hospital CEO Eric Burch and the Board of Managers for concluding and executing the MOU for debt repayment that eases the burden for preparation of the 2015 County budget, due to unknown impact the facility operations could impose. The goal for 2015 budget deliberations is to remain within the 2% Tax Cap which equates to no more than a \$355,000 increase over 2014. To illustrate the challenge, she cited that ratification of the union employee contracts effectuated aggregate increases of \$148,000 and an additional \$195,000 for health insurance premium increases. These factors invoke judicious

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review of every line item, and discretionary decisions which may result in an unequal distribution of cuts. However, Ms. Swearingin exuded confidence to meet the Tax Cap and propose a well-thought out and reasoned-budget, while expressing and crediting Legislators for their active participation to educate themselves on all departmental and agency budgets.

In conclusion, Ms. Swearingin credited Chamber of Commerce Executive Director Anne Merrill, Sr. Planner Frank Pace and Recreation, Forestry and Parks Director Jackie Mahoney for their knowledgeable efforts resulting in a great County website. She termed it, "A phenomenal representation of the County and what it has to offer".

### REPORTS OF SPECIAL COMMITTEES:

Chairman Tabolt relayed attending the recent NYSAC conference, accompanied by Legislator Brennan and County Manager Liz Swearingin. He cited the good north region representation through the current president Oneida County Executive Anthony Picente, Jr. and President-Elect Randy Douglass, Essex County Board Chairman. He was pleased to report that issues deemed important and addressed by our Board; i.e. the scaffold law, funding for bridge rehabilitation, potential cuts to Fort Drum, and opposition to the EPA's definition of waters in the Clean Water Act, were also supported by the majority of attending officials.

Legislator Brennan encouraged his colleagues to attend future NYSAC conferences, proclaiming the good opportunities for educational seminars on County operations, including principles of County financing and budgets. He reported learning that funds generated by the U.S. Attorney General through the Federal mortgage fraud settlement have been earmarked for land banks and brownfield site cleanup. Legislator Brennan declared hope for availing those funds to assist with local site cleanup.

Ms. Swearingin referenced a presentation about government efficiency projects with resulting cost savings, including office processes within County government.

After affirming that no one wished to comment, Chairman Tabolt closed the public hearing at 6:05 p.m.

### 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 \$ 1,137,415.18 and recommend that they be audited and allowed for the amounts claimed.

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Philip Hathway, Chair  
Jerry King, Committee  
Richard Chartrand, Committee

Dated: October 7, 2014

Approved on motion by Legislator Pepper , seconded by Legislator Moser , and carried.

RESOLUTIONS:

**RESOLUTION NO. 321 - 2014  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 1,137,415.18 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 Moser , second by Legislator King , and adopted by roll call vote:

All voted yea.

**RESOLUTION NO. 322 - 2014  
RESOLUTION ADOPTING AND OTHERWISE TREATING  
LOCAL LAW NO. 8 – 2014, COUNTY OF LEWIS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on September 2, 2014, directing that a public hearing be held by said Board on October 7, 2014, 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 proposed Local Law Intro. No. 6-2014 entitled, “**A LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2015 BUDGET**”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on October 2, 2014, 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



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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 – 2014), County of Lewis, being **“A LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2015 BUDGET”**; be and the same hereby is designated as Local Law No. 8 –2014, County of Lewis.

Section 2. That Local Law No. 8 – 2014, 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 Hathway, seconded by Legislator King, and adopted by the following roll call vote:

YEAS: Brennan, Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, Pepper, Tabolt

NAYS: None.

ABSENT: None.

**RESOLUTION NO. 323 - 2014  
RESOLUTION AMENDING RULE XII  
POWERS AND DUTIES OF COMMITTEES OF THE STANDING RULES  
OF THE BOARD OF LEGISLATORS OF LEWIS COUNTY**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, the Board of Legislators has established a “New Junkyard Law pursuant to Local Law No. 7-2014, thereby invoking an amendment to Rule XII of the Standing Rules of the Board of Legislators of Lewis County; and

WHEREAS, pursuant to Rule X “Amendment of Rules” of said Standing Rules of the Board of Legislators of the County of Lewis, the proposed changes as presented by Resolution No. 293-2014 were read at the regular meeting of the Board of Legislators on September 2, 2014.

NOW, THEREFORE, BE IT RESOLVED as follows:

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Section 1. That this Board of Legislators hereby amends and supersedes the Standing Rules of the Board of Legislators of the County of Lewis, by amending Rule XII Powers and Duties of Committees, under the County Officers and Employees, Veterans' Services, Junkyard Inspector, Historian, Human Services Committee.

Section 2. That the Committee shall hereby be known as the County Officers and Employees, Veterans' Services, Junkyards, Historian, Human Services Committee.

Section 3. That the third paragraph under said Committee shall read as follows:

This committee shall have general supervisory and jurisdiction over all matters relative to junkyards and junkyard issues within the County and shall consult and advise with Building Code Enforcement Officers concerning such matters including interpretation and application of State and Federal laws relating to enforcement of junkyard laws within the County of Lewis.

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

Moved by Legislator Dolhof, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 324 - 2014  
LEWIS COUNTY  
REFUNDING BOND RESOLUTION**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

**REFUNDING BOND RESOLUTION OF THE BOARD OF  
LEGISLATORS OF COUNTY OF LEWIS, NEW YORK (THE  
"COUNTY") AUTHORIZING THE ISSUANCE OF REFUNDING BONDS  
OF THE COUNTY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO  
EXCEED \$3,400,000 PURSUANT TO THE LOCAL FINANCE LAW, AND  
PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND  
THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY**

WHEREAS, the County of Lewis, New York (the "County") heretofore issued its General Obligation (Serial) Bonds, 2006, dated July 15, 2006 in the original aggregate principal amount of \$4,100,000 (the "Series 2006 Bonds"), pursuant to a bond resolution adopted by the Board of Legislators of the County on July 6, 2004, for the specific objects or purposes identified in Exhibit A attached hereto, which bonds have an outstanding principal amount of \$3,260,000, and mature in the following respective years and principal amounts: \$140,000 in the year 2015, \$145,000 in the year 2016, \$155,000 in the year 2017, \$165,000 in the year 2018, \$170,000 in the year 2019, \$180,000 in the year 2020, \$185,000 in the year 2021, \$195,000 in the year 2022, \$205,000 in the year 2023, \$215,000 in the year 2024, \$225,000 in the year 2025, \$235,000 in the year 2026, \$245,000 in the year 2027, \$255,000 in the year 2028, \$265,000 in the year 2029 and \$280,000 in the year 2030 (the "Prior Bonds"); and

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WHEREAS, the County has the power and authority to issue refunding bonds of the County for the purpose of refunding and thereby refinancing the outstanding Prior Bonds, including provision for incidental costs of issuance in connection therewith, pursuant to the provisions of Section 90.10 of the Local Finance Law; and

WHEREAS, the Prior Bonds maturing in the years 2016 and thereafter are, by their terms, subject to redemption prior to their stated maturity dates at the option of the County; and

WHEREAS, the County has received a refunding proposal from Roosevelt & Cross, Inc., containing a proposed refunding financial plan, a copy of which is attached hereto as Exhibit B, which proposal calls for the refunding of all of the outstanding Prior Bonds maturing in the years 2016 and thereafter; and

WHEREAS, such refunding will result in present value savings in debt service as required by Section 90.10 of the Local Finance Law; and

WHEREAS, in order for the County to realize the potential for substantial long-term debt service savings with respect to the Prior Bonds, the Board of Legislators of the County has determined, acting in consultation with the financial advisory and bond counsel firms retained by the County, that it is advisable and prudent for the County to consider the refunding of all or a portion of the Refunded Bonds; and

WHEREAS, Section 90.10 of the Local Finance Law requires that the County adopt a refunding bond resolution to authorize the issuance of refunding bonds, which resolution must include a refunding financial plan setting forth all of the details in connection with the proposed refunding transaction.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF LEGISLATORS OF THE COUNTY OF LEWIS, NEW YORK (BY THE FAVORABLE VOTE OF NOT LESS THAN TWO-THIRDS (2/3's) OF ALL THE MEMBERS OF THE BOARD OF LEGISLATORS) as follows:

SECTION 1. Based on the recommendation of Fiscal Advisors & Marketing, Inc., the financial advisory firm retained by the County, the Board of Legislators hereby determines to undertake a refunding of the Prior Bonds maturing in the years 2016 and thereafter (the "Refunded Bonds"), through the issuance of refunding bonds of the County. The Board of Legislators also hereby determines to retain the services of Roosevelt & Cross, Inc., as underwriter (the "Underwriter"), in connection with the issuance of the Refunding Bonds.

SECTION 2. For the object or purpose of refunding the \$3,120,000 aggregate outstanding principal balance of the Refunded Bonds, including providing moneys which together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (a) the principal amount of the Refunded Bonds, (b) the aggregate amount of unmaturing interest payable on the Refunded Bonds to and including the date or dates on which the Refunded Bonds which are optionally redeemable are to

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be called for redemption prior to their respective maturities in accordance with the refunding financial plan, (c) the redemption premiums, if any, payable on the Refunded Bonds which are to be called for redemption prior to their respective maturities, (d) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including without limitation the development of the refunding financial plan, compensation to the Underwriter, costs and expenses of executing and performing the terms and conditions of the Escrow Contract (as defined in Section 6 of this resolution), and fees and charges of the Escrow Holder (as defined in Section 6 of this resolution), financial advisory fees, printing fees and legal fees and (e) the premium or premiums for a policy or policies of municipal bond insurance or other form of credit enhancement facility or facilities for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued the "General Obligation Refunding (Serial) Bonds, 2014" of the County in an aggregate principal amount not to exceed \$3,400,000 pursuant to the provisions of Section 90.10 of the Local Finance Law (the "Refunding Bonds"), it being currently anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$3,230,000 as described in Section 6 hereof. The Refunding Bonds shall be dated as of such date as shall hereinafter be determined by the Treasurer of the County (the "County Treasurer") pursuant to Section 6 hereof, and shall be of the denomination of \$5,000 or any integral multiple thereof not exceeding the principal amount of each respective maturity. The Refunding Bonds shall mature annually and shall bear interest payable semi-annually on such dates as shall be determined by the County Treasurer pursuant to Section 6 hereof, at the rate or rates of interest per annum as may be necessary to sell the same, all as shall be determined by the County Treasurer. Notwithstanding anything in this resolution to the contrary, the Refunded Bonds shall only be issued by the County if the refunding of the Refunding Bonds will result in present value savings as determined in accordance with the methodology set forth in Section 90.10(b)(2) of the Local Finance Law.

SECTION 3. The County Treasurer, the Chief Fiscal Officer of the County, is hereby delegated all powers of the Board of Legislators with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

SECTION 4. The Refunding Bonds shall be executed in the name of the County by the manual or facsimile signature of the County Treasurer, and a facsimile of its corporate seal shall be imprinted thereon and attested by the County Clerk. The Refunding Bonds shall contain the recital required by Section 90.10(j)(4) of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals as the County Treasurer shall determine.

SECTION 5. It is hereby determined that:

(a) The maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by Section 90.10(b)(1) of the Local Finance Law;

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(b) The maximum period or periods of probable usefulness permitted by law at the respective times of the issuance of the Refunded Bonds for each of the objects or purposes for which the Refunded Bonds were issued is as shown upon Exhibit A attached hereto.

(c) In accordance with Section 90.10(c)(1) of the Local Finance Law, the last installment of the Refunding Bonds will mature not later than the expiration of the maximum period of probable usefulness determined as of the date of issuance of the Refunded Bonds or the first bond anticipation notes issued in anticipation thereof, of the specific objects or purposes for which the Refunded Bonds were issued; or in the alternative, the weighted average remaining period of probable usefulness of the objects or purposes (or classes of objects or purposes) financed by all of the Refunded Bonds, computed as of the date of the Refunded Bonds or the first bond anticipation notes issued in anticipation thereof.

(d) The estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of Section 90.10(c)(1) of the Local Finance Law, is as shown in the Refunding financial plan described in Section 6 hereof.

SECTION 6. The financial plan for the refunding authorized by this resolution, showing the sources and amounts of all moneys required to accomplish such refunding, and the estimated present value of the total debt service savings computed in accordance with the requirements of Section 90.10(b)(2)(a) of the Local Finance Law are set forth in Exhibit B attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the principal amount of \$3,230,000 and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth in Exhibit B. This Board of Legislators recognizes that the amount of the Refunding Bonds, and the maturities, terms, and interest rate and rates borne by the Refunding Bonds will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit B. The County Treasurer, the Chief Fiscal Officer of the County, is hereby authorized and directed to determine the actual amount of the Refunding Bonds to be issued (not in excess of the maximum principal amount authorized by Section 2 of this resolution), the maturities and amount of the Refunded Bonds to be refunded, the details as to the redemption of the Refunded Bonds, including the date and amount of such redemption or redemptions in accordance with Section 12 hereof and authorizing and directing the Escrow Holder described in Section 7 hereof to cause notice of such redemption or redemptions to be given in the name of the County, the dated date of the Refunding Bonds, and the date of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds shall provide for substantially level or declining debt service as authorized by Section 21.00 of the Local Finance Law, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities pursuant to Section 168.00 of the Local Finance Law, the amount of the annual installments of the Refunding Bonds to be paid pursuant to Section 90.10(c)(3) of the Local Finance Law, whether the Refunding Bonds shall be sold at a discount in the manner authorized by Section 57.00(e) of the Local Finance Law, and

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the rate or rates of interest to be borne thereby, and to prepare, or cause to be provided, a final refunding financial plan (the "Final Refunding Financial Plan") for the Refunding Bonds, and, pursuant to Sections 50.00 and 56.00 of the Local Finance Law, all powers in connection therewith are hereby delegated to the County Treasurer; provided that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The County Treasurer shall file with the Clerk of the Legislature not later than the date of issuance of the Refunding Bonds, as herein provided, (a) a certificate determining the details of the Refunding Bonds and the Final Refunding Financial Plan and (b) the Certificate of the State Comptroller setting forth the present value of the total debt service savings, as required by Section 90.10(g) of the Local Finance Law.

SECTION 7. The County Treasurer is hereby authorized and directed to enter into an escrow contract (the "Escrow Contract") with a bank or trust company located and authorized to do business in this State as the County Treasurer shall designate (the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunded Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

SECTION 8. The faith and credit of said County are hereby irrevocably pledged for the payment of the principal of and interest on the Refunding Bonds herein authorized as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the County, a tax sufficient, after taking into consideration the amount of building aid to be received by the County from the State of New York for debt service on the Refunding Bonds, to pay the principal of and interest on such bonds as the same become due and payable.

SECTION 9.

(a) All of the proceeds from the sale of the Refunding Bonds, including the premium, if any (the "Proceeds of the Refunding Bonds"), shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. From the Proceeds of the Refunding Bonds, the portion thereof as is necessary to pay the outstanding principal amount of the Refunded Bonds, the aggregate amount of unmatured interest on the Refunded Bonds to and including the respective maturity dates or redemption dates thereof as set forth in the Final Refunding Financial Plan prepared by the County in accordance with Section 6 of this resolution, and the redemption premiums, if any, payable on the Refunded Bonds on such redemption dates (such amount being hereinafter referred to as the "Escrow Deposit Amount"), shall be deposited in the escrow deposit fund to be established pursuant to the Escrow Contract, and either held in cash or invested in direct obligations of the United States of America or in obligations, the principal of and interest on which are unconditionally guaranteed by the United States of America, which obligations shall mature or be subject to redemption at the option of the holder thereof not later than the respective dates such moneys will be required to make payments in accordance with the Final Refunding Financial Plan. Amounts held on deposit in the Escrow Fund, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and

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pledged to the payment of the principal of, interest on, and redemption price of the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such monies held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the Escrow Fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims or any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof. Neither this resolution, the Escrow Contract, nor any other instrument relating to such pledge and liens, need be filed or recorded.

(b) After depositing the Escrow Deposit Amount into the Escrow Fund, in accordance with paragraph (a) above, the remaining balance, if any, of the Proceeds of the Refunding Bonds not so deposited shall immediately upon receipt thereof, be placed in escrow with the Escrow Holder for the Refunded Bonds and deposited in the expense fund to be established under the Escrow Contract by the Escrow Holder to pay to the County Treasurer, or as the County Treasurer may direct and applied to pay (i) accrued interest on the Refunding Bonds from the dated date thereof to the date of issuance thereof, and (ii) costs of issuance or other administrative costs incurred in connection with the issuance of the Refunding Bonds.

SECTION 10. The County Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Refunding Bonds, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and if applicable, to designate the Refunding Bonds authorized by this resolution as "qualified tax-exempt bonds" in accordance with Section 265 of the Code.

SECTION 11. The Board of Legislators hereby determines that issuance of the Refunding Bonds is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") is required.

SECTION 12. In accordance with the provisions of Section 53.00 and of paragraph (h) of Section 90.10 of the Local Finance Law, the Board of Legislators of the County hereby elects to call in and redeem on June 15, 2015, or such later date or dates as is hereafter determined by the County Treasurer and provided for in the Final Refunding Financial Plan, all the Refunded Bonds maturing on or after such date. The sum to be paid therefor on each such redemption date shall be the par value of the Refunded Bonds being redeemed on such date plus the redemption premium, if any, and the accrued interest thereon to such redemption date. The Escrow Holder is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the County in the manner and within the times provided in the respective Refunded Bonds being redeemed or in the certificates or documentation of the County pursuant to which they were issued. Upon the issuance of the Refunding Bonds, the election to call in and redeem the Refunded Bonds that are subject to redemption at the option of the County and the direction

OCTOBER 7, 2014

to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of Section 53.00(a) of the Local Finance Law, or any successor law thereto.

SECTION 13. In connection with the issuance of the Refunding Bonds, the County Treasurer is further authorized to enter into a continuing disclosure undertaking on behalf of the County, containing provisions in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 14. In the absence or unavailability of the County Treasurer, the Deputy County Treasurer if any, is hereby specifically authorized to exercise the powers delegated to the County Treasurer in this resolution.

SECTION 15. Subject to compliance with the provisions of Section 90.10(f)(2) of the Local Finance Law, the Refunding Bonds shall be sold at a private sale. The County Treasurer is hereby authorized to negotiate the terms of such private sale with the Underwriter, or such other investment banking firm as may be recommended by the County's financial advisory firm and selected by the County Treasurer (the "Purchaser"), consistent with the Refunding Financial Plan approved in Section 6 hereof. Subject to the approval of the terms and conditions of such sale by the State Comptroller as required by Section 90.10(f)(2) of the Local Finance Law, the County Treasurer is hereby authorized to execute and deliver a bond purchase agreement for the Refunding Bonds in the name and on behalf of the County providing the terms and conditions for the sale and delivery of the Refunding Bonds. After the Refunding Bonds have been duly executed, they shall be delivered by the County Treasurer in accordance with said bond purchase agreement upon the receipt by the County of said purchase price, including accrued interest, if any. After the Refunding Bonds have been duly executed, they shall be delivered by the County Treasurer to the Purchaser, upon the receipt by the County of the applicable purchase price, including any premium or accrued interest.

SECTION 16. The County Treasurer, the Clerk of the Legislature, the County Clerk and all other officers, employees and agents of the County are hereby authorized and directed for and on behalf of the County to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

SECTION 17. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the County Treasurer and all powers in connection therewith are hereby delegated to the County Treasurer.

SECTION 18. The validity of the Refunding Bonds may be contested only if:

- (a) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money; or



PROCEEDINGS OF THE BOARD OF LEGISLATORS

(b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(c) Such obligations are authorized in violation of the provisions of the Constitution.

SECTION 19. Upon this resolution taking effect, the Clerk of the Legislature is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, together with a notice in substantially the form set forth in Section 81.00 of the Local Finance Law in the official newspaper of the County for legal notices.

SECTION 20. This resolution shall take effect immediately upon its adoption.

The question of the adoption of the foregoing resolution was duly put to a roll call vote by motion of Legislator Hathway, seconded by Legislator King, which resulted as follows:

<u>Legislator Craig Brennan</u>	VOTING	<u>Yea</u>
<u>Legislator Richard Chartrand</u>	VOTING	<u>Yea</u>
<u>Legislator Lawrence Dolhof</u>	VOTING	<u>Yea</u>
<u>Legislator Philip Hathway</u>	VOTING	<u>Yea</u>
<u>Legislator Jerry King</u>	VOTING	<u>Yea</u>
<u>Legislator Gregory Kulzer</u>	VOTING	<u>Yea</u>
<u>Legislator Andrea Moroughan</u>	VOTING	<u>Yea</u>
<u>Legislator Bryan Moser</u>	VOTING	<u>Yea</u>
<u>Legislator Neil Pepper</u>	VOTING	<u>Yea</u>
<u>Legislator Michael Tabolt</u>	VOTING	<u>Yea</u>

The foregoing resolution was thereupon declared duly adopted.

Exhibit A  
Summary of Prior Bonds

**General Obligation (Serial) Bonds, 2006**

Dated Date: July 15, 2006  
Original Principal Amount: \$4,100,000  
Outstanding Principal Amount: \$3,260,000<sup>1</sup>  
Principal Amount Being Refunded: \$3,120,000  
Interest Payment Date: June 15<sup>th</sup> and December 15<sup>th</sup>

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<sup>1</sup> The Prior Bonds maturing on June 15, 2015 in the principal amount of \$140,000 are not being refunded.

OCTOBER 7, 2014

Maturity Schedule of the Refunded Bonds

<u>Date (June 15th)</u>	<u>Principal Amount</u>
2016	\$145,000
2017	155,000
2018	165,000
2019	170,000
2020	180,000
2021	185,000
2022	195,000
2023	205,000
2024	215,000
2025	225,000
2026	235,000
2027	245,000
2028	255,000
2029	265,000
2030	280,000

Objects or Purposes

Period of Probable Usefulness

*(determined as of the date of issuance of the Series 2006 Bonds or the first bond anticipation note issued in anticipation thereof)*

Reconstruction of Hospital's Emergency Department Facilities

25 years - subdivision 12(a)(1) of paragraph (a) of Section 11.00 of Local Finance Law

Reconstruction and Expansion of Hospital's Diagnostic Imaging Department Facilities

25 years - subdivision 12(a)(1) of paragraph (a) of Section 11.00 of Local Finance Law

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Exhibit B  
Refunding Financial Plan Attached

<b>COUNTY OF LEWIS, NY SUMMARY OF REFUNDING RESULTS INSURED (A+ UNDERLYING); BQ; CALLABLE</b>	
REFUNDING 07/15/06 GO BONDS (06/15/16-06/15/30)	
Dated/Delivery	11/12/2014
Refunding Par Amount	3,230,000
Bond Arbitrage Yield	2.607526%
Escrow Yield	0.049670%
Refunded Bonds Par Amount	3,120,000
Average Coupon of Refunded Bonds	4.747313%
Net PV Savings	363,197.32
Percentage of PV Savings	11.640940%
Aggregate Budgetary Savings	439,544.80
Annual Budgetary Savings (Dec 31)	
Fiscal Year 2014	24,963.54
Fiscal Year 2015	26,250.00
Fiscal Year 2016	24,846.88
Fiscal Year 2017	27,234.38
Fiscal Year 2018	25,131.25
Fiscal Year 2019	27,725.00
Fiscal Year 2020	25,112.50
Fiscal Year 2021	27,293.75
Fiscal Year 2022	24,268.75
Fiscal Year 2023	25,993.75
Fiscal Year 2024	27,393.75
Fiscal Year 2025	23,543.75
Fiscal Year 2026	24,443.75
Fiscal Year 2027	25,312.50
Fiscal Year 2028	26,156.25
Fiscal Year 2029	26,687.50
Fiscal Year 2030	27,187.50
<b>ROOSEVELT &amp; CROSS</b>	

OCTOBER 7, 2014

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County of Lewis, New York  
Refunding 2006 Bonds  
REFUNDING 07/15/06 GO BONDS (06/15/16-06/15/30)  
INSURED (A+ UNDERLYING); BQ; CALLABLE

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PROCEEDINGS OF THE BOARD OF LEGISLATORS

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SOURCES AND USES OF FUNDS

County of Lewis, New York  
Refunding 2006 Bonds  
REFUNDING 07/15/06 GO BONDS (06/15/16-06/15/30)  
INSURED (A+ UNDERLYING); BQ; CALLABLE

Dated Date                    11/12/2014  
Delivery Date                11/12/2014

Sources:

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Bond Proceeds:	
Par Amount	3,230,000.00
Premium	138,218.75
	<hr/>
	3,368,218.75

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Uses:

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Refunding Escrow Deposits:	
Cash Deposit	0.26
SLGS Purchases	3,266,883.00
	<hr/>
	3,266,883.26
Delivery Date Expenses:	
Cost of Issuance	70,000.00
Underwriter's Discount	19,380.00
Bond Insurance (25 bps)	10,344.40
	<hr/>
	99,724.40
Other Uses of Funds:	
Additional Proceeds	1,611.09
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	3,368,218.75

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OCTOBER 7, 2014

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SUMMARY OF REFUNDING RESULTS

County of Lewis, New York  
Refunding 2006 Bonds  
REFUNDING 07/15/06 GO BONDS (06/15/16-06/15/30)  
INSURED (A+ UNDERLYING); BQ; CALLABLE

Dated Date	11/12/2014
Delivery Date	11/12/2014
Arbitrage yield	2.607526%
Escrow yield	0.049670%
Bond Par Amount	3,230,000.00
True Interest Cost	2.699025%
Net Interest Cost	2.732097%
All-In TIC	2.977802%
Average Coupon	3.143645%
Average Life	8.940
Par amount of refunded bonds	3,120,000.00
Average coupon of refunded bonds	4.747313%
Average life of refunded bonds	9.431
PV of prior debt to 11/12/2014 @ 2.583110%	3,729,804.98
Net PV Savings	363,197.32
Percentage savings of refunded bonds	11.640940%

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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SAVINGS

County of Lewis, New York  
 Refunding 2006 Bonds  
 REFUNDING 07/15/06 GO BONDS (06/15/16-06/15/30)  
 INSURED (A+ UNDERLYING); BQ; CALLABLE

Date	Prior Debt Service	Refunding Debt Service	Savings	Annual Savings	Present Value to 11/12/2014 @ 2.5831096%
12/15/2014	73,912.50	48,948.96	24,963.54		24,904.88
12/31/2014				24,963.54	
06/15/2015	73,912.50	73,412.50	500.00		492.46
12/15/2015	73,912.50	48,162.50	25,750.00		25,038.54
12/31/2015				26,250.00	
06/15/2016	218,912.50	218,162.50	750.00		719.98
12/15/2016	70,559.38	46,462.50	24,096.88		22,837.37
12/31/2016				24,846.88	
06/15/2017	225,559.38	221,462.50	4,096.88		3,833.23
12/15/2017	66,975.00	43,837.50	23,137.50		21,372.50
12/31/2017				27,234.38	
06/15/2018	231,975.00	228,837.50	3,137.50		2,861.21
12/15/2018	63,056.25	41,062.50	21,993.75		19,801.21
12/31/2018				25,131.25	
06/15/2019	233,056.25	226,062.50	6,993.75		6,216.26
12/15/2019	59,018.75	38,287.50	20,731.25		18,191.62
12/31/2019				27,725.00	
06/15/2020	239,018.75	233,287.50	5,731.25		4,965.03
12/15/2020	54,743.75	35,362.50	19,381.25		16,576.05
12/31/2020				25,112.50	
06/15/2021	239,743.75	230,362.50	9,381.25		7,921.12
12/15/2021	50,350.00	32,437.50	17,912.50		14,931.70
12/31/2021				27,293.75	
06/15/2022	245,350.00	237,437.50	7,912.50		6,511.69
12/15/2022	45,718.75	29,362.50	16,356.25		13,288.94
12/31/2022				24,268.75	
06/15/2023	250,718.75	239,362.50	11,356.25		9,108.95
12/15/2023	40,850.00	26,212.50	14,637.50		11,591.16
12/31/2023				25,993.75	
06/15/2024	255,850.00	241,212.50	14,637.50		11,443.36
12/15/2024	35,743.75	22,987.50	12,756.25		9,845.47
12/31/2024				27,393.75	
06/15/2025	260,743.75	247,987.50	12,756.25		9,719.93
12/15/2025	30,400.00	19,612.50	10,787.50		8,114.99
12/31/2025				23,543.75	
06/15/2026	265,400.00	249,612.50	15,787.50		11,724.85
12/15/2026	24,818.75	16,162.50	8,656.25		6,346.73
12/31/2026				24,443.75	
06/15/2027	269,818.75	251,162.50	18,656.25		13,504.29
12/15/2027	19,000.00	12,343.75	6,656.25		4,756.68
12/31/2027				25,312.50	
06/15/2028	274,000.00	252,343.75	21,656.25		15,278.62
12/15/2028	12,943.75	8,443.75	4,500.00		3,134.30
12/31/2028				26,156.25	
06/15/2029	277,943.75	253,443.75	24,500.00		16,846.92
12/15/2029	6,650.00	4,462.50	2,187.50		1,485.01
12/31/2029				26,687.50	
06/15/2030	286,650.00	259,462.50	27,187.50		18,221.21
12/31/2030				27,187.50	
	4,577,306.26	4,137,761.46	439,544.80	439,544.80	361,586.23

Savings Summary

PV of savings from cash flow	361,586.23
Plus: Refunding funds on hand	1,611.09
Net PV Savings	363,197.32

OCTOBER 7, 2014

BOND PRICING

County of Lewis, New York  
 Refunding 2006 Bonds  
 REFUNDING 07/15/06 GO BONDS (06/15/16-06/15/30)  
 INSURED (A+ UNDERLYING); BQ; CALLABLE

Bond Component	Maturity Date	Amount	Rate	Yield	Price	Yield to Maturity	Call Date	Call Price
Serial Bonds:								
	12/15/2014	40,000	2.000%	0.300%	100.155			
	06/15/2015	25,000	2.000%	0.450%	100.914			
	06/15/2016	170,000	2.000%	0.550%	102.294			
	06/15/2017	175,000	3.000%	0.800%	105.631			
	06/15/2018	185,000	3.000%	1.000%	107.038			
	06/15/2019	185,000	3.000%	1.300%	107.552			
	06/15/2020	195,000	3.000%	1.600%	107.458			
	06/15/2021	195,000	3.000%	1.850%	107.104			
	06/15/2022	205,000	3.000%	2.050%	106.646			
	06/15/2023	210,000	3.000%	2.250%	105.828			
	06/15/2024	215,000	3.000%	2.400%	105.112			
	06/15/2025	225,000	3.000%	2.600%	103.374	C 2.633%	06/15/2024	100.000
	06/15/2026	230,000	3.000%	2.750%	102.093	C 2.787%	06/15/2024	100.000
	06/15/2027	235,000	3.250%	2.900%	102.910	C 2.971%	06/15/2024	100.000
	06/15/2028	240,000	3.250%	3.000%	102.068	C 3.063%	06/15/2024	100.000
	06/15/2029	245,000	3.250%	3.125%	101.027	C 3.161%	06/15/2024	100.000
	06/15/2030	255,000	3.500%	3.250%	102.043	C 3.331%	06/15/2024	100.000
		3,230,000						

Dated Date	11/12/2014	
Delivery Date	11/12/2014	
First Coupon	12/15/2014	
Par Amount	3,230,000.00	
Premium	138,218.75	
Production	3,368,218.75	104.279218%
Underwriter's Discount	-19,380.00	-0.600000%
Purchase Price	3,348,838.75	103.679218%
Accrued Interest		
Net Proceeds	3,348,838.75	



PROCEEDINGS OF THE BOARD OF LEGISLATORS

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BOND DEBT SERVICE

County of Lewis, New York  
 Refunding 2006 Bonds  
 REFUNDING 07/15/06 GO BONDS (06/15/16-06/15/30)  
 INSURED (A+ UNDERLYING); BQ; CALLABLE

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
12/15/2014	40,000	2.000%	8,948.96	48,948.96	
12/31/2014					48,948.96
06/15/2015	25,000	2.000%	48,412.50	73,412.50	
12/15/2015			48,162.50	48,162.50	
12/31/2015					121,575.00
06/15/2016	170,000	2.000%	48,162.50	218,162.50	
12/15/2016			46,462.50	46,462.50	
12/31/2016					264,625.00
06/15/2017	175,000	3.000%	46,462.50	221,462.50	
12/15/2017			43,837.50	43,837.50	
12/31/2017					265,300.00
06/15/2018	185,000	3.000%	43,837.50	228,837.50	
12/15/2018			41,062.50	41,062.50	
12/31/2018					269,900.00
06/15/2019	185,000	3.000%	41,062.50	226,062.50	
12/15/2019			38,287.50	38,287.50	
12/31/2019					264,350.00
06/15/2020	195,000	3.000%	38,287.50	233,287.50	
12/15/2020			35,362.50	35,362.50	
12/31/2020					268,650.00
06/15/2021	195,000	3.000%	35,362.50	230,362.50	
12/15/2021			32,437.50	32,437.50	
12/31/2021					262,800.00
06/15/2022	205,000	3.000%	32,437.50	237,437.50	
12/15/2022			29,362.50	29,362.50	
12/31/2022					266,800.00
06/15/2023	210,000	3.000%	29,362.50	239,362.50	
12/15/2023			26,212.50	26,212.50	
12/31/2023					265,575.00
06/15/2024	215,000	3.000%	26,212.50	241,212.50	
12/15/2024			22,987.50	22,987.50	
12/31/2024					264,200.00
06/15/2025	225,000	3.000%	22,987.50	247,987.50	
12/15/2025			19,612.50	19,612.50	
12/31/2025					267,600.00
06/15/2026	230,000	3.000%	19,612.50	249,612.50	
12/15/2026			16,162.50	16,162.50	
12/31/2026					265,775.00
06/15/2027	235,000	3.250%	16,162.50	251,162.50	
12/15/2027			12,343.75	12,343.75	
12/31/2027					263,506.25
06/15/2028	240,000	3.250%	12,343.75	252,343.75	
12/15/2028			8,443.75	8,443.75	
12/31/2028					260,787.50
06/15/2029	245,000	3.250%	8,443.75	253,443.75	
12/15/2029			4,462.50	4,462.50	
12/31/2029					257,906.25
06/15/2030	255,000	3.500%	4,462.50	259,462.50	
12/31/2030					259,462.50
	3,230,000		907,761.46	4,137,761.46	4,137,761.46

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ESCROW REQUIREMENTS

County of Lewis, New York  
Refunding 2006 Bonds  
REFUNDING 07/15/06 GO BONDS (06/15/16-06/15/30)  
INSURED (A+ UNDERLYING); BQ; CALLABLE

Period Ending	Interest	Principal Redeemed	Total
12/15/2014	73,912.50		73,912.50
06/15/2015	73,912.50	3,120,000.00	3,193,912.50
	147,825.00	3,120,000.00	3,267,825.00

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PROCEEDINGS OF THE BOARD OF LEGISLATORS

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ESCROW DESCRIPTIONS

County of Lewis, New York  
Refunding 2006 Bonds  
REFUNDING 07/15/06 GO BONDS (06/15/16-06/15/30)  
INSURED (A+ UNDERLYING); BQ; CALLABLE

Type of Security	Type of SLGS	Maturity Date	First Int Pmt Date	Par Amount	Rate	Max Rate
Nov 12, 2014:						
SLGS	Certificate	12/15/2014	12/15/2014	73,911	0.020%	0.020%
SLGS	Certificate	06/15/2015	06/15/2015	3,192,972	0.050%	0.050%
				3,266,883		

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SLGS Summary

SLGS Rates File	27AUG14
Total Certificates of Indebtedness	3,266,883.00

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ESCROW STATISTICS

County of Lewis, New York  
Refunding 2006 Bonds  
REFUNDING 07/15/06 GO BONDS (06/15/16-06/15/30)  
INSURED (A+ UNDERLYING); BQ; CALLABLE

Total Escrow Cost	Modified Duration (years)	Yield to Receipt Date	Yield to Disbursement Date	Perfect Escrow Cost	Value of Negative Arbitrage	Cost of Dead Time
Global Proceeds Escrow: 3,266,883.26	0.580	0.049670%	0.049670%	3,219,066.19	47,817.07	
3,266,883.26				3,219,066.19	47,817.07	0.00

Delivery date 11/12/2014  
Arbitrage yield 2.607526%

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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ESCROW SUFFICIENCY

County of Lewis, New York  
Refunding 2006 Bonds  
REFUNDING 07/15/06 GO BONDS (06/15/16-06/15/30)  
INSURED (A+ UNDERLYING); BQ; CALLABLE

Date	Escrow Requirement	Net Escrow Receipts	Excess Receipts	Excess Balance
11/12/2014		0.26	0.26	0.26
12/15/2014	73,912.50	73,912.34	-0.16	0.10
06/15/2015	3,193,912.50	3,193,912.40	-0.10	
	3,267,825.00	3,267,825.00	0.00	

OCTOBER 7, 2014

PROOF OF ARBITRAGE YIELD

County of Lewis, New York  
Refunding 2006 Bonds  
REFUNDING 07/15/06 GO BONDS (06/15/16-06/15/30)  
INSURED (A+ UNDERLYING); BQ; CALLABLE

Date	Debt Service	Present Value to 11/12/2014 @ 2.6075258875%
12/15/2014	48,948.96	48,832.85
06/15/2015	73,412.50	72,295.80
12/15/2015	48,162.50	46,819.47
06/15/2016	218,162.50	209,349.54
12/15/2016	46,462.50	44,011.78
06/15/2017	221,462.50	207,081.33
12/15/2017	43,837.50	40,463.27
06/15/2018	228,837.50	208,505.15
12/15/2018	41,062.50	36,932.56
06/15/2019	226,062.50	200,709.06
12/15/2019	38,287.50	33,555.98
06/15/2020	233,287.50	201,826.77
12/15/2020	35,362.50	30,199.84
06/15/2021	230,362.50	194,199.42
12/15/2021	32,437.50	26,993.42
06/15/2022	237,437.50	195,044.76
12/15/2022	29,362.50	23,809.62
06/15/2023	239,362.50	191,597.54
12/15/2023	26,212.50	20,711.75
06/15/2024	701,212.50	546,930.72
12/15/2024	15,793.75	12,160.25
06/15/2025	15,793.75	12,003.75
12/15/2025	15,793.75	11,849.26
06/15/2026	245,793.75	182,033.45
12/15/2026	12,343.75	9,024.06
06/15/2027	12,343.75	8,907.92
12/15/2027	12,343.75	8,793.28
06/15/2028	252,343.75	177,447.79
12/15/2028	8,443.75	5,861.22
06/15/2029	253,443.75	173,663.47
12/15/2029	4,462.50	3,018.42
06/15/2030	259,462.50	173,240.86
	4,108,098.96	3,357,874.35

Proceeds Summary

Delivery date	11/12/2014
Par Value	3,230,000.00
Premium (Discount)	138,218.75
Arbitrage expenses	-10,344.40
Target for yield calculation	3,357,874.35

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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PROOF OF ARBITRAGE YIELD

County of Lewis, New York  
 Refunding 2006 Bonds  
 REFUNDING 07/15/06 GO BONDS (06/15/16-06/15/30)  
 INSURED (A+ UNDERLYING); BQ; CALLABLE

Assumed Call/Computation Dates for Premium Bonds

Bond Component	Maturity Date	Rate	Yield	Call Date	Call Price	Net Present Value (NPV) to 11/12/2014 @ 2.6075258875%
SERIAL	06/15/2025	3.000%	2.600%	06/15/2024	100.000	-136.98
SERIAL	06/15/2027	3.250%	2.900%	06/15/2024	100.000	5,904.91

Rejected Call/Computation Dates for Premium Bonds

Bond Component	Maturity Date	Rate	Yield	Call Date	Call Price	Net Present Value (NPV) to 11/12/2014 @ 2.6075258875%	Increase to NPV
SERIAL	06/15/2025	3.000%	2.600%			538.56	675.54
SERIAL	06/15/2027	3.250%	2.900%			9,282.01	3,377.10

OCTOBER 7, 2014

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SUMMARY OF BONDS REFUNDED

County of Lewis, New York  
Refunding 2006 Bonds  
REFUNDING 07/15/06 GO BONDS (06/15/16-06/15/30)  
INSURED (A+ UNDERLYING); BQ; CALLABLE

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
General Obligation (Serial) Bonds, 2006, 2006:					
SERIAL	06/15/2016	4.625%	145,000.00	06/15/2015	100.000
	06/15/2017	4.625%	155,000.00	06/15/2015	100.000
	06/15/2018	4.750%	165,000.00	06/15/2015	100.000
	06/15/2019	4.750%	170,000.00	06/15/2015	100.000
	06/15/2020	4.750%	180,000.00	06/15/2015	100.000
	06/15/2021	4.750%	185,000.00	06/15/2015	100.000
	06/15/2022	4.750%	195,000.00	06/15/2015	100.000
	06/15/2023	4.750%	205,000.00	06/15/2015	100.000
	06/15/2024	4.750%	215,000.00	06/15/2015	100.000
	06/15/2025	4.750%	225,000.00	06/15/2015	100.000
	06/15/2026	4.750%	235,000.00	06/15/2015	100.000
	06/15/2027	4.750%	245,000.00	06/15/2015	100.000
	06/15/2028	4.750%	255,000.00	06/15/2015	100.000
	06/15/2029	4.750%	265,000.00	06/15/2015	100.000
	06/15/2030	4.750%	280,000.00	06/15/2015	100.000
			3,120,000.00		

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PROCEEDINGS OF THE BOARD OF LEGISLATORS

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PRIOR BOND DEBT SERVICE

County of Lewis, New York  
 Refunding 2006 Bonds  
 REFUNDING 07/15/06 GO BONDS (06/15/16-06/15/30)  
 INSURED (A+ UNDERLYING); BQ; CALLABLE

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
12/15/2014			73,912.50	73,912.50	
12/31/2014					73,912.50
06/15/2015			73,912.50	73,912.50	
12/15/2015			73,912.50	73,912.50	
12/31/2015					147,825.00
06/15/2016	145,000	4.625%	73,912.50	218,912.50	
12/15/2016			70,559.38	70,559.38	
12/31/2016					289,471.88
06/15/2017	155,000	4.625%	70,559.38	225,559.38	
12/15/2017			66,975.00	66,975.00	
12/31/2017					292,534.38
06/15/2018	165,000	4.750%	66,975.00	231,975.00	
12/15/2018			63,056.25	63,056.25	
12/31/2018					295,031.25
06/15/2019	170,000	4.750%	63,056.25	233,056.25	
12/15/2019			59,018.75	59,018.75	
12/31/2019					292,075.00
06/15/2020	180,000	4.750%	59,018.75	239,018.75	
12/15/2020			54,743.75	54,743.75	
12/31/2020					293,762.50
06/15/2021	185,000	4.750%	54,743.75	239,743.75	
12/15/2021			50,350.00	50,350.00	
12/31/2021					290,093.75
06/15/2022	195,000	4.750%	50,350.00	245,350.00	
12/15/2022			45,718.75	45,718.75	
12/31/2022					291,068.75
06/15/2023	205,000	4.750%	45,718.75	250,718.75	
12/15/2023			40,850.00	40,850.00	
12/31/2023					291,568.75
06/15/2024	215,000	4.750%	40,850.00	255,850.00	
12/15/2024			35,743.75	35,743.75	
12/31/2024					291,593.75
06/15/2025	225,000	4.750%	35,743.75	260,743.75	
12/15/2025			30,400.00	30,400.00	
12/31/2025					291,143.75
06/15/2026	235,000	4.750%	30,400.00	265,400.00	
12/15/2026			24,818.75	24,818.75	
12/31/2026					290,218.75
06/15/2027	245,000	4.750%	24,818.75	269,818.75	
12/15/2027			19,000.00	19,000.00	
12/31/2027					288,818.75
06/15/2028	255,000	4.750%	19,000.00	274,000.00	
12/15/2028			12,943.75	12,943.75	
12/31/2028					286,943.75
06/15/2029	265,000	4.750%	12,943.75	277,943.75	
12/15/2029			6,650.00	6,650.00	
12/31/2029					284,593.75
06/15/2030	280,000	4.750%	6,650.00	286,650.00	
12/31/2030					286,650.00
	3,120,000		1,457,306.26	4,577,306.26	4,577,306.26

OCTOBER 7, 2014

BOND SUMMARY STATISTICS

County of Lewis, New York  
 Refunding 2006 Bonds  
 REFUNDING 07/15/06 GO BONDS (06/15/16-06/15/30)  
 INSURED (A+ UNDERLYING); BQ; CALLABLE

Dated Date	11/12/2014
Delivery Date	11/12/2014
Last Maturity	06/15/2030
Arbitrage Yield	2.607526%
True Interest Cost (TIC)	2.699025%
Net Interest Cost (NIC)	2.732097%
All-In TIC	2.977802%
Average Coupon	3.143645%
Average Life (years)	8.940
Weighted Average Maturity (years)	8.881
Duration of Issue (years)	7.737
Par Amount	3,230,000.00
Bond Proceeds	3,368,218.75
Total Interest	907,761.46
Net Interest	788,922.71
Total Debt Service	4,137,761.46
Maximum Annual Debt Service	269,900.00
Average Annual Debt Service	265,382.88
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	6.000000
Total Underwriter's Discount	6.000000
Bid Price	103.679218

Bond Component	Par Value	Price	Average Coupon	Average Life
Serial Bonds	3,230,000.00	104.279	3.144%	8.940
	3,230,000.00			8.940

	TIC	All-In TIC	Arbitrage Yield
Par Value	3,230,000.00	3,230,000.00	3,230,000.00
+ Accrued Interest			
+ Premium (Discount)	138,218.75	138,218.75	138,218.75
- Underwriter's Discount	-19,380.00	-19,380.00	
- Cost of Issuance Expense		-70,000.00	
- Other Amounts	-10,344.40	-10,344.40	-10,344.40
Target Value	3,338,494.35	3,268,494.35	3,357,874.35
Target Date	11/12/2014	11/12/2014	11/12/2014
Yield	2.699025%	2.977802%	2.607526%

PROCEEDINGS OF THE BOARD OF LEGISLATORS

AGGREGATE DEBT SERVICE

County of Lewis, New York  
 Refunding 2006 Bonds  
 REFUNDING 07/15/06 GO BONDS (06/15/16-06/15/30)  
 INSURED (A+ UNDERLYING); BQ; CALLABLE

Date	Refunding 2006 Bonds Principal	Refunding 2006 Bonds Interest	Unrefunded Bonds Principal	Unrefunded Bonds Interest	Aggregate Principal	Aggregate Interest	Aggregate Debt Service	Annual Aggregate D/S
12/15/2014	40,000	8,948.96		3,237.50	40,000	12,186.46	52,186.46	52,186.46
12/31/2014								
06/15/2015	25,000	48,412.50	140,000	3,237.50	165,000	51,650.00	216,650.00	216,650.00
12/15/2015		48,162.50				48,162.50	48,162.50	264,812.50
12/31/2015								
06/15/2016	170,000	48,162.50			170,000	48,162.50	218,162.50	264,812.50
12/15/2016		46,462.50				46,462.50	46,462.50	264,625.00
12/31/2016								
06/15/2017	175,000	46,462.50			175,000	46,462.50	221,462.50	264,625.00
12/15/2017		43,837.50				43,837.50	43,837.50	265,300.00
12/31/2017								
06/15/2018	185,000	43,837.50			185,000	43,837.50	228,837.50	265,300.00
12/15/2018		41,062.50				41,062.50	41,062.50	269,900.00
12/31/2018								
06/15/2019	185,000	41,062.50			185,000	41,062.50	226,062.50	269,900.00
12/15/2019		38,287.50				38,287.50	38,287.50	264,350.00
12/31/2019								
06/15/2020	195,000	38,287.50			195,000	38,287.50	233,287.50	264,350.00
12/15/2020		35,362.50				35,362.50	35,362.50	268,650.00
12/31/2020								
06/15/2021	195,000	35,362.50			195,000	35,362.50	230,362.50	268,650.00
12/15/2021		32,437.50				32,437.50	32,437.50	262,800.00
12/31/2021								
06/15/2022	205,000	32,437.50			205,000	32,437.50	237,437.50	262,800.00
12/15/2022		29,362.50				29,362.50	29,362.50	266,800.00
12/31/2022								
06/15/2023	210,000	29,362.50			210,000	29,362.50	239,362.50	266,800.00
12/15/2023		26,212.50				26,212.50	26,212.50	265,575.00
12/31/2023								
06/15/2024	215,000	26,212.50			215,000	26,212.50	241,212.50	265,575.00
12/15/2024		22,987.50				22,987.50	22,987.50	264,200.00
12/31/2024								
06/15/2025	225,000	22,987.50			225,000	22,987.50	247,987.50	264,200.00
12/15/2025		19,612.50				19,612.50	19,612.50	267,600.00
12/31/2025								
06/15/2026	230,000	19,612.50			230,000	19,612.50	249,612.50	267,600.00
12/15/2026		16,162.50				16,162.50	16,162.50	265,775.00
12/31/2026								
06/15/2027	235,000	16,162.50			235,000	16,162.50	251,162.50	265,775.00
12/15/2027		12,343.75				12,343.75	12,343.75	263,506.25
12/31/2027								
06/15/2028	240,000	12,343.75			240,000	12,343.75	252,343.75	263,506.25
12/15/2028		8,443.75				8,443.75	8,443.75	260,787.50
12/31/2028								

AGGREGATE DEBT SERVICE

County of Lewis, New York  
 Refunding 2006 Bonds  
 REFUNDING 07/15/06 GO BONDS (06/15/16-06/15/30)  
 INSURED (A+ UNDERLYING); BQ; CALLABLE

Date	Refunding 2006 Bonds Principal	Refunding 2006 Bonds Interest	Unrefunded Bonds Principal	Unrefunded Bonds Interest	Aggregate Principal	Aggregate Interest	Aggregate Debt Service	Annual Aggregate D/S
06/15/2029	245,000	8,443.75			245,000	8,443.75	253,443.75	
12/15/2029		4,462.50				4,462.50	4,462.50	257,906.25
12/31/2030	255,000	4,462.50			255,000	4,462.50	259,462.50	259,462.50
12/31/2030			140,000	6,475.00	3,370,000	914,236.46	4,284,236.46	4,284,236.46
	3,230,000	907,761.46						

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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Date	Cashflow	Present Value to 11/12/2014 @ 2.5831096460%
12/15/2014	48,948.96	48,833.93
06/15/2015	73,412.50	72,306.11
12/15/2015	48,162.50	46,831.79
06/15/2016	218,162.50	209,429.87
12/15/2016	46,462.50	44,033.97
06/15/2017	221,462.50	207,210.73
12/15/2017	43,837.50	40,493.43
06/15/2018	228,837.50	208,685.74
12/15/2018	41,062.50	36,969.00
06/15/2019	226,062.50	200,931.32
12/15/2019	38,287.50	33,597.18
06/15/2020	233,287.50	202,098.97
12/15/2020	35,362.50	30,244.22
06/15/2021	230,362.50	194,508.21
12/15/2021	32,437.50	27,039.60
06/15/2022	237,437.50	195,401.99
12/15/2022	29,362.50	23,856.10
06/15/2023	239,362.50	191,994.73
12/15/2023	26,212.50	20,757.18
06/15/2024	241,212.50	188,576.05
12/15/2024	22,987.50	17,742.11
06/15/2025	247,987.50	188,960.07
12/15/2025	19,612.50	14,753.67
06/15/2026	249,612.50	185,378.82
12/15/2026	16,162.50	11,850.29
06/15/2027	251,162.50	181,803.44
12/15/2027	12,343.75	8,821.07
06/15/2028	252,343.75	178,030.08
12/15/2028	8,443.75	5,881.16
06/15/2029	253,443.75	174,275.34
12/15/2029	4,462.50	3,029.42
06/15/2030	259,462.50	173,893.15
	4,137,761.46	3,368,218.75

Summary

Valuation date	11/12/2014
Amount	3,368,218.75
Target for yield calculation	3,368,218.75

OCTOBER 7, 2014

**RESOLUTION NO. 325 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN LEWIS COUNTY AND  
SIEMENS INDUSTRIES, INC. FOR THE  
DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Buildings and Grounds Committee.

WHEREAS, Siemens Industries, 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, 2015 through December 31, 2017; 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 Industries, Inc. to provide Heating, Ventilating, and Air Conditioning (HVAC) maintenance services for the Department of Social Services Building for the period of January 1, 2015 through December 31, 2017 at the following annual costs:

Year 1	1/1/2015 – 12/31/2015	\$16,658.00
Year 2	1/1/2016 – 12/31/2016	\$16,991.00
Year 3	1/1/2017 – 12/31/2017	\$17,331.00

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 Pepper, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 326 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN LEWIS COUNTY AND  
SIEMENS INDUSTRIES, INC. FOR THE  
PUBLIC SAFETY BUILDING**

Introduced by Legislator Philip Hathway, Chairman of the Buildings and Grounds Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, Siemens Industries, 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, 2015 through December 31, 2017; 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 Industries, Inc. to provide Heating, Ventilating, and Air Conditioning (HVAC) maintenance services for the Public Safety Building for the period of January 1, 2015 through December 31, 2017 at the following annual costs:

Year 1	1/1/2015 – 12/31/2015	\$16,781.00
Year 2	1/1/2016 – 12/31/2016	\$17,117.00
Year 3	1/1/2017 – 12/31/2017	\$17,459.00

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 Dolhof, seconded by Legislator Moser.

Legislator Hathway stated that Buildings Supervisor Frank Archer had reduced the annual cost for each building by eliminating services that can be done by his personnel. In response to Legislator Kulzer, he agreed to inquire whether greater savings could be realized if a request for proposals (RFP) were advertised for these services. Legislator King cautioned that non-manufacturer vendors could be more costly, if included upgrades are considered.

The resolution was then adopted.

**RESOLUTION NO. 327 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
DISTRICT ATTORNEY**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget changes are hereby approved in the office of the District Attorney using money from T87.03 (DA-Federal Money \$751.47) and T87.05 (NY Co

OCTOBER 7, 2014

Shared Assets - DA \$915.71):

<u>Increase Revenues</u>	
A26260 (Forfeiture Proceeds)	\$1,667.18
<u>Increase Expense</u>	
A1165.4507 (Travel & Subsistence)	\$1,667.18

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

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 328 - 2014  
RESOLUTION TO TRANSFER FUNDS  
ECONOMIC DEVELOPMENT**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Planning Department accounts to cover costs associated with the Lewis County sponsored Economic Development Conference to be held on 10/23/2014:

<u>From:</u>	Amount
A6420.4999 (Econ Dev Projects)	\$5,000.00
<u>To:</u>	
A8020.4502 (Econ Dev Conference)	\$5,000.00

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

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

**RESOLUTION NO. 329 - 2014  
RESOLUTION TO CREATE  
CAPITAL ECONOMIC DEVELOPMENT FUND ACCOUNT**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:



PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Board of Legislators hereby creates a Capital Economic Development Fund Account for future economic development projects.

**Part one:**

Transfer from:

A599 (Fund balance) \$300,000.00

Transfer to:

A9950.9921 (To Cap County Projects) \$300,000.00

**Part two:**

HAJ50310 (Inter-fund Revenue) \$300,000.00

HAJ9901.9 (Inter-fund Transfers) \$300,000.00

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

Moved by Legislator Brennan, seconded by Legislator Chartrand, and adopted.

**RESOLUTION NO. 330 - 2014  
RESOLUTION APPOINTING MEMBER TO  
REGIONAL EMERGENCY MEDICAL SERVICES COUNCIL**

Introduced by Legislator Jerry King, Chairman of the Emergency Management Committee.

WHEREAS, Cheryl LaLonde had previously resigned as a County representative on the Regional Emergency Medical Services Council; and

WHEREAS, Kristin Meade has been recommended by the Regional Emergency Medical Services Council to fill said vacancy.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Kristen Meade of 9766 State Route 126, Castorland, New York 13620 as a member of the Lewis County Emergency Medical Services Council.

Section 2. That the term of said appointment shall be effective October 8, 2014 for an indefinite term.

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

Moved by Legislator Moroughan, seconded by Legislator Pepper, and adopted.

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**RESOLUTION NO. 331 – 2014  
RESOLUTION AUTHORIZING GRANT APPLICATION  
WITH DIVISION OF HOMELAND SECURITY  
AND EMERGENCY MANAGEMENT SERVICES**

Introduced by Legislator Jerry King, Chairman of the Emergency Management Committee.

WHEREAS, the Emergency Management Department has received notification of grant approval from the NYS Division of Homeland Security and Emergency Services for funding in the amount of \$37,500.00 to be utilized to purchase mobile radios to enhance the County radio system.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Grant Agreement between the County of Lewis, by and through the Emergency Management Department, and the NYS Division of Homeland Security and Emergency Services in the amount of \$37,500.00 for the purchase of mobile radios to enhance the County radio system.

Section 2. That said grant is for the period from 09/01/2014 to 08/31/2016.

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

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

Moved by Legislator Moroughan, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 332 – 2014  
RESOLUTION APPOINTING LEWIS COUNTY  
FIRE AND EMERGENCY MANAGEMENT DIRECTOR**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Robert MacKenzie of 6770 Belmont Street, Lyons Falls, New York 13368 to the position of Lewis County Fire and Emergency Management Director, effective October 8, 2014.

Section 2. That the 2014 annualized salary of said position is hereby established at \$45,000.00.

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

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

**RESOLUTION NO. 333 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO HUMAN RESOURCES**

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, the Board had temporarily authorized a part-time Keyboard Specialist to work full-time in the Human Resources Department through October 1, 2014; and

WHEREAS, the Committee recommends extending the temporary authorization until November 28, 2014.

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 Human Resources Department, to extend the authorization for a part-time Keyboard Specialist to work full-time in the Human Resources Department through November 28, 2014.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Kulzer , seconded by Legislator Pepper , and adopted.

**RESOLUTION NO. 334 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN FRONTIER COMMUNICATIONS  
AND THE COUNTY OF LEWIS**

Introduced by Legislator Gregory Kulzer, Chairman of the Information Technology Committee.

WHEREAS, the County of Lewis desires to enter into an Agreement with Frontier Communications for its internet connection, and to replace the current VoIP (Voice over Internet Protocol) phone system Primary Rate Interface ("PRI") and related phone services, and for Frontier to install and maintain said services; and

WHEREAS, the Board of Legislatures wishes to accept such service agreement with Frontier Communications.

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Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislatures agrees to enter into a contract with Frontier Communications for the installation of a 10Mbps internet connection, for installation and maintenance of a phone system and related services to replace the current VoIP phone system.

Section 2. That this contract shall be for the term commencing October 1, 2014 through September 30, 2017 at the following costs:

- \$730.00 per month (plus standard charges & fees) for PRI(s) with 300 DID's (phone numbers)
- \$500.00 per month (plus standard charges & fees) for long distance block of 20,000 minutes
- \$556.00 per month (plus standard charges & fees) for 10M Metro Ethernet internet service

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 Moser, and adopted.

**RESOLUTION NO. 335 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
OFFICE FOR THE AGING**

Introduced by Legislator Neil Pepper, Chairman of the Office for Aging Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Office for the Aging accounts, utilizing Oktoberfest ticket proceeds to cover food expense:

<u>Increase Revenues</u>	
A27051 (Contrib-OFA)	\$1,207.00
<u>Increase Expense</u>	
A6772.4919	\$1,207.00

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

Moved by Legislator Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 336 - 2014**

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**RESOLUTION AUTHORIZING ADDENDUM TO THE AGREEMENT BETWEEN  
LEWIS COUNTY PUBLIC HEALTH AGENCY AND  
THE PRESCHOOL SPECIAL EDUCATION PROGRAM  
FOR TRANSPORTATION WITH BIRNIE BUS SERVICE, INC.**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, the Lewis County Public Health Agency and Birnie Bus Service, Inc. entered into a service agreement on August 27, 2014 as adopted by Resolution No. 300-2014 that provides transportation for preschool special education children; and

WHEREAS, Lewis County Public Health currently has children attending preschool programs in Jefferson and Oneida County and the rates were not included in the previous contract; 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 Addendum to the Agreement dated August 27, 2014 between the Lewis County Public Health Agency and Birnie Bus Service, Inc. to incorporate the additional fee rates for Jefferson County and Oneida County to provide transportation for preschool special education children, and is identified as "Amended Exhibit A" to the existing contract to replace and supersede "Exhibit A" to the existing contract.

Section 2. That said Agreement shall be for the period of September 1, 2014 through August 31, 2015 and shall be at the following rates:

Jefferson County:

- \$282.44 per day for first child (round trip and this rate includes bus aide)
- \$49.97 per day for additional children (round trip and this rate includes bus aide)

Oneida County:

- \$85.00 per day for the passenger (round trip and this rate includes bus aide)
- This rate is approved as long as child is able to be transported on an existing Oneida County Route but should the need arise to add an additional bus route, then the rate would be the same reflected under the Jefferson County rates above.

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 Pepper, and adopted.

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**RESOLUTION NO. 337 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY PUBLIC HEALTH AND THE  
HEALTH ADVANCEMENT COLLABORATIVE OF CENTRAL NEW YORK, INC.**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, the Lewis County Public Health wishes to enter into a participation agreement with the Health Advancement Collaborative of Central New York, Inc., d/b/a Health e Connections, a Not-for-Profit corporation, for the purpose of an update and restatement of participation in the regional health information organization that operates a Health Information Exchange; 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 a participation agreement between the Lewis County Public Health Agency and Health Advancement Collaborative of Central New York, Inc. for the purpose of an update and restatement of participation in the regional health information organization that operates a Health Information Exchange.

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 Moroughan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 338 - 2014  
RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT  
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND  
LOWVILLE ACADEMY AND CENTRAL SCHOOL**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, Lewis County Public Health has the responsibility to develop a bioterrorism or large-scale communicable disease outbreak preparedness and response plan assigned by the New York State Department of Health and the National Centers of Disease Control and Prevention; and

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WHEREAS, part of that plan must include the assignment of appropriate sites for carrying out mass immunization clinics or medication distribution to the entire population of Lewis County; and

WHEREAS, Lowville Academy and Central School (“LACS”) meets the criteria for a large portion of the population of Lewis County and the Lewis County Public Health Agency desires to enter into an agreement with LACS for the use of their building or buildings in the event of such emergency; and

WHEREAS, the Board of Legislators wishes to accept services.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves a Memorandum of Agreement by and between the County of Lewis through the Lewis County Public Health Agency, and Lowville Academy and Central School for the use of their building or buildings in the event of a bioterrorism or large-scale communicable disease outbreak to carry out mass immunization clinics or medication distribution to the entire population of Lewis County.

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 Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 339 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY PUBLIC HEALTH  
AND VENESKY & COMPANY**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, the Lewis County Public Health wishes to enter into an agreement with Venesky & Company, that provides professional accounting and cost reporting services, and this is for the specific purpose of compilation and entry of the information needed to complete the Medicaid Cost Report associated with the Preschool/School Supportive Health Services Program for July, 2013 through June, 2014; and

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

Now, Therefore, BE IT RESOLVED, as follows:

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Section 1. That the Board of Legislators hereby approves the contract with Venesky & Company to provide professional accounting and cost reporting services for the specific purpose of compilation and entry of the information needed to complete the Medicaid Cost Report for July, 2013 through June, 2014.

Section 2. That this is for the reporting period of July, 2013 through June 30, 2014 for costs associated with the Preschool/School Supportive Health Services Program at a cost not to exceed \$4,500.00.

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 Hathway, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 340 - 2014  
RESOLUTION AUTHORIZING GRANT APPLICATION  
WITH DIVISION OF HOMELAND SECURITY  
AND LEWIS COUNTY SHERIFF'S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County Sheriff's Department has received notification of grant approval from the NYS Division of Homeland Security and Emergency Services for funding in the amount of \$12,500.00 to be utilized to purchase night-vision equipment.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Grant Agreement between the County of Lewis, by and through the Sheriff's Department, and the NYS Division of Homeland Security and Emergency Services from the State Law Enforcement Terrorism Prevention Program in the amount of \$12,500.00 for the purchase of night-vision equipment to enhance night-time response, as well as in un-lighted building locations.

Section 2. That said grant is for the period from 09/01/2014 to 08/31/2016.

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

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

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



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**RESOLUTION NO. 341 - 2014  
RESOLUTION TO ADJUST FUNDS  
SOCIAL SERVICES  
SFY14-15**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the County of Lewis has received approval from OCFs for the SFY14-15 TANF NON-RESIDENTIAL DOMESTIC VIOLENCE SERVICES program funding for Lewis County Opportunities.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the sum of \$20,499.00 be appropriated to Account No. A6109.4609 Non-Rev DV.

Section 2. That this be financed by Federal Aid in the amount of \$20,499.00 to be distributed to Revenue Account No. A46090.

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

Moved by Legislator Moser, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 342 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
THE DEPARTMENT OF SOCIAL SERVICES AND  
BINNACLE TECHNOLOGY SOLUTIONS, LLC**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an Agreement with Binnacle Technology Solutions, LLC, with its principal place of business located at 762 Boston Post Road, Madison, Connecticut 06443 for the purchase of support, maintenance, and enhancements for AccuFund Representative Payee accounting software; 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 Binnacle Technology Solutions, LLC for the purchase of support, maintenance, and enhancements for AccuFund Representative Payee accounting software for the period of October 1, 2014 through September 30, 2016 at a cost not to exceed \$2,497.50.

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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 Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 343 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
THE DEPARTMENT OF SOCIAL SERVICES AND  
HAND IN HAND EARLY CHILDHOOD CENTER**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to purchase day care services through Hand in Hand Early Childhood Center for eligible recipients; 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 Hand in Hand Early Childhood Center for the period of January 1, 2015 through December 31, 2016 at the Day Care market rate established by Hand in Hand Early Childhood Center and pursuant to the DSS Fair Market Rates as established by the State. The cost for eligible recipients is approximately 1% for the County and 99% Federally reimbursed.

AGE	5 DAYS	4 DAYS	3 DAYS	2 DAYS
Infants	\$165.00	\$140.00	\$105.00	\$70.00
Toddler	\$165.00	\$140.00	\$105.00	\$70.00
Preschool	\$165.00	\$140.00	\$105.00	\$70.00
Pre-K	\$165.00	\$140.00	\$105.00	\$70.00

AM SACC	\$25.00	\$20.00	\$15.00	\$10.00
AM SACC	\$15.00 if picked up by 11:00 a.m. - \$35.00 full day rate			

<b>UNIVERSAL PRE-K WRAP-AROUND CARE</b>	
CLASS	WEEKLY TUITION
AM/PM Class	\$97.00
Full Day Care	\$35.00
½ day rate for snow-days & ½ days of school	\$15.00

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<b>FAMILY DISCOUNT</b>	
DAYS ENROLLED	DISCOUNT
5 Full Days Per Week	\$20.00 For The Second Child
4 OR 3 Full Days Per Week	\$15.00 For The Second Child

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 Pepper, seconded by Legislator King, and adopted.

**RESOLUTION NO. 344 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
LEWIS COUNTY OPPORTUNITIES, INC.**

Introduced by Legislator Neil Pepper, 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 TANF Non-Residential Domestic Violence Services, Response, and Prevention Services.

Section 2. That the term of this Agreement shall be from October 1, 2014 through June 30, 2015 for an amount not to exceed \$20,499 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, pending approval by the County Attorney.

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

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 345 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
THE NEW YORK STATE HIGHWAY SAFETY PROGRAM AND  
THE LEWIS COUNTY STOP DWI PROGRAM  
FOR PROJECT CRACKDOWN**

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Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County STOP DWI program has received a grant award from the New York State Department STOP DWI Foundation in the amount of \$6,930.00 for participation in New York State's Highway Safety Program for the Project Crackdown to reduce the number of crashes, injuries and deaths on New York's roads; and

WHEREAS, the Board of Legislators wishes to accept such grant award.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the Lewis County STOP DWI Program and the New York State STOP DWI Foundation for the purpose of receiving a grant award in the amount of \$6,930.00.

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 Moroughan, seconded by Legislator King, and adopted.

**RESOLUTION NO. 346 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
BUS OPERATIONS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Bus Operations accounts to appropriate new additional Federal Funds.

<u>Increase Revenue:</u>	
A45940 (Federal 5311 Funds)	\$67,000.00
<u>Decrease Revenue:</u>	
A35940 (State Aid Bus Transit)	\$29,809.65
<u>Increase Expense:</u>	
A5630.4506 (Contracted Services)	\$37,190.35

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

Moved by Legislator Pepper, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 347 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY TREASURER'S OFFICE  
AND SYSTEMS EAST, INC.**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, 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; 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, 2015 through December 31, 2015 at a cost not to exceed \$17,940.00.

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 Hathway, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 348 - 2014  
STANDARD WORK DAY AND REPORTING RESOLUTION**

Introduced by Legislator Michael A. Tabolt, 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:

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Title	Standard Work Day  (Hrs/day) Min. 6 hrs Max. 8 hrs	Name  (First and Last)	Registration Number	Current Term Begin & End Dates  (mm/dd/yy-mm/dd/yy)	Participates in Employer's Time Keeping System  (Yes/No-If Yes, do not complete the last two columns)	Record of Activities Result*
<b>Elected Officials</b>						
Legislator	6.00	Michael A. Tabolt	39739743	01/01/14-12/31/15	No	18.66
<b>Appointed Officials</b>						
County Manager	8.00	Elizabeth Swearingin	60620689	03/31/14-12/31/15	Yes	
County Attorney	8.00	Joan McNichol	60625068	03/31/14-12/31/15	Yes	

Moved by Legislator Moser, second by Legislator Pepper, and adopted.

**RESOLUTION NO. 349 - 2014  
RESOLUTION IN MEMORIAM OF  
IRVING J. KRAEGER**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, Irving J. Kraeger of Route 26, Constableville, New York recently departed this life on September 23, 2014; and

WHEREAS, the Lewis County Board of Legislators makes the following determinations:

That **Irving J. Kraeger** was initially elected to represent his constituents on the Lewis County Board of Supervisors commencing January 1, 1952, being subsequently re-elected through the transition to a Board of Legislators, and continuously throughout an unprecedented career spanning 48 years until December 31, 1999.

That throughout his tenure, **Irving J. Kraeger** had served on various Supervisor and Legislative Committees representing various factions of County government. He had also knowledgeably and tirelessly represented the Board and the best interests of the Lewis County citizenry on various Councils, Committees and Advisory Boards including the

Lewis County Hospital Foundation Board of Directors, and was a founding member  
Town of West Turin Zoning Board  
Lewis County Agricultural Fair Board, being named Director Emeritus in 2001  
Lewis County Farm Bureau, recognized with the Senior Farmer Award in 2008  
Constableville Volunteer Fire Department, serving for over 61 years  
New York State Tug Hill Commission, being named Tug Hill Sage in 2008

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That in 2008 **Irving J. Kraeger** was awarded a Certificate of Distinction to recognize his 55 years of public service

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That it is proper for us as friends, acquaintances and members of this Board of Legislators to record our recognition and appreciation for the sincere, generous and valuable services rendered by our former colleague and elder statesman **Irving J. Kraeger**.

Section 2. That as an enduring record and mark of respect to the memory of **Irving J. Kraeger**, as an honorable and dedicated 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 **Irving J. Kraeger**.

Moved by Legislator Brennan , seconded by Legislator Moroughan , and adopted.

At 6:28 p.m. Legislator Chartrand made a motion to enter executive session for discussion about specific personnel, seconded by Legislator Pepper and carried. After a short recess called by the Chairman, the session commenced at 6:35 p.m. Following the session, Legislator Brennan made a motion to re-enter regular session at 8:08 p.m., seconded by Legislator Chartrand and carried.

RESOLUTIONS (Cont'd):

**RESOLUTION NO. 350 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN THE COUNTY OF LEWIS AND  
BERNIER, CARR & ASSOCIATES, P.C.**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the Lewis County Economic Development Department desires to engage the professional engineering and related services of Bernier, Carr & Associates, P.C. to provide site and concept designs for a potential business park in Lewis County; and

WHEREAS, it is the intention and expectation that these professional services will assist the County, through its Economic Development Department, in outlining and understanding the potential costs and expenses of such a project, including identification of infrastructure requirements; and

WHEREAS, the Economic Development Department will contract with said firm for said services, for a fee not to exceed \$10,000.00, with said services to be performed and provided within six (6) months from the date of a signed contract; and with said funds to be drawn from the Economic Development Projects Account # A6420.4999; and

WHEREAS, the Board of Legislators wishes to accept such proposal.

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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 Bernier, Carr & Associates, P.C. (hereinafter referred to as "BC&A"), for the purpose of providing professional engineering and related services to outline site and concept designs for a potential business park in Lewis County, for a fee not to exceed \$10,000.00, to be drawn from the Economic Development Projects Account.

Section 2. That the professional engineering and related services by BC&A shall be provided within six (6) months from the date of a signed contract.

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, pending approval by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Moser.

Legislator King referenced unknown development plans of the respective private property owner and a supposed purchase offer. County Manager Liz Swearingin affirmed that no purchase offer had been made and asked Director of Economic Development Eric Virkler to comment. Mr. Virkler explained that development of a business park must be a cooperative effort with the property owner, the County, the IDA and the Village. The property owner, he said, fully supports these efforts. After consideration by the Legislative Economic Development Committee and the IDA Board of Directors, it was proposed that the County take the lead to enter an agreement with the engineering firm.

Legislator Dolhof asserted that nothing would be considered until a site feasibility determination.

Legislator Dolhof stated that the IDA agrees to reimburse the County 50% or up to \$5,000 of the engineering fees. Legislator Kulzer queried for clarification about the "not to exceed \$10,000" figure, inquiring why the IDA was not a joint party of the agreement. Legislator Dolhof responded that the County was taking the lead to avoid any perceived conflict of interest on the part of the IDA.

There had been prior discussion in executive session about specific individuals, after which the Board unanimously adopted the resolution.

**RESOLUTION NO. 351 - 2014  
RESOLUTION AUTHORIZING AGREEMENT WITH  
COUNTY OF LEWIS INDUSTRIAL DEVELOPMENT AGENCY (IDA)**



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Introduced by Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the Board of Legislators of Lewis County ( hereinafter the "County") and the Board of Directors of the County of Lewis Industrial Development Agency (hereinafter the "IDA") have participated in joint meetings in an effort to discuss and act upon their unity of interest and mission to promote and advance economic development for Lewis County; and

WHEREAS, the County and IDA acknowledge the benefits of having one entity serve to coordinate, oversee and administer the activities of Economic Development in Lewis County, which is currently provided by the County's Economic Development Department, the IDA, as well as the Lewis County Development Corporation (LCDC); and

WHEREAS, the County is aware that the Executive Director of the IDA has resigned, effective September 30, 2014, and that the IDA and the County desire to have the County's Director of Economic Development provide administrative and managerial services to the IDA to support the operation of its economic development initiatives in Lewis County, and to act in the role of overall administrator and overseer of all Economic Development within the County; and

WHEREAS, the Board of Directors of the IDA has authorized entering into an agreement with Lewis County whereby the Director of Economic Development for the County would serve as overall administrator to evaluate, oversee and coordinate the activities of Economic Development in Lewis County currently provided by the County, IDA, and LCDC, with a view toward maximizing joint efforts to serve existing businesses and to attract new and emerging economic development projects within Lewis County; and

WHEREAS, the Board of Legislators of Lewis County wishes to authorize an agreement between the County and the IDA whereby the Director of Economic Development for the County will provide administrative and managerial services to the IDA, with the IDA agreeing to compensate the County for the time and services provided by the County's Director of Economic Development, at the rate of \$ 55.00 per hour plus actual expenses.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes an agreement between Lewis County and the County of Lewis Industrial Development Agency (IDA), whereby the County Director of Economic Development, shall perform the following functions on behalf of and for the benefit of the IDA, and any other services to which both parties may mutually agree in the final Agreement:

1. Provide administrative and operational services to the IDA in an effort to coordinate services and Economic Development by the County, the IDA as well as the LCDC.
2. Evaluate, oversee and coordinate the activities of Economic Development by the IDA and the County, with a view towards maximizing the ability to serve existing businesses and to attract new

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and emerging economic development projects within Lewis County, and in an attempt to provide a “one-stop shop” where existing and new enterprises may receive advice and assistance on all aspects of economic benefits and incentives in Lewis County.

3. Provide a monthly invoice to the County Manager and to the Chairman of the IDA, with an accounting of time and a description of the services provided to the IDA, together with any services provided in the oversight and coordination efforts and activities in Economic Development for Lewis County.
4. Provide a monthly report to the County Manager and to the Chairman of the IDA on any and all recommendations as to further organizational plans and coordination of Economic Development projects by the County, IDA and the LCDC.

Section 2. The Board of Legislators authorizes said agreement to provide for the County to charge the IDA the rate of \$55.00 per hour for the services provided to the IDA by the County's Director of Economic Development, plus any actual expenses incurred.

Section 3. The Chairman, or Vice-chairman be and the same is hereby authorized to negotiate, execute and deliver such agreement as may be necessary to carry out this Resolution subject to review and approval as to form by the County Attorney.

Moved by Legislator Chartrand, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 352 – 2014  
RESOLUTION TO AMEND  
THE NUMBER OF MEMBERS COMPRISING  
THE COUNTY OF LEWIS INDUSTRIAL DEVELOPMENT AGENCY**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the Lewis County Legislative Board authorized and formed the County of Lewis Industrial Development Agency (IDA) in 1973, establishing and appointing five (5) individuals as members of the IDA Board of Directors; and subsequently the Lewis County Legislative Board authorized and increased the number of members of the IDA Board to seven (7); and

WHEREAS, the County of Lewis IDA provides important services for industrial and economic development in the County; and

WHEREAS, the Lewis County Board of Legislators recently received Notice of Resignations from two (2) of the seven (7) members of the IDA Board, namely Jack T. Bush (Chairman) and Edward Boliver; and

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Lewis County Board of Legislators has determined that the current level of the five (5) remaining members of the IDA Board of Directors is satisfactory and should continue until the Lewis County Board of Legislators determines otherwise.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby directs that the County of Lewis Industrial Development Agency Board of Directors shall be comprised of and is set at five (5) members.

Section 2. That the five (5) members of the IDA Board continuing in service by prior appointment of the Lewis County Board of Legislators are:

Roscoe Fawcett  
Mickey G. Lehman  
Gerald Haenlin  
Stevie Smith  
Craig P. Brennan

Section 3. That the above named members of the IDA Board shall each continue in service under the term of their respective appointments.

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

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

### OTHER BUSINESS:

The Clerk read a proclamation, whereby the Chairman had declared the week of October 19-25, 2014 as "Lead Poisoning Prevention Week". She also reported that commending proclamations for Dr. Elwin L. Stillman and Fire and Emergency Management Director James Martin had been previously read and presented to each of them at their respective retirement recognition event.

The Clerk announced Chairman Tabolt had appointed Kent Widrick, Organization Representative (Lowville Producers Dairy Cooperative), Jennifer Karelus, Ex-Officio (Lewis County Farm Bureau), and Melissa Spence, Ex-Officio (Lewis County Cooperative Extension) to the Lewis County Agricultural and Farmland Protection Board for the term 10/1/2014 to 12/31/2018; and Dr. Peter Ostrum (Countryside Veterinary Clinic) to fill the un-expired term of Dr. Harry O'Connor from 10/1/2014 to 12/31/2016.

There being no other business to come before the Board, Legislator Pepper made a motion to adjourn at 8:15 p.m., seconded by Legislator Brennan and carried.

### **SPECIAL MEETING**

OCTOBER 16, 2014

**SPECIAL MEETING  
October 16, 2014**

The meeting was called to order at 3:30 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislator Brennan.

The Invocation was offered by Legislator Hathway, followed by a moment of silence for those deceased. Chairman Tabolt led the Pledge of Allegiance to the Flag.

There were 5 persons present.

**REPORT OF THE RULES AND LEGISLATION COMMITTEE:**

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

Lawrence Dolhof, Chairman  
Bryan Moser

Dated: October 17, 2014

Legislator Moser made a motion to waive the rules, seconded by Legislator Dolhof, and carried.

**RESOLUTION:**

**RESOLUTION NO. 353 - 2014  
RESOLUTION DESIGNATING  
LEWIS COUNTY CHAMBER OF COMMERCE AS  
TOURIST PROMOTION AGENCY  
AND COMMITTING MATCHING FUNDS FOR  
(I LOVE NY) PROGRAM**

Introduced by Legislator Lawrence Dolhof, 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 2014-2015.

Section 2. That this Board hereby endorses the application of the Lewis County Chamber of Commerce, and hereby commits matching County funds in the amount of \$40,000.00 from 2015 County budget appropriations in support of said application.

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 3. In addition, this Board hereby commits an additional \$75,000.00 to be encumbered from 2014 budgetary appropriations in support of said application.

Section 4. 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 5. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Moser.

Legislator Hathway explained the committee strongly supports appropriating \$40,000 in the 2015 County budget, while merely suggesting the level of additional funds by availing 2014 surplus budgetary appropriations.

Legislator King suggests placing a \$5.00 off coupon for a three-day pass in the brochure as a utilization tracking mechanism, and possible indication for impact on sales tax revenue. Recreation, Forestry and Parks Director Jackie Mahoney responded that the new website will allow tracking specific areas of interest through accessed sites, as well as the new scan code on the brochure.

Chamber of Commerce Executive Director Anne Merrill agreed the coupon would be a good idea and should be considered. In response to Legislator Kulzer, she stated she would advertise for bids for printing the brochures to avail the least cost.

Legislator Kulzer queried the wisdom of spending \$12,500 for mandarin language printing. He doubted justifiable response, while predicting those tourists would be fluent in both languages. He also expressed he could not justify the cost to his constituents. However, Legislator Kulzer supports the French language printing for distribution at Canadian shows. Legislator Dolhof opined that the Chinese are the highest marketed tourist group throughout the United States, and supports the initial attempt to attract them. While not focusing on any nationality, Liz Swearingin cited the Nano-Tech Center in Utica, whose employed engineers hail from around the world. She strongly encouraged the Board trust the judgment of their chosen tourism agents, asserting that Ms. Merrill and Jackie Mahoney are the experts who attend the shows and field the posed questions, encouraging support of their knowledgeable and justifiable request.

Legislator Pepper noted that the Chamber's request was for \$100,000, inquiring the reason for additional appropriations. Anne Merrill stated their request reflects their plans to attend 10 shows, more than double of the current year. A lesser funding level would reduce the amount of printed materials for 2015. She confirmed that the entire County appropriation would be matched by the State "I Love NY" Program.

Legislator Moser clarified that the extra \$15,000 above the 2014 "I Love NY" Program funding was justifiable; and the additional \$75,000 was deemed a reasonable portion to encumber of the projected 2014 sales tax revenue surplus.

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Legislator Chartrand questioned the \$125,000 brochure printing costs, citing the move to digital, wanting to assure a good return on the investment. Sr. Planner Frank Pace explained that the scan code on the brochures will facilitate easy access through the website directing persons to specific applications.

Legislator Pepper expressed concern with the extraordinary funding amount being four times that of the current year. He submits that if tourist promotion efforts are successful, there may not be adequate facilities to handle the anticipated onslaught. Legislator Pepper specifically cited the lack of outlets for kayaking equipment or snowmobiling clothing for those who appear without needed gear.

Ms. Merrill informed that Maple Ridge Supply has prospective plans to open in the vicinity at the first of the year, to sell cross-country skiing and snowshoeing gear, among other sport equipment.

Legislator Moser exclaimed "Isn't that what we want, to have tourists that want services that evoke new businesses to serve their needs".

Legislator Pepper wants to proceed cautiously, afraid of potential negative consequences caused by a new tourist having an initial bad experience because we are unable to serve their needs. Legislator Moser responded that tourism efforts focus on what we can support.

In response to Legislator Kulzer's inquiry, Ms. Merrill estimated that 6,000 brochures were handed out during the 12-day State Fair; and averaged 2,000 – 3,000 were distributed at weekend events. There are also 40,000 brochures available at 39 visitor centers throughout the State for distribution. The Long Island and other high traffic centers distribute as many as 10,000, while others range from 100 – 5,000 dependent upon pedestrian traffic.

Ms. Merrill affirmed that any advertising proceeds are used to offset printing costs. In response to Chairman Tabolt, Legislator Hathway relayed the Committee's opinion that the proposed appropriation levels are the maximum amounts, until completing their budget deliberations to consider departmental obligations in their entirety. Legislator Chartrand expressed concurrence, citing the instant need for 2015 fund commitment. Legislator King is aware of the annual tourism commitment, stating the current year sales tax surplus allows the one-time additional appropriation.

In response to Legislator Moser, County Treasurer Patricia O'Brien believes the surplus is attributable to the imposed sales tax increased percentage, increased tourism, and other undefined factors.

Legislator Hathway stated the Committee's proposal considered unspent economic development funds and sales tax surplus. Legislator Chartrand cautioned that other areas may need to be addressed as a result of increased tourism traffic, recognizing the advantages that would present.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator King shared his observation there have been many more ATV enthusiasts utilizing the trails on weekends during this season, projecting eventual increases.

Citing the Chamber's request for \$100,000, Legislator Kulzer made a motion to amend and reduce the \$75,000 additional funding to \$60,000 which would equate the requested level. The motion was seconded by Legislator Chartrand.

Director of Economic Development Eric Virkler strongly advocated for the \$75,000 level reminding that every dollar committed would be matched equally by the State, providing adequate funding to accomplish most of what the Chamber has planned.

Although admittedly skeptical, Legislator Pepper recognized that sending representatives to shows without adequate materials would not be productive, thereby favoring the higher level.

Legislator Kulzer questioned the need for 100,000 brochures, asking for accountability for disbursed materials at the various tourism shows. He favors getting some feedback on disbursed brochures before considering increased funding. Ms. Merrill submitted that the 50,000 brochures printed for 2014 will be depleted by the end of the year; while plans are to double the number of shows they attend next year.

Legislator King recognized the savings for printing a larger number of brochures at one time, while also asserting that additional funding may not be available in the future.

Chairman Tabolt concurred with Legislator Kulzer that a lot could be accomplished with \$200,000, considering the matching funds.

The amending motion was defeated by a vote of 2 to 7, with Legislators Chartrand, Dolhof, Hathway, King, Moroughan, Moser and Pepper opposed. Legislator Brennan was absent.

The resolution was then adopted by a vote of 7 to 2, with Legislators Kulzer and Tabolt opposed. Legislator Brennan was absent.

OTHER BUSINESS:

There being no other business to come before the Board, Legislator Moser made a motion to adjourn at 4:11 p.m., seconded by Legislator Pepper and carried.

NOVEMBER 4, 2014

**FIRST DAY  
ANNUAL SESSION  
November 4, 2014**

The meeting was called to order at 5:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislators Dolhof and Hathway.

Chairman Tabolt offered the Invocation specifically referencing veterans, followed by a moment of silence for those deceased, and led the Pledge of Allegiance to the Flag.

There were 20 persons present.

Chairman Tabolt announced approval of the October 7 and October 16, 2014 meeting minutes.

**REPORT OF THE RULES AND LEGISLATION COMMITTEE:**

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

Dated: November 4, 2014

Bryan Moser  
Craig Brennan, Committee

Legislator Brennan made a motion to waive the rules, seconded by Legislator Pepper, and carried.

**PRIVILEGE OF THE FLOOR:**

In reference to his prior request, Mr. Erik Griffin informed that proposed tornado sirens could be utilized for various weather related advisories, including hazmat and chemical releases, noting the five manufacturing plants in the County, four of which are located within the Village of Lowville. In response to the previously distributed information, he clarified the WPS-4000-4 series siren is the only one available.

**PRESENTATION OF COMMUNICATIONS AND NOTICES:**

The family of former Legislator Irving Kraeger had penned their appreciation for our thoughtful expressions and kind donation to the Constableville Volunteer Fire Department in his memory.

Laurie Millard, Hospice Bereavement Coordinator and resident of District No. 7, addressed a letter to Legislator Greg Kulzer to express her dismay with the Board's recently revised indigent burial policy, while strongly urging the Board to revisit the issue. The new policy impedes family members from respectfully commemorating a loved one due to their inability to pay for interment. Ms. Millard submits that "Death does not discriminate based on someone's social or financial status and neither should Lewis County".



## PROCEEDINGS OF THE BOARD OF LEGISLATORS

The Seneca County Board of Supervisors forwarded a Resolution calling upon Federal representatives to propose and support Legislation to permit collection of lawfully due taxes on Indian Tribal Properties. The Resolution cites U.S. Supreme Court decisions that resulted in the right of NYS municipalities to impose real property taxes on non-sovereign Indian tribal holdings; while further citing conflicting determinations by the Second Circuit Court of Appeals that prohibit municipalities from collecting such taxes by tribal sovereign immunity.

The Town Board of Middlesex, New York forwarded a Resolution requesting State Disaster Aid for extensive damage from unprecedented flooding last spring in their area.

### REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

All Legislators have received copies of the Treasurer's October monthly report; the 10/22/14 Highway Audit Report, the 10/22/14 Solid Waste Audit Report; and meeting minutes of the 9/17/14 Soil and Water Conservation District Board of Directors, and the 10/28/14 Youth Bureau Advisory Board.

The September and October monthly reports of Sealer of Weights and Measures Barbara Cooper were submitted and filed in the Clerk's Office.

The 2015 Tentative County Budget has been filed with the Clerk of the Board by Budget Officer Liz Swearingin, attendant to her following Budget Message:

#### Budget Message 2015

In 2015 Lewis County's tax levy will be under the State's 2% tax cap, the allowable increase was \$355,000, our County levy increase will be \$305,000 or \$50,000 below the state cap. Eligible homeowners will now have the opportunity to qualify for the state rebate. The Lewis County tax rate will decrease from 7.59 to 7.58 per thousand of assessed value. In addition, the legislators are prioritizing the right investments for the County...we're making investments in economic development, infrastructure, roads and bridges, increased allowances for law enforcement patrols for ATVs, snowmobiling and boating, technology to improve workforce efficiency and data security and vehicle replacement. We are getting back on track.

Our process this year was about three things: stability, collaboration and accountability. The first thing that had to be done going into this budget was to achieve stability and predictability in our numbers. The memorandum of understanding we signed with the hospital a few weeks ago, was critical. After several years of significant variations in cash flow requirements, the hospital has agreed to repay its approximate \$4.8M debt to the County and to not borrow any additional funds. The Hospital Board of Managers reviewed and approved their 2015 budget last week and their budget includes these obligations.

This year's budget process has been very collaborative and very rigorous. All department heads and outside agencies were required to come and present their budgets to a group of Legislators, the County Treasurer and to the County Manager/Budget Officer. Several

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departments had the pleasure of multiple visits. Each review required a line by line explanation of revenues and expenses, always challenging paradigms and seeking opportunities for improvement.

Accountability...Every month at committee meetings, department heads will be responsible for reviewing their financials and their headcount, where they are versus their budget and working on projects / processes to lower their cost structure in the future...Some people tend to look at the budget as this exhaustive process and when it is done it is put on the shelf. I look at the budget as the baseline from which you can now make improvements....it is the beginning of the process ...not the end. I have a list of ideas / projects that came through budget meetings which we will be pursuing in the next weeks and months.

General fund revenues are \$28,055,859 up \$216,000 or .8% from last year, expenses are \$44,216,987 up \$471,000 or 1.1% from last year; we will use \$1,283,860 from fund balance (\$50,000 less than last year), the levy will be \$14,877,268, a \$305,000 increase over last year, the year before the increase in the levy was just over \$1M and the year before that the increase was \$772,000....this is the lowest increase in 3 years.

Personnel costs are the single largest line item in the budget and were up \$691,000 year over year...that includes, wages, overtime, and all fringe including healthcare and pensions. No discussion of budgets in New York State would be complete without the mention of State mandates. We will spend \$11.5M on mandates in 2015. \$5M on Medicaid, \$2M on pensions, \$1.6M on Pre K Program, \$1.1M for foster care and \$1.5M for public defenders, probation, early intervention, youth detention & safety net.

What is most concerning, is that the appetite for State mandates does not appear to be slowing down, instead, the requirements for compliance reporting....collecting data, performing audits, filing reports - keeps going up. In addition, more and more department heads are telling me that grant revenues are now becoming competitive. The increasing number of unfunded mandates, increase in compliance requirements and movement toward competitive grant funding -places an enormous burden on the County employees and taxpayers. We all need to be engaged and vigilant with our state representatives to reverse these trends.

On a positive note, Lewis County was very fortunate to have a strong sales tax revenue level in 2014. The actual estimated revenue is \$11.5M, well above the budgeted \$10.1M. This one-time windfall, has afforded the Legislators an opportunity to make some special appropriations to specific organizations and County accounts which are listed in Resolution 388 this evening in the amount of \$878,000.

Before I close I would like to recognize the extraordinary efforts of our County Treasurer during the budget, Patty's knowledge, guidance and patience were invaluable to me, and to creating a better budget for the County. I'd also like to thank all the Legislators, especially Legislators Hathway and King - who actively participated in and all the review sessions and then some. The good questions you all brought to the process and the collective learning we did, created a better budget and I believe will make the financial management of the County much more logical and transparent in 2015. Lastly, I'd like to thank all the department heads for their

PROCEEDINGS OF THE BOARD OF LEGISLATORS

engagement and hard work...I know it takes a lot of time to pull these together. I'd also like to thank Cassandra Moser in the Clerk's office for an amazing job scheduling and rescheduling meetings.

Liz Swearingin  
County Manager/Budget Officer

The semi-annual report of mortgage tax receipts and disbursements was received from the County Clerk and County Treasurer for the period of April 1, 2014 through September 30, 2014. The following report of apportionment of the mortgage tax was distributed to each Legislator and was presented to the County Treasurer along with the warrant:

APPORTIONMENT OF MORTGAGE TAX  
April 1, 2014 through September 30, 2014

	<u>KEY</u>	<u>VALUATION</u>	<u>AMOUNT</u>
Town of Croghan		306,135,782	\$25,541.89
Village of Croghan	.025974234	15,903,285	<u>681.12</u>
			\$26,223.01
Town of Denmark		179,789,337	\$18,187.50
Village of Castorland	.044375315	15,956,417	957.66
Village of Copenhagen	.112861838	40,582,710	<u>2,435.65</u>
			\$21,580.81
Town of Diana		171,577,771	\$ 9,880.51
Village of Harrisville	.065566856	22,499,630	<u>693.29</u>
			\$10,573.80
Town of Greig		219,833,192	\$11,776.62
Town of Harrisburg		262,312,130	\$ 1,881.34
Town of Lewis		72,370,828	\$ 6,261.65
Town of Leyden		90,805,511	\$ 5,566.92
Village of Port Leyden	.083142476	15,099,590	<u>504.82</u>
			\$ 6,071.74
Town of Lowville		453,966,764	\$39,913.42
Village of Lowville	.278863029	253,189,094	<u>15,434.48</u>
			\$55,347.90
Town of Lyonsdale		100,314,776	\$ 2,765.78
Village of Lyons Falls	.036680120	7,359,116	108.30

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Village of Port Leyden	.026558799	5,328,480	<u>78.41</u> \$ 2,952.49
Town of Martinsburg		385,945,487	\$ 6,519.02
Town of Montague		42,189,400	\$ 1,622.89
Town of New Bremen		169,497,282	\$15,329.84
Village of Croghan	.035852593	12,153,834	<u>570.05</u> \$15,899.89
Town of Osceola		51,589,125	\$ 645.43
Town of Pinckney		36,392,535	\$4,617.99
Town of Turin		66,868,322	\$ 5,107.17
Village of Turin	.080585236	10,777,199	<u>447.63</u> \$ 5,554.80
Town of Watson		198,476,499	\$16,933.67
Town of West Turin		147,507,486	\$ 8,008.74
Village of Constableville	.045592371	13,450,432	445.71
Village of Lyons Falls	.135190668	39,883,271	<u>1,321.63</u> \$ 9,776.08
		<b>GRAND TOTAL</b>	<b><u>\$204,239.13</u></b>
To County of Lewis			<u>\$102,284.50</u>

Dated: November 4, 2014

Gregory Kulzer, Chairman  
Craig Brennan  
Lawrence Dolhof

Taxation Committee

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 \$204,239.13 from the tax on mortgages from April 1, 2014 through September 30, 2014 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.

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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 on the 4<sup>th</sup> day of November 2014.

Michael A. Tabolt, Chairman  
Teresa K. Clark, Clerk of the Board

REPORTS OF STANDING COMMITTEES:

Legislator Neil Pepper, Office For the Aging/Social Services/Youth Committee Chairman, reported that the Youth Advisory Board had approved total appropriations of \$13,000 to applicants who will offer program opportunities for youth under the age of 21 that are designed to prevent juvenile delinquency through positive youth development. The Board approved funds to Mountain View Prevention Services-Youth Advocate Program-\$5,600; to Hand In Hand Early Childhood Center-After School Program-\$3,000; Lowville Village Police Department-Youth Aid Officer/Safe Child Identification Program-\$2,000; to Lewis County Suicide Prevention Coalition-Awareness Day-\$1,200; and the Lewis County Sheriff's Department-Juvenile Aid Officer Program-\$1,200. Legislator Pepper likened the process to the County budget deliberations, when there are many agencies and service providers vying for limited financial resources.

Legislator Bryan Moser, County Officers/ Veterans/ Junkyards/ Human Resources Committee Chairman, reported that the Junkyard Review Board is pleased with the new policies. He also reported that Veterans Services Director Derek Davey had reached out to Commissioner of Social Services Stacy Alvord and Employment and Training Specialists to coordinate assistance for veterans searching for jobs.

Legislator Moser made a motion to authorize Recreation, Forestry and Parks Director Jackie Mahoney to travel out-of-State for Tourism Expos in Connecticut from 11/8-11/9/14 and 5/1-5/2/15; in Ohio from 1/15-1/18/15 and 2/13-2/16/15; in Pennsylvania from 2/5-2/8/15; and in Ottawa, Canada from 3/28-3/29/15. The motion was seconded by Legislator Moser and carried.

Legislator Moser made a motion to award the lowest bid to Carbone Auto Group for the purchase of a 2015 Dodge Ram 1500 ½ Ton Crew Cab Truck in the amount of \$29,426.00. The motion was seconded by Legislator King and carried.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, reported that tower foundations and equipment buildings are being erected with anticipation to complete by mid-December. Legislator King also urged support of his sponsored resolutions.

Legislator King made a motion to authorize Sheriff Carpinelli to re-fill one part-time Dispatcher/Correction Officer effective immediately, due to a resignation. The motion was seconded by Legislator Pepper and carried.

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Legislator King made a motion to authorize Sheriff Carpinelli to purchase a 2014 Ford Police Utility Interceptor AWD from Beyer Ford at the State Bid Price of \$35,986.20. The motion was seconded by Legislator Moser and carried.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, referenced the substantial engineering costs for the VanAmber Road Bridge rehabilitation and similar projects, explaining that those costs are primarily due to Federal regulations.

He reported that former Legislature Chairman Jack T. Bush was the first to cross the newly rehabilitated French Settlement Bridge on October 24, 2014.

Legislator Gregory Kulzer, Taxation/Information Technology/Elections/Agriculture Committee Chairman, reported meeting with Information Technology Director Adam Zehr relaying that the Development Authority of the North Country is installing the fiber optic at the Court House and the Public Safety building. The cost of a new firewall created at the Court House will be reimbursed through the Homeland Security grant.

Legislator Richard Chartrand, Hospital Committee Chairman, announced the September employee-of-the month was Phlebotomist Liz Comins, and highly commended her blood-drawing abilities. He also recognized her for recently saving a life by administering the Heimlich maneuver.

Legislator Chartrand reported that Dr. Stillerman does not intend to renew his professional agreement to practice at the Hospital after 12/31/2014. St. Joseph's Hospital will provide surgeon assistance until a permanent replacement is found. Evaluation continues for joint partnership opportunities, specifically for cardiology services. Clinic management to increase patient volumes continues to be reviewed; and coding practices are being updated.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported attending the recent Lewis County "Meet the Services That Make Your Community" event, encompassing 150 local providers that were available to explain their services. She thanked the Youth Advisory Board for their financial support of the event.

Legislator Moroughan also reported hearing an emotional speech by John Allen of the Central Field Office of the Office of Mental Health in Syracuse, as the guest speaker at a special Community Services Board meeting. Lastly, Legislator Moroughan reported having a positive/good meeting with Transitional Living Services management personnel.

#### COUNTY MANAGER REPORT:

County Manager Liz Swearingin reported that Executive Director Anne Merrill had informed an error with her understanding the entire 'I Love NY' tourism County appropriation of \$115,000 approved on 10/16/14 to the Chamber of Commerce, would be fully matched by the State. She clarified the State match would be only \$75,000 equating a total of \$190,000. Moreover, \$18,000 of the \$75,000 State matching funds would be earmarked for the Adirondack

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Tourism Council. Ms. Swearingin had relayed this information to all Legislators who confirmed their agreement to the afore-stated appropriations.

Ms. Swearingin then read her prepared 2015 Budget Message, as printed above.

Chairman Tabolt commended Liz for her great performance in formulating the Tentative Budget. Legislator King also praised her, stating “It was the most enjoyable budget process he has had since becoming a Legislator”, followed by applause from the entire Board and congregation.

### COUNTY TREASURER REPORT:

County Treasurer Patricia O’Brien reported participating in several telephone discussions with the County’s Bond Counsel, County Attorney Joan McNichol and County Manager Liz Swearingin, responding to inquiries from Wall Street financial analysts relative to refinancing the 2006 Bond for the Hospital diagnostic imaging and emergency department reconstruction project. The County retained an (A+) bond rating based on the overall financial health of the County; ie. The Hospital MOU for debt repayment and Critical Access designation; the County’s liquidity; the 2015 budget increase being within the 2% tax cap; and the defined Fund Balance policy.

### OTHER BUSINESS:

Chairman Tabolt also commended County Attorney Joan McNichol for keeping abreast of State Legislation, specifically citing a currently proposed State Bill that would provide enhanced benefits for publicly employed veterans. He affirmed that he and the entire Board most certainly support veteran benefits. However, as promised two years ago, would ask the State to cover any additional cost imposed by the new mandate. Chairman Tabolt had asked Atty. McNichol to draft a letter for his signature opposing the Bill, and asked for the Board’s approval to forward it to the Governor. The Board concurred.

Atty. McNichol explained that the Bill would allow veterans to get an extra three years added to their retirement, while imposing the enhanced pension cost upon Counties. The letter will urge the Governor to assume the cost, on behalf of the State, for the enhanced pension benefits.

### REPORT OF THE WAYS AND MEANS COMMITTEE:

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

To: The Honorable County Legislators

NOVEMBER 4, 2014

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,134,618.08 and recommend that they be audited and allowed for the amounts claimed.

Philip Hathway, Chair  
Jerry King, Committee  
Richard Chartrand, Committee

Dated: November 4, 2014

Approved on motion by Legislator Pepper, seconded by Legislator Moser, and carried.

**RESOLUTION NO. 354 - 2014  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 1,134,618.08 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 Brennan, seconded by Legislator Moser, and adopted by roll call vote:

YEAS: Brennan, Chartrand, King, Kulzer, Moroughan, Moser, Pepper, Tabolt

NAYS: None

ABSENT: Dolhof, Hathway

**RESOLUTION NO. 355 - 2014  
RESOLUTION TO SET PUBLIC HEARING ON  
2015 TENTATIVE LEWIS COUNTY BUDGET**

Introduced by Legislator Philip Hathway, 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 2015 Tentative County Budget to be held in the second floor board room of the County Court House, State Street, Lowville, New York on the 18th day of November, 2014 to begin at 5:00 p.m.

Section 2. That this resolution shall take effect immediately.



PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

**LOCAL LAW (INTRODUCTORY NO. 7 - 2014)  
COUNTY OF LEWIS**

**A LOCAL LAW PROVIDING FOR INCREASES  
TO SALARIES FOR CERTAIN LOCAL OFFICIALS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

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

**SECTION 1. LEGISLATIVE FINDINGS AND PURPOSE**

1. The Board of Legislators finds that it has heretofore been the policy of the County of Lewis to amend the Compensation Plan for County officials who are appointed to a specific term of office (“term appointees”) to provide for an increase in salary upon similar terms as those provided to union (general) employees pursuant to their collective bargaining agreement.
2. Pursuant to the forgoing policy, the Board of Legislators enacted Local Law No. 3 – 2007 and then Local Law No. 4 – 2012, wherein certain term appointees were granted the same increases in salary as were provided in the collective bargaining agreement effective January 1, 2007 through December 31, 2009, and then January 1, 2010 through December 31, 2013, respectively.
3. The Board of Legislators finds that they have recently concluded their negotiations with the collective bargaining unit for County general employees and executed a collective bargaining agreement effective January 1, 2014 through December 31, 2017. Pursuant to the terms of that agreement, County employees are receiving a 1.75% increase for 2014 and a 2% increase for 2015.
4. The Board of Legislators adopted Resolution No. 389 – 2014, whereby certain department heads and other non-union employees (excluding term appointees and elected officials) were granted increases in compensation at the same percentage rate to take effect at the same time as such payments and percentage increases have been granted to the bargaining unit members for the period from January 1, 2014 through December 31, 2014, except for those non-union/exempt employees who were hired after January 1, 2014.
5. Therefore, the Board of Legislators wish to amend the Compensation Plan for specific term appointees to provide certain term appointees with salary increases for 2014 and 2015.

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**SECTION 2. AMENDMENT TO THE COMPENSATION PLAN**

A. Effective January 1, 2014, the Compensation Plan of the County of Lewis shall be amended to provide the following salaries for the following County employees appointed to a fixed term of office, to-wit:

DSS Commissioner	\$69,536.00
Clerk of the Board	\$46,444.00
Superintendent of Highways	\$66,316.00
Commissioners of Elections	\$40,700.00
	\$40,700.00
Sheriff	\$67,918.00
County Clerk	\$58,496.00
County Treasurer	\$63,085.00

The County Treasurer is directed to make any 2014 retroactive payment to the above identified term employees after the effective date of this Local Law.

B. The Compensation Plan of the County of Lewis is further amended effective January 1, 2015 to provide the following salaries for the following County employees appointed to a fixed term of office, to wit:

DSS Commissioner	\$70,927.00
Clerk of the Board	\$47,927.00
Superintendent of Highways	\$67,642.00
Commissioners of Elections	\$41,514.00
	\$41,514.00
Sheriff	\$69,276.00
County Clerk	\$59,666.00
County Treasurer	\$64,347.00
County Attorney	\$100,000.00

C. That the Compensation Plan for such offices identified herein may be further amended or modified in whole or in part by the Board of Legislators at any time.

**SECTION 3. EFFECTIVE DATE**

That the within Local Law shall take effect 45 days after the adoption hereof and all legal requirements having been met.

**RESOLUTION NO. 356 - 2014  
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW  
(INTRODUCTORY LOCAL LAW NO. 7 - 2014), COUNTY OF LEWIS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on November 4, 2014 a proposed Local Law entitled **“A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS.”**

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on November 18, 2014, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York to hear all persons for or against such local law.

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

Moved by Legislator Pepper, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 357 -2014  
RESOLUTION REQUESTING STATE DISASTER AID  
LEWIS COUNTY**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board Legislators of Lewis County.

WHEREAS, on May 22, 2014, Lewis County and some of its municipalities (including Village of Port Leyden, Town of Leyden, and Town of Lyonsdale), received extensive damage from unprecedented flooding of seven inches in three hours, and

WHEREAS, a FEMA disaster declaration number FEMA-4180-DR was made on July 8, 2014, and

WHEREAS, FEMA reimburses repairs at approximately 75% of actual cost, and

WHEREAS, New York State has imposed a tax cap that limits a municipality’s ability to generate funds through property taxes, and

WHEREAS, the remaining costs of repairs, if funded solely by Lewis County, will inhibit the County’s ability to provide necessary services to its residents and still remain within the NYS mandated tax cap.

Now, Therefore, BE IT RESOLVED, that the Lewis County Board of Legislators respectfully request that New York State reimburse 12.5% of the repair costs incurred by Lewis County in its repair of flood damage, and

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BE IT FURTHER RESOLVED, that certified copies of this resolution shall be forwarded to NYS Governor Andrew Cuomo, NYS Senator Joseph Griffo, NYS Assemblyman Ken Blankenbush, NYS Senate Majority Leaders Dean Skelos and Jeff Klein, NYS Assembly Majority Leader Sheldon Silver, NYS Assembly Minority Leader Brian Kolb, Inter-County Legislative Committee of the Adirondacks, all Towns and Villages within Lewis County, Allegany, Cattaraugus, Chautauqua, Delaware, Herkimer, Yates, Livingston, Ontario, Otsego, and Steuben County Boards.

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

**RESOLUTION NO. 358 - 2014**  
**RESOLUTION CALLING ON THE GOVERNOR AND THE LEGISLATURE TO**  
**ENACT LEGISLATIVE CHANGES THAT WILL RELIEVE**  
**ENVIRONMENTAL LIABILITIES IMPOSED UPON COUNTIES WHEN THEY**  
**ARE ACQUIRING AND TRANSFERRING OWNERSHIP OF TAX**  
**DELINQUENT PROPERTIES**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators and Legislator Gregory Kulzer, Chairman of the Taxation Committee

WHEREAS, counties across New York State have encountered serious environmental liability dilemmas when acquiring and transferring tax delinquent properties; and

WHEREAS, counties that take title to such parcels in order to sell or dispose of them often inherit such problems as environmental clean-up liability, resolving safety concerns, and paying for demolition costs; and

WHEREAS, in order to limit legal liabilities and exorbitant improvement costs, counties are placing such properties in tax exempt sections of the tax roll, thereby not allowing them to be put back on the tax rolls and not permitting them to be improved to meet health, safety and environmental standards; and

WHEREAS, as a result, there are an increasing number of such deteriorating parcels that are not paying taxes and therefore not in productive use, including sites that could be used by industry and business; and

WHEREAS, other states have addressed such problems with legislation that provides protection from these liabilities while promoting uniform cleanup standards and financial assistance to reduce the cost of improvements, site assessment and remediation.

Now, Therefore, BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Board of Legislators of Lewis County supports and concurs with the New York State Association of Counties' (NYSAC) call on Governor Andrew M. Cuomo and the New York State Legislature to support statutory and programmatic reforms that provide counties with protection from environmental liabilities; assistance with the costs of site remediation and demolition; and a means by which to transfer outstanding tax liens from delinquent parcels to other properties owned by the same individuals or company.

Section 2. That the Board of Legislators of Lewis County encourages lawmakers to explore other provisions and incentives to accompany these changes to permit the release of liability for new owners of such property, thereby encouraging the expenditure of private or public funds for such improvements, as long as the new owner did not cause any of the problems associated with the property in the past.

Section 3. That copies of this resolution be sent to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.

Moved by Legislator Moser, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 359 - 2014  
RESOLUTION CALLING ON THE STATE TO DEVELOP A 100 PERCENT STATE  
FUNDED INDIGENT DEFENSE SYSTEM  
AND LOWER PROPERTY TAXES**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators

WHEREAS, the United States Supreme Court held in *Gideon v. Wainwright* that the right to counsel for one charged with a crime is fundamental and that it is the state's responsibility to supply lawyers for those unable to afford them; and

WHEREAS, in 1965 the State of New York delegated this state responsibility to counties, adding another unfunded mandated expense to the counties; and

WHEREAS, the decision to entrench responsibility at the county level in the State of New York has resulted in a system by which the county and local property tax payers are burdened with the vast majority of cost for this state responsibility; and

WHEREAS, the shift of costs for this state mandated service has become so imbalanced that the counties of New York now cover over 80% of the cost burden; and

WHEREAS, implementation of the constitutional right to counsel under *Gideon* is a state, not county, obligation; and

WHEREAS, there are twenty-six (26) states in the country which have state-funded and operated indigent criminal defense systems; and

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WHEREAS, in 2006 the Kaye Commission on the Future of Indigent Defense Services declared the New York State System of County-Delivered Indigent Services in crisis and urged the expeditious establishment of an Independent Public Defense Commission; and

WHEREAS, the State of New York and five (5) counties (Ontario, Onondaga, Schuyler, Suffolk and Washington) recently settled *Hurrell-Harring, et. al v. State of New York*, a systemic lawsuit similar to many that have been successful across the country seeking to transform the indigent defense system; and

WHEREAS, the resulting settlement in *Hurrell-Harring* is a good first step toward the State taking back its legal obligation to provide and fund the right to counsel for those criminally charged under *Gideon*; and this settlement should be extended to all counties outside New York City; and

WHEREAS, in settlement of *Hurrell-Harring*, the State has accepted its responsibility to ensure that each person charged with a crime in the five (5) different counties named, is represented by counsel at arraignment; that Indigent Legal Services (ILS) caseload/workload standards are implemented; that dedicated funding will be provided to implement specific quality improvements; and that the State will undertake its best efforts to pay in full for these long-needed measures; and

WHEREAS, the State can improve the public defense system by, incrementally increasing state funding, designing a cost-effective way to finance the system over time, and relieving counties of a responsibility delegated to them in 1965.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That Lewis County supports increased funding with this important justice program and calls upon the State of New York and Governor Cuomo to immediately extend the settlement terms reached in *Hurrell-Harring* to all upstate counties and work with local leaders to implement same.

Section 2. That the Board of Legislators of Lewis County call upon and urge Governor Andrew M. Cuomo and the State of New York to take over full responsibility for indigent criminal defense, by full financial funding for same and by establishment of an independent public defense commission to administer public defense services in all counties of the State.

Section 3. That the Board of Legislators of Lewis County declare that the State funding of indigent criminal defense will relieve the financial strain on county governments for these unfunded mandates, and will provide proper justice to indigent defendants and fair and appropriate fiscal responsibility for same.

Section 4. That copies of this resolution shall be forwarded to Governor Andrew M. Cuomo, Members of the New York State Legislature and all others deemed necessary and proper.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

**RESOLUTION NO. 360 - 2014  
RESOLUTION AMENDING FEE SCHEDULE FOR  
ADMINISTRATION AND ENFORCEMENT OF NYS UNIFORM  
FIRE PREVENTION AND BUILDING CODE**

Introduced by Legislator Jerry King, Chairman of the Building Codes Committee.

WHEREAS, in accordance with Section 15 of Lewis County Local Law No. 9-2006, thereby "Providing for Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code", the Board of Legislators established a fee schedule pursuant to Resolution 107-2007 effective January 1, 2007; and

WHEREAS, the Board of Legislators wishes to amend said schedule.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the fee schedule established pursuant to Resolution 107-2007, to increase the fee to \$.15 Per Square Foot for a permit application for a Residential/Building, or Residential Accessory structure being in size from 145 Sq. Ft., but under 3,499 Sq. Ft.

Section 2. That said increased fee shall take effect on January 1, 2015.

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

Moved by Legislator Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 361 - 2014  
RESOLUTION TO TRANSFER FUNDS  
FIRE/BUILDING CODES DEPARTMENT**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer of funds is hereby approved in the Fire Building Codes for repair of the County 2008 Ford Ranger:

<u>From:</u>	Amount
A1990.4999 (Contingency)	\$493.48

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To:  
A3620.4701 (Vehicle Repair) \$493.48

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

Moved by Legislator Moser, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 362 -2014  
RESOLUTION RECOMMENDING FINANCIAL CONTRIBUTION  
TO WAYNE COUNTY AND NYSAC IN PENDING IN REM TAX FORECLOSURE  
LITIGATION**

Introduced by Philip Hathway, Chairman of Ways and Means Committee, and Jerry King, Chairman of Courts and Law Committee

WHEREAS, New York State Association of Counties (NYSAC) and Wayne County have requested a \$2000 per county contribution to assist Wayne County to continue litigation in the Western District of New York Bankruptcy Court, wherein challenges to the tax foreclosure procedures provided in the Real Property Tax Law under Article 11 have been made and pose significant adverse financial impacts upon all counties, if the challenge is successful; and

WHEREAS, the In Rem tax foreclosure process is the method counties have under New York State law to ensure delinquent local property taxes are paid, not just to counties but to all local governments; and

WHEREAS, by joint financial support as requested, all counties will save substantial court fees and future similar challenges; and

WHEREAS, NYSAC will provide the necessary invoice to the county for its \$2,000 contribution and provide an accounting of same; and

WHEREAS, there are sufficient funds for payment in line item A1420.4902 of the County Attorney's – Legal Services Expense Account; and

WHEREAS, the Treasurer and County Attorney recommend adoption of this resolution.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That Lewis County will support NYSAC and Wayne County by authorizing contribution of \$2,000 from budget line item A1420.4902 of the County Attorney's Legal Services Expense Account, upon receipt of a proper invoice from NYSAC.

Section 2. That a certified copy of this resolution shall be forwarded to NYSAC and to the Wayne County Attorney.



PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 3. That the within resolution shall take effect immediately.  
Moved by Legislator King, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 363 -2014  
RESOLUTION TO CLOSE  
COURT HOUSE CAPITAL ACCOUNT**

Introduced by Legislator Philip Hathway, Chairperson of Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the Court House Capital Account is hereby closed and all funds shall be un-appropriated as follows:

<u>Decrease Expense:</u>	
HB1620.4603	\$ 8,004.12
HB1621.4105	\$ 99,953.73
HB1990.4999	\$1,189,404.25
<u>Decrease Revenue:</u>	
HB57100	\$1,700,000.00
<u>Increase Expense:</u>	
HB9901.9	\$ 126,314.95
<u>Increase Revenue:</u>	
HB24010	\$ 3,336.00
HB24011	\$ 260,359.90
HB24012	\$ 141,073.05
HB27010	\$ 117,671.00
HB27100	\$ 1,976.50
HB30210	\$ 4,536.40

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

Moved by Legislator Moser, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 364 – 2014  
RESOLUTION TO TRANSFER FUNDS  
COMMUNITY SERVICES**

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

BE IT RESOLVED as follows:

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Section 1. That the following budget transfer is hereby approved in the Community Services accounts to cover increased expense for client transport services:

From:  
A4318.4213 (MICA) \$18,000.00

To:  
A4318.4215 (Client Serv) \$18,000.00

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

Moved by Legislator Moroughan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 365 – 2014  
RESOLUTION TO TRANSFER CONTINGENCY FUNDS  
TO CORONER ACCOUNT**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following contingency fund transfer is hereby approved to the Coroner account to cover additional expense for autopsies:

From: Amount  
A1990.4999 (Contingency) \$7,500.00

To:  
A1185.4901 (Prof Serv Coroner) \$7,500.00

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

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

**RESOLUTION NO. 366 - 2014  
RESOLUTION AUTHORIZING AN ADDENDUM  
TO THE AGREEMENT BETWEEN  
LEWIS COUNTY AND MOHAWK VALLEY GIS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Lewis County Economic Development and Planning Department desires to enter into an addendum to the Agreement with Mohawk Valley GIS to provide comprehensive data plan and GPS computer software support and maintenance and mobile program applications to further enhance the public's access to information regarding the recreation and other resources in Lewis County; and

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

WHEREAS, the COUNTY has requested the addition of a new data layer for the "Maple Trail" to showcase area businesses and attractions offering maple syrup and related products.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an addendum to the Agreement between the County of Lewis and Mohawk Valley GIS to provide computer software services utilized by the Lewis County Economic Development and Planning Department for the addition of a new data layer within all application versions, to include a Maple Trail app, to showcase area businesses and attractions offering maple syrup and related products in Lewis County.

Section 2. That the cost to implement, test and resubmit mobile apps within this new feature, under the existing Agreement shall not exceed \$1,500.00.

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 Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 367 - 2014  
RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN  
THE AMERICAN RED CROSS OF NORTHERN NEW YORK  
AND THE LEWIS COUNTY ANIMAL RESPONSE TEAM**

Introduced by Legislator Jerry King, Chairman of the Fire and Emergency Management Committee.

WHEREAS, the American Red Cross of Northern New York ("Red Cross") and the Lewis County Animal Response Team ("Animal Response Team") desire to enter into a Memorandum of Agreement for the purpose of establishing a working relationship to prepare for and respond to disaster at all levels; and

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WHEREAS, the two organizations will render assistance to victims of disaster with a focus on a partnership during shelter operations where the Red Cross focus is to provide shelter to individuals and the Animal Response Team will support by providing additional shelter and care for these individuals' pets; and

WHEREAS, the Board of Legislators wishes to accept services.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the Memorandum of Understanding between the American Red Cross of Northern New York and the Lewis County Animal Response Team for the purpose of establishing a working relationship to prepare for and respond to disaster at all levels.

Section 2. That the term of this Agreement shall be from October 7, 2014 through September 15, 2017.

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 Moser, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 368 - 2014**  
**RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING**  
**BETWEEN THE COUNTY OF LEWIS AND**  
**ALL LEWIS COUNTY FIREFIGHTER DEPARTMENTS**

Introduced by Legislator Jerry King, Chairman of the Fire and Emergency Management Committee.

WHEREAS, the County of Lewis ("County") acknowledges that there are fourteen (14) local Volunteer Fire Departments in Lewis County; namely Beaver Falls, Castorland, Constableville, Copenhagen, Croghan, Glenfield (3-G), Harrisville, Lowville, Lyons Falls, Martinsburg, New Bremen, Port Leyden, Turin and West Leyden; and

WHEREAS, the County of Lewis further acknowledges that from time to time the County requests assistance from local volunteer fire departments to perform various services and/or to allow the County use of its space; and

WHEREAS, the fourteen (14) local Volunteer Fire Departments in Lewis County agree to provide such services and/or other services at the request of the County as they may be able to provide, at the time of such request; and

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WHEREAS, in consideration of their assistance to the County from time to time, the County desires to enter into a Memorandum of Understanding with the fourteen (14) local Volunteer Fire Departments in Lewis County and will contribute a one-time financial contribution of \$470.00 to each Fire Department for such services and cooperative assistance;

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

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the Memorandum of Understanding with the County of Lewis and the fourteen (14) local Volunteer Fire Departments in Lewis County; namely Beaver Falls, Castorland, Constableville, Copenhagen, Croghan, Glenfield (3-G), Harrisville, Lowville, Lyons Falls, Martinsburg, New Bremen, Port Leyden, Turin and West Leyden to perform various services and/or to allow the County use of its space.

Section 2. That Lewis County and will contribute a one-time financial contribution of \$470.00 to each Fire Department for such services and cooperative assistance.

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 Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 369 - 2014  
RESOLUTION AUTHORIZING THE IMPLEMENTATION AND  
FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID and STATE  
“MARCHISELL” PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION  
FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFOR (PIN 775338)**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

WHEREAS, a Project for the Bridge Replacement and Repair on Jerden Falls Road over the West Branch of the Oswegatchie River (PIN 775338; BIN 3340000) (the “Project”) in the Town of Croghan, County of Lewis, 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 80% federal funds and 20% 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 **Preliminary Engineering (Design I-IV) & RIGHT-OF-WAY (ROW) Incidentals Phases** of the Project;

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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 (Design I-IV) & RIGHT-OF WAY (ROW) Incidentals Phases** work for the Project or portions thereof.

Section 3. That the sum of \$100,000.00 is hereby appropriated from County general funds, and made available to cover the cost of participation in the above **PE/Design Phase** of the Project and the sum of \$15,000.00 for the **ROW Incidentals 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, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid 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 and state-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 King, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 370 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**LEWIS COUNTY GENERAL HOSPITAL**

Introduced by Legislator Richard Chartrand, 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>
Physician Office Assistant (1)	Full-Time
Clinic LPN (5)	Full-Time

Section 2. That two (2) Part-time Nurse Case Manager positions are hereby combined into one (1) Full-time Nurse Case Manager position at a salary range between \$26.64 - \$33.59/hr.

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

Moved by Legislator Chartrand, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 371 – 2014  
RESOLUTION TO TRANSFER FUNDS  
OFFICE FOR AGING**

Introduced by Legislator Neil Pepper, Chairman of the Office for the Aging Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers are hereby approved in the Office for the Aging accounts to cover line item expenditures:

<u>From:</u>	
A6772.4407 (supplies)	\$ 1,500.00
A6772.4909 ( misc exp)	2,000.00
A6772.4911 ( prof svc nutrition)	14,490.00
A6772.4915 (prof svc stat)	400.00
A6772.4917 ( prof svc reg dietician)	<u>5,800.00</u>
	\$24,190.00
<u>To:</u>	
A6772.1999 (pers serv ofa prog)	\$ 6,225.00
A6772.4801 (rent)	11,000.00
A6772.4903 (all types ins)	1,065.00
A6772.4913 (prof svc respite)	2,000.00

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A6772.4914 (prof svc legal)	2,000.00
A6772.8999 (fringe)	<u>1,900.00</u>
	\$24,190.00

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

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 372 – 2014  
RESOLUTION AUTHORIZING CONTRACT ADDENDUMS  
WITH VARIOUS OUTSIDE AGENCIES**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves a Contract Addendum for the following listed Outside Agencies for fiscal year 2014, for the amounts set opposite to each:

<u>OUTSIDE AGENCY</u>	<u>AMOUNT</u>
North Country Library System	10,000.00
Lewis County Historical Society	4,525.00
Constable Hall Association	2,700.00
American Maple Museum	1,000.00
Railroad Historical Society NNY	1,000.00

Section 2. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same are hereby authorized to execute and deliver said Contract Addendums.

Section 3. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 373 -2014  
RESOLUTION TO APPROPRIATE FUNDS  
CAPITAL EMERGENCY RADIO SYSTEM**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Capital Emergency Radio System account, from the A9950.9940 (To Capital ERS) funds to be transferred from balance of \$5,528,646.00.



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HA50310 (Inter-fund transfer) \$800,000.00

HA3310.4 (Contractual) \$800,000.00

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

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

**RESOLUTION NO. 374 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
SHERIFF'S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriation is hereby approved in the Sheriff's Department account for Shop with a Cop contribution:

<u>Increase Revenues</u>	<u>Amount:</u>
A27053.4 (Shop with Cop)	\$100.00

<u>Increase Expense:</u>	<u>Amount</u>
A3110.4909 (Misc)	\$100.00

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

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

**RESOLUTION NO. 375 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES  
AND THE HOUSE OF THE GOOD SHEPHERD**

Introduced by Legislator Neil Pepper, 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:

NOVEMBER 4, 2014

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, 2015 through December 31, 2015 at a cost in accordance with the rates set forth by the state in 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 Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 376 - 2014**  
**RESOLUTION AUTHORIZING AGREEMENT**  
**BETWEEN DEPARTMENT OF SOCIAL SERVICES AND**  
**INSIGHTS FORENSIC COUNSELING**

Introduced by Legislator Neil Pepper, 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, 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 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 January 1, 2015 through December 31, 2015 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, pending approval by the County Attorney.

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

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Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 377 - 2014  
RESOLUTION AUTHORIZING COOPERATIVE AGREEMENT  
BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES  
AND THE COUNTY LAW DEPARTMENT FOR CHILD SUPPORT ENFORCEMENT  
PROCEEDINGS**

Introduced by Legislator Neil Pepper, 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. 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.

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Section 3. That the term of this Cooperation Agreement shall be from January 1, 2015 through December 31, 2015 for an amount not to exceed \$41,759.00.

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 Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 378 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES  
AND THE COUNTY LAW DEPARTMENT  
(COLLECTIONS & RECOVERIES)**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Department of Social Services ("DSS") is responsible for the collection of overpayments or recovery of assets in certain programs that provide financial support to Lewis County citizens; and

WHEREAS, the County Attorney has the expertise to provide collection services for the County and to represent the Department in collection and recovery matters; and

WHEREAS, the parties hereto desire to enter into a written agreement setting forth their respective duties; 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 Purchase Of Services Agreement by and between the Department of Social Services and the County Attorney whereby the County Attorney shall be responsible for the collection of overpayments or recovery of assets in certain programs that provide financial support to Lewis County citizens.

Section 2. That the Purchase Of Services Agreement shall further provide for reimbursement to the County Attorney's Office for the cost of providing such collection services. The parties understand that reimbursement is premised on Federal and State statutes, law, rules and regulations. The Department agrees to keep the County Attorney

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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 Purchase Of Services Agreement shall be from January 1, 2015 through December 31, 2015 for an amount not to exceed \$41,403.00.

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 Moser, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 379 - 2014  
RESOLUTION AUTHORIZING COOPERATIVE AGREEMENT  
BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES  
AND THE COUNTY LAW DEPARTMENT FOR  
PURCHASE OF SERVICES**

Introduced by Legislator Neil Pepper, 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 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.

NOVEMBER 4, 2014

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. 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, 2015 through December 31, 2015 for an amount not to exceed \$178,847.00.

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 Pepper , seconded by Legislator King , and adopted.

**RESOLUTION NO. 380 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
RUBENZAHL, KNUDSEN & ASSOCIATES  
PSYCHOLOGICAL SERVICES, P.C.**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an Agreement with Rubenzahl, Knudsen & Associates Psychological Services, P.C., to receive psychological services for rehabilitation and supportive services to families whose children have been named in an indicated child abuse and/or maltreatment report; those who have been

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assessed at risk of foster care placement; or whose placements could be shortened through the provision of such 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 Department of Social Services, and Rubenzahl, Knudsen & Associates Psychological Services, P.C. for the purpose of providing psychological services for rehabilitation and supportive 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, 2015 through December 31, 2015 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, pending approval by the County Attorney.

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

Moved by Legislator Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 381 – 2014  
RESOLUTION TO APPROPRIATE CAPITAL FUNDS  
SOCIAL SERVICES**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Department of Social Services has been authorized to order three (3) - 2015 Ford Fusions through the NYS bidding process award #22737.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Department of Social Services account for the purchase of three (3) Ford Fusion vehicles, utilizing Capital Equipment Funds (HAD9901.9), HAD balance \$369,725.00:

Increase Revenue:

A50310 (Inter-fund transfers)

\$50,687.13

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Increase Expense:

A6010.2233 (Vehicles)

\$50,687.13

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

Moved by Legislator Pepper, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 382 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
THE RESOLUTION CENTER OF JEFFERSON AND LEWIS COUNTIES, INC.**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services (“DSS”) has the responsibility of administering child welfare services for youth and families in Lewis County; and

WHEREAS, DSS wishes to enter into an Agreement with the Resolution Center of Jefferson and Lewis Counties, Inc. to provide mediators to facilitate the process; 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 Resolution Center of Jefferson and Lewis Counties, Inc. for the purpose of providing mediators to facilitate the process of DSS administering child welfare services for youth and families in Lewis County.

Section 2. That the term of this Agreement shall be from January 1, 2015 through December 31, 2015 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 such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 383 - 2014**



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**RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN  
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES  
AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK, INC.**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services (“DSS”) wishes to enter into a Memorandum of Agreement with Transitional Living Services of Northern New York, Inc. (“TLS”) for the purpose of purchasing the services of psychiatric and/or psychological evaluations of individuals receiving services from 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 approves the Memorandum of Agreement with Transitional Living Services of Northern New York, Inc. (“TLS”) for the purpose of purchasing the services of psychiatric and/or psychological evaluations of individuals receiving services from DSS.

Section 2. That the term of this agreement shall be from January 1, 2015 through December 31, 2015 at a cost not to exceed \$143.75 per psychiatric or psychological assessment; \$92.00 per clinical treatment; a rate of \$23.00 for 15 minutes per telephone case consultations with DSS personnel and travel cost to and from home visits and case consultations/treatment plan meetings held outside the TLS office at the rate of 56 cents per mile.

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 Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 384 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
SOLID WASTE DEPARTMENT**

Introduced by Legislator Craig Brennan, Chairman of the Solid Waste Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Solid Waste Department Accounts for repayment of personnel time spent on CSEA Union business:

NOVEMBER 4, 2014

Part One:

Transfer from:

A1910.4999 (Contingency) \$13,876.73

Transfer to:

A9901.9914 (To Solid Waste) \$13,876.73

Part Two:

Increase Revenue:

ES50310 (Inter fund Revenue) \$13,876.73

Increase Expense:

ES8160.1999 (Pers Serv) \$13,876.73

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

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

**RESOLUTION NO. 385 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
STOP DWI PROGRAM**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the DWI accounts for the NYS STOP-DWI 2014-2015 “Crackdown” grant:

Increase Revenue:

A33110 (DWI Grant) \$6,930.00

Increase Expense:

A3315.4906 (DWI Grant) \$6,930.00

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

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

**RESOLUTION NO. 386 – 2014  
RESOLUTION TO UN-APPROPRIATE FUNDS  
STOP DWI PROGRAM**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following un-appropriation of funds is hereby approved in the DWI accounts for the NYS STOP-DWI 2013-2014 "Crackdown" grant:

<u>Decrease Expense:</u> A3315.4906 (DWI Grant)	\$2,024.41
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<u>Decrease Revenue:</u> A33110 (DWI Grant)	\$2,024.41
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 387 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO TREASURER'S DEPARTMENT**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means 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 Treasurer's Department to allow appointing an individual to the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Senior Account Clerk	Temporary Up to 20 Hrs/Week	Grade C19-1 \$16.44/hr.

Section 2. That Treasurer Patricia O'Brien is hereby authorized to fill said position effective retroactively to October 22, 2014 up through December 31, 2014.

Section 3. That the within resolution shall take effect immediately

Moved by Legislator Pepper, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 388 - 2014  
RESOLUTION TO APPROPRIATE AND TRANSFER**

NOVEMBER 4, 2014

**FUNDS  
VARIOUS ACCOUNTS**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget changes are hereby approved in Various Accounts by appropriating the increase of sales tax revenues in 2014, funds from Fund Balance:

Transfer from:

A599 (fund balance)	\$878,225.00
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Transfer to:

A9950.9940 (to Capital Data Processing)	\$ 75,000.00
A9901.9912 (to Co Rd)	100,000.00
A9950.9925 (to Cap Equipment)	98,000.00
A3020.4901 (E911 Prof Serv)	386,000.00
A6410.4901 (I Love NY)	75,000.00
A7410.4999 (Libraries)	10,000.00
A7520.4999 (Historical)	4,525.00
A7521.4999 (Constable)	2,700.00
A7522.4999 (Maple)	1,000.00
A724.4999 (Railroad)	1,000.00
A9950.9923 (To Cap Bldg Maint)	100,000.00
A9950.9940 (To Cap DP)	25,000.00

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

Moved by Legislator Pepper, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 389 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN OF THE  
COUNTY OF LEWIS ESTABLISHING SALARIES OF CERTAIN  
NON-UNION/EXEMPT EMPLOYEES OF LEWIS COUNTY**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, it has heretofore been the policy of the County of Lewis to have the Compensation Plan for the County department heads and other non-union/exempt employees, (except hospital employees) provide for an increase in compensation for such employees at the same percentage rate and to take effect at the same time as similar increases as provided to union (general) employees pursuant to their collective bargaining agreement; and

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WHEREAS, the Board of Legislators has recently concluded its negotiations with the collective bargaining unit for County employees and executed a collective bargaining agreement effective January 1, 2014 through December 31, 2017.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That, except as otherwise set forth herein, the Compensation Plan of the County of Lewis for the period of January 1, 2014 through December 31, 2014, is hereby amended to reflect a change in salary schedule for department heads and other non-union/exempt employees of the County of Lewis (except hospital employees), to provide for a one and three-quarters (1.75%) percentage rate increase in compensation for said non-union/exempt employees for the aforesaid period.

Section 2. That there shall not be a 2014 increase in the compensation and rate applied to those non-union/exempt employees hired after January 1, 2014, i.e., the Information Technology Director, the Deputy Clerk of the Board, and the Director of Fire and Emergency Management.

Section 3. That this resolution shall not include those employees or officers of the County of Lewis serving an elected or appointed term of office, whose salaries may not be adjusted mid-term except by local law, to-wit: the Clerk of the Board, Superintendent of Highways, Commissioner of Social Services, Real Property Tax Director, County Manager, County Attorney, Commissioners of Election, District Attorney, County Clerk, County Treasurer, and County Sheriff.

Section 4. That the Compensation Plan as to such department heads and non-union/exempt employees set forth herein may be further amended or modified in whole or in part by resolution of the Board of Legislators at any time.

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

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

**RESOLUTION NO. 390 - 2014  
RESOLUTION APPROVING AGREEMENT BETWEEN  
LEWIS COUNTY BUILDINGS AND GROUNDS DEPARTMENT AND  
ROY TEITSWORTH, INC., dba RTI INTERNET AUCTIONS**

Introduced by Legislator Philip Hathway, Chairman of the Buildings and Grounds Committee.

WHEREAS, Lewis County Buildings and Grounds Department wishes to enter into an Auctioneers Online Auction Agreement with Roy Teitsworth, Inc., d/b/a RTI Internet Auctions, with offices at 6502 Barber Hill Road, Geneseo, New York 11454; and

NOVEMBER 4, 2014

WHEREAS, the Lewis County Buildings and Grounds Department wishes to sell surplus items by participation in the online auction services provided by Roy Teitsworth, Inc., 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, through the Lewis County Buildings and Grounds Department and Roy Teitsworth, Inc, dba RTI Internet Auctions, to participate in the on- line auction services to sell county surplus items beginning November 4, 2014 through November 11, 2014.

Section 2. That the Lewis County Buildings and Grounds Department Supervisor, 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 Pepper, seconded by Legislator King, and adopted.

**RESOLUTION NO. 391 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
THE COUNTY OF LEWIS AND  
FOOD BANK OF CENTRAL NEW YORK**

Introduced by Legislator Jerry King, Chairman of Emergency Management Committee.

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 Food Bank of Central New York to cooperate in disaster preparedness, mitigation, response and recovery in order to work most effectively for the term beginning November 5, 2014 through November 4, 2015.

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

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

Moved by Legislator Moroughan, seconded by Legislator Pepper, and adopted.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 392 -2014  
RESOLUTION TO APPROPRIATE FUNDS  
JERDEN FALLS ROAD OVER OSWEGATCHIE RIVER**

Introduced by Legislator Philip Hathway, Chairman of Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That \$1.877M shall be appropriated in the Capital Bridge Program to facilitate the PE/Design Phase and ROW Incidentals and Construction Phases of the Bridge on Jerden Falls Road over Oswegatchie River.

Section 2. The following accounts shall be recognized to facilitate the funding of this project:

Revenue:

HAK45910	FEDERAL	\$1,501,600.00
HAK50310	LOCAL	\$ 375,400.00

Expense:

HAK5197.4		\$1,877,000.00
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Section 3. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 393 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
THE COUNTY OF LEWIS AND CAROUSEL INDUSTRIES OF NORTH AMERICA  
FOR A NEW E-911 PHONE SYSTEM AND EQUIPMENT WITH RELATED  
HARDWARE AND SOFTWARE FOR EMERGENCY COMMUNICATIONS CENTER**

Introduced by Legislator Jerry King, Chairman of the Fire and Emergency Management Committee.

WHEREAS, the County of Lewis is in the process of constructing and installing capital equipment for the purpose of upgrading its emergency radio communications system for use by all emergency service agencies (the "Project"); and

WHEREAS, one of the components of the needed upgrades to the emergency communications center is a new and upgraded E-911 phone and equipment system, with a new 911 Backup Center that covers New York State and local government requirements. The proposed system will replace the existing 911 phone system, which is outdated and in need of replacement; and

NOVEMBER 4, 2014

WHEREAS, the County has received a grant from the NYS Division of Homeland Security and Emergency Services in the total amount of \$808,615; and with \$278,073.71 of said grant fund earmarked for the implementation of the E-911 Phone System and 911 Backup Center; and

WHEREAS, a Request For Proposals was issued on or about October 24, 2013 for bids on a new E-911 Phone System under Grant 2012 PASP (Public Safety Answering Point), capable of an upgraded E-911 phone system, its equipment and software, and to include a 911 Backup Center, as well as a system that would be compatible with communications systems in adjoining counties; and

WHEREAS, the Fire and Emergency Management Committee received a timely proposal in response to the RFP from Carousel Industries of North America and reviewed the same together with the assistance of other County staff and consultants; and

WHEREAS, the Fire and Emergency Management Committee believes that the proposal submitted by Carousel Industries of North America provides all of the functional specifications outlined in the RFP without exception, and offers the County a multi-site system with a Command Post and Backup Center system, which includes support services for the first year, with the potential of adding additional modules in the future, and customizing the product to meet the County's needs; and

WHEREAS, therefore, upon a full review and analysis, the Fire and Emergency Management Committee recommends to the full Board of Legislators to purchase the system as proposed by Carousel Industries of North America, namely, the E-911 Cassidian Communications VESTA 4 System, which includes equipment, software and hardware for the main center together with one year support and maintenance services, plus equipment, software and hardware for a backup center together with one year support and maintenance services; and with the funding for same being provided through the NYS Division of Homeland Security and Emergency Services grant previously awarded.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the contract with Carousel Industries of North America for the new E-911 multi-site Phone System, namely, the Cassidian Communications VESTA 4 System with equipment, software and hardware for the main command center, as well as a new 911 Backup Center, together with one year maintenance and support services for both centers, consistent with their proposal submitted September 18, 2013 (the "Carousel Industries Proposal"), including equipment, installation, software and hardware and one year service/support for the following:

Main Center -	\$	187,059.17
Back-up Center -	\$	<u>119,324.28</u>
Sub-total	\$	306,383.45
Carousel Industries Discount	-	<u>-\$ (28,309.74)</u>
Total Cost	\$	278,073.71



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Section 2. The Board of Legislators hereby determines that the "Carousel Industries Proposal" is the "best value" for the County as that term is defined by Local Law No. 7 - 2013 in that it best optimizes quality, cost and efficiency, among responsive and responsible bidders and therefore is in the best interest of the County of Lewis.

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 form(s) as may be approved by the County Attorney.

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

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

**RESOLUTION NO. 394 - 2014  
RESOLUTION AUTHORIZING EXTENSION OF GRANT AGREEMENT BETWEEN  
THE COUNTY OF LEWIS AND THE STATE OF NEW YORK,  
ACTING BY AND THROUGH THE OFFICE OF PARKS, RECREATION AND  
HISTORIC PRESERVATION**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

WHEREAS, the Lewis County Department of Recreation, Forestry and Parks wishes to extend the Grant Agreement, (RTP-11-TI-001) with the State of New York, acting by and through the Office of Parks, Recreation and Historic Preservation; and

WHEREAS, the Board of Legislators wishes to accept such grant.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Modification Agreement by and between the Lewis County Recreation, Forestry and Parks Department and the State of New York, acting by and through the Office of Parks, Recreation and Historic Preservation for the extension of grant funding in the amount of \$108,000.00.

Section 2. That this is for the term beginning April 27, 2011 through December 31, 2015.

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 Moser, seconded by Legislator Brennan, and adopted.

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**RESOLUTION NO. 395 – 2014  
RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENT BETWEEN THE  
COUNTY OF LEWIS AND THE  
LEWIS COUNTY SHERIFF’S ROAD PATROL  
FOR ENROLLMENT IN THE GOLD VISION PLAN**

Introduced by Legislator Bryan Moser, Chairman of the County Officers and Employees Committee.

WHEREAS, the existing contract between the County of Lewis and the Lewis County Sheriff’s Road Patrol employees expires on December 31, 2015; and

WHEREAS, the County of Lewis desires to enter into a Memorandum of Agreement with the Sheriff’s Road Patrol Unit of the Lewis County Local 825 to allow the Road Patrol employees to enroll in the CSEA Employee Benefit Fund agreement recently negotiated and included under the General Employees and Sheriff Employee’s Unit Contracts to include a “Gold 12 Vision Plan”.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the Memorandum of Agreement between the County of Lewis and Lewis County Local 825 of the Civil Service Employee Association, Inc., to allow for Lewis County Sheriff’s Road Patrol Unit employees to participate in the Gold 12 Vision Plan effective November 1, 2014, if eligible under said terms as set forth in the CSEA Employee Benefit Fund Agreement.

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

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Kulzer.

Legislator King wanted further time to consider the issue prior to a vote. County Attorney Joan McNichol explained the agreement with the Road Patrol Unit will not expire until 12/31/2015. Therefore, the action is necessary to amend that agreement to authorize respective employees to avail the enhanced vision plan, likewise as the other ratified union agreements. There is no additional cost to the County other than administration for employee deductions for those opting for the plan, she stated.

Legislator King made a motion to table the resolution, seconded by Legislator Pepper and carried.

**RESOLUTION NO. 396 -2014  
RESOLUTION IN RECOGNITION OF VETERANS’ DAY**

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**AND LEWIS COUNTY ARMED FORCES VETERANS**

Introduced by Legislator Bryan Moser, Chairman of the Veterans' Services Committee.

WHEREAS, the greatest acknowledgement of our freedom is to honor our armed forces veterans who have sacrificed, and many of which have paid the ultimate price for our freedom; and

WHEREAS, Lewis County recognizes and respects the more than twenty-two hundred County veterans for their many contributions; and

WHEREAS, we, along with millions of other Americans, can attest to the importance of their sacrifices and contributions for our freedom and security; and

WHEREAS, Lewis County realizes that many veterans who gave so much of themselves returned home without any recognition, and were denied educational and occupational opportunities; and

WHEREAS, we value and appreciate that the veteran population of our County contributes handsomely to the social, economic and political successes of our County through programs, expenditures (more than \$4,000,000 in Calendar Year 2013) and active participation; and

WHEREAS, both men and women of our armed forces continue to be an inspiration to all of us through their demonstration of courage, leadership and commitment in service to our community and country; and

WHEREAS, in 1975, Congress voted to make November 11, Veterans' Day, in honor of veterans, living and dead, who served in the armed forces; and

WHEREAS, we in Lewis County will always remember and pay homage to members of the military, both active and inactive, for their contribution, dedication and commitment to the cause of our freedom.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That that in observance of Veterans' Day, Tuesday, November 11, 2014, this Board of Legislators proudly joins the rest of our Nation to salute and give special honor and recognition to the men and women who served us in our armed forces.

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

**OTHER BUSINESS:**

The Chairman reported he had declared October 30, 2014 as "Weatherization Day" in recognition of National Energy Awareness Month, and had personally presented the proclamation

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at the event sponsored by Lewis County Opportunities, Inc. Their agency has weatherized hundreds of Lewis County homes over the past several years.

Legislator Chartrand reported attending the recent signing of the 20-year power contract at Fort Drum for a Survival Mass Fuel Plant, the largest of its kind in the Country. He expects the plant to effect benefits to Lewis County, along with the adjacent regions.

Legislator Chartrand further relayed urging from Assemblyman Blankenbush for the County to continue vying for available State funds for bridge rehabilitation projects.

There being no other business to come before the Board, Legislator Brennan made a motion to adjourn at 6:02 p.m., seconded by Legislator Chartrand and carried.

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**SECOND DAY  
ANNUAL SESSION  
November 25, 2014**

The meeting was called to order at 5:15 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

Chairman Tabolt offered the Invocation followed by a moment of silence for those deceased, and led the Pledge of Allegiance to the Flag.

There were 11 persons present.

Chairman Tabolt announced approval of the November 4, 2014 meeting minutes.

**REPORT OF THE RULES AND LEGISLATION COMMITTEE:**

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

Lawrence Dolhof, Chairman  
Bryan Moser  
Craig Brennan, Committee

Dated: November 25, 2014

Legislator Moser made a motion to waive the rules, seconded by Legislator Brennan, and carried.

**PRIVILEGE OF THE FLOOR:**

Arlene Hall, Executive Director of Mountain View Prevention Services, distributed and encouraged each Legislator to read informational pamphlets about their sponsored community forum spotlighting the heroin epidemic. One hundred attendees representing 30 groups, organizations, schools and agencies listened to featured speakers from the Upstate New York Poison Control Center. Most notably, Conifer Park of Schenectady, who provides in-patient services for our tri-county residents, had set up a table at the event to distribute information, as did Access Care and Resources, Credo Community Center and the local Coalition.

Mrs. Hall referenced and strongly encouraged reading “real stories” on the State website at [combatheroin.ny.gov](http://combatheroin.ny.gov). Persons may make referrals to Mountain View Prevention Services, Credo Community Center, the hotline available 24/7 at 1-877-8-HopeNY; or [mountainview.org](http://mountainview.org) for a substance abuse self-screening that provides contact information for assistance.

In conclusion, Mrs. Hall announced that Jefferson County would sponsor a similar seminar on 12/11/14. The Poison Control Center guest speaker, she said, had noted like presentations throughout 54 counties across the State and was impressed with the illustrated local interest and participation. Mrs. Hall thanked the Board for their efforts and supporting County appropriations.

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REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, reported that County auction items were sold “as is” equating proceeds of \$11,388.05. The in-ground tank project at the public safety building will be deferred until spring 2015. Meanwhile, the Town of Lowville is working to repair the bleeder valves. The threshold at the public safety building is being renovated to comply with the Americans With Disability Act (ADA).

Legislator Hathway reported a 2015 priority project is to repair the Outer Stowe Street parking lot, and remains optimistic for State grant funding, when successful applicants are publicly announced by the State on December 10, 2014.

Legislator Neil Pepper, Office For the Aging/Social Services/Youth Committee Chairman, encouraged everyone to participate in the “Santa For Seniors” program sponsored through the Office For Aging.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, made a motion to authorize Sheriff Carpinelli to purchase two (2) 2015 Polaris Switchback 600 Adventure snowmobiles from Gamble Distributors, Inc. for a total of \$19,940.00, seconded by Legislator Dolhof and carried.

Legislator King made a motion to authorize Chairman Tabolt to forward a letter on behalf of the Board in support of the North, Central and South Lewis County Volunteer Fire Department applications, for an “Assistance To Firefighters” grant through FEMA. The grant funds would aid their efforts to purchase new radios that are compatible with the overall communications upgrades now in progress. The motion was seconded by Legislator Chartrand and carried.

Legislator Lawrence Dolhof, Economic Development/Recreation Trails Committee Chairman, urged support of his sponsored resolution for recommended changes to the Adirondack State Land Master Plan. There will be a memorandum of understanding drawn up between the Recreation/Forestry and Parks Director and the Sheriff for ATV law enforcement. The railroad easement from Burdick’s Crossing to Glenfield has all been brush-hogged, but gates will be erected in the spring to prohibit trucks from traveling that portion of the trail.

Legislator Dolhof reported that Bernier, Carr and Associates have been asked to consider 4 or 5 additional prospective sites in their commerce park conceptual design development. Also, Tom Gillette is heading up research to determine the feasibility of constructing satellite educational facilities in Lewis County.

Legislator Dolhof reported that Frank Pace and Soil and Water Conservation District employees had received flood mitigation and monitoring training. Mr. Pace added that five persons have been certified to operate the monitoring system, and that Soil and Water would be

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

purchasing related equipment. The NYSDOT has authorized the equipment to be placed on bridges to enhance monitoring operations.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, thanked the Buildings and Grounds personnel for the great job to complete the drain and floor at the Highway garage.

The Jerden Falls Road Bridge repair has been completed in response to the “flagged” designation, which should be removed upon inspection. Legislator Brennan thanked Jefferson County for their engineering assistance with bridge repairs. The bids for the VanAmber Road Bridge were opened earlier in the day and were notably less than projected.

Legislator Brennan reported that handling fees of \$10 for old televisions and monitors up to 20” and \$20 for anything over 20”, would be presented at the next meeting, as imposed in Jefferson and St. Lawrence Counties. The revenue will offset the expense of exporting these recyclable items.

Legislator Gregory Kulzer, Taxation/Information Technology/Elections/Agriculture Committee Chairman, reported that Internet connections had been installed at the Lowville Commons to meet the needs of the Board of Elections.

Legislator Kulzer also reported that a Tax Map Technician position will be replaced by a Tax Map Technician Trainee at a lesser rate; and that it had been determined that a Tax Map Technician had been working out-of-title and would be promoted to a Geographic Information Specialist.

### SPECIAL COMMITTEE REPORT:

In response to the Board’s resolution requesting State reimbursement for flood damage expenses, Chairman Tabolt reported receiving a call from the Governor’s office informing their intent to reimburse the County and the local municipal share.

The Board had also penned their concern with State Legislation that would have provided additional benefits to veterans, affirming no objection to the enhanced benefits, but invoking the State assume fiscal responsibility for related costs. Chairman Tabolt was pleased to report the Governor had vetoed the legislation, citing NYSAC’s support. Senator Griffo and Assemblyman Blankenbush have each indicated their support of the Board’s position, expecting an amended State Bill.

Chairman Tabolt relayed receipt of a letter from R. E. Energy thanking the Board for documenting support for renewal of energy credits, reporting their 3-year energy credit extension.

Chairman Tabolt also relayed being informed by the Croghan Town Board of the impending retirement of their dog catcher, who provides related services to several towns. They wanted to put the County on notice for an impending request to take over animal control services.

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**RESOLUTION NO. 397 - 2014  
RESOLUTION TO SET PUBLIC HEARING ON  
2015 TENTATIVE LEWIS COUNTY BUDGET**

Introduced by Legislator Philip Hathway, 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 2015 Tentative County Budget to be held in the second floor board room of the County Court House, State Street, Lowville, New York on the 2<sup>nd</sup> of December, 2014 to begin at 5:00 p.m.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 398 - 2014  
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW  
(INTRODUCTORY NO. 7 - 2014), COUNTY OF LEWIS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, there was presented and introduced at a meeting of this Board of Legislators held on November 4, 2014 a proposed Local Law entitled “**A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS.**”

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on December 2, 2014, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York to hear all persons for or against such Local Law.

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

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



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**LOCAL LAW (INTRODUCTORY NO. 8 - 2014)  
COUNTY OF LEWIS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

**A LOCAL LAW RESCINDING LOCAL LAW NO. 8-2014 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2015 BUDGET**

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

SECTION 1. TITLE

This Local Law shall be known as **“A LOCAL LAW RESCINDING LOCAL LAW NO. 8-2014 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2015 BUDGET.”**

SECTION 2. LEGISLATIVE FINDINGS

The Board of Legislators for the County of Lewis hereby finds and determines that the anticipated budgetary needs for fiscal 2015 will have Lewis County remain within the tax levy limit established by General Municipal Law § 3-c, and more commonly referred to as the **“2% tax cap”**, as that term is therein defined and calculated.

SECTION 3. ENACTMENT AUTHORITY

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

SECTION 4. OVERRIDE AUTHORIZATION NOT REQUIRED

The Board of Legislators has adopted a budget for fiscal year 2015 that does not exceed the “tax levy limit” as that term is defined and calculated pursuant to the provisions of General Municipal Law § 3-c, and therefore, the Board of Legislators authorizes rescission of Local Law No. 8-2014.

SECTION 5. EFFECTIVE DATE

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

**RESOLUTION NO. 399 - 2014  
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW**

NOVEMBER 25, 2014

**(INTRODUCTORY NO. 8 - 2014), COUNTY OF LEWIS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on November 25, 2014 a proposed Local Law entitled **“LOCAL LAW RESCINDING LOCAL LAW NO. 8-2014 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2015 BUDGET.”**

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on December 2, 2014, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York to hear all persons for or against such Local Law.

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

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

**LOCAL LAW (INTRODUCTORY NO. 9-2014)  
COUNTY OF LEWIS**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Committee.

**A LOCAL LAW ESTABLISHING RESIDENCY REQUIREMENTS  
FOR ASSISTANT DISTRICT ATTORNEY FOR THE COUNTY OF LEWIS**

SECTION 1. TITLE

This local law shall be entitled “A Local Law Establishing the Residency Requirements for Assistant District Attorney for the County of Lewis.”

SECTION 2. PURPOSE

The purpose of this Local Law is to establish the residency requirements for the position of Assistant District Attorney for the County of Lewis.

SECTION 3. AUTHORITY

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This local law is enacted pursuant to the authority granted by Municipal Home Rule Law § 10 and Public Officers Law § 3(1).

**SECTION 4. 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 Assistant District Attorney for the County of Lewis, provided, however, that such person performing the duties and functions of Assistant District Attorney for the County of Lewis is a resident of an adjoining county within New York State, and establishes his or her residence within Lewis County no more than twelve (12) months from date of accepting the position.

**SECTION 5. EFFECTIVE DATE**

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

**RESOLUTION NO. 400 - 2014  
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW  
(INTRODUCTORY NO. 9 - 2014), COUNTY OF LEWIS**

Introduced by Legislator Jerry King, 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 November 25, 2014, a proposed Local Law entitled "**A LOCAL LAW ESTABLISHING RESIDENCY REQUIREMENTS FOR ASSISTANT DISTRICT ATTORNEY FOR THE COUNTY OF LEWIS**".

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on December 2, 2014, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York to hear all persons for or against such local law.

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

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

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**RESOLUTION NO. 401 - 2014  
RESOLUTION AMENDING 2015 TENTATIVE COUNTY BUDGET BY  
AMENDING COMPENSATION PLAN WITH REFERENCE TO  
LEWIS COUNTY SELF-INSURANCE PLAN**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the 2015 Tentative County Budget, by amending the Compensation Plan of the County of Lewis, to set the 2015 salary for the Administrator of the Lewis County Self-Insurance Plan at \$9,123.00.

Section 2. That the Treasurer is hereby authorized to amend the Tentative Budget Schedule 5-S1710.4 Administrator to \$9,123.00; increase Account S1710.1999 to \$9,123.00 and decrease Account S1710.4903 to \$12,240.00.

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

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

**RESOLUTION NO. 402 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
CAPITAL BUILDING MAINTENANCE**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved to the Capital Building Maintenance account; balance of \$413,484.00 funds from A9950.9923 (To Capital Building Maintenance) for Stowe Street maintenance expense:

HAC50310 (Inter-fund transfer) \$100,000.00

HAC1621.4 (Stowe St Maint) \$100,000.00

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

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

**RESOLUTION NO. 403 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
CAPITAL DATA PROCESSING**

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Introduced by Legislator Philip Hathway., Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved to the Capital Data Processing account; balance of \$96,392.00, funds from A9950.9940 (To Capital Data Processing):

HAE50310 (Inter-fund transfer)	\$100,000.00
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HAE9901.9 (Inter-fund transfer)	\$100,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 404 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
CAPITAL EQUIPMENT**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved to the Capital Equipment account; balance of \$319,043.00, funds transferred from A9950.9925 (To Capital Equipment):

HAD50310(Interfund transfer)	\$98,000.00
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HAD9901.9(Interfund transfer)	\$98,000.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 405 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO DISTRICT ATTORNEY OFFICE**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

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WHEREAS, the Assistant District Attorney has informed his intent to resign from his position in the near future, pending confirmation of his start date with his prospective employer.

Now, therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes District Attorney Leanne Moser to hire a Temporary Full-time Assistant District Attorney, effective December 1, 2014.

Section 2. That the appointment of said Assistant District Attorney shall become permanent, simultaneously effective upon the resignation of the current Assistant District Attorney.

Section 3. That the annual salary of said Assistant District Attorney shall be \$57,500.00, effective December 1, 2014.

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

Moved by Legislator Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 406 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
THE COUNTY OF LEWIS AND  
NYS DIVISION OF HOMELAND SECURITY  
AND EMERGENCY SERVICES**

Introduced by Legislator Jerry King, Chairman of Courts and Law Committee.

WHEREAS, the County of Lewis has entered an Agreement with the New York State Division of Homeland Security and Emergency Services in the amount of \$6,000,000.00 for the Radio System Project ("Project"); and

WHEREAS, the Project consists of constructing and installing capital equipment for the purpose of upgrading the emergency radio communications system for use by all emergency service agencies including but not limited to the Public Safety, Emergency Response and Law Enforcement within Lewis County, and also to be compatible with communications systems in adjoining counties; and

WHEREAS, the Board of Legislators wishes to extend the period of the grant to allow adequate time to complete the project and expend the funds.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves an extension of the Agreement between the County of Lewis and the New York State Division of Homeland Security and

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Emergency Services for the grant award of \$6,000,000.00 for the Radio Systems Project through December 5, 2015.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreement.

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

Moved by Legislator Moroughan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 407 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
TRANSPORTATION DEPARTMENT**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Highway Department Account for bridge repairs:

Increase Revenue:	
D50310 (Inter-fund Revenue)	\$100,000.00
Increase Expense:	
D5110.49 (Maint Materials)	\$100,000.00

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

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 408 - 2014  
RESOLUTION AUTHORIZING AGREEMENT WITH  
NYS DIVISION OF CRIMINAL JUSTICE SERVICES AND  
PROBATION DEPARTMENT –IGNITION INTERLOCK PROGRAM**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a grant Agreement between the New York State Division of Criminal Justice Services, by and through the Probation Department, for a GTSC Ignition Interlock Device Monitoring Program.

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Section 2. That said Agreement shall be effective for the period from October 1, 2014 through September 30, 2015, in the total amount of \$5,535.00.

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 Pepper, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 409 - 2014  
RESOLUTION AMENDING COMPENSATION PLAN  
WITH REFERENCE TO SHERIFF'S PARKS & RECREATION PATROLS**

Introduced by Legislator Jerry King, 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 positions for the winter Parks and Recreation patrols:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Deputy Sheriff (6)	Temporary Part-time	Grade 22A

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said positions Effective immediately through April 30, 2015.

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

Moved by Legislator King, seconded by Legislator Pepper.

Legislator King made a motion to amend Section 1 to reduce the number of created positions to five (5), seconded by Legislator Dolhof and carried.

The resolution was then adopted.

**RESOLUTION NO. 410 - 2014  
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS  
SHERIFF'S DEPARTMENT**



PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2014 budget changes are hereby approved in the Sheriff's Department accounts for the purchase of two (2) snowmobiles, utilizing Capital Equipment funds from HAD9901.9; balance \$319,043.00:

Part 1

Appropriate:	Amount:
A50310 (Inter-fund Transfer)	\$18,000.00
A3112.2909 (Misc Equip)	\$18,000.00

Part 2

Transfer:	
A3112.1103 (Parks & Rec Overtime)	\$1,940.00
A3112.2909 (Misc Equip)	\$1,940.00

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

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

**RESOLUTION NO. 411 - 2014  
RESOLUTION SUPPORTING THE RECOMMENDATIONS OF THE  
ADIRONDACK ASSOCIATION OF TOWNS AND VILLAGES AND  
THE ADIRONDACK PARK LOCAL GOVERNMENT REVIEW BOARD  
TO AMEND THE ADIRONDACK STATE LAND MASTER PLAN**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development and Planning Committee.

WHEREAS, the Adirondack Association of Towns & Villages (AATV) and the Adirondack Park Local Government Review Board have long advocated for a comprehensive review of the Adirondack Park State Land Master Plan (SLMP) - the document that governs the use of all 2,614,000 acres of State-owned land in the Adirondacks; and

WHEREAS, the Adirondack Park Agency is currently initiating a process to review and amend the SLMP - which has not had a major review in a quarter century - and is in need of significant revisions to reflect the realities of today's Adirondacks and the needs of the people who seek to make their homes and earn their livings here; and

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WHEREAS, upon passage of the Adirondack Park Agency Act by the New York State legislature, the Act required the Adirondack Park Agency (APA) to draft the Adirondack State Land Master Plan for approval by the Governor; and

WHEREAS, Governor Rockefeller's Memorandum in Support of the Act, and the Press Release he issued when he signed the SLMP in 1972 made it very clear that both he and the State legislature intended that the State interest in the protection and preservation of the natural resources of the Adirondacks be balanced with the needs of the residents for a strong economy and healthy communities; and

WHEREAS, the Statement of Legislative Findings and Purposes of the APA Act (Section 801) states:

"The basic purpose of this article is to insure optimum overall conservation, protection, preservation, development and use of the unique scenic, aesthetic, wildlife, recreational, open space, historic, ecological and natural resources of the Adirondack park. A further purpose of this article is to focus the responsibility for developing long-range park policy in a forum reflecting Statewide concern. This policy shall recognize the major State interest in the conservation, use and development of the park's resources and the preservation of its open space character, and at the same time, provide a continuing role for local government."

WHEREAS, for the past four decades, State land purchasing and management policy in the Adirondacks have been tipped decidedly against economic sustainability. During that time, many traditional uses have been severely restricted or prohibited, and 320,000 acres of productive private forest lands have been purchased and converted to "forever wild" State forest preserve lands; and

WHEREAS, today, as documented in the 2014 *Adirondack Park Regional Assessment*, Adirondack populations continue to dwindle, schools continue to lose students, and emergency services continue to struggle financially and lose volunteers; and

WHEREAS, in recognition of the Agency's current willingness to review and amend the SLMP, it is incumbent on local government to take this **unique** opportunity to support amendments to the SLMP that reflect the need for economic development **sensibly balanced** with the character of the Adirondacks; and

WHEREAS, the Adirondack Park Local Government Review Board (Review Board) and the Adirondack Association of Towns and Villages (AATV) have prepared the attached list of their recommendations for changes in the SLMP.

Now, therefore, BE IT RESOLVED, that the Lewis County Board of Legislators hereby states its support for the recommended amendments to the State Land Master Plan attached hereto, to which this Board has additionally urged changes for ATV use, and cited the importance of forestry and logging industries, and encourages the AATV and the Review Board to pursue said recommendations with all due haste; and

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Be it further RESOLVED, that a copy of this resolution shall be forwarded to Deputy Director of Planning, Kathy Regan, Adirondack Park Agency, PO Box 99, Ray Brook, NY 12977 and via email to [SLP\\_Comments@apa.ny.gov](mailto:SLP_Comments@apa.ny.gov); and

Be it further RESOLVED, that a copy of this resolution be forwarded to Governor Andrew Cuomo, Senator Kirsten Gillibrand, Senator Charles Schumer, Congresswoman-Elect Elise Stefanik, Senate Majority Leader Dean Skelos, Senator Elizabeth Little, Senator Hugh Farley, Senator James E. Seward, Senator Joseph A. Griffo, Senator Patty Ritchie, Senator Kathy Marchione, Senator David Valesky, Senator Liz Krueger, Assemblyman Dan Stec, Assemblywoman Janet L. Duprey, Assemblyman Al Graf, Assemblyman Mark Butler, Assemblyman Ken Blankenbush, Assemblyman Robert Sweeney, DEC Commissioner Joe Martens, Assembly Speaker Sheldon Silver, DEC Region 5 Director Bob Stegemann, DEC Region 6 Director, Judy Drabicki, the Twelve Counties of the Adirondacks, the Adirondack Park Agency, the Adirondack Association of Towns and Villages and the Adirondack Park Local Government Review Board.

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

### Amending New York's State Land Master Plan:

**Return Balance to the Plan:** The introduction to the Plan contends that “the protection and preservation of the natural resources of the state lands within the Adirondacks must be paramount.” However, when the APA was created, and the SLMP was developed, the guiding documents from the state legislature and governor made it clear that the **complementary needs of the environment and the economy should be balanced** on state lands. For the past four decades, state land purchasing and management policy in the Adirondacks have been tipped decidedly against economic sustainability. During that time, many traditional uses have been severely restricted or prohibited, and 320,000 acres of productive private forest lands have been purchased and converted to state forest preserve lands. Today, as documented in the 2014 Adirondack Park Regional Assessment, Adirondack populations continue to dwindle, schools continue to lose students, and emergency services continue to struggle financially and lose volunteers. The time is here to amend the SLMP to reflect the need for economic development that is complementary with the character of the Adirondacks.

**Maintain Scenic Vistas:** The writers of the SLMP were visionary in creating roadside pull-offs where visitors and local residents alike could enjoy a multitude of scenic vistas. Currently, however, there is no provision in the Plan to allow the trimming or removal of vegetative growth that blocks these views. We propose a provision be added to restore and maintain these vistas through trimming or cutting.

**Expand Mountain Bike Uses:** Modern visitors bring bikes to explore the Adirondacks, but cannot see some of our most majestic areas. Currently, mountain bikes are not allowed in areas designated as Wilderness, Primitive or Canoe. The Plan should be updated to allow bicycles to use existing roads and state truck trails

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in those areas – corridors that would be designated for such uses if the road infrastructure exists to support it. Bikers, like hikers, hunters and those who fish, bring money into our communities and return regularly to use state land.

**Address Invasive Species:** As is all too apparent from the challenge now confronting Lake George, in the southeastern Adirondacks, we need to protect our lakes from the threat posed by invasive species – something that was not envisioned when the Plan was created. We propose adding a provision in the Plan that calls on the state DEC to create boat inspection and washing stations in Intensive Use areas on major water bodies and/or major Adirondack entry points to help block invasive species.

**Improve Snowmobile Trails:** The current Plan calls for snowmobile trails in the Adirondacks to be "essentially the same character as a foot trail." While that might have made sense with the snowmobiles being ridden in 1972 – due to the use of approved mechanical groomers and rider safety - it does not make sense in 2014. Snowmobile trails can certainly exist and be maintained over some existing hiking trails, as the Plan suggests, but in order to be safe today's modern snowmobiles need wider paths, deeper snow pack and wider turns than what would be expected of a foot trail. We propose changing the language to ensure that snowmobile trails are not required to be of the same character as foot trails.

**Allow For More Grooming of Cross Country Ski Trails:** The current Plan allows cross-country ski trails to be groomed only on Intensive Use areas. We propose that grooming also be allowed in Wild Forest areas to open up more state land to be used by the passive recreational skier. Grooming is currently not permitted in Wild Forest areas, though the current guidelines call on the state to "provide the types of outdoor recreation that will afford public enjoyment without impairing the Wild Forest atmosphere."

**Powder Skiing:** We support the call by the Adirondack Powder Skier Association to create a provision in the Plan that would allow low-impact ski touring trails to be created in certain Wilderness and Wild Forest areas. Once again, it would bring a low-impact wintertime activity to certain areas of the Adirondacks that would help local and regional economies.

**Improve Float Plane Access:** When Lows Lake in St. Lawrence County was closed to float planes, the DEC promised to designate areas in the Adirondacks where floatplanes would be allowed to land, leave visitors and take off again. That designation has not yet happened and we call on the APA to study alternative lakes for landings and to make good on that DEC promise!

**Natural Materials/Bridges:** New and existing bridges are currently required to be constructed of natural materials. Suspension bridges, such as the existing bridge at Whitehouse on the Northville-Placid Trail, are scheduled for removal because steel cables were used in the original construction. Likewise, a new bridge proposed over the Cedar River in the Essex Chain Lakes, would have a lower profile, if

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permitted to be constructed of “man-made” materials, such as steel. The plan needs to take a common sense approach to new bridge construction and maintaining existing infrastructure.

**Amend the Signage Policies:** Many small businesses are located off the main highways on side roads where the travelling public is not aware of their existence due to current sign restrictions. Small business is the largest segment of our economy and promoting such with appropriate signage may make the difference for their survival. Additionally, there are few signs alerting tourists to our major attractions, such as the Adirondack Museum and the Wild Center. Exit 29 on the Northway is a prime example where tourists could exit for these attractions, yet there are no signs on the Northway or at the exits when they get off. We propose amending the SLMP to allow standardized signs on the Northway, other main highways and state rights of way directing visitors to lodging, gas, food, local businesses, and tourist destinations.

**Increase ATV Use:** Lewis County would like the State to understand the impact that legal ATV use can have on the economic sustainability of Adirondack and North Country counties and consideration of ATV trails and use of ATV’s on State lands is a significant issue in the SLMP.

**Forestry and Logging:** Lewis County would also like to cite the importance of forestry and logging industries to the economy and relaxing State restrictions on their land should be considered as a vital component of improving the economic sustainability.

### OTHER BUSINESS:

Legislator King requested a letter be forwarded to Governor Cuomo to entice timely reimbursement of State grant funds upon project and paperwork completion. He cited outstanding grant receipts for a Highway project, as well as renovations completed at Constable Hall.

Legislator Hathway stated his concerns with the Hospital proposed 2015 budget based on utilization and financial records for the previous 34 months. During that period there were only a minimal number of months that projected levels were attained for operating income; gross patient care revenue; net patient care revenue; total operating revenue; units of service for surgeries, surgeon visits, Obygn visits, admissions and clinic visits. Two surgeons and other doctors have left the facility or have given their notice to leave in the near future, without replacement confirmation. Accordingly, Legislator Hathway remains pessimistic for how the respective units of service and related revenue can be maintained. Regardless, he declared he would not reject their budget, but wanted his concerns on the record.

County Manager Liz Swearingin shares Legislator Hathway’s concerns for the proposed increased volumes that impact annual revenue projections, terming them counter intuitive, while citing the Hospital’s financial history, coupled with fundamental changes promoting health care outside the hospital environment. Moreover, our population remains stagnant. Ms. Swearingin

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asserted the Board of Legislators' accountability to the public is to appoint knowledgeable qualified members to the Hospital Board of Managers. The Managers are then charged to conduct due diligence to effect appropriate budget and policy oversight to maintain operations. The Board of Managers approved the 2015 proposed budget with only one dissenting vote. Therefore, void of any conflicting or quantifiable information, Ms. Swearingin submits that Legislator's confidence in the Board of Managers should be illustrated by approval of the proposed budget.

Legislator Chartrand pointed out the Hospital's \$11 Million deficit of six months ago that is projected at zero by the end of the year; and that both Boards agreed to the Memorandum of Agreement that outlines their debt repayment plan. However, he remains perplexed about the numbers.

Legislator Moser queried the validity of the zero debt projection, while citing the substantial outstanding debt owed to vendors; while admittedly confused about the Hospital's accounting methods. He was concerned that the County would have to cover the expense if the vendors randomly demanded payment.

Ms. Swearingin distinguished the debt to the County as totally separate from the facility's outstanding vendor debt, although stated the average 120-day payment is comparatively longer than the industry average. Legislator Hathway reported that all local vendors had been paid in full in 2013, which relieved fiscal pressure for the small businesses.

Legislator Chartrand conceded the expressed concerns were valid, but acknowledged the Board of Managers are of the Legislators' ongoing scrutiny and expect to make adjustments as necessary.

Legislators Pepper and King each impressed they do not want to break the Agreement, rather provide Hospital officials an opportunity to attain their outlined goals.

There being no other business to come before the Board, Legislator Brennan made a motion to adjourn at 6:029 p.m., seconded by Legislator Chartrand and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**THIRD DAY  
ANNUAL SESSION  
December 2, 2014**

The meeting was called to order at 5:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislator King whom was excused.

Chairman Tabolt offered the Invocation followed by a moment of silence for those deceased, and led the Pledge of Allegiance to the Flag.

There were 17 persons present.

**REPORT OF THE RULES AND LEGISLATION COMMITTEE:**

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

Lawrence Dolhof, Chairman  
Bryan Moser  
Craig Brennan, Committee

Dated: December 2, 2014

Legislator Moser made a motion to waive the rules, seconded by Legislator Dolhof, and carried.

Chairman Tabolt opened the public hearing for comments on the 2015 Tentative County Budget; and Local Laws (Intro. No. 7-2014) Providing for Increases to Salaries of Certain Local Officials; (Intro. No. 8-2014) Rescinding Local Law No. 8-2014 To Override the Tax Levy Limit Established by General Municipal Law Section 3-c (2% Tax Cap) for 2015 Budget; and (Intro. No. 9-2014) Establishing Residency Requirements for Assistant District Attorney for the County of Lewis. No one wished to speak.

**PRESENTATION OF COMMUNICATIONS AND NOTICES:**

New York Assemblyman Brian Kolb acknowledged receipt of the Board's request for additional State Disaster Aid to cover expenses related to Lewis County's flood disaster in May 2014.

The Hamilton and Warren County Board of Supervisors and the Town Council of Wells, each forwarded a Resolution supporting the Adirondack Park Local Government Review Board recommendations to amend the Adirondack State Land Master Plan.

The Delaware County Board of Supervisors forwarded a Resolution calling upon the State to develop a 100 percent State funded indigent legal defense system as a way to provide mandate relief and lower property taxes.

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The Fulton County Board of Supervisors forwarded a Resolution supporting repeal of the New York State "Scaffold Law".

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

The Clerk reported distributing copies to all Legislators of the Treasurer's November monthly report; the 12/1/14 Highway Audit Report, the 12/1/14 Solid Waste Audit Report; and minutes of the 10/21/14 Soil and Water Conservation District Board of Directors and the 11/25/14 Youth Bureau Advisory Board meetings.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means Committee Chairman, commended Budget Officer Liz Swearingin and Deputy Budget Officer Patricia O'Brien for their diligent work during preparation of the 2015 County Budget.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, responded to Legislator Hathway that he anticipates the engineers will provide their recommendation next week after reviewing the bids submitted for the VanAmber Road Bridge.

Legislator Richard Chartrand, Hospital Committee Chairman, announced the October employee-of-the month was Nancy Kovach, registered nurse and Infection Control nurse. She was commended for her professional and efficient response to develop protocols and policies in the event of an Ebola outbreak; and is diligent to listen and respond to various infectious incidents.

Legislator Chartrand reported the resignation of Dr. Norman Neches; and that Dr. Carr and a partner from Fort Drum will commence practice next month. St. Joseph's Hospital is researching possible partnership with another north country facility to provide cardiology services at our Hospital, in an effort to reduce the number of emergency room patients transferred to Utica. Also, their clinic manager will report in January his recommendations to increase the utilization and cash flow of our clinics. The staff have reviewed the coding processes and are updating respective policies to positively impact profit and billing. The Hospital anticipates receipt of \$1.3 Million IGT funds during December, as well as other grant funds of \$625,000 by the end of January.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported review of the proposed public health resolutions, as well as an update from Fiscal Manager Paula Kaufmann on Pre-School Medicaid billing.

Legislator Moroughan also reported that the NYS Dept. of Health had informed their approval to extend the term of Interim Director of Community Services Sarah Bullock to 4/30/16. Transitional Living Services has commenced services at the Beaver Falls and Lyons Falls clinic locations; and the Childrens' Home of Jefferson County has opened an office at the Lowville Medical Center with Dr. Lyndaker.



PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 \$ 653,358.99 and recommend that they be audited and allowed for the amounts claimed.

Philip Hathway, Chair  
Jerry King, Committee  
Richard Chartrand, Committee

Dated: December 2, 2014

Approved on motion by Legislator Chartrand, seconded by Legislator Moser, and carried.

**RESOLUTION NO. 412 - 2014  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 653,358.99 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 Brennan, seconded by Legislator Hathway, and adopted by roll call vote:

YEAS: Brennan, Chartrand, Dolhof, Hathway, Kulzer, Moroughan, Moser, Pepper, Tabolt

NAYS: None.

ABSENT: King

**RESOLUTION NO. 413 - 2014  
RESOLUTION APPROVING APPLICATION FEE INCREASE  
CIVIL SERVICE EXAMINATIONS**

DECEMBER 2, 2014

Introduced by Legislator Bryan Moser, Chairman of the County Officers' Committee.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves an increase of Uniformed Protective Services examinations (Police, Deputy Sheriff and Correction series) from \$15.00 to \$20.00 per candidate, effective January 1, 2015

Section 2. That the fee for all other Civil Service examinations shall be increased from \$10.00 to \$15.00 per candidate, effective January 1, 2015.

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

Moved by Legislator Dolhof, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 414 - 2014  
RESOLUTION APPROVING INCREASE FOR  
CIVIL SERVICE EXAMINATION MONITORS**

Introduced by Legislator Bryan Moser, Chairman of the County Officers' Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby approves an increase in the hourly rate for Civil Service examination monitors to coincide with the State minimum wage of \$9.00 per hour, effective January 1, 2015.

Section 2. That Civil Service examination monitors shall receive a minimum call-in fee of \$27.00 (up to 3 hours) for said service, effective January 1, 2015.

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

Moved by Legislator Moser, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 415 - 2014  
RESOLUTION TO EXTEND APPOINTMENT OF  
INTERIM ACTING DIRECTOR OF COMMUNITY SERVICES**

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

WHEREAS, Interim Acting Director of Community Services Sarah J. Bullock, M.P.A. will expire on December 31, 2014; and

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WHEREAS, Ms. Bullock continues to have knowledgeable professionals Douglas Ort, LMHC and Philip McDowell, LCSW-R as clinical supervisors; and Dr. Daniel Pisaniello as the Examining Physician; and

WHEREAS, the Lewis County Community Services Board requests that her appointment be extended to 4/30/2016 to allow her the opportunity to obtain the required years of experience to meet the qualifications for permanent appointment.

WHEREAS, the Board of Legislators and the Community Services Board are both extremely satisfied with her performance.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby authorizes to extend the appointment of Interim Acting Lewis County Director of Community Services Sarah J. Bullock, M.P.A., through April 30, 2016.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Moroughan , seconded by Legislator Kulzer , and adopted.

**RESOLUTION NO. 416 -2014  
RESOLUTION TO AUTHORIZE PAYMENT OF ECONOMIC  
DEVELOPMENT FUNDS AND SUPPORT THE REDEVELOPMENT OF THE  
LYONS FALLS MILL SITE**

Introduced by Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the Lewis County Development Corporation (LCDC) is in the midst of a community revitalization project to remediate and prepare the Lyons Falls mill site for redevelopment and;

WHEREAS, a number of other private and public partners have invested in this project both financially and with in-kind support, including Kruger Energy, Empire State Development and others; and

WHEREAS, the Lewis County Board of Legislators have provided support to this project in the past and understand the importance of redeveloping the site and working with Kruger Energy for the potential of low cost power; and

WHEREAS, the Board of Legislators will continue to monitor the progress of the LCDC with this project and will entertain future requests for financial assistance as the redevelopment work continues; and

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WHEREAS, the 2014 County budget includes funding for economic development projects, which requires approval from the Board of Legislators to expend these funds.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board hereby authorizes payment in the amount of \$50,000, from Planning Department account A6420.4999, to be made to the Lewis County Development Corporation for the purposes of economic development activities, and specifically to support the on-going demolition project at the Lyons Falls mill site.

Section 2. That the County Attorney shall ensure a contract is in place with the LCDC for this investment in economic development activities.

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

Moved by Legislator Dolhof, seconded by Legislator Moser.

Legislator Kulzer questioned the need for additional County funding for the mill site, especially when there is no real vision for the property, citing investments by the Development Authority of the North Country (DANC) and the State. Instead, he would support appropriating funds to enhance development of a commerce park. Legislator Dolhof submits that those investors would like to see County commitment of funds for the project. Krueger, he said, has invested \$650,000 and the IDA \$100,000, and the project will enhance economic development and jobs for the County. In his opinion, there are adequate County funds to support development of the commerce park simultaneously.

Legislator Kulzer distinguished that County appropriations for the mill site have exceeded the amount invested in the commerce park. Repeating a quote by Legislator Dolhof 'There really isn't a vision of what's going to be there', he proclaimed his support of the commerce park with a clear vision to attract commercial business. DANC and the other stakeholders have adequate resources to progress the mill site project. Assuming the advantages to Krueger, Legislator Kulzer suggested they could increase their investment.

In response to Legislator Kulzer's inquiry about the Lewis County Development Corporation's financial resources, Legislator Dolhof offered to provide him financial information at a convenient time.

Legislator Dolhof reported that Phase I of the rehabilitation project would provide Krueger with access from the north and the additional space they need to progress their \$30 Million project, which would ultimately increase the County's property tax base.

Acknowledging the additional tax base, Legislator Hathway affirmed his support of the \$50,000 appropriation to assist with cleaning up the blight, while unsure of the potential economic development impact of the 8-acre site. He queried why the DANC investment is structured as a loan, while the County contributions are a grant, further inquiring if the IDA had been approached for assistance.

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Legislator Brennan confirmed the IDA Board of Directors had discussed funding, but are legally prohibited to grant funds to any specific entity. The County appropriation is a good faith effort, he said, to progress a worthy rehabilitation project, which property would enhance the County's tax base, thereby benefiting all taxpayers.

Legislator Hathway posed whether the County's contributions could be structured for reimbursement, dependent on project completion. In response to Legislator Hathway's concerns, Legislator Brennan could not predict, but anticipated future funding requests. He supports leveraging up to \$200,000 for completion of a \$4 Million environmental clean-up project, dependent upon revenue availability. Legislator Hathway agreed the public-private partnership was an example of good government practice. However, he asserted his future support would be predicated on a reimbursed loan structure.

Referencing Legislator Kulzer's earlier 'lack of vision' comment, Legislator Dolhof hailed the tremendous assets of the Lyons Falls mill site; being water, natural gas, low cost power, and close proximity to a major highway and railway. The LCDC is confident about potential economic opportunity, but cannot currently recite specifics.

Legislator Pepper supports the \$50,000 immediate appropriation, while encouraging the LCDC to obtain alternate investors to complete the \$4 Million project, terming it beyond the County's fiscal capabilities. He did acknowledge the ultimate benefit to the property tax base and potential low power costs from Krueger, at the same time encouraging increased investment by the company. In closing, he strongly advised speaking with Clayton officials to discern how they managed the environmental clean-up of a closed industrial business in their area.

Legislator Dolhof recognized and commended DANC for their commitment to provide the enabling line-of-credit so the LCDC could commence the project, particularly because the results will not benefit their agency. The benefactors will be the County and its taxpayers, he exclaimed.

Legislator Moser strongly believes the County should support the environmental clean-up with an annual appropriation, if necessary, citing the increased assessment and taxes on the Krueger property. However, he professed that development of a commerce park was his number one priority, anxiously awaiting receipt of the conceptual architectural designs.

The resolution was adopted by the following roll call vote:

YEAS: Brennan, Chartrand, Dolhof, Hathway, Moser, Pepper, Tabolt

NAYS: Kulzer, Moroughan

ABSENT: King

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It being 5:31 p.m., Chairman Tabolt closed the public hearing after assuring that no one wished to comment.

**RESOLUTION NO. 417 - 2014  
RESOLUTION APPOINTING REPUBLICAN  
COMMISSIONER OF ELECTIONS**

Introduced by Legislator Gregory Kulzer, Chairman of the Elections Committee.

WHEREAS, the term of Ann M. Nortz as Republican Commissioner of Elections is due to expire on December 31, 2014; and

WHEREAS, Lewis County Republican Committee Chairman Michael F. Young, has submitted a letter recommending her re-appointment.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints ANN M. NORTZ, a resident of the Town of Lowville, Lewis County, New York as the Republican Commissioner of Elections, in and for the County of Lewis.

Section 2. That the term of said appointment shall commence on January 1, 2015 and terminate on December 31, 2016.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 418 - 2014  
RESOLUTION APPOINTING DEMOCRATIC  
COMMISSIONER OF ELECTIONS**

Introduced by Legislator Gregory Kulzer, Chairman of the Elections Committee.

WHEREAS, the term of Lindsay Burriss as Democratic Commissioner of Elections is due to expire on December 31, 2014; and

WHEREAS, Lewis County Democratic Committee Chairperson Linda Sandri has submitted a letter recommending her appointment.

Now, Therefore, BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That this Board of Legislators hereby re-appoints LINDSAY BURRISS, a resident of the Town of Croghan, Lewis County, New York, as Democratic Commissioner of Elections, in and for the County of Lewis.

Section 2. That the term of said appointment shall commence on January 1, 2015 and terminate on December 31, 2016.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 419 - 2014  
RESOLUTION APPOINTING MEMBER TO  
LEWIS COUNTY ETHICS BOARD**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That pursuant to Local Law No. 5-2005 "Lewis County Ethics Law" the Board of Legislators hereby re-appoints BART PLESKACH of 5955 Main Street, Post Office Box 184, Glenfield, New York 13343, as a member of the Lewis County Ethics Board.

Section 2. That the term of said appointment shall be for the period commencing on January 1, 2015 through December 31, 2017.

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

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 420 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
FIRE & EMERGENCY MANAGAGEMENT DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Fire & Emergency Managment Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriation is hereby approved for the Emergency Management Fire Training Tower with contributions from the Lewis County Fireman's Association:

Increase Revenues

Amount:

DECEMBER 2, 2014

A27064 (Contributions Emerg Management) \$2,500.00

<u>Increase Expense:</u>	<u>Amount</u>
A3410.4919 (Fire Training Tower)	\$2,500.00

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

Moved by Legislator Brennan, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 421 - 2014**  
**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 THEREFOR**

Introduced by Legislator Craig Brennan, 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 Construction/CI/CS (321) Phase of the Project or portion.

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 Construction/CI/CS (321) Phase for the Project or portions thereof.

Section 3. That the sum of \$2,216,000.00 is hereby appropriated from County general funds, and made available to cover the cost of participation in the Construction/CI/CS (321) 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.



PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 422 - 2014  
RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING  
IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID "MARCHISELL"  
PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID  
PROJECT FOR PIN 775306, AND APPROPRIATING FUNDS THEREFOR**

Introduced by Legislator Craig Brennan, 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 Right-of-Way (221) 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.

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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 Right-of-Way (221) Phase for the Project or portions thereof.

Section 3. That the sum of \$19,140.00 is hereby appropriated from County general funds, and made available to cover the balance of the \$23,925.00 full cost of participation in the Right-of-Way (221) Phase of the Project; that the County has previously provided advanced funding of \$4,785.00 to cover the Non-Federal share of the funds for the Right-of-Way (221) 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 Moser, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 423 - 2014  
RESOLUTION AUTHORIZING LEVYING  
HUDSON RIVER-BLACK RIVER  
REGULATING DISTRICT ASSESSMENTS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Board of the Hudson River-Black River Regulating District, pursuant to provisions of the Environmental Conservation Law, has filed a certified statement with the Clerk of the County of Lewis showing the name of each public corporation or a brief description of each parcel of real estate and the name of the owner, or owners, so far as can be ascertained, and the proportionate amount of the cost of storage reservoirs and the expense of maintenance and operation of such reservoirs to be borne by each parcel of real estate during the year ending June 30, 2015; and

WHEREAS, pursuant to Subdivision Six of Section 15-2123 of the Environmental Conservation Law, signed into law on August 8, 1983 "...All moneys required to be collected and not paid directly to the River Regulating District by the thirty-first day of October of the year in which the assessment is levied shall be payable to the County Treasurer as provided under subdivision four of this Section and shall be subject to a service fee of one percent of the total amount assessed which shall be added to the amount to be collected and which shall be in addition to any penalties which may be imposed in the case of failure to pay general taxes within the time prescribed by law, and when collected, such penalties shall be deemed part of the assessment...";

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That, in accordance with the certified statement of annual assessment received from the Regulating District dated October 31, 2014, the sum set after the description of each parcel of real estate in the following list is hereby levied and assessed against said parcel of real estate to wit:

Parcel No.: 38	Town of Croghan	
Tax Map No.:	Vaughn E. Zehr	\$ 2,266.00
129.08-03-16.120	1% Fee	22.66
	Total	\$ 2,288.66
Parcel No.: 39	Town of Croghan	
Tax Map No.:	Croghan Island Mill Lumber Co.	\$ 2,266.00
129.08-03-14.110	1% Fee	22.66
	Total	\$ 2,288.66
Parcel No.: 40-41	Town of Croghan	
Tax Map No.:	Beaverite Products, Inc.	\$ 4,532.00
129.08-03-02.100	1% Fee	45.32
	Total	\$ 4,577.32
Parcel No.: 50	Town of Lyonsdale	
Tax Map No.:	Niagara Mohawk-National Grid	\$ 502.00
324.00-01-28.100	1% Fee	5.02
	Total	\$ 507.02

Section 2. That the collector of taxes and assessments in each town or city in which any such parcel of real estate is situated be and is hereby directed and commanded to collect said sum set forth after the description of each such parcel of real estate in the forgoing list, or in case the

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property is situated in more than one town, to collect the sum set forth after the name of each town following said description, in the same manner and by the same procedure as general taxes are collected and to pay the same to the County Treasurer of Lewis County.

Section 3. That the Clerk of the Board of Legislators be and is hereby directed to furnish a certified copy of this resolution to the Chief Fiscal Officer, Richard J. Ferrara, of the Board of Hudson River-Black River Regulating District.

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 424 - 2014  
RESOLUTION AUTHORIZING ADDENDUM TO AGREEMENT  
BETWEEN LEWIS COUNTY PROBATION DEPARTMENT AND  
CHILDREN'S HOME OF JEFFERSON COUNTY**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the County of Lewis, by and through the Lewis County Probation entered into an agreement with Children's Home of Jefferson County dated June 4, 2014 for the provision of non-secure detention services for the temporary boarding and care of juveniles placed into the custody of the County by the Family Court for the term beginning January 1, 2014 through December 31, 2014 at a cost of \$240.00 per day; and

WHEREAS, the per diem rate was erroneously stated in the agreement as \$240.00 and the correct amount per diem is \$298.50; and

WHEREAS, the County desires to amend the contract to reflect the correct per diem rate.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves an Addendum to the Agreement dated June 4, 2014 between the County of Lewis, by and through the Lewis County Probation Department and Children's Home of Jefferson County for the provision of non-secure detention services for the temporary boarding and care of juveniles placed into the custody of the County by the Family Court for the term beginning January 1, 2014 through December 31, 2014 at a cost of \$298.50 per day.

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

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

Moved by Legislator Moroughan, seconded by Legislator Moser, and adopted.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 425 – 2014  
RESOLUTION TO TRANSFER FUNDS  
PUBLIC HEALTH**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Public Health accounts to allow for payment for the 2013 AHCF (D&TC) Cost Report:

<u>From:</u> A4016.4903	<u>Account:</u> 4408 Chargeback Adjustment	<u>Amount:</u> \$ 7,500.00
<u>To:</u> A4013.4901	Professional Services	\$ 7,500.00

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

Moved by Legislator Moser, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 426 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
PUBLIC HEALTH**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation increase is hereby approved for the 2014-2015 COLA (Cost of Living) Funds:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
A34461	COLA-PH	\$ 662.00
A4020.4909	COLA-Misc.	\$ 662.00

Programs providing COLA funds are as follows:

CSHCN	-	\$ 662.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

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**RESOLUTION NO. 427 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF  
THE COUNTY OF LEWIS AND EPOCH HEALTH SOLUTIONS, LLC**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, the Lewis County Public Health Department (“Public Health”) wishes to enter into an Agreement with Epoch Health Solutions, LLC (“Consultant”) to provide generalized medical record consulting services to include the review of medical record management, auditing, storage and provision of annual updates. Additionally, the consultant will, at a minimum, conduct annual medical record audits and provide a report to the Public Health Quality Assurance Committee; 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 Lewis County Public Health Department and Epoch Health Solutions, LLC Agreement to provide generalized medical record consulting services to include the review of medical record management, auditing, storage and provision of annual updates and conduct medical record audits and provide a report to the Public Health Quality Assurance Committee.

Section 2. That the term of this service shall be from December 3, 2014 through December 31, 2016 at a cost not to exceed \$4,600.00 per year. Professional fees will be hourly at the rate of \$150.00 per hour, billed in fifteen (15) minute increments, and shall include travel time. Notwithstanding the aforementioned, when working less than an eight hour day on site, billing time (inclusive of travel) shall not exceed an eight (8) hour 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 Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 428 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF  
THE COUNTY OF LEWIS AND EXCELLUS HEALTH PLAN, INC.  
FOR THE HOME CARE-LICENSED PARTICIPATING PROVIDER**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, the Lewis County Public Health Department wishes to enter into a Home Care-Licensed Participating Provider Agreement with Excellus Health Plan, Inc. and each of its subsidiaries and affiliates to participate in the various health benefit programs offered to obtain reimbursement for services provided for eligible participants; 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 a Home Care-Licensed Participating Provider Agreement between Lewis County Public Health Department and Excellus Health Plan, Inc. and each of its subsidiaries and affiliates to participate in the various health benefit programs offered to obtain reimbursement for services provided for eligible participants beginning December 3, 2014.

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 Pepper, and adopted.

**RESOLUTION NO. 429 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF  
THE COUNTY OF LEWIS AND EXCELLUS HEALTH PLAN, INC.  
FOR THE PARTICIPATING PHYSICAIN GROUP**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, the Lewis County Public Health Department wishes to enter into a Participating Physician Group Agreement with Excellus Health Plan, Inc. and each of its subsidiaries and affiliates to participate in the various health benefit programs offered to obtain reimbursement for services provided for eligible participants; 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 a Participating Physician Group Agreement between Lewis County Public Health Department and Excellus Health Plan, Inc. and each of its subsidiaries and affiliates to participate in the various health

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benefit programs offered to obtain reimbursement for services provided for eligible participants beginning December 3, 2014.

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 Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 430 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY PUBLIC HEALTH  
AND JULIA IELFIELD**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, 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; 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 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 said Agreement is for the period beginning January 1, 2015 through December 31, 2015 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 \$300.00 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 Moroughan, seconded by Legislator Hathway, and adopted.



PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 431 - 2014  
RESOLUTION AUTHORIZING  
MEMORANDUM OF UNDERSTANDING  
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND  
COMMUNITY ACTION PLANNING COUNCIL  
(JEFFERSON-LEWIS CHILD CARE PROJECT)**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health 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 Public Health Agency, and Community Action Planning Council (Jefferson-Lewis Child Care Project) for the purpose of implementing health care consultant services.

Section 2. That the term of this Memorandum of Understanding shall be from October 1, 2014 through September 30, 2015 at a rate of \$40.00 per unit of service.

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 Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 432 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY PUBLIC HEALTH DEPARTMENT AND  
LEWIS COUNTY GENERAL HOSPITAL FOR  
MEDICAL CONSULTANT/DIRECTOR**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, Lewis County acting by and through the Lewis County Public Health Department desires to enter into an Agreement with Lewis County General Hospital (“LCGH”) to provide the services of a Medical Consultant to the Public Health Director and Medical Director for the Physically Handicapped Children’s Program and for the Diagnostic and Treatment Center Programs; and

WHEREAS, LCGH has a physician employee, Daniel T. Root, MD, who is licensed to practice in New York State and meets the New York State Department of Health requirements to

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function as Medical Consultant to the Public Health Director and as Medical Director for the County's programs; 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 Department, and Lewis County General Hospital to provide the services of a Medical Consultant to the Public Health Director and Medical Director for the Physically Handicapped Children's Program and for the Diagnostic and Treatment Center Programs; and LCGH has a physician employee, Daniel T. Root, MD, who is licensed to practice in New York State and meets the New York State Department of Health requirements.

Section 2. That said Agreement is for the term commencing effective October 1, 2014 and terminating on December 31, 2016 at a cost not to exceed \$6,000.00 per year, or \$500.00 per month.

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 Moser, and adopted.

**RESOLUTION NO. 433 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
PUBLIC HEALTH**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation increase is hereby approved for the 2014 Article 6 State Aid Performance Incentive Award:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
A34450	Article 6 Health Dept.	\$ 12,000
A4020.4908	Performance Incentive Award	\$ 12,000

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

Moved by Legislator Moroughan, seconded by Legislator Moser, and adopted.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 434 - 2014  
RESOLUTION TO AMEND COMPENSATION PLAN  
WITH REFERENCE TO REAL PROPERTY TAX DEPARTMENT**

Introduced by Legislator Gregory Kulzer, Chairman of the Taxation Committee.

WHEREAS, the Tax Map Technician at Grade B21, Step 6 (\$19.81/hr.) in the Real Property Tax Department has been re-classified by Civil Service as a Geographic Information Specialist.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the 2014 Compensation Plan of the County of Lewis with reference to the Real Property Tax Department, to approve the Civil Service re-classification of the Tax Map Technician (B21) to a Geographic Information Specialist at Grade B27, Step 1 (\$20.32/hr.), effective immediately.

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

Moved by Legislator Moser, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 435 - 2014  
RESOLUTION AMENDING THE 2015 TENTATIVE COUNTY BUDGET  
TO AMEND COMPENSATION PLAN  
WITH REFERENCE TO REAL PROPERTY TAX DEPARTMENT**

Introduced by Legislator Gregory Kulzer, Chairman of the Taxation Committee.

WHEREAS, the Board of Legislators has ratified the title change of the Tax Map Technician at Grade B21 in the Real Property Tax Department as re-classified by Civil Service to a Geographic Information Specialist at Grade B27.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the 2015 Tentative County Budget to amend the Compensation Plan of the County of Lewis with reference to the Real Property Tax Department, to amend Schedule 5, to create a Geographic Information Specialist at Grade B27, Step 1 (\$20.73/hr.).

Section 2. That the County Treasurer is hereby directed to increase Account No. A1355.1999 to \$197,565.00, and reduce Account No. A9950.9921 to \$189,596.00, to effectuate the above amendment.

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

Moved by Legislator Moser, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 436 - 2014  
RESOLUTION AMENDING THE 2015 TENTATIVE COUNTY BUDGET  
TO AMEND COMPENSATION PLAN  
WITH REFERENCE TO REAL PROPERTY TAX DEPARTMENT**

Introduced by Legislator Gregory Kulzer, Chairman of the Taxation Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the 2015 Tentative County Budget to amend the Compensation Plan of the County of Lewis with reference to the Real Property Tax Department, to amend Schedule 5, to abolish the Tax Map Technician (C21) and create a Tax Map Technician Trainee at Grade C19, Step 1 (\$16.77/hr.).

Section 2. That the County Treasurer is hereby directed to decrease Account No. A1355.1999 by \$1,681.00, and increase Account No. A9950.9921 by \$1,681.00, to effectuate the above amendment.

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

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 437 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
SHERIFF’S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation of contributions is hereby approved in the Sheriff’s Department Shop with a Cop account:

<u>Increase Revenue:</u>	
A27053.4 (Shop with a Cop)	\$2,512.60
<u>Increase Expense:</u>	
A3110.4909 (Misc)	\$2,512.60

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

Moved by Legislator Pepper, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 438 - 2014  
RESOLUTION AUTHORIZING MORTGAGE SUBORDINATION AGREEMENT  
(COUNTY OF LEWIS TO CHRISTOPHER L. BOWHALL)**

Introduced by Michael A. Tabolt, Chairman of the Lewis County Board of Legislators.

WHEREAS, Christopher L. Bowhall (the "Borrower") received a housing Grant in the amount of \$33,848.96 secured by a mortgage for the benefit of the County of Lewis, recorded in the Lewis County Clerk's Office on October 26, 2007 as Instrument Number 2007-03647, which provides for recapture obligations, pursuant to a program administered by Snow Belt Housing Company, Inc.; said mortgage instrument acknowledges that it is subject to the lien of a first mortgage made by Wells Fargo Bank, N.A.; and

WHEREAS, the Borrower seeks to refinance its loan with Wells Fargo Bank, N.A. by execution of a new mortgage in the amount of \$88,116.45 plus interest, which requires the County to provide a subordination agreement; and

WHEREAS, pursuant to the terms of the Grant, the County's security under its mortgage is now reduced to \$20,308.00;

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 Mortgage Subordination Agreement for the afore described Mortgage, upon such terms as may be acceptable to the County Attorney.

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

Moved by Legislator Dolhof, seconded by Legislator Chartrand, and adopted.

**RESOLUTION NO. 439 - 2014  
RESOLUTION TO IMPOSE HANDLING FEE  
FOR CERTAIN RECYCLABLES  
GENERATED AT TRANSFER STATION**

Introduced by Legislator Craig Brennan, Chairman of the Solid Waste Committee.

WHEREAS, a recycling company had been paying the County \$.05 per pound to take CRT televisions and computer monitors generated at the Lewis County Transfer Station, but

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recently starting charging the County \$.20 per pound to take these items, because there is no longer a market for disposition; and

WHEREAS, to offset the additional cost, it is recommended that the County impose a handling fee for certain items collected at the Lewis County Transfer Station.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby imposes the following handling fees for said recycling items accepted at the Lewis County Transfer Station:

\$10.00 for any CRT unit up to 20 inches in size, to include computer monitors and televisions

\$20.00 for any CRT unit over 20 inches in size, to include computer monitors and televisions

Section 2. That said handling fees shall be effective December 3, 2014.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 440 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
STOP DWI**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the STOP DWI accounts for additional NYS STOP-DWI 2013-2014 “Crackdown” grant funds:

Increase Revenue:

A33110 (DWI Grant) \$6,634.54

Increase Expense:

A3315.4906 (DWI Grant) \$6,634.54

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

Moved by Legislator Pepper, seconded by Legislator Chartrand, and adopted.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 441 -2014  
RESOLUTION AUTHORIZING SECTION 5311 CONSOLIDATED GRANT  
APPLICATIONS FOR SPONSORS WITH CONTINUING AGREEMENTS:  
LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the County of Lewis 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 within the greater Lewis County area provided by a third party contractor on behalf of Lewis County Public Transportation for the 2013-2014 fiscal years;

WHEREAS, the County of Lewis 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 County of Lewis resolved, that the Chairman of the Board of Legislators is authorized to act on behalf of the County of Lewis to sign the application and progress and complete the above named project; and

WHEREAS, the County of Lewis is contracting with a third party subcontractor (Birnie Bus Inc.) for the project described above.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Chairman of the Board of Legislators is hereby authorized to sign any contracts or agreements between Lewis County and any third party subcontractor necessary to complete the public transportation project, subject to the approval of the County Attorney.

Section 2. That said Resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 442 - 2014  
RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR  
COMMENCING JANUARY 1, 2015 MAKING APPROPRIATIONS  
FOR THE CONDUCT OF COUNTY GOVERNMENT AND  
ESTABLISHING RATES OF COMPENSATION FOR OFFICERS  
AND EMPLOYEES FOR FISCAL YEAR 2015**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

DECEMBER 2, 2014

WHEREAS, the governing body has met and considered the 2015 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, 2015.

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted by the following roll call vote:

YEAS: Brennan, Chartrand, Dolhof, Hathway, Kulzer, Moroughan, Moser, Pepper, Tabolt

NAYS: None.

ABSENT: King

**RESOLUTION NO. 443 - 2014  
ASSESSING AND LEVYING AMOUNT OF TAX CALLED FOR  
UNDER THE COUNTY BUDGET AS ADOPTED BY THE BOARD OF  
LEGISLATORS ON THE 2nd DAY OF DECEMBER 2014  
AS PROVIDED FOR UNDER COUNTY LAW**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, the Board of Legislators of the County of Lewis by Resolution No. 442 - 2014 adopted on the 2nd day of December 2014, has adopted a County Budget for fiscal year 2015; and

WHEREAS, the said Board of Legislators by Resolution No. 442 - 2014 adopted on the 2nd day of December 2014, has made appropriations for the conduct of Lewis County Government for fiscal year 2015.

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 \$14,877,268.

Moved by Legislator Brennan, seconded by Legislator Pepper, and adopted by the following roll call vote:



PROCEEDINGS OF THE BOARD OF LEGISLATORS

YEAS: Brennan, Chartrand, Dolhof, Hathway, Kulzer, Moroughan, Moser, Pepper, Tabolt

NAYS: None.

ABSENT: King

**RESOLUTION NO. 444 - 2014  
RESOLUTION FOR MAINTENANCE ON THE  
COUNTY ROAD SYSTEM FOR THE YEAR 2015**

Introduced by Legislator Philip Hathway, 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 \$989,736.00 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 Moser, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 445 - 2014  
RESOLUTION FOR SNOW REMOVAL ON  
COUNTY ROAD SYSTEM FOR THE YEAR 2015**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

DECEMBER 2, 2014

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 \$1,880,583.00 , 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 Pepper , seconded by Legislator Moser , and adopted.

**RESOLUTION NO. 446 - 2014  
RESOLUTION AUTHORIZING THE SUPERVISOR  
OF EACH TOWN IN THE COUNTY OF LEWIS TO ADD  
TO THEIR TAX WARRANT THE 2015 COUNTY TAX  
APPORTIONED TO EACH**

Introduced by Legislator Gregory Kulzer, 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 2015 County Tax to the warrant payable to the Tax Collector of their Town, and that the sums collected be paid to the Treasurer of Lewis County, and shall be paid out by her pursuant to Law.

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

Moved by Legislator Pepper , seconded by Legislator Brennan , and adopted.

**RESOLUTION NO. 447 - 2014  
RELEVYING UNPAID SCHOOL TAXES AND  
VILLAGE TAXES ON ASSESSMENT ROLLS**

Introduced by Legislator Gregory Kulzer, 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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 2014 Assessment Rolls for the seventeen (17) Towns in Lewis County.

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

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 448 - 2014  
RESOLUTION AUTHORIZING COUNTY TREASURER  
TO MAKE NECESSARY BUDGET TRANSFERS**

Introduced by Legislator Philip Hathway, 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 2014 fiscal year.

Section 2. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 449 - 2014  
RESOLUTION AUTHORIZING TREASURER  
TO CARRY FORWARD APPROPRIATIONS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, several 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 transferred to the fund balance and closed.

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 the 2015 County Budget.

DECEMBER 2, 2014

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

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

**RESOLUTION NO. 450 - 2014  
RESOLUTION AUTHORIZING AGREEMENT WITH THE  
LEWIS COUNTY CHAMBER OF COMMERCE FOR  
ATV PERMIT SERVICES**

Introduced by Legislator Lawrence Dolhof, 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, 2015 through December 31, 2015.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to 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 Dolhof, seconded by Legislator Moser.

Legislator Pepper asked if the County Clerk through the Department of Motor Vehicles would be able to perform ATV permit registrations to enhance their revenues.

Legislator Dolhof asserted that the Chamber of Commerce had performed these services since the inception of the ATV permit system.

Chairman Tabolt charged the Economic Development Committee to research the feasibility of transferring the function to the local DMV office and report to the Board.

The resolution was then unanimously adopted.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 451 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY DISTRICT ATTORNEY  
AND JOHN A. CIRANDO, ESQ.**

Introduced by Legislator Jerry King, 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

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, 2015 through December 31, 2015, 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 Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 452 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY DISTRICT ATTORNEY/CORONER'S OFFICE  
AND MARK A. TUTTLE**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County District Attorney/Coroner's Office wishes to enter into an agreement with Mark A. Tuttle for the purpose of assisting the Lewis County Coroner's Office in death investigation services on an "as needed" and "on call" basis when the Lewis County Coroner is unavailable or out of town by performing the duties of photographing death scenes; documenting death scenes; obtaining medical and family death information; obtaining police documentation and corroborative medical histories; coordinating and collaborating with medical professionals, police agencies, funeral homes and medical examiner's offices; follow up paperwork with required agencies and filing of necessary documents.

Now, Therefore, BE IT RESOLVED, as follows:

DECEMBER 2, 2014

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County District Attorney/Coroner's Office and Mark A. Tuttle for the purpose of assisting the Lewis County Coroner's Office in death investigation services on an "as needed" and "on call" basis when the Lewis County Coroner is unavailable or out of town for the period of January 1, 2015 through December 31, 2015, at a cost not to exceed \$5,000.00 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 Moser, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 453 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN THE COUNTY OF LEWIS AND  
ONEIDA-LEWIS CHAPTER, NYSARC**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with Oneida-Lewis Chapter, NYSARC to deliver vocational training services within the Sheltered Workshop and transportation to Sheltered Workshop for disabled individuals for the term beginning January 1, 2015 through December 31, 2015 at a cost not to exceed \$25,000.

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

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

Moved by Legislator Pepper, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 454 - 2015  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF PROBATION AND  
INSIGHTS FORENSIC COUNSELING**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 Probation wishes to enter into an agreement with this Agency to utilize their 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 Department of Probation, and Insights Forensic Counseling for the provision of services for counseling to clients referred by the Lewis County Department of Probation.

Section 2. That the term of this agreement shall be January 1, 2015 through December 31, 2015 at a cost not to exceed \$75.00 per session and attendance at meetings; \$45.00 for group counseling; \$500.00 for assessments and \$350.00 for polygraph examinations.

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 Pepper, seconded by Legislator Hathway, and adopted.

**RESOLUTION NO. 455 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
THE COUNTY OF LEWIS AND  
MOUNTAIN VIEW PREVENTION SERVICES, INC.  
STOP DWI**

Introduced by Legislator Michael A. Tabolt, 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:

DECEMBER 2, 2014

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 January 1, 2015 through December 31, 2015.

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 \$14,300.00.

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 Moser, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 456 - 2014  
RESOLUTION ADOPTING AND OTHERWISE TREATING  
LOCAL LAW NO. 9 – 2014, COUNTY OF LEWIS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on November 25, 2014, directing that a public hearing be held by said Board on December 2, 2014, 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 proposed Local Law Intro. No. 8-2014 entitled, "**A LOCAL LAW RESCINDING LOCAL LAW NO. 8-2014 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2015 BUDGET**"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on November 28, 2014, 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:



PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. This Local Law (Introductory No. 8 – 2014), County of Lewis, being **“A LOCAL LAW RESCINDING LOCAL LAW NO. 8-2014 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2015 BUDGET”**; be and the same hereby is designated as Local Law No. 9 –2014, County of Lewis.

Section 2. That Local Law No. 9 – 2014, 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 Chartrand, seconded by Legislator Hathway, and adopted by the following roll call vote:

YEAS: Brennan, Chartrand, Dolhof, Hathway, Kulzer, Moroughan, Moser, Pepper, Tabolt

NAYS: None.

ABSENT: King

**RESOLUTION NO. 457 - 2014  
RESOLUTION ADOPTING AND OTHERWISE TREATING  
LOCAL LAW NO. 10 – 2014, COUNTY OF LEWIS**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on November 25, 2014, directing that a public hearing be held by said Board on December 2, 2014, 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 proposed Local Law Intro. No. 9-2014 entitled, **“A LOCAL LAW ESTABLISHING RESIDENCY REQUIREMENTS FOR ASSISTANT DISTRICT ATTORNEY 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 November 28, 2014, 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;

DECEMBER 2, 2014

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 9 – 2014), County of Lewis, being “**A LOCAL LAW ESTABLISHING RESIDENCY REQUIREMENTS FOR ASSISTANT DISTRICT ATTORNEY FOR THE COUNTY OF LEWIS**” be and the same hereby is designated as Local Law No. 10 –2014, County of Lewis.

Section 2. That Local Law No. 10 – 2014, 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 Moroughan , seconded by Legislator Pepper , and adopted by the following roll call vote:

YEAS: Brennan, Chartrand, Dolhof, Hathway, Kulzer, Moroughan, Moser, Pepper, Tabolt

NAYS: None.

ABSENT: King

**RESOLUTION NO. 458 - 2014  
RESOLUTION ADOPTING AND OTHERWISE TREATING  
LOCAL LAW NO. 1 – 2015, COUNTY OF LEWIS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, a resolution was duly adopted by the Board of Legislators on November 25, 2014, directing that a public hearing be held by said Board on December 2, 2014, 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 proposed Local Law Intro. No. 7-2014 entitled, “**A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS**”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on November 28, 2014, 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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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. 7 – 2014), County of Lewis, being “**A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS**” be and the same hereby is designated as Local Law No. 1 –2015, County of Lewis.

Section 2. That Local Law No. 1 – 2015, 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 Moser , seconded by Legislator Hathway , and adopted by the following roll call vote:

YEAS: Brennan, Chartrand, Dolhof, Hathway, Kulzer, Moroughan, Moser, Pepper, Tabolt

NAYS: None.

ABSENT: King

**RESOLUTION NO. 459 - 2014  
RESOLUTION PROVIDING COMMENT AND RECOMMENDATIONS TO THE  
DEPARTMENT OF CONSERVATION AND OFFICE OF PARKS, RECREATION &  
HISTORIC PRESERVATION ON THEIR PROPOSED 2014 OPEN SPACE  
CONSERVATION PLAN**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the New York State Department of Environmental Conservation (DEC) and Office of Parks, Recreation & Historic Preservation (OPRHP), recently released the 2014 State Open Space Conservation Plan for public comment; and

WHEREAS, the draft plan provides recommendations on how open space conservation will help accomplish the Governor’s goals, which include, air and land for a healthy public and vibrant economy; protecting natural resources; promoting outdoor recreation; and increasing and improving visitor experience in New York State; and

WHEREAS, the draft plan was created and compiled through the input of nine committees throughout the state, which correspond to the DEC’s nine administrative regions, with Lewis County located in Region “6”; and

DECEMBER 2, 2014

WHEREAS, the Commissioners of DEC and OPRHP seek comment on the draft plan, with suggestions on specific issues of particular interest and concern to Lewis County. Of particular interest to Lewis County, the Commissioners seek comment on:

1. How the State and its partners can promote and enhance existing and new state lands as tourism destinations as part of a comprehensive open space conservation program;
2. How DEC and OPRHP can work to provide outdoor recreation opportunities for New Yorkers and visitors of all abilities through Universal Access;
3. How DEC and OPRHP can offer better access for sports men and women; and

WHEREAS, the Lewis County Board of Legislators, through its Department of Recreation, Forestry and Parks and Department of Economic Development and Planning, seek to provide comment to the Commissioners on the Draft Open Space Conservation Plan before finalized and submitted to Governor Cuomo for approval in 2015, as follows:

1. Tourism and recreation in Lewis County and other Northern New York counties is very dependent on both publicly and privately owned open spaces (farms and forest). These open space resources provide a network of infrastructure in terms of trails, camping opportunities, and access to fish and wild life resources. The State should include more planning that integrates the publicly owned spaces with privately owned open spaces around them.

2. Throughout Region 6, there is an extensive network of “low volume” roads. Often times, these roads are unpaved and narrow and have been made part of the municipal public highway system. These “low volume” roads provide critical access to agricultural areas and recreational resources but do not meet state and national highway standards. For several years, there have been attempts to pass “Low Volume Roads” legislation to identify what many towns already do under Municipal Home Rule. There is legislation pending (S.1965/A.1407) that would identify the designation and classification of “Low Volume Roads” in the State Highway Law, which should be addressed in this plan.

3. Some effort in purchasing land and conservation easements throughout Region 6 have been expended over the last decade. New efforts and funding need to be provided to improve public access to those lands for tourism and recreation, and to include accessible trails and access points to accommodate the population of the North Country as its residents age and seek to enjoy the region’s natural resources. In particular, allowing the use of ATV’s (in compliance with laws and regulations) for access to recreational pursuits and trails will not only assist the County’s strong reliance upon it’s recreational trail system and natural resources for its economy and growth, but will accommodate the needs of persons with mobility challenges to enjoy the recreational opportunities provided in the County. Further, when negotiating conservation easements, the State should be more cognizant of including public recreation uses of ATV use on easement roads and trails, access to river corridors, with additional language to maximize universal access opportunities.

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4. With some exceptions, State Parks, Wildlife Management areas, etc., are non-taxable under current Real Property Law. State Forests outside “the blue line” are not taxable for county taxes. This creates an undue burden upon local taxpayers and undermines local support for Open Space Protection. The State should pay real estate taxes on all current and future lands and easements it acquires under the DEC and OPRHP open space plan.

5. Preserving the open space characters, public recreational uses and ecological connectivity values of the land within and along the Black River Valley should be part of the plan. The Black River Valley is a unique river valley in New York State which supports a broad range of working and ecologically significant landscapes, and facilitates movement of wildlife and plant species along this ecosystem.

6. Long distance trail linkages and networks on land and water, for all varieties of motorized and non-motorized recreational uses, are important economic concerns to all communities in Region 6 and neighboring Regions 5 & 7. These North Country Regions benefit from adjoining neighboring State lands to promote local tourism and the advantages of recreational trail linkages and networks. The State’s plan should include a priority joint project for Regions 5, 6 & 7, with the goal to integrate the corridors and trails into community and State land connections that will further contribute and strengthen the region’s recreation and tourism economy.

7. The geographic area of Region 6 has a long history of providing for the generation and transmission of carbon free and alternative electrical energy generation capacities, including but not limited to hydro generation facilities, wind farm facilities, and one of the State's three biomass-fired electrical generation facilities. This energy production and distribution capacity, and its potential for future growth and projects in Region 6 are important considerations in the impacts of planning for open space within the region.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby states its support of the above comments and recommendations to the DEC's and OPRHP's proposed open space conservation plan; and

Section 2. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to deliver copies of this Resolution to the Commissioners of the Department of Environmental Conservation and Office of Parks, Recreation & Historic Preservation, and to any other appropriate State and Local agencies, representatives and officials as he may deem appropriate.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Pepper, seconded by Legislator Dolhof, and adopted.

DECEMBER 2, 2014

**RESOLUTION NO. 460 - 2014**  
**RESOLUTION PROVIDING COMMENT TO THE DEPARTMENT OF**  
**CONSERVATION (DEC) AND DEPARTMENT OF TRANSPORTATION (DOT) ON A**  
**POSSIBLE AMENDMENT TO THE REMSEN TO LAKE PLACID TRAVEL**  
**CORRIDOR UNIT MANAGEMENT PLAN**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the New York State Department of Environmental Conservation (DEC) and Department of Transportation (DOT), are accepting comments on a possible amendment to the Remsen to Lake Placid Travel Corridor Unit Management Plan (UMP), also known as the ADIRONDACK RAILROAD CORRIDOR; and

WHEREAS, the Corridor is currently seasonally available to snowmobilers through a Temporary Revocable Permit (TRP), held by New York State Snowmobilers Association (NYSSA) on behalf of all clubs that maintain a portion of this designated snowmobile trail. This trail runs the entire length of the railroad from Lake Placid to Remsen, is known as Corridor Trail #C7, and is the central spine that connects many other snowmobile trails within the Park; and

WHEREAS, the DEC and DOT are interested in hearing from communities and municipalities affected directly and indirectly by potential changes to the UMP, which may reflect both expanded rail use and recreational use along the Corridor. Specifically, they seek comment on:

1. Possible removal of the rails from Tupper Lake to Lake Placid and conversion of the corridor to snowmobile and non-motorized recreational trail.
2. Possible improvements and investments into the rails from Remsen to Thendara (Old Forge).
3. Exploration of possible creation and/or expansion of snowmobile opportunities and community connections between Old Forge and Tupper Lake; and

WHEREAS, the Lewis County Board of Legislators, through its Department of Recreation, Forestry and Parks and Department of Economic Development and Planning, seek to provide comment to the DEC and DOT by the deadline date of December 15, 2014, as follows:

1. A four-season, multi-recreational use environment is critical to the economic health and growth of Lewis County and other Northern New York counties; regions in the state known for their natural resources and the enjoyment of same by residents and visitors. The County believes the region's economy is best served by its residents and visitors having as many options as possible to experience all the recreational and tourism activities afforded in the County and its adjoining areas, including the Adirondack Park and Corridor Trail #C7, and the numerous connections to trails within the Park afforded by this Corridor.

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2. The Temporary Revocable Permit (TRP) for snowmobile use of the Corridor, has been in place ever since the original UMP was adopted for this state-owned travel Corridor. The belief at the time was that rail users would invest in the rail line to restore train service between Old Forge and Saranac Lake. After nearly two decades, only the rail line in the section between Remsen and Thendara (Old Forge) have been improved to the ability to carry a passenger train.

3. In a perfect world, the County would support continuation of Alternative 6 of the 1996 Unit Management Plan for management of the Corridor. Alternative 6 essentially provided for a "trails with rails" approach and plan which called for the development of the rail infrastructure along with the development of one or more recreational trails within and next to the travel Corridor. Both improve local and regional economic development and provide access to all for unforgettable experiences in the North Country regions of the State.

4. The lack of development of the rail line along this Corridor for nearly two decades indicates that the development of the Corridor to include both rails and trails is unsupported. The interests of Lewis County residents and visitors is best served by conversion of the Corridor to a four-season, multi-recreational use trail, inclusive of ATV recreational uses. In so doing, the Corridor would be open to snowmobile use for many more weeks, and would also be open to other recreational seasonal uses such as hiking, trail riding, nature walks, etc.; all experiences and activities which have a greater economic use and benefit to the Region's organizations, businesses and municipalities than the rail line. Further, the County supports retention of the present rail line that is in place and use between Remsen and Thendara (Old Forge), and would support a rail line between Saranac Lake and Lake Placid.

5. Notwithstanding the conversion of the Corridor from a rail line to a four-season, multi-recreational use trail, the County suggests that the Corridor remain a separate and distinct land unit classification, retaining its classification as a transportation corridor in a condition for possible future rail line use, in the event the State is ever able to reach the original plan and vision of "trails with rails" for this Corridor.

Now, Therefore, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby states its support of the above comments and recommendations for communication to the DEC and DOT; and

Section 2. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to deliver copies of this Resolution to the Commissioners of the Department of Environmental Conservation and Department of Transportation, and to any other appropriate State and Local agencies, representatives and officials as he may deem appropriate.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Moser, and adopted.

DECEMBER 2, 2014

**RESOLUTION NO. 461 - 2014  
RESOLUTION AND ORDER WITH REFERENCE  
TO DOG QUARANTINE**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, this Board of Legislators determines that the deer population in the County of Lewis is suffering from 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, 2014 to May 15, 2015.

- 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 Pepper , seconded by Legislator Dolhof .

Legislator Moser disagrees that the deer population is suffering due to uncontrolled dogs, alternatively opining the population is hurt far worse by nuisance permits issued through the NYSDEC. Hunters, he said, should be able to take care of the deer population through permits.

The resolution was then adopted.

**RESOLUTION NO. 462 - 2014  
RESOLUTION MODIFYING INDIGENT BURIAL POLCY THROUGH**



PROCEEDINGS OF THE BOARD OF LEGISLATORS

**THE DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Pepper, Chairman of the Social Services Committee.

WHEREAS, Resolution No. 309-2014 is rescinded; and

WHEREAS, the Lewis County, New York, Department of Social Services has the responsibility for the burial of any indigent person who shall die, or, of a person found dead in the public welfare district, pursuant to Section 141 of the New York State Social Services Law; and

WHEREAS, the burial costs for which the Lewis County Department of Social Services is responsible includes all reasonable costs incident to the proper burial of a deceased indigent person; and

WHEREAS, costs for the burial or other final disposition have increased for funeral firms since the County's 2009 resolution: as well the County has re-examined the last adjustment made to the Indigent Burial Policy made on September 2, 2014, and seeks to amend the same.

Now, Therefore, BE IT RESOLVED, for the purpose of continuing and amending a burial payment policy in order to serve the best interests of the citizens of Lewis County, including the facilitation of an indigent's burial or other final disposition, and to maintain vigilance over county and state funds whose monies are used to provide for the same; the Lewis County Board of Legislators directs and mandates the policy and the reimbursement rates for Indigent Burials are set as follows effective December 2, 2014:

Section 1. INITIAL RESPONSIBILITY FOR FUNERAL EXPENSE: If a recipient of public assistance or care or other person dies leaving no funds or insurance sufficient to pay the expense of his or her burial or other final disposition, the relatives who survive him or her, who are, or have been responsible for his or her support, shall be responsible for such burial expense to the extent that they are able to pay the same in whole or in part; and to the extent that the Department of Social Services pays such expense or any part thereof, the County of Lewis may recover all or part of the amounts expended for such funeral expense on behalf of such legally responsible relatives, who shall or will later be determined to be severally and jointly liable therefore in accordance with their respective abilities.

Section 2. RESPONSIBILITY OF DEPARTMENT OF SOCIAL SERVICES: In those instances where the decedent leaves no funds or insurance sufficient to pay the expense of his or her burial or other final disposition, and there are no known legally responsible relatives, guardian, friend or personal representative liable or willing to become responsible for such expense, then the Department of Social Services ("Department") is authorized to pay such expenses in accordance with the terms of the policy outlined in this Resolution. In no event shall the Department pay or be liable to pay any expenses for an eligible indigent person's burial or other final disposition that exceeds the amounts set forth herein.

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Section 3. REIMBURSEMENT POLICY: When indigent burial arrangements are made by a legally responsible relative, guardian, friend or personal representative, and the expense of such burial or final disposition does not exceed the amount fixed by this resolution, the Department may:

(1) If such legally responsible relative, guardian, friend or personal representative were required to pay the expense of such burial or other final disposition in order to arrange the same, the Department may wholly or partly reimburse that person from assets transferred or assigned to the Department by or on behalf of the deceased recipient; but shall not reimburse a legally responsible relative or guardian of the deceased for any part of the amount paid by such person, which in the judgment of the Department, such relative is able to bear; nor shall the Department expend from such assets for such purpose more than is permitted by or pursuant to this policy;

(2) Pay part of the expense of such burial, to the extent and under the circumstances permitted by this local policy; but in no event shall the Department pay more than the balance remaining to be paid after the total of the amounts paid or to be paid is done so by all other sources.

a. Such "sources" shall include without limitation, payments made or to be made by such legally responsible relatives or a legal guardian of the deceased, which in the judgment of the Department, such relative or other legally responsible entity, is able to bear. These "sources" shall also include an assets remaining from deceased recipient's estate; however, shall not include withholding any part of payment to the funeral firm who provided funeral services to the decedent, for Veteran's, Social Security or other similar and like death benefits, for which the Department will assume the responsibility of filing a separate application or claim for, providing the decedent was so eligible for such death benefit.

Section 4. FUNERAL HOME CHARGES and NECESSARY THIRD PARTY CHARGES: For funeral services rendered to eligible individuals by a licensed New York State professional services provider, including personnel, vehicles and equipment, use of funeral facilities, merchandise, livery and cash expenditures to necessary third parties, the Department will pay to the Funeral Firm the sum stated in the following schedule:

Services	Charges	Notation
Funeral and Burial	\$2,250	
Funeral and Cremation	\$1,700	
Funeral Infant	\$600	20 weeks gestation and fetal death certificate issued or infant is up to 6 months after birth
Direct Burial	\$1,950	
Direct Cremation	\$1,400	
Anatomical Donation	\$850	
Cemetery	Not to exceed \$550	Includes burial plot and opening and closing of grave; Funeral home will provide invoice from cemetery to DSS
Crematory	Actual cost	Funeral home will provide invoice from crematory to DSS

PROCEEDINGS OF THE BOARD OF LEGISLATORS

(2) **SUPPLEMENTATION:** Supplementation by a legally or non-legally responsible party is allowed, but not compulsory, for additional services, merchandise and third party expenditures with a total cap of \$1,500.

(3) **WINTER DEATHS:** When the death of an indigent person occurs during the winter and direct burial has been selected, and when the burial either cannot be made or is not allowed by the cemetery selected due to winter conditions, the Department will pay a winter vault storage fee at a cost not to exceed \$100.

(4) **DEATH NOTICE:** The funeral firm selected will arrange for a free Death Notice through the local newspaper; however DSS will not pay for any obituary.

(5) **TRANSPORTATION CHARGES:** Where an eligible individual dies outside of the thirty (30) mile radius of the funeral home selected to handle the funeral arrangements, the Lewis County Department of Social Services shall pay the funeral firm the rate of \$1.85 per loaded mile for transportation of the remains up to a maximum of an additional 20 miles; or by exception when death occurs beyond the thirty (30) mile radius. In the rare instance of transportation necessary by a common carrier, it shall first be approved by the Commissioner of Social Services, or his/her designee, and shall be billed by the funeral firm to the Lewis County Department of Social Services, at cost plus \$50 to cover administration expenses to arrange for the same. Transportation charges shall include, but not be limited to, (a) the removal from place of death to the funeral home; (b) transportation of the deceased from the funeral home to an authorized hospital or medical center for the purposes(s) of a coroner/medical examiner-ordered autopsy or other postmortem examination; (c) transportation to the cemetery, mausoleum or other final resting place of the deceased; (d) transportation to and/or from a crematorium; (e) the Commissioner of Social Services has the discretion to waive requirements under exceptional circumstances.

Section 5. **AUTHORIZATION:** Where a decedent is not a recipient of Public Assistance or care, or a person found dead in the welfare district within the meaning of the statute; applications for burial benefits may be made to the Lewis County Department of Social Services by a member of the family, other relative or person responsible or by a funeral director representing the funeral firm handling the decedent's funeral arrangements. No such burial expense shall be considered a charge against the Lewis County Department of Social Services unless and until it has been approved by the Department of Social Services, following an investigation into the extent of any assets that may be available for payment of same. There may be exceptional circumstances where a waiver to the policies set forth in this Resolution may be granted by the Commissioner of Lewis County Social Services.

Section 6. **SELECTION OF FUNERAL HOMES:** It is the policy of Lewis County to provide an opportunity for the relative or other person responsible, who by law, and order of legal consanguinity, as is currently recognized in New York State, for making the funeral arrangements, to select a funeral home from the professional-at large. However, it is at the sole discretion of the Commissioner based upon financial considerations of the Department of Social Services to approve the funeral home choice. In the event of the death of an individual eligible

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for payment of funeral expenses by the Lewis County Department of Social Services, and where said decedent leaves no known relative or other person willing to take or accept the responsibility of making the funeral arrangements, the Commissioner of Social Services or a designee, shall rotationally assign the funeral of these persons among the Lewis County Funeral Homes.

Section 7. ACCEPTANCE OF PAYMENT BINDS RECIPIENT: Receipt and acceptance of payment for burial and/or funeral benefits provided for under this Policy, shall constitute the recipient's agreement with the County of Lewis to accept such payment of benefits in full payment of any and all claims against the County and to hold the County harmless on account thereof. Upon providing for the funeral arrangements and services for an indigent person, the funeral firm handling such arrangements shall provide a billing to the Lewis County Department of Social Services, on that firm's letterhead, and it shall contain that firm's Federal ID number. Furthermore, the County and the providing funeral firm reserve the right to bring appropriate action at law or in equity to enforce the provisions of this Resolution.

Section 8. EFFECTIVE DATE. This Resolution shall take effect on December 2, 2014.

Moved by Legislator Dolhof, seconded by Legislator Pepper.

Legislators Chartrand and Hathway thanked Legislator Pepper for his indulgence and efforts to review and update this policy.

Legislator Hathway relayed his concerns with embalming, particularly if burial is deferred due to winter weather, and minimum casket requirements. County Manager Liz Swearingin had explained that regardless of the policy, funeral directors would embalm and provide a proper casket. Their general intent is to assist the indigent in a proper manner, and after discussing the matter with several funeral directors she has no concerns in that regard. They will have discretion with families for caskets and specific final arrangements. There is no intent or plans to monitor their services.

Legislator Hathway questioned language in Section 5 giving discretion to the Commissioner of Social Services in special circumstances. Commissioner Stacy Alvord cited situations involving the death of a child as an exception when classmates and school children may compel expanded viewing and/or calling hours.

Legislator Pepper affirmed there is no knowledge of any complaints in the past, and is confident good services are provided. The requested increase of \$300 is recommended, the first since 2009.

Chairman Tabolt extended thanks on behalf of the entire Board for the Committee's negotiations to update the policy.

The resolution was then adopted.

**RESOLUTION NO. 463 - 2014  
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**VARIOUS OUTSIDE AGENCIES**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the following contracts for fiscal year 2015, at the amounts set opposite to each respectively:

<u>OUTSIDE AGENCY</u>	<u>AMOUNT</u>
Mountain View Prevention	\$21,000.00
Lewis County General Hospital Foundation	20,000.00
Chamber of Commerce	45,000.00
Chamber of Commerce (I Love NY)	40,000.00
North Country Library System	20,000.00
Lewis County Historical Society	20,000.00
Constable Hall Association	800.00
American Maple Museum	800.00
Railroad Historical Society NNY	600.00
Adirondack Park Local Government Review Board	800.00
Lewis County Agricultural Society	4,000.00
Adirondack North Country Association	1,000.00
Lewis County Soil & Water Conservation District	95,000.00
Lewis County Cooperative Extension Service	300,000.00

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 said Agreements.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

**OTHER BUSINESS:**

The Clerk read the Chairman's proclamation for the Week of December 1 – 5, 2014 as "Employee Learning Week" in Lewis County.

At 5:59 p.m., Legislator Brennan made a motion to enter executive session to discuss a personnel matter, seconded by Legislator Chartrand and carried. Following the session, Legislator Brennan moved to re-enter regular session, seconded by Legislator Chartrand and carried.

There being no other business to come before the Board, Legislator Moroughan made a motion to adjourn at 6:10 p.m., seconded by Legislator Chartrand and carried.

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**FINAL DAY  
ANNUAL SESSION  
December 19, 2014**

The meeting was called to order at 11:00 a.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislator Dolhof whom was excused.

Chairman Tabolt offered the Invocation followed by a moment of silence for those deceased, and led the Pledge of Allegiance to the Flag.

There were 14 persons present.

**REPORT OF THE RULES AND LEGISLATION COMMITTEE:**

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

Dated: December 19, 2014

Bryan Moser  
Craig Brennan, Committee

Legislator Moser made a motion to waive the rules, seconded by Legislator Brennan, and carried.

**REPORTS OF STANDING COMMITTEES:**

Legislator Philip Hathway, Ways and Means Committee Chairman, announced a meeting with Bernier, Carr and Associates on 12/22/14 for preliminary discussion about the Outer Stowe Street parking lot project. He invited and encouraged the Social Services Committee members to join them, adding they would also inquire input from Social Services staff.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, made a motion to authorize Sheriff Carpinelli to purchase a new patrol vehicle to replace the 2013 vehicle involved in an accident that had been declared totaled by the insurance company adjustor. The purchase is to be covered by insurance recovery funds, with any balance covered by Capital Equipment funds. The motion was seconded by Legislator Hathway and carried.

Legislator King made a motion to extend employment of the Temporary Secretary to the Sheriff through July 14, 2015, seconded by Legislator Moroughan and carried.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, reported that the Development Authority of the North Country has offered to accept all CRT televisions and computer monitors at no cost to the County. Accordingly, a resolution is proposed to rescind the imposed handling fee.

Legislator Brennan also reported the Solid Waste Department has purchased new yellow recycling bins that are available to residents at Lewis County's cost of \$20.50 each.

## PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Brennan made a motion to award the low bid for replacement of the bridge on the VanAmber Road over the Beaver River to Tuscarora Construction Co., Inc. in the amount of \$1,532,593.00, as recommended by the engineering firm and approved by the NYS Dept. of Transportation. The motion was seconded by Legislator King and carried.

Legislator Richard Chartrand, Hospital Committee Chairman, reported the initiative for St. Joseph's Hospital to provide on-call surgeon services is working toward credentialing. Also, recent specialized training is credited for increased clinic volumes and attendant increased revenues.

Legislator Chartrand reported that following candidate interviews, it is recommended to appoint Donald Musnicki of Glenfield to fill the un-expired term of William Wormuth on the Board of Managers through 12/31/2015. It is also recommended to re-appoint Charles Truax for a 5-year term.

Legislator Chartrand further reported the IGT funds anticipated on 12/24/14 would effectively reduce the 2014 County debt to zero; however, monthly payments on the 2015 \$4.8 Million pension debt would be made pursuant to the respective Memorandum of Understanding.

In 2015 additional sources of income are predicted to equate between \$6-\$8 Million, which shall enable the Hospital to cover health, dental and pension benefit expenses, as well as reduce the time for accounts payables. Concluding his report, Legislator Chartrand stated that ir-regardless of the terminated orthopedic surgeon in mid April that effected a \$3 Million revenue loss, a year-end surplus of \$900,000 is projected.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, urged support of her sponsored resolutions for contract renewals and appointments. The 3<sup>rd</sup> quarterly Board of Health report is on file with the Clerk of the Board. Director Penny Ingham was assisted by County Attorney Joan McNichol to update the Ebola quarantine policies and procedures, and is prepared to issue orders if necessary. The public is reminded to get their influenza immunization. The Fiscal Manager estimates an un-expended balance of \$700,000 largely attributable to increased revenues, timely Pre-School service reimbursements, and over-estimating Pre-School expenditures.

Legislator Moroughan reported that the Suicide Prevention Coalition has identified 2015 goals. Director of Community Services plans to provide training to target populations, as well as awareness and informational mailings. Lewis County is entering Phase III of the NYS Success Program to enhance existing substance abuse prevention and mental health service networks and promote a collaborative approach to services for children and families. Many human service providers and agency stakeholders have been invited to attend the 1/8/2015 meeting to hear from State representatives.

COUNTY MANAGER REPORT:

DECEMBER 19, 2014

Elizabeth Swearingin invited Legislators to view the listing in her office of the recent Regional Economic Development Council awards, specifically citing the \$640,000 Lewis County award for the Outer Stowe Street parking lot project. She strongly encourages amplified participation to garner respective grant funds.

A Lyons Falls group spearheaded by Thomas Gillette is promoting on-line college level courses via Mohawk Valley Community College (MVCC) at the South Lewis Central School.

Ms. Swearingin also relayed intermittent meetings with area businesses are coordinated by Director of Economic Development Eric Virkler and has facilitated training of front-line supervisors by the Sci-Tech Center, as urged through business owner discussions.

Relative to the \$50,000 County appropriation to the Lewis County Development Corporation (LCDC) for rehabilitation of the Lyons Falls Pulp & Paper site, she has asked Eric Virkler to schedule a January meeting with all stakeholders for a historical presentation by Attorney Raymond Meier from the inception of the project.

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 \$ 618,974.01 and recommend that they be audited and allowed for the amounts claimed.

Philip Hathway, Chair  
Jerry King, Committee  
Richard Chartrand, Committee

Dated: December 19, 2014

Approved on motion by Legislator Pepper, seconded by Legislator Hathway, and carried.

RESOLUTIONS:

**RESOLUTION NO. 464 - 2014  
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.



PROCEEDINGS OF THE BOARD OF LEGISLATORS

RESOLVED that the claims presented for payment in the total amount of \$ 618,974.01 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 Moser, seconded by Legislator Chartrand, and adopted by roll call vote:

YEAS: Brennan, Chartrand, Hathway, King, Kulzer, Moroughan, Moser, Pepper, Tabolt

NAYS: None.

ABSENT: Dolhof

**RESOLUTION NO. 465 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY COMMUNITY SERVICES DEPARTMENT AND CREDO  
COMMUNITY CENTER FOR THE TREATMENT OF ADDICTIONS**

Introduced by Legislator Andrea Moroughan, Chair of the Community Services Committee

WHEREAS, Lewis County Community Services Department wishes to enter into an Agreement with Credo Community Center for the Treatment of Addictions (“Credo”) to provide outpatient substance abuse treatment services; and

WHEREAS, the Community Services Board (“CSB”) is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Article 41 of the Mental Hygiene Law and CSB recommends that the County enter into a contract with Credo for such services; and

WHEREAS, the County of Lewis wishes to enter into an Agreement with Credo and 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 Community Services Department, and Credo Community Center for the Treatment of Addictions, Inc. to provide outpatient substance abuse treatment services.

Section 2. That this is for the period beginning January 1, 2015 through December 31, 2015 at a cost not to exceed \$19,577.00.

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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 upon such form as approved by the County Attorney.

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

Moved by Legislator Pepper , seconded by Legislator Moser , and adopted.

**RESOLUTION NO. 466 - 2014**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN**  
**LEWIS COUNTY COMMUNITY SERVICES DEPARTMENT**  
**AND LOCUM INTERACTIVE, INC.**

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

WHEREAS, the Lewis County Community Services Department desires to enter into an Agreement with Locum Interactive, Inc., with offices located at 859 Penfield Road, Rochester, New York 14625; and

WHEREAS, Locum Interactive, Inc. shall provide psychiatric services pursuant to NYS Criminal Procedure Law Article 730 for Assisted Outpatient Treatment evaluations and court testimony; 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 Community Services Department, with Locum Interactive, Inc. to provide the services of Steven M. Fogleman, MD for psychiatric services pursuant to NYS Criminal Procedure Law Article 730 for Assisted Outpatient Treatment evaluations and court testimony.

Section 2. That this is for the term beginning January 1, 2015 and ending December 31, 2015 at a cost of \$325 per hour.

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 form as may be approved by the County Attorney.

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

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 467 - 2014  
RESOLUTION AUTHORIZING SUB-LEASE AGREEMENT  
BETWEEN MOUNTAIN VIEW PREVENTION SERVICES, INC. AND  
LEWIS COUNTY COMMUNITY SERVICES**

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

WHEREAS, the Lewis County Community Services Department (“Tenant”) desires to enter into a Sub-Lease Agreement with Mountain View Prevention Services, Inc. (“Landlord”) for the purpose of leasing approximately 469 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 Sub-Lease Agreement between Mountain View Prevention Services and the County of Lewis acting by and through the Lewis County Community Services Department commencing January 1, 2015 through December 31, 2015 at a rental cost of \$4,920.00 payable in equal monthly installments of \$410.00.

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

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Pepper, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 468 - 2014  
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN  
LEWIS COUNTY COMMUNITY SERVICES  
AND MOUNTAIN VIEW PREVENTION SERVICES, INC.,  
ONEIDA-LEWIS NYSARC, AND  
NORTHERN REGIONAL CENTER FOR INDEPENDENT LIVING**

Introduced by Legislator Andrea Moroughan, Chair of the Community Services 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

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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 2015, the term of these services are beginning January 1, 2015 and ending December 31, 2015, at the amounts set opposite to each respectively:

<u>ENTITY</u>	<u>AMOUNT</u>
Mountain View Prevention Services, Inc.	\$ 229,586.00
Oneida-Lewis NYSARC	104,842.00
Northern Regional Center for Independent Living (NRCIL) (Family Support Services)	167,152.00
Northern Regional Center for Independent Living (NRCIL) (Mental Health Advocacy & Psychosocial Club)	245,302.00
Northern Regional Center for Independent Living (NRCIL) (Peer Recovery Services)	247,250.00

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 Moser, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 469 - 2014**  
**RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY**  
**COMMUNITY SERVICES DEPARTMENT AND RUBENZAHL, KNUDSEN &**  
**ASSOCIATES PSYCHOLOGICAL SERVICES, P.C.**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, Lewis County Community Services Department is lawfully required pursuant to Criminal Procedure Law Article 730.00 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 Community Services Department wishes to enter into an Agreement with Rubenzahl, Knudsen & Associates Psychological Services, P.C. to conduct these examinations.

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 Community Services Department, and Rubenzahl, Knudsen & Associates 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 January 1, 2015 through December 31, 2015 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, pending approval by the County Attorney.

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

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

**RESOLUTION NO. 470 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY COMMUNITY SERVICES DEPARTMENT  
AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK**

Introduced by Legislator Andrea Moroughan, Chair of the Community Services 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 Lewis County Community Services Department wishes to enter into an Agreement with Transitional Living Services of Northern New York ("TLS") to perform certain community based programs for the period beginning January 1, 2015 through December 31, 2015 for an amount not to exceed \$661,222.00; such services to include: Single Point of Access;

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Transition Management Services; Crisis Intervention; Client Transportation; Supported Housing Rental Assistance and Supported Housing Community Services; Case Management – Non Medicaid Care Coordination; Blended Case Management; Case Management - Blended (Adult ICM and SCM); and Case Management - Children Intensive; and

WHEREAS, the Community Services Board has reviewed the contract between Transitional Living Services Of Northern New York and Lewis County Community Services Department and has determined that these services are necessary and appropriate to meet the needs of the community and the costs are reasonable for servicing such needs and recommends 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 Transitional Living Services of Northern New York for the term January 1, 2015 through December 31, 2015 for an amount not to exceed \$661,222.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as may be approved by the County Attorney.

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

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

**RESOLUTION NO. 471 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY DISTRICT ATTORNEY  
AND KEVIN EDMONDS AS A  
CONFIDENTIAL DISTRICT ATTORNEY INVESTIGATOR**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County District Attorney's Office wishes to enter into an agreement with Kevin Edmonds for the purpose of receiving confidential criminal investigator services for the Lewis County District Attorney's Office by performing the duties of locating and assisting in interviewing witnesses for trials and possible transportation of witnesses for both misdemeanor and felony level trials; serving subpoenas; securing and obtaining current and additional evidence for misdemeanor and felony investigations, cases and trials, including but not limited to witness contact and restitution information; case reviews, in particular to assist with misdemeanor caseload; assist with preparation of witnesses for hearings, Grand Jury and trials; and

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

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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 Kevin Edmonds for the purpose of receiving confidential criminal investigator services for the Lewis County District Attorney's Office.

Section 2. That this is for the period of January 1, 2015 through December 31, 2015 at a cost of \$16.00 per hour at 12.5 hours per week to total \$200.00 per week and not to exceed \$10,400.00 per year.

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 Pepper, seconded by Legislator Hathway, and adopted.

**RESOLUTION NO. 472 – 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
THE COUNTY OF LEWIS AND NYS DIVISION  
OF HOMELAND SECURITY & EMERGENCY SERVICES  
FOR A PUBLIC SAFETY ANSWERING POINTS GRANT**

Introduced by Legislator Jerry King, Chairman of the Fire and Emergency Management Committee.

WHEREAS, the County of Lewis has received a grant award from the New York State Division of Homeland Security and Emergency Services in the amount of \$182,637.00 for the Public Safety Answering Points Project; and

WHEREAS, the Board of Legislators wishes to accept such grant.

Now, therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with the County of Lewis and the New York State Division of Homeland Security and Emergency Services for a Public Safety Answering Points project to purchase E-911 equipment and system maintenance costs for the term beginning January 1, 2015 through December 31, 2015, in the amount of \$182,637.00.

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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 Moroughan , seconded by Legislator King and adopted.

**RESOLUTION NO. 473 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
FIRE & EMERGENCY MANAGAMENT DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Fire & Emergency Management Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriation be approved in the 2014 budget for Emergency Management Fire Training Tower with contributions from the Lewis County Fireman's Association:

<u>Increase Revenues</u>	<u>Amount:</u>
A27064 (Contributions Emerg Management)	\$500.00

<u>Increase Expense:</u>	
A3410.4919 (Fire Training Tower)	\$500.00

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

Moved by Legislator Moser , seconded by Legislator Pepper , and adopted.

**RESOLUTION NO. 474 - 2014  
RESOLUTION APPOINTING MEMBER TO  
NEW YORK REGION 6  
FOREST PRACTICE BOARD**

Introduced by Legislator Michael A. Tabolt, 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 as their representative to the New York Region 6 Forest Practice Board.



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Section 2. That the term of said appointment shall be for the period January 1, 2015 through December 31, 2017.

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

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

**RESOLUTION NO. 475 - 2014  
RESOLUTION APPOINTING MEMBER TO  
LEWIS COUNTY GENERAL HOSPITAL  
BOARD OF MANAGERS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby re-appoints Charles Truax, Jr. of 7581 Church Street, Lowville, New York 13367 to the Board of Managers of the Lewis County General Hospital.

Section 2. That the term of said appointment shall be for a period of 5 years to commence January 1, 2015 and expire on December 31, 2019.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Pepper.

Legislator Kulzer made a motion to table the resolution to allow more time and discussion on the proposed appointment, seconded by Legislator King. The motion was defeated by a roll call vote as follows:

YEAS: King, Kulzer, Moroughan and Moser

NAYS: Brennan, Chartrand, Hathway, Pepper and Tabolt

ABSENT: Dolhof

The resolution was defeated by a roll call vote as follows:

YEAS: Brennan, Chartrand, Hathway, Pepper and Tabolt

NAYS: King, Kulzer, Moroughan, Moser

ABSENT: Dolhof

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Legislator King took exception that the process of choosing a candidate was not followed as agreed by the full Board, whereby the Committee would pose their recommendation for consideration and discussion by the full Board prior to presentation for a vote. Legislator Chartrand alternatively invited the whole Board to participate in the interview process to avoid additional meetings.

Legislator Chartrand suggested further discussion on the matter in executive session later today.

**RESOLUTION NO. 476 - 2014  
RESOLUTION APPOINTING MEMBER TO  
LEWIS COUNTY GENERAL HOSPITAL  
BOARD OF MANAGERS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, William Wormuth has resigned as a member of the Lewis County General Hospital Board of Managers.

Now, therefore, BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby appoints Donald Musnicki of 6521 East Shore Road, Glenfield, New York 13343 to the Board of Managers of the Lewis County General Hospital, to fill the un-expired term of William Wormuth.

Section 2. That the term of said appointment shall commence on December 20, 2014 and expire on December 31, 2015.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 477 - 2014  
RESOLUTION TO AMEND  
THE NUMBER OF MEMBERS COMPRISING  
THE COUNTY OF LEWIS INDUSTRIAL DEVELOPMENT AGENCY AND  
APPOINTMENT OF TINA SCHNEIDER**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

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WHEREAS, the Lewis County Legislative Board authorized and formed the County of Lewis Industrial Development Agency (IDA) in 1973, establishing and appointing five (5) individuals as members of the IDA Board; and

WHEREAS, subdivision 2 of section 856 of the General Municipal Law (GML) provides that an industrial agency shall consist of not less than three (3) nor more than seven (7) members who shall be appointed by the governing body of each municipality and who shall serve at the pleasure of the appointing authority; and

WHEREAS, the Lewis County Board of Legislators subsequently authorized and adopted by resolution, an increase in the number of members of the IDA Board to seven (7); and thereafter authorized and adopted by resolution, a decrease in the number of members of the IDA Board to five (5), with the Lewis County Board of Legislators reserving its authority to modify the number of members of the IDA in accordance with GML § 856; and

WHEREAS, the County of Lewis IDA provides important services for industrial and economic development in the County; and

WHEREAS, the Lewis County Board of Legislators have determined that the current number of members of the IDA Board should be increased to seven (7) members, who shall serve at the pleasure of the Lewis County Board of Legislators pursuant to the provisions of GML §856; and

Now, therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby directs that the County of Lewis Industrial Development Agency Board of Directors shall be comprised of and is set at seven (7) members.

Section 2. That the Lewis County Board of Legislators hereby recognizes the following named individual members of the IDA Board continuing in service under the term of their prior respective appointments of the Lewis County Board of Legislators :

Rosco "Rocky" Fawcett  
Mickey G. Lehman  
Gerald "Jerry" Haenlin  
Stevie Smith  
Craig P. Brennan

Section 3. That the Lewis County Board of Legislators hereby appoints TINA SCHNEIDER of 8765 Mattis Road, Lowville, New York 13367 as an additional member of the IDA Board, who shall serve at the pleasure of the Lewis County Board of Legislators pursuant to the provisions of GML §856.

Section 4. That the Lewis County Board of Legislators shall make an additional appointment to the IDA Board to fill the seven (7) positions as soon as practicable.

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

Moved by Legislator Kulzer, seconded by Legislator Pepper.

Legislator Chartrand expressed confusion, inquiring why this appointment and the previous appointment to the Hospital Board of Managers did not garner the same scrutiny as the former Hospital Board of Manager appointment. Legislator King asserted he had the same issue with this proposed appointment, while stating he had received specific information on the new Board of Manager candidate.

The resolution was then unanimously adopted.

**RESOLUTION NO. 478 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
INFORMATION TECHNOLOGY**

Introduced by Legislator Gregory Kulzer, Chairman of the Information Technology Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2014 budget appropriation is hereby approved in the Information Technology accounts for various technology needs, utilizing funds from HAE9901.9, balance \$196,393.30:

<u>Increase Revenue:</u>	
A50310 (Inter-fund transfers)	\$103,532.19
<u>Increase Expense:</u>	
A1680.4901 (Prof Serv)	\$103,532.19

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

Moved by Legislator Brennan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 479 - 2014  
RESOLUTION APPOINTING MEMBER TO  
JUNKYARD REVIEW BOARD**

Introduced by Legislator Bryan Moser, Chairman of the Junkyard Committee.

BE IT RESOLVED as follows:

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Section 1. That this Board of Legislators hereby appoints Paul Dickinson of Post Office Box 172, Turin, New York 13473, to the Lewis County Junkyard Review Board.

Section 2. That the term of said appointment shall be effective from January 1, 2015 through December 31, 2017.

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

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 480 - 2014  
RESOLUTION APPOINTING MEMBER TO  
JUNKYARD REVIEW BOARD**

Introduced by Legislator Bryan Moser, Chairman of the Junkyard Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints John G. Jones of Post Office Box 57, Beaver Falls, New York 13305, to the Lewis County Junkyard Review Board.

Section 2. That the 5-year term of said appointment shall be effective from January 1, 2015 through December 31, 2019.

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

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

**RESOLUTION NO. 481 - 2014  
RESOLUTION AUTHORIZING  
OFFICE FOR THE AGING  
TO RETAIN OUTSIDE COUNSEL**

Introduced by Legislator Neil Pepper, 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, Brenda J. Bourgeois, Director of Office for the Aging, has requested permission to retain outside counsel to assist in providing legal services on behalf of elderly individuals.

Now, therefore, BE IT RESOLVED as follows:

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Section 1. That Brenda J. Bourgeois, Director of the Office for the Aging is hereby authorized to retain Company, Young & McArdle, PLLC, to assist in the representation of elderly individuals in various civil and administrative matters, or as they deem necessary and appropriate and under their supervision, at an hourly rate of \$120.00 per hour for attorney services with an amount not to exceed compensation amount of \$5,000.00.

Section 2. That the term of this service shall be from January 1, 2015 through December 31, 2015; with the County's share being 25%.

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 form as may be approved by the County Attorney.

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

Moved by Legislator Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 482 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
OFFICE FOR THE AGING AND MCMANUS HOTEL**

Introduced by Legislator Neil Pepper, Chairman of the Office For The Aging Committee.

Now, therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the Agreement between the County of Lewis, by and through the Lewis County Office For the Aging and McManus Hotel for the purpose of providing senior meals for the Nutrition Program for the term commencing on January 1, 2015 and terminating on December 31, 2015 at \$7.45 per meal.

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 Pepper, seconded by Legislator King, and adopted.

**RESOLUTION NO. 483 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
OFFICE FOR THE AGING AND FOUR MEAL SITE FACILITIES**

Introduced by Legislator Neil Pepper, Chairman of the Office For The Aging Committee.

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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, 2015 and terminating on December 31, 2015:

<u>MEAL SITE RENTAL FACILITY</u>	<u>AMOUNT</u>
Croghan Housing Development Fund Company, Inc.	\$0.00 per month
Harris Courts, Inc.	\$100.00 per month
Maple Ridge Center, Inc.	\$1,100.00 per month
United Church of Copenhagen	\$125.00 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 Moroughan, seconded by Legislator Hathway, and adopted.

**RESOLUTION NO. 484 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
OFFICE FOR THE AGING AND OSCEOLA OUTPOST**

Introduced by Legislator Neil Pepper, Chairman of the Office For The Aging Committee.

Now, therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the Agreement between the County of Lewis, by and through the Lewis County Office For the Aging and Osceola Outpost for the purpose of providing senior meals for the Nutrition Program for the term commencing on January 1, 2015 and terminating on December 31, 2015 at \$7.50 per meal.

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 Pepper, seconded by Legislator Moser, and adopted.

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**RESOLUTION NO. 485 - 2014  
RESOLUTION AUTHORIZING CONTRACTUAL AGREEMENTS  
BETWEEN OFFICE FOR THE AGING AND  
VARIOUS PROVIDERS FOR PROGRAM SERVICES**

Introduced by Legislator Neil Pepper, 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	\$15.00 monthly per unit
U.S. Care Systems, Inc.	Caregiver Services	\$18.00 per hour for Level II
U.S. Care Systems, Inc.	EISEP/CSE Services (In-Home Care)	\$17.75 per hour for Level I \$18.00 per hour for Level II

Section 2. That the term of said Agreements shall be the period from January 1, 2015 through December 31, 2015.

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

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

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

**RESOLUTION NO. 486 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
OFFICE FOR AGING**

Introduced by Legislator Neil Pepper, Chairman of the Office for Aging Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2014 budget transfer is hereby approved in the Office For Aging account for the purchase of a Van, utilizing Capital Equipment funds (HAD9901.9),



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HAD balance \$410,436.08:

Increase Revenue:

A50310 (Inter-fund transfers) \$22,487.29

Increase Expense:

A6772.2233 (Vehicles) \$22,487.29

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

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

**RESOLUTION NO. 487 - 2014  
RESOLUTION APPOINTING MEMBERS TO  
OFFICE FOR AGING ADVISORY COUNCIL**

Introduced by Legislator Neil Pepper, 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 to serve as members of the Lewis County Office For Aging Advisory Council:

District No. 2 – Marietta Virkler of 6489 Swiss Road, Castorland, NY 13620  
District No. 6 – Ann Pominville of 6773 Pine Grove Road, Glenfield, NY 13343  
District No. 9 – Joan Goodfellow of 3772 Hunkins Road, Port Leyden, NY 13433  
Margaret Grant to represent the Lewis County General Hospital

Section 2. The term of said appointments shall be effective from January 1, 2015 through December 31, 2017.

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

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 488 - 2014  
RESOLUTION APPOINTING MEMBER TO  
PLANNING BOARD**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

BE IT RESOLVED as follows:

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Section 1. That the Board of Legislators hereby re-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, 2015 through December 31, 2017.

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

Moved by Legislator Moser, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 489 - 2014**  
**RESOLUTION AUTHORIZING AGREEMENT**  
**BETWEEN LEWIS COUNTY PROBATION DEPARTMENT AND**  
**CHILDREN'S HOME OF JEFFERSON COUNTY**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Committee.

WHEREAS, Children's Home of Jefferson County ("Agency") is a private non-profit agency authorized by the New York State Office of Children and Family Services that provides a non-secure detention program; and

WHEREAS, the Lewis County Probation Department wishes to enter into an agreement with this Agency to utilize their services for the provision of non-secure detention services for the temporary boarding and care of juveniles placed into the custody of the County by the Family Court; 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 Probation Department, and Children's Home of Jefferson County for the provision of non-secure detention services for the temporary boarding and care of juveniles placed into the custody of the County by the Family Court for the term beginning January 1, 2015 through December 31, 2015 at a cost of \$298.50 per day.

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 Kulzer, and adopted.

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**RESOLUTION NO. 490 - 2014  
RESOLUTION AUTHORIZING CONTRACT WITH  
LEWIS DEFENDERS, PLLC**

Introduced by Legislator Jerry King, Chairman of Courts and Law Enforcement 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, 2015 and continue through December 31, 2015.

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 Moroughan, seconded by Legislator Moser, and adopted.

Legislator Hathway opposed.

**RESOLUTION NO. 491 - 2014  
RESOLUTION AUTHORIZING CONTRACT WITH  
MCCLUSKY LAW FIRM, LLC  
TO PERFORM CONFLICT DEFENDER SERVICES**

Introduced by Legislator Jerry King, Chairman of Courts and Law Enforcement Committee.

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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 which 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 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, 2015 and continue through December 31, 2015.

Section 3. This Resolution shall take effect immediately.

Moved by Legislator Pepper , seconded by Legislator Moser , and adopted.

**RESOLUTION NO. 492 – 2014  
RESOLUTION TO TRANSFER FUNDS  
CONTINGENCY TO PUBLIC DEFENDER**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.

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BE IT RESOLVED, as follows:

Section 1. That the following 2014 budget transfer is hereby approved in the Public Defender account to cover additional assigned counsel expense:

<u>From:</u>	<u>Amount</u>
A1990.4999 (Contingency)	\$20,000.00

<u>To:</u> A1170.4901 (Prof Serv)	\$20,000.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 493 - 2014  
RESOLUTION APPOINTING MEMBERS TO  
HEALTH SERVICES ADVISORY BOARD**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following individuals to the Lewis County Health Services Advisory Board:

Robert MacKenzie, Lewis County Fire and Emergency Management Director  
Jennifer Jones, Lewis County Director of Services

Section 2. That the term of said appointments shall be effective from January 1, 2015 through December 31, 2018.

Section 3. That the within resolution shall take effect immediately

Moved by Legislator Pepper, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 494 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY SHERIFF'S DEPARTMENT  
& BLACK CREEK INTEGRATED SYSTEMS CORPORATION**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

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WHEREAS, the Lewis County Sheriff's Department desires to enter into an Agreement with Black Creek Integrated Systems Corporation, ("Black Creek") a corporation located at 2900 Crestwood Boulevard, Irondale, Alabama; and

WHEREAS, Black Creek provides computer software support, specifically for the program Sally-Port NY that the Lewis County Jail uses as a management system for the collection of data for the inmates; 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 Sheriff's Department and Black Creek Integrated Systems Corporation for the purpose of utilizing Black Creek's computer software support for the program Sally-Port NY that the Lewis County Jail uses as a management system for the collection of data for the inmates.

Section 2. That this is for the term commencing on January 1, 2015 through December 31, 2015 in an amount not to exceed \$10,429.75.

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 Moroughan, and adopted.

**RESOLUTION NO. 495 – 2014**  
**RESOLUTION TO APPROPRIATE/TRANSFER FUNDS**  
**SHERIFF'S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2014 budget changes are hereby approved in the Sheriff's Department account for the purchase of a patrol car, utilizing Capital Equipment funds from HAD9901.9; balance \$410,436.08:

<u>Appropriate:</u>	<u>Amount:</u>
A50310 (Inter-fund Transfer)	\$37,806.76

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A3112.2909 (Misc Equip)

\$37,806.76

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

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

**RESOLUTION NO. 496 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
SHERIFF’S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation of donations is hereby approved in the Sheriff’s Department Shop with a Cop account:

Increase Revenue:

A27053.4 (Shop with a Cop) \$1,695.00

Increase Expense:

A3110.4909 (Misc) \$1,695.00

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

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

**RESOLUTION NO. 497 - 2014  
RESOLUTION AUTHORIZING NOTE AND  
MORTGAGE SUBORDINATION AGREEMENT  
(COUNTY OF LEWIS TO MATTHEW T. YOUNG)**

Introduced by Legislator Michael A. Tabolt, Chairman of the Lewis County Board of Legislators.

WHEREAS, Matthew T. Young (the “Borrower”) received a housing Grant in the amount of \$23,458.80 secured by a mortgage for the benefit of the County of Lewis, recorded in the Lewis County Clerk’s Office on December 28, 2007 as Instrument Number 2007-04283, which provides for recapture obligations, pursuant to a program administered by Snow Belt Housing Company, Inc.; said mortgage instrument acknowledges that it is subject to the lien of a first mortgage made by Community Bank, N.A.; and

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WHEREAS, the Borrower seeks to refinance its loan with Community Bank, N.A. by execution of a new mortgage in the amount of \$140,000.00 plus interest, which requires the County to provide a subordination agreement; and

WHEREAS, pursuant to the terms of the Grant, the County's security under its mortgage is now reduced to \$9,393.52.

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 Note and Mortgage Subordination Agreement for the afore-described Mortgage, upon such terms as may be acceptable to the County Attorney.

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

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

**RESOLUTION NO. 498 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
THE CENTER OF LIFELONG EDUCATION AND RECREATION  
OF SUNY POTSDAM**

Introduced by Legislator Neil Pepper, 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 training projects and professional development workshops 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 training projects and professional development workshops for the Department of Social Service employees.

Section 2. That the term of this Agreement shall be from January 1, 2015 through December 31, 2015 for an amount not to exceed \$7,200.00, with said amount being reimbursed to the Lewis County Department of Social Services through Federal and State funds.



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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 Pepper, seconded by Legislator King, and adopted.

**RESOLUTION NO. 499 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
CHILDREN'S HOME OF JEFFERSON COUNTY**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, Children's Home of Jefferson County ("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, emergency respite care and non-secure detention 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 Department of Social Services, and Children's Home of Jefferson County for the provision of foster care, emergency respite care and non-secure detention services for the term beginning January 1, 2015 through December 31, 2015 at a cost in accordance with the rates set forth by the State in the Agreement, with no local share cost until foster care costs exceed the block grant, and then local share shall be 37.5%.

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 Moser, and adopted.

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**RESOLUTION NO. 500 - 2014  
RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENT BETWEEN THE  
DEPARTMENT OF SOCIAL SERVICES AND  
CREDO COMMUNITY CENTER  
FOR THE TREATMENT OF ADDICTIONS, INC.**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, Credo Community Center for the Treatment of Addictions, Inc. (“Credo”) provides chemical dependency and addictions services within Lewis County; and

WHEREAS, the Lewis County Department of Social Services (“DSS”) wishes to enter into a Memorandum of Agreement with Credo to use their services for individuals receiving assistance from 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 approves the Memorandum of Agreement with Credo Community Center for the Treatment of Addictions, Inc. for the period of January 1, 2015 through December 31, 2015 at a cost as payer of last resort, not to exceed \$152.67 per addiction assessment and for screening services costs, as payer of last resort, at a cost not to exceed current laboratory screening costs.

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 Moroughan, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 501 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
ELMCREST CHILDREN’S CENTER**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, Elcrest 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

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

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 Elmcrest 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 County share of the expense is 37.5% of the per diem State rate for specific Treatment Plan.

Section 3. That the term of this agreement shall be from January 1, 2015 through December 31, 2015.

Section 4. 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 5. That the within Resolution shall take effect immediately.

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

**RESOLUTION NO. 502 - 2014  
RESOLUTION AUTHORIZING ADDENDUM TO AGREEMENT  
BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND  
HAND IN HAND EARLY CHILDHOOD CENTER**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the County of Lewis and Lewis County Department of Social Services entered into an agreement with Hand in Hand Early Childhood Center dated October 8, 2014; and

WHEREAS, the fee rates for the After School Program were not included.

Now, therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Addendum to the Agreement dated October 8, 2014 between the County of Lewis and Hand in Hand Early Childhood Center for the After School Program that incorporates the fee rates at the Day Care market rate established by Hand in Hand Early Childhood Center and pursuant to the DSS Fair Market Rates as established by the State. The cost for eligible recipients is approximately 1%

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for the County and 99% federally reimbursed for the period beginning January 1, 2015 through December 31, 2016 as follows:

- A non-refundable \$50.00 annual registration fee is due prior to start date.
- Tuition Rate: \$10.00 per school day. Billing will be on a monthly cycle. Parents will be billed for the upcoming month of school days. Sibling discounts and a sliding scale based on income will apply as follows:

	1 <sup>st</sup> Child	2 <sup>nd</sup> Child	3 <sup>rd</sup> Child
Sibling Discount Lunch	\$10.00	\$8.00	\$6.00
*Sliding Scale based on income: Reduced Lunch	\$8.00	\$6.00	\$4.00
*Sliding Scale based on income: Free Lunch	\$6.00	\$4.00	\$2.00

\*Sliding scale is based on the Child and Adult Care Food Program Income Guidelines through the New York State Department of Health.

Absences due to illness or school closings (inclement weather) will be paid in accordance with the Hand In Hand Early Childhood Center's contract.

A fee of \$5.00 will be paid per child per day for attendance on half days and emergency closings due to inclement weather.

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 Pepper, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 503 – 2014  
RESOLUTION TO APPROPRIATE FUNDS FOR  
SOCIAL SERVICES**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the County of Lewis has collected Home Energy Assistance Program (HEAP) funds being returned for the Federal government.

Now, therefore, BE IT RESOLVED, as follows:

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Section 1. That the sum of \$35,345.00 be expensed to Account A6141.4999 - HEAP Expense.

Section 2. That this return of Federal Aid in the amount of \$35,345.00 also be reflected as a reduction to Account No. A46410 –Federal HEAP Revenue.

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

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 504 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
LABORATORY CORPORATION OF AMERICA HOLDINGS**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, Laboratory Corporation of America Holdings (“Agency”) 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 wishes to enter into an agreement with this Agency to utilize their paternity testing 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 Department of Social Services, and Laboratory Corporation of America Holdings for the provision of paternity testing services in the Child Support Unit, at a cost of \$55.00 per sample and not to exceed an annual cost of \$10,000.

Section 2. That the term of this agreement shall be from January 1, 2015 through December 31, 2015.

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 Brennan, seconded by Legislator King, and adopted.

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**RESOLUTION NO. 505 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
LEWIS COUNTY OPPORTUNITIES, INC.**

Introduced by Legislator Neil Pepper, 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, 2015 through December 31, 2015 for an amount not to exceed \$24,000.00 with no local share cost after (100%) Federal reimbursement.

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 Pepper, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 506 - 2014  
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN  
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES  
AND LEWIS COUNTY GENERAL HOSPITAL  
FOR REHABILITATION SERVICES**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, in accordance with the policies and procedures of DSS and in compliance with New York State and federal welfare reform legislation regulations, to aid in determining employability, the Lewis County Department of Social Services ("DSS") wishes to enter into a Memorandum of Understanding with the Lewis County General Hospital ("LCGH") for rehabilitation services; and

WHEREAS, these services from LCGH will provide DSS with physical and mental impairment examinations for Lewis County Social Services claimants who apply for Temporary Assistance to determine employability; and

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WHEREAS, DSS will refer to LCGH Temporary Assistance Claimants for Physical and Medical Examinations for Employability Assessment, Disability Screening, and Alcoholism/Drug Addiction Determination; 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 Understanding between the County of Lewis, by and through the Lewis County Department of Social Services (“DSS”), and Lewis County General Hospital (“LCGH”) for rehabilitation services to perform physical and mental impairment examinations for Lewis County Social Services Claimants who apply for Temporary Assistance to determine employability.

Section 2. That the term of this Memorandum of Understanding shall be from January 1, 2015 through December 31, 2015 at a cost of \$125.00 for each initial Functional Evaluation performed; \$225.00 per Physical (as needed); and \$118.00 per unit (billable up to 6 units for testing totaling \$708.00) to perform a Functional Capacity Examination; and with the local share cost of these services to be 25% of the stated amounts after Federal (50%) and State (25%) reimbursements.

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 Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 507 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
THE DEPARTMENT OF SOCIAL SERVICES AND  
NATASHA’S KIDDIE SHACK DAYCARE**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to purchase day care services through Natasha’s Kiddie Shack Daycare for eligible recipients; 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 Natasha’s Kiddie Shack Daycare for the period of January 1, 2015 through December 31, 2015 at the Day

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Care market rate established by Natasha's Kiddie Shack Daycare and pursuant to the DSS Fair Market Rates as established by the State. The cost for eligible recipients is approximately 1% for the County and 99% federally reimbursed.

	<b>Infant Under 1 ½</b>	<b>Toddler 1 ½ - 2</b>	<b>Preschool (3-5)</b>	<b>School Age Child Care (6-12)</b>
Weekly Full Time	\$175.00	\$170.00	\$160.00	\$160.00
Hourly Rate	\$6.00	\$6.00	\$6.00	\$6.00
Fair Market Rate Daily	\$42.00	\$40.00	\$38.00	\$35.00
Fair Market Rate Part-Day	\$28.00	\$27.00	\$25.00	\$23.00

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 Pepper, seconded by Legislator King, and adopted.

**RESOLUTION NO. 508 - 2014  
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 Andrea Moroughan, Chair 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 \$49,518.00 for the Children with Special Health Care Needs program; 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 the 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 Bureau of Administration for the Children with Special Health Care Needs program.



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Section 2. That this is for the period beginning October 1, 2014 through September 30, 2017 in the amount of \$49,518.00.

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, pending approval by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 509 - 2014  
RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN  
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES  
AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK, INC.**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, Lewis County Department of Social Services (“DSS”) is responsible for providing shelter for any citizenry who has no plan for housing and is eligible for homeless assistance; and

WHEREAS, Transitional Living Services of Northern New York, Inc. (“TLS”) has the experience in case management and supportive housing services to vulnerable adults and families; and

WHEREAS, DSS wishes to enter into a Memorandum of Agreement with TLS for the purpose of supporting the TLS Gateway Project with their case management and supportive housing services to vulnerable adults and families; 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 Transitional Living Services of Northern New York, Inc. (“TLS”) for the purpose of supporting the TLS Gateway Project with their case management and supportive housing services to vulnerable adults and families in Lewis County.

Section 2. That this is for the period of January 1, 2015 through December 31, 2015 at a cost not to exceed \$26,000. There is no local share as 100% of the funding will be paid through the Department of Social Services Flexible Funds for Families Services account.

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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 Pepper , seconded by Legislator Brennan , and adopted.

**RESOLUTION NO. 510 - 2014**  
**RESOLUTION AUTHORIZING AGREEMENT**  
**BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND**  
**VICTIM ASSISTANCE CENTER OF JEFFERSON COUNTY**

Introduced by Legislator Neil Pepper, Chairman of the Social Services Committee.

WHEREAS, the Victim Assistance Center of Jefferson County (“Center”) provides crisis intervention, shelter admission, emotional support, advocacy, information and referrals; and

WHEREAS, the Lewis County Department of Social Services (“DSS”) wishes to enter into an Agreement with the Center to utilize this facility for women and their dependent children from Lewis County that are in crisis and in need of emergency safe housing; 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 Victim Assistance Center of Jefferson County to provide crisis intervention, shelter admission, emotional support, advocacy, information and referrals for women and their dependent children from Lewis County that are in crisis and in need of emergency safe housing.

Section 2. That this is for the period beginning January 1, 2015 and ending December 31, 2015 at a cost of \$104.87 per person per night; the local share is 25% to 100% depending on the eligibility of the client.

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 Moroughan , seconded by Legislator Pepper , and adopted.

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**RESOLUTION NO. 511 - 2014  
RESOLUTION TO APPOINT MEMBER TO  
SOIL AND WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints Gary Rosiczkowski of 5066 Lee Road, Turin, New York 13473, as the Farm Bureau representative on the Lewis County Soil & Water Conservation District Board of Directors.

Section 2. That the term of said appointment shall be from January 1, 2015 to December 31, 2017.

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

Moved by Legislator Pepper, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 512 - 2014  
RESOLUTION TO RESCIND IMPOSITION OF HANDLING FEE  
FOR CERTAIN RECYCLABLES  
GENERATED AT TRANSFER STATION**

Introduced by Legislator Craig Brennan, Chairman of the Solid Waste Committee.

WHEREAS, this Board by Resolution No. 439-2014 imposed a handling fee to offset additional costs associated with CRT television and computer monitors; and

WHEREAS, the Development Authority of the North Country has agreed to assume the additional cost for said items collected at the Lewis County Transfer Station.

Now, therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby rescinds Resolution No. 439-2014 to impose handling fees for CRT television and computer monitors accepted at the Lewis County Transfer Station.

Section 2. The Development Authority of the North Country agrees to pay any disposal/handling fees to recycle CRT television and computer monitors.

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Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 513 - 2014  
LEVYING TAXES AND ASSESSMENTS FOR  
ANNUAL TOWN BUDGETS**

Introduced by Legislator Gregory Kulzer, Chairman of the Taxation Committee.

WHEREAS, pursuant to Section 116 of the Town Law, there has been presented to this Board of Legislators a duly certified copy of the Annual Budget of each of the several towns of the County of Lewis for the fiscal year beginning January 1, 2015.

RESOLVED, that there shall be and hereby is assessed and levied upon and collected from the taxable property situated in the following named towns the amounts indicated below as specified in the budgets of the respective towns as follows:

<u>Town</u>	<u>Town-Wide</u>	<u>Outside Village</u>
Croghan	\$724,946.54	\$477,872.35
Denmark	588,736.00	332,312.00
Diana	344,106.00	180,176.00
Greig	653,175.84	
Harrisburg	130,393.49	
Lewis	455,959.00	
Leyden	245,563.00	183,767.00
Lowville	648,030.00	234,295.00
Lyonsdale	316,381.00	171,017.00
Martinsburg	327,345.00	
Montague	163,795.00	
New Bremen	562,570.00	342,120.00
Osceola	342,100.00	
Pinckney	302,417.00	
Turin	393,255.00	94,490.00
Watson	952,958.00	
West Turin	421,790.00	144,865.00
Totals:	\$7,573,520.87	\$2,160,914.35

FURTHER RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the real property liable therefor within the respective fire, fire protection, water health and electric light districts in the following towns indicated below, the following amounts for the purpose of such districts as specified in the respective annual budgets.

Croghan:

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Fire Protection District	\$126,800.00
Beaver Falls Fire District	19,861.00
Beaver Falls Light District	12,000.00
Relevied Sewer	34,860.54
Denmark:	
Fire Protection District	49,000.00
Relevied Sewer	470.58
Diana:	
Fire Protection District	98,660.00
Natural Bridge Fire District	2,700.00
Natural Bridge Light District	300.00
Greig:	
Fire Protection District – 3G	69,155.15
Brantingham Water Control	1,800.00
Harrisburg:	
Fire Protection District	53,166.00
Lewis:	
Fire Protection District	38,493.50
Leyden:	
Fire Protection District & Ambulance	27,175.00
Lowville:	
Fire Protection	37,108.00
Fire Protection Flat Rock Phase 1	6,694.83
Fire Protection Flat Rock Phase 2	5,633.94
Water/Sewer Relevy	46,966.75
Lyonsdale:	
Lyons Falls & Port Leyden Fire Protection Districts	35,520.00
Lyonsdale Light District	1,050.00
Martinsburg:	
Fire Protection District	92,959.00
Glenfield Light District	5,300.00
Martinsburg Light District	4,400.00
Martinsburg Water	6,686.13
Water/Sewer Relevies	13,376.25
Montague:	

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Fire Protection	7,537.00
New Bremen:	
New Bremen Fire District	54,156.00
Beaver Falls Fire District	15,139.00
New Bremen Fire Protection Dist	16,275.00
Lighting District	10,799.55
Water Relevy	0.00
Osceola:	
Fire Protection District	44,000.00
Pinckney:	
Fire Protection District & Ambulance	11,440.00
Turin:	
Fire Protection	38,150.00
Watson:	
Fire Protection	34,435.00
Watson Light & Water District	4,865.43
West Turin:	
Turin Fire Protection	12,120.00
Constableville Fire Protection	29,721.00

FURTHER RESOLVED, that such taxes and assessments when collected shall be paid to the Supervisors of the several towns in the amounts as shown in this resolution for distribution by them in the manner provided by law.

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

**RESOLUTION NO. 514 - 2014  
RESOLUTION APPOINTING MEMBER TO  
TRAFFIC SAFETY BOARD**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

WHEREAS, Fire and Emergency Management Director James Martin has retired and has been replaced by Robert MacKenzie.

Now, therefore, BE IT RESOLVED as follows:

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Section 1. That the Board of Legislators hereby appoints Robert MacKenzie, Fire and Emergency Management Director, Outer Stowe Street, Lowville, New York to fill the unexpired term of James Martin on the Lewis County Traffic Safety Board:

Section 2. That the term of said appointment shall be effective December 2, 2014 and terminate on December 31, 2016.

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

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

**RESOLUTION NO. 515 - 2014  
RESOLUTION APPOINTING MEMBERS TO  
TRAFFIC SAFETY BOARD**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following individuals to the Lewis County Traffic Safety Board:

Sheriff Michael Carpinelli, Outer Stowe St., Lowville, NY 13367  
Undersheriff James Monnat, Outer Stowe St., Lowville, NY 13367  
Eric Fredenburg, Lowville Police Chief, 5535 Bostwick Street, Lowville, NY 13367  
Warren Shaw, Croghan Town Superintendent, 10333 State Route 812, Croghan, NY 13327  
Ann Wolff, Lewis County Opportunities, Inc., 8265 State Route 812, Lowville, NY 13367

Section 2. That the term of said appointments shall be effective January 1, 2015 and terminate on December 31, 2017.

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

Moved by Legislator Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 516 - 2014  
RESOLUTION AUTHORIZING AGREEMENT BETWEEN  
LEWIS COUNTY, BIRNIE BUS TOURS, INC. AND  
NYSARC, INC. (ONEIDA-LEWIS CHAPTER) (“ARC”) AND  
UNITED CEREBRAL PALSY (“UCP”)**

Introduced by Legislator Larry Dolhof, Chairman of the Economic Development Committee.

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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 TOURS, 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 Lewis County; and

WHEREAS, the CARRIER is presently under contract with NYSARC, Inc. (Oneida-Lewis Chapter), (herein, “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 CARRIER is presently under contract with United Cerebral Palsy, (herein, “UCP”) to provide transportation services to UCP’s clientele between Lowville and Boonville and the CARRIER wishes to coordinate those services and to expand these services to make them available to the general public; and

WHEREAS, the County wishes to enter into an agreement with the CARRIER, (Birnie Bus Tours, Inc.), 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; said contracts to reference Memoranda of Understandings with UCP and ARC; and

Now, therefore, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with BIRNIE BUS TOURS, INC., which shall incorporate a Memorandum of Understanding among the County, CARRIER, and NYSARC, Inc. (Oneida-Lewis Chapter), and a Memorandum of Understanding among the County, CARRIER and UNITED CEREBRAL PALSY 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



PROCEEDINGS OF THE BOARD OF LEGISLATORS

January 1, 2015 and continue through December 31, 2015 at the various cost rates that are identified in 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, upon approval by the County Attorney as to form.

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

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

**RESOLUTION NO. 517 - 2014  
RESOLUTION AUTHORIZING COUNTY TREASURER  
TO CORRECT ERRORS ON TAX ROLLS**

Introduced by Legislator Gregory Kulzer, 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 2015.

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 2015.

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 Hathway seconded by Legislator King, and adopted.

**RESOLUTION NO. 518 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
WORKFORCE INVESTMENT ACT**

DECEMBER 19, 2014

Introduced by Legislator Neil Pepper, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

NOA#PY14-03

Section 1. That the following funds be appropriated for the Program Year 2014, 7/1/14-6/30/16, per the Notice of Obligational Authority (NOA), #PY-14-03 dated October 27, 2014 through the New York State Department of Labor as indicated below.

Dislocated Worker

CD6291.1999	\$	13,000.00
CD6291.4909	\$	5,000.00
CD6291.8999	\$	6,500.00
CD6291.4999	\$	<u>15,242.56</u>
Total	\$	39,742.56

Adult

CD6292.1999	\$	19,000.00
CD6292.4909	\$	4,200.00
CD6292.8999	\$	8,525.00
CD6292.4999	\$	<u>26,123.89</u>
Total	\$	57,848.89

WIA Revenue

CD47910	\$	97,591.45
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 519 -2014  
RESOLUTION TO APPROPRIATE FUNDS  
WORKFORCE INVESTMENT ACT**

Introduced by Legislator Neil Pepper, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

NOA #PY14-3

Section 1. This NOA reflects an adjustment to the funding available for the Program

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Year 2014 WIA Title B Youth Program to reserve 2% of the total New York State PY 2014 WIA allotment for state and local Workforce Innovation and Opportunity Act (WIOA) implementation needs as authorized by Section 503(g) of the WIOA. Half of this WIOA implementation set aside funding will be distributed to LWIAs at a later date, subject to approval of local WIOA implementation spending plans.

<u>Youth</u>	
CD6290.1999	\$1,286.99

<u>WIA Revenue</u>	
CD47910	\$1,286.99

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

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

**RESOLUTION NO. 520 - 2014  
RESOLUTION AUTHORIZING RESOURCE ALLOCATION PLAN  
WITH NYS OFFICE OF CHILDREN AND FAMILY SERVICES**

Introduced by Legislator Neil Pepper, Chairman of the Youth Bureau Committee.

WHEREAS, execution of the Resource Allocation Plan will qualify the County for State reimbursement in accordance with NYS Office of Children and Family Services' allocation of funds appropriated for counties engaged in comprehensive planning for youth services.

Now, therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Resource Allocation Plan between the County of Lewis and the New York State Office of Children and Family Services (OFCS) for the 2015 program year, in the amount of \$21,115.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver said Resource Allocation Plan

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

Moved by Legislator Pepper , seconded by Legislator Moser and adopted.

**RESOLUTION NO. 521 - 2014  
RESOLUTION TO SCHEDULE**

DECEMBER 19, 2014

**2015 ORGANIZATIONAL MEETING**

Introduced by Legislator Michael A. Tabolt, 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 2015 Organizational Meeting to be held on Tuesday, January 6, 2015 to begin at 5:00 p.m.

Section 2. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 522 - 2014  
RESOLUTION TO APPOINT MEMBER TO  
LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL  
DISABILITIES AND ALCOHOLISM SERVICES BOARD**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Thomas Yousey of 5312 Kamryn Road, Lowville, New York 13367, to the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. That the term of said appointment shall be effective January 1, 2015 through December 31, 2018.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 523 - 2014  
RESOLUTION TO APPOINT MEMBER TO  
DEVELOPMENTAL DISABILITIES SUB-COMMITTEE OF THE  
LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL  
DISABILITIES AND ALCOHOLISM SERVICES BOARD**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints Ruth Loomis of 6205 West Main Street, Turin, New York 13473, to the Developmental Disabilities 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 January 1, 2015 through December 31, 2018.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 524 - 2014  
RESOLUTION TO APPOINT MEMBER TO  
MENTAL HEALTH SUB-COMMITTEE OF THE  
LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL  
DISABILITIES AND ALCOHOLISM SERVICES BOARD**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints Jennifer Jones of 5274 Outer Stowe 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 January 1, 2015 through December 31, 2018.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 525 - 2014  
RESOLUTION TO ESTABLISH A FEE FOR  
FIRE INVESTIGATION REPORTS PROVIDED BY  
LEWIS COUNTY FIRE AND EMERGENCY MANAGEMENT DIRECTOR**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

DECEMBER 19, 2014

WHEREAS, heretofore insurance companies have typically offered to pay for a copy of requested fire investigation reports completed by the Lewis County Cause & Origin Team.

Now, therefore, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators establishes a fee of \$150.00 to be paid by any Insurance Company requesting a copy of a Fire Investigation Report through the Lewis County Fire and Emergency Management Director.

Section 2. That said fee shall be become effective immediately upon adoption of this Resolution, and shall be payable to the Lewis County Treasurer.

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

Moved by Legislator Brennan, seconded by Legislator Moroughan.

Legislator King explained that insurance companies have historically requested copies of local fire investigator reports, so we would like to set a standard fee. Legislator Brennan added that County personnel have previously declined the insurance companies' offer to pay.

The resolution was then adopted.

**RESOLUTION NO. 526 - 2014  
RESOLUTION APPOINTING MEMBER TO  
REGION 6 FISH AND WILDLIFE MANAGEMENT BOARD**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints Michael E. Dolhof of 7371 Brantingham Road, Greig, New York 13345, as a member of the Region 6 Fish and Wildlife Management Board, as the Lewis County Landowner Representative .

Section 2. That the term of said appointment shall be for the period from January 1, 2015 through December 31, 2016.

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

Moved by Legislator Pepper, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 527 - 2014  
RESOLUTION TO APPROPRIATE FUNDS  
PUBLIC DEFENDER**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved for the Public Defender Grant C000322 for the period 6/1/13 through 5/31/16:

Revenue

A30252 Public Defender Grant C000322	\$56,964.00
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Expense

A1170.4903 Public Defender Grant C000322	\$56,964.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 528 - 2014  
RESOLUTION AUTHORIZING CONTRACT WITH THE  
COUNTY OF LEWIS AND NEW YORK STATE  
OFFICE OF INDIGENT LEGAL SERVICES**

Introduced by Legislator Jerry King, Chairman of Courts and Law Enforcement Committee.

WHEREAS, County Law Article 18-B 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; and

WHEREAS, the County of Lewis has received a grant award from the New York State Office of Indigent Legal Services in the amount of \$56,964 (“Distribution #3”), for the provision of funds to assist the County in improving the quality of indigent legal services provided.

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 by and between the County of Lewis and New York State Office of Indigent Legal Services to provide grant funds in the amount of \$56,964 to assist the County in improving the quality of indigent legal services provided.

DECEMBER 19, 2014

Section 2. That this is for the term commencing effective June 1, 2013 and ending May 31, 2016.

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 Pepper, seconded by Legislator Brennan.

In response to Legislator Hathway, County Atty. Joan McNichol clarified that she would be tracking the grant funding expenditures and would assure timely filing of required State reports and vouchers.

The resolution was then adopted.

**RESOLUTION NO. 529 – 2014  
RESOLUTION TO APPROPRIATE FUNDS  
SHERIFF'S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation of donations is hereby approved in the Sheriff's Department Shop with a Cop account:

Increase Revenue:  
A27053.4 (Shop with a Cop) \$250.00

Increase Expense:  
A3110.4909 (Misc) \$250.00

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

Moved by Legislator Brennan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 530 - 2014  
RESOLUTION AUTHORIZING AGREEMENT  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
COMMUNITY ACTION PLANNING COUNCIL  
OF JEFFERSON COUNTY, INC.**



PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Neil Pepper, 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, 2015 through December 31, 2015 at a cost not to exceed \$31,920.00.

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

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

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

**RESOLUTION NO. 531 - 2014  
RESOLUTION AUTHORIZING  
MEMORANDUM OF UNDERSTANDING  
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND  
NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES**

Introduced by Legislator Neil Pepper, 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, 2015 through December 31, 2015 for an amount not to exceed \$33,600.00 and no local share cost.

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.

DECEMBER 19, 2014

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

**RESOLUTION NO. 532 - 2014  
RESOLUTION TO AUTHORIZE ENGAGING  
PROFESSIONAL SERVICES CONTRACT WITH  
ROSE & KIERNAN, INC.  
RISK MANAGEMENT & LOSS PREVENTION**

Introduced by Legislator Lawrence Dohf, Chairman of the Insurance/Workers' Compensation Committee.

WHEREAS, A Lee Pollock, CIC of Rose & Kiernan, Inc. has provided a proposal outlining specific risk management and loss prevention services to identify and propose new practices or strategies to effect injury reduction; and

WHEREAS, the Insurance/Workers' Compensation Committee recommends retention of said professional services.

Now, therefore, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves engaging the professional services of Rose & Kiernan, Inc. as outlined in their proposal dated 12/8/2014 to analyze and comprehensively review loss claims data and risk hazards and propose new practices and strategies to effect injury reduction.

Section 2. That the amount of said services is approved at \$10,000 for the period January 1, 2015 to December 31, 2015.

Section 3. That the Chairman, or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal and deliver an Agreement for said services, pending approval of the County Attorney.

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

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

OTHER BUSINESS:

Chairman Tabolt announced the NYSAC Seminar coincides with the Board's regular February 2015 meeting date, inquiring the Board's pleasure to change the date. Legislator Brennan made a motion to schedule the February regular meeting on 2/10/2015 at 5 p.m., seconded by Legislator King and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Hathway highly commended Evelyn (Ebby) Fraser for assuming management of the Harrisville Food Pantry, while acknowledging the assistance by Department of Social Services staff to replenish the pantry. He credited Penny Demo for providing the Salvation Army contact to Ms. Fraser that facilitated the inaugural “Bell Ringers” in Harrisville.

Legislator Brennan extended a warm, peaceful and happy holiday season to all County employees and their families.

Clerk of the Board Teresa Clark announced Chairman Tabolt’s re-appointment of Haskell Yancey of Croghan and Michael Kraeger of Constableville to the Lewis County Agriculture and Farmland Protection Board for a 4-year term through 12/31/2018.

At 11:55 a.m., Legislator Chartrand made a motion to enter executive session to discuss specific personnel issues, seconded by Legislator King and carried. Following the session, Legislator Moroughan moved to re-enter regular session at 1:04 p.m., seconded by Legislator Brennan and carried.

RESOLUTIONS (Cont’d):

**RESOLUTION NO. 533 - 2014  
RESOLUTION APPOINTING MEMBER TO  
LEWIS COUNTY GENERAL HOSPITAL  
BOARD OF MANAGERS**

Introduced by Legislator Richard Chartrand, 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 re-appoints Charles Truax, Jr. of 7581 Church Street, Lowville, New York 13367 to the Board of Managers of the Lewis County General Hospital for a 5-year term.

Section 2. That the term of said appointment shall commence January 1, 2015 and expire on December 31, 2019.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Brennan, and adopted by the following roll call vote:

YEAS: Brennan, Chartrand, Hathway, King, Kulzer, Moroughan, Moser, Pepper, Tabolt

NAYS: None

ABSENT: Dolhof

DECEMBER 19, 2014

There being no other business to come before the Board, Legislator Brennan made a motion to adjourn at 1:07 p.m., seconded by Legislator Hathway and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**STATE OF NEW YORK**

SS:

**COUNTY OF LEWIS**

We, Michael A. Tabolt, 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 2014.

Dated at Lowville, New York on December 31, 2014

  
Michael A. Tabolt, Chairman

  
Teresa K. Clark, Clerk of the Board

ANNUAL CASH REPORT

**ANNUAL CASH REPORT  
OF  
Patricia O'Brien  
LEWIS COUNTY TREASURER  
FOR FISCAL YEAR ENDING  
DECEMBER 31, 2014**

**GENERAL FUND**

Bal on Hand 1/1/14		11,167,086.49	
Cash on Hand	2,172,867.71		
Time Deposits	8,994,218.78		
Plus: Receipts 1/1-12/31/14		<u>79,887,963.81</u>	
Total Receipts+Beg Bal		<u>\$ 91,055,050.30</u>	
Disbursements:1/1-12/31/14		68,975,215.34	71,249,651.17
Bal on Hand 12/31/14		22,079,834.96	2,274,435.83
Cash on Hand	10,811,180.35		
Time Deposits	11,268,654.61		
Total 2014 Disb+Ending Bal		<u>\$ 91,055,050.30</u>	68,975,215.34

Includes Reserved Cash for MH/DSS \$2,040,907+  
Includes windfarm funds not yet disbursed

**Trail Fund**

Bal on Hand 1/1/14		134,385.37	
Cash on Hand	134,385.37		
Time Deposits	-		
Plus: Receipts 1/1-12/31/14		<u>101,116.88</u>	
Total Receipts+Beg Bal		<u>\$ 235,502.25</u>	
Disbursements:1/1-12/31/14		56,876.32	56,876.32
Bal on Hand 12/31/14		178,625.93	0.00
Cash on Hand	178,625.93		0.00
Time Deposits			56,876.32
Total 2014 Disb+Ending Bal		<u>\$ 235,502.25</u>	

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**ANNUAL CASH REPORT**

**HOSPITAL FUND**

Bal on Hand 1/1/14		2,158,545.90	
Cash on Hand	573,358.03		
Time Deposits(includes Foundation)	1,585,187.87		
Plus: Receipts 1/1-12/31/14		<u>73,036,118.64</u>	
Total Receipts+Beg Bal		<u>\$ 75,194,664.54</u>	
Disbursements:1/1-12/31/14		73,558,941.87	72,560,602.06
Bal on Hand 12/31/14		1,635,722.67	(998,339.81)
Cash on Hand	1,048,874.61		
Time Deposits(includes Foundation)	586,848.06		
Total 2014 Disb+Ending Bal		<u>\$ 75,194,664.54</u>	73,558,941.87

**COUNTY ROAD FUND**

Bal on Hand 1/1/14		463,058.15	
Cash on Hand	463,058.15		
Time Deposits	-		
Plus: Receipts 1/1-12/31/14		<u>6,471,611.42</u>	
Total Receipts+Beg Bal		<u>\$ 6,934,669.57</u>	
Disbursements:1/1-12/31/14		6,470,803.55	6,470,806.72
Bal on Hand 12/31/14		463,866.02	3.17
Cash on Hand	463,862.85		
Time Deposits	3.17		
Total 2014 Disb+Ending Bal		<u>\$ 6,934,669.57</u>	6,470,803.55

**MACHINERY FUND**

Bal on Hand 1/1/14		384,596.40	
Cash on Hand	159,901.31		
Time Deposits	224,695.09		
Plus: Receipts 1/1-12/31/14		<u>1,640,205.24</u>	
Total Receipts+Beg Bal		<u>\$ 2,024,801.64</u>	
Disbursements:1/1-12/31/14		1,823,222.59	1,685,970.68
Bal on Hand 12/31/14		201,579.05	137,251.91
Cash on Hand	114,135.87		
Time Deposits	87,443.18		
Total 2014 Disb+Ending Bal		<u>\$ 2,024,801.64</u>	1,823,222.59

ANNUAL CASH REPORT

**ANNUAL CASH REPORT**

**SOLID WASTE**

Bal on Hand 1/1/14		804,997.61	
Cash on Hand	409,149.42		
Time Deposits	395,848.19		
Plus: Receipts 1/1-12/31/14		<u>1,815,906.71</u>	
Total Receipts+Beg Bal		<u>\$ 2,620,904.32</u>	

Disbursements: 1/1-12/31/14		1,604,519.15	1,795,519.02
Bal on Hand 12/31/14		1,016,385.17	(190,999.87)
Cash on Hand	429,537.11		1,604,519.15
Time Deposits	586,848.06		
Total 2014 Disb+Ending Bal		<u>\$ 2,620,904.32</u>	

**WIA**

Bal on Hand 1/1/14		15,776.02	
Cash on Hand			
Time Deposits	-		
Plus: Receipts 1/1-12/31/14		<u>190,873.35</u>	
Total Receipts+Beg Bal		<u>\$ 206,649.37</u>	

Disbursements: 1/1-12/31/14		198,494.24	198494.24
Bal on Hand 12/31/14		8,155.13	
Cash on Hand	8,155.13		
Time Deposits	-		
Total 2014 Disb+Ending Bal		<u>\$ 206,649.37</u>	

**SELF INSURANCE FUND**

Bal on Hand 1/1/14		1,139,742.49	
Cash on Hand	53,627.64		
Time Deposits	1,086,114.85		
Plus: Receipts 1/1-12/31/14		<u>1,611,295.83</u>	
Total Receipts+Beg Bal		<u>\$ 2,751,038.32</u>	

Disbursements: 1/1-12/31/14		1,383,106.51	1,282,468.96
Bal on Hand 12/31/14		1,367,931.81	100,637.55
Cash on Hand	382,454.51		1,383,106.51
Time Deposits	985,477.30		
Total 2014 Disb+Ending Bal		<u>\$ 2,751,038.32</u>	



PROCEEDINGS OF THE BOARD OF LEGISLATORS

**ANNUAL CASH REPORT**

**INTERNAL SERVICE FUND**

Bal on Hand 1/1/14		3,412,002.38	
Cash on Hand-Int Bearing	1,859,682.61		
Time Deposits	1,552,319.77		
Plus: Receipts 1/1-12/31/14		21,852,125.93	
Total Receipts+Beg Bal		<u>\$ 25,264,128.31</u>	
Disbursements: 1/1-12/31/14		22,483,264.62	22,017,414.17
Bal on Hand 12/31/14			465,850.45
Cash on Hand-Int Bearing	1,694,394.37		22,483,264.62
Time Deposits	1,086,469.32		
Total 2014 Disb+Ending Bal		<u>\$ 25,264,128.31</u>	

**TRUST & AGENCY FUND**

Bal on Hand 1/1/14		365,422.91	
Trust Cash	363,353.12		
Time Deposit Cash	2,069.79		
Plus: Receipts 1/1-12/31/14		15,752,727.98	
Total 2014 Receipts+Beg Bal		<u>\$ 16,118,150.89</u>	
Disbursements: 1/1-12/31/14		15,778,430.27	15,780,230.98
Bal on Hand 12/31/14			(1,800.71)
Trust Cash (incl Ct & Trust)	335,850.12		15,778,430.27
Time Deposit Cash	3,870.50		
Total 2014 Disb+Ending Bal		<u>\$ 16,118,150.89</u>	

**Micro Loan Fund**

Bal on Hand 1/1/14		69,217.62	
Time Deposit Cash	69,217.62		
Plus: Receipts 1/1-12/31/14		3,607.70	
Total 2014 Receipts+Beg Bal		<u>\$ 72,825.32</u>	
Disbursements: 1/1-12/31/14		6.17	6.17
Bal on Hand 12/31/14		72,819.15	
Trust Cash	72,819.15		
Time Deposit Cash			
Total 2014 Disb+Ending Bal		<u>\$ 72,825.32</u>	

ANNUAL CASH REPORT

**ANNUAL CASH REPORT**

**HOSP SP GIFT EXPENDABLE/NON-EXPENDABLE**

Bal on Hand 1/1/14		29,777.52	
Trust Cash	2,330.58		
Time Deposit Cash	27,446.94		
Plus: Receipts 1/1-12/31/14			
Total 2014 Receipts+Beg Bal		<u>\$ 29,777.52</u>	

Disbursements: 1/1-12/31/14		(7.91)	0.00
Bal on Hand 12/31/14		29,785.43	(7.91)
Trust Cash	2,330.58		
Time Deposit Cash	27,454.85		
Total 2014 Disb+Ending Bal		<u>\$ 29,777.52</u>	(7.91)

**CAPITAL FUNDS**

Bal 1/1/14		2,375,681.31	
Bridges Cash	293,010.11		
West Main/SRB Deposit	15,370.71		
Mad River Br Deposit	40,308.75		
West Road Rehab	13,358.79		
Em Radio Cash	507,009.41		
Em Radio Time Deposit	519,411.54		
Capital Building Invested	26,302.63		
Utilities Cash	52.91		
E911 Cash	55,754.43		
Bld Maint Cash	4,025.71		
Bld Maint Time Deposit	454,779.43		
Capital Equipment	10,609.36		
Capital Equipment Deposit	113,957.86		
Data Processing	6,902.68		
Data Proc Deposit	21,146.36		
Hospital Dialysis Project	3.20		
Hwy Bldg Time Deposit	155,380.24		
DSS Bldg	-		
DSS Bldg Time Deposit	64,242.20		
Deer River Rd	72,089.84		
Highway Striping	1,965.15		
Cap Eco Dev			
Plus: Receipts 1/1-12/31/14		3,785,193.69	
Total 2014 Receipts+Beg Bal		<u>\$ 6,160,875.00</u>	

PROCEEDINGS OF THE BOARD OF LEGISLATORS

<b>ANNUAL CASH REPORT</b>		
Disb: 1/1-12/31/14		(1,808,471.04)
Bal on Hand 12/31/14		7,969,346.04
Bridges Cash	287,201.91	
West Main/SRB Deposit	15,384.34	
Mad River Br Deposit	40,350.13	
West Road Rehab	13,358.79	
Em Radio Cash	757,999.07	
Em Radio Time Deposit	5,301,317.68	
Capital Building Cash	-	
Capital Building Invested	-	
Utilites Cash	52.91	
E911 Cash	55,754.43	
Bld Maint Cash	100,000.00	
Bld Maint Time Deposit	367,319.28	
Capital Equipment	265,499.62	
Capital Equipment Deposit	84,646.72	
Data Processing	71,698.02	
Data Proc Deposit	21,164.17	
Hospital Dialysis Project	-	
Hwy Bldg Time Deposit	155,518.12	
Deer River Rd	72,089.84	
Deer River Rd time	1.29	
DSS Bldg	-	
DSS Bldg Time Deposit	59,302.77	
Highway striping	686.95	
Cap Eco Dev	300,000.00	
Disbursements:1/1-12/31/14		
Bal on Hand 12/31/14		
Trust Cash		
Time Deposit Cash		
Total 2014 Disb+Ending Bal		<u>\$ 6,160,875.00</u>

ANNUAL CASH REPORT

	ANNUAL CASH REPORT			BALANCE 12/31/2014
	BALANCE 12/31/2013	RECEIVED 2014	DISBURSED 2014	
Cash on Hand	11,167,086.49	79,887,963.81	68,975,215.34	22,079,834.96
TRAIL FUND	134,385.37	101,116.88	56,876.32	178,625.93
HOSPITAL FUND	2,158,545.90	73,036,118.64	73,558,941.87	1,635,722.67
COUNTY ROAD FUND	463,058.15	6,471,611.42	6,470,803.55	463,866.02
MACHINERY FUND	384,596.40	1,640,205.24	1,823,222.59	201,579.05
SOLID WASTE	804,997.61	1,815,906.71	1,604,519.15	1,016,385.17
WIA	15,776.02	190,873.35	198,494.24	8,155.13
Total 2014 Disb+Ending Bal	1,139,742.49	1,611,295.83	1,383,106.51	1,367,931.81
INTERNAL SERVICE FUND	3,412,002.38	21,852,125.93	22,483,264.62	2,780,863.69
TRUST & AGENCY FUND	365,422.91	15,752,727.98	15,778,430.27	339,720.62
MICRO LOAN PROGRAM	69,217.62	3,607.70	6.17	72,819.15
HOSP SP GIFT EXP/NON-EXP	29,777.52	0.00	(7.91)	29,785.43
CAPITAL FUNDS	2,375,681.31	3,785,193.69	(1,808,471.04)	7,969,346.04
<b>TOTAL</b>	<b>22,520,290.17</b>	<b>206,148,747.18</b>	<b>190,524,401.68</b>	<b>38,144,635.67</b>

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**ANNUAL CASH REPORT  
COUNTY INDEBTEDNESS**

TYPE & PURPOSE	OUTSTANDING 12/31/2014	MATURITY DATE
SERIAL-GENERAL OBLIGATION 2010 RECONSTRUCTION HOSP FACILITES	3,260,000.00	2030
2010 GENERAL OBLIGATION COURT HOUSE PROJECT	8,605,000.00	2037
2014 DIALYSIS AND MEDITECH BOND HOSPITAL	4,140,000.00	2020

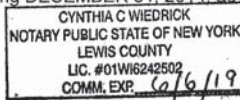
STATE OF NEW YORK}

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, 2014, as shown by the official records of said County.

Subscribed and Sworn to Before Me  
this 14th Day of January 2015:



PATRICIA O'BRIEN

Cynthia C. Wiedrick  
NOTARY PUBLIC

**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.

F:reports

ANNUAL CASH REPORT

**ANNUAL CASH REPORT**

**CAPITAL FUNDS WORKSHEET**

	Bal 1/1/14	RECEIPTS	DISB	END BAL
Bridges Cash	293,010.11	219,389.88	225,198.08	287,201.91
West Main/SRB hw201	15,370.71			15,384.34
Mad River Bridge hah201	40,308.75			40,350.13
West Road Rehab	13,358.79	0.00	0.00	13,358.79
Em Radio Cash	507,009.41	1,843,810.88	1,592,821.22	757,999.07
Em Radio Time Deposit	519,411.54			5,301,317.68
Capital Building Cash	-			0.00
Capital-Building Time Deposit	26,302.63			0.00
Utilities Cash	52.91			52.91
Paving	-			0.00
E 9ll Cash	55,754.43		0.00	55,754.43
Paving Time Deposit	-			-
Building Maintenance Cash	4,025.71	187,906.76	91,932.47	100,000.00
Bldg Maint Time Deposit	454,779.43			367,319.28
Capital Equipment	10,609.36	702,718.44	447,828.18	265,499.62
Capital Equipment Deposit	113,957.86			84,646.72
Data Processing	6,902.68	175,646.00	110,850.66	71,698.02
Data Processing	21,146.36			21,164.17
Hospital-Dialysis Project	-	295,721.73	295,721.73	-
Hospital-Dialysis Project time deposit	3.20			-
Hwy Bldg Time Deposit	155,380.24			155,518.12
DSS Bldg	-	5,000.00	5,000.00	-
DSS Bldg Time Deposit	64,242.20			59,302.77
Deer River Rd	72,089.84	-	-	72,089.84
Deer River Rd time				1.29
Co Rd Striping	1,965.15	55,000.00	56,278.20	686.95
Cap Eco Dev		300,000.00		300,000.00
<b>totals</b>	<b>2,375,681.31</b>	<b>3,785,193.69</b>	<b>2,825,630.54</b>	<b>7,969,346.04</b>

Capital Bridges:	Bal 1/1/14	Receipts	Disb	End Bal
HAFBeaver River	19,025.70	69,255.05	88,280.75	-
HU Sugar River	137,391.95			137,391.95
HV Cemetary Road	14,053.64			14,053.64
HW West Main	-			-
HYFish Creek	7,571.20			7,571.20
HAH Mad River	114,967.62	150,134.83	136,917.33	128,185.12
	293,010.11	219,389.88	225,198.08	287,201.91

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT  
TOWN OF CROGHAN**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.8050650
Croghan Fire Protection	0.729026	General Tax Key-Outside Town	2.628800
Beaver Falls Fire Dist	0.103029	Highway Tax Key	
Beaver Falls Light Dist	0.861834	State Reforestation Tax Key	
Equalization Rate 68		County Tax Key	11.144519

STATE OF NEW YORK)

County of Lewis        } ss:

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, viz:

**TO THE SUPERVISOR**

Town Wide Tax Levy General	\$	<u>724,946.54</u>	<u>724,946.54</u>
Town Outside Tax Levy General	\$	<u>1,523.35</u>	<u>1,523.35</u>
Highway Money-Outside Village Item 1 (Donovan Plan)Outside Village Item 1A	\$	<u>476,349.00</u>	<u>476,349.00</u>

**Special District Tax:**

Croghan Fire Protection		<u>128,800.00</u>
Beaver Falls Fire District		<u>19,861.00</u>
Beaver Falls Light District		<u>12,000.00</u>
Sewer		<u>34,880.54</u>

**TOTAL TO SUPERVISOR**

\$ 1,396,340.43

**TO THE COUNTY TREASURER:**

County Tax	\$	<u>2,051,026.00</u>	
Levy & Assess BR Regulating District	\$	<u>9,154.64</u>	
Workmen's Compensation Insurance	\$	<u>0.00</u>	
			\$ <u>2,060,180.64</u>

**Taxes to be Re-Assessed, viz:**

Returned School Tax	\$	<u>147,539.06</u>	
Returned Village Tax	\$	<u>16,081.44</u>	
Amount Spread on Town	\$	<u>470.70</u>	
			\$ <u>164,091.20</u>

**TOTAL TO COUNTY TREASURER**

\$ 2,224,271.84

**WHOLE AMOUNT OF WARRANT**

\$ 3,620,612.27

LESS: Balance Due Town	\$		
Amount Paid County Treasurer	\$		<u>0.00</u>

**NET AMOUNT OF WARRANT**

\$ 3,620,612.27

**AMOUNT OF TAX LIST(Final Recapitulation)**

Excess/Deficit \$ 0.09  
\$ 3,620,612.36

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 19th day of December, in the year two thousand fourteen.

Michael A. Tabolt Chairman  
Dorcas Clark Clerk



# TOWN TAX WARRANTS

## TAX WARRANT TOWN OF DENMARK

<u>SPECIAL DISTRICT TAX KEY</u>	<u>General Tax Key-Town Wide</u>	3.969996
Denmark Fire Protection 0.422357	<u>General Tax Key-Outside Town</u>	3.012048
<u>Equalization Rate 100.00</u>	<u>Highway Tax Key</u>	
	<u>State Reforestation Tax Key</u>	
	<u>County Tax Key</u>	7.579762

STATE OF NEW YORK)

County of Lewis )  
ss:

To: Prudence Kunert

Collector 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>588,738.00</u>	\$	588,738.00
Town Outside Tax Levy General	\$	<u>3,309.00</u>	\$	3,309.00
Highway Money-Outside Village Item 1 (Donovan Plan)Outside Village Item 1A	\$	<u>329,003.00</u>	\$	329,003.00

**Special District Tax:**

Denmark Fire Protection	\$	<u>49,000.00</u>	\$	49,000.00
RW231	\$	<u>470.58</u>	\$	470.58

**TOTAL TO SUPERVISOR** \$ 970,518.58

**TO THE COUNTY TREASURER:**

County Tax	\$	<u>1,126,686.00</u>	\$	
Levy & Assess BR Regulating District	\$	<u>                    </u>	\$	
Workmen's Compensation Insurance	\$	<u>0.00</u>	\$	1,126,686.00

**Taxes to be Re-Assessed, viz:**

Returned School Tax	\$	<u>124,656.83</u>	\$	
Returned Village Tax	\$	<u>38,236.10</u>	\$	
Amount Spread on Town	\$	<u>195.87</u>	\$	163,088.80

**TOTAL TO COUNTY TREASURER** \$ 1,289,774.80

**WHOLE AMOUNT OF WARRANT**

WHOLE AMOUNT OF WARRANT	\$	<u>2,260,293.38</u>	\$	
LESS: Balance Due Town	\$	<u>                    </u>	\$	
Amount Paid County Treasurer	\$	<u>                    </u>	\$	0.00

**NET AMOUNT OF WARRANT** \$ 2,260,293.38

**AMOUNT OF TAX LIST(Final Recapitulation)** \$ 2,260,293.16

EXCESS/DEFICIT \$ (0.22)  
\$ 2,260,293.16

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 19th day of December, in the year two thousand fourteen.

*Michael A. Talbot* Chairman  
*Peressa Clark* Clerk





# TOWN TAX WARRANTS

## TAX WARRANT TOWN OF GREIG

<u>SPECIAL DISTRICT TAX KEY</u>	<u>General Tax Key-Town Wide</u>	3.219827
<u>Greig Fire Protection</u> 0.332734	<u>General Tax Key-Outside Town</u>	
<u>Brantingham Water Control</u> 0.022358	<u>Highway Tax Key</u>	
<u>Equalization Rate 100</u>	<u>State Reforestation Tax Key</u>	
	<u>County Tax Key</u>	7.895875

STATE OF NEW YORK }  
 ) ss:  
 County of Lewis }

To: Thomas Gunn

Collector 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>653,175.84</u>	\$	653,175.84
Town Outside Tax Levy General	\$		\$	
Highway Money-Outside Village Item 1	\$		\$	
(Donovan Plan)Outside Village Item 1A	\$		\$	

**Special District Tax:**

<u>Greig Fire Protection</u>				69,155.15
<u>Brantingham Water Control</u>				<u>1,800.00</u>

**TOTAL TO SUPERVISOR**

\$ 724,130.99

**TO THE COUNTY TREASURER:**

County Tax	\$	<u>1,590,301.00</u>		
Workmen's Compensation Insurance	\$	<u>0.00</u>	\$	<u>1,590,301.00</u>

**Taxes to be Re-Assessed, viz:**

Returned School Tax	\$	<u>258,187.19</u>		
Returned Village Tax	\$		\$	
Amount Spread on Town	\$	<u>694.88</u>	\$	<u>258,882.07</u>

**TOTAL TO COUNTY TREASURER**

\$ 1,849,183.07

**WHOLE AMOUNT OF WARRANT**

\$ 2,573,314.06

LESS: Balance Due Town

\$ \_\_\_\_\_

Amount Paid County Treasurer

\$ \_\_\_\_\_

\$ 0.00

**NET AMOUNT OF WARRANT**

\$ 2,573,314.06

**AMOUNT OF TAX LIST(Final Recapitulation)**

Excess/Deficit

\$ 0.09

\$ 2,573,314.15

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 19th day of December, in the year two thousand fourteen.

Michael A. Tabolt Chairman  
Teressa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT  
TOWN OF HARRISBURG**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.877480
Harrisburg Fire Protection	0.323047	General Tax Key-Outside Town	
		Highway Tax Key	
Equalization Rate 100		State Reforestation Tax Key	
		County Tax Key	7.579511

STATE OF NEW YORK  
 )  
 ss:  
 County of Lewis )  
 To: Amy Green

Collector of the Town HARRISBURG

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	\$ 130,393.49	130,393.49
Town Outside Tax Levy General	\$ _____	_____
Highway Money-Outside Village Item 1	\$ _____	_____
(Donovan Plan)Outside Village Item 1A	\$ _____	0.00
<b>Special District Tax:</b>		
Harrisburg Fire Protection		53,166.00

**TOTAL TO SUPERVISOR** \$ 183,559.49

**TO THE COUNTY TREASURER:**

County Tax	\$ 245,889.00	
Levy & Assess BR Regulating District	\$ _____	
Workmen's Compensation Insurance	\$ 0.00	
		\$ 245,889.00

**Taxes to be Re-Assessed, viz:**

Returned School Tax	\$ 26,722.21	
Returned Village Tax	\$ _____	
Amount Spread on Town	\$ 24.54	
		\$ 26,746.75

**TOTAL TO COUNTY TREASURER** \$ 272,635.75


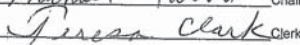
<b>WHOLE AMOUNT OF WARRANT</b>		\$ 456,195.24
LESS: Balance Due Town	\$ _____	
Amount Paid County Treasurer	\$ _____	\$ 0.00

**NET AMOUNT OF WARRANT** \$ 456,195.24

<b>AMOUNT OF TAX LIST(Final Recapitulation)</b>	Excess/Deficit	\$ (0.10)
		\$ 456,195.14

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 19th day of December, in the year two thousand fourteen.

 Chairman  
 Clerk

TOWN TAX WARRANTS

**TAX WARRANT  
TOWN OF LEWIS**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	6.792946
Lewis Fire Protection	0.560179	General Tax Key-Outside Town	
		Highway Tax Key	
Equalization Rate 110.72		State Reforestation Tax Key	
		County Tax Key	6.845670

STATE OF NEW YORK  
 ss:  
 County of Lewis }

To: Christina Stinebrickner

Collector 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	\$	455,959.00	\$	455,959.00
Town Outside Tax Levy General	\$		\$	
Highway Money-Outside Village Item 1	\$		\$	
(Donovan Plan)Outside Village Item 1A	\$		\$	

**Special District Tax:**

Lewis Fire Protection		38,493.50
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**TOTAL TO SUPERVISOR** \$ 494,452.50

**TO THE COUNTY TREASURER:**

County Tax	\$	446,339.00	
Workmen's Compensation Insurance	\$		\$ <u>446,339.00</u>

**Taxes to be Re-Assessed, viz:**

Returned School Tax	\$	95,276.26	
Returned Village Tax	\$		
Amount Spread on Town	\$	390.03	
	\$		\$ <u>95,666.29</u>

**TOTAL TO COUNTY TREASURER** \$ 542,005.29

**WHOLE AMOUNT OF WARRANT**

LESS: Balance Due Town	\$		\$ <u>1,036,457.79</u>
Amount Paid County Treasurer	\$		\$ <u>0.00</u>

**NET AMOUNT OF WARRANT**

\$ 1,036,457.79

**AMOUNT OF TAX LIST(Final Recapitulation)**

Excess/Deficit	\$	0.09
	\$	<u>1,036,457.88</u>

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 19th day of December, in the year two thousand fourteen.

Michael A. Taloto Chairman  
Perissa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT  
TOWN OF LEYDEN**

SPECIAL DISTRICT TAX KEY	General Tax Key-Town Wide	2.983908
Leyden Fire Prot & Ambulanc 0.363254	General Tax Key-Outside Town	2.531201
	Highway Tax Key	
EQUALIZATION RATE: 100.00	State Reforestation Tax Key	
	County Tax Key	7.579654

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	\$ 245,563.00	\$ 245,563.00
Town Outside Tax Levy General	\$ 16,800.00	\$ 16,800.00
Highway Money-Outside Village Item 1	\$ 166,967.00	
(Donovan Plan)Outside Village Item 1A	\$	\$ 166,967.00

**Special District Tax:**

Leyden Fire Protection & Ambulance	27,175.00
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**TOTAL TO SUPERVISOR** \$ 456,505.00

**TO THE COUNTY TREASURER:**

County Tax	\$ 629,074.00	
Workmen's Compensation Insurance	\$ 0.00	
		\$ 629,074.00

**Taxes to be Re-Assessed, viz:**

Returned School Tax	\$ 111,248.26	
Returned Village Tax	\$ 37,803.13	
Amount Spread on Town	\$ 585.29	
		\$ 149,636.68

**TOTAL TO COUNTY TREASURER** \$ 778,710.68

**WHOLE AMOUNT OF WARRANT** \$ 1,235,215.68

LESS: Balance Due Town \$ \_\_\_\_\_  
 Amount Paid County Treasurer \$ \_\_\_\_\_

**NET AMOUNT OF WARRANT** \$ 1,235,215.68

**AMOUNT OF TAX LIST(Final Recapitulation)** Excess/Deficit \$ (0.05)  
 \$ 1,235,215.63

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 19th day of December, in the year two thousand fourteen.

Michael A. Tabolt Chairman  
Teresa Clark Clerk

## TOWN TAX WARRANTS

### TAX WARRANT TOWN OF LOWVILLE

<u>SPECIAL DISTRICT TAX KEY</u>	<u>General Tax Key-Town Wide</u>	<u>2.898052</u>
<u>Lowville Fire Protection 0.380005</u>	<u>General Tax Key-Outside Town</u>	<u>2.810398</u>
	<u>Highway Tax Key</u>	
<u>Equalization Rate 90</u>	<u>State Reforestation Tax Key</u>	
	<u>County Tax Key</u>	<u>8.421836</u>

STATE OF NEW YORK

ss:  
County of Lewis }

To: Malinda Zehr

Collector 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	\$ 648,030.00		\$ 648,030.00
Town Outside Tax Levy General	\$ 25,920.00		\$ 25,920.00
Highway Money-Outside Village Item 1 (Donovan Plan)Outside Village Item 1A	\$ 208,375.00		\$ 208,375.00

**Special District Tax:**

<u>Lowville Fire Protection</u>	<u>37,108.00</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>48,666.75</u>

**TOTAL TO SUPERVISOR**

\$ 976,728.75

**TO THE COUNTY TREASURER:**

County Tax	\$ 1,891,301.00		
Levy & Assess BR Regulating District	\$		
Workmen's Compensation Insurance	\$ 0.00		
		\$	<u>1,891,301.00</u>

**Taxes to be Re-Assessed, viz:**

Returned School Tax	\$ 102,204.12		
Returned Village Tax	\$ 75,004.47		
Amount Spread on Town	\$ 184.37		
		\$	<u>177,392.96</u>

**TOTAL TO COUNTY TREASURER**

\$ 2,068,693.96

**WHOLE AMOUNT OF WARRANT**

LESS: Balance Due Town	\$		
Amount Paid County Treasurer	\$		\$ 0.00

**NET AMOUNT OF WARRANT**

\$ 3,047,422.71

**AMOUNT OF TAX LIST(Final Recapitulation)**

Excess/Deficit  
\$ (0.46)  
\$ 3,047,422.25

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 19th day of December, in the year two thousand fourteen.

*Michael A. Talbot* Chairman  
*Rosanna Clark* Clerk



PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT  
TOWN OF LYONSDALE**

<b>SPECIAL DISTRICT TAX KEY</b>		<u>General Tax Key-Town Wide</u>	<u>3.972730</u>
Lyonsdale Fire Protection	0.410801	<u>General Tax Key-Outside Town</u>	<u>2.352387</u>
Lyonsdale Light District	0.528021	<u>Highway Tax Key</u>	
Equalization Rate: 100		<u>State Reforestation Tax Key</u>	
		<u>County Tax Key</u>	<u>7.582283</u>

STATE OF NEW YORK  
 )  
 ) ss:  
 County of Lewis )

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	\$ 316,381.00	\$ 316,381.00
Town Outside Tax Levy General	\$ 7,300.00	\$ 7,300.00
Highway Money-Outside Village Item 1	\$ 163,717.00	
(Donovan Plan)Outside Village Item 1A	\$	\$ 163,717.00

**Special District Tax:**

Lyonsdale Fire Protection	35,520.00
Lyonsdale Light District	1,050.00

**TOTAL TO SUPERVISOR** \$ 523,968.00

**TO THE COUNTY TREASURER:**

County Tax	\$ 580,513.00	
Levy & Assess BR Regulating District	\$ 507.02	
Workmen's Compensation Insurance	\$ 0.00	
		\$ <u>581,020.02</u>

**Taxes to be Re-Assessed, viz:**

Returned School Tax	\$ 81,805.50	
Returned Village Tax	\$ 16,831.72	
Amount Spread on Town	\$ 234.04	
		\$ <u>98,871.26</u>

**TOTAL TO COUNTY TREASURER** \$ 679,891.28

**WHOLE AMOUNT OF WARRANT**



		\$ <u>1,203,859.28</u>
LESS: Balance Due Town	\$	
Amount Paid County Treasurer	\$	\$ <u>0.00</u>

**NET AMOUNT OF WARRANT**

		\$ <u>1,203,859.28</u>
		\$
		\$ <u>(0.17)</u>
<b>AMOUNT OF TAX LIST(Final Recapitulation)</b>	Excess/Deficit	\$ <u>1,203,859.11</u>

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 19th day of December, in the year two thousand fourteen.

 Chairman  
 Clerk

# TOWN TAX WARRANTS

## TAX WARRANT TOWN OF MARTINSBURG

SPECIAL DISTRICT TAX KEY			
Martinsburg Fire Protection	0.590321	General Tax Key-Town Wide	4.942475
Glenfield Light District	0.888222	General Tax Key-Outside Town	
Martinsburg Fire District	0.000000	Highway Tax Key	
Martinsburg Light District	0.890184	State Reforestation Tax Key	
Equalization Rate 92		County Tax Key	8.239192

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	44,540.40
Flat Rock Fire	48,418.80
Glenfield Light District	5,300.00
Martinsburg Fire District	
Martinsburg Light District	4,400.00
Glenfield Water and Glenfield Sewer	13,378.25
Martinsburg Water	6,686.13

**TOTAL TO SUPERVISOR** \$ 450,066.38

**TO THE COUNTY TREASURER:**

County Tax	\$ 524,442.00	
Levy & Assess BR Regulating District	\$ _____	
Workmen's Compensation Insurance	\$ 0.00	
		\$ 524,442.00

**Taxes to be Re-Assessed, viz:**

Returned School Tax	\$ 42,202.33	
Returned Village Tax	\$ _____	
Amount Spread on Town	\$ 358.64	
		\$ 42,560.97

**TOTAL TO COUNTY TREASURER** \$ 567,002.97

**WHOLE AMOUNT OF WARRANT** \$ 1,017,069.35

LESS: Balance Due Town	\$ _____	
Amount Paid County Treasurer	\$ _____	\$ 0.00

**NET AMOUNT OF WARRANT** \$ 1,017,069.35

<b>AMOUNT OF TAX LIST(Final Recapitulation)</b>	\$ _____	
	Excess/Deficit	\$ 0.24
		\$ 1,017,069.59

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 19th day of December, in the year two thousand fourteen.

*Michael A. Talbot* Chairman  
*Barbara Clark* Clerk



PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT  
TOWN OF MONTAGUE**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	4.562665
Montague Fire Protection	0.209033	General Tax Key-Outside Town	
		Highway Tax Key	
		State Reforestation Tax Key	
Equalization Rate: 100		County Tax Key	7.5795070

STATE OF NEW YORK  
 ss:  
 County of Lewis }

To: Barbara Loomis

Collector 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	\$ 163,795.00	\$ 163,795.00
Town Outside Tax Levy General	\$ _____	\$ _____
Highway Money-Outside Village Item 1	\$ _____	\$ _____
(Donovan Plan)Outside Village Item 1A	\$ _____	\$ _____

**Special District Tax:**

Montague Fire Protection	7,537.00
--------------------------	----------

**TOTAL TO SUPERVISOR**

\$ 171,332.00

**TO THE COUNTY TREASURER:**

County Tax	\$ 270,656.00
Levy & Assess BR Regulating District	\$ _____
Workmen's Compensation Insurance	\$ 0.00
	\$ <u>270,656.00</u>

**Taxes to be Re-Assessed, viz:**

Returned School Tax	\$ 19,963.33
Returned Village Tax	\$ _____
Amount Spread on Town	\$ 0.16
	\$ <u>19,963.49</u>

**TOTAL TO COUNTY TREASURER**

\$ 290,619.49

**WHOLE AMOUNT OF WARRANT**

\$ 461,951.49

LESS: Balance Due Town

\$ \_\_\_\_\_

Amount Paid County Treasurer

\$ \_\_\_\_\_ \$ 0.00

**NET AMOUNT OF WARRANT**

\$ 461,951.49

Excess/Deficit

\$ 0.25

**AMOUNT OF TAX LIST(Final Recapitulation)**

\$ 461,951.74

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 19th day of December, in the year two thousand fourteen.

*Michael A Talbot* Chairman  
*Teresa Clark* Clerk

# TOWN TAX WARRANTS

## TAX WARRANT TOWN OF NEW BREMEN

<b>SPECIAL DISTRICT TAX KEY</b>	<u>General Tax Key-Town Wide</u>	3.655256
New Bremen Fire District 0.728695	<u>General Tax Key-Outside Town</u>	2.378325
Beaver Falls Fire District 1.113990	<u>Highway Tax Key</u>	
New Bremen Fire Protection 0.312171	<u>State Reforestation Tax Key</u>	
	<u>County Tax Key</u>	7.579964

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	\$ <u>582,570.00</u>	\$ 582,570.00
Town Outside Tax Levy General	\$ <u>1,000.00</u>	\$ 1,000.00
Highway Money-Outside Village Item 1	\$ <u>341,120.00</u>	
(Donovan Plan)Outside Village Item 1A	\$	\$ 341,120.00

**Special District Tax:**

New Bremen Fire District	54,156.00	
Beaver Falls Fire District	15,139.00	
New Bremen Fire Protection	16,275.00	
New Bremen Light District	10,799.55	
Water Relevy		

**TOTAL TO SUPERVISOR** \$ 1,001,059.55

**TO THE COUNTY TREASURER:**

County Tax	\$ <u>1,163,907.00</u>	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ <u>0.00</u>	
		\$ <u>1,163,907.00</u>

**Taxes to be Re-Assessed, viz:**

Returned School Tax	\$ <u>132,724.30</u>	
Returned Village Tax	\$ <u>3,815.11</u>	
Amount Spread on Town	\$ <u>584.09</u>	
		\$ <u>137,123.50</u>

**TOTAL TO COUNTY TREASURER** \$ 1,301,030.50

**WHOLE AMOUNT OF WARRANT**

LESS: Balance Due Town \$ \_\_\_\_\_

**Amount Paid County Treasurer** \$ 0.00

**NET AMOUNT OF WARRANT** \$ 2,302,090.05

**AMOUNT OF TAX LIST(Final Recapitulation)** \$ 2,302,090.14

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 19th day of December, in the year two thousand fourteen.

Michael A. Taboly Chairman  
Peressa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT  
TOWN OF OSCEOLA**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	7.712392
Osceola Fire Protection	0.893641	General Tax Key-Outside Town	
		Highway Tax Key	
		State Reforestation Tax Key	
Equalization Rate: 100		County Tax Key	7.579517

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	\$ 342,100.00	\$ 342,100.00
Town Outside Tax Levy General	\$ _____	\$ _____
Highway Money-Outside Village Item 1 (Donovan Plan)Outside Village Item 1A	\$ _____	\$ _____

**Special District Tax:**

Osceola Fire Protection	44,000.00
-------------------------	-----------

**TOTAL TO SUPERVISOR** \$ 386,100.00

**TO THE COUNTY TREASURER:**

County Tax	\$ 311,629.00	
Levy & Assess BR Regulating District	\$ _____	
Workmen's Compensation Insurance	\$ 0.00	
		\$ <u>311,629.00</u>

**Taxes to be Re-Assessed, viz:**

Returned School Tax	\$ 69,811.32	
Returned Village Tax	\$ _____	
Amount Spread on Town	\$ (0.02)	
		\$ <u>69,811.30</u>

**TOTAL TO COUNTY TREASURER** \$ 381,440.30

**WHOLE AMOUNT OF WARRANT** \$ 767,540.30

LESS: Balance Due Town	\$ _____	\$ _____
Amount Paid County Treasurer	\$ _____	\$ <u>0.00</u>

**NET AMOUNT OF WARRANT** \$ 767,540.30

Excess/Deficit	\$ <u>0.30</u>
	\$ <u>767,540.60</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 19th day of December, in the year two thousand fourteen.

Michael A. Tabolt Chairman  
Reresa Clark Clerk

## TOWN TAX WARRANTS

### TAX WARRANT TOWN OF PINCKNEY

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	8.979595
Pinckney Fire Protection	0.333024	General Tax Key-Outside Town	
		Highway Tax Key	
		State Reforestation Tax Key	
Equalization Rate 100		County Tax Key	7.579509

STATE OF NEW YORK

ss:  
County of Lewis }

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	\$ 302,417.00		\$ 302,417.00
Town Outside Tax Levy General	\$		\$
Highway Money-Outside Village Item 1 (Donovan Plan)Outside Village Item 1A	\$		\$

**Special District Tax:**

Pinckney Fire Protection & Ambulance			11,440.00
--------------------------------------	--	--	-----------

**TOTAL TO SUPERVISOR** \$ 313,857.00

**TO THE COUNTY TREASURER:**

County Tax	\$ 216,260.00		
Levy & Assess BR Regulating District	\$		
Workmen's Compensation Insurance	\$ 0.00		
		\$	<u>216,260.00</u>

**Taxes to be Re-Assessed, viz:**

Returned School Tax	\$ 38,358.65		
Returned Village Tax	\$		
Amount Spread on Town	\$ 1,775.93		
		\$	<u>40,134.58</u>

**TOTAL TO COUNTY TREASURER** \$ 256,394.58

**WHOLE AMOUNT OF WARRANT**

LESS: Balance Due Town		\$	
Amount Paid County Treasurer		\$	<u>0.00</u>

**NET AMOUNT OF WARRANT**

\$ 570,251.58

**AMOUNT OF TAX LIST(Final Recapitulation)**

Excess/Deficit \$ 0.16

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 19th day of December, in the year two thousand fourteen.

*Michael A Talbot* Chairman  
*Teressa Clark* Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT  
TOWN OF TURIN**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	7.012068
Turin Fire Protection	0.772122	General Tax Key-Outside Town	1.987685
		Highway Tax Key	
		State Reforestation Tax Key	
Equalization Rate 100		County Tax Key	7.579516

STATE OF NEW YORK)

ss:  
County of Lewis }

To: Malinda Widrick Maciejko

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	\$ 393,255.00	\$ 393,255.00
Town Outside Tax Levy General	\$ 3,680.00	\$ 3,680.00
Highway Money-Outside Village Item 1 (Donovan Plan)Outside Village Item 1A	\$ 90,810.00	\$ 90,810.00

**Special District Tax:**

Turin Fire Protection	38,150.00
-----------------------	-----------

**TOTAL TO SUPERVISOR** \$ 625,895.00

**TO THE COUNTY TREASURER:**

County Tax	\$ 421,857.00
Levy & Assess BR Regulating District	\$
Workmen's Compensation Insurance	\$ 0.00
	\$ 421,857.00

**Taxes to be Re-Assessed, viz:**

Returned School Tax	\$ 106,735.49
Returned Village Tax	\$ 9,938.28
Amount Spread on Town	\$ 0.02
	\$ 116,673.79

**TOTAL TO COUNTY TREASURER** \$ 538,530.79

**WHOLE AMOUNT OF WARRANT**

	\$	\$ 1,064,425.79
LESS: Balance Due Town	\$	
Amount Paid County Treasurer	\$	\$ 0.00

**NET AMOUNT OF WARRANT**

\$ 1,064,425.79

\$

\$ 0.19

**AMOUNT OF TAX LIST(Final Recapitulation)**

\$ 1,064,425.98

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 19th day of December, in the year two thousand fourteen.

*Michael A. Tabolt* Chairman  
*Peresa Clark* Clerk





PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT  
TOWN OF WEST TURIN**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.353157
Turin Fire Protection	0.506679	General Tax Key-Outside Town	1.626642
Constableville Fire Protection	0.445426	Highway Tax Key	
		State Reforestation Tax Key	
Equalization Rate: 100		County Tax Key	7.579428

STATE OF NEW YORK)

County of Lewis      )      ss:

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	\$ 421,790.00	\$ 421,790.00
Town Outside Tax Levy General	\$ 5,165.00	\$ 5,165.00
Highway Money-Outside Village Item 1 (Donovan Plan)Outside Village Item 1A	\$ 139,700.00	\$ 139,700.00

**Special District Tax:**

Turin Fire Protection	12,120.00
Constableville Fire Protection	29,721.00

**TOTAL TO SUPERVISOR**      \$ 608,496.00

**TO THE COUNTY TREASURER:**

County Tax	\$ 909,615.00
Levy & Assess BR Regulating District	\$
Workmen's Compensation Insurance	\$ 0.00
	<u>909,615.00</u>

**Taxes to be Re-Assessed, viz:**

Returned School Tax	\$ 159,307.66
Returned Village Tax	\$ 52,699.86
Amount Spread on Town	\$ 207.60
	<u>\$ 212,215.32</u>

**TOTAL TO COUNTY TREASURER**      \$ 1,121,830.32

**WHOLE AMOUNT OF WARRANT**

LESS: Balance Due Town	\$	\$
Amount Paid County Treasurer	\$	\$ 0.00

**NET AMOUNT OF WARRANT**      \$ 1,730,326.32

**AMOUNT OF TAX LIST(Final Recapitulation)**      Excess/Deficit      \$ 1,730,326.47

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 19th day of December, in the year two thousand fourteen.

Michael A Talott      Chairman  
Teresa Clark      Clerk

BUDGET

**ADOPTED  
COUNTY BUDGET**

**LEWIS COUNTY**

**2014**

**Ways & Means Committee  
Jack Bush, Chairman  
Phil Hathway  
Jerry King**

**PATRICIA O'BRIEN  
DEPUTY BUDGET OFFICER**

**Presented to Clerk of the Board  
11/5/2013**

**(Section 354 of County Law)**

**Public Hearing  
11/19/2013**

**Adopted 11/19/2013**

**BUDGET ON FILE WITH CLERK OF THE BOARD**



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