

Proceedings
OF THE
BOARD OF LEGISLATORS
OF
LEWIS COUNTY
FOR
2015

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

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

COUNTY OFFICIALS – 2015

	Supreme Court Judge	
CHARLES MERRELL		Lowville, New York
	Supreme/County Court Clerk	
BART PLESKACH		Glenfield, New York
	County/Surrogate & Family Court Judge	
DANIEL KING		Lowville, New York
	Family Court/Surrogate’s Clerk	
LORI PFENDLER		Lowville, New York
	County Manager/Budget Officer	
ELIZABETH SWEARINGIN		Lowville, New York
	County Clerk	
DOUGLAS HANNO		Lowville, New York
	Deputy County Clerk	
KATHLEEN BUSH		Lowville, New York
	District Attorney	
LEANNE MOSER		Castorland, New York
	Sheriff	
MICHAEL CARPINELLI		Osceola, New York
	Undersheriff	
JAMES MONNAT		Croghan, New York
	Treasurer/Deputy Budget Officer	
PATRICIA O’BRIEN		Lowville, New York
	Deputy Treasurer	
CYNTHIA WIEDRICK		Turin, New York
	Attorney	
JOAN MCNICHOL		Lowville, New York
	Civil Service Administrator	
MARYLOU VANBROCKLIN		Lowville, New York
	Commissioner of Jurors	
ANN HIL		Lowville, New York
	Interim Community Services Director	
SARAH BULLOCK 1/1/15-5/20/15		Lowville, New York
PATRICIA FRALICK 9/23/15-12/31/15		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 Assistant

JENNIFER MARACCHION Lowville, New York

Fire and Emergency Management Director

ROBERT MACKENZIE, III Lowville, New York

Highway Superintendent

DAVID BECKER Lowville, New York

Hospital Administrator

ERIC BURCH Lowville, New York

Human Resources Director

JAMES SWORDS Black River, New York

Junkyard Inspector

WARD DAILEY Lyons Falls, New York

Nursing Home Administrator

JOSEPH TODORA 1/1/15-6/13/15 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 HOSKINS 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 1/1/15-7/31/15 Lowville, New York
JENNIFER JONES 8/1/15-12/31/15 Beaver Falls, 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 6, 2015

**ORGANIZATIONAL MEETING
January 6, 2015**

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

Roll Call: All Legislators were present.

There were 13 persons present.

Mrs. Clark opened the floor for nominations of a Temporary Chair. Legislator Hathway nominated Legislator Andrea Moroughan, seconded by Legislator Moser. There being no other nominations, Legislator Dolhof directed the Clerk to close the polls and cast one ballot for Legislator Moroughan's appointment. Legislator Chartrand escorted Legislator Moroughan to the podium.

Temporary Chair Moroughan called upon Legislator Tabolt to offer the Invocation, and then led the Pledge of Allegiance to the Flag.

Temporary Chair Moroughan opened the floor for nominations of a Permanent Chairman. Legislator Brennan nominated Legislator Michael Tabolt, seconded by Legislator Moser. There being no other nominations, Legislator Moroughan directed the polls be closed and the Clerk cast a unanimous ballot for Legislator Tabolt's appointment. Legislator Moroughan asked Legislators Pepper and Moser to escort Legislator Tabolt to the Chair.

Chairman Tabolt exclaimed his great expectations for 2015, recognizing the extremely qualified County management personnel. "This Board of Legislators", he said, has on several occasions demonstrated their ability to work together to resolve all issues. This cooperative effort creates an enjoyable working environment."

Efforts to improve the local economy previously have had sporadic results, but Chairman Tabolt is confident this Board is prepared to make bold decisions for their defined ambition to advance economic development in Lewis County. We will also oversee completion of the radio communications project in the coming year; while controlling departmental budgets, closely monitoring Hospital operations and rejecting State mandates.

He recognized all Legislators for becoming well versed with departmental operations under their jurisdictional committees, announcing that all Legislative Committee appointments would remain for 2015.

Concluding his remarks, Chairman Tabolt quoted Henry Ford to summarize his thoughts for the current Legislators, "coming together is a beginning, keeping together is progress, working together is success".

Chairman Tabolt then called for nominations for Vice-Chair of the Board. Legislator Moser nominated Legislator King, seconded by Legislator Kulzer. Legislator Dolhof nominated

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Legislator Hathway, seconded by Legislator Brennan. There being no other nominations Legislator Moroughan made a motion to close the polls, seconded by Legislator Kulzer and carried. A late resolution was enacted to appoint Legislator Jerry King.

The 2015 Legislative Committee assignments:

**COUNTY OFFICERS AND EMPLOYEES, VETERANS'
SERVICES, JUNKYARDS, 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

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 TECHNOLOGY,
ELECTIONS, AGRICULTURE**

Gregory Kulzer, Chairman
Lawrence Dolhof
Craig Brennan

JANUARY 6, 2015

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

In the absence of objection, Chairman Tabolt declared the December 19, 2014 meeting minutes were approved.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommended immediate action by the Board on proposed resolutions.

Dated: January 6, 2015

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

Legislator Brennan made a motion for immediate action on proposed resolutions, seconded by Legislator Moser and carried.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Assemblyman Alfred Graf acknowledged receipt of this Board's Resolution and the Clinton and Essex County Legislatures, the Inter-County Legislative Committee of the Adirondacks and the Saranac Town Board forwarded their supporting Resolution of the Adirondack Park Local Government Review Board recommendations to amend the Adirondack State Land Master Plan.

The Greene and Yates County Legislatures each 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.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

All Legislators have received copies of the 12/22/14 Highway Audit Report, 12/23/14 Solid Waste Audit Report; the Treasurer's December and 2014 fourth Quarter Bed Tax Report; the Youth Advisory Board 2014 Annual Report; minutes of the 11/25/14 Soil and Water Conservation District Board of Directors; and Glen Gagnier's Croghan Dam Restoration update report.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Minutes of the 7/8 and 10/21/14 Health Services Advisory Committee meetings have been placed on file with the Clerk of the Board.

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

JANUARY 6, 2015

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 6, 2015

NAME/SIGNATURE

ADDRESS

Phil Hathway
Philip Hathway, District No. 1

P.O. Box 82, Harrisville, NY 13648

Michael A. Tabolt
Michael A. Tabolt, District No. 2

P.O. Box 171, Croghan, NY 13327

Craig E. Brennan
Craig E. Brennan, District No. 3

10859 NYS Route 26, Carthage, NY 13619

Bryan D. Moser
Bryan D. Moser, District No. 4

8736 Erie Canal Rd., Croghan, NY 13327

Andrea J. Moroughan
Andrea Moroughan, District No. 6

6697 Pine Grove Road, Glenfield, NY 13343

Gregory Kulzer
Gregory Kulzer, District No. 7

7451 Rice Road, Lowville, NY 13367

Lawrence Polhof
Lawrence Polhof, District No. 8

P.O. Box 308, Lyons Falls, NY 13368

Neil H. Pepper
Neil H. Pepper, District No. 9

P.O. Box 181, Brantingham, NY 13312

Jerry H. King
Jerry H. King, District No. 10

P.O. Box 202, West Leyden, NY 13489

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 6, 2015

NAME/SIGNATURE

ADDRESS


Richard Chartrand, District No. 5

7563 Cedar Street, Lowville, NY 13367

JANUARY 6, 2015

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways & Means/Buildings and Grounds Committee Chairman, reported Maintenance personnel had completed 123 work orders in December and 1,043 for the year. Installation of the natural gas pipe is delayed awaiting NYSDEC permits. The water pressure problem at the public safety building has been resolved, the tank removal project is in progress, and new door closures have been installed for \$2,460 to comply with the Americans With Disabilities Act. The aged fuel tank will be replaced with a 240-gallon tank at a cost of \$3,950 for small equipment and as an emergency back-up for vehicles. He also reported having preliminary discussion with the Transportation Committee about a new highway garage building.

Legislator Hathway reported 2014 sales tax receipts at projected levels; and bed tax receipts 16% above the 2013 level. The Committee will closely monitor 2015 Inter-governmental Transfers (IGT); and there will be focused attention on inmate medication and assigned counsel expenditures.

Legislator Hathway announced a kick-off Committee meeting on 1/8/15 for the Outer Stowe Street parking lot project. The other 2015 priority project is the highway garage wall repair.

Legislator Neil Pepper, Social Services/Office For Aging Committee Chairman, reported that 2,068 disabled, elderly and low-income households had been approved for Home Energy Assistance Program (HEAP) services equating \$1,000,043 since the 11/17/14 program opening. The State's planned 10/1/14 takeover of Medicaid administration has been delayed, and Lewis County's 3,125 cases have only reduced to 2,753. The State has informed that the County's Medicaid administration allocation will remain static. The number of Food Stamp household cases remains equivalent at 1,745, and DSS received 44% of SNAP applications through the State's web-based system. Commissioner Alvard has been authorized to purchase four (4) new vehicles pursuant to State bid to replace those with over 100,000 miles; and respective personnel wish to thank the Board for being cognizant of their safety.

Legislator Pepper reported extension of the 12/31/14 HEAP closing date due to increased funding. Office For Aging personnel have processed 364 applications, a year-to-date increase of 78 over the previous year. Three OFA counselors assisted about 600 Medicare beneficiaries through the Health Insurance and Counseling Assistance Program (HICAP) open enrollment from 10/15 – 12/7/14. 122 gifts and 236 food box and gift card donations to the Santa For Seniors and the Christmas Sharing Programs were delivered to local seniors. This program is a result of the united commitment and generosity of OFA staff, volunteers and community organizations and businesses.

The Youth Bureau and DSS sponsored the successful homeless Christmas Tree initiative for collection of kitchen, personal hygiene and bathroom supplies to assist families in need. The 2014 Office of Children and Family Services \$23,069 allocation for youth development supported the Lowville Police Youth Aid Officer Program, Sheriff Department Juvenile Aid Officer Program, Town and Village summer recreation programs, Mountain View Prevention Youth Advocate Program and the local National Night Out event. The County's \$2,000

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allocation supported the Lowville Police Safe Child ID Program, Cornell Cooperative ATV Safety Program, Harrisville Free Library Summer Reading Program, Olympic Bonaparte Soccer Club, Pine Grove Church youth events and Mountain View Prevention Youth Beaver River Daycare Program. The Youth Bureau will continue their partnership with local agencies and organizations to promote and support youth programs.

Legislator Bryan Moser, County Officers/Junkyards/Veterans' Director/ Human Resources Committee Chairman, urged support of proposed resolutions relative to personnel changes. Citing the 2014 estimated local veteran benefits of \$750,000, Legislator Moser thanked Veterans' Services Director Derek Davey and Steve Kilionski for their services and outreach. The number of unemployed local veterans aged 18-24 is nearly twice the national average. In response to these statistics, as well as other identified groups, Senior Planner Frank Pace is coordinating satellite educational opportunities at the South Lewis Central School through Mohawk Valley Community College.

Legislator Moser relayed gratitude and expressed pleasure for the working relationship with each of his colleagues throughout the past year, while emphasizing excitement for projects on the horizon. He also thanked Liz, Joan, Terry and Patty, as well as all the Department Heads for their time and patience.

Legislator Jerry King, Courts and Law Enforcement/Fire & Emergency Management Director/Building Codes Committee Chairman, reported the radio frequency licenses have been obtained. A tentative February factory acceptance test in Texas is scheduled before equipment is shipped. Aviat equipment has been ordered and is on schedule for delivery in the spring to Wells Communication. Clearing and soil tests have been conducted at the Osceola and Montague tower sites to effect building in the spring. The County has fully-executed contracts for all tower properties. The foundation of the Harrisville tower has been poured, and generators have been installed at the Copenhagen and Number Three Road tower sites. Electric cabling and National Grid line installations were scheduled to start this week. Available fiber optics enables installation of the 911 Dispatch server and equipment at the Court House office building. Personnel will operate from this location during renovations and build out at the Public Safety Building, and the system will be maintained as the back-up thereafter. Spillman representatives will commence training of local personnel later this month. The project is on schedule to be launched in July-August timeframe.

In anticipation of round four of the regional grant application process, and dependent upon whether grant parameters will allow funds to augment the previously approved communications upgrade projects, Legislator King asked permission to authorize the Committee to hire the initial grant writer at a cost not to exceed \$12,000. Legislator Dolhof made the respective authorizing motion, seconded by Legislator Brennan and unanimously carried.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry and Parks Committee Chairman, reported the Maple Tour app is available and may be downloaded. County personnel are working in coordination with the Industrial Development Agency to progress development of a business park. Legislator Dolhof extended an open invitation to attend a 1/14/15 informational meeting on the creation of the Lewis County Development

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Corporation and sponsored projects. Development Authority of the North Country representatives and Eric Virkler will provide pertinent information. The meeting will begin at 4 p.m. in the Legislators' board room.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, reiterated that recycle bins are available to the public for \$20.50 each; and re-stated that CRT televisions and computers would be accepted by the transfer station at no cost to residents.

Legislator Brennan reported the Committee continues discussion on how to track and recoup Highway Department expenses for plowing County parking lots. Superintendent David Becker is formulating a long-term plan for equipment purchases that considers leasing options. Legislator Brennan thanked Mr. Becker and his office staff for their diligence with the latter project.

Legislator Brennan further reported that Sr. Planner Frank Pace had informed of a \$75,000 grant application to mitigate issues with water run-off from the Hospital north parking lot onto easterly properties. The County matching in-kind contribution for the grant will largely be provided through Highway Department equipment and personnel. Respectively, the Committee is considering authorizing an earlier hire date for summer help to facilitate seasonal road construction and maintenance projects.

Legislator Gregory Kulzer, Taxation/Elections/Information Technology Committee Chairman, initiated a round of applause for Director Adam Zehr for his good performance to facilitate fiber optic connectivity of all buildings and other services at the least cost.

Legislator Richard Chartrand, Hospital Committee Chairman, announced Ashley Bacon of the Dietary Department as the employee-of-the-month, commended for a perpetual smile, focusing on customer need and having a positive attitude with her co-workers.

Legislator Chartrand relayed introducing newly appointed Donald Musnicki at the last Board of Managers' meeting. An OBGYN physician visited the facility as a prospective replacement for retiring Dr. Josephine Tan-Domingo. Effective 1/1/2015 Wegmann's became the mail-order prescription drug company as a 340b reimbursement program participant. They replace a non-participating company that may equate additional annual revenue of \$100,000. St. Joseph's Hospital has requested hospital participation in a \$1.2 billion grant for various projects. As an example, they propose construction of one new Utica hospital facility to combine resources of the two existing hospitals. Lewis County General Hospital proposes upgrades of surgical services to increase volume; and construction of an assisted living facility by refurbishing of the second-floor nursing home. If approved, it could result in a reduced number of certified beds, but that would be offset by the new use of the 14 nursing home beds. Relocation of the Copenhagen Clinic is also proposed.

The Hospital year-to-date surplus is \$974,021 versus a budgeted surplus of \$2,831,646. The 12/24/14 IGT payment was turned over to the County. The 2015 Board of Manager officers are President Michael F. Young, Esq., Vice-President Gary Turck and Secretary Kevin McArdle, Esq. Legislator Chartrand relayed Atty. Young's statements that the Board of Legislators had

PROCEEDINGS OF THE BOARD OF LEGISLATORS

adopted the 2015 County budget, which encompasses Hospital operations, while asserting the Hospital Board and administration would need to “step up to the plate” to meet the mutually agreed commitments. Atty. Young stated his intent to personally meet with each administration team member and report his findings at the 1/28/15 Board of Managers meeting.

In response to Legislator Hathway, Legislator Chartrand confirmed that the Hospital would assume maintenance responsibility of the parking lot upon completion of the proposed mitigating upgrades to include assisting control mechanisms.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported the Committee’s recommendation to create a Public Health Planner position after discussion with Director Penny Ingham and County Manager Liz Swearingin.

COUNTY MANAGER REPORT:

Liz Swearingin relayed NYSAC’s priorities to continue to lower the Medicaid Cap for Counties; restore the 50/50 State/Federal share for the Safety Net Program; and fully fund expansion of Indigent Defense and Age of Criminality programs.

Lewis County Medicaid weekly share cost has reduced by \$5,295. She read NYSAC Executive Director Stephen Acquario’s explanation, ‘The Affordable Care Act (ACA) provides an enhanced Federal Medicaid match for the childless adult population. The new Federal matching rate increased from 50 to 75% last year and will increase annually by 5% increments up to 90%. NYSAC and the State’s Congressional delegation worked to assure that under the terms of the ACA that Federal savings must be shared with New York Counties. The State has adopted a strategy to provide this fiscal benefit to Counties by adjusting weekly Medicaid share cost. As the Federal match increases each County’s weekly share will be adjusted as actual data is confirmed. The higher-than-expected reduction for the first quarter of 2015 is likely the result of conservative 2014 estimates and higher-than-expected enrollment trends in the target population.

Ms. Swearingin relayed concern that Lewis is one of twelve New York Counties with over 14% of sales tax revenues attributable to gasoline sales. Indeed, between 2008-2014 our annual average was 15.8%. In 2014 the estimated \$1.8 million gasoline tax collections equates about 20% of County revenue. There is a two-year lag for actual State reported figures. During the recession year of 2009 the actual revenues were \$1 million lower than 2015 projections. The lower revenue reflects the reduced per gallon price, which she suggests would be offset by increased overall sales in our current stronger economy. Ms. Swearingin affirmed that she, County Treasurer Patty O’Brien and the Ways and Means Committee plan to closely monitor tax receipts.

As part of the State’s plan to reduce property taxes, the County is expected to submit a Shared Efficiency Plan by June 1, 2015. The County has met the pre-requisite for 2015, by remaining within the 2% Tax Cap. Submission of the Plan will enable Lewis County property owners to avail rebates pursuant to a State formula. The target budget savings for years 2017,

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2018 and 2019 will equate one-percent (1%) of the aggregate 2014 tax levy of the County and all municipalities opting into our consortium.

NYSAC has compiled and distributed a list of services and strategies for potential savings as a good resource in developing a Shared Efficiency Plan. There are no penalties imposed upon municipalities that do not join a County Plan, however, they will be called upon to verify their ability to achieve planned savings. As required, Ms. Swearingin will be reaching out to all Town and Village Boards to ascertain their willingness to join our consortium, while working jointly with Legislators throughout the next few months.

COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien reported balances for the General Fund of \$10 million; Internal Service Fund (health insurance) of \$2.6 million; Special Contingency Fund at \$250,000; and the Contingency Fund at \$450,000.

She also reported there are 180 parcels that must be redeemed before February 2, 2015 or owners will receive foreclosure notices as part of the May 2015 delinquent property tax auction.

SPECIAL COMMITTEE REPORTS:

Chairman Tabolt had reached out to Senator Joseph Griffo to pose the County's desire to impose a cell phone surcharge to support ongoing maintenance and operational costs of the upgraded communications system. The Senator understands our initiative, he said, but remains skeptical for adoption of respective legislation. Senator Griffo has agreed to reach out to his colleagues, but does not relay much hope for passage, citing the Legislature's commitment for "No new taxes".

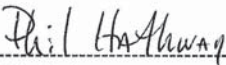
REPORT OF THE WAYS AND MEANS COMMITTEE:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**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 \$ 2,759,146.67 and recommend that they be audited and allowed for the amounts claimed.



Philip Hathway Chair



Jerry King Committee



Richard Chartrand Committee

Dated: January 6, 2015

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

JANUARY 6, 2015

RESOLUTIONS:

**RESOLUTION NO. 1 - 2015
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 \$ 2,759,146.67 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 Brennan, and adopted by roll call vote:

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 2 - 2015
RESOLUTION ADOPTING STANDING RULES
OF THE BOARD OF LEGISLATORS
OF LEWIS COUNTY**

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 adopts the Standing Rules of the Board of Legislators of the County of Lewis, as they be and hereby are adopted as the Standing Rules of the Lewis County Board of Legislators for the year 2015.

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

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

**RESOLUTION NO. 3 - 2015
RESOLUTION APPROVING THE FORM AND THE AMOUNT OF
A BLANKET UNDERTAKING COVERING OFFICERS,
CLERKS AND EMPLOYEES OF LEWIS COUNTY**

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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.

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

**RESOLUTION NO. 4 – 2015
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

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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 Pepper, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 5 - 2015
RESOLUTION TO APPROPRIATE FUNDS
CAPITAL BUILDING MAINTENANCE AND REPAIR**

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 & Repair accounts, balance of \$467,299.96, funds transferred from A9950.9923:

HAC50310 (Inter-fund transfer)	\$166,000.00
HAC1621.4 (Stowe St)	\$166,000.00

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

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

**RESOLUTION NO. 6 - 2015
RESOLUTION TO APPROPRIATE FUNDS
CAPITAL DATA PROCESSING**

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 following budget appropriation is hereby approved to the Capital Data Processing account, balance of \$92,861.11, 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 Dolhof, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 7 - 2015
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 \$350,142.03, funds transferred from A9950.9925 (To Capital Equipment):

HAD50310 (Inter-fund transfer) \$292,000.00

HAD9901.9 (Inter-fund transfer) \$292,000.00

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

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

**RESOLUTION NO. 8 - 2015
RESOLUTION TO APPROPRIATE FUNDS
CAPITAL HIGHWAY BUILDING**

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 Highway Building Account, funds transferred from A9950.9926:

HAA50310 (Inter-fund transfer) \$200,000.00

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HAA5130.4 (Highway Bldg Exp) \$200,000.00

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

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

**RESOLUTION NO. 9 - 2015
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 \$65,100.00, funds transferred from A9950.9926 (To Capital Hwy Bldg):

HAI50310 (Inter-fund transfer) \$65,100.00

HAI (5150.4) Striping \$65,100.00

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

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

**RESOLUTION NO. 10 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO CONSUMER AFFAIRS DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Sealer of Weights and Measures 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 Sealer of Weights and Measures, to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Laborer	Part-Time (As Needed/On-Call)	Grade C4-Step 1 \$12.02/hr.

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Section 2. That Sealer of Weights and Measures Barbara Cooper is hereby authorized to call-in said Part-time Laborer as she deems necessary up to a maximum of 160 hours in calendar year 2015.

Section 3. That said Part-time Laborer shall not be entitled to an annual (Step) increment increase pursuant to the Agreement between the County of Lewis and the Civil Service Employees Association, Inc.; Lewis County Unit of Local 825.

Section 4. That the within resolution shall take effect immediately

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

**RESOLUTION NO. 11 – 2015
DESIGNATION OF DEPOSITORIES FOR 2015**

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

WHEREAS, Subdivision 3 of Section 212 of the County Law provides that the Board of Legislators shall designate one or more depositories for deposit of all monies received by the County Treasurer, and specify the maximum amount which may be kept on deposit in each depository.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the following named banks, or banking associations be designated as depositories for Lewis 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 Hathway, and adopted.

**RESOLUTION NO. 12 – 2015
RESOLUTION AUTHORIZING FIRE ADVISORY BOARD
AND PROVIDING FOR PAYMENT OF ALLOWABLE EXPENSES**

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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, 2015 through December 31, 2015 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 and Emergency Management Director Robert MacKenzie is hereby authorized to appoint up to six (6) Deputy Coordinators, who shall serve without compensation, and that said Director 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 Dolhof, seconded by Legislator King, and adopted.

**RESOLUTION NO. 13 - 2015
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 Warren Mathis of 970 Route 26, West Leyden, New York 13489 as their representative to the New York Region 6 Forest Practice Board.

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 Pepper, seconded by Legislator King, and adopted.

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**RESOLUTION NO. 14 - 2015
RESOLUTION TO EXTEND AUTHORIZATION TO
CANARX SERVICES, INC. AS
LEWIS COUNTY HEALTH INSURANCE PLAN VENDOR**

Introduced by Legislator Lawrence Dolhof, Chairman of the Insurance Committee.

BE IT RESOLVED as follows:

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

Section 2. That CanaRx Services, Inc. is hereby approved as a vendor for a period of one year to commence January 1, 2015 through December 31, 2015.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 15 - 2015
RESOLUTION AUTHORIZING THE COUNTY OF LEWIS TO SIGN ON AS A
MUNICIPAL PARTNER TO THE HOSPITAL HILL DRAINAGE PROJECT
MEMORANDUM OF UNDERSTANDING (MOU)**

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

WHEREAS, the Lewis County Soil and Water Conservation District, the Town of Lowville, the Village of Lowville and the Lewis County General Hospital, (with the coordination assistance and efforts of the Lewis County Senior Planner), collaborated in an effort to solve the water drainage issue originating on the North and East side of the Lewis County General Hospital property, continuing in a Southeasterly direction under NYS Route 26, through Town and Village properties, and continuing toward NYS Route 812; and

WHEREAS, the Lewis County Soil and Water District (hereinafter "LCSWD") is acting as the lead agency in this collaborative municipal partnership to facilitate the parties working together to solve the water drainage issue at the above location. The LCSWD director prepared a Memorandum of Understanding (MOU) to outline the intended shared services and anticipated roles and responsibilities of the named entities to remedy the water drainage problem. The MOU describes the process, the discussions among the entities and their intent for the resolution of the drainage problem; and

WHEREAS, the Town of Lowville submitted and received preliminary approval for a State Grant of \$75,000.00 for the costs and expenses of this project (engineering and materials costs and expenses) designed to reduce water velocities leaving the Lewis County General

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Hospital property, to alleviate chronic sink hole formation on the Alan Matuszczak property in the Town of Lowville, and to reduce the volume of water that the Village of Lowville receives in their existing storm water conveyance "system" from this location. The estimated engineering cost is approximately \$5,100.00 with the balance of the anticipated grant funds to be used for the costs of materials. The Town of Lowville has filed the formal application for the final State Grant Award. Upon receipt of the grant award and engineering design and costs report, it is the intention of the partners to the project to evaluate the costs to each entity, including in-kind and inter-municipal shared services and responsibilities, and submit same to each respective Board for approval; and

WHEREAS, it is anticipated that the County of Lewis will participate with the other municipalities by providing "in-kind" shared services through use of its Highway Department equipment and staff; and

WHEREAS, Lewis County has received a request to sign on to the MOU as an additional municipal partner, in recognition of the State's interest in coordinated shared service arrangements when considering Grant Awards.

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the County of Lewis to sign on to the Memorandum of Understanding for the Hospital Hill Drainage Project, to acknowledge its agreement in concept to the intent of this collaborative, shared, inter-municipal undertaking, and in an effort to support the application of the Town of Lowville for the State Grant funds for this project.

Section 2. That the Board of Legislators acknowledges that by signing onto the existing Memorandum of Understanding, the County is not obligated to fund any portion of this project at this time, and will only be bound to do so by entering into an inter-municipal shared agreement with the other municipal stakeholders to this proposed project, after evaluation of the engineering design and cost report.

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

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

Moved by Legislator Chartrand, seconded by Legislator King.

Legislator Chartrand recognized Sr. Planner Frank Pace for all his expert assistance to facilitate this project.

The resolution was then adopted.

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**RESOLUTION NO. 16 – 2015
RESOLUTION TO TRANSFER FUNDS
MUNICIPAL ASSOCIATION DUES**

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

BE IT RESOLVED, as follows:

Section 1. That the following 2015 budget transfer is hereby approved in the Municipal Association Dues account to cover NYSAC dues:

From:
A1010.4199 (Special Contingency) \$141.00

To:
A1920.4999 (Municipal Association Dues) \$141.00

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

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

**RESOLUTION NO. 17 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PLANNING DEPARTMENT**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development 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 Planning Department, to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Director of Planning	Full-time	\$49,000.00

Section 2. That the Board of Legislators hereby appoints Frank Pace to said position effective January 1, 2015, at the above annual salary.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Brennan.

Legislator Dolhof made a motion to amend the stated salary to \$51,830.00, seconded by Legislator Brennan and carried. Legislator Hathway was opposed

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The resolution was then adopted. Legislator Hathway was opposed.

**RESOLUTION NO. 18 – 2015
RESOLUTION TO TRANSFER FUNDS
PUBLIC DEFENDER**

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

BE IT RESOLVED, as follows:

Section 1. That the following 2015 budget transfer is hereby approved to fund the new Public Defender accounts:

<u>From:</u>	<u>Amount</u>
A1170.4901 Prof Serv Lewis Def	\$143,171.00
<u>To:</u>	
A1170.4910 Prof Serv McClusky	\$ 70,000.00
A1170.4911 Prof Serv Assigned Counsel	\$ 73,171.00

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

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

**RESOLUTION NO. 19 - 2015
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 create the following position:

<u>TITLE</u>	<u>STATUS</u>
Public Health Planner	Full-time

Section 2. That the 2015 salary range for said position is hereby established between \$50,000.00 up to a maximum of \$55,000.00, commensurate with qualifications and experience.

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Section 3. That Public Health Director Penny Ingham is hereby authorized to advertise and fill said position effective immediately.

Section 4. That the within resolution shall take effect immediately

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

**RESOLUTION NO. 20 - 2015
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

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby sets a public hearing to solicit the views of County of Lewis citizens, regarding community development and housing needs, to be held on Tuesday, February 10, 2015 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 Hathway, seconded by Legislator Dolhof, and adopted.

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**RESOLUTION NO. 21 – 2015
RESOLUTION TO APPROPRIATE
SNOWMOBILE TRAIL PROGRAM FUNDS
For 2014-2015 Season**

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

BE IT RESOLVED as follows:

Section 1. That \$299,880.00 is hereby appropriated to Account No. A7141.4999 Snowmobile Trail Program and be offset by State Aid Account A38202.

Section 2. That the funds will be passed on to the Snowmobile Association when received.

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

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

**RESOLUTION NO. 22 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES**

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

WHEREAS, following a review of the workload, the Commissioner of Social Services has recommended reducing a Full-time Caseworker to Part-time.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Department of Social Services to reduce a Full-time Caseworker (Grade B26) to Part-time, effective January 5, 2015.

Section 2. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 23 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO TREASURER'S DEPARTMENT**

Introduced by Legislator Bryan Moser, Chairman of the County Officers' Committee.

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WHEREAS, pursuant to Resolution No. 387-2014 the Board had authorized County Treasurer Patricia O'Brien to Temporarily utilize a Sr. Account Clerk to assist with requirements in her office through 12/31/2014; and

WHEREAS, at her request, it is recommended to extend said authorization.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby extends the authorization for County Treasurer Patricia O'Brien to utilize a Sr. Account Clerk on an As-Needed Basis, to assist in her office for a period through October 15, 2015.

Section 2. That the within resolution shall take effect immediately

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

**RESOLUTION NO. 24 – 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY AND WLADIS LAW FIRM FOR PROFESSIONAL SERVICES**

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

WHEREAS, Lewis County has received a proposal dated September 17, 2014 from the Wladis Law Firm of 6312 Fly Road, East Syracuse, New York 13057 for the purpose of authorizing executive summary; writing grant funding applications; advocating on behalf of the County at the State level for funding; and

WHEREAS, the Board of Legislators wishes to retain their services for a period of twelve (12) months.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis and the Wladis Law Firm of 6312 Fly Road, East Syracuse, New York 13057 for the purpose of authorizing executive summary, advocating on behalf of Lewis County at the State level for funding; and professional grant writing services.

Section 2. That said Agreement shall be effective for a period of twelve (12) months from the date of full execution; for an amount of \$48,000.00 to be paid in monthly increments of \$4,000.00, plus travel expenses as prior approved by the Lewis County Manager.

Section 3. That the Chairman, or Vice-Chairman, is hereby authorized to execute, seal and deliver said Agreement upon such form as approved by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

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Moved by Legislator Dolhof, seconded by Legislator Kulzer.

Legislator Dolhof expected there to be an exit clause that would allow the Board to terminate the agreement at their discretion.

Chairman Tabolt suggested the proposed agreement is premature.

Legislators Hathway and Brennan each wanted to defer the action until the Industrial Development Agency Executive Director and Board of Directors had an opportunity to develop and perfect a specific project prior to requesting respective State funding.

Legislator Moser made a motion to table the resolution, seconded by Legislator Brennan and carried.

**RESOLUTION NO. 25 - 2015
RESOLUTION WITH REFERENCE TO VICE-CHAIRMAN
OF LEWIS COUNTY BOARD OF LEGISLATORS**

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

BE IT RESOLVED as follows:

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 JERRY KING

to perform the duties of Vice-Chairman of the Lewis County Board of Legislators for calendar year 2015.

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

Moved by Legislator Moser, seconded by Legislator Kulzer, and adopted by the following roll call vote:

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YEAS: Chartrand, King, Kulzer, Moroughan, Moser, Pepper, Tabolt

NAYS: Brennan, Dolhof, Hathway

ABSENT: None

OTHER BUSINESS:

Legislator Hathway took exception with the new regulations pursuant to the NY SAFE Act, whereby any health professional treatment provider, who has determined in their judgment that someone has a mental health illness or related issue, must report that individual to the Community Services Director. She then determines whether the individual could harm themselves or others and whether to place the name on the State data base. If so, she must verify whether the person has registered weapons, and then make a referral to law enforcement that must retrieve the weapons for 5 years. He deems this a negative effect of the NY SAFE Act and requests the Courts and Law Enforcement Committee for insight on whether to request and urge further State review. Committee Chairman Jerry King agreed to do so.

Legislator Hathway proudly reported the inaugural Harrisville Salvation Army “bell ringers” had collected donations of \$2,703.43. It was a community effort with commendable results.

Legislator Brennan urged everyone to support the January 10th benefit event at the Copenhagen Fire Hall to assist the Hebert family, whose home had recently burned.

The Clerk reported the Chairman had signed a proclamation to recognize NYSAC’s 90 years of dedicated service to New York Counties.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Brennan at 6:14 p.m., seconded by Legislator Hathway and carried.

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**REGULAR MEETING
February 10, 2015**

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 Chairman Tabolt, followed by the Pledge of Allegiance to the Flag.

There were 75 persons present.

Chairman Tabolt announced approval of the January 6, 2015 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: February 10, 2015

Lawrence Dolhof, Chairman
Bryan Moser,
Craig Brennan, Committee

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

PRIVILEGE OF THE FLOOR:

Frank Pace, Planning Director reported the New York State Community Development Block Grant Program is a federally funded program authorized by Title I of the Housing and Community Development Act of 1974 and administered by the Housing Trust Fund Corporation's Office of Community Renewal. Approximately \$10 million is available for Program Year 2014 for housing projects such as housing rehabilitation, including mobile and manufactured home replacement; homeownership; or residential water and wastewater systems. This year the application is submitted online and is due no later than 4:00 p.m. on February 27, 2015. The County may apply for up to \$750,000 for housing activities, provided these projects benefit low and moderate income families; prevents or eliminate slums or blight; or meet other urgent community development needs.

At least 51% of the persons benefiting 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. Preventing slums and blight could involve demolition of dilapidated buildings in an area in which more than 51% of the residents are low and moderate income persons or in a declared disaster area. Meeting other urgent needs could be a water or sewer project in which the community was under a consent order from DEC or it

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could be activities in declared disaster areas. The urgent need would have to be relatively recent in order to qualify.

Housing rehabilitation or home ownership projects that would directly benefit income eligible households would meet the national objective of benefiting low and moderate income persons.

The Small Cities program encourages communities to minimize displacement of persons benefiting from the program. Depending on the activity proposed, displacement should not be a problem. For housing activities, homeowners should not encounter displacement unless the home to be renovated contains extensive lead based paint that would require the family to be out of the home while it is being remediated.

The municipality has to 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.

The public hearing was open for comments for a proposed Community Development Block Grant application.

Snow Belt Housing Company, Inc presented by Cheryl L. Shenkle-O'Neill, Executive Director that Snow Belt Housing would like the County to submit a single family owner occupied housing rehabilitation application for up to \$750,000 (it may be less depending on the need identified). The program would provide assistance to income eligible homeowners with a 100% deferred payment loan for up to \$35,000 per unit that would become a grant as long as they remain in their home for five years. Types of rehabilitation activities to be undertaken would include plumbing, electrical, roof, windows, insulation, well and septic replacement, and any work that would reduce health and safety hazards. Mobile home replacement may also be considered if the mobile home is not able to be repaired. Snow Belt would administer the grant as a sub-recipient of the County. They are soliciting applications from income eligible households to demonstrate there is a need in the County for this type of program. Anyone who is interested is requested to call them at 376-2639 by February 16, 2015.

Ms. O'Neill reported the application process is very competitive, compounded by a reduction in State Aid from \$23 Million to \$10 Million. There were 15 units rehabilitated last year and they currently have 12 pending applications indicating continued program needs.

There were no other persons who wished to comment or propose projects for the CDBG application.

Randy Schell, representing the Lewis County Town Supervisors and Village Mayors Association reported there had been one Dog Control Officer serving 13 of the 17 Towns, whom had unexpectedly resigned as of 12/31/2014. Although a replacement has been hired to serve several of the Towns, the Association requests the County consider assuming responsibility of Dog/Animal Control for the entire County.

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Mr. Schell distributed a financial worksheet to document the Towns' 2014 collective revenue of \$34,000 from dog license fees and expenditures of \$46,500. Dog control enforcement is inconsistent among Towns. Town Clerks, he said, would continue to process dog licenses, but a sole County officer for enforcement would be beneficial. In conclusion, he stated that unlike Lewis County, Jefferson shares sales tax revenue with their Towns.

Legislator Moser expressed concern for potential reduction in sales tax revenue that in turn, would force the County to raise taxes. Mr. Schell is willing to work with the respective Legislative Committee, and if receptive, for a goal toward County takeover effective 1/1/2016.

Legislator Brennan expressed general support for the shared services concept, but would defer for committee consideration, suggesting that a contractual agreement may be more advantageous than an employee hire. Everyone would benefit from a good animal control program, and the cost would be apportioned more evenly. He proposes the Towns share their dog license revenue to offset the cost; and to identify unlicensed dogs to enhance public safety and capture greater revenue.

In response to Legislator Chartrand, Mr. Schell assured the Towns' intent to share the respective revenue with the apportionment to be determined.

Chairman Tabolt stated he would assign the issue for discussion and consideration by an appropriate Committee to make a recommendation to the Board.

In consideration of the several Hospital employees attending this evening, County Manager Liz Swearingin read a prepared statement to explain the intent of the recent client/attorney privilege meeting was to educate the Legislators on the formation and purpose of a Local Development Corporation (LDC), affirming that no votes had been taken nor decision made. She asserted that everyone without exception is 100 percent dedicated to keeping a hospital in Lewis County that offers quality care, appropriate levels of service and good paying jobs, while balanced with taxpayer obligations.

The Hospital is living up to the Memorandum of Understanding (MOU) to repay the County debt, agreed to as a mechanism to stabilize the historical fluctuating and volatile finances that imposed substantial and unpredictable impact on the County general fund.

Ms. Swearingin credits the Hospital's leadership team and employees for taking the first step to identify and implement improvements that have stabilized their financial status. The next step, she said, is to analyze and predict the overall financial health of the County five and ten years from now.

The Governor's key priority is to cap property taxes, which are the highest in the Nation. State revenue has been capped, although the County is obligated to administer and fund mandated State programs. The goal is to enhance efficiencies of local governments, primarily through shared services. We can no longer depend upon fixed State Aid appropriations, and are subject to immense competition for State grant funds. Hence, the need to review all operations, including the Hospital's, to analyze and identify best practices to optimize cost savings.

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Ms. Swearingin further reported ongoing analysis to project 10-year pension and healthcare costs. Moreover, we are learning of the dwindling number of volunteer firefighters and emergency medical personnel; as well as the costs associated with the impending implementation of the State's change in the age of criminality.

Foremost, we must ascertain whether there is a private option available to maintain the Hospital's quality of care, appropriate services and good jobs; and educate ourselves to understand the option. "You need to give credit to this Legislative team for taking the extraordinary amount of time to really understand these issues". "This is good governance", concluded Ms. Swearingin.

Susan Ross, Hospital employee, addressed Chairman Tabolt, reminding of his recent Henry Ford quote that "Coming together is a beginning. Keeping together is progress. Working together is success." She cited the Board's primary focus of economic development, which is bolstered by our recreational tourism, industries, school systems and our Hospital. The Hospital, she said, is what makes Lewis County unique and should be held in high regard and acclaimed as a pillar of the County's economy. Lewis County visionaries enhanced our farming community by opening the Lewis County General Hospital in 1931. She urged the Board to reinforce their healthcare vision. She asserted that successful management means "doing things right", whereas, leadership means "doing the right things". The right thing, Mrs. Ross concluded, is to preserve, strengthen and enhance Lewis County General Hospital for our community.

Mr. Paul Stanford, former Legislator when the LDC was formed, took exception to Ms. Swearingin's comments, terming them a "slap in the face". The Hospital is our largest employer supported by the taxpayers, he said, while crediting the doctors whose pictures line the Hospital halls, and highly commended the employees. He inquired the wisdom of investing hundreds of thousands of dollars on a "pile of bricks", referring to the former Lyons Falls Pulp and Paper, but not supporting the Hospital. Mr. Stanford submits the Hospital is "coming back", while urging time to heal.

Legislator Brennan thanked those who spoke, respectfully taking exception to Mr. Stanford's presumptions, affirming that he had not, nor did he believe that any of his colleagues had, made any determinations about selling the Hospital. Earlier today, Legislators participated in educational Corporate Compliance training to enhance our obligated decisions, to be further enhanced by an upcoming presentation by St. Joseph's Hospital representatives.

Chairman Tabolt assured that everyone could work together. The greatest fear, he said, was the mandated escalating pension costs. However, cooperative efforts to identify feasible changes for the skyrocketing health insurance costs could be achieved.

Legislator Moser relayed fielding many Hospital employee phone calls, some of whom identified known cost efficiencies that were not being implemented. He urged employees to reach out to the Board of Managers to voice their suggestions, which may otherwise remain unknown without consideration. Legislator Moser declared his decisions would be based on the information available in the best interest of the entire County population, as well as the employees.

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Legislator Pepper expressed the Board's awareness for the need to retain the hospital as a critical component for economic development. He took exception and offense to Mr. Stanford's reference to the former Lyons Falls Pulp and Paper Company as a "pile of bricks", referencing the many former employees who had made their living and supported their families for many years. Suggesting that site clean-up would benefit the County, Legislator Pepper promotes assisting with an otherwise yeoman task for the small community.

Chairman Tabolt closed the public hearing for comments on the CDBG application was closed at 5:36 p.m.

Justin Hall, who currently serves as Dog Control Officer for nine Towns, referenced the County Law to quarantine animals, inquiring who was charged with enforcement. County Attorney Joan McNichol stated that law enforcement officials are to enforce all laws. In reference to Mr. Schell's request, Atty. McNichol offered to coordinate a meeting of an Ad Hoc Committee to consider creating a sole officer, as well as address enforcement issues.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

NYSAC Executive Director Stephen Acquario acknowledged the Board's resolution to support continued litigation in the Western District of New York Bankruptcy Court, wherein challenges to the tax foreclosure procedures provided by Real Property Tax Law Article 11, would pose significant adverse financial impacts upon all Counties, if successful.

The Chemung County Legislature 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.

REPORTS OF COUNTY OFFICES AND DEPARTMENTS:

Treasurer Patricia O'Brien and Real Property Tax Director Linda Hoskins have submitted approved 2014 applications for corrected tax rolls for Jorge A. and Armanda S. Viveiros in the Town of Martinsburg; Darwin R. Morgan in the Town of Diana; and Katherine A. Benson in the Town of Denmark.

Fire and Emergency Management Director Robert MacKenzie, III has appointed Richard Ross, Randy Roggie, Ed Sinclair, Joseph Shue, Richard Defone and Father Chris Carrara as his Fire Coordinator Deputies for 2015.

All Legislators have received copies of the 2014 Annual Report for all County Departments; the 1/25/15 Highway Audit Report, 1/22/14 Solid Waste Audit Report; Treasurer's January Report; and minutes of the 12/18/2014 NYS Fish and Wildlife Management Board, the 12/15/14 Soil and Water Conservation District Board of Directors, and the 1/27/15 Youth Advisory Board meetings.

Sealer of Weights and Measures Barbara Cooper has submitted her November/December 2014 Activity Report to be placed on file with the Clerk of the Board.

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REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Buildings and Grounds/Ways and Means Committee Chairman, reported that Information Technology Director Adam Zehr has implemented electronic record storage, and Planning Director Frank Pace had made a presentation on solar energy and community development efforts. Resolutions are proposed to support and implement the DSS parking lot project. Through the efforts of Liz Swearingin and Frank Pace the County has bid out the electricity supply with estimated savings of \$.015 per kwh.

As promoted by Legislator King to assist municipalities when feasible, the Town of Greig has requested the County fund a \$1,500 agreement with The Center For Community Studies of JCC to analyze constituent survey responses on various municipal issues that may ultimately assist with County comprehensive planning. Highway Superintendent David Becker reminded that Greig had donated materials and equipment to help with the convenient store project, which offsets their request. Legislator Hathway suggests that future municipal requests be considered in the same manner.

Legislator Hathway cited the resolution to retain Development Authority of the North Country engineering services to prepare a request for proposals to address water pressure issues at the Public Safety Building. Also, the Committee continues to discuss repair of the Highway garage west wall by utilizing County personnel; and that the County Attorney, County Manager and County Clerk were negotiating a renewal lease agreement for DMV offices.

Chairman Tabolt approved the request by Legislator Hathway to change the regular monthly committee meeting to the fourth Tuesday of the month at 1 p.m.

Legislator Hathway made a motion to authorize County Clerk Doug Hanno to re-fill a full-time Motor Vehicle Application Examiner upon the impending retirement of the current employee. Mr. Hanno had analyzed the possibility of reducing the position to part-time, but had justified a full-time replacement. He has always remained within budgetary appropriations, and this position will not have an impact on the budget. The motion was seconded by Legislator Chartrand and carried.

In conclusion, Legislator Hathway reported that Building Maintenance personnel had completed 93 work orders during January.

On behalf of Town of Greig Supervisor Marilyn Patterson, Legislator Pepper extended appreciation for considering their request for assistance with tabulating the survey results.

Legislator Neil Pepper, Social Services/Office For Aging/Youth Committee Chairman, urged support of proposed resolutions to increase subsidy rates by 2% for foster care and adoptive parents as mandated by Federal Statute effective 1/1/2015, with an additional 2% increase effective 4/1/2015. The increases equate an additional \$27,400, subject to partial Federal and State reimbursement, and will be monitored throughout the year.

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A resolution is proposed to appropriate funds to purchase four replacement vehicles for those with over 100,000 miles, subject to 75% State reimbursement. Considering the nominal revenue from auctioned vehicles, instead the Committee recommends the old vehicles be transferred to Lewis County Opportunities, Inc. for use by low-income participants in their Wheels to Work Program.

Legislator Pepper further reported that Social Services personnel are challenged to find shelter for homeless persons. The closure of the LeHav Motel has had a negative impact, compounded by the heavy tourist season, which has required persons being transported to Carthage and Watertown motels at a cost of \$16,000. The Committee recommends authorizing Commissioner Alvord to explore renting a local apartment for temporary shelter, dependent upon allowable State reimbursement.

Legislator Pepper reported that Office For Aging (OFA) personnel continue to accept and process Home Energy Assistance Program (HEAP) applications for regular and emergency cases. A Senior Forum will be held at the Maple Ridge Center on 3/11/15 at which Atty. Kevin McArdle will expound on legal services. There will be two 6-week workshops held on Chronic Disease Self-Management; one at the OFA offices and the other at the United Church of Copenhagen from the period 3/26-4/30/2015.

The Youth Advisory Board thanked the Board for increasing their appropriation from \$2,000 to \$3,000, and will publicize acceptance of applications for direct youth programs or activities. Fund expenditures must benefit youths directly.

Legislator Bryan Moser, County Officers/Veterans/Junkyards/Human Resources Committee Chairman, reported that amendments to the Junkyard Local Law will be proposed at the March meeting, which will require a public hearing; and announced the Junkyard Review Board will meet on 2/12/15 at 6 p.m.

Legislator Moser relayed a report from Director Derek Davey that Lewis County serves 32% of its veteran population, compared to the Nation-wide average of 26%. Mr. Davey plans to travel to Washington, D.C. from 2/18-2/20/15 for educational training. He is working in conjunction with Planning Director Frank Pace to identify and coordinate educational opportunities for veterans.

Legislator Moser then read a letter addressed to the County Manager from a veteran who praised the knowledgeable and compassionate services he personally received from Veterans Services Counselor Steven Kilionski, crediting his dedication to assist and facilitate his transition from military to civilian life. He specifically was instrumental in assisting the individual to navigate the Veterans' Administration system with his personal claim. Lewis County should be proud of their Veterans Services team who make those they serve feel respected and valued, he read. Legislator Moser initiated applause from the entire congregation for the Veterans Services personnel.

Legislator Brennan commended the Veterans' team for their professional and respective

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manner in which they perform their services. He then suggested that like the Hospital, the County should promote an employee-of-the-month, to recognize the good performance.

Legislator Chartrand relayed having passed along commending and appreciative comments directly to Mr. Davey, from four veterans exclaiming the wonderful job they do.

Legislator Hathway informed that a resident in his district had indicated interest to serve on the Junkyard Review Board, if there is a vacancy.

Legislator Moser had attended a meeting of the Adirondack North Country Association (ANCA), a group that promotes economic growth within the Adirondack Park. He was accompanied by Wade Lyndaker whose family owns Lyndaker Timber Harvesting, LLC. The discussion centered on the wood industry, specifically harvesting and delivering to co-generation plants and pulp and paper mills. The company owners highlighted the need for trained persons to operate equipment and truck drivers to transport the product to the mills. The Ticonderoga and Glens Falls mills have only one week supply on site. The logging owners will partner with ANCA officials to identify objectives and the impact of the State's pushing value-added markets within the State, and the possibility of creating more industry within the Park for various types of wood products.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, reminded the annual Legislator snowmobile ride will begin at Michael's Candlelight Restaurant at Snow Ridge on 2/26/15.

Legislator King made a motion to authorize himself, Cheryl LaLonde and Frank Archer to travel to EF Johnson Headquarters in Texas from 2/24-2/27/15 for a factory acceptance testing of the new radio system. The motion was seconded by Legislator Dolhof and carried.

Legislator King made a motion to authorize County Attorney Joan McNichol to advertise to re-fill the Assistant County Attorney position upon the impending resignation of the current employee, seconded by Legislator Hathway and carried.

Legislator King updated that Sabre has ordered the microwave antennae; and Midstate has been installing coax and radio antennae on the towers and has corrected all the generator pads. The Gomer Hill tower site has been prepared as much as possible until spring, and the light on the Harrisville 300' tower has been repaired.

Legislator Lawrence Dolhof, Economic Development Committee Chairman, reported that Recreation, Forestry and Parks Director Jackie Mahoney had facilitated an agreement with B.O.C.E.S. to allow students to assist with trail development and maintenance, and forest inventory. She had also reviewed the ATV trail and snowmobile clubs' non-compliance with NYS DOT, Town and Village 90-degree road crossings and site distance. There is a proposed MOU to pay the Sheriff's Department for trail enforcement patrols with permit fee revenue at 50% of the rate reimbursement, likewise for snowmobile and boat patrols.

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Proposed contracts had been forwarded to involved landowners to authorize the upcoming kite skiing event. Letters had also been sent to ATV trail landowners, without responding issues. Also, a letter will be sent to adjoining landowners of the Lee Gulf Road with regard to trail development in that area. Mrs. Mahoney continues to research to identify County property suitable for a police-firing range; and had submitted her upcoming trade show schedule.

Legislator Dolhof further reported that Economic Development Director Eric Virkler had updated the committee on the business park site selection process; and had discussed the Consolidated Funding Application (CFA) process and efforts to identify and develop projects for future County, Town and Village grant submission. Mr. Virkler will research the status of the County's municipal power company and determine whether we could benefit from power generated by the Northbrook Lyons Falls facility.

Planner Sara Freda provided a financial and ridership overview of the County Transportation System, and discussed expansion possibilities. The Brookside stop; the possibility of partnering with Oneida County on the two-day per week bus route to SUNY Polytech Institute; and implementing a winter route to Snow Ridge were all discussed.

As recommended by Planning Director Frank Pace, Legislator Dolhof reported the committee's proposal to retain Larsen Engineering for a solar energy study for all County buildings, and, if feasible, an analysis of alternative energy options. Mr. Pace had also relayed the success of the winter trail App from generated 2014 data provided by Google Analytics.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, reported having missed the monthly committee meetings, however, he reported from provided notes. Legislator Brennan made a motion to authorize extending the approved current prices for all Highway Department liquid bituminous products, and pavement markings through 3/31/2016. The pricing sheets are on file with the Clerk of the Board. Probable increased based pricing is projected if the products are rebid, he stated. The motion was seconded by Legislator Chartrand and carried.

Legislator Brennan reported that Solid Waste Coordinator Pete Wood favors the continued use of compactors instead of changing to open-containers for hauling to Rodman. The change would not be cost effective due to required new building construction, as well as costly equipment replacement. Moreover, the open containers pose environmental concerns for scattered debris along the travel route as documented by Jefferson County personnel who utilize that type of equipment.

County Manager Liz Swearingin interjected the committee's request that Mr. Wood prepare and provide a complete cost analysis for further consideration.

Legislator Gregory Kulzer, Taxation/Information Technology/Elections/Agriculture Committee Chairman, reported a proposed resolution to transfer Capital funds to finance electronic upgrades to secure email, replace computers and purchase network monitoring

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software. The expenditures will ultimately be reimbursed through the Public Safety Answering Point (PSAP) Homeland Security grant.

Legislator Kulzer reported that I.T. Director Adam Zehr continues to work with Development Authority of the North Country (DANC) officials to enhance Internet speed. Telephone upgrades provide a secondary backup system to prevent loss of service, and Mr. Zehr estimates up to \$3,000 monthly savings for the newly implemented Frontier contract. Also, a 3-year service agreement has been executed for the main servers; and appropriate firewalls have been installed to avoid information breach.

Legislator Kulzer reported that Real Property Tax Director Linda Hoskins had posted the 62 delinquent property tax parcels.

The Village of Lowville is responsible to pay costs associated with the County's required administering of their March election estimated at \$1,815. Legislator Kulzer added that the Village could avoid these costs by transitioning to the November general election cycle, but insist on continuing with the March election cycle.

Legislator Kulzer announced that Maple Weekends will be held on 3/21-3/22 and 3/28-3/29/15. The Commissioner of Agriculture and Markets will be on hand 3/21/15 at Moser's Maple, LLC.

Legislator Kulzer relayed that Soil and Water Conservation District Manager Nichele Billhardt is pursuing a \$1.5 Million grant for restoration of Mill Creek, which landscape has shifted tremendously over the past 10 years, creating flooding.

He also reported that the Towns of Martinsburg and Turin Boards support creation of a County Dog Control Officer.

Legislator Kulzer reported attending an informational meeting at the Lowville Library in response to Campbell Street property owners concerned with land use in their area. Their concerns were quelled when they learned that Double Play Sports owner Dan Myers plans a community center.

Legislator Richard Chartrand, Hospital Committee Chairman, informed the Hospital had paid the County debt, with the exception of the 2015 pension cost to be paid over 48 months in accordance with the MOU. He further relayed that Hospital CFO Jeff Hellinger has included all costs within their proposed 2015 budget, and proposes that IGT receipts will cover the 2016 pension expense, while recognizing the County actually finances 50 percent of those receipts.

The Board of Legislators will have a joint meeting with the Board of Managers prior to the 3/3/15 board meeting.

Legislator Chartrand recapped the earlier public comments that focused on retaining the Hospital facility and well paying jobs, maintaining the level of services, adding services if possible, and to maximize operating efficiencies. He submitted these goals are synonymous with

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those of the Legislators and Managers. Legislator Chartrand requested patience to allow each Board an opportunity to avail pertinent reports and information to evoke educated decisions, while encouraging persons to reach out for resourceful answers, as opposed to embellishing rumors.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, listed the proposed resolutions to authorize renewed agreements for cancer screening and diagnostic services and Early Intervention Program administration; as well as recreating a per diem animal control officer and account clerk to fill vacancies. The Committee had also authorized Director Penny Ingham to advertise for bids to transport Pre-School Program children. Mrs. Ingham reported that Ebola policies had been updated to assure preparedness; and reviewed the State Comptroller's Pre-School billing audit; as well as the fourth quarter Board of Health and Quality Assurance reports. She explained the purpose, function and membership of the Health Services Advisory Board. Also, Mrs. Ingham is reviewing the Public Health Department's program services and personnel to determine the right-size agency, as compared with similar geographical Counties.

Legislator Moroughan reported that the Community Services Board is participating in the district's planning. She invited Legislators to a Developmental Disabilities Sub-Committee meeting to be held on 2/13/15 in the Legislative chambers.

COUNTY MANAGER REPORT:

Elizabeth Swearingin relayed the focus of the NYSAC conference was on the Governor's proposed budget, encompassing a \$500 million investment to enhance rural broadband services throughout the State. Secondly, a \$1.5 billion competitive application process, for three-\$500 million regional allocations, is meant to bolster transformational projects that would alter the economic landscape of each region. The North Country Regional Economic Development Council will administer the grant process.

A local Community Outreach Program will be spearheaded by Planning Director Frank Pace to ascertain Town and Village Boards' interests for shared services or inter-municipal projects, that may become part of the County's Government Efficiency Plan, which is due to the State by 6/1/2015.

Ms. Swearingin strongly encouraged all residents to attend and participate in the local "Listening Sessions" to be held on 3/20/15. She could not overstate the importance and emphasis given to local involvement and participation by the Federal decision makers for downsizing the army. Legislator Brennan relayed the significant impact and lasting impression that previous large local congregations and fanfare had on Federal officials' respective favorable decisions. Legislator Chartrand stated that sessions would be held at the Indian River School, Jefferson Community College and one other unknown location. He impelled all citizens to sign the on-line petition to document their support for retention of Fort Drum.

Chairman Tabolt reported that earlier today Director of the New York State Canal Corporation Brian Stratton gave a condensed presentation on Governor Cuomo's "State of the

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State” address highlighting his 2015 Opportunity Agenda. He was pleased with the suggestive comments from Legislators, as well as Town, Village and school officials, for diverse objectives. Referencing the \$1.5 billion, Chairman Tabolt asserted it would be more beneficial and fair to allocate the funds equally to all municipalities, rather than a competitive application process.

COUNTY TREASURER REPORT:

Patricia O’Brien reported balances of the Special Contingency Fund - \$249,859; Contingency Fund-\$412,956; Capital Data Processing Fund- \$151,722; and Capital Equipment Fund - \$642,151.

Also, the last day for owner redemption for 2012 delinquent property tax parcels was 2/2/2015. There are 41 parcels for the 5/6/2015 delinquent auction, being 25 less than last year. Owners may redeem their properties through 5/1/15, subject to imposed fees.

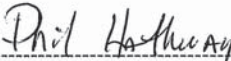
REPORT OF THE WAYS AND MEANS COMMITTEE:

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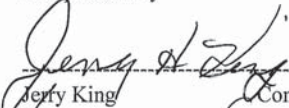
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

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 \$ 1,775,110.58 and recommend that they be audited and allowed for the amounts claimed.



Philip Hathway Chair



Jerry King Committee



Richard Chartrand Committee

Dated: February 10, 2015

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

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RESOLUTIONS:

**RESOLUTION NO. 26 - 2015
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 \$ 1,775,110.58 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Pepper, seconded by Legislator Moser, and adopted by roll call vote:

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

NAYS: None

ABSENT: None

**LOCAL LAW (INTRODUCTORY NO. 1 - 2015)
COUNTY OF LEWIS**

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

**A LOCAL LAW PROVIDING FOR AN INCREASE IN
SALARY FOR THE LEWIS COUNTY DIRECTOR OF REAL PROPERTY**

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

SECTION 1. TITLE

This local law shall be entitled "A LOCAL LAW PROVIDING FOR AN INCREASE IN SALARY FOR THE DIRECTOR OF REAL PROPERTY".

SECTION 2. PURPOSE

The purpose of this Local Law is to provide a retroactive increase in salary to the Lewis County Director of Real Property in the amount of \$882.00 for 2014, and to provide an increase in the annual salary of said Director for 2015 in the amount of \$52,926.00, retroactive to January 1, 2015.

SECTION 3. AUTHORITY

FEBRUARY 10, 2015

This local law is enacted pursuant to the authority granted by Municipal Home Rule Law (“MHL”) which provides in § 10 that a county may adopt local laws that affect the following areas, provided the local law does not conflict with the constitution or other general law:

“(1) The powers, duties, qualifications, number, mode of selection and removal, terms of office, *compensation*, hours of work, protection, welfare and safety of its officers and employees. . .” (Emphasis added). MHL § 10(1)(ii)(a)(1).

SECTION 4. AMENDMENT TO THE COMPENSATION PLAN

The Compensation Plan of the County of Lewis for 2014 and 2015 for the Lewis County Director of Real Property is hereby amended as follows:

2014 Salary: Annual salary of \$51,288.00, representing an increase of \$882.00
2015 Salary: Annual salary of \$52,926.00, retroactive to January 1, 2015

The County Treasurer is directed to make any 2014 and 2015 retroactive payment to the above identified Director after the effective date of this Local Law.

SECTION 5. EFFECTIVE DATE

That the within Local Law shall take effect 45 days after the adoption and all legal requirements having been met.

**RESOLUTION NO. 27 - 2015
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY NO. 1 - 2015), COUNTY OF LEWIS**

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on February 10, 2015, a proposed Local Law entitled “A LOCAL LAW PROVIDING FOR AN INCREASE IN SALARY FOR THE LEWIS COUNTY DIRECTOR OF REAL PROPERTY.”

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on March 3, 2015, 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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

**LOCAL LAW (INTRODUCTORY NO. 2 - 2015)
COUNTY OF LEWIS**

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

**A LOCAL LAW OF THE COUNTY OF LEWIS, NEW YORK,
ALLOWING FOR COMMON, SAFE ITEMS TO BE EXCLUDED FROM THE
DANGEROUS FIREWORKS DEFINITION AS PERMITTED
BY NEW YORK STATE PENAL LAW SECTION 405(b)**

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

SECTION 1. LEGISLATIVE INTENT

- A. Whereas on November 21, 2014 Governor Cuomo signed into law Chapter 477 of the Laws of 2014 (S.7888/A10141).
- B. Whereas this state law amended the State Penal Law, the Executive Law and the General Business Law placing further restrictions on dangerous fireworks while at the same time recognizing that certain fireworks should not be labeled dangerous when they pose little to no danger to the public and by labeling them dangerous only restricts business and personal enjoyment.
- C. Whereas the Governor signed this version of the bill into law in part due to its strong home rule authority, only allowing for certain fireworks to be sold and used in municipalities that affirmatively enact a local law authorizing such action.
- D. In keeping with Chapter 477 of the Laws of 2014, and Penal Code Section 405 this Board further finds and determines that “sparkler devices” may be sold and enjoyed, only in the manner described below, within Lewis County.
- E. This Board finds that allowing our residents the use of safe “sparkler devices” will benefit them and our local businesses.
- F. This Board further finds that the sale and use of “sparkler devices” is permitted with the following restrictions:
 - 1. Sales will only be permitted on or between June 1st through July 5th and December 26th and January 2nd of each calendar year.
 - 2. All distributors, manufacturers and retailers must be licensed through the New York Department of State.
 - 3. Only those over the age of 18 may purchase said products.

SECTION 2. DEFINITIONS

“Sparkling Devices” are defined as follows:

“Sparkling Devices” which are ground-based or hand-held devices that produce a shower of white, gold, or colored sparks as their primary pyrotechnic effect. Additional effects may include a colored flame, an audible crackling effect, an audible whistle effect, and smoke. These devices do not rise into the air, do not fire inserts or projectiles into the air, and do not explode or produce a report (an audible crackling-type effect is not considered to be a report). Ground-based or hand-held devices that produce a cloud of smoke as their sole pyrotechnic effect are also included in this category. Types of devices in this category include:

1. Cylindrical Fountain: cylindrical tube containing not more than seventy-five grams of pyrotechnic composition that may be contained in a different shaped exterior such as a square, rectangle, cylinder or other shape but the interior tubes are cylindrical in shape. Upon ignition, a shower of colored sparks, and sometimes a whistling effect or smoke, is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle to be hand held (handle fountain). When more than one tube is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, and when tubes are securely attached to a base and the tubes are separated from each other on the base by a distance of at least half an inch (12.7 millimeters), a maximum total weight of five hundred grams of pyrotechnic composition shall be allowed.
2. Cone Fountain: cardboard or heavy paper cone containing not more than fifty grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain. When more than one cone is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, as is outlined in this subparagraph.
3. Wooden Sparkler/Dipped Stick: these devices consist of a wood dowel that has been coated with pyrotechnic composition. Upon ignition of the tip of the device, a shower of sparks is produced. Sparklers may contain up to one hundred grams of pyrotechnic composition per item.
4. Novelties which do not require approval from the United States Department of Transportation and are not regulated as explosives, provided that they are manufactured and packaged as described below:
 - a) Party Popper: small devices with paper or plastic exteriors that are actuated by means of friction (a string or trigger is typically pulled to actuate the device). They frequently resemble champagne bottles or toy pistols in shape. Upon activation, the device expels flame-resistant paper streamers, confetti, or other novelties and produces a small report. Devices may contain not more than sixteen milligrams (0.25 grains) of explosive composition, which is limited to potassium chlorate and red phosphorus. These devices must be packaged in an inner packaging which contains a maximum of seventy-two devices.

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- b) Snapper: small, paper-wrapped devices containing not more than one milligram of silver fulminate coated on small bits of sand or gravel. When dropped, the device explodes, producing a small report. Snappers must be in inner packages not to exceed fifty devices each, and the inner packages must contain sawdust or a similar, impact-absorbing material.

SECTION 3. SEPARABILITY

If any part of or provisions of this law, or the application thereof to any person or circumstance, shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of or provision of, or application directly involved in the controversy in which such the remainder of this law, or the application thereof to other persons or circumstances.

SECTION 4. EFFECTIVE DATE

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

**RESOLUTION NO. 28 - 2015
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY NO. 2 - 2015), COUNTY OF LEWIS**

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on February 10, 2015, a proposed Local Law entitled "A LOCAL LAW OF THE COUNTY OF LEWIS, NEW YORK, ALLOWING FOR COMMON, SAFE ITEMS TO BE EXCLUDED FROM THE DANGEROUS FIREWORKS DEFINITION AS PERMITTED BY NEW YORK STATE PENAL LAW SECTION 405(b)."

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on March 3, 2015, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

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

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

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**RESOLUTION NO. 29 - 2015
RESOLUTION OPPOSING EXECUTIVE 2015-16 STATE BUDGET PROPOSAL
CONCERNING THE UPSTATE REVITALIZATION ACCOUNT**

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

WHEREAS, the Governor has outlined the Executive 2015-16 State Budget Proposal which would create the Upstate Revitalization Account in the amount of \$1.5 billion dollars; and

WHEREAS, this Account would be a one-time special initiative in which seven regional economic development areas compete for one of three \$500 million dollar upstate revitalization grants; and

WHEREAS, the initiative would be open to the Mid-Hudson, Capital Region, Mohawk Valley, Central New York, North Country, Southern Tier and Finger Lakes and would resemble the current Regional Economic Development Council; and

WHEREAS, the Upstate Revitalization Account's goal is to provide a regional economic plan that focuses on strengthening critical infrastructure, revitalization of communities, bolstering workforce development, growing tourism and improving quality of life; and

WHEREAS, the Lewis County Board of Legislators applauds the Governor for recognizing the economic needs of Upstate New York; however, believes it would be more equitable and beneficial for all counties within the Upstate Revitalization regions to share the \$1.5 billion dollar grant funds by population rather than competing for the same.

NOW, THEREFORE, BE IT RESOLVED, the Lewis County Board of Legislators urges the Governor to restructure his plan for the Upstate Revitalization Account grant program so that all Upstate Counties share equitably by population in this funding; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to Governor Andrew M. Cuomo, Senator Joseph Griffo, Assemblyman Kenneth Blankenbush, New York State Association of Counties and Intercounty Legislative Committee of the Adirondacks.

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

**RESOLUTION NO. 30 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY AND BERNIER, CARR & ASSOCIATES, P.C. FOR
GRANT APPLICATION ASSISTANCE AND PROFESSIONAL ENGINEERING AND
ARCHITECTURAL AND RELATED SERVICES FOR THE DSS PARKING LOT
PROJECT UNDER A GREEN INNOVATION GRANT PROGRAM FUND**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, Lewis County applied through a New York State Consolidated Funding Application (“CFA”), with the assistance of the Environmental Facilities Corporation, (“EFC”), under CFA No. 42324, to receive grant funds under the Green Innovation Grant Program (“GIGP”), for the improvement of the County’s parking lot located on Outer Stowe Street (hereinafter referred to as “DSS Parking Lot Project”); said improvement to include installation of bioretention and porous pavement; and

WHEREAS, Lewis County has been informed by EFC that the DSS Parking Lot Project has been selected to receive up to \$640,000.00 in funding through the GIGP program. GIGP is funded through the US Environmental Protection Agency as part of the New York Clear Water State Revolving Fund Program; and

WHEREAS, Bernier, Carr & Associates, P.C. has previously provided grant application assistance and a feasibility study for the DSS Parking Lot Project at a cost of \$2,500.00; and

WHEREAS, Lewis County wishes to engage the professional services of Bernier, Carr & Associates, PC, in providing expert and professional architectural, engineering and related services in the GIGP design and re-design phase of the project, in preparation of bid documents and bid responses in the bidding phase of the project, and professional engineering administrative services in coordination of construction contractors and inspections in the construction phase of the project.

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. for the purpose of providing expert and professional architectural and engineering services for:

(i) design and re-design, including but not limited to storm water management practices, bioretention and porous pavement, together with any other engineering design issues which develop during the project; and

(ii) to prepare and assist in bid documents for the project, and review and evaluate proposals received in the bidding phase of the project; and

(iii) to provide professional administrative services including coordination of contractors and inspections during the construction phase of the project.

Section 2. That Bernier, Carr & Associates, P.C. be paid professional fees in the following amounts of: \$66,500.00 for the Design Phase (i) of the project; \$9,500.00 for the Bid Phase (ii) of the project; \$19,000.00 for the Construction Administration Phase of the project; and direct expenses (such as printing and postage costs), up to and not to exceed \$1,000.00. If the County requests more frequent inspections than normal, Bernier, Carr & Associates to be paid at an hourly rate of \$95.00 for those additional inspections.

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Section 3. That these costs are considered part of the overall project and would be considered grant reimbursable at a minimum of 70% and maximum of 90%.

Section 4. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement upon such form as may be acceptable to the County Attorney.

Section 5. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 31 - 2015
RESOLUTION INITIATING SEQRA ENVIRONMENTAL REVIEW
PROCESS FOR REPAIR, RENOVATION, AND RECONSTRUCTION
OF THE DEPARTMENT OF SOCIAL SERVICES
BUILDING PARKING LOT AND PROPERTY**

Introduced by Legislator Philip C. Hathway, Chairman of the Building and Grounds Committee.

WHEREAS, Lewis County owns property on Outer Stowe Street, Lowville, New York, more commonly known as the “DSS building”; and

WHEREAS, the Lewis County Board of Legislators have determined that the parking lot which services the DSS building is in need of major repair for the safety of employees, their clients and the general public who utilize the services of the Departments in said building; and

WHEREAS, at the recommendation of the Buildings and Grounds/Ways and Means Committees, the Board of Legislators (hereinafter, the “Board”) desires to repair, renovate and improve the parking lot and its sustainability by re-design, installation of bio-retention and porous pavement with the assistance of a Green Innovation Grant Program (“GIGP”) funding through the New York State Environmental Facilities Corporation; and

WHEREAS, Lewis County has been informed that its Consolidated Funding Application No. 42324 has been selected to receive up to \$640,000.00 in funding for the DSS parking lot project under GIGP; and

WHEREAS, the proposed Project is an activity that will result in construction or other activities that may affect the environment, and is directly undertaken or funded by an agency and therefore constitutes an “action” as that term is defined by Article 8 of the Environmental Conservation Law of the State of New York, and its implementing regulations found at Part 617, *et seq.* of the New York Codes, Rules and Regulations (“NYCRR”) (collectively referred to hereinafter as “SEQRA”).

NOW, THEREFORE, BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Board of Legislators finds and determines that the proposed repair, renovation and reconstruction of the “DSS parking lot” located at 5274 Outer Stowe Street, Lowville, New York 13367, constitutes an “UNLISTED” or ‘TYPE I’ action as defined by 6 NYCRR § 617.2.

Section 2. That the Board of Legislators further determines that it shall proceed as the lead agency in this action and directs that a long form Environmental Assessment Form (“EAF”) be prepared on its behalf with the assistance of Bernier Carr and Associates, P.C., 327 Mullin Street, Watertown, New York 13601.

Section 3. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 32 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY AND
DEVELOPMENT AUTHORITY OF THE NORTH COUNTY
FOR TECHNICAL SERVICES AT THE
PUBLIC SAFETY BUILDING**

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

WHEREAS, the County is undertaking a project to modify the existing water service at the Public Safety Building (PSB) while ensuring that fire protection needs of the building are met; and

WHEREAS, the County understands that it will need to hire an Engineer to classify the existing building structure, ensure adequate fire flow exists at the hydrant in front of the building, provide recommendations to the County to rectify existing water service and design a new system; and

WHEREAS, the Development Authority of the North County ("DANC") has the expertise to provide the County with technical service assistance in obtaining an Engineer for this project; and

WHEREAS, the County seeks to enter into an agreement with DANC for services in assisting the County in obtaining an Engineer, including:

Phase 1: Assistance in development of a detailed Request for Proposal (RFP) and to provide the Authority’s engineer to review and comment on proposals, to facilitate interviews with firms, development of questions on the proposal, and provide overall facilitation in the selection process.

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Phase 2: Provide project management and oversight, including but not limited to review of engineering documents in proposed design to ensure the design meets operational needs and regulatory agency requirements, provide coordination between regulatory agencies, consulting engineers and outside contractors to expedite the process and project completion; and

WHEREAS, the proposed agreement is authorized under Section 2704(17) of the Public Authorities Law; 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 an agreement between the County of Lewis and DANC to provide technical service assistance to the County in obtaining an Engineer for the Public Safety Building water service system while ensuring Fire Protection needs of the building.

Section 2. That the County shall pay DANC for Phase 1 & 2 services at the labor hour burdened rate for the specific job classification performing the services as set forth in the table below, and shall pay mileage expenses to attend meetings, perform site visits, etc. at the federal reimbursement rate, not to exceed \$5,000.00 in total expenses for the project.

Labor Rate and Classifications:

Employee Wage Rate	Standard	Overtime
Manager/Prof. Engineer	\$98	NA
Controls Engineer	\$69	NA
Facilities Coordinator	\$69	\$90
Environmental Coordinator	\$69	\$90
Project Engineer	\$65	NA
GIS Analyst	\$58	NA
Engineering Assistant	\$55	\$70
Admin Personnel	\$58	\$73
GIS Specialist	\$45	NA
GIS Tech	\$36	NA

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 Chartrand.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

In response to Legislator Kulzer, Legislator Hathway reported there is a very old 1,000 gallon tank at the Public Safety Building which has been utilized as a back-up for water, particularly for the sprinkler system in case of a fire. The engineers will assure the current water pressure and the volume is adequate to serve the needs of the building and the fire hydrant located in close proximity, prior to removal of the old tank.

The resolution was then adopted.

**RESOLUTION NO. 33 – 2015
RESOLUTION TO APPROPRIATE FUNDS
BUILDINGS AND GROUNDS**

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

BE IT RESOLVED as follows:

Section 1. That the following 2015 budget appropriation is hereby approved in the Buildings & Grounds account for the purchase of a 240-gallon Highland Tank, utilizing Capital Equipment funds (HAD9901.9), balance \$ 642,150.00:

<u>Increase Revenue:</u>	
A50310 (Inter-fund transfers)	\$3,950.00
<u>Increase Expense:</u>	
A1624.4603 (Bldgs & Grounds-PSB)	\$3,950.00

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

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

**RESOLUTION NO. 34 - 2015
RESOLUTION AUTHORIZING RENEWAL PERIOD FOR
AGREEMENT BETWEEN THE COUNTY OF LEWIS AND
THE UNIFIED COURT SYSTEM**

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

WHEREAS, the County of Lewis and the Unified Court System, Fifth Judicial District, have an existing contract with a five year term and wish to establish a renewal period for the purpose of providing cleaning services and minor repairs for the period of April 1, 2014 through March 31, 2015; 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 renewal period of the contract between the County of Lewis and the Unified Court System, Fifth Judicial District, for the provision of cleaning services and minor repairs for the period of April 1, 2014 through March 31, 2015 at a cost not to exceed \$113,922.

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 King, and adopted.

**RESOLUTION NO. 35 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY SERVICES BOARD
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 an Agreement with Transitional Living Services of Northern New York (“TLS”); and

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; and

WHEREAS, TLS also wishes to provide a MICA Network (Mentally Ill Chemical Abuser) to ensure consumers have access to housing, treatment, peer support/self-help and alcohol/substance abuse services and case management; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the Lewis County Community Services Board and Transitional Living Services of Northern New York to provide out-patient clinic services and a MICA network to the residents of Lewis County.

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Section 2. That this is for the term commencing January 1, 2015 through December 31, 2015, with no fees and expenses exchanged with the County for the out-patient clinic services. For the MICA Network, the Lewis County Community Services Board receives State Aid from the Office of Mental Health in the amount of \$60,240.00 for MICA and these funds will then used to compensate Transitional Living Services on a monthly basis upon receipt of vouchers and monthly reports; at an annual cost not to exceed \$60,240.00.

Section 3. 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 4. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 36 - 2015
RESOLUTION AUTHORIZING A FINANCIAL TERM SHEET AGREEMENT
BY AND BETWEEN THE COUNTY OF LEWIS, COPENHAGEN CENTRAL SCHOOL
DISTRICT, LOWVILLE CENTRAL SCHOOL DISTRICT, TOWN OF DENMARK AND
COPENHAGEN WIND FARM, LLC**

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

WHEREAS, COPENHAGEN WIND FARM, LLC (the “Company”) proposes to acquire, construct, install and operate an approximately 80 Megawatt (MW) wind-powered electric generating facility, together with associated electric transmission facilities and related infrastructure (the “Project”), in the Town of Denmark, Lewis County; and

WHEREAS, pursuant to Real Property Tax Law (“RPTL”) Section 487(9), a county that has not acted to remove the exemption under RPTL Section 487(8), may enter into a contract for payments in lieu of taxes with the owner of a wind power energy system which meets the requirements of RPTL Section 487(4); and

WHEREAS, Lewis County and the other jurisdictions affected by this Project, i.e., Copenhagen Central School District, Lowville Central School District, and the Town of Denmark (collectively referred to herein as the “Taxing Jurisdictions”) intend to enter into a payment in lieu of tax agreement (“PILOT Agreement”) involving the Lewis County Industrial Development Agency (“LCIDA”), and to enter into an agreement with COPENHAGEN WIND FARM, LLC as to the financial terms to be incorporated into the PILOT and before requesting the LCIDA implement the PILOT; and

WHEREAS, the Company has applied for financial assistance from the Agency for the project in the form of sales tax exemption, mortgage recording tax exemption and real property tax exemption; and the Taxing Jurisdictions shall also be partners to the PILOT in order to approve the financial terms thereof and establish their respective shares of PILOT payments; and

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WHEREAS, the intended term of the PILOT Agreement is twenty (20) years, commencing with the set of Taxing Jurisdiction fiscal years tied to the first assessment roll following the Project's commercial operation date (COD), with the PILOT Agreement and all other documents held in escrow pending notice to the LCIDA of a Notice of Construction Start; and

WHEREAS, the PILOT payments will be \$8,400.00 per Megawatt of installed capacity, which will increase at a rate of 2.5% per year upon the first anniversary of the initial PILOT payment and adjusted annually on each January 1st thereafter; and

WHEREAS, Lewis County understands that the Project must be financially viable for the Company to proceed, with the terms of the FINANCIAL TERM SHEET Agreement conditional upon the success of the Company obtaining funding.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves a FINANCIAL TERM SHEET agreement between the County of Lewis, Lowville Central School District, Copenhagen Central School District, Town of Denmark, and COPENHAGEN WIND FARM, LLC, or its successor.

Section 2. That the Financial Term Sheet agreement shall reflect that the percentage share of the PILOT payments is subject to negotiation and further agreement among said Taxing Jurisdictions.

Section 3. That the Chairman, or the Vice-Chairman, of the Board of Legislators is hereby authorized to negotiate, make, execute, seal and deliver such documents or instruments as may be necessary to effectuate such Agreement, provided that any modifications meet with the approval of the County Attorney. Any such modifications shall be reported to the Board of Legislators upon final approval and execution by all parties.

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

Moved by Legislator Dolhof, seconded by Legislator Brennan.

Legislator Hathway requested the Board consider sharing the PILOT revenue with the Town, when the terms of the agreement are finalized.

The resolution was then adopted.

**RESOLUTION NO. 37 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE CENTER FOR COMMUNITY STUDIES AT
JEFFERSON COMMUNITY COLLEGE AND
LEWIS COUNTY BOARD OF LEGISLATORS**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

WHEREAS, the Lewis County Board of Legislators desires to enter into an Agreement with The Center For Community Studies at Jefferson Community College for professional services in analyzing survey data that was collected by the Town of Greig in the year 2014. There were a total of 600-700 valid completed paper copies of surveys from adult taxpayers in the Town of Greig; and

WHEREAS, The Center For Community Studies at Jefferson Community College will compile, cleanse, analyze, and report out the results of the Town of Greig Comprehensive Planning Survey during the spring of 2015; and

WHEREAS, the Board of Legislators wishes to enter into an Agreement with The Center For Community Studies at Jefferson Community College.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis and The Center For Community Studies at Jefferson Community College for professional services for analyzing survey data that was collected by the Town of Greig in the year 2014 and to compile, cleanse, analyze, and report out the results.

Section 2. That the Lewis County Board of Legislators will compensate them for \$1,500.00 with 50% payable upon signing of the Agreement on or around February 15, 2015 and the remaining 50% payable upon receipt of the Final Report of Study Findings on or around April 30, 2015.

Section 3. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute, seal and deliver such Agreement upon such terms as may be approved by the Lewis County Attorney.

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

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

**RESOLUTION NO. 38 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND LARSEN, P.E., L.S., P.C.
d/b/a LARSEN ENGINEERS FOR STRATEGIC ENERGY CONCEPT PLAN**

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

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WHEREAS, the County of Lewis, acting by and through the Lewis County Economic Planning and Development Department desires to enter into an Agreement with Larsen, P.E., L.S., P.C. d/b/a Larsen Engineers (“Larsen”) to prepare a conceptual feasibility plan and study for Lewis County facilities for energy conservation and renewable energy generation; and

WHEREAS, the study will evaluate total current energy demands for each of the designated County facilities and the functions associated with those facilities. The energy plan will recommend a framework of actions by the County to achieve energy conservation at their facilities and generate green power to equal their current energy usage; and

WHEREAS, the Board of Legislators wishes to enter into an Agreement with Larsen.

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 Economic Planning and Development Department and Larsen, P.E., L.S., P.C. d/b/a Larsen Engineers for professional services to prepare a conceptual feasibility plan and study for Lewis County facilities for energy conservation and renewable energy generation (Phase 1 - Solar Study), and authorizes the payment of \$2,500.00 to Larsen for this feasibility study, evaluation and report.

Section 2. That the Board of Legislators authorizes the Agreement to include a Phase 2 - Construction Phase, wherein the County agrees to pay Larsen for professional engineering services and project management services based upon the company's standard hourly billing rates, only upon authorization of the Board of Legislators to proceed with Phase 2, and with the total payment for such services in Phase 2 not to exceed 5% of the construction cost for a Solar PV system. Further, the Agreement shall provide that if the Board of Legislators authorizes Phase 2, the payment of \$2,500.00 provided under Phase 1 - Solar Study, shall be reimbursed to the County by Larsen.

Section 3. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute, seal and deliver such Agreement upon such terms as may be approved by the Lewis County Attorney.

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

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

**RESOLUTION NO. 39 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND THE PAIGE GROUP
ECONOMIC DEVELOPMENT**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves an Agreement with The Paige Group, pursuant to which they will develop and implement a detailed marketing plan and proposed economic development strategies; and update the Lewis County website to launch established economic development initiatives and promote the County's target industry, key attributes, assets that strengthen the region and quality of life.

Section 2. That said Agreement is for a 12-month period commencing upon implementation, at a cost not to exceed \$57,000.00.

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 Moroughan, seconded by Legislator Dolhof.

County Manager Liz Swearingin informed that the Lewis County Industrial Development Agency (IDA) had agreed to fund 50% of the Agreement cost.

Legislator Kulzer has questions and reservations about expending monies without a specific project, inquiring whether the marketing was not encompassed with the Director of Economic Development's duties.

Ms. Swearingin distinguished the company would provide specialty services to supplement Mr. Virkler's functions. The County does not have the skill set required for marketing the entire County and build a website.

Legislator Kulzer posed that the related costs be financed through the Economic Development budget, however, County Treasurer Patricia O'Brien stated their budget appropriations were insufficient to cover this expense. Ms. Swearingin reported the recommendation to utilize Legislative Contingency appropriations.

Legislator Pepper concurred with Legislator Kulzer, objecting to the agreement without a specific project. Also, if the IDA has agreed to fund 50%, he supposed they would support a specific project.

Chairman Tabolt indicated his support, citing the language in Section 1. "to launch established economic development initiatives".

Legislator Moser is supportive, terming the marketing as a broad scope project, requiring skills not available at the County.

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Legislator Kulzer took exception to hiring a marketing agency, because he understood that was part of Eric Virkler's duties.

Legislator Brennan supports the agreement, asserting this as an example for required outside assistance for skills not employed in-house. The company's task, he said, is "Marketing the County as a place to come and live and do business", which involves more than a single project.

Ms. Swearingin reported the company has successfully marketed other County governments with Economic Development organizations.

Legislator Pepper, again, took exception that unlike Lewis, many Counties do not have an Economic Development Department and may need consulting services.

The resolution was then adopted, with Legislators Pepper and Kulzer opposed.

**RESOLUTION NO. 40 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND THE PAIGE GROUP
MARKETING COMMUNICATIONS EFFICIENCIES FOR
PUBLIC HEALTH, OFFICE FOR THE AGING AND
MOUNTAIN VIEW PREVENTION SERVICES, INC.**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves an Agreement with The Paige Group, pursuant to which they will conduct a comprehensive communications audit to identify labor efficiency opportunities, process flow improvements and synergy of messages to increase community awareness that will maximize resources for advertising, promotion, partner networks, client communications, social media and mandated compliance for the Lewis County Public Health Agency, Lewis County Office For the Aging, Mountain View Prevention Services, Inc. and Lewis County Chamber of Commerce.

Section 2. That said Agreement is for a 12-month period commencing upon implementation, at a cost not to exceed \$3,500.00.

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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

**RESOLUTION NO. 41 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND THE PAIGE GROUP
COMMUNICATIONS PLANNING AND SUPPORT**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves an Agreement with The Paige Group, pursuant to which they will develop a strategic communications plan that identifies priorities with focus on economic development initiatives to increase public awareness while diminishing disinformation to enhance an environment more conducive to learn about Lewis County, advance positive conversations, and effect appreciation of Lewis County government as a leader and partner in advancing overall community well-being.

Section 2. That said Agreement is for a 12-month period commencing upon implementation, at a cost not to exceed \$20,500.00.

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 King.

Legislator Hathway made a motion to amend Section 2, to reduce the cost not to exceed \$14,500.00, seconded by Legislator Moser and carried.

The resolution was then adopted, with Legislator Pepper opposed.

**RESOLUTION NO. 42 - 2015
RESOLUTION IN SUPPORT OF
HIGHWAY SUPERINTENDENT MULTI-YEAR
EQUIPMENT REPLACEMENT PLAN**

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

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WHEREAS, Highway Superintendent David L. Becker has formulated a multi-year equipment replacement plan that encompasses utilization of Highway Department and Capital Equipment Account funds; and

WHEREAS, the plan has been reviewed by and discussed in detail by each, the Transportation and Ways and Means Committees, and wholeheartedly support the plan; and

WHEREAS, they recognize that the plan may be amended from time to time to accommodate unknown occurrences that would impact on available resources; and

WHEREAS, this Board wishes to record their support of the multi-year plan.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby records their support for the multi-year equipment replacement plan dated January 15, 2015, signed by Highway Superintendent David L. Becker, and placed on file with the Clerk of the Board.

Section 2. That this Board recognizes that the said multi-year Highway equipment plan may be amended from time to time to consider unknown future impacts on County financial resources.

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

Moved by Legislator Brennan, seconded by Legislator Hathway.

Legislator Kulzer highly commended Mr. Becker and his personnel for the well-organized and well thought out plan, adding he is doing a tremendous job! All Legislators concurred.

The resolution was then adopted.

**RESOLUTION NO. 43 – 2015
RESOLUTION TO APPROPRIATE FUNDS
HIGHWAY DEPARTMENT**

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

BE IT RESOLVED as follows:

Section 1. That the following appropriation of insurance recovery funds for damaged guardrails is hereby approved in the County Road account:

<u>Increase Revenue:</u>	
D26800 (Ins Recoveries)	\$6,018.52

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Increase Expense:
D5500.49 (Bridge acct) \$6,018.52

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

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

**RESOLUTION NO. 44 – 2015
RESOLUTION TO APPROPRIATE FUNDS
HIGHWAY MACHINERY ACCOUNT**

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

BE IT RESOLVED as follows:

Section 1. That the following 2015 budget appropriation is hereby approved in the Highway Machinery account for the purchase of 2015 International Plow utilizing Capital Equipment Funds (HAD9901.9), balance \$ 642,150.00 :

Increase Revenue:
DM50310 (Inter-fund transfers) \$228,444.00

Increase Expense:
DM5130.2233 (Vehicles) \$228,444.00

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

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

**RESOLUTION NO. 45 - 2015
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

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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 Shawn Moshier of 5201 Hillcrest Circle, Lowville, NY 13367, to the Lewis County Industrial Development Agency Board of Directors to serve at the pleasure of the Board of Legislators.

Section 2. That the within resolution shall be effective immediately.

Moved by Legislator Dolhof, seconded by Legislator Moroughan.

Legislator Brennan reported that Mr. Moshier had been invited and was introduced at the last Board of Directors' meeting. He was very well received, and we look forward to working with him, he added.

The resolution was then adopted.

**RESOLUTION NO. 46 – 2015
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 2015 budget changes are hereby approved in the Information Technology accounts for various technology needs, funds appropriated from HAE9901.9; balance \$ 151,723.00 :

Increase Revenue:
A50310 (Inter-fund transfers) \$47,000.00

Increase Expense:
A1680.4605 (Repairs & Maint) \$47,000.00

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

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

**RESOLUTION NO. 47 – 2015
RESOLUTION TO TRANSFER FUNDS
LEGISLATIVE BOARD SPECIAL CONTINGENCY**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

PROFESSIONAL SERVICES

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

BE IT RESOLVED, as follows:

Section 1. That the following 2015 transfer of funds is hereby approved in the Legislative Board Accounts to cover Professional Services for the Paige Group:

<u>From:</u>	Amount
A1010.4199 (Special Contingency)	\$75,000.00
<u>To:</u>	
A1010.4901 (Prof Serv)	\$75,000.00

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

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

Legislators Pepper and Kulzer were opposed.

**RESOLUTION NO. 48 - 2015
RESOLUTION APPOINTING MEMBER 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 appoints Bruce Chapman of 9629 State Route 126, P.O. Box 174, Beaver Falls, New York 13305 to fill the un-expired term of Cheryl Steiner on the Lewis County Office For Aging Advisory Council:

Section 2. The term of said appointment shall commence March 4, 2015 and expire on December 31, 2016.

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

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

**RESOLUTION NO. 49 - 2015
RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING**

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

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BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the Office for the Aging accounts to appropriate donations for the meal sites.

<u>Increase Revenue</u>	
A27051 (Contrib-OFA)	\$200.00
<u>Increase Expense</u>	
A6772.4801 (Rent)	\$200.00

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

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

**RESOLUTION NO. 50 - 2015
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, to create the following position with reference to the Public Health Agency:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Account Clerk	Full-time	Grade C13 (\$14.53/hr.)

Section 2. That Director Penny Ingham is hereby authorized to fill said position effective immediately.

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

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

**RESOLUTION NO. 51 - 2015
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:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Animal Control Officer	Per Diem	Grade C27 \$20.73/hr.

Section 2. That Director Penny Ingham 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 Dolhof, and adopted.

**RESOLUTION NO. 52 - 2015
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
LEWIS COUNTY PUBLIC HEALTH DEPARTMENT
AND CANCER SERVICES PROGRAM PROVIDER AGENCIES**

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 \$435,949 for contract number C028820 for cancer screening services for the term beginning July 1, 2013 through March 31, 2018; and

WHEREAS, the Cancer Services Program of Lewis and Jefferson Counties are an eligible provider of these services; and

WHEREAS, Lewis County Public Health Department have participants that provide cancer screening and/or diagnostic services of the Cancer Services Program of Lewis and Jefferson Counties; 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 Lewis County Public Health Department entering into agreements with provider participants under the State Program that provide screening and/or diagnostic services to the Cancer Services Program of Lewis and Jefferson Counties.

Section 2. That this is for the term commencing April 1, 2015 through March 31, 2018 at no cost to the County.

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Section 3. That the Lewis County Public Health Director is authorized to be the signatory for the Cancer Services Program Provider Agreements as they are executed. Language referencing such authorization will be incorporated in the Cancer Services Program Provider Agreement. Agreements will be executed by the Public Health Director upon signature by the Provider Agency.

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

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

**RESOLUTION NO. 53 - 2015
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 \$18,011.00 under contract number C027486 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

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, 2014 and ending September 30, 2015 in the amount of \$18,011.00.

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. 54 - 2015
RESOLUTION AUTHORIZING INTER-MUNICIPAL AGREEMENT BETWEEN THE
COUNTIES OF CAYUGA, CORTLAND, JEFFERSON, LEWIS,**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**MADISON, ONONDAGA, OSWEGO, AND TOMPKINS TO PROVIDE MUTUAL AID
TO EACH OTHER DURING A PUBLIC HEALTH EMERGENCY**

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

WHEREAS, the Counties of Cayuga, Cortland, Jefferson, Lewis, Madison, Onondaga, Oswego, and Tompkins are referred to as the “Central New York (“CNY”) Epidemiological Alliance”; and

WHEREAS, the County Health Departments of the CNY Epidemiological Alliance all have responsibilities for public health emergency planning and response; and

WHEREAS, some public health problems may require public health services that exceed the capacities of the individual County Health Departments; and

WHEREAS, the County Health Departments of the CNY Epidemiological Alliance are desirous of establishing an inter-municipal agreement to provide mutual aid to each other during a public health emergency; and

WHEREAS, the Board of Legislators wishes to enter into the inter-municipal agreement with the Central New York Epidemiological Alliance; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby supports the participation in the inter-municipal agreement with the Counties of Cayuga, Cortland, Jefferson, Lewis, Madison, Onondaga, Oswego, and Tompkins which are referred to as the Central New York Epidemiological Alliance for the purpose of providing mutual aid to each other during a public health emergency.

Section 2. That this is for the term beginning January 1, 2014 through December 31, 2019, with reimbursement of such costs and expenses to be provided if requested by the responding county.

Section 3. The Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such inter-municipal 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. 55 - 2015
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN
LEWIS COUNTY DEPARTMENT OF RECREATION, FORESTRY & PARKS**

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**AND BOARD OF COOPERATIVE EDUCATIONAL SERVICES (BOCES) FOR
ACCESS TO COUNTY PROPERTY FOR FORESTRY STUDENTS AND
AUTHORIZATION FOR RECREATION, FORESTRY AND PARKS DEPARTMENT
TO PARTICIPATE IN BOCES INTERNSHIP PROGRAM**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation/Forestry & Parks Committee.

WHEREAS, the Lewis County Department of Recreation, Forestry and Parks (“LCRFP”) is responsible for all Lewis County reforestation property; and

WHEREAS, the Board of Cooperative Educational Services (“BOCES”) provides an Internship Program for their students who are in a program in the field of natural resource management, conservation and forestry. The forests, fields and streams serve as their primary classrooms as they gain practical hands-on experience in the forest industry; and

WHEREAS, LCRFP desires to partner with the BOCES program by having LCRFP participate in the BOCES Internship Program for projects, including but not limited to various building, maintenance and forestry activities, under the terms and conditions of BOCES Internship Program. In addition, the LCRFP desires to grant BOCES access to the County’s reforestation property in order to provide their students with forests, fields, and streams to gain practical hands-on experience in the forest industry. Some of the projects may consist of building lean-to’s, building trails, and creating signs; and

WHEREAS, the Board of Legislators wishes to accept such program and provide such authorization.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Understanding between the Lewis County Department of Recreation, Forestry and Parks and the Board of Cooperative Educational Services to enable its students to gain hands-on field experience by providing access to County reforestation property to BOCES for management, conservation and educational experiences and activities by its students. The Director of LCRFP shall be provided with prior notice and shall authorize all dates, locations and scheduled activities by the students, who must be properly supervised by BOCES teachers and/or administrators at all times.

Section 2. That the term of this Agreement shall be deemed to commence January 1, 2015 and continue through August 31, 2016 with annual renewal from September 1, 2016 upon mutual agreement.

Section 3. That the LCRFP Department is authorized to participate in the Internship Program, provided there is no cost to the County.

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Section 4. 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 and content.

Section 5. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 56 - 2015
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, 2015 through June 30, 2015.

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 King, seconded by Legislator Moser.

In response to Legislator Chartrand, Legislator Moser stated the per tap charge was in line with Lewis County, being a little lower than the Statewide average. He further indicated the County would discuss whether to continue the practice in the future.

The resolution was then adopted.

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**RESOLUTION NO. 57 - 2015
RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENT WITH
LEWIS COUNTY DEPARTMENT OF RECREATION, FORESTRY & PARKS
AND LEWIS COUNTY SHERIFF'S DEPARTMENT FOR
EDUCATION AND OFF ROAD TRAIL EVENT PATROL**

Introduced by Legislator Larry Dolhof, Chairman of the Recreation/Forestry & Parks Committee.

WHEREAS, the Lewis County Department of Recreation, Forestry and Parks ("LCRFP") is responsible for maintenance and development of recreational trails in the County, together with providing assistance in the promotion of recreational activities and trails in the County and the education of the public in same; and

WHEREAS, the Lewis County Sheriff's Department ("LCSD") is responsible to patrol and enforce all laws, including laws pertaining to the operation of ATV's and other off road vehicles on lawful trails within the County in accordance and compliance with New York State and Local Laws; and

WHEREAS, the LCRFP and LCSD recognize that a number of events are held each year in Lewis County which require these Departments to coordinate and cooperate in providing such services for the benefit of the County; and

WHEREAS, in consideration of the LCSD providing the proper number of patrol officers (at least one officer per day for event) at off road trail events in the County from May 1st through October 15th, and in providing ATV safety educational seminars and meetings at area schools, the LCRFP department agrees to reimburse the LCSD for fifty (50%) percent of the costs of actual patrols provided at off road trail events; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Agreement between the Lewis County Department of Recreation, Forestry and Parks and the Lewis County Sheriff's Department for the purpose of providing the proper number of patrol officers at off road trail events in Lewis County and providing ATV safety educational seminars and meetings at area schools.

Section 2. That this is for a term commencing May 1, 2015 through October 15, 2015 and the LCRFP agrees to reimburse the LCSD for fifty (50%) percent of the costs of actual patrols provided at off road trail events, with the total reimbursement not to exceed \$8,000.00 per year.

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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, upon approval by the County Attorney as to form.

Section 4. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 58 - 2015
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>
Cook (Jail)	Part-time	Grade C11 Step 1 - \$17.53/hr.

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said position effective immediately, in compliance with Civil Service rules and regulations.

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

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

**RESOLUTION NO. 59 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT AND
ELW SOFTWARE**

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

WHEREAS, the Lewis County Sheriff's Department desires to enter into an Agreement with ELW Software, to provide computer software support and maintenance of programs integral to operations of the Lewis County Sheriff's Department; 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 Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Sheriff's Department and ELW Software, pursuant to which the County shall have unlimited, non-exclusive and non-transferrable licenses to use and operate the programs, products, software and materials simultaneously on multiple computer systems utilized by the Lewis County Sheriff's Department.

Section 2. That this is for the term commencing on January 1, 2015 through December 31, 2015 in an amount not to exceed \$8,500.00.

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 Dolhof, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 60 – 2015
RESOLUTION AUTHORIZING EXTENDING 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 County will be unable to meet the Agreement deadline which is due to expire on 4/30/2015; and

WHEREAS, the NYS Division of Homeland Security and Emergency Services has authorized a one-year extension.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves extending 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, in the amount of \$808,615 to April 30, 2016.

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Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute said Agreement extension.

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

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

**RESOLUTION NO. 61 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT
AND LOCUM INTERACTIVE, INC.**

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

WHEREAS, the Lewis County Sheriff's 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 mental health services to the inmates at the Lewis County Jail; 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 with Locum Interactive, Inc. to provide the services of Lawrence J. Palinski and Steven M. Fogleman, MD for mental health services to the inmates at the Lewis County Jail for the term beginning January 1, 2015 and ending December 31, 2015 at a cost of \$2,500.00 per month (Physician's Rate) which includes the following:

- One visit to the work facility per month for a total of four (4) hours per visit
- One phone consultation per week for a total of one (1) hour per call
- Any additional coverage needed per month shall be charged:
- \$300.00 per hour to be on-call during a weeknight. Should the Physician be called back to the worksite during the weeknight, Physician will be paid at the rate of \$350.00 per hour
- \$400.00 per hour to be on call during a recognized holiday. Should the Physician be called back to the worksite on the holiday, the Physician will be paid at the rate of \$450.00 per hour

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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 form as may be 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.

**RESOLUTION NO. 62 – 2015
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 appropriations are hereby approved in the Sheriff's Department account for FY14 Homeland Grant:

<u>Revenue</u>	
A43051.6 FY14 Homeland Grant-Sheriff	\$12,500.00

<u>Expense</u>	
A3119.2910 FY14 Homeland-Sheriff Equip	\$12,500.00

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

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

**RESOLUTION NO. 63 – 2015
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 of insurance recovery funds for a damaged patrol vehicle is hereby approved in the Sheriff's Department account for vehicle replacement:

<u>Increase Revenue:</u>	
A26800 (Ins Recovery)	\$23,975.04

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Increase Expense:
A3110.2233 (Vehicles) \$23,975.04

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

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

**RESOLUTION NO. 64 – 2015
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 in the Sheriff’s Department account for the additional amount needed, after insurance recovery, to replace the damaged patrol car , utilizing Capital Equipment funds (HAD9901.9) balance \$ 642,150.00 :

Increase Revenue:
A50310 (Inter-fund transfers) \$10,981.68

Increase Expense:
A3110.2233 (Vehicles) \$10,981.68

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

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

**RESOLUTION NO. 65 - 2015
AUTHORIZING AGREEMENT BETWEEN COUNTY OF LEWIS AND
NEW YORK HOUSING TRUST FUND CORPORATION**

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

WHEREAS, the County of Lewis, has applied to New York State Housing Trust Fund Corporation (“Corporation”) for Community Development Block Grant (“CDBG”) funds to finance the community development activities (Project No. 636CRF-H0118-14); and

WHEREAS, the Corporation has awarded the County of Lewis a maximum of \$200,000.00 in Community Block Grant funds for first-time homeownership program.

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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 New York State Housing Trust Fund Corporation, pursuant to which the County of Lewis shall receive a maximum of \$200,000.00 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.

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

**RESOLUTION NO. 66 - 2015
RESOLUTION AUTHORIZING SUB-RECIPIENT AGREEMENT
BY AND BETWEEN LEWIS COUNTY AND
SNOW BELT HOUSING COMPANY, INC.**

Introduced by Legislator Larry Dolhof, Chairman of Economic Development Committee.

WHEREAS, Lewis County (“County”) is a recipient of a Small Cities Community Development Block Grant No. 636CRF-HO118-14 in the amount of \$200,000.00 for the purpose of providing direct homeownership assistance to income eligible first time homebuyers in the County; and

WHEREAS, the sum of \$28,750.00 from said Grant has been made available to cover the administration and program delivery expenses of said Grant; 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; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a Sub-Recipient Agreement between the County of Lewis and the Snow Belt Housing Company, Inc. for the purpose of administration services and program delivery for the approved Community Development Block Grant No. 636CRF-HO118-14 in the amount of \$200,000.00, for the purpose of providing direct homeownership assistance to income eligible first time homebuyers in the County, with the sum

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of \$28,750.00 to be made available from the Grant to cover the administration and program delivery expenses of said Grant.

Section 2. That the Sub-Recipient Agreement shall commence as of January 1, 2015 and shall continue through December 31, 2016. Notwithstanding the aforementioned, pursuant to 24 CFR 570.503(a), this Agreement shall remain in effect during any period that the Sub-Recipient has control over CDBG funds, including program income.

Section 3. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute, seal and deliver such Sub-Recipient Agreement upon such terms as may be approved by the Lewis County Attorney.

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

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

**RESOLUTION NO. 67 - 2015
RESOLUTION AUTHORIZING ADDENDUM TO 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, the Lewis County Department of Social Services (“DSS”) and Credo Community Center for the Treatment of Addictions, Inc. (“Credo”) entered into a Memorandum of Agreement on December 19, 2014 per Resolution No. 500-2014 for the purpose of using Credo’s services of providing chemical dependency and addiction services within Lewis County for individuals receiving assistance from DSS; and

WHEREAS, both parties have made additions or changes to the Agreement to include Child Welfare and Adult Services to the Agreement as well as adding new fees for additional services; and

WHEREAS, if the client is eligible for Medicaid, there is no local share cost, and if the client is not eligible, the local share cost is dependent upon program eligibility of the client; 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 Memorandum of Agreement between the Lewis County Department of Social Services and Credo Community Center for the Treatment of Addictions, Inc. for the purpose of using Credo’s services of providing chemical dependency and addiction services within Lewis County for

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individuals receiving assistance from DSS and to make additions or changes to the Agreement to include child Welfare and Adult Services and add new fees for additional services.

Section 2. That this is for the term commencing November 24, 2014 through December 31, 2015 at a cost of \$ 132.31 per assessment normative (30 minutes); \$152.67 per assessment extended (75 minutes); \$41.37 per assessment brief (15 minutes); \$122.13 per individual therapy norm (45 minutes); \$91.59 per individual brief (25 minutes) and \$47.33 per group counseling (60 minutes).

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. 68 - 2015
RESOLUTION ESTABLISHING COUNTY POLICY
FOR FOSTER CARE RATES**

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

WHEREAS, the Statutory Trend Factor (“STF”) for Direct Care and Direct Support Professionals Initiative was included in the enacted budget for State Fiscal Year 2014-15, as authorized by Part I of Chapter 60 of the Laws of 2014. This enacted legislation provides for a STF of two percent (2%) for increases in annual salary and salary-related fringe benefits for direct care staff and direct support professionals, applicable to all programs for which the Office of Children and Family Services (“OCFS”) establishes Maximum State Aid Rates and Committee on Special Education Maintenance Rates pursuant to SSL 398-a and sections 4403 and 4405 of the Education Law and in payment to foster parents and adoptive parents and kinship guardianship assistance program guardians beginning January 1, 2015; and

WHEREAS, the rates affected by this are: Basic Room and Board Payment to Foster Parents, Adoptive Parents and KinGap Guardians; Clothing Allowance; Diaper Allowance; and Emergency Placements. As of April 1, 2013 Diaper allowance was eliminated and included in the actual day rate; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes an increase for the Foster Care Room and Board rate; special payments and Clothing Grant rates as listed in the charts below to become effective commencing January 1, 2015:

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Effective January 1, 2015 to March 31, 2015:

According to Age and Level Of Difficulty	Rate per day for basic room & board	Allowance for Child (per month)
Level of Difficulty 1 = Normal Rate		
Age birth to 5	\$16.25	\$5.50
Age 6 to 11	\$17.44	\$11.00
Age 12 and Over	\$18.55	\$22.00
Level of Difficulty 2 = Special Rate		
Age birth to 5	\$29.04	\$5.50
Age 6 to 11	All Ages	\$11.00
Age 12 and Over		\$22.00
Level Of Difficulty 3 = Exceptional		
Age birth to 5	\$43.96	\$5.50
Age 6 to 11	All Ages	\$11.00
Age 12 and Over		\$22.00
Person In Need of Supervision (PINS) RESPITE	\$40.80	No child allowance.
Emergency Placement (Up to 14 Days)	\$20.40	No child allowance.
Special Payment: Foster parents receive \$35 for child's birthday; and \$35 for child for Christmas.		
Special Payment: Foster parents receive mileage reimbursement at federal IRS rate for transporting foster children to appointments, visits with family, etc.		
Independent Living Stipend: For foster children who has a goal of discharge to independent living according to their case plan and/or is actively participating in independent living services. The independent living stipend is provided to teach the youth to manage money, and with a means to accumulate savings to assist them in the transition to independent living.		
The following schedule is required per NYS Statute:		
16 years old	\$20 per month	
17 years old	\$25 per month	
18 years old	\$30 per month	
19 years old	\$35 per month	
20 years old	\$40 per month	

CLOTHING GRANT (seasonal)			
Effective January 1, 2015 through March 31, 2015			
AGE	APRIL	AUGUST	DECEMBER
0 – 5	121.72	121.72	121.72
6 – 11	170	170	170
12 – 15	270.53	270.53	270.53

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16 +	279.23	279.23	279.23
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Effective April 1, 2015 forward:

According to Age and Level Of Difficulty	Rate per day for basic room & board	Allowance for Child (per month)
Level of Difficulty 1 = Normal Rate		
Age birth to 5	\$16.58	\$5.50
Age 6 to 11	\$17.79	\$11.00
Age 12 and Over	\$18.92	\$22.00
Level of Difficulty 2 = Special Rate		
Age birth to 5	\$29.62	\$5.50
Age 6 to 11	All Ages	\$11.00
Age 12 and Over		\$22.00
Level Of Difficulty 3 = Exceptional		
Age birth to 5	\$44.84	\$5.50
Age 6 to 11	All Ages	\$11.00
Age 12 and Over		\$22.00
Person In Need of Supervision (PINS) RESPITE	\$41.62	No child allowance.
Emergency Placement (Up to 14 Days)	\$20.81	No child allowance.
Special Payment: Foster parents receive \$35 for child's birthday; and \$35 for child for Christmas.		
Special Payment: Foster parents receive mileage reimbursement at federal IRS rate for transporting foster children to appointments, visits with family, etc.		
Independent Living Stipend: For foster children who has a goal of discharge to independent living according to their case plan and/or is actively participating in independent living services. The independent living stipend is provided to teach the youth to manage money, and with a means to accumulate savings to assist them in the transition to independent living. The following schedule is required per NYS Statute:		
16 years old	\$20 per month	
17 years old	\$25 per month	
18 years old	\$30 per month	
19 years old	\$35 per month	
20 years old	\$40 per month	

CLOTHING GRANT (seasonal) Effective April 1, 2015			
AGE	APRIL	AUGUST	DECEMBER
0 – 5	124.15	124.15	124.15

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6 – 11	173.40	173.40	173.40
12 – 15	275.94	275.94	275.94
16 +	284.81	284.81	284.81

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

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

**RESOLUTION NO. 69 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND
VOLUNTEER TRANSPORTATION CENTER, 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 Volunteer Transportation Center, Inc. to manage and supervise transportation requests by DSS for non-emergency Medicaid and Services for clients, using volunteer drivers with their own vehicles to provide child welfare and adult service transportation services; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Agreement between the Lewis County Department of Social Services and Volunteer Transportation Center, Inc. to manage and supervise transportation requested by DSS for non-emergency Medicaid and Services using volunteer drivers with their own vehicles to provide child welfare and adult service transportation services.

Section 2. That this is for the period beginning January 1, 2015 and ending December 31, 2015 to reimburse Volunteer Transportation Center, Inc. for such transportation services in accordance with set rates set forth in the relevant programs in which the DSS client participates.

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 King, and adopted.

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**RESOLUTION NO. 70 – 2015
RESOLUTION TO APPROPRIATE FUNDS
SOCIAL SERVICES**

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

BE IT RESOLVED as follows:

Section 1. That the following 2015 budget changes are hereby approved in the Department of Social Services account for the purchase of four (4) Chevy Impalas with Capital Equipment funds (HAD9901.9), HAD balance \$ 642,150.00 :

Increase Revenue:

A50310 (inter-fund transfers)	\$71,238.20
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Increase Expense:

A6010.2233 (Vehicles)	\$71,238.20
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 71 – 2015
RESOLUTION TO APPROPRIATE FUNDS
SOCIAL SERVICES**

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

BE IT RESOLVED, as follows:

Section 1. That the following 2015 budget transfer is hereby approved for additional funds needed to purchase a server for Social Services, utilizing Capital Data Processing funds; balance \$ 151,723.00 :

<u>Revenue:</u>	Amount
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A50310 (Inter-fund)	\$477.48
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Expense:

A6010.2217 (computers)	\$477.48
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Section 2. That the within resolution shall take effect immediately.

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

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**RESOLUTION NO. 72 – 2015
RESOLUTION TO TRANSFER FUNDS
BUS OPERATIONS**

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

BE IT RESOLVED, as follows:

Section 1. That the following 2015 budget transfer is hereby approved in the Bus Operations accounts to create a new account for Marketing:

<u>From:</u> A5630.4902 (Mobility)	Amount \$5,000.00
<u>To:</u> A5630.4904 (Marketing)	\$5,000.00

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

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

**RESOLUTION NO. 73 – 2015
RESOLUTION OPPOSING THE 2015
INTERNATIONAL BUILDING CODE WHILE URGING CHANGE TO THE
LANGUAGE THAT WOULD ALLOW THE USE OF ROUGH-CUT LUMBER AND
REMOVE THE REQUIREMENT FOR INSTALLATION OF A SPRINKLER SYSTEM
IN ALL NEW RESIDENTIAL BUILDING CONSTRUCTION**

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

WHEREAS, the 2015 International Building Code imposes a new requirement for installation of a sprinkler system in all new residential building constructions, and further imposes restrictions on the use of rough-cut lumber; and

WHEREAS, there would be a negative economic impact upon numerous small sawmills that currently certify their lumber to grade 2 or better in accordance with previous Code cycles; and

WHEREAS, it would further negatively impact upon the entire lumber industry in Lewis County by requiring rough-sawed lumber to be graded by a recognized lumber grading agency; and

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WHEREAS, enforcement requirements would overburden or create a hardship upon local governments to enforce the use of rough-cut lumber by the Amish in our community, as well as hinder overall economic development in construction trades; and

WHEREAS, the imposition of a new requirement for installation of a sprinkler system in all new residential building construction will cause significant added costs and have a negative effect upon the affordable housing market in our community, as well as the construction industry.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby records their opposition to the 2015 International Building Code that does not allow the use of ungraded rough-cut lumber, and that requires installation of a sprinkler system in all new residential structures.

Section 2. The Board of Legislators urges the continued use of rough-cut lumber as allowed in previous Code cycles for all New York State construction, and opposes a requirement for sprinkler systems in all new residential structures.

Section 3. That the Clerk is hereby directed to forward a certified copy of this resolution to Governor Andrew M. Cuomo, NYS Senator Joseph Griffo, and NYS Assemblyman Kenneth Blankenbush.

Moved by Legislator Brennan, seconded by Legislator Hathway.

Legislator Chartrand opined the proposed Code would impose an undue burden upon Lewis County residents, estimating an additional \$12,000 construction cost for an average home.

The resolution was then adopted.

**RESOLUTION NO. 74 - 2015
RESOLUTION TO COMMIT AND AUTHORIZE THE LOCAL MATCH FOR DSS
PARKING LOT PROJECT COSTS, AS REQUIRED
BY GREEN INNOVATION GRANT PROGRAM (“GIGP”)**

Introduced by Legislator Philip C. Hathway, Chairman of the Building and Grounds Committee.

WHEREAS, Lewis County owns property on Outer Stowe Street, Lowville, New York, more commonly known as the “DSS building”; and

WHEREAS, the Lewis County Board of Legislators have determined that the parking lot which services the DSS building is in need of major repair for the safety of employees, their clients and the general public who utilize the services of the Departments in said building; and

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WHEREAS, Lewis County has been informed that its Consolidated Funding Application No. 42324 has been selected to receive up to \$640,000.00 in funding for the DSS parking lot project under a Green Innovation Grant Program (“GIGP”); and

WHEREAS, the proposed project under the GIGP program, requires a local match of a minimum of 10% of the total actual project costs, with a current total estimated maximum project cost of \$950,000.00; and

WHEREAS, the County desires to commit to this funding and project.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators authorizes and appropriates a minimum of 10% of the total project costs as its local matching funds for the DSS Parking Lot Project, CFA No. 42324.

Section 2. That the Board of Legislators further authorizes and determines that the source of the local match, and any amount in excess of the match shall be from the general fund balance.

Section 3. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 75 – 2015
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 in the Sheriff’s Department account for the purchase of two (2) fully-equipped vehicles. The below Capital Equipment fund appropriation is \$3,940 over the 2015 Capital Equipment \$72,000 budget appropriation for patrol vehicles (HAD9901.9), HAD balance \$ 642,150.00 :

Increase Revenue:

A50310 (Inter-fund transfers)	\$75,940.00
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Increase Expense:

A3110.2233 (Vehicles)	\$75,940.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 76 - 2015
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 10th day of February, 2015 and has considered the comments presented thereat regarding housing and priority community development needs.

NOW, THEREFORE, BE IT RESOLVED, that

Section 1. The Board of Legislators hereby authorizes the filing of one or more 2014 Small Cities Community Development Block Grant (CDBG) Applications to secure funding to assist low and moderate income households with the rehabilitation of existing single family homes within Lewis County in an amount not to exceed \$750,000 and other such related activities as may be determined.

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 Dolhof, seconded by Legislator King, and adopted.

**RESOLUTION NO. 77 - 2015
RESOLUTION AUTHORIZING CME ASSOCIATES, INC. TO PROVIDE
SUBSURFACE EXPLORATION AND INFILTRATION TESTING SERVICES
("BORINGS") FOR THE DSS PARKING LOT PROJECT AND
TWO (2) BORINGS AT PUBLIC SAFETY BUILDING PARKING LOT**

Introduced by Legislator Philip C. Hathway, Chairman of the Building and Grounds Committee.

WHEREAS, the Lewis County Board of Legislators has determined that the parking lot which services the DSS building is in need of major repair for the safety of employees, their clients and the general public who utilize the services of the Departments in said building; and

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WHEREAS, the County has been selected to receive up to \$640,000.00 in Grant funds under the Green Innovation Grant Program (“GIGP”) under the New York State Environmental Facilities Corporation; and

WHEREAS, the project and GIGP application require geotechnical investigation and analysis of the subsurface of the parking lots located at the Outer Stowe Street property and buildings; and

WHEREAS, the County received two (2) proposals to perform such subsurface geotechnical testing and has determined that the proposal of CME Associates, Inc. meets with the County’s specific needs, time line and cost for this service; and

WHEREAS, the County of Lewis desires to enter into an agreement with CME Associates, Inc. for Subsurface Exploration and Infiltration Testing Services for the DSS Parking Lot Project and for the Public Safety Building parking lot; 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 authorizes an agreement between the County and CME Associates, Inc. for Subsurface Exploration and Infiltration Testing Services for the DSS Parking Lot Project and for the Public Safety Building parking lot.

Section 2. That the cost of this agreement is not to exceed \$4,973.00.

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 upon such form as may be acceptable to the County Attorney.

Section 4. That this Resolution shall take effect immediately.

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

OTHER BUSINESS:

Legislator Hathway proposed to authorize acceptance of a proposal from CME Associates to provide subsurface exploration and infiltration testing services, otherwise known as borings, at the DSS parking lot. There would be two additional borings at the Public Safety Building parking lot. The cost for the services shall not exceed a total of \$4,973.00. A respective late resolution was enacted.

Chairman Tabolt appointed Legislators Chartrand, King, Dolhof and Moroughan to an Ad Hoc Committee to consider the feasibility of creating a County Dog Control Officer and make their recommendation to the Board.

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Legislator Craig Brennan, as the representative on the Lewis County Industrial Development Agency (IDA) Board of Directors, reported discussing options for development of a business park. Also, Eric Virkler will publicly inform the availability of micro-enterprise loan funds of about \$69,000 to small businesses, for resurgence of the program.

Legislator Brennan informed plans to work with National Grid for available funding to support infrastructure for a potential business park.

In conclusion, he reported that Eric Virkler had performed 25 hours for the IDA during January.

At 7:11 p.m. Legislator Brennan made a motion to enter executive session to discuss a specific contractual matter, seconded by Legislator Chartrand and carried. Following the session, Legislator Brennan made a motion to re-enter regular session at 7:22 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 Hathway, seconded by Legislator Moser and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**REGULAR MEETING
March 3, 2015**

The meeting was called to order at 5:09 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislators Chartrand and Kulzer, whom had each been excused.

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

There were 25 persons present.

Chairman Tabolt announced approval of the February 10, 2015 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: March 3, 2015

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

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

Chairman Tabolt opened the public hearing for comments on Local Law Intro. No. 1-2015 "Providing An Increase in Salary For the Lewis County Director of Real Property".

There was no one who wished to comment.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

In reference to the Croghan Dam rehabilitation project, Lewis County Development Corporation Treasurer and former Village of Croghan Mayor Glen Gagnier, and Development Authority of the North Country (DANC) Executive Director James W. Wright had each penned a request to the NYS Public Service Commission to stay implementation of any revisions to the utility tariffs regarding remote net metering to allow for public comments, specifically grandfathering of projects under development. DANC is currently engaged in an engineering study to evaluate five different hydroelectric development scenarios for the Croghan Dam site.

NYSAC Executive Director Stephen Acquario acknowledged receipt of this Board's resolution opposing the Governor's budget proposal concerning the \$1.5 billion dollar Upstate

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revitalization account, suggesting that instead of a competitive process, the funds be equally distributed to all Counties proportionate to population.

The Chenango County Board of Supervisors forwarded resolutions 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; and to repeal the New York Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013.

The Essex County Board of Supervisors forwarded a resolution urging the State Legislature to give special consideration for financial aid to schools and municipalities located within the Adirondack Park to compensate for the loss of economic growth due to the regulatory requirements to maintain the Adirondack Park.

REPORTS OF COUNTY OFFICES AND DEPARTMENTS:

Treasurer Patricia O'Brien and Real Property Tax Director Linda Hoskins have submitted approved 2014 applications for corrected tax rolls for Stephen M. Callaghan in the Town of Leyden; for County of Lewis IDA for three (3) parcels in the Town of Lowville; and Ramona Zehr in the Town of New Bremen.

They had also denied an application for corrected 2015 tax roll for Niagara Mohawk A National Grid Company for a parcel in the Town of Lyonsdale.

All Legislators have received copies of the 2/12 and 2/24/15 Highway Audit Reports, the 2/20/14 Solid Waste Audit Report; the Treasurer's February Report; and minutes of the 1/20/15 Soil and Water Conservation District Board of Directors meeting.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Buildings and Grounds/Ways and Means Committee Chairman, reported that Solid Waste Director Pete Wood presented a modernization plan. County Atty. Joan McNichol had informed that all contracts were executed and implemented. Planning Director Frank Pace relayed the DSS parking lot borings will be done on 3/4/15, and the municipal participants of the Community Outreach Committee recommend hiring a civil engineer and a grant writer.

Legislator Hathway reported that as suggested by Legislator King, the Committee directed the Treasurer to insert a line on the property tax bills to indicate the Inter-Governmental Transfer (IGT). Buildings Supervisor Frank Archer reported that in the spring, Highway Dept. personnel, with assistance from his workers, would repair the highway garage wall. There will be a kick-off meeting with the DANC engineer to outline the process to address the water pressure issues at the public safety building. Also, desired office structure changes indicated by DSS Commissioner Stacy Alvord will be presented to the Committee for consideration.

Treasurer Patricia O'Brien had reported the amount of 2014 sales tax receipts, excluding the additional one-quarter percent, exceeded 2013 receipts by \$695,063.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

At the request of I.T. Director Adam Zehr, Legislator Hathway made a motion to authorize the purchase of software at a cost of up to \$3,500 that will send a text or email alert to certain County officials that identifies the exact location of a “911” call from any County phone. The Workplace Violence Committee recommends the upgrades in response to voiced concerns. The cost will be borne by Social Services, Information Technology and Building Maintenance budgeted accounts. The motion was seconded by Legislator King and carried.

Legislator Hathway made a motion to authorize County Treasurer Patricia O’Brien to refill a full-time Account Clerk upon the impending retirement of the current employee. The motion was seconded by Legislator Pepper and carried.

Legislator Neil Pepper, Social Services/Office For Aging/Youth Committee Chairman, informed that North Country Transitional Living Services (TLS) is the new owner of the Lowville Commons building and has agreed to honor all terms and conditions in the County lease agreement.

Legislator Pepper reported that Office For Aging will sponsor a Senior Forum to be held at the Maple Ridge Center on 3/11/15 at which Atty. Kevin McArdle will speak about legal services. County officials are encouraged to participate in the Mayors For Meals Program on 3/19/15, as outreach at the meal sites and home delivered routes. There will be two 6-week workshops held on Chronic Disease Self-Management; one at the OFA offices and the other at the United Church of Copenhagen from the period 3/26-4/30/2015.

Legislator Pepper relayed DSS Commissioner Alvord’s concern for potential expense for a foster child that was court-ordered into NYS custody as a juvenile delinquent. The State merely invoices the County for payment, estimated at \$250,000 per year. However, the County has had only three juvenile delinquents placed in State facilities during the last six years. The issue is with the State’s historical billing for four to five years retroactively, making it difficult to budget costs. The County has encumbered \$150,000 since 2011, awaiting receipt of an outstanding State invoice for one youth. The Governor’s current budget, however, outlines a new directive to waive prior County invoices and cap the State facility charges for court-ordered youth detention.

The proposed Summer Youth Program positions are financed with Federal and State funds, with no local share cost.

Legislator Pepper also reported the Youth Advisory Board is accepting applications through 3/16/15 for available County project funding for direct positive youth programs. The Board will review and announce the successful applicants at their 3/24/15 meeting. They anticipate notification of the 2015 NYS Office of Children and Family Services allocation estimated at \$21,115, provided to Counties having comprehensive planning of youth services.

Legislator Bryan Moser, County Officers/Veterans/Junkyards/Human Resources Committee Chairman, reported that Lewis County veterans received \$1 million for education programs through the G.I. Bill in 2014.

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Legislator Moser referenced the proposed Local Law to establish an amended Junkyard Law. Sr. Code Enforcement Officer Ward Dailey has deferred investigating a couple sites he perceives that are in violation, awaiting adoption of the new law.

Legislator Moser commended his colleagues and Department Heads for their thorough jurisdictional committee reviews, which facilitated decisions for the several position requests to the Human Resources Committee.

Lastly, he informed that effective on 3/30/15 Court House access for the public and employees will be allowed through the court security entrance only. Persons with disabilities or handicaps may buzz for assistance through the intercom system at the Trinity Avenue gate entrance for use of handicapped parking spaces.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, made a motion to authorize the County to contract with Hyper Reach for three years at \$6,000/yr., currently to be funded through the PSAP grant. It is a reverse 911 mass notification system to advise respectively located residents of impending flooding or other emergency event. The motion was seconded by Legislator Dolhof and carried.

He reported on the trip to E.F. Johnson Headquarters in Dallas, Texas for review and acceptance of the radio system. The tower set ups were reviewed and confirmed. Cheryl LaLonde had viewed and confirmed radio system controls. They had also met with finance personnel. Equipment, mobile radios and subscriber units will be shipped to Wells Communications. The project is on schedule for final testing in June - July.

In response to Chairman Tabolt, Legislator King stated the switchover of the dispatch center operations to be temporarily located at the Court House, will be implemented in April or May, during reconstruction at the public safety building.

Legislator Lawrence Dolhof, Economic Development Committee Chairman, announced that Maple Weekend commercials will start on 3/9; and the second Community Outreach Government Efficiency Program meeting will be held on 3/18 at 6 p.m. in the Legislative chambers and all municipalities are encouraged to participate. There were 1,932 website users viewing 6,700 pages and year-to-date over 1,800 app users. The National Off-Highway Vehicle Conservation Council newsletter will feature a news article on Lewis County's mobile apps.

The Governor proposes changes that would adversely affect economic development by imposing new restrictions on Industrial Development Agencies (IDA) essentially shifting local controls to the State. Legislator Dolhof made a motion to authorize Chairman Tabolt to forward a letter to State Legislative representatives to record our opposition to Park W of the Revenue Bill that would impose new requirements and restrictions affecting IDA's and local economic development. The motion was seconded by Legislator King and carried.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, urged authorization for the proposed 5-year lease/purchase agreement for a John Deere tractor loader.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Brennan referenced the high volume of commercial traffic on Cataract Street in Copenhagen, which is targeted for reconstruction. The Village does not have adequate financial resources for required engineering and reconstruction costs to repair the approximate one-mile stretch. Highway Superintendent David Becker is assisting the Village, in cooperation with DANC officials, to research for available grant funds, and has offered shared services for construction equipment and personnel. Reconstruction costs are estimated up to \$300,000, a substantial reduction from the initial estimate of \$1 million.

The County anticipates FEMA reimbursement of \$200,000 for Highway personnel costs associated with a declared emergency three years ago.

Legislator Brennan referenced the proposed Local Law to provide uniform collection and transportation of solid waste and recyclables. The goal is to reduce waste and optimize recycling, which will be enhanced by requiring clear bags for all waste. The implementation date of the new law will be deferred for one year to allow appropriate advance public notification and education and preparation time for haulers.

In response to Legislator Pepper, Frank Pace affirmed the Village of Copenhagen had not been represented at the Community Outreach meeting.

In response to Legislator Hathway relative to reconstruction of Cataract Street, Legislator Brennan reported that efforts have been ongoing for two years and ultimate costs would be reduced by utilizing Mr. Becker's expertise and shared services of equipment and personnel. Additionally, Senator Griffo has provided a \$100,000 allocation. Mr. Becker submits the project would take one or two days to complete.

Legislator Brennan urged support to purchase a \$12,000 diagnostic scanner tool for heavy equipment, and an inter-municipal agreement with seven Towns for its use. The specialized equipment will diagnose the problem, identify where the part is available, and if desired, will instantly place the order. The County and each Town's share will be less than \$1,500. Any non-participating municipality will be charged for use of the tool.

Legislator Brennan made a motion to award the Highway Department concrete, stone and gravel bids to all companies in accordance with the Bid Tabulation Sheet on file with the Clerk of the Board, to be determined by closest proximity to job location, for period 4/1/15 -3/31/16. The motion was seconded by Legislator Hathway and carried.

Legislator Brennan made a motion to award the crushed stone bid to RMS Gravel at \$4.12/cu. yd. for the period 4/1/15 – 3/31/16, seconded by Legislator King and carried

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, proposes to extend the transportation contract for Pre-School Program children to allow review and determination as to whether the public transportation system could service these needs. A proclamation will declare March as "Colorectal Cancer Awareness Month". Director Penny Ingham had presented her 2015 priorities, and updated on her agency comparison with other Counties.

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Legislator Moroughan made a motion to authorize Director Penny Ingham to refill a vacancy, created by a promoted employee, with either a full-time public health nurse or a registered professional nurse, dependent upon recruitment ability. The motion was seconded by Legislator Moser and carried.

Legislator Moroughan reported that the Community Services Board continues to work with the Suicide Coalition to formulate survivor kits for impacted family members, to include information on funeral planning, grief counseling services and long-term assistance. Suicide training sessions will be made available for various human service providers and other sectors.

COUNTY MANAGER REPORT:

Elizabeth Swearingin informed that a team of 8 to 10 fiscal management employees to review replacement options of the County IFM system.

The \$1.5 billion State economic development funding is to be distributed in \$5 million increments through regional councils. The North Country Regional Economic Council will encompass three separate committees: Innovation and Manufacturing, Agriculture and Green Energy, and Tourism and Community Development. To assure that Lewis County garners its fair share, Ms. Swearingin is looking for knowledgeable County advocates for those committees, urging anyone to submit possible candidates.

The next meeting of the Community Outreach Government Efficiency Plan Program will be held on 3/18. Ms. Swearingin informed the possibility of a special May Board meeting for timely Board approval of the ultimate Efficiency Plan that is due to the State by 6/1/2015.

Ms. Swearingin reported assigning three committees: one headed by James Swords to standardize methodologies for performance evaluations; another is reviewing the purchase requisition and purchase order process to streamline, expedite and utilize efficiencies; and a third to develop a standardized County logo to be used for all letterhead and business cards.

COUNTY TREASURER REPORT:

Patricia O'Brien reported balances of the Special Contingency Fund - \$174,859.00; Contingency Fund - \$412,956.00; Capital Data Processing Fund - \$104,246.01; and Capital Equipment Fund - \$251,596.77, of which \$96,566 is the Highway portion.

OTHER REPORTS:

County Attorney Joan McNichol reported that the Corporate Compliance Committee is very proactive to assure compliance with Medicaid regulations and minimize our exposure.

She explained the reason for withdrawing the proposed Local Law relative to fireworks, was due to the State amending the relative law requiring permits be issued by the NYS Office of Fire Prevention and Control rather than the NYS Department of State. A revised Local Law will be presented next month.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Chairman Tabolt reported that the Inter-County Legislative Committee of the Adirondacks does not support the County's position to urge the Governor to distribute the \$1.5 billion economic development funds equally to all Counties based on population.

He relayed renewed momentum by the State Legislature for the proposed amendment to the Vehicle and Traffic Law definition of an ATV to increase the weight from 1000 to 1500 pounds, and asked that a copy of the County's supporting resolution be forwarded to the Inter-County Committee.

Chairman Tabolt stated that the County is entitled to one vote on the Inter-County Committee. In response to his request, Legislators King, Brennan and Moser indicated their willingness to represent this Board, and Chairman Tabolt directed the Clerk to submit their names as voting delegates on the Inter-County Committee.

At 6:01 p.m. Chairman Tabolt declared the public hearing closed.

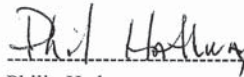
REPORT OF THE WAYS AND MEANS COMMITTEE:

MARCH 3, 2015

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

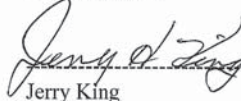
To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 807,799.54 and recommend that they be audited and allowed for the amounts claimed.



Philip Hathway

Chair



Jerry King

Committee

Richard Chartrand

Committee

Dated: March 3, 2015

Approved on motion by Legislator Pepper, seconded by

Legislator Moroughan, and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

RESOLUTIONS:

**RESOLUTION NO. 78 – 2015
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 \$ 807,799.54 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:

YEAS: Brennan, Dolhof, Hathway, King, Moroughan, Moser, Pepper, and Tabolt

NAYS: None

ABSENT: Chartrand, and Kulzer

**RESOLUTION NO. 79 - 2015
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 2 – 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 February 10, 2015, directing that a public hearing be held by said Board on March 3, 2015, 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 PROVIDING FOR AN INCREASE IN SALARY FOR THE LEWIS COUNTY DIRECTOR OF REAL PROPERTY”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on February 25, 2015, 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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BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 1 – 2015), County of Lewis, being “A LOCAL LAW PROVIDING FOR AN INCREASE IN SALARY FOR THE LEWIS COUNTY DIRECTOR OF REAL PROPERTY” be and the same hereby is designated as Local Law No. 2 –2015, County of Lewis.

Section 2. That Local Law No. 2 – 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 Dolhof, seconded by Legislator King, and adopted pursuant to the following roll call vote:

YEAS: Brennan, Dolhof, Hathway, King, Moroughan, Moser, Pepper, and Tabolt

NAYS: None

ABSENT: Chartrand, and Kulzer

**LOCAL LAW (INTRODUCTORY NO. 4 - 2015)
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, AND LOCAL LAW NO. 7-2014), 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

This law is adopted pursuant to the authority granted in 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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 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 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.

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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.

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

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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:

- D. 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.
- E. 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.
- F. 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

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.

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- 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 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 County Clerk. The 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;
- 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

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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 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 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.

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- C. If the application is approved with conditions and if the Enforcement Officer determines that the conditions have not been met, the Enforcement Officer shall issue a report to the Junkyard Review Board describing how the conditions are not compliant and that the Enforcement Officer did not issue a license. The Junkyard Review Board shall notify the applicant of non-compliance with the conditions and provide up to thirty (30) days for the applicant to meet the conditions. If after said time there is no compliance with the conditions, the application is deemed denied.

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

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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

- 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 a 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, and then 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 appliance, 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

- 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 annual (periodic) inspections of Junkyard properties in the County to ensure that all existing junkyards have licenses, and that

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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 or license holder to arrange for required access by the enforcement officer to inspect the premises prior to license issuance, license renewal, or for the annual inspection.
- 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. DIRECTIVES BY JUNKYARD REVIEW BOARD & REVOCATIONS

- A. If the Enforcement Officer reports a violation of this law to the Junkyard Review Board and the Review Board determines that a violation is present, the Review Board shall direct the Enforcement Officer to issue a Notice of Violation(s) and Compliance Order setting forth specific violations observed and specific steps or action to be taken to remedy the violation so that the property is in compliance with the law. Said Notice shall also contain an appearance ticket to the property owner/license holder, directing said owner/holder to appear on a day certain before the Junkyard Review Board.
- B. Upon reinspection of the property by the Enforcement Officer (after a Notice of Violation and Compliance Order has been issued), and where said reinspection discloses noncompliance and/or additional violations, the Enforcement Officer shall report same to the Junkyard Review Board for further action and direction.
- C. Where there is an existing 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 and the reasons for same, 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

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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. Any reference for legal assistance in connection with enforcement 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 assistance in connection with enforcement (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 recover costs and expenses incurred by the Review Board and County to remedy a violation and to compel compliance with the law, or to restrain by injunction the violation of any article of this Local Law. Any reference for legal assistance in connection with enforcement 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.

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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), and Local Law No. 7-2014.

**RESOLUTION NO. 80 - 2015
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 4 - 2015), COUNTY OF LEWIS**

Introduced by 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 March 3, 2015, a proposed Local Law entitled "A LOCAL LAW AMENDING LOCAL LAW NO. 3-2001, (and as AMENDED BY LOCAL LAW NO. 3- 2011, AND LOCAL LAW NO. 7-2014), 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 April 7, 2015, 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 Brennan, seconded by Legislator King, and adopted.

**LOCAL LAW (INTRODUCTORY NO. 5- 2015)
COUNTY OF LEWIS, STATE OF NEW YORK**

**A LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM
SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND
DISPOSAL OF SOLID WASTE AND RECYCLABLES**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

LEGISLATIVE FINDINGS

The Board of Legislators of the County of Lewis, upon consideration and in support of the adoption of Local Law No. 5 - 2015, hereby finds and declares:

1. The safe and proper disposal of the solid wastes generated by the people of the County has been and remains a matter of serious public concern. Having a solid waste management system that is environmentally sound and financially self-sufficient benefits all of the residents of the County in that it provides a safe, sanitary and efficient means for the collecting, transporting and disposing of solid wastes.
2. To that end, the County entered into an inter-municipal agreement in or about 1986 with the Development Authority of the North Country (“Authority”), to develop, construct and install a sanitary landfill located in the Town of Rodman (the “Authority landfill”) for the purpose of disposing of solid waste materials that are produced or collected within the participating communities. At that time, Lewis County adopted Local law No. 2 of 1986, which provided that all solid waste generated or originated within Lewis County be delivered to the North Country Solid Waste Management Facility. The Local Law was subsequently amended in 1992 and 2008.
3. The Authority landfill has therefore become an integral component of the County’s solid waste management system. Additionally, the professional resources of the Authority in the field of solid waste management are a valuable component of the County solid waste management system.
4. Following the adoption of the inter-municipal agreement with Authority, the County adopted local laws and regulations governing the management of solid waste, including provisions governing collection, source separation of recyclables pursuant to General Municipal Law 120-aa, and a flow control provision directing waste generated within the County to disposal facilities operated by the County or the Authority, Since that time, legal issues arose as to the validity of municipalities mandating that all solid waste generated or collected within their jurisdiction be disposed of in designated municipal facilities. That issue has recently been resolved in federal court and as a result, the County finds that it is appropriate to review its solid waste management program and amend the same in order to address its current needs.
5. The goal of the Regional Solid Waste management Plan is to create a system of solid waste collection, transportation and disposal that is financially self-supporting, without the use of tax money to subsidize the waste management and recycling program costs.

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The County finds that designing an integrated solid waste management system that is financially supported by a user fee system is more equitable than one funded by taxes. Revenues needed to pay for the County's solid waste system are derived primarily from user fees that are based on the amount of non-recyclable waste delivered to the County's facilities, rather than from tax revenues that are based on the assessed value of properties in the County. Revenues from the sale of recyclable materials also contribute to system operating costs, however, to a lesser degree.

6. The County provides a strong economic incentive to maximize recycling and waste reduction, by changing a reduced or no fee on recyclable materials. Thus, both those who generate waste and those having a commercial waste hauling permit have an incentive to reduce their disposal costs by increasing their recyclables. Tipping fees on non-recyclable wastes are used to financially support the County's recycling programs which may not generate sufficient revenues to support themselves. This user fee system encourages recycling and other waste reduction activities and therefore maximizes environmental benefits. All classes of waste generators are equitably served when all classes deliver their wastes to the County's system. However, fiscal inequity results when some classes of generators or a significant number of waste generators or haulers do not participate in the system. In addition, waste reduction and recycling benefits are lost when recyclable materials are commingled with non-recyclable waste for disposal at out-of-system facilities.
7. Furthermore, establishing a regulatory scheme, including the granting of permits to collect and transport recyclables and waste within the County is both a sound governmental function and provides a safe and effective means of controlling the collection, transportation and disposal of solid waste and recyclables.
8. The County finds and declares that establishing an integrated system of solid waste collection, transportation and disposal that directs all of the non-recyclable waste generated in the County to the public facilities established for the system is the most effective means of achieving the goals of its Solid Waste Management Plan. Recent judicial decisions in the federal courts have determined that municipal governments indeed have the power to direct the flow of waste materials to public facilities. The County remains authorized by the Laws of the State of New York to direct the flow of waste generated in the County to facilities constructed for that purpose. The County hereby declares it to be in the public interest and adopt the annexed legislation amending and restating the local laws requiring that all Solid Waste generated or collected within the County be delivered to a County-owned transfer station or other transfer station as designated by County resolution and/or directly to the Authority Landfill for disposal. The County further finds that including all such recyclable and non-recyclable waste

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within the integrated system is the best means of providing for the long-term benefit of all participants of the system.

SECTION I. DEFINITIONS

1. **Authority Landfill** shall mean the Landfill owned and operated by the Authority and located at 23400 State Route 177, Town of Rodman, State of New York.
2. **Board of Legislators** or Board shall mean the fully elected County Board of Legislators.
3. **Commercial Waste Permit** shall mean the permit issued pursuant to Section III.1 of this local law.
4. **Commercial Waste** shall mean Solid Waste generated from commercial, business, institutional, education, or other non-residential sources in the County.
5. **Construction and Demolition Debris** shall have the meaning set forth in 6 NYCRR 360-1.2 as amended from time to time.
6. **County** shall mean Lewis County, New York a municipal corporation of the State of New York, with offices at 7660 North State Street, Lowville, New York and all of its political subdivisions.
7. **County Facility** shall mean any Solid Waste management facility or facilities owned and/or operated, or caused to be operated by the County, a municipality, or more than one municipality jointly, or public authority, or privately owned facility designated by the County, located within or out of the County that accepts or disposes of Solid Waste and/or Recyclables pursuant to agreement with the County, including but not limited to landfills, transfer stations, materials recovery facilities, drop off centers, and resource recovery facilities.
8. **Department** shall mean the County Solid Waste Management and Recycling Department (Lewis), (Recycling and Solid Waste Department [Jefferson]) (Solid Waste Department [St. Lawrence]) or its successor. The designated head of that Department is authorized to act on behalf of the Department and the County as authorized herein.
9. **Designated Recyclables** shall mean the materials, as established and described by the Department which shall be separated from the Solid Waste stream for collection and/or delivery to a materials recovery facility or other recycling facility or market. The list of Designated Recyclables may be modified from time to time by regulation promulgated by the Department.

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10. **Farm** shall have the meaning specified in 6 NYCRR Part 360-1.2 as the same may be amended, suspended or replaced.
11. **Hazardous Waste** shall mean those materials, substances, or wastes including, but not limited to, pesticides and containers used for pesticides, other waste which appears on the list or satisfies characteristics of hazardous waste promulgated by the New York State Commissioner of the Department of Environmental Conservation, and any other material, determined now or in the future, to be hazardous by State or Federal rule, regulations and/or statute.
12. **Household Hazardous Waste** shall mean household hazardous waste as defined in 6 NYCRR Part 360 of the State of New York as the same and may be amended from time to time.
13. **Industrial Waste** shall mean that portion of Commercial Waste generated by manufacturing or industrial processes which may have characteristics requiring special handling or treatment in order to qualify for acceptance at a County or Authority Facility. Such waste may include, but is not limited to, the following: electric power generation; fertilizer/agricultural chemicals; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastic and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay and concrete products; textile manufacturing; transportation equipment; and water treatment. This term does not include oil or gas drilling, production, and water treatment. This term does not include oil or gas drilling, production, and treatment wastes (such as brines, oil, and fluids); or overburden, spoil, or trailing resulting from mining; or solution mining brine and insoluble component wastes.
14. **Infectious Waste** shall have the meaning specified in 6 NYCRR 360-1.2 as the same may be amended from time to time.
15. **Market** shall mean a primary user of a particular Designated Recyclable, including but not limited to glass factories, de-tinners, plastic recovery facilities, paper mills or consolidators of such materials not including the County.
16. **Open Dump** shall mean a Solid Waste disposal area which is not authorized to be operated under applicable Federal and State laws and regulations.
17. **Person or Persons** shall mean any individual, company, partnership, association, firm, corporation, municipality, or any other entity.

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18. **Prohibited Materials** shall mean materials which are not authorized to be accepted at a County Facility or the Authority Landfill under the permit for such Facility, together with such other materials posing a hazard or which the Facility is unable to accommodate as may be determined from time to time by the Department.
19. **Recyclables** shall mean such material from Commercial Waste, Industrial Waste, Construction and Demolition Debris, and Residential Waste sources, including but not limited to “Designated Recyclables”, which under an applicable law or regulation, is not Hazardous Waste and which can be reasonably separated from the Solid Waste stream and held for its material recycling or reuse value.
20. **Refuse** shall mean putrescible and incident non-putrescible Solid Waste including, but not limited to, animal, vegetable and paper waste. Refuse originates primarily in homes, businesses and restaurants, and has characteristics similar to that of Solid Waste collected and disposed of as part of normal residential and commercial collections in the County.
21. **Resident** shall mean any individual who is a legal resident of the County or any individual who is a temporary resident of the County.
22. **Residential Waste** shall mean Solid Waste generated from all houses, apartments and other residential dwellings, including, but not limited to, all single family dwellings and multi-family dwellings in the County.
23. **Solid Waste** shall have the meaning specified in 6 NYCRR 360-1.2 as the same may be amended, superseded or replaced.
24. **Waste Collector** shall mean any individual, association, partnership, firm, corporation, not-for-profit organization, municipality, educational institution or any other Person so deemed by the Department engaged in the business of collection, pickup, transfer, removal and/or disposal of Solid Waste and/or Recyclables.
25. **Waste generator** shall mean any individual, association, partnership, firm, corporation, not-for-profit organization or educational institution which produces Solid Waste and/or Recyclable Materials requiring disposal.
26. **Hearing Officers** shall mean Solid Waste Department Head and two (2) of the three (3) Board of Legislators who sit on the Solid Waste Committee; (determination of which committee members will serve to be decided among the three (3) legislative committee members) to hear any violation matters.

SECTION II. ADMINISTRATION

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1. The Department shall be primarily responsible for the administration and enforcement of the terms of this local law, and for the promulgation of such rules and regulations as may be reasonably required in connection with the administration of this local law or the operation of any County Facility.
2. The Department shall administer the program of registering and permitting all Waste Collectors and other Persons collecting, transporting or disposing of Solid Waste and/or Recyclables generated within the County for disposal at Designated County facilities. This includes the issuance, renewal, and revocation of all Department permits described in this local law.
3. The Authority shall be responsible for the administration of the Authority Landfill and for promulgating such rules and regulations as the Authority, in its sole discretion, may deem to be reasonably necessary.
4. In addition to authorized representatives of the County, the administrators and personnel of the Development Authority of the North Country (Authority) shall be authorized, upon personal knowledge and/or information and belief, to issue notices of violation on behalf of the Department and pursuant to Section IV (2)(b) of this Local Law, to any person acting in violation of any provision of this Local Law. All such notices issued pursuant to this authorization shall be in a form approved by the Department and shall be returnable to the Department or their designee for prosecution pursuant to Section IV hereof.

SECTION III. STANDARDS AND REGULATIONS

1. Commercial Waste Permit Requirements
 - a. No Waste Collector shall collect, transport or dispose of Solid Waste and/or Recyclables generated within the County without obtaining a Commercial Waste Permit issued by the Department.
 - b. All applications for Commercial Waste Permits shall be in writing and shall contain such information as requested by the Department, but at a minimum, as set forth in this local law. Such applications shall include a list of all vehicles (including registration and vehicle license numbers) the applicant intends to utilize for the collection of Solid Waste and/or Recyclables in the County. The list shall also describe the cubic yard capacity for each vehicle. All Commercial Waste Permit information shall be verified by the applicant as required by this local law and the Department.

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- c. Upon receipt of a complete application, together with an application fee as determined by the Department and proof of insurance as required by the Department, the Department shall thereupon issue the applicant a Commercial Waste Permit so long as the applicant is otherwise deemed by the Department to be in compliance with this local law and related requirements of the Department. A Commercial Waste Permit shall remain in effect, unless revoked or suspended pursuant to this local law.
- d. Renewal of Commercial Waste Permits shall be in the same manner and subject to the same conditions as original Commercial Waste Permits, and also shall be subject to any additional requirements in effect at the time of application for renewal as specified by the Department.
- e. The Department shall issue to a Permit Holder a decal or other identifying mark, to be displayed on each collection vehicle registered with the Department and used by the Permit Holder for collection of waste within the County. Use of any vehicle for the collection of waste that is not registered with the Department and identified as such shall be a violation of this Local Law.
- f. No Commercial Waste Permit issued pursuant to the provisions of this local law shall be transferable.
- g. The Commercial Waste Permit holder hereunder shall furnish the Department with a list identifying the municipalities within which collection services are provided and with as much detail as the Department may require to comply with the reporting requirements of the NYS Department of Environmental Conservation's Annual Transfer Station and/or Planning Unit Reports. This list shall be updated by the Commercial Waste Permit holder at the request of the Department.
- h. The Department, pursuant to Section IV of this local law, shall have the power to impose a civil penalty or suspend, revoke or condition a Commercial Waste Permit granted or renewed pursuant to this local law for any violation of any provision of this local law or any applicable rule, regulation, code or ordinance relating to the collection, handling, hauling or disposal of Solid Waste and/or Recyclables including, but not limited to, those promulgated by the Department.
- i. All collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be in strict conformance with the rules and regulations prescribed in this local law and as such rules and regulations may hereafter be amended or supplemented by the Department.

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- j. All vehicles used in the collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be maintained in a sanitary condition and shall be constructed as to prevent leakage in transit. The body of the vehicle shall be wholly enclosed or shall at all times be kept covered with an adequate cover.
 - k. All Commercial Waste Permit holders shall carry and shall provide proof of insurance as deemed appropriate by the Department.
 - l. Any Commercial Waste Permit issued pursuant to this local law shall be in the nature of a privilege subject to the terms and conditions set forth in this local law and as amended or supplemented by the Department, and shall not be deemed to create a property interest with respect to the Commercial Waste Permit in the holder.
2. Disposal of Solid Waste
- a. All Waste Collectors and other Persons shall deliver all Commercial Waste, Industrial Waste, Construction and Demolition Debris, and Residential Waste generated within the County, other than Designated Recyclables or other Recyclables separated at the point of generation for separate collection, to a County Facility, or, to the Authority landfill for disposal.
 - b. All solid waste delivered in a plastic bag to a County Facility or to the Authority landfill for disposal shall be delivered in a clear or translucent bag such that the contents of the bag are easily identifiable for inspection of prohibited materials, including recyclable materials.
 - c. No Waste Collector shall dispose of Solid Waste and/or recyclable at any County Facility without a Commercial Waste Permit. No Waste Collector shall dispose of Solid Waste at any other facility, excluding the Authority Landfill, without the prior authorization of and/or notification to the Department. Waste generators may transport, deliver and dispose of their own solid waste and/or recyclables at the County Facilities without the necessity of obtaining a permit, provided that the applicable tipping fees are paid.
 - d. Anyone entering a County Facility to dispose of Solid Waste must adhere to the rules and regulations as posted and must follow the instructions of the attendant on duty.

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- e. Nothing within this local law shall be construed at any time to restrict the ability of the Department to refuse to accept Hazardous Waste or other Prohibited Materials at any County Facility.
- f. The Department may, from time to time, provide alternative disposal means at the Authority Landfill or other County Facilities for selected Prohibited Materials.
- g. No Waste Collector or other Person shall dispose of Solid Waste at a County Facility unless such Person or entity shall pay the applicable tipping fee.

3. Disposal of Recyclables

- a. Nothing in this local law shall be construed to prohibit any Person generating Recyclables within the County from separating such recyclables from other wastes and making arrangements for the separate collection or delivery and sale of such materials under such terms as such Person may choose.
- b. No Person shall commingle Designated Recyclables with other Solid Waste and set such commingled Designated Recyclables and Solid Waste at curbside for collection by a Waste Collector.
- c. Owners of facilities open to the public and all organizers of public events are required to provide for the separate recovery, collection, and disposal of Recyclable Materials at the sites and/or events under their sponsorship.
- d. All landlords shall:
 - 1. Deliver information about tenants' source separation obligations to all tenants; and
 - 2. Incorporate in tenants' lease arrangements a condition that tenants must source separate Recyclable Materials in accordance with the provisions contained in this Law.
 - 3. For rental properties at which landlords maintain the responsibility for waste disposal, all landlords shall also provide, and pay for the costs of, adequate access to on-site recycling facilities and systems.
- e. No Waste Collector shall collect Designated Recyclables commingled with other Solid Wastes from any customer in the County.
- f. All Waste Collectors shall provide customers that place separated Designated Recyclables at curbside, collection of those Designated Recyclables, and shall not commingle such Designated Recyclables with other solid wastes.

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- g. Designated Recyclables collected at curbside by a Waste Collector may be delivered to a County Facility or to another facility capable of sorting and marketing said material, provided that such facility is permitted or registered with the State, or approved by the Department.

SECTION IV. ENFORCEMENT

1. Administrative Sanctions

- a. Penalties and License Suspension/Revocation. The Department shall have the right to impose a civil penalty and/or suspend, condition or revoke any Commercial Waste Permit if the holder of such permit violates any of the provisions of this local law or any rules, regulations or requirements of the Department that may be adopted and modified from time to time in accordance with this local law.
- b. Civil penalties shall be assessed in an amount not to exceed \$500.00 for a first offense; up to \$1,500.00 for a second offense against the same provision of this law within twelve (12) months of the first offense; and up to \$2,500.00 and/or suspension or revocation of any permit issued pursuant to the local law for a third offense against the same provision of laws within eighteen (18) months of the first offense. Civil penalties, or suspension or revocation of a Commercial Waste Permit may be imposed only after service of a written notice of violation upon the permit holder and, if demanded, a hearing as provided for in this local law.

2. Notice and Hearing

- a. Upon any violation of the provisions of this local law or any applicable rules, regulations or requirements of the Department, the Department may serve notice in person or by ordinary mail with certificate/confirmation of mailing sent to the residence of the offender, or in the case of a holder of any permit issued pursuant to this local law, to the address set forth in the permit application on file with the Department. Such notice shall state the Department's intent to revoke or suspend any permit, and/or impose a civil penalty upon the person charged. Any Person so notified may demand a hearing as allowed by this Section, by serving upon the Department a written request for a hearing; such request must be received by the Department within ten (10) days of the date of service of notice. Service by ordinary mail shall be presumed delivered ten (10) days from date mailed. Upon receipt of such demand, a hearing shall be scheduled and held at the offices of the Department.

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- b. If the holder of a Commercial Waste Permit served with Notice pursuant to subsection (a) above fails to demand a hearing within the ten (10) day notice period provided for in Section IV.2.a, the revocation, suspension and/or surcharge provided for in the notice, shall be effective.
- c. Hearings shall be conducted by the Head of Solid Waste Department, and two (2) of the three (3) Board of Legislators who sit on the Solid Waste Committee; (determination of which committee members will serve to be decided among the three (3) legislative committee members). In any hearing conducted pursuant to this Section, the following shall apply:
 - 1) A stenographic record shall be kept. The cost of same is to be equally borne by the County and Person requesting the hearing.
 - 2) The permit holder may be represented by counsel.
 - 3) Witnesses shall be sworn and subject to cross-examination.
 - 4) Evidence submitted shall be relevant and may include evidence as to the past performance of the permit holder. Hearsay evidence shall be admissible, but shall be accorded such weight as the Board of Hearing deems appropriate, consistent with its reliability.
 - 5) Findings of fact shall be made by the Hearing Officer, in writing, upon a preponderance of the evidence.
 - 6) Upon a finding that a violation is proved, the Hearing Officer, shall impose such civil penalty, or order such suspension or revocation of the Commercial Waste Permit, as it deems appropriate. The determination of the Hearing Officer shall be final, and shall be subject to judicial review.
- d. Any person who shall set Designated Recyclables commingled with other solid waste out for collection shall be liable for a civil penalty of up to \$50.00 for the first violation, \$100.00 for a second violation committed with twelve (12) months of a prior violation, and \$200.00 for a third or subsequent violation committed within twelve (12) months of a prior violation.
- e. Any Person who is ordered to pay a civil penalty for a violation of the provisions of this local law shall pay each penalty in full before any permit issued pursuant to this local law can be renewed or reinstated, unless otherwise ordered by the Hearing Officer.
- f. Civil Enforcement. The County may enforce the orders and decisions of the Board of Hearing in a civil court of competent jurisdiction of the State of New York, including, but not limited to actions for declaratory and injunctive relief.

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3. Presumptions

- a. The placement of any Container which is marked or identified with the name of any Waste Collector, at any location within the County, shall be presumptive evidence that said Waste Collector is providing solid waste collection services at said location within the County as of the date of said placement.
- b. The failure to deliver any Solid Waste to a facility designated by the Department pursuant to Section III (3)(a) within three (3) days of the collection of Solid Waste from any location within the County shall be presumptive evidence of a violation of Section III (3)(a) of this local law.

4. Enforcement Guidelines

The Department shall notify in writing each Waste Collector presently collecting, transporting and/or delivering Solid Waste generated or collected in the County of the adoption of the within local law and the effective date thereof. Such notice shall be delivered by first class mail at the last known address or business address or in person. Any such Waste Collector or Contractor so notified shall have sixty (60) days from the date of such notice to comply with the rules, regulations and requirements set forth herein. Thereafter, the Department shall implement the enforcement provisions of this local law as set forth herein.

SECTION V. EFFECTIVE DATE

This Local Law shall be effective one year upon all legal requirements being met.

SECTION VI. SEVERABILITY

If any part of this local law, as originally enacted or as amended from time to time, is found to be illegal, or its application to any Person or circumstance is held invalid, the remainder and the application of its provisions to Persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall remain in full force and effect.

**RESOLUTION NO. 81 - 2015
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 5 - 2015), COUNTY OF LEWIS**

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on March 3, 2015, a proposed Local Law entitled "LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM FOR MANAGING THE

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COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES.”

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on April 7, 2015, 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 Brennan , seconded by Legislator Dolhof , and adopted.

**RESOLUTION NO. 82 -2015
DIRECTS THE STATE OF NEW YORK TO IMPLEMENT STATE FINANCE LAW
54G, ALLOWING REVENUE OBTAINED BY ENACTMENT OF NEW YORK STATE
INSURANCE LAW SECTION 9108 TO BE DISTRIBUTED TO LOCAL
GOVERNMENTS TO OFFSET OPERATING COST ASSOCIATED WITH THE
ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE
UNIFORM FIRE AND PREVENTION CODES**

Introduced by Legislator Jerry King, Building Codes Committee Chairman.

WHEREAS, New York State Insurance Law Section 9108 imposes a 1.25 percent surcharge on commercial fire insurance policies; and

WHEREAS, New York State Finance Law 54G directs that funds obtained from New York State Insurance Law Section 9108 be provided to local governments to offset costs associated with administrating and enforcing the New York State Uniform Fire Prevention and Building Code; and

WHEREAS, since 1991 an average of \$12 million dollars per year has been generated by New York State Insurance Law Section 9108 and diverted to the State of New York’s General Fund, in essence, creating an unfunded State mandate upon local governments charged to administer and enforce the NYS Uniform Fire Prevention and Building Code; and

WHEREAS, the County of Lewis provides administration and enforcement of the New York State Uniform Fire Prevention and Building Code for 21 of the total 26 municipalities within its borders.

NOW, THEREFORE, BE IT RESOLVED, as follows:

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Section 1. That the Lewis County Board of Legislators recognizes the benefit of uniform building codes and administration thereof, while asserting the State's intent upon implementation of the Law was to provide revenue to local governments to offset attendant administration and enforcement costs, which heretofore have not been distributed.

Section 2. That the Lewis County Board of Legislators hereby urges the State Legislature to resolve that revenue collected as imposed by New York State Insurance Law Section 9108, created as a means by which to distribute funds to municipal governments by decree of New York State Finance Law 54G, thereby be distributed to offset costs associated with providing administration and enforcement of the New York State Uniform Fire Prevention and Building Code.

Section 3. That the Clerk is hereby directed to forward a certified copy of this Resolution to Governor Andrew M. Cuomo, NYS Senator Joseph Griffo, NYS Assemblyman Kenneth Blankenbush and NYSAC.

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

**RESOLUTION NO. 83 - 2015
RESOLUTION TO APPOINT MEMBER TO
ALCOHOL AND SUBSTANCE ABUSE SUB-COMMITTEE
OF THE 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 MaryJo Burkhard, Lewis County Probation Director, 7660 State Street, Lowville, New York 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 March 4, 2015 through December 31, 2018.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 84 - 2015
RESOLUTION TO REQUEST NYS HOME RULE LEGISLATION
TO CONTINUE SALES TAX INCREASE**

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

WHEREAS, Tax Law §1210(36), as added by Chapter 47 of the Laws of 2004 and as further amended by Chapter 251 of the Laws of 2011, authorized and empowered the County of Lewis to adopt and amend local laws, ordinances or resolutions imposing an additional one percent (1%) sales and compensating use tax for the period ending November 30, 2015; and

WHEREAS, by Resolution No. 201-2013, the Board of Legislators implemented such additional sales tax, which pursuant to §1210 (36) of the Tax Law, will expire on November 30, 2015; and

WHEREAS, such additional sales tax revenue has enabled the Board of Legislators to mitigate the need for increased property taxes and the County of Lewis continues to experience such budgetary pressures as would justify an extension of the time in which it may impose such additional sales tax.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby finds and determines that:

- a) The Board of Legislators has worked diligently over the last several years to cut expenses in its budget where ever possible, to contain both short term and long term expenses and reduce the burdens placed upon the local taxpayer. Despite such efforts, the Board finds that it must also look to increase revenues, if and when possible.
- b) That the Board is anticipating significant increases in capital expenditures over the next few years in order to repair, replace, and in some cases upgrade its infrastructure.
- c) That an increase of the allowable sales tax imposed by the County of Lewis of one percent (1%) will enhance County revenues while spreading the burden thereof over a greater portion of the populace, and therefore reduce the budgetary pressures that are placed upon the real property tax warrant.

Section 2. Therefore, the Board of Legislators respectfully requests that the New York State Legislature pass such necessary and appropriate “Home Rule Legislation” as would allow the County of Lewis to impose an additional one percent (1%) local sales tax for the period beginning December 1, 2015 and ending November 30, 2017.

Section 3. That the Board of Legislators respectfully requests that the New York State Legislature adopt such Home Rule Legislation at its earliest convenience to allow the Lewis County Board of Legislators sufficient time to plan for the 2016 budget year.

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. 85 - 2015
RESOLUTION AUTHORIZING PURCHASE/LEASE AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND
NORTRAX, INC.**

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

WHEREAS, the General Municipal Law authorizes a County to purchase highway equipment from dealers on the New York State authorized list; and

WHEREAS, the Lewis County Highway Department wishes to purchase/lease a 2015 John Deere 624 K Loader with 3.5 cubic yard bucket with warranties; and

WHEREAS, Nortrax, Inc., a John Deere Equipment dealer, located at 1486 U.S. Highway 11, Gouverneur, New York 13642 is on the State list of authorized dealers, and has offered a John Deere 624 K Loader at a price of \$139,583.65 with warranties; and

WHEREAS, the Lewis County Highway Department seeks to enter into a Purchase/Lease Agreement with Nortrax, Inc. through DEERE Credit, Inc. in the amount of \$139,623.65 (purchase price plus \$40.00 UCC-1 filing fee), payable over a five (5) year period in annual installments of \$29,051.60, commencing in March of 2015, and annually thereafter in March of 2016, 2017, 2018 and 2019.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes an agreement between the County of Lewis and Nortrax, Inc., for the purchase/lease of a 2015 John Deere 624 K Loader at a cost of \$139,623.65, plus interest at 2% annually, over the five (5) year lease term, with annual installments of \$29,051.60.

Section 2. This vehicle is intended for the use of the Highway Department and therefore the Board of Legislators hereby directs that the annual payments of \$29,051.60 due from 2015 through 2019 be paid from the Highway Department budget.

Section 3. That the Chairman or Vice Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement, and such other documents, writings or instruments as may be required to carry out the intent of this resolution, upon such forms as approved 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. 86 - 2015
RESOLUTION AUTHORIZING AN INTER-MUNICIPAL AGREEMENT BETWEEN
THE LEWIS COUNTY HIGHWAY DEPARTMENT AND CERTAIN LOCAL TOWNS
FOR SHARED USE AND PAYMENT OF A DIAGNOSTIC SCANNER TOOL**

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

WHEREAS, the Lewis County Highway Department and seven (7) local Town Highway Departments [the Towns of Lowville, Croghan, Denmark, Martinsburg, Harrisburg, Pinckney and Watson] wish to purchase an equipment diagnostic scanner tool from Snap-On at a cost of not to exceed \$12,000.00, and to enter into an Inter-Municipal Agreement to equally share the cost and use of this equipment; and

WHEREAS, the inter-municipal shared use of this diagnostic tool will enable each local Highway Department to lessen the economic cost of equipment while providing a necessary tool, and provide maximum cost savings and utilization of resources.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves the purchase of the scanner at a cost not to exceed \$12,000.00, by the County of Lewis advancing the funds to purchase the scanner, with each named Town to reimburse the County its equal share.

Section 2. That the Lewis County Board of Legislators authorizes an Inter-Municipal Agreement for Shared Services between the Lewis County Highway Department and the Towns of Lowville, Croghan, Denmark, Martinsburg, Harrisburg, Pinckney and Watson to equally share the use, maintenance and upgrade costs of this equipment for its useful life.

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. 87 - 2015
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:

MARCH 3, 2015

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>
MEO(Light)(7)	Temporary Full-Time	Grade C15-1 (\$15.21/hr.)

Section 2. That Highway Superintendent David Becker is hereby authorized to fill said positions in accordance with Civil Service regulations, effective April 6, 2015.

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

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

**RESOLUTION NO. 88 - 2015
RESOLUTION APPOINTING MEMBER
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 appoints Bruce Chapman of 9629 State Route 126, P.O. Box 174, Beaver Falls, New York 13305 to fill the un-expired term of Cheryl Steiner on the Lewis County Office For Aging Advisory Council:

Section 2. The term of said appointment shall commence March 4, 2015 and expire on December 31, 2016.

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

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

**RESOLUTION NO. 89 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO OFFICE FOR AGING DEPARTMENT**

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

WHEREAS, the Sr. Account Clerk at Grade B19 Step 4 (\$18.17/hr.) in the Office For Aging Department has been re-classified by Civil Service as a Principle Account Clerk.

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 Office For Aging Department, to approve the re-classification of the Sr. Account Clerk to Principle Account Clerk at Grade 23 Step (\$18.68/hr.).

Section 2. That said re-classification shall be effective retroactive to January 1, 2015.

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

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

**RESOLUTION NO. 90 - 2015
RESOLUTION URGING NEW YORK STATE TO FUND PROBATION
DEPARTMENTS 100% FOR COSTS RELATED TO RAISING THE AGE OF
CRIMINAL RESPONSIBILITY TO 18 YEARS OF AGE**

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

WHEREAS, Governor Cuomo signed Executive Order 131 on April 9, 2014 to establish the Commission on Youth, Public Safety and Justice instructing the Commission to develop a concrete plan to raise the age of criminal responsibility in New York State and make specific recommendations on how the juvenile and criminal justice systems can better serve youth, improve outcomes and protect communities; and

WHEREAS, the Commission completed its report on December 31, 2014 recommending raising the age of criminal responsibility from age 16 to age 18 over a two year period to be completed in a phased in approach; and

WHEREAS, the Council of Probation Administrators supports the Commission's report and believes that youth will be better served by raising the age of criminal responsibility to age 18 and that the diversion services provided by Probation will provide positive benefit; and

WHEREAS, Division of Criminal Justice Statistics reveal the number of arrests among 16 and 17 year olds statewide in calendar year 2013 was 33,347 and that under the proposed change these youth will now be shifted from the criminal courts to local Probation Departments for Intake and Diversion services; and

WHEREAS, the Governor's proposal recommends that the violation level offenses of Harassment 2nd and Disorderly Conduct shall also be diverted to Probation Departments for Intake and Diversion services, thus adding a previously unseen population to the workload of Probation staff; and

WHEREAS, the Governor's proposal recommends Probation Departments hire Family Engagement Specialists and provide a continuum of diversion services that range from minimal intervention for low risk youth and evidence based service for high risk youth; and

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WHEREAS, Probation Departments will not be able to absorb the influx of youth requiring Intake and Diversion services at current staffing levels and will require additional staff to perform these duties; and

WHEREAS, Counties cannot absorb the financial cost associated with raising the age without 100% funding of the additional staff and services required by the Governor's proposal; and

WHEREAS, the Governor's proposed language of funding for Probation states "The Commissioner (DCJS) shall, subject to an appropriation made available for such purpose, establish and provide funding to probation departments"; and

WHEREAS, the Lewis County Board of Legislators supports the Council's position and recognition that Counties cannot absorb any additional unfunded mandates.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby supports the Council of Probation Administrators to call on the State Legislature to support the Commission's recommendations to use State resources to cover 100% of all new costs associated with changing the age of criminal responsibility to avoid financial burden on Counties; and

Section 2. That language in the Governor's proposal be changed to reflect the State's commitment to fund 100% of all costs that will be incurred by County Probation Departments and the County Attorney offices associated with raising the age of criminal responsibility; and

Section 3. That language be included to set aside designated funds from which Counties can draw, eliminating the need for Counties to exceed their 2% tax cap.

Section 4. That copies of this resolution be forwarded to Governor Andrew M. Cuomo, NYS Senate Majority Leader Dean G. Skelos, Independent Democratic Conference Leader Jeffrey D. Klein, NYS Assembly Speaker Carl E. Heastie, Minority Leader Brian M. Kolb, County Legislative Chairs and NYSAC.

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

**RESOLUTION NO. 91 - 2015
RESOLUTION AUTHORIZING EXTENSION OF CONTRACT BETWEEN PUBLIC
HEALTH AGENCY AND BIRNIE BUS SERVICE, INC. FOR PRE-SCHOOL SPECIAL
EDUCATION PROGRAM**

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

WHEREAS, the contract between the Public Health Agency and Birnie Bus Service, Inc. is due to expire on 8/31/2015; and

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WHEREAS, the County wishes to explore potential cost savings for combining transportation services of children in the Pre-School Special Education Program with the public transportation system; and

WHEREAS, Birnie Bus Service, Inc. has agreed to extend the current contract and the terms and pricing therein through 12/31/2015.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes extension of the contract between the County of Lewis, by and between the Public Health Agency and Birnie Bus Service, Inc. for the transportation of children in the Pre-School Special Education Program through December 31, 2015.

Section 2. That all terms and pricing shall remain the same 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. 92 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PUBLIC HEALTH DEPARTMENT**

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

WHEREAS, it has been determined there are decreased numbers of persons being served through the Cancer Services Program, largely due to more people being enrolled in health insurance plans; and

WHEREAS, the lesser numbers evoke less need for case management services and less data entry volume.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby reduces the work week to four (4) days per week for each of the following Public Health employees due to decreased work volumes:

TITLE

Public Health Case Manager	(Kathy Sochia)
Keyboard Specialist	(Sarah Thompson)

Section 2. That said employee reductions shall be effective April 1, 2015.

Section 3. That the within resolution shall take effect immediately

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

**RESOLUTION NO. 93 – 2015
RESOLUTION TO TRANSFER FUNDS
REAL PROPERTY TAX DEPARTMENT**

Introduced by Legislator Greg Kulzer, Chairman of the Taxation Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Real Property Tax Department for travel expense:

<u>From:</u> A1355.8999 (Fringe)	Amount \$1,350.00
<u>To:</u> A1355.4507 (Travel)	\$1,350.00

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

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

**RESOLUTION NO. 94 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
RECREATION, FORESTRY AND PARKS DEPARTMENT**

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 amends the Compensation Plan with reference to the Recreation, Forestry and Parks Department, to create the following positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Forestry Crew Leader	Temporary Full-Time	Grade C18-1 (\$16.44/hr.)
Recreation Crew Workers (2)	Temporary Full-Time	Grade C15-1 (\$15.21/hr.)

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Section 2. That Recreation, Forestry and Parks Director is hereby authorized to fill said positions in accordance with Civil Service regulations, effective April 1, 2015.

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

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

**RESOLUTION NO. 95 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND CAYUGA HOME FOR CHILDREN**

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 Cayuga Home For Children for the provision of foster care services; and

WHEREAS, there is no local share cost until foster care costs exceed the Block Grant, and then local share may be from 37.5% to 100% depending upon Treatment Plan and client eligibility; 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 with Cayuga Home For Children 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. 96 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND HILLSIDE CHILDREN'S CENTER**

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

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WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with Hillside Children’s Center for the provision of foster care services; and

WHEREAS, there is no local share cost until foster care costs exceed the Block Grant, and then local share may be from 37.5% to 100% depending upon Treatment Plan and client eligibility; 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 with Hillside Children’s Center 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 King, and adopted.

**RESOLUTION NO. 97 – 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES
SUMMER YOUTH EMPLOYMENT PROGRAM**

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 8, 2015 to Sept. 25, 2015	\$12.50/hr.
Student Worker (Up to 50 positions)	Temporary Full-time June 29, 2015 to Sept. 25, 2015	\$8.75/hr.

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Student Worker Highway Department (5)	Temporary Full-time June 29, 2015 to Sept. 25, 2015	\$9.08/hr.
Summer Youth PINS Counselor (2)	Temporary Full-time June 15, 2015 to Aug. 21, 2015	\$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 Dolhof, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 98 – 2015
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 \$	736.65	Charge Town:	153.11
	#538.00-08-06.000	81.85		17.01
	#538.00-08-00.000	223.28		56.83
Denmark	#552.00-03-00.000	524.17		180.17
	#552.00-05-00.000	28.92		9.94
Diana	#552.00-05-08.000	213.65		39.55
	#552.00-05-00.000	144.21		32.04
Greig	#542.02-07-09.000	1,772.93		498.63
Lewis	#550.00-10-11.000	754.45		360.94
Leyden	#550.00-07-12.000	1,256.41		278.57
	#550.00-10-12.000	618.83		137.21
	#550.00-07-00.000	72.44		20.46
Lowville	#550.00-05-00.000	661.22		169.28
	#550.00-05-13.000	777.24		155.23
Lyonsdale	#550.00-07-00.000	128.36		44.13
	#550.00-07-00.000	512.11		176.07
Martinsburg	#542.02-05-15.000	847.53		304.16
New Bremen	#552.00-08-00.000	13.04		4.24
	#542.05-08-05.000	142.38		36.29

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	#552.00-08-02.000	1,942.48	482.11
Watson	#542.02-05-21.000	498.33	201.09
	#542.02-07-21.000	511.81	206.53
	#542.02-08-21.000	336.72	135.88
West Turin	#550.00-07-00.000	144.08	44.19
	#550.00-07-00.000	455.22	139.61

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 \$3,883.27.

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

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

RESOLUTION NO. 99 -2015
RESOLUTION AUTHORIZING SECTION 5311 CONSOLIDATED GRANT
APPLICATIONS FOR SPONSORS WITH CONTINUING AGREEMENTS:
LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM
2015-2016

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 by a third party contractor on behalf of Lewis County Public Transportation for the 2015-2016 fiscal years; and

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 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 Board of Legislators hereby authorizes the County of Lewis to submit applications for a request for consolidated grant of funds to the New York State Department of Transportation pursuant to Section 5311, Title 49 United States Code for a project

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to provide public mass transportation service within the greater Lewis County area by Birnie Bus, Inc. on behalf of Lewis County Public Transportation for the 2015-2016 fiscal years.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is 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 3. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 100 - 2015
RESOLUTION URGING ADOPTION OF
NYS ASSEMBLY BILL NO. A01951:
"AN ACT TO AMEND THE VEHICLE AND TRAFFIC LAW, IN RELATION TO THE
DEFINITION OF AN ALL TERRAIN VEHICLE OR ATV"**

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

WHEREAS, 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, Assembly Bill No. 01951 has been introduced by Assemblyman William Magee and Co-sponsored by Assemblymen Blankenbush, Barclay, Tenney, Gunther, Crouch and Roberts; and

WHEREAS, Assembly Bill No. 01951 amends the definition of ATVs by adding a provision to Vehicle and Traffic Law Section 2281 that would increase the allowable weight of an ATV from 1000 pounds to 1500 pounds; and

WHEREAS, upon adoption, Assembly Bill No. 01951 would allow the registration of vehicles that are commonly referred to as "side-by-sides" or "UTV's" which generally consist of side-by-side passenger configurations and have additional safety features including seat belts and roll over bars.; and

WHEREAS, the purpose of Assembly Bill No. 01951 is to update the regulations in New York State to keep pace with changes in technology in the ATV industry and to conform with the regulations of neighboring States that allow registration of such vehicles; and

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WHEREAS, "UTVs" or "side-by-sides" are wider and heavier and therefore more stable than traditional ATVs, and also are configured with seat belts and roll over bars, which make the vehicles safer to ride for both operators and passengers; and

WHEREAS, the adoption of Assembly Bill No. 01951 will increase revenues to the State through new registration fees as well as increased sales tax; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators urges the adoption of Assembly Bill No. 01951 at the earliest possible opportunity.

Section 2. That the Clerk of the Board is hereby directed to forward a certified copy of this resolution to New York Governor Andrew M. Cuomo, New York State Assemblymen Kenneth Blankenbush, William Magee, William A. Barclay, Assemblywoman Aileen M. Gunther, Assemblywoman Claudia Tenney, Assemblyman Clifford W. Crouch, Assemblyman Sam Roberts, and Chairman of the Transportation Committee Assemblyman David F. Gantt.

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

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

RESOLUTION NO. 101 - 2015
RESOLUTION URGING ADOPTION OF
NYS SENATE BILL NO. S1792A
"AN ACT TO AMEND THE VEHICLE AND TRAFFIC LAW, IN RELATION TO THE
DEFINITION OF AN ALL TERRAIN VEHICLE OR ATV"

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

WHEREAS, 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, Senate Bill No. 1792A has been introduced by Senator Patricia Ritchie and Co-sponsored by Senators Bonacic, Funke, Gallivan, Griffo, Larkin, Little, Marchione, O'Mara, Seward and Young; and

WHEREAS, Senate Bill No. 1792A amends the definition of ATVs by adding a provision to Vehicle and Traffic Law Section 2281 that would increase the allowable weight of an ATV from 1000 pounds to 1500 pounds; and

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WHEREAS, upon adoption, Senate Bill No. 1792A would allow the registration of vehicles that are commonly referred to as "side-by-sides" or "UTV's" which generally consist of side-by-side passenger configurations and have additional safety features including seat belts and roll over bars.; and

WHEREAS, the purpose of Senate Bill No. 1792A is to update the regulations in New York State to keep pace with changes in technology in the ATV industry and to conform with the regulations of neighboring States that allow registration of such vehicles; and

WHEREAS, "UTVs" or "side-by-sides" are wider and heavier and therefore more stable than traditional ATVs, and also are configured with seat belts and roll over bars, which make the vehicles safer to ride for both operators and passengers; and

WHEREAS, the adoption of Senate Bill No. 1792A will increase revenues to the State through new registration fees as well as increased sales tax; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators urges the adoption of Senate Bill No. 1792A at the earliest possible opportunity.

Section 2. That the Clerk of the Board is hereby directed to forward a certified copy of this resolution to New York Governor Andrew M. Cuomo, New York State Senators Joseph Griffo, Patricia Ritchie; John J. Bonacic, Rich Funke, Patrick Gallivan, William J. Larkin, Jr., Elizabeth O'C. Little, Kathleen Marchione, Thomas O'Mara, James L. Seward, Catharine M. Young and Chairman of the Transportation Committee Senator Joseph E. Robach.

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

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

**RESOLUTION NO. 102 - 2015
RESOLUTION TO AMEND RESOLUTION NO. 518-2014
TO APPROPRIATE FUNDS
WORKFORCE INVESTMENT ACT
*DENOTES CHANGE**

Introduced by Legislator Neil Pepper, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

NOA#PY14-03

MARCH 3, 2015

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
*CD6291.4999	\$.10
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
*CD47910	\$.10

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

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

RESOLUTION NO. 103 - 2015
RESOLUTION AUTHORIZING APPLICATION TO NYS DEPARTMENT OF STATE
AND ENVIRONMENTAL CONSERVATION BROWNFIELD OPPORTUNITY AREAS
PROGRAM LOCAL WATERFRONT REVITALIZATION PROGRAM

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

WHEREAS, the Department of State Brownfield Opportunity Areas (“BOA”) program provides grants and technical support to help municipalities and community organizations implement and complete revitalization strategies for their communities. BOA-funded projects may reimburse up to 90% of total eligible project costs; and

WHEREAS, the County of Lewis, in partnership with the Village of Lyons Falls, have been working on an Implementation Strategy for an approximate 627 acre area in the Village of

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Lyons Falls, characterized with four potential brownfield sites. The primary objectives of the County and Village include, but are not limited to, redevelopment of the abandoned Lyons Falls mill site and other sites in the area, to create business and employment opportunities, to address affordable housing, and to improve quality of life in the community; and

WHEREAS, the Department of State awarded the County a Grant in the amount of \$553,761.00, which represents 90% of the \$615,290.00 project cost for “Step 3” phase of the project, allowing for implementation of actions and strategies, including but not limited to environmental site assessment of identified properties, and various community planning tasks and activities related to the sites identified as described in the application and the attachments thereto; and

WHEREAS, §970-r of the General Municipal Law authorizes State assistance to eligible parties for BOA Program grants by means of a State Assistance Contract (SAC) and the County believes it is of public interest and benefit under this law for the County to enter into contract therewith; and

WHEREAS, the County of Lewis, by its Economic Development and Planning Departments, seek to have the County be the named applicant and lead organization under the BOA Contract number C100367, with a local share commitment of \$61,529.00.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Chairman of the Board of Legislators is the representative authorized to act on behalf of all the applicants in all matters related to the Village of Lyons Falls BOA Program project under §970-r of the General Municipal Law.

Section 2. That the County of Lewis Board of Legislators authorize and approve the designated representative to execute Contract # C100367, provided that the local match share of \$61,529.00 can be attained without County appropriations, and with the further assurance that there is no environmental liability exposure to the County under the project and strategies.

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 compliance with the conditions set forth in Section 2 above, and upon approval by the County Attorney.

Section 4. That this authorization shall take effect immediately.

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

**RESOLUTION NO. 104 - 2015
RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO THE LAW DEPARTMENT
AND TO AUTHORIZE HIRING NEW ASSISTANT COUNTY ATTORNEY**

MARCH 3, 2015

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

WHEREAS, the Assistant County Attorney resigned effective February 27, 2015; and

WHEREAS, the County Attorney posted the open position and now seeks to hire a full time Assistant County Attorney effective March 30, 2015.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Compensation Plan for the County of Lewis is hereby amended to set the annual salary for the Assistant County Attorney effective March 30, 2015, as follows:

<u>TITLE</u>	<u>SALARY</u>
Assistant County Attorney	\$65,000 annualized salary

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

Moved by Legislator Moroughan, seconded by Legislator Brennan, and adopted. Legislator Pepper was opposed.

**RESOLUTION NO. 105 – 2015
RESOLUTION TO AMEND THE COMPENSATION PLAN
WITH REFERENCE TO EMERGENCY MANAGEMENT OFFICE**

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

WHEREAS, the vacant Emergency Services Coordinator position was heretofore been abolished; and

WHEREAS, upon a thorough review and analysis of the proposed duties, it is recommended that the title of Emergency Services Coordinator shall be changed to Emergency Management Assistant.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Emergency Management Office, to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Emergency Management Assistant	Full-time	Grade C24 (\$19.14/hr.)

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Section 2. That Fire and Emergency Management Director Robert Mackenzie is hereby authorized to fill said position effective immediately, in accordance with Civil Service rules and regulations.

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

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

**RESOLUTION NO. 106 - 2015
AUTHORIZING OPENING OF CERTAIN PORTIONS OF
COUNTY ROADS FOR ATV SPECIAL EVENT**

Introduced by Legislator Lawrence 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 and/or confirm the opening of:

- *CR 2 Seven by Nine Road, from NYS Rte 177 south to County Line;*
- *CR 18 Cronk Road; from Whitesville Road, West to where the Town of Pinckney begins;*
- *CR 21 Whitesville Road; From NYS Rte 177 to Jefferson County Line;*
- *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 45 Mackay Road; from Town of Turin portion of the road to Highmarket Road;*
- *CR 48 Highmarket Road; from CR 45 Mackay Road to Byrons Corners Road.*

for a one day all terrain vehicle (ATV) road rally event ("SNIRT") to be held on April 18, 2015; 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 for the enjoyment of participants; 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

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WHEREAS, the request by the Event Sponsor has been reviewed by the Director of Recreation, Forestry & Parks, the Lewis County Highway Superintendent, and the Lewis County Sheriff; 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:

- A. That the Event Sponsor represents and warrants that this is a "road only" event 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 that riding on any other roads, trails or private property is strictly prohibited.
- B. That the Event Sponsor shall meet with the Director and other designated County officials within 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 provide 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.

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- 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 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 rules and regulations, including any and all laws may be subject to criminal prosecution, and that such 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.
- F. The Event Sponsor will be responsible to clean up the roads and road crossings of debris and 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 18, 2015. Anyone operating an ATV outside those time limits will be subject to prosecution. The Event Sponsor agrees to ride the designated SNIRT Run route at 7:30 p.m. to assure that any ATV operator remaining on the roads is advised that the event is concluded 8:00 p.m., and that they must remove their ATV's from the roads by that time.
- 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 18, 2015:

- *CR 2 Seven by Nine Road, from NYS Rte 177 south to County Line;*
- *CR 18 Cronk Road; from Whitesville Road, West to where the Town of Pinckney begins;*
- *CR 21 Whitesville Road; From NYS Rte 177 to Jefferson County Line;*
- *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 45 Mackay Road; from Town of Turin portion of the road to Highmarket Road;*
- *CR 48 Highmarket Road; from CR 45 Mackay Road to Byrons Corners Road*

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:

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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, 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 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, with property damage insurance of not less than \$300,000.00 for property damage claim coverage; and with said policy naming the County of Lewis, as an additional primary insured; and
3. 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 8, 2015) 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.

Section 6. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 107 - 2015
RESOLUTION AUTHORIZING NEGATIVE DECLARATION UNDER
SEQRA WITH REFERENCE TO THE FUNDING, REPAIR,
RENOVATION AND RECONSTRUCTION
OF THE DSS BUILDING PARKING LOT AND PROPERTY**

Introduced by Philip C. Hathway, Chairman of the Buildings and Grounds Committee.

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WHEREAS, the Lewis County Board of Legislators have determined that the parking lot which services the DSS building is in need of major repair for the safety of employees, their clients and the general public who utilize the services of the Departments in said building, hereinafter referred to as (the “Project”); and

WHEREAS, the proposed Project is an activity that will result in construction, reconstruction and renovations or other activities that may affect the environment, and is directly undertaken or funded by an agency and therefore constitutes an “action” as that term is defined by Article 8 of the Environmental Conservation Law of the State of New York, and its implementing regulations found at Part 617, *et seq.* of the New York Codes, Rules and Regulations (“NYCRR”) (collectively referred to hereinafter as “SEQRA”); and

WHEREAS, by Resolution No. 31-2015, adopted on February 10, 2015, the Board of Legislators initiated its environmental review, declared its intent to proceed as lead agency and determined that the proposed repair, renovation and reconstruction of the Department of Social Services Building Parking Lot and property, located on the County’s property at 5250 Outer Stowe Street in the Village of Lowville, County of Lewis and State of New York constitutes a “Type I” action as defined by 6 NYCRR § 617.2; and

WHEREAS, a long form Environmental Assessment Form (“EAF”), has been prepared by Bernier Carr and Associates, P.C., 327 Mullin Street, Watertown, New York 13601, and has been submitted to the Board of Legislators for their consideration and contains an assessment of the potential impacts to the environment that may result from this proposed action; and

WHEREAS, the Board of Legislators has duly considered the proposed action and the EAF, the proposed Negative Declaration, the criteria for determining significance set forth in 6 NYCRR § 617.7(c) of the SEQRA regulations, Part 360 of the Department of Environmental Conservation Regulations (Title 6 of the New York Code Rules and Regulations), and such other information deemed appropriate; and

WHEREAS, the Lewis County Board of Legislators has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That upon review of the EAF, the County of Lewis, as Lead Agency, by its Board of Legislators, ratifies and confirms that the proposed Project will not exceed any of the thresholds for a Type I action and therefore confirms that this is a Type I action for SEQRA purposes.

Section 2. That upon review of the EAF, the criteria for determining significance set forth in 6 NYCRR § 617.7(c) of the SEQRA regulations, Part 360 of the Department of Environmental Conservation Regulations (Title 6 of the New York Code Rules and Regulations), and such other information deemed appropriate, the County of Lewis Board of Legislators, as Lead Agency, hereby determines that the proposed project will not have a significant adverse

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effect on the environment for the reasons set forth in the attached Notice of Determination of Non-Significance.

Section 3. That the Board of Legislators hereby authorizes the Chairman, Michael A. Tabolt to take all actions reasonable and necessary to issue the Negative Declaration and discharge the County's responsibilities as lead agency for this action.

Section 4. That the County of Lewis directs the Clerk of the Lewis County Board of Legislators to file the Negative Declaration with the records of the Board of Legislators, and any person who has requested a copy, and to maintain a file of the Negative Declaration readily accessible to the public.

Section 5. That this Resolution shall take effect immediately.

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

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Agency Use Only [If Applicable]

Project :

Date :

**Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance**

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

This project/action will include the construction of parking areas, driveways, sidewalks, curbing, stormwater management facilities, utility piping, landscaping and site lighting. These improvements are being constructed to replace aging and substandard parking facilities and to improve the drainage and stormwater runoff characteristics for this site. The impact this action is expected to have for the project site is anticipated to be positive for the facilities and the personnel and clientele served onsite. This action is expected to be beneficially important to the project site.

The following Moderate to Large Impacts from Part 2 are discussed below:

1. Reference Part 2, Question 1c: The proposed action may involve construction where bedrock is within 5 feet of the ground surface. This action may necessitate the removal of bedrock for the installation of infrastructure. Impacts associated with this removal include short term elevations in noise level, dust production and potential blasting operations associated with rock removal. All applicable laws, regulations and construction standards shall be followed for rock removal activities onsite. Given the short term duration of rock removals and regulatory protections required during rock removal activities, this action will not result in a significant adverse environmental impact.
2. Reference Part 2, Question 1d: The proposed action may involve the excavation of materials more than 1,000 tons of natural material onsite for the construction of infrastructure. Onsite excavation, filling and grading activities will be performed in compliance with all applicable laws and regulations, engineering standards and construction practices. Excavated materials shall be responsibly reused onsite, disposed of at a qualified facility or meaningfully reused by the County. Given these considerations, this action will not result in a significant adverse environmental impact.
3. Reference Part 2, Question 1e: The proposed action may involve construction that continues for more than one year or in multiple phases. This construction phasing would be performed to address infrastructure inadequacies onsite and lessen the short term impact of construction activities on project site facilities and personnel. Construction phasing will provide time contingencies for potential delays associated with weather, construction difficulties, funding availability and other unforeseen issues. Construction is more manageable in smaller phases rather than one large project and will thus allow potential issues to be more easily addressed. Given these considerations, this action will not result in a significant adverse environmental impact.
4. Reference Part 2, Question 3a: The proposed action may create a new water body. This action may involve the construction of stormwater features with the purposes of providing water quality and water quantity benefits for this site for the improvement of water quality discharges from the site and protection of downstream facilities from peak storm flows from this site. Given these considerations, this action will not result in a significant adverse environmental impact.
5. Reference Part 2, Question 15a: The proposed action may produce sound above noise levels established by local regulation. These noise levels are expected to be generated for a limited duration during construction and will not be a long term site characteristic. Given these considerations, this action will not result in a significant adverse environmental impact.
6. Reference Part 2, Question 15b: Please see impact assessment No. 1 above for reference. Blasting for rock removal may occur within 1,500 feet of any residence, hospital, school, licensed day care center or nursing home. This activity will be for a short duration and comply with all applicable laws, regulations and construction standards. Given these considerations, this action will not result in a significant adverse environmental impact.
7. Reference Part 2, Question 15c: The proposed action may result in routine odors for more than one hour per day. Odors may be produced from construction activities onsite. These odors will be limited to the construction phase of this action onsite and will not be a long term site characteristic. Given these considerations, this action will not result in a significant adverse environmental impact.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

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Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Lewis County as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Lewis County Green Infrastructure Project

Name of Lead Agency: Lewis County

Name of Responsible Officer in Lead Agency: Michael A. Tabolt

Title of Responsible Officer: Chairman of Legislators

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)



Date: 2/27/15

For Further Information:

Contact Person: Frank J. Pace - Director of Planning

Address: 7660 North State Street

Telephone Number: (315) 376-5422

E-mail: fpace@lewiscountyny.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

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OTHER BUSINESS:

Clerk of the Board Teresa Clark read a proclamation, whereby the Chairman had declared the month of March as “Colorectal Cancer Awareness” month.

There being no other business to come before the Board, the meeting adjourned at 6:18 p.m. by motion of Legislator Brennan, seconded by Legislator Moser and carried.

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**REGULAR MEETING
April 7, 2015**

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

Roll Call: All Legislators were present, except Legislators Brennan and Pepper, whom had each been excused.

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

There were 26 persons present.

Chairman Tabolt announced approval of the March 3, 2015 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: April 7, 2015
Lawrence Dolhof, Chairman
Bryan Moser, Committee

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

Chairman Tabolt opened the public hearing for comments on Local Law Intro. No. 4-2015 “A Local Law Amending Local Law No. 3-2001, (And As Amended by Local Law No. 3-2011, and Local Law No. 7-2014), Repealing All Former Junkyard Laws and Establishing a New County of Lewis Junkyard Law”; and Local Law Intro. No. 5-2015 “Local Law of the County of Lewis to Provide a Uniform System for Managing the Collection, Transportation and Disposal of Solid Waste and Recyclables”.

PRIVILEGE OF THE FLOOR:

Clerk of the Board Teresa Clark read the Proclamation declaring April as Fair Housing Month in Lewis County, after which Chairman Tabolt presented it to Lance Evans of the Jefferson-Lewis Board of Realtors.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Assemblyman Kenneth Blankenbush acknowledged receipt of this Board’s resolution opposing the Governor’s budget proposal for a competitive Upstate revitalization account, instead, suggesting the funds be equally distributed to all based on population; and the resolution

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urging a change to the 2015 International Building Code to allow use of rough-cut lumber and remove the requirement to install a sprinkler system in all new residential structures.

NYSAC Executive Director Stephen Acquario acknowledged receipt of resolutions urging distribution of State revenue collected pursuant to Insurance Law to local governments to offset Uniform Fire and Prevention Code administration costs; and urging NYS to fund increased Probation Department costs attributable to raising the age of criminal responsibility.

The Essex County Board of Supervisors forwarded a resolution requesting FEMA or NYS reimbursement to help relieve financial stress for infrastructure damages caused by relentless below freezing temperatures.

The Delaware County Board of Supervisors forwarded resolutions urging the State Legislature to enact an Omnibus Sales Tax Bill that renews all current County sales tax rates to improve government efficiency; and to provide 100% County financial reimbursement for the cost of HIV and Hepatitis C prescription treatment for inmates.

REPORTS OF COUNTY OFFICES AND DEPARTMENTS:

All Legislators have received copies of the 3/24/15 Highway Audit Report, the 3/23/14 Solid Waste Audit Report; the Treasurer's March Report; and minutes of the 3/24/15 Youth Bureau Advisory Board meeting.

County Sealer of Weights and Measures Barbara Cooper had submitted her 1st Quarterly activity report to be placed on file.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Buildings and Grounds/Ways and Means Committee Chairman, reported that maintenance personnel had completed 96 work orders in March, including completion of the handicapped door entrance at the public safety building for compliance with the Americans With Disabilities Act.

The water levels at Beach's Bridge and other locations are being monitored daily and recorded by Soil and Conservation District Manager Nichelle Billhardt.

Larsen Engineers are conducting a solar energy feasibility study for County buildings and will report within 2-3 weeks whether a project is feasible and a recommendation to apply for available grant funding.

County Attorney Joan McNichol and County Clerk Doug Hanno have negotiated a renewal lease for the DMV offices with Day One Associates at the expiring rate. Also, any repairs required above \$300 will be assumed by the owner or credited to the County.

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Legislator Hathway also reported the committee's very preliminary discussion with Bernier Carr and Associates engineer about space needs and a prospective new building construction at Outer Stowe Street.

The committee had also discussed the Hospital's financial status considering the County's initiatives to affect favorable outcomes.

He further reported discussion on Treasurer Patricia O'Brien's departmental report indicating an overall surplus to the general fund at the end of 2014.

Legislator Hathway reported the Committee's discussion to set minimum salary levels for elected officials, and asked for an executive session for relative discussion later today.

The Committee will share their recommendation to amend the revenue distribution formula for the Copenhagen Windmill PILOT agreement for the Board's consideration.

In response to the Committee's initiative to financially support the upcoming golf event sponsored by the Hospital Foundation, Legislator Chartrand will obtain input from representatives for further consideration.

Legislator Hathway reported that the DSS parking lot project is progressing as scheduled, with the final proposed resolution required for the green grant. The bids will be received in mid-May to be awarded in June and start construction in July.

Legislator Hathway made a motion to authorize an agreement with Venesky & Company in the amount of \$2,500.00, to determine the maximum amount of eligible County reimbursement for the DSS parking lot project. Their preliminary estimate is 50% of the County portion being recovered over 10 years. The motion was seconded by Legislator Chartrand and carried.

Legislator Hathway reported the committee's recommendation for a preliminary engineering study for reconstruction of the Public Safety Building parking lot, and apply for Green Innovation Grant funds. Water drainage issues would be identified and addressed with the project. This parking lot is one-third the size of the DSS lot, for which the County's portion is estimated at \$310,000. If BC&A has not completed the grant application prior to the County deciding not to go forward with the grant, then BC&A has agreed to refund a portion of the payment. Legislator Hathway made a motion to authorize Bernier Carr & Associates to conduct an engineering study, report, and Green Innovation Grant Program application for reconstruction of the Public Safety Building parking lot; and authorize payment of \$5,000.00 from the Capital Building Maintenance-Sheriff Account. The motion was seconded by Legislator Kulzer and carried.

Legislator Andrea Moroughan, Member of the Social Services/Office For Aging/Youth Committee, reported the State has informed they will not bill Lewis County for 2011 outstanding charges for a youth placed in a State facility. The 2014 Medicaid expenditures of \$40.5 million represents a 7.5% increase over 2013 expenditures of \$37.7 million. The local share

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was \$5.1 million or 12.6%. The total Medicaid amount increased to \$8.2 million, when all County programs are considered, including the Hospital and Nursing Home. Social Services personnel are responsible to determine Medicaid eligibility for local applicants, but does not bill for Medicaid payments.

The Home Energy Assistance Program (HEAP) concluded and the temporary examiners were terminated on 3/27/15. Local vendor payments totaled \$1.2 million during the season.

Legislator Moroughan reported reorganization of Social Services personnel to assume the workload for an impending manager's June retirement, rather than request a replacement.

Legislator Moroughan also reported that project applicants had made presentations to the Youth Bureau for funding allocations. After great deliberation, they awarded \$600 to Harrisville Central School District for family fun nights, a fall festival and elementary honor roll recognition; \$350 to Pine Grove Community Church Preservation Society, Inc. for their children's ole tyme fun day; \$250 to Lewis County Association of Sportsmen's Club for an annual youth pheasant hunt; \$400 to Lowville Free Library for after school youth art and summer camp programs; \$500 to Croghan Free Library for a youth summer reading program; \$800 to Cornell Cooperative Extension for parent educator program materials; and \$100 to Harrisville Library for a youth book-to-movie night and summer reading programs.

In conclusion, Legislator Moroughan invited all Legislators to attend the Easter dinner sponsored by the Office For Aging on 4/8/15.

Legislator Bryan Moser, County Officers/Veterans/Junkyards/Human Resources Committee Chairman, reported that junkyard renewal applications are being received, and inspection of the Kaflin junkyard will be done as weather permits.

He also reported that Director Derek Davey will report quarterly veteran numbers next month. Counselor Stephen Kilionski is electronically entering and storing veterans' data on a thumb drive. Mr. Davey will speak to I.T. Director Adam Zehr about utilizing cloud storage software, and will research regulatory requirements for data retention. Historical files and data are retained in locked cabinets at the Veterans' office.

Legislator Moser announced that DSS Commissioner Stacy Alvord has submitted her retirement date, while recognizing her good performance, stating "I'm sorry to see you leave". Legislator Moser made a motion to authorize advertising for applicants for DSS Commissioner, seconded by Legislator Dolhof and carried. The Legislators gave a round of applause for Stacy Alvord as initiated by Legislator Chartrand. Chairman Tabolt then wished her well with confidence she would perform equally as well in her new endeavors.

Legislator Moser, as a member of the Transportation/Solid Waste Committee, urged support of the resolutions to approve lease agreements for the John Deere loader and Stadium International truck. The latter was unplanned, but necessary due to a broken frame on the existing tractor trailer. The annual lease payments will be covered by budget appropriations.

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Legislator Moser reported that if the Local Law is adopted for uniform collection of solid waste and recyclables, the effective date would be deferred for one year. This would allow local vendors ample time to assure adequate supplies of required clear bags, and an opportunity to educate haulers and the public. Director Pete Wood is formulating an efficiency plan as requested by the Committee. Also, there is a planned tour of the Oswego landfill to learn and view how they operate.

Legislator Moser made a motion to award all Highway Department asphalt bids opened and recorded on 3/16/15 for the upcoming season, in accordance with the list on file with the Clerk of the Board. The motion was seconded by Legislator Dolhof and carried.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, reported Spillman representatives continue training personnel for the new radio dispatch system. Construction of the two remaining towers in Montague and Osceola will each take one month. Equipment for the shelters continues to arrive; and testing is planned in June. Cheryl LaLonde stated the temporary 911 center at the Court House would be live on 5/5/15.

Legislator Lawrence Dolhof, Economic Development Committee Chairman, reported 214 riders on the public transportation bus for maple sugar bush tours during the two weekends. The Chamber of Commerce website had 79 users in March of which 23% are returning users and total views of over 6,000 pages. There were 480 summer apps users and 1605 accessed the winter apps, for a year-to-date total of 2085.

Educators from all local school districts, BOCES, Workforce Development and Veterans' office personnel will tour the Nano Tech Center Quad C facility in Utica on 4/29/15 in coordination with the Mohawk Valley Community College Highway Education Program for Lewis County.

Legislator Dolhof reported and County Atty. McNichol reiterated confidence that the agreement and attendant insurance policy for the SNIRT Run would be timely completed. She had asked for a couple of changes to protect all parties, and to add one additional road opening pending the Board's approval this evening. She thanked Director Jackie Mahoney for formulating the map for event participants to define the approved route that will greatly enhance safety.

Legislator Dolhof reported ongoing efforts to develop a Commerce Park. He urged approval of the proposed resolution to authorize an agreement with the Lewis County Development Corporation (LCDC) to account and pay for administrative assistance provided by Economic Development Director Eric Virkler, in the same manner as the Industrial Development Agency. Legislator Dolhof took exception to a misleading 4/7/15 Watertown Daily Times article questioning the appropriateness of him introducing the authorizing resolution, while also the LCDC President. Pursuant to the By-Laws of the LCDC, he said, the Chairman of the Legislative Economic Development Committee is a member of the LCDC, asserting he is only one of eleven voting members. Moreover, County Attorney McNichol had affirmed there was no issue with him being the introducing Legislator.

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Legislator Dolhof made a motion to authorize Chairman Tabolt to forward a letter of support on behalf of the Board for the Lewis County Development Corporation's NY Prize grant application to fund development of a micro-grid project at the Croghan Dam site. The motion was seconded by Legislator King and carried.

Legislator Dolhof referred to the contract with Larsen Engineers to study the feasibility of a solar project for County buildings. In 2003 the County formed a municipal power corporation with the intent to purchase power off the market and sell to local residents as a cheaper option. However, the County was unable to obtain commitment from a minimum of 3,500 local users needed to be cost effective, and at that time the power suppliers were eroding, which deemed the project non-feasible.

Northbrook, a subsidiary of Krueger Energy is investing in a power generation expansion project in Lyons Falls, and are entertaining proposals to sell any excess power. Larsen Engineers has proposed to review the possibility of the County purchasing their excess power to lower County expenses and/or sell to residents. Legislator Dolhof made a motion to retain the consultants for \$1,000.00 for preliminary discussion with Northbrook and/or Krueger and report their findings. The motion was seconded by Legislator Moser.

Legislator Hathway recognized the companies' substantial investment and agreed it was worth reviewing, but felt it would be prudent to define the Board's comprehensive expectations. During their presentation to the Ways and Means Committee, Larsen Engineers affirmed that grant funding for solar construction would require the County to own the generation source if they wanted to sell excess power, being unsure whether that would apply in this instance. Legislator Chartrand concurred it would be a worthwhile study, but desired more clarification.

Legislator Dolhof asserted the opportunity to expend a nominal amount to learn whether the concept was at all feasible.

Legislator King expressed concern whether valuable information would be gleaned from a basic study, instead, posing formulation of a request for proposals. Legislator Dolhof relayed indifference for the chosen consultant, while unsure if time was of the essence. In response to Legislator Moser, he was unsure if the County could partner with Northbrook to utilize their consultant.

In light of several requests for more information, Legislators Dolhof and Moser withdrew the motion from the table.

Legislator Dolhof agreed to discuss the initiative at the committee level to define goals. He would not expect a detailed report, but a preliminary recommendation whether purchasing excess power from Northbrook was feasible. Legislator Kulzer expressed support to spend \$1,000 to garner knowledge to facilitate meaningful and pertinent questions for a study.

Legislator Dolhof re-introduced the motion to pay Larsen Engineers \$1,000 for a preliminary discussion with Northbrook and/or Krueger and report, seconded by Legislator King.

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The motion was defeated by a roll call vote of 4 to 6, with Legislators Hathway, Moroughan, Moser and Tabolt opposed; and Legislators Brennan and Pepper absent.

Legislator Dolhof cited the proposed resolution to approve the general liability insurance renewal with New York Municipal Insurance Reciprocal (NYMIR), for an amount that was \$10,300 lower than the competing proposal. The total premium is \$65,000 less than the expiring policies.

Legislator Gregory Kulzer, Taxation/Information Technology/Elections Committee Chairman, reported a request from Real Property Tax Director Linda Hoskins for the Chairman to sign a letter urging Towns to abide by standardized procedures for naming roads when there are three or more residents as required by E-911 regulations. She will draft the letter to define the procedures and ask the Towns to inform her office when new roads are named. The road names will be mapped to enhance 911 dispatching and emergency personnel response.

Legislator Kulzer reported that revaluations are being conducted in the Towns of Martinsburg, Lowville and Greig.

He urged approval of the 3-year agreement for Microsoft Office 365 software for the government secure electronic cloud storage. The Village and Town of Lowville will be partnering with the County for a records management grant to address record storage needs.

Legislator Kulzer also reported the Village of Lowville Police Department will be included in the County's new 911 dispatch system at no additional cost; and that Adam Zehr continues to oversee fiber optic connections that will allow termination of the current internet provider when the Highway garage is connected to the County network.

Legislator Richard Chartrand, Hospital Committee Chairman, announced that C.N.A. Brittany Antonius was recognized as the employee-of-the-month for her caring and loving manner to go out of her way with and for the residents.

Legislator Chartrand stated he would let the minutes of the joint meeting of the Legislators and Hospital Board of Managers held just prior to this meeting stand as his report.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, urged approval of sponsored resolutions; and reported the NYSDOH will be providing additional monies for Ebola related expenses. Director Penny Ingham was commended for her diligent program and budget oversight and for alerting the committee early about the ultimate 2014 budget surplus.

The committee reviewed Penny's comparative analysis with four like-size Counties, geographically and public health operations, three of which had also reorganized and transferred administration of their CHHA program. The study with Franklin, Yates, Schuyler and Seneca Counties indicates that our Public Health Agency is comparatively right-sized for number of FTE's, considering the size of all programs. All budgets are comparable, and three had similar County cost of 31%-33%; but Lewis has 52% revenue resources, compared to the other counties'

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22%-48%. Penny will continue toward a base line goal of 14-15 FTE's to administer all programs, exclusive of the jail nurse.

Legislator Moroughan reported the Community Services Board held a Safe Talk suicide prevention training with 16 local professional participants, presented by the NYS Office of Mental Health Suicide Prevention Coordinator.

She also reported the Lewis County's Systems of Care initiative has been implemented to enhance the existing framework of services for children and families, with assistance and guidance from NYS Substance Abuse and Mental Health Administration.

COUNTY MANAGER REPORT:

Liz Swearingin reported meetings with The Paige Group to initiate the approved projects. A core group of local agency and department heads are assessing the several print media versus sound media for advertising purposes. Another group will be meeting on 4/14 with the consultants to brainstorm marketing strategies. The communications project will be initiated within a couple of months.

Development of the Government Efficiency Plan continues with outreach to the 26 municipalities, 18 of which have committed to participate, 7 have informed they are not interested or have not responded; and 1 is awaiting their Town Board meeting. The target savings of the 18 municipalities and the County would be \$233,220 for the first year 2017. Each entity will be required to vet, document and certify their proposed savings plan. A preliminary review indicates that the savings are achievable and would deem residents eligible for the income tax credit.

Ms. Swearingin relayed that the community meetings have spawned many prospective shared services and saving initiatives that will be reviewed and discussed in greater detail in the future. At this time, however, she is greatly concerned for constituents of non-participating municipalities that will be in-eligible for the income tax credit. She encouraged Legislators to reach out to their jurisdictional municipalities to urge participation.

The adopted State Budget includes an Upstate Revitalization Fund of \$500 million. Lewis County has several local residents serving on the Regional Council committees to assure that we garner optimum funding. The funding is targeted for transformational projects, which makes it difficult for our rural region. However, any and all ideas should be put forth for consideration. "There are no bad ideas", asserted Ms. Swearingin.

She reported appointing Adam Zehr to represent the County's interest for the \$500 million broadband initiative, specifically targeted for rural areas to facilitate access to 100 percent of the population. Reaching the very rural areas is the ultimate challenge, but the Governor's goal is attainable by utilizing existing structures and innovative thinking to span the "last mile".

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Ms. Swearingin reported that County fiscal managers and related personnel viewed two company presentations to replace the County's IFM fiscal system. A consolidated presentation is scheduled for Legislators at 4 p.m. on 5/5/15. However, she asserted that vendor selection be recommended by expert users. A recommendation will be proposed to the Committee after the manager group views more detailed presentations and cost proposals from each vendor in June.

In reference to resignation of Commissioner of Social Services Stacy Alvord, Ms. Swearingin congratulated her with mixed emotions, citing her singular compassion and focus to advantage the most vulnerable population, adding that Stacy's leadership has been exemplary. Ms. Swearingin reported that Stacy has accepted a managerial position with Transitional Living Services, confident she would continue to favorably impact services to Lewis County residents.

COUNTY TREASURER REPORT:

Patricia O'Brien reported balances of the Special Contingency Fund - \$174,859.00; Contingency Fund-\$412,956.00; Capital Data Processing Fund- \$104,246.98; and Capital Equipment Fund - \$340,427.92, of which \$96,566 is the Highway portion and \$243,861.92 the County balance.

SPECIAL REPORTS:

County Attorney Joan McNichol introduced Assistant County Attorney Mary Iocovozzi whom had started on March 30th.

Atty. McNichol relayed appreciation for the new security procedures, whereby the officers alerted that a visitor may be combative and followed them to her office to avert any problems.

Chairman Tabolt reported a call from Governor Cuomo's representative Jeff Farrell to assure the State will fully fund Probation costs related to raising the age of criminality. Mr. Farrell also acknowledged receipt of our resolution urging distribution of the \$1.5 billion economic development funds equally to all Counties based on population.

Mr. Dwight Evans of Senator Griffo's office had phoned to acknowledge receipt of our letter opposing transferring power from local IDA's to the State, and relayed the Senator's concurring opposition.

Chairman Tabolt had attended the Governor's Adirondack Challenge in Lake Placid with officials throughout the State, pleased that he and Lewis County were recognized for participating.

He relayed being personally thanked for attending the Fort Drum events in Clayton and JCC, and particularly for coordinating the public bus transportation. Moreover, several residents have expressed their appreciation for our stand in support of Fort Drum.

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Chairman Tabolt also reported that he and Legislator King had attended the Inter-County Legislative Committee of the Adirondacks meeting and anticipates the group will vote on our resolution in April to support amending the Vehicle and Traffic Law definition of an ATV to increase the weight from 1000 to 1500 pounds.

Tug Hill Commission Executive Director John Bartow has agreed to meet with Legislators to explain the (480-a) forest management tax exemption providing options that decrease eligibility to a minimum of 25 acres, while requiring a management plan. Citing potential loss of County tax revenue, Chairman Tabolt would like the Legislators to relate our position to the NYSDEC prior to their anticipated decision at the end of April.

Chairman Tabolt reported that the St. Lawrence County Trail Coordinator had presented at the Inter-County meeting and was pleased with our resolution to support amending the ATV definition. She plans to lobby State representatives to adopt the related legislation, and Legislator Chartrand has agreed to accompany her.

At 6:15 p.m. Chairman Tabolt declared the public hearing closed.


REPORT OF THE WAYS AND MEANS COMMITTEE:

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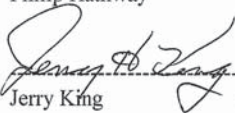
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

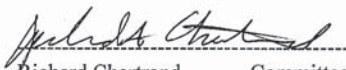
The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 2,519,872.81 and recommend that they be audited and allowed for the amounts claimed.



Philip Hathway Chair



Jerry King Committee



Richard Chartrand Committee

Dated: April 7, 2015

Approved on motion by Legislator _____ DoIhof _____, seconded by
Legislator _____ Moser _____, and carried.

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RESOLUTIONS:

**RESOLUTION NO. 108 – 2015
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 \$ 2,519,872.81 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 Dolhof, and adopted by roll call vote:

YEAS: Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, and Tabolt

NAYS: None

ABSENT: Brennan and Pepper

**LOCAL LAW (INTRODUCTORY NO. 6 - 2015)
COUNTY OF LEWIS**

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

**A LOCAL LAW OF THE COUNTY OF LEWIS, NEW YORK,
ALLOWING FOR COMMON, SAFE ITEMS TO BE EXCLUDED FROM THE
DANGEROUS FIREWORKS DEFINITION AS PERMITTED
BY NEW YORK STATE PENAL LAW SECTION 405(b)**

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

SECTION 1. LEGISLATIVE INTENT

- A. Whereas on November 21, 2014 Governor Cuomo signed into law Chapter 477 of the Laws of 2014 (S.7888/A10141).
- B. Whereas this state law amended the State Penal Law, the Executive Law and the General Business Law placing further restrictions on dangerous fireworks while at the same time recognizing that certain fireworks should not be labeled dangerous when they pose little to no danger to the public and by labeling them dangerous only restricts business and personal enjoyment.
- C. Whereas the Governor signed this version of the bill into law in part due to its strong

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home rule authority, only allowing for certain fireworks to be sold and used in municipalities that affirmatively enact a local law authorizing such action.

- D. In keeping with Chapter 477 of the Laws of 2014, and Penal Code Section 405 this Board further finds and determines that “sparkler devices” may be sold and enjoyed, only in the manner described below, within Lewis County.
- E. This Board finds that allowing our residents the use of safe “sparkler devices” will benefit them and our local businesses.
- F. The National Fire Protection Association adopted a recommended safety code (NFPA 1124) for the manufacture, transportation, storage and retail sales of fireworks.
- G. Whereas this local law and State Chapter 477 of the Laws of 2014 are compliant with the safety standards established in NFPA 1124.
- H. This Board further finds that the sale and use of “sparkler devices” is permitted with the following restrictions:
 - 1) Sales will only be permitted on or between June 1st through July 5th and December 26th and January 2nd of each calendar year.
 - 2) All distributors, manufacturers and retailers must comply with any and all state laws and regulations regarding registration requirements.
 - 3) Only those over the age of 18 may purchase said products.

SECTION 2. DEFINITIONS

“Sparkling Devices” are defined as follows:

“Sparkling Devices” which are ground-based or hand-held devices that produce a shower of white, gold, or colored sparks as their primary pyrotechnic effect. Additional effects may include a colored flame, an audible crackling effect, an audible whistle effect, and smoke. These devices do not rise into the air, do not fire inserts or projectiles into the air, and do not explode or produce a report (an audible crackling-type effect is not considered to be a report). Ground-based or hand-held devices that produce a cloud of smoke as their sole pyrotechnic effect are also included in this category. Types of devices in this category include:

- 1) Cylindrical Fountain: cylindrical tube containing not more than seventy-five grams of pyrotechnic composition that may be contained in a different shaped exterior such as a square, rectangle, cylinder or other shape but the interior tubes are cylindrical in shape. Upon ignition, a shower of colored sparks, and-sometimes a whistling effect or smoke, is produced. This device may be provided with a spike for insertion into the ground (spike fountain), a wood or plastic base for placing on the ground (base fountain), or a wood or cardboard handle to be hand held (handle fountain). When more than one tube is mounted on a common base, total pyrotechnic composition may not exceed two hundred

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grams, and when tubes are securely attached to a base and the tubes are separated from each other on the base by a distance of at least half an inch (12.7 millimeters), a maximum total weight of five hundred grams of pyrotechnic composition shall be allowed.

- 2) Cone Fountain: cardboard or heavy paper cone containing not more than fifty grams of pyrotechnic composition. The effect is the same as that of a cylindrical fountain. When more than one cone is mounted on a common base, total pyrotechnic composition may not exceed two hundred grams, as is outlined in this subparagraph.
- 3) Wooden Sparkler/Dipped Stick: these devices consist of a wood dowel that has been coated with pyrotechnic composition. Upon ignition of the tip of the device, a shower of sparks is produced. Sparklers may contain up to one hundred grams of pyrotechnic composition per item.
- 4) Novelties which do not require approval from the United States Department of Transportation and are not regulated as explosives, provided that they are manufactured and packaged as described below:
 - A) Party Popper: small devices with paper or plastic exteriors that are actuated by means of friction (a string or trigger is typically pulled to actuate the device). They frequently resemble champagne bottles or toy pistols in shape. Upon activation, the device expels flame-resistant paper streamers, confetti, or other novelties and produces a small report. Devices may contain not more than sixteen milligrams (0.25 grains) of explosive composition, which is limited to potassium chlorate and red phosphorus. These devices must be packaged in an inner packaging which contains a maximum of seventy-two devices.
 - B) Snapper: small, paper-wrapped devices containing not more than one milligram of silver fulminate coated on small bits of sand or gravel. When dropped, the device explodes, producing a small report. Snappers must be in inner packages not to exceed fifty devices each, and the inner packages must contain sawdust or a similar, impact-absorbing material.

SECTION 3. SEPARABILITY

If any part of or provisions of this law, or the application thereof to any person or circumstance, shall be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of or provision of, or application directly involved in the controversy in which such the remainder of this law, or the application thereof to other persons or circumstances.

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SECTION 4. EFFECTIVE DATE

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

**RESOLUTION NO. 109 - 2015
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY NO. 6 - 2015), COUNTY OF LEWIS**

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on April 7, 2015, a proposed Local Law entitled "A LOCAL LAW OF THE COUNTY OF LEWIS, NEW YORK, ALLOWING FOR COMMON, SAFE ITEMS TO BE EXCLUDED FROM THE DANGEROUS FIREWORKS DEFINITION AS PERMITTED BY NEW YORK STATE PENAL LAW SECTION 405(b)."

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on May 5, 2015, 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 Moroughan, and adopted.

**RESOLUTION NO. 110 - 2015
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 2 – 2015, 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 March 3, 2015, directing that a public hearing be held by said Board on April 7, 2015, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, "A LOCAL LAW AMENDING LOCAL LAW NO. 3-2001, (AND AS AMENDED BY LOCAL LAW NO. 3-2011, AND LOCAL LAW NO. 7-2014), REPEALING ALL FORMER JUNKYARD LAWS AND ESTABLISHING A NEW COUNTY OF LEWIS JUNKYARD LAW"; and

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WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on April 1, 2015, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

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

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

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 4 – 2015), County of Lewis, “A LOCAL LAW AMENDING LOCAL LAW NO. 3-2001, (AND AS AMENDED BY LOCAL LAW NO. 3-2011, AND LOCAL LAW NO. 7-2014), 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. 2 – 2015, County of Lewis.

Section 2. That Local Law No. 2 – 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 King, and adopted pursuant to the following roll call vote:

YEAS: Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, and Tabolt

NAYS: None

ABSENT: Brennan and Pepper

**RESOLUTION NO. 111 - 2015
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 3 – 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 March 3, 2015, directing that a public hearing be held by said Board on April 7, 2015, 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, “LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM FOR MANAGING

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THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES.”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on April 1, 2015, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

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

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

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 5 – 2015), County of Lewis, being “LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES.” be and the same hereby is designated as Local Law No. 3 – 2015, County of Lewis.

Section 2. That Local Law No. 3 – 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 Dolhof, and adopted pursuant to the following roll call vote:

YEAS: Dolhof, Hathway, King, Kulzer, Moroughan, Moser, and Tabolt

NAYS: Chartrand

ABSENT: Brennan and Pepper

**RESOLUTION NO. 112 - 2015
RESOLUTION DESIGNATING AUTHORIZED REPRESENTATIVE TO
EXECUTE AGREEMENTS AND DOCUMENTS UNDER GIGP GRANT
AGREEMENT FOR THE DSS BUILDING PARKING LOT PROJECT**

Introduced by Philip C. Hathway, Chairman of the Buildings and Grounds Committee

WHEREAS, the Lewis County Board of Legislators have determined that the parking lot which services the DSS building is in need of major repair for the safety of employees, their

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clients and the general public who utilize the services of the Departments in said building, hereinafter referred to as (the “Project”); and

WHEREAS, Lewis County applied through a New York State Consolidated Funding Application (“CFA”), with the assistance of the NYS Environmental Facilities Corporation, (“EFC”), under CFA No. 42324, to receive grant funds under the Green Innovation Grant Program (“GIGP”), for the improvement of the County’s parking lot located on Outer Stowe Street (hereinafter referred to as “DSS Parking Lot Project”); said improvement to include installation of bioretention and porous pavement; and

WHEREAS, Lewis County has been informed by EFC that the DSS Parking Lot Project has been selected to receive up to \$640,000.00 in funding through the GIGP program, identified as GIGP Project #1144. GIGP is funded through the US Environmental Protection Agency as part of the New York Clear Water State Revolving Fund Program; and

WHEREAS, by Resolution No. 31-2015, adopted on February 10, 2015, the Board of Legislators initiated its environmental review, declared its intent to proceed as lead agency and determined that the proposed repair, renovation and reconstruction of the Department of Social Services Building Parking Lot and property, located on the County’s property at 5250 Outer Stowe Street in the Village of Lowville, County of Lewis and State of New York constitutes a “Type I” action as defined by 6 NYCRR § 617.2; and

WHEREAS, the GIGP Project requires that the County designate a representative by title to be authorized to execute a Grant Agreement with EFC and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the County’s obligations under the Project Grant; and

WHEREAS, the GIGP Project requires that the County designate a Minority & Women’s Business Enterprise Officer, who is responsible for administering the Applicant’s Minority & Women’s Business Enterprise- Equal Employment Opportunity (MWBE-EEO) program; and

WHEREAS, the Lewis County Board of Legislators seek to designate the County Attorney, Joan E. McNichol, to be the County’s representative authorized to execute the Agreements, contracts, documents and other instruments necessary under the Project and Grant, and to serve as its designated Minority & Women’s Business Enterprise Officer (MBO). As such, the County represents that the MBO’s Phone Number is: (315) 376-5282; that her Email address is: jmcnichol@lewiscountyny.org; and her mailing address is: Lewis County Attorney, 7660 North State Street, Lowville, New York 13367.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That Joan E. McNichol, the Lewis County Attorney, is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the County of Lewis obligations under the GIGP Grant Agreement.

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Section 2. That Joan E. McNichol, the Lewis County Attorney, is designated as the County's Minority & Women's Business Enterprise Officer (MBO) for this Project, authorized to certify information and data required under State and Federal regulations and this Project.

Section 3. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 113 - 2015
RESOLUTION AUTHORIZING THE COUNTY OF LEWIS
TO ENTER INTO A LEASE RENEWAL AGREEMENT
WITH DAY ONE ASSOCIATES**

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

WHEREAS, Lewis County desires to enter into a Lease Renewal Agreement with Day One Associates for the purpose of renewing the lease at the property located at 7049 NYS Route 12S, Lowville, New York 13367.

NOW, THEREFORE, BE IT RESOLVED that

Section 1. The Board of Legislators hereby approves the lease renewal by and between the County of Lewis and Day One Associates for the rental of property located at 7049 NYS Route 12S, Lowville, New York 13367, for a term commencing on March 6, 2015 through March 5, 2017 at a monthly rental of \$1,750.00 together with such additional terms to be negotiated by the County Attorney.

Section 2. The Chairman of the Board of Legislators be and the same is hereby authorized to execute and deliver such lease upon such form as approved by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 114 - 2015
RESOLUTION TO APPROPRIATE FUNDS
DISTRICT ATTORNEY**

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

BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the following appropriation is hereby approved in the District Attorney account for the purchase of a new printer, utilizing District Attorney Trust Account funds, T87.05 (NY Shared Assets-DA):

<u>Revenue</u>	<u>Amount</u>
A26260 (Forfeiture of Crime Proceeds)	\$929.99

<u>Expense:</u>	
A1165.2217 (Computers)	\$929.99

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

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

**RESOLUTION NO. 115 -- 2015
RESOLUTION AUTHORIZING AGREEMENT WITH
LEWIS COUNTY DEVELOPMENT CORPORATION (LCDC)**

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 Lewis County Development Corporation (hereinafter the "LCDC") 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, the County of Lewis Industrial Development Agency (IDA) and the LCDC acknowledge the benefits of having one entity serve to coordinate, oversee and administer the activities of Economic Development in and for Lewis County, which is currently provided by the County's Economic Development Department, the IDA, and the LCDC; and

WHEREAS, the County desires to have the County's Director of Economic Development provide administrative and managerial services to the LCDC 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 LCDC 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 LCDC whereby the Director of Economic Development for the

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County will provide administrative and managerial services to the LCDC, with the LCDC 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 Lewis County Development Corporation (LCDC), whereby the County Director of Economic Development shall perform the following functions on behalf of and for the benefit of the LCDC, and any other services to which both parties may mutually agree in the final Agreement:

1. Provide administrative and operational services to the LCDC 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 LCDC and the County, with a view towards maximizing the ability to serve existing businesses and to attract new 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 President or Chairperson of the LCDC, with an accounting of time and a description of the services provided to the LCDC, 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 President or Chairperson of the LCDC 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 LCDC the rate of \$55.00 per hour for the services provided to the LCDC 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 Dolhof, seconded by Legislator Moser, and adopted.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 116 – 2015
RESOLUTION AMENDING RESOLUTION NO. 85-2015
AUTHORIZING PURCHASE/LEASE AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND
NORTRAX, INC.**

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

WHEREAS, Resolution No. 85-2015 erroneously authorized annual payments for the 2015 John Deere 624 K Loader from the Highway Department budget; and

WHEREAS, the Committee had recommended that annual payments be made from the Highway Capital Equipment Fund.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That Section 2 of Resolution No. 85-2015 is hereby amended to authorize and direct annual payments of \$29,051.60 due from 2015 through 2019 for the 2015 John Deere 624 K Loader, be made from the Highway Capital Equipment Account.

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

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

**RESOLUTION NO. 117 - 2015
RESOLUTION AUTHORIZING A PURCHASE AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND
STADIUM INTERNATIONAL TRUCKS, INC. WITH FINANCING THROUGH
FIRST NIAGARA LEASING, INC.**

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

WHEREAS, the Lewis County Highway Department wishes to purchase a 2016 International 7600 SBA 6x4 2010 (SF667) tandem tractor trailer; and

WHEREAS, Stadium International Trucks, Inc., located at 105 7th North Street, Liverpool, New York 13088 was Oneida County's lowest bidder on this equipment, at a price of \$117,837.00. Lewis County Highway Department seeks to exercise its right to accept this bid based upon Oneida County's bid process; and

WHEREAS, the Lewis County Highway Department seeks to purchase the tandem tractor trailer from Stadium International Trucks, Inc., with a lease/purchase finance agreement of \$117,837.00 through First Niagara Leasing, Inc. at a 2.85% interest rate, payable over a five (5) year period in annual installments of \$24,901.21.

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NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes an agreement between the County of Lewis and Stadium International Trucks, Inc. for the purchase of a 2016 International 7600 SBA 6x4 2010 (SF667) tandem tractor trailer at a cost of \$117,837.00.

Section 2. The Board of Legislators authorizes a lease/purchase finance agreement for the \$117,837.00, between the County of Lewis and First Niagara Leasing, Inc. payable over five (5) years in annual installments of \$24,901.21, which includes annual interest at 2.85%.

Section 3. This vehicle is intended for the use of the Highway Department and therefore the Board of Legislators hereby directs that the annual payments of \$24,901.21 due from 2016 through 2020 be paid from the Highway portion of the Capital Equipment Fund.

Section 4. That the Chairman or Vice Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement, and such other documents, writings or instruments as may be required to carry out the intent of this resolution, upon such forms as approved by the County Attorney.

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

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

**RESOLUTION NO. 118 – 2015
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 entry:

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 King, seconded by Legislator Moser, and adopted.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 119 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY AND
NEW YORK MUNICIPAL INSURANCE RECIPROCAL (NYMIR)**

Introduced by Legislator Lawrence Dolhof, Chairman of the Insurance Committee.

WHEREAS, the Insurance Committee reviewed and considered proposals for the County's Insurance Program needs commencing April 5, 2015. The coverage identified include General Liability, Property, Equipment Breakdown, Law Enforcement, Public Officials, Business Auto, Catastrophic Excess (Umbrella), Inland Marine, Crime, and Health/Public Health Professional; and

WHEREAS, the Insurance Committee recommends that the County accept the NYMIR Property and Casualty proposal for its coverage, which includes Municipal risk management and loss control services as part of the annual coverage; and

WHEREAS, the Insurance Committee recommends that the County accept the NYMIR proposal with increased deductibles for General Liability, Law Enforcement and Public Officials coverage; and

WHEREAS, as a New York Municipal Insurance Reciprocal ("Insurer"), the County of Lewis ("subscriber"), shall be required to enter into a "Subscriber's Agreement" with NYMIR and the New York State Local Government Services Foundation (as "Attorney-In-Fact"), pursuant to Article 61 of the New York State Insurance Law; and as a new subscriber to NYMIR (as a member-owned insurance company), the County will be required to contribute a one-time capitalization fee.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby accepts and approves the insurance proposal of NYMIR, to provide insurance coverage for the County, inclusive of Health Professional and General Liability coverage at the recommended deductibles of the Insurance Committee, for the period of April 5, 2015 through April 5, 2016 at a cost not to exceed \$182,340.25, plus the NYMIR capitalization fee.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal and deliver the letter of approval and the Subscriber's Agreement for said services, pending approval by the County Attorney.

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

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

APRIL 7, 2015

**RESOLUTION NO. 120 - 2015
RESOLUTION APPOINTING MEMBER TO
NORTH COUNTRY HOME CONSORTIUM BOARD**

Introduced by Legislator Lawrence Dolhof, Economic Development Committee Chairman.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints Randall Schell, of 4594 Arthur Road, Lowville, New York 13367 to the North Country Home Consortium Board.

Section 2. That the term of said appointment shall be for the period April 6, 2015 through April 6, 2018.

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

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

**RESOLUTION NO. 121 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN MICROSOFT CORPORATION 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 Microsoft Corporation, with Dell handling the licensing procurement as an authorized re-seller, for the installation of the Microsoft Office 365 Account on the government sector with secure cloud hosting; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators agrees to enter into a contract with Microsoft Corporation and/or its authorized re-seller, Dell, for the purchase and installation of Microsoft Office 365 Account on the government sector with secure cloud hosting for a thirty-six (36) month period with no installation cost and a not to exceed cost of \$51,620.40 for three (3) years with an annual cost of \$17,206.80.

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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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

**RESOLUTION NO. 122 – 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO OFFICE FOR THE AGING**

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

WHEREAS, the Sr. Keyboard Specialist in the Office For the Aging Department has informed her intent to retire; and

WHEREAS, the position has been re-classified as an Administrative Assistant.

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 Office For Aging Department, to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Administrative Assistant	Full-Time	Grade 15 (\$15.21-\$16.44/hr)

Section 2. That Office For the Aging Director Brenda Bourgeois is hereby authorized to fill said position effective upon the retirement of the Sr. Keyboard Specialist.

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

Moved by Legislator Moroughan, seconded by Legislator Moser.

Legislator Hathway recognized retiring Sue Kiernan for her 40 years of service.

The resolution was then adopted.

APRIL 7, 2015

**RESOLUTION NO. 123 – 2015
RESOLUTION TO AMEND RESOLUTION NO. 89-2015
WITH REFERENCE TO OFFICE FOR AGING DEPARTMENT**

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

WHEREAS, Resolution No. 89-2015 approved the re-classification of the Sr. Account Clerk in the Office For Aging Department to a Principle Account Clerk; and

WHEREAS, said approved re-classification was erroneously made retroactive to January 1, 2015.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends Resolution No. 89-2015 to change the effective date of the authorized re-classification of the Sr. Account Clerk in the Office For Aging Department to a Principle Account Clerk, to be effective on March 4, 2015

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

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

**RESOLUTION NO. 124 - 2015
RESOLUTION TO AMEND PROCUREMENT POLICY AND
APPOINT COUNTY MANAGER AS SOLE RESPONSIBLE PURCHASER
ON THE PROCUREMENT POLICY**

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

WHEREAS, General Municipal Law (GML), Chapter 24, § 104-b (2) (f) requires municipalities to amend Procurement Policy to include the names and titles of those responsible for purchasing biennially; and

WHEREAS, the Board of Legislators had previously designated acting County Manager, Michael A. Tabolt, as the sole responsible purchaser pursuant to adopted Resolution No. 319-2013; and

WHEREAS, the Board of Legislators announced the Board's selection of Elizabeth Swearingin as the new County Manager, effective March 31, 2014.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the amendment of the Lewis County Administrative Manual to appoint Elizabeth Swearingin, Lewis County Manager, as the sole responsible purchaser.

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Section 2. That the Clerk of the Board is hereby directed to make the amendments as herein set forth to the Administrative Manual upon such form as may be approved by the County Attorney and distribute the same to all Department Heads.

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

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

**RESOLUTION NO. 125 - 2015
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 \$56,964.00 (“Distribution #4”), 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 \$56,964.00 to assist the County in improving the quality of indigent legal services provided.

Section 2. That this contract is for the term commencing effective January 1, 2014 and ending December 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 Moser, seconded by Legislator Moroughan, and adopted.

APRIL 7, 2015

**RESOLUTION NO. 126 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY
AND JEFFERSON COUNTY PUBLIC HEALTH SERVICE**

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

WHEREAS, The New York State Department of Health Municipal Public Health Services Plan requires that Lewis County possess a system to minimize the incidence of sexually transmitted disease (STD) and human immunodeficiency virus (HIV); and

WHEREAS, the current levels of such diseases in Lewis County are insufficient to warrant the establishment of a STD/HIV Clinic; and

WHEREAS, Jefferson County Public Health Service is duly licensed and has the facilities, certified personnel, equipment, supplies and capability required to and desires to render such clinic services to the Lewis County Public Health Agency on an as needed basis to persons residing in Lewis County; and

WHEREAS, the County of Lewis, acting by and through the Lewis County Public Health Agency wishes to enter into an Agreement with Jefferson County Public Health Service for diagnosis and treatment of sexually transmitted diseases, including human immunodeficiency virus counseling and testing for Lewis County residents; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency, to enter into an Agreement with Jefferson County Public Health Service for diagnosis and treatment of STD's including HIV counseling and testing for Lewis County residents.

Section 2. That this is for the period commencing January 1, 2015 through December 31, 2017 at the following costs: \$55.00 per visit, \$2.50 per test and \$20.00 per test (backup).

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 Hathway, and adopted.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 127 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY
AND TRANSACTRX FOR MEDICAL SERVICE BILLING**

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

WHEREAS, TransactRx is a provider of claims processing services, healthcare provider networks, web based software applications and revenue cycle management services for healthcare providers; and

WHEREAS, the Lewis County Public Health Agency wishes to enter into an agreement with TransactRx to assist with claim processing services for insurance purposes for the Diagnostic and Treatment Center claims; 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 Lewis County Public Health Agency and TransactRx for the purpose of assisting with claim processing services for insurance purposes for the Diagnostic and Treatment Center claims.

Section 2. That the cost of this service is as follows:

- \$395.00 for one time Implementation Fee
- \$300.00 for Annual Renewal Fee
- \$100.00 per Additional Payer Setup Fee
- \$1.50 per Accepted Claims

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. 128 - 2015
RESOLUTION AUTHORIZING THE COUNTY OF LEWIS TO ACT AS LEAD
APPLICANT FOR A LOCAL GOVERNMENT RECORDS MANAGEMENT
IMPROVEMENT FUND (LGRMIF) SHARED SERVICES GRANT,
WITH AN INTER-MUNICIPAL AGREEMENT WITH THE
TOWN OF LOWVILLE AND VILLAGE OF LOWVILLE**

APRIL 7, 2015

Introduced by Legislator Gregory Kulzer, Chairman of the Information Technology Committee.

WHEREAS, the County of Lewis, through its Information Technology Department, seeks to act as the lead applicant for a Local Government Records Management Improvement Fund (LGRMIF) Grant. The County seeks to apply for these funds as a Shared Services Grant by entering into a shared, cooperative services arrangement with the Town of Lowville and the Village of Lowville to develop a permanent cooperative relationship to solve a records management problem shared by each municipal entity, and which will provide shared benefits in the form of network support solutions and financial savings solutions to each participant; and

WHEREAS, the County, Town of Lowville and Village of Lowville each lack a suitable process and software solution to store or retrieve electronic records effectively. In addition, each of the stakeholders are quickly filling up their respective physical storage capacities for paper records, and will have unsafe or unsecured space for records retention. The financial cost of building brick and mortar structures to house paper records is a prohibitive cost to the three entities. Each stakeholder recognizes the benefits of a digital records management solution, and each stakeholder is committed to initiate digital scanning and storage software, licensing, protocols and procedures which will alleviate the physical storage problems. The three entities recognize that this Shared Services Grant will provide a permanent solution for their long term records retention and storage concerns; and

WHEREAS, General Municipal Law §119-O provides for municipal corporations and districts to enter into agreements, including shared services agreements; and

WHEREAS, the Town of Lowville and the Village of Lowville have each delivered a letter of intent to the County of Lewis, to participate with the County in the Records Management Shared Services Grant application as a long term, permanent solution for each municipality's records management and data storage needs. If the Grant is approved, the Town of Lowville, Village of Lowville, and the County of Lewis agree to enter into an Inter-Municipal Agreement and/or Memorandum of Understanding, wherein each participant agrees to a permanent cooperative relationship, with policies and procedures that will support the shared operations and services program on a permanent basis, and outline the anticipated roles and responsibilities of the named entities; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the County of Lewis to apply for and act as the lead applicant for a Local Government Records Management Improvement Fund (LGRMIF) Shared Services Grant in order to provide a digital records management solution, including but not limited to digital storage software, digital scanning software and equipment, licensing, protocols and procedures to maximize electronic storage and efficient retrieval of data.

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Section 2. That the Board of Legislators acknowledges and is pleased to accept the letters of intent received from the Town of Lowville and the Village of Lowville, to participate and partner with the County in this shared grant application for the benefit of each municipality.

Section 3. That the Board of Legislators hereby authorizes the County of Lewis to enter into an Inter-Municipal Agreement and/or Memorandum of Understanding with the Town of Lowville and Village of Lowville, the other stakeholders in this application and project, in order to establish permanent cooperative digital records retention solutions, with policies and procedures that will support the shared operations and services program on a permanent basis, and outline the anticipated roles and responsibilities of the named entities.

Section 4. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver such Inter-Municipal Agreement or Memorandum of Understanding, pending approval by the County Attorney.

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

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

**RESOLUTION NO. 129 – 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
RECREATION, FORESTRY AND PARKS DEPARTMENT**

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 amends the Compensation Plan with reference to the Recreation, Forestry and Parks Department, to create the following temporary position to work on the forest inventory:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Forestry Crew Worker	Temporary Full-Time (Not to exceed 2 months)	Grade C15-1 (\$15.21/hr.)

Section 2. That Recreation, Forestry and Parks Director 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 Dolhof, seconded by Legislator Hathway, and adopted.

APRIL 7, 2015

**RESOLUTION NO. 130 - 2015
AUTHORIZING OPENING OF ADDITIONAL CERTAIN PORTIONS OF
COUNTY ROADS FOR ATV SPECIAL EVENT**

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

WHEREAS, at the request of Barnes Corners Sno-Pals Snowmobile Club (herein "Event Sponsor"), by Resolution No. 106 - 2015 adopted on March 2, 2015, the Board of Legislators authorized the opening of certain roads for a one day all terrain vehicle (ATV) road rally event, commonly referred to as the "SNIRT", to be held on April 18, 2015. The County Roads, or portions thereof, which the Board of Legislators approved to be open are:

- *CR 2 Seven by Nine Road, from NYS Rte 177 south to County Line;*
- *CR 18 Cronk Road; from Whitesville Road, West to where the Town of Pinckney begins;*
- *CR 21 Whitesville Road; From NYS Rte 177 to Jefferson County Line;*
- *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 45 Mackay Road; from Town of Turin portion of the road to Highmarket Road;*
- *CR 48 Highmarket Road; from CR 45 Mackay Road to Byrons Corners Road.*

and

WHEREAS, the Event Sponsor has requested that the following **additional** County Road, or portion thereof identified herein, be open for the April 18, 2015 Event:

- *CR 29 West Road; from intersection with Gardner Road to the intersection of Rector Road.*

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. Provided that the Event Sponsor complies with the insurance requirements and additional terms and conditions set forth in the Event Agreement referred to in Resolution 106 - 2015, the Board of Legislators hereby authorizes the operation of ATV's on the following County roads or portions thereof for the one day all terrain vehicle (ATV) road rally event ("SNIRT") to be held on April 18, 2015:

- *CR 2 Seven by Nine Road, from NYS Rte 177 south to County Line;*
- *CR 18 Cronk Road; from Whitesville Road, West to where the Town of Pinckney begins;*
- *CR 21 Whitesville Road; From NYS Rte 177 to Jefferson County Line;*
- *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 45 Mackay Road; from Town of Turin portion of the road to Highmarket Road;*
- *CR 48 Highmarket Road; from CR 45 Mackay Road to Byrons Corners Road; and*
- *CR 29 West Road; from intersection with Gardner Road to the intersection of Rector Road.*

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Section 2. That the Event Sponsor shall comply with all pre-event terms and conditions of the Event Agreement, including but not limited to delivering a copy of the insurance policy in effect to the County Attorney on or before April 8, 2015 for her review and approval of same. If the policy is not received by April 8, 2015, and/or if upon review of the policy the County Attorney determines that coverage is not in compliance with the terms and conditions of the Event Agreement, the Board of Legislators authorization to open the above identified Roads will be deemed rescinded.

Section 3. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 131 - 2015
RESOLUTION AUTHORIZING OPENING OF CERTAIN PORTIONS OF
COUNTY ROADS FOR ATV SPECIAL EVENT FOR
DICK SELLER'S MEMORIAL RIDE**

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

WHEREAS, Tug Hill Adirondack ATV Association 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 May 2, 2015; 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, Tug Hill Adirondack ATV Association 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:

APRIL 7, 2015

- *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 May 2, 2015.

Section 2. That the permission granted herein is specifically conditioned upon Tug Hill Adirondack ATV Association entering into a written agreement with the County of Lewis whereby:

1. Tug Hill Adirondack ATV Association agrees to indemnify and hold the County of Lewis, its officers, agents and employees harmless from any loss, claim, liability, lawsuit, damage, cost or expense including reasonable attorney fees incurred by reason of injury to person(s) or property, including death arising out of or in any way connected with the conduct of the event and the use of those portions of County Roads by participants in the Event;
2. Tug Hill Adirondack ATV Association agrees to provide proof that it has obtained general liability insurance insuring such event in an amount not less than \$1,000,000 for injuries including wrongful death to any one person and in an amount not less than \$2,000,000 on account of any one occurrence with property damage insurance of not less than \$300,000 for property damage claim coverage; and with said policy naming the County of Lewis as an additional primary insured; and
3. 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 and the participants in the Event.

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 Dolhof, seconded by Legislator King, and adopted.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 132 – 2015
RESOLUTION TO TRANSFER FUNDS
RECREATION, FORESTRY AND PARKS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry & Parks Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Recreation, Forestry & Parks account for the 25% portion of the purchase the new truck, utilizing Capital Equipment funds (HAD9901.9) HAD balance \$340,427.92:

<u>Increase Revenue:</u>	
A50310 (Inter-fund transfers)	\$7,356.50
<u>Increase Expense:</u>	
A7989.2233 (Vehicles)	\$7,356.50

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

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

**RESOLUTION NO. 133 – 2015
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 allocate funds received through ATV Permits for the purchase of a UTV:

<u>Increase Revenues</u>	
A20010 (ATV Permits)	\$11,200.00
<u>Increase Expense</u>	
A7990.2233 (Vehicles)	\$11,200.00

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. 134 – 2015
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 transfer of funds is hereby approved in the Sheriff's Department account to reallocate the PSAP Grant funds:

<u>From:</u>	<u>Amount</u>
A3115.2908 (PSAP Equip)	\$250,000.00

<u>To:</u>	
A3115.4908 (PSAP Services)	\$250,000.00

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

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

**RESOLUTION NO. 135 – 2015
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 for additional State Aid E911 grant funds:

<u>Revenue</u>	
A31400 (State Aid E911)	\$182,637.00

<u>Expense</u>	
A3020.2909 (E911 Equip)	\$182,637.00

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. 136 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
LEXISNEXIS – ACCURINT FOR GOVERNMENT**

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

WHEREAS, LexisNexis provides an Accurint for Government service that is a fast and efficient search technology which allows the Department of Social Services (“DSS”) Support Unit, other units within DSS and the Law Department to instantly locate both people and businesses and authenticate their identities; 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 LexisNexis Accurint For Government for the purpose of search technology to locate people and businesses and authenticate their identities.

Section 2. That this is for the period beginning February 1, 2015 through January 31, 2017 at a cost of \$316.00 per month for a total cost not to exceed \$7,584.00 for the two year period. This is a 20% Local Share and 80% Federal Share.

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 King, and adopted.

**RESOLUTION NO. 137 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
MEDLAB, INC.**

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

WHEREAS, Medlab, Inc. (“Agency”) provides urine toxicology laboratory services and the Lewis County Department of Social Services wishes to enter into an agreement with this Agency for the purchase of these services; and

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

APRIL 7, 2015

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 Medlab, Inc. for the purchase of services that include urine toxicology laboratory services.

Section 2. That the term of this agreement shall be from March 1, 2015 through December 31, 2016 at the cost of \$35.00 for drug screening confirmations and the building of a 6-Panel screen for \$15.00 per request. The Local Share Cost is approximately 25% to 38%; the State Cost is approximately 25%; and the Federal Share is 50%.

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. 138 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
THE WILLIAM GEORGE AGENCY FOR CHILDREN'S SERVICES

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

WHEREAS, The William George Agency for Children's Services, Inc. ("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.

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 William George Agency for Children's Services, Inc. for the provision of foster care services.

Section 2. That the term of this agreement shall be from January 1, 2015 through December 31, 2015 at a per diem cost not to exceed the Maximum State Aid Rate established by the New York State Department of Health. There is no local share cost until foster care costs exceed the Block Grant, and then local share may be from 37.5% to 100% depending upon the Treatment Plan and client eligibility; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 King, and adopted.

**RESOLUTION NO. 139 – 2015
RESOLUTION TO APPROPRIATE FUNDS
SOCIAL SERVICES**

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 to the Social Services Department account to purchase three scanners, utilizing Capital Data Processing funds; balance \$104,246.98:

<u>Revenue</u>	<u>Amount</u>
A50310 (Inter-fund)	\$2,906.43
 <u>Expense:</u>	
A6010.2217 (computers)	\$2,906.43

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

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

**RESOLUTION NO. 140 - 2015
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:

APRIL 7, 2015

Title	Name	Registration Number	Standard Work Day	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/ Month
Legislator	Michael A. Tabolt	39739743	6	01/01/2014 – 12/31/2015	N	16.33
Deputy Clerk of Board	Cassandra Moser	60698529	8	06/25/2014 – 12/31/2015	Y	-

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

OTHER BUSINESS:

Clerk of the Board Teresa Clark read a proclamation, whereby the Chairman had declared April as Fair Housing Month; and the Week of April 6-12, 2015 as National Public Health Week in Lewis County.

Legislator Hathway made a motion to enter executive session at 6:28 p.m. to discuss elected officials' salaries, and an update on pending litigation from County Atty. Joan McNichol, seconded by Legislator Moser and carried.

Following the session, Legislator Dohof made a motion to re-enter regular session at 7:07 p.m., seconded by Legislator Hathway and carried.

The following resolution was enacted to set minimum salaries for prospective elected official County officials:

**RESOLUTION NO. 141 - 2015
RESOLUTION ANNOUNCING MINIMUM 2016 COMPENSATION AMOUNTS FOR
CERTAIN ELECTED OFFICIALS OF LEWIS COUNTY**

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

WHEREAS, the Board of Legislators recognizes that salaries of elected officials of the County of Lewis may not be adjusted mid-term, except by local law; and

WHEREAS, the Board of Legislators believes that the citizens of Lewis County should have knowledge of the minimum 2016 compensation amounts for certain elected officials prior to the November 2015 election; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Board of Legislators seeks to provide information to the County electorate and set the minimum compensation rates effective January 1, 2016, for the following elected officials for the County of Lewis.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the minimum compensation rate for the Lewis County Treasurer, Lewis County Clerk, and Lewis County Sheriff, effective January 1, 2016 shall be:

County Treasurer:	\$64,347.00
County Clerk:	\$57,490.00
County Sheriff:	\$69,276.00

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

Moved by Legislator Hathway, seconded by Legislator King, and adopted. Legislator Moser abstained due to prospective candidacy for one of the elected positions.

OTHER BUSINESS (Cont'd)

Legislator Moser initiated discussion about the Court House security process, specifically urging that all persons entering the building be required to go through full security scanning procedures. Legislator King expressed concern in the event an employee or other person not required to have their belongings checked were to cause harm. Legislators Moroughan and Chartrand also expressed concern there was a "false sense of security".

The Board's agreed recommendation was for security personnel to spot check employees and others with special stickers. County Manager Liz Swearingin was to advise security of this procedure.

There being no other business to come before the Board, the meeting adjourned at 7:22 p.m. by motion of Legislator Chartrand, seconded by Legislator Moser and carried.

MAY 5, 2015

**REGULAR MEETING
May 5, 2015**

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

Roll Call: All Legislators were present, except Legislators Kulzer, Moser and Moroughan, whom had each been excused.

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

There were 18 persons present.

Chairman Tabolt announced approval of the April 7, 2015 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 5, 2015

Lawrence Dolhof, Chairman
Craig Brennan, Committee

Legislator Dolhof 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. 6-2015 "A Local Law Allowing for Common, Safe Items to be Excluded from the Dangerous Fireworks Definition as permitted by New York State Penal Law Section 405(b)".

PRIVILEGE OF THE FLOOR:

Mr. Vincent Zabo, representing Phantom Fireworks, stated that in addition to wooden stick sparklers, approved items include fountains that shoot sparkles in the air. As one of the largest and oldest distributors of fireworks in the country they strive to set high product standards. In relation to storage, the temporary retail operations in New York are regulated by the Office of Fire Prevention and Control in coordination with local officials and fire department personnel; and firework items must be stored separately from other items for sale. Moreover, the temporary product agreements are on a guaranteed sale basis, assuring that all products unsold during the approved short season will be returned to the Ohio warehouse on July 5, 2015. Mr. Zabo also touched on injury statistics that are largely related to more dangerous items such as metal sparklers that remain illegal.

Director of Hospice Tammy Suiter termed the recent Epicurean Delight fund raising event a success. She concernedly reported the year-to-date Hospice census of 19, comparatively low

PROCEEDINGS OF THE BOARD OF LEGISLATORS

based on the average 70 per year. The current 4-5 daily patients are not adequate to sustain budgetary expenses. She has reached out to local doctors, and the St. Joseph's oncology department has also agreed to make patients aware of available Hospice services. As a participant of the Upstate Hospice Alliance, a web page has been implemented with program contact information.

In response to Legislator Brennan, Ms. Suiter stated the NYS Dept. of Health and respective County Hospice Board must give their approval prior to implementing Hospice services for a resident in an adjacent County. Although the State discourages County programs from jointly coordinating services, sharing of personnel has not been explored.

Ms. Suiter is concerned that persons delay utilizing Hospice services until they are very near death, currently averaging within two weeks. She reported that Dr. Daniel Root has volunteered as the program physician for over 20 years, and is required to reassess any patient upon reaching six months of services and every 60 days thereafter. Personnel are perplexed to explain why persons are delaying Hospice services, so her purpose was to promote public awareness.

Lewis County Cornell Cooperative Extension Executive Director Michele Ledoux cited a serious problem for some local dairy farmers receiving 30-day termination notices of their milk marketing contract. She has met with farmers and plans to provide an update to Legislators and the County Manager tomorrow. There is a flush market and some farmers are being shut out. Ms. Ledoux is assisting farmers to provide alternative contacts and is appreciative of Legislative support.

In response to Legislator Pepper, Ms. Ledoux clarified the issue is to find new milk markets for the dairy farmers that received a 30-day notice of termination. The current milk price of \$19/cwt is compared to \$28/cwt one year ago. This type of problem has never happened before, and is occurring across the State with potential serious consequences.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

NYS Secretary of State Cesar A. Perales designated the Village of Lyons Falls as a Brownfield Opportunity Area pursuant to General Municipal Law, Article 18-C, Section 970-r (4) and (5). Mr. Perales penned his commendation to local officials for their "hard work and commitment in developing a strong and comprehensive revitalization plan for the Village".

David H. Pendergast has submitted notice of resignation from the Lewis County Ethics Board, due to moving out of the area. As Ethics Board Chairman, Mr. Pendergast reported no questions or comments at their meeting and review of all 2015 disclosure statements on file with the Clerk of the Board.

The Fulton County Board of Supervisors forwarded resolutions requesting the State Legislature to amend the Vehicle and Traffic Law to increase the defined weight of an all terrain vehicle to 1500 pounds; and allow local governments the ability to designate roads open for ATV and UTV use to connect trail systems by deleting the "otherwise impossible" restriction.

MAY 5, 2015

The Tioga County Legislature forwarded resolutions urging the State Legislature to enact an Omnibus Sales Tax Bill that renews all current County sales tax rates to improve government efficiency; and urging the State to fully fund Probation Departments for costs related to raising the age of criminal responsibility.

REPORTS OF COUNTY OFFICES AND DEPARTMENTS:

All Legislators have received copies of the 4/21/15 Highway Audit Report, the 4/23/15 Solid Waste Audit Report; the Treasurer's April Report; the minutes of the 3/17/15 Soil and Water Conservation District Board meeting; and the following Apportionment of Mortgage Tax Report for the period 10/1/2014 – 3/31/2015:

**APPORTIONMENT OF MORTGAGE TAX
October 1, 2014 through March 31, 2015**

	<u>KEY</u>	<u>VALUATION</u>	<u>AMOUNT</u>
Town of Croghan		306,135,782	\$17,359.59
Village of Croghan	.025974234	15,903,285	<u>462.93</u>
			\$17,822.52
Town of Denmark		179,789,337	\$ 8,381.83
Village of Castorland	.044375315	15,956,417	441.34
Village of Copenhagen	.112861838	40,582,710	<u>1,122.49</u>
			\$ 9,945.66
Town of Diana		171,577,771	\$ 8,424.71
Village of Harrisville	.065566856	22,499,630	<u>591.14</u>
			\$ 9,015.85
Town of Greig		219,833,192	\$10,581.94
Town of Harrisburg		262,312,130	\$ 4,312.88
Town of Lewis		72,370,828	\$ 2,967.81
Town of Leyden		90,805,511	\$ 4,508.87
Village of Port Leyden	.083142476	15,099,590	<u>408.87</u>
			\$ 4,917.74
Town of Lowville		453,966,764	\$17,511.86
Village of Lowville	.278863029	253,189,094	<u>6,771.82</u>
			\$24,283.68
Town of Lyonsdale		100,314,776	\$ 2,669.28
Village of Lyons Falls	.036680120	7,359,116	104.42

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Village of Port Leyden	.026558799	5,328,480	<u>72.95</u> \$ 2,846.65
Town of Martinsburg		385,945,487	\$ 4,007.78
Town of Montague		42,189,400	\$ 1,117.52
Town of New Bremen		169,497,282	\$ 9,643.71
Village of Croghan	.035852593	12,153,834	<u>358.61</u> \$10,002.32
Town of Osceola		51,589,125	\$1,340.14
Town of Pinckney		36,392,535	\$3,436.76
Town of Turin		66,868,322	\$ 5,833.89
Village of Turin	.080585236	10,777,199	<u>511.33</u> \$ 6,345.22
Town of Watson		198,476,499	\$ 7,734.97
Town of West Turin		147,507,486	\$ 7,653.02
Village of Constableville	.045592371	13,450,432	425.92
Village of Lyons Falls	.135190668	39,883,271	<u>1,262.93</u> \$ 9,341.87
<u>GRAND TOTAL</u>			<u>\$130,021.31</u>
To County of Lewis			<u>\$65,583.07</u>

Gregory Kulzer, Chairman
Craig Brennan
Lawrence Dolhof
Taxation Committee

Dated: May 5, 2015

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 \$130,021.31 from the tax on mortgages from October 1, 2014 through March 31, 2015 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.

MAY 5, 2015

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 5th day of May 2015.

Michael A. Tabolt, Chairman
Teresa Clark, Clerk of the Board

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Buildings and Grounds/Ways and Means Committee Chairman, reported that DANC engineers have prepared the RFP for water revisions at the public safety building, which will be forwarded to the NYS Commission of Corrections for required approval. Legislator Hathway believes the Committee will be prepared to recommend contractor bid awards for the DSS parking lot project at the next meeting.

Legislator Hathway cited the proposed resolutions to authorize consulting agreements with Patrick Brennan and the Wladis Law Firm.

The Committee suggests there should be a more equitable distribution policy for PILOT agreements that would benefit the entire County, and offers to prepare a policy for the Board's consideration.

Legislator Hathway cited the resolution to authorize audio and video recording of Legislator meetings to enhance transparency of government by providing electronic access to taxpayers in remote areas and those unable to attend meetings, particularly during inclement weather. If the Hospital Board of Managers decides likewise recordings of their meetings, the Legislature would consider supporting allocations. In deference to TV and other media outlets, website posting of the recordings will be delayed by 36 hours. Recording of committee meetings will remain discretionary.

Legislator Hathway respectfully requests an executive session later this evening for discussion on union negotiations.

In conclusion, Legislator Hathway reported that Maintenance personnel completed 93 work orders during April.

Legislator Neil Pepper, Social Services/Office For Aging/Youth Committee Chairman, reported review of the 2014 closed out DSS budget. Considering the Department awaits receipt of Hospital IGT funds of \$2.3 million and \$938,000 in Federal and State reimbursements, coupled with State imposed program funding reductions of \$226,000, total revenues fell short by 2% or \$152,000 of the projected \$6.7 million.

Legislator Pepper announced the impending retirement of Pennie Getman, who oversees the Temporary Assistance and Employment and Training units. While also citing a leave of absence of the Temporary Assistance unit supervisor, the committee urges approval of the proposed resolution to create a temporary Senior Social Welfare Examiner to help with the caseload.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Pepper informed that a Proclamation to recognize “May as Foster Parent Appreciation Month” would be read later today. Legislator Moroughan has offered to accompany DSS personnel to deliver a \$40 gift certificate and plant to our eight foster care families.

Legislator Pepper offered his personal commendation to retiring Office For Aging Senior Keyboard Specialist Sue Kiernan for her over 40 years of dedicated service.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, reported the Harrisville radio tower light had been repaired, and the goal to have 5 towers erected by the end of May so that testing could be conducted. The Osceola tower will be constructed next week.

Legislator King reported the Committee had agreed to have the District Attorney report every other month.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry & Parks Committee Chairman, reported a group of 50 local government and school officials had toured the Mohawk Valley Community College and the SUNY Polytechnic Institute. They endeavor to forge partnerships to facilitate development of specialized academic courses required for employment in the nanotechnology field.

Legislator Dolhof recommends approval of the proposed marketing strategy to increase rider-ship and efficiency for the County Transportation Bus System. Mobility Manager Sara Freda is coordinating with various agencies and developing the Old Forge summer route.

The SNIRT Run went very well. Lewis County Sheriff’s Recreation Officer Michael Leviker added that no one went off the trails. Legislator Dolhof stated an exit meeting would be held with all stakeholders to assess the event. The ATV trails will be open from 5/1/2015 until the start of the October hunting season.

Legislator Dolhof also reported that Economic Development personnel continue to pursue development of a commerce park.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, reported that Director Pete Wood and Legislator Moser had toured the Oswego County solid waste operations. Mr. Wood is formulating specific building modifications to enable a larger compactor for efficient recycling operations and handling construction debris.

Legislator Brennan relayed Highway Superintendent David Becker’s appreciation for the new equipment. The VanAmber Road Bridge rehabilitation will be largely financed through Federal and State allocations with a balance of 2% to be financed by local funds; and the Jerden Falls bridge project has been budgeted.

Legislator Brennan reported that a committee has been formed to discuss and identify instances that may be appropriate for single-man plow operation, asserting there is no intent to sacrifice employee safety.

MAY 5, 2015

Legislator Richard Chartrand, Hospital Committee Chairman, reported that newly hired Dr. Lindsey Huber, OBGYN, has commenced her practice and has brought new patients. Within the next couple weeks negotiations for an orthopedic surgeon should be finalized. Fort Drum Drs. Carr and Carey have been performing surgeries at our Hospital on their soldier patients, which will average 30 per month. A Syracuse Cardiology doctor has agreed to see patients in Lowville three days per week, which may increase to five days based on need.

Legislator Chartrand reported the durable medical equipment store front in the Hospital basement is scheduled to open on 6/1/2015, which will result in lower supply costs. St. Joseph's Hospital Health Center has merged with Trinity Health, which should also result in cost savings.

There was a gain of \$484,561 in March; a year-to-date surplus of \$244,949; and the Hospital continues timely monthly payments for County debt.

The Hospital will submit a plan to the State by the August deadline to garner a portion of the VAPAP \$245 million available to Hospitals this year.

The occupancy rate of the Skilled Nursing Home is 91%, which may have been impacted by floors being closed down during mass illnesses. CHHA expenses for March were 30% above budget levels. Health care is being provided in the homes, which impacts lower hospital in-patient care. Therefore, hospital personnel are utilized effectively where needed.

The new swing-bed rate estimated at approximately \$1,000/day will be established by 5/1/2015 and be retroactively effective to 3/5/2014. The current rate is \$400/day, so the Hospital anticipates a substantial reimbursement sum.

Cynthia Fraser, OBGYN, will return to full-time practice on 5/1/2015.

The employee-of-the-month will be announced next month.

Legislator Chartrand concluded that by motion of Timothy Reagan, seconded by Edward Knapp the Board of Managers officially requested Hospital Administration personnel to prepare and submit to the Board a contingency plan with as much detail as possible within the next month to meet the goal of having a reaction to the quarterly financial status.

In response to Legislator Pepper, Legislator Chartrand stated that a doctor will commence full-time practice at the South Lewis Health Center in August to augment Drs. Daniel and Lynn Pisaniello's practice.

Legislator Hathway, as a member of the Public Health/Community Services Committee, announced that Interim Director of Community Services Sarah Bullock had tendered her resignation effective 5/20/2015. He commended and expressed gratitude to Sarah for initially reformulating a very complex and deficient budget with the help of Brenda Bourgeois that effected savings; and for aptly guiding the County through privatizing both the mental health clinic and the alcohol treatment center, resulting in substantial savings.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Hathway made a motion to authorize refilling the Director of Community Services (DCS) position in some form that is acceptable to the Community Services Board, Legislators and State regulatory authorities, seconded by Legislator King and carried. A proposed resolution shall approve appointment of an interim DCS.

Legislator Hathway reported a current conflict of interest issue, whereby Transitional Living Services, as a service provider, administers the Single Point Of Access (SPOA) program. Recognizing this may not continue, Ms. Bullock is exploring alternatives to provide the service without hiring another employee.

He announced the Walk For Mental Health Wellness on 5/21/15 starting at the Lowville Fire Hall at 4 p.m. and welcomed everyone to participate.

Legislator Hathway stated that the Public Health budget is within appropriations, and the personnel count is 2-4 FTE's below budgeted levels.

There is pending legislation that would raise the age for tobacco product sales from 18 to 21; and there is no State Aid increase for public health, he said. A mass antibiotic dispensing drill will be held on June 24th with a goal of processing 170 persons per hour.

Legislator Hathway reported that a late resolution has been proposed to replace the full-time resigning Cancer Services Program Assistant by increasing the hours of a part-time Public Health Case Manager to full-time.

In conclusion, Legislator Hathway reported the Buildings, County Clerk and Treasurer budgets are all on track.

COUNTY MANAGER REPORT:

Liz Swearingin reported that she and Frank Pace have met several times with municipal officials with attendance ranging from 25-50 for ongoing development of the Government Efficiency Plan. Twenty-two of the total 26 municipalities have committed participation. The achieved savings of \$385,000 exceeds the target goal of \$248,000, largely attributable to privatizing the mental health clinic and alcohol treatment center, coupled with savings realized by choosing NYMIR insurance coverage. She credited Mr. Pace with leading the efforts to forge communication with municipal officials that will bode well for ongoing discussion about the ten identified shared services projects.

The Governor announced opening of the \$1.5 billion Upstate Revitalization Initiative with applications due by mid-October; and the \$750 million CFA Round 5 with applications due by 7/31/15. Lewis will vie for a portion of the regional \$500 million, to be spent in \$100 million annual increments, with an additional \$30 million awarded. Any region that has been unsuccessful to obtain funding will be awarded \$90 million.

Ms. Swearingin urged local officials, business affiliates and citizens to attend a meeting scheduled with North Country Regional Economic Development Council Co-Chairs Tony Collins

MAY 5, 2015

and Gary Douglas in Croghan on 5/29/15. It is important to illustrate our collective interest in economic development and relate our identified projects to enhance success for the competitive funding.

The National Council on Alcoholism and Drug Dependence, averaging 300,000 monthly hits, highlighted Mountain View Prevention's Youth Advocacy Program in their 5/15/15 affiliate spotlight, as relayed by Executive Director Arlene Hall. Ms. Swearingin expressed pride for the favorable recognition for Lewis County.

The Microsoft 365 contract has been fully executed, which facilitates implementation of the software for all County users.

Ms. Swearingin thanked all involved personnel for their diligent efforts that resulted in a smooth cut over today of the Spillman dispatch radio system.

COUNTY TREASURER REPORT:

Patricia O'Brien reported submission of the annual update document with the State. She then recited the balances of the Special Contingency Fund - \$174,859.00; Contingency Fund- \$412,956.00; Capital Data Processing Fund- \$101,341.63; and Capital Equipment Fund - \$343,685.09, of which \$96,566 is the Highway portion.

First quarter sales tax receipts of \$2,077,276.24 are comparatively low, but due to conservative budgeting she believes the 2015 budgeted level will be achieved.

Mrs. O'Brien also reported that the Hospital continues to make timely debt repayments, with a balance due of \$4.4 million. The health insurance fund balance is \$2.9 million, below the recommended level of \$3-\$4 million.

There are 20 delinquent property tax parcels to be auctioned off on 5/6/15.

SPECIAL REPORTS:

Chairman Tabolt reported that 4/28/15 was Green Energy Advocacy Day in Albany. ACE Energy and Iberdrola Renewables had organized a lobbying effort. He, Legislator Bryan Moser and LACS Superintendent Cheryl Steckley had met with several State representatives to impress the importance for renewal of energy tax credits for the prospective Martinsburg windmill project. Their efforts were noticed and appreciated, and will hopefully affect a positive Legislative vote.

On 4/30/15, Chairman Tabolt and Legislator Jerry King attended a meeting in Constableville to hear NYSDEC Director of Division of Lands and Forests Robert Davies explain proposed amendment of Forest Tax Law 480-a and the sustainable forest management incentive program. Mr. Davies was receptive of our written comments and suggestions to present to the State Legislature, while doubtful for any action this session. Mr. Davies informed the issue of State reimbursement to municipalities for related lost real property tax revenue was out of his jurisdiction, while encouraging lobbying of Senate and Assembly representatives.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

At 6:05 p.m. Chairman Tabolt declared the public hearing closed.

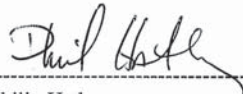
REPORT OF THE WAYS AND MEANS COMMITTEE:

MAY 5, 2015

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

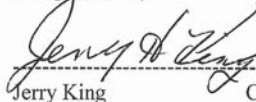
To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,396,671.56 and recommend that they be audited and allowed for the amounts claimed.



Philip Hathway

Chair



Jerry King

Committee



Richard Chartrand

Committee

Dated: May 5, 2015

Approved on motion by Legislator Brennan, seconded by

Legislator Doihof, and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

RESOLUTIONS:

**RESOLUTION NO. 142 – 2015
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 \$1,396,671.56 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 Brennan, and adopted by roll call vote:

YEAS: Brennan, Chartrand, Dolhof, Hathway, King, Pepper, and Tabolt

NAYS: None

ABSENT: Kulzer, Moroughan, and Moser

**RESOLUTION NO. 143 - 2015
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 5 – 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 April 7, 2015, directing that a public hearing be held by said Board on May 5, 2015, 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 OF THE COUNTY OF LEWIS, NEW YORK, ALLOWING FOR COMMON, SAFE ITEMS TO BE EXCLUDED FROM THE DANGEROUS FIREWORKS DEFINITION AS PERMITTED BY NEW YORK STATE PENAL LAW SECTION 405(b)"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on April 30, 2015, 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 RESOLVED as follows:

Section 1. This Local Law (Introductory No. 6 – 2015), County of Lewis, being “A LOCAL LAW OF THE COUNTY OF LEWIS, NEW YORK, ALLOWING FOR COMMON, SAFE ITEMS TO BE EXCLUDED FROM THE DANGEROUS FIREWORKS DEFINITION AS PERMITTED BY NEW YORK STATE PENAL LAW SECTION 405(b)” be and the same hereby is designated as Local Law No. 5 –2015, County of Lewis.

Section 2. That Local Law No. 5 – 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 Pepper, seconded by Legislator Dolhof, and adopted pursuant to the following roll call vote:

YEAS: Brennan, Chartrand, Dolhof, Hathway, King, Pepper, and Tabolt

NAYS: None

ABSENT: Kulzer, Moroughan, and Moser

**RESOLUTION NO. 144 - 2015
RESOLUTION TO SET PUBLIC HEARING ON THE NORTH COUNTY DIRECT
HOMEOWNERSHIP ASSISTANCE PROJECT (NC DHAP) UNDER THE
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) TO BE ADMINISTERED
BY ST. LAWRENCE COUNTY**

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

WHEREAS, the NYS Office of Community Renewal (OCR) awarded St. Lawrence County as the lead agency, (on behalf of the North Country Regional Economic Development Council) \$850,000 in a Community Development Block Grant (CDBG) under the North Country Direct Homeownership Assistance Project (NC DHAP); and

WHEREAS, the grant issued by NYS OCR provided for an agreement between St. Lawrence County and Lewis County's sub-recipient, Snow Belt Housing Inc., to provide Direct Homeownership Assistance to Lewis County residents who qualify; and

WHEREAS, the NYS OCR requires a public hearing be held when 80% of CDGB funds have been expended, and requires a public hearing be held in each County where NC DHAP funds were expended; and

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WHEREAS, the Board of Legislators of Lewis County seek to hold a public hearing to provide residents with the opportunity to hear about and comment on the activities undertaken with CDGB funds as part of NC DHAP, particularly in Lewis County.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators of Lewis County hereby set a public hearing to be held on June 2, 2015 at 5:00 p.m. at the Lewis County Courthouse, Board of Legislators Chambers, 7660 N. State Street, Lowville, NY 13367 to provide residents an opportunity to hear about and comment on the activities under this CDGB Direct Homeownership Assistance Program grant and funds.

Section 2. That the Board of Legislators of Lewis County directs the Clerk of the Board to provide timely legal notice of the date, time, place and general description of the purpose of the public hearing, together with any other appropriate information for notice compliance.

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

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

**RESOLUTION NO. 145 - 2015
RESOLUTION AFFIRMING APPOINTMENT OF
PHILIP E. MCDOWELL, LCSW-R,
AS INTERIM CONTRACT DIRECTOR OF COMMUNITY SERVICES**

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

WHEREAS, the Community Services Board (CSB) is a Local Governmental Unit (LGU) established by the Lewis County Board of Legislators pursuant to the authority granted in the Mental Hygiene Law § 41.05; and

WHEREAS, the Director of Community Services is appointed by the Community Services Board, pursuant to Mental Hygiene Law § 41.09(a); and

WHEREAS, the CSB has accepted the resignation of Sarah J. Bullock, Acting Director of Community Services effective May 20, 2015; and

WHEREAS, the CSB has appointed Philip E. McDowell, LCSW-R as an Interim Contract Director of Community Services effective May 21, 2015; and

WHEREAS, the CSB has set compensation to be paid to Philip E. McDowell for his professional services as an Interim Contract Director of Community Services composed of a monthly retainer of \$1,000.00 to include regular activities as Director not requiring physical presence in the office, such as reading/reviewing documents, telephone communications, e-mail

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communications, scheduling, etc.; and \$65.00 per hour for actual required physical presence activities such as meetings with CSB, Board of Legislators, providers, and others; plus reimbursement for travel expenses, with mileage reimbursed at the County rate; and

WHEREAS, the Interim Contract Director of Community Services shall coordinate, direct and administer the LGU's comprehensive community plans for services and process for the purpose of promoting and improving preventive, rehabilitation and treatment services for persons with mental illness, developmental disabilities, and those suffering from diseases of alcoholism and substance abuse; and specifically to coordinate and address pick up orders, assisted outpatient treatment matters, safe act reporting, scheduling of competency examinations ordered by the court under CPL § 730, and regular communications with the State Office of Mental Health, Office of Alcoholism and Substance Abuse Services, Office of People with Developmental Disabilities, and Interoffice Coordinating Council; and

WHEREAS, the Lewis County Board of Legislators wishes to affirm the appointment of and implement the compensation terms for Philip E. McDowell approved by the CSB, as Interim Contract Director of Community Services.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby affirms and approves the appointment of Philip E. McDowell, LCSW-R, as Interim Contract Director of the Community Services effective May 21, 2015.

Section 2. That the Board of Legislators hereby affirms and authorizes the compensation rate and terms for the professional services of Philip E. McDowell established by the CSB, including a monthly retainer of \$1,000.00, plus \$65.00 per hour for required physical attendance at activities and meetings, plus reimbursement for travel expenses; all to be set forth in a more formal contract for Professional Services, for a term to continue until a thirty (30) day written notice to terminate is provided by either the CSB or Philip E. McDowell.

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. 146 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY AND
DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY
TO PROVIDE PROJECT MANAGEMENT AND TECHNICAL SERVICES
FOR A NYS DOS BROWNFIELD OPPORTUNITIES AREA
IMPLEMENTATION STRATEGY GRANT (VILLAGE OF LYONS FALLS)**

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

WHEREAS, Development Authority of the North Country (“DANC”) is a public benefit corporation organized and existing under the laws of the State of New York, having an office and principal place of business located at 317 Washington Street, Watertown, New York 13601; and

WHEREAS, the County of Lewis (“County”) is requesting technical services from DANC to provide project management services for a New York State Department of State Brownfield Opportunities Area Implementation Strategy grant for the Village of Lyons Falls (“Village”) where the County is the lead agency and Grant recipient for the Project; and

WHEREAS, DANC has experience working in the Village as it has an existing technical services agreement with the Village to provide engineering and redevelopment planning services for the Lyons Falls Mill site project, and has assisted the Village in other municipal projects; and

WHEREAS, the County seeks to enter into an agreement with DANC for services in assisting the County in providing project management services under the Brownfield Opportunities Area Implementation Strategy Grant, including but not limited to:

1. Coordinating and overseeing the BOA advisory committee; Overseeing the project scope of work and budget working with NYS Department of State and NYS Department of Environmental Conservation to ensure project objectives are met; Drafting and soliciting Requests for Proposals, as necessary, to complete the scope of work; Overseeing work of contractors to ensure scope of work and budget including coordination with Lewis County for payments to contractors; Overseeing MWBE requirements are met and reporting completed; Compiling and completing all payment requests; and Completing NYS Department of State semi-annual reports.
2. To provide written monthly reports to the Chief Elected Official of the County, or his or her designee, and take direction only from County designated representatives; and

WHEREAS, the proposed agreement is authorized under Section 2704(17) of the Public Authorities Law; and

WHEREAS, the County agrees to advance compensation to DANC for such services at the labor hour burdened rate for specific job classification and for direct expenses set forth on the table referenced below, at a “not to exceed” amount of \$60,000.00. DANC shall bill monthly upon properly itemized and supported invoices; and

WHEREAS, the County agrees to enter into this agreement with DANC and advance the compensation, with the County to be reimbursed for such compensation paid to DANC from the Grant proceeds, as a reimbursable cost therein defined; 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 an agreement between the County and DANC to provide project management services for a New York State Department of State Brownfield Opportunities Area Implementation Strategy Grant for the Village of Lyons Falls.

Section 2. That the term of this Agreement shall be three (3) years beginning on June 1, 2015 and ending May 31, 2018, at a cost not to exceed \$60,000.00, based upon such services provided at the labor hour burdened rate for specific job classification performance and for direct expenses as set forth in the table of rates below:

Employee Wage Rate	Standard	Overtime
Director of Engineering/Prof. Engineer	\$100	NA
Director of Regional Development	\$86	NA
Senior Project Development Specialist	\$82	NA
Project Development Specialist	\$57	NA
Controls Engineer	\$69	NA
Facilities Coordinator	\$70	\$92
Environmental Coordinator	\$70	\$92
Project Engineer	\$65	NA
GIS Analyst	\$58	NA
Engineering Assistant	\$55	\$70
GIS Tech	\$41	NA
Administration	\$65	NA

Section 3. That the Board of Legislators hereby authorizes said agreement and the advance of said compensation to DANC, with the County to receive reimbursement for monies advanced and paid to DANC from the Grant proceeds, as a reimbursable cost.

Section 4. 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 5. That the within resolution shall take effect immediately.

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

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**RESOLUTION NO. 147 - 2015
RESOLUTION AUTHORIZING AMENDMENT TO THE FIBER OPTIC
NETWORK SERVICE AGREEMENT BETWEEN DEVELOPMENT
AUTHORITY OF THE NORTH COUNTRY (DANC)
AND LEWIS COUNTY**

Introduced by Legislator Greg Kulzer, Chairman of the Information Technology Committee.

WHEREAS, the County of Lewis wishes to amend the Service Agreement entered into with the Development Authority of the North Country (DANC) dated August 5, 2014, to construct a fiber optic data network and improve connectivity between County buildings, by extension of the term of the Agreement from twenty-four (24) months to sixty (60) months, and to provide for a 10 MB installation and connection from the Courthouse to the Public Safety Building for the e911 VOIP phone system.

WHEREAS, the Board of Legislatures wishes to accept the amendments to the service agreement.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislatures authorizes amendments to the Service Agreement entered into with the Development Authority of the North Country (DANC) dated August 5, 2014, to include an extension of the term of the Agreement from twenty-four (24) months to sixty (60) months, and to add an additional 10MB connection for the e911 VOIP phone system, to be installed from the County Courthouse to the Public Safety Building at 5252 Outer Stowe Street, at a monthly cost of \$20.00 upon connection.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Amendment to the 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.

**RESOLUTION NO. 148 – 2015
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 Accounts to appropriate receipt of additional Extreme Winter CHIPS funding:

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<u>Increase Revenue:</u>	
D35011 (CHIPS capital)	\$185,498.69
<u>Increase Expense:</u>	
D5150.499 (Paving Materials)	\$170,000.00
D5150.488 (Paving Equip)	\$ 15,498.69

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

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

**RESOLUTION NO. 149 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY HIGHWAY DEPARTMENT
AND C&S COMPANIES FOR THE BRIDGE REPLACEMENT AND REPAIR
ON JERDEN FALLS ROAD OVER WEST BRANCH OSWEGATCHIE RIVER
(PIN 775338; BIN 3340000)**

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 7753.38; 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, (Federal Aid and/or Marchiselli Aid); and

WHEREAS, on November 4, 2014, the Lewis County Board of Legislators approved and authorized the project and appropriated \$1,877,000.00 in the Capital Bridge Program accounts to facilitate by advancing federal and non-federal share of the cost of the PE/Design Phase and ROW Incidentals and Construction Phases of the Project; and

WHEREAS, in connection with this Project, the County of Lewis, by and through the Lewis County Highway Department, desires to enter into an Agreement with C&S Companies (hereinafter "C&S") with offices located at 499 Col. Eileen Collins Boulevard, Syracuse, New York 13212, to provide engineering, architecture, planning, environmental and construction services in PE/Design, ROW Incidentals, ROW Acquisition and Construction Support phases of the Project; 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

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provide engineering services for the bridge replacement project identified as Jerden Falls Road Bridge over West Branch Oswegatchie River in the Town of Croghan, Lewis County, New York (PIN 775338) (BIN 3340000).

Section 2. That the term of this Agreement shall be from February 1, 2015 through December 31, 2017, or completion of the bridge, for an amount not to exceed \$225,000.00.

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 Hathway, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 150 – 2015
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 Accounts for the annual lease payments for the John Deere Loader and Silverado Pickup Truck, funds will be transferred from Capital Equipment account; balance \$343,685.09:

<u>Increase Revenue:</u>	
DM50310	\$56,431.60
<u>Increase Expense:</u>	
DM5130.2233	\$56,431.60

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

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

**RESOLUTION NO. 151 – 2015
RESOLUTION TO TRANSFER FUNDS
SPECIAL CONTINGENCY TO LEGISLATIVE BOARD**

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

BE IT RESOLVED, as follows:

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Section 1. That the following budget transfer is hereby approved from Special Contingency to the Legislative Board account for payment to Patrick Brennan Consultants:

<u>From:</u>	<u>Amount</u>
A1010.4199 (Sp Contingency)	\$32,000.00
<u>To:</u>	
A1010.4901 (Prof Serv)	\$32,000.00

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

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

**RESOLUTION NO. 152 – 2015
RESOLUTION TO TRANSFER FUNDS
LEGISLATIVE BOARD SPECIAL CONTINGENCY**

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 accounts for payment of the Larsen Engineers Solar Study:

<u>From:</u>	<u>Amount</u>
A1010.4199 (Sp Contingency)	\$2,500.00
<u>To:</u>	
A1010.4901 (Prof Serv)	\$2,500.00

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

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

**RESOLUTION NO. 153 – 2015
RESOLUTION TO TRANSFER FUNDS
SPECIAL CONTINGENCY TO LEGISLATIVE BOARD**

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

BE IT RESOLVED, as follows:

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Section 1. That the following budget transfer from Special Contingency is hereby approved to the Legislative Board account for payment to Wladis Law Firm:

<u>From:</u>	Amount
A1010.4199 (Sp Contingency)	\$47,500.00
<u>To:</u>	
A1010.4901 (Prof Serv)	\$47,500.00

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

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

**RESOLUTION NO. 154 - 2015
RESOLUTION AUTHORIZING THE VIDEO AND AUDIO RECORDING OF THE
LEWIS COUNTY BOARD OF LEGISLATORS PUBLIC MONTHLY MEETINGS AND
AUTHORIZING FUNDS TO PURCHASE THE VIDEO AND AUDIO EQUIPMENT
AND SOFTWARE NECESSARY FOR RECORDING**

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

WHEREAS, the Lewis County Board of Legislators recognizes the importance of transparency of government, an informed Lewis County population, and the geographical challenges posed to many residents of the County in attending County public meetings of both the Lewis County Board of Legislators and Lewis County General Hospital Board of Managers; and

WHEREAS, the Lewis County Board of Legislators are mindful of the Public Officers Law § 100 (commonly referred to as the "Open Meetings Law"), which begins by setting forth the legislative intent and declares:

"It is essential to the maintenance of a democratic society that the public business be performed in an open and public manner and that the citizens of this State be fully aware of and able to observe the performance of public officials and attend and listen to the deliberations and decisions that go into the making of public policy."; and

WHEREAS, the Lewis County Board of Legislators seeks to purchase the equipment necessary to record its public meetings for video and audio posting on the County website, and declares that said meetings will be video and audio taped, available to the citizens of Lewis County and the public at large by posting on the Lewis County website 24-36 hours after its monthly meeting; and

WHEREAS, the Lewis County Board of Legislators acknowledges that the cost of purchasing the hardware and software equipment required for this set up in the Lewis County Boardroom Chambers is approximately \$7,342.00; and

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WHEREAS, the Lewis County Board of Legislators encourages the County Hospital's Board of Managers to initiate these same recording procedures for its public meetings, and to post same on the Lewis County website; and the Lewis County Board of Legislators pledges its assistance to the LCGH Board of Managers to accomplish this goal.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the video and audio recording of its public monthly Board of Legislators' meetings, with the recording to be set up and monitored by the County Technology Director (or as he may further direct), and to post the recording on the Lewis County website 24-36 hours after said meeting, with a link of the posted recording to other websites.

Section 2. That the Board of Legislators hereby authorizes and approves the purchase of all hardware and software required to properly equip the Lewis County Chambers for video and audio recording capacity, intended for posting and streaming on the Lewis County website or other linked websites, at a cost not to exceed \$7,500.00, and payable from the County Capital Data Processing Account.

Section 3. That the Board of Legislators hereby pledges its support and assistance to the LCGH Board of Managers to equip and install the hardware and software required to record their public meetings, and to post same on the Lewis County website.

Section 4. That the County Manager is hereby authorized to execute, seal and deliver any purchase orders for said equipment, subject to review by the County Attorney for any required licensing agreements.

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

Moved by Legislator Hathway, seconded by Legislator Pepper.

Legislator Chartrand wanted clarification whether the County would allocate monies if the Board of Managers was interested to record their meetings. Legislator Hathway relayed the intent to consider appropriations.

On behalf of the absent Legislators, Legislator Brennan made a motion to table the resolution to assure their input and vote, seconded by Legislator Dolhof.

While supporting the effort to avail the meetings to residents unable to attend, Legislator Dolhof cited his reservations for cost effectiveness.

After assurance that all Legislators had prior notice of the initiative, Legislators Brennan and Dolhof withdrew their motions to table.

The resolution was adopted.

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**RESOLUTION NO. 155 – 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO OFFICE FOR THE AGING**

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

WHEREAS, Office For the Aging Director Brenda Bourgeois requests authorization to allow Sue Kiernan to provide up to 70 hours of training to her replacement employee; and

WHEREAS, the Committee recommends to authorize the work.

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 Office For Aging Department, to allow Sue Kiernan to work up to 70 hours post-retirement in the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Sr. Keyboard Specialist	Temporary (Up to 70 hrs.)	Grade (\$15.21/hr)

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

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

**RESOLUTION NO. 156 - 2015
RESOLUTION TO AMEND
LEWIS COUNTY PERSONNEL HANDBOOK**

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, Lewis County has developed a Lewis County Personnel Handbook for all Lewis County employees, that contains a summary of employment policies for Lewis County; and

WHEREAS, the Board of Legislators recognizes that electronic devices, and other forms of electronic communications and social media are important business tools and in some instances, the property of Lewis County provided to employees to facilitate County business; and

WHEREAS, the Board of Legislators finds that it is appropriate to include in the Personnel Handbook an Electronic Communications & Device Use Policy to help ensure that these tools and media outlets are used appropriately as employees, and in compliance with all state, federal and local laws and regulations.

NOW, THEREFORE, BE IT RESOLVED as follows:

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Section 1. That the Lewis County Board of Legislators hereby amends the Personnel Handbook to include and add the section entitled “County of Lewis Employee Electronic Communications & Device Use Policy” (attached).

Section 2. That the Lewis County Board of Legislators authorizes the County Manager to make, execute and deliver such notices, documents, forms, and writings pertaining to the Amended Personnel Handbook and this new Electronic Policy, and to take such other actions as she deems necessary to provide notice of and to implement this Policy.

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

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

County of Lewis
Employee
Electronic Communications & Device Use Policy



Electronic communications systems, including but not limited to telephones, facsimiles, copy machines, computers, computer data and program files, e-mail, internet access, cell phone, ip phone usage and other electronic media and equipment are business tools and property of Lewis County that are provided

by Lewis County to employees to facilitate timely and efficient **County business purposes only**. To help ensure that these tools are used appropriately, Lewis County has developed the following policy. This policy addresses access, use and disclosure of electronic mail, internet messages, phone, text messages, social media and material created (including but not limited to software), sent or received by Lewis County employees using the county’s systems. Lewis County intends to honor the policies set forth below, but reserves the right to change them at any time, without notice, as may be appropriate under the circumstances determined by Lewis County.

1. **Purpose.** Lewis County maintains electronic mail, internet access, local network storage, cell phones, ip phones and other information systems, inclusive of software programs for same. These systems are provided by the County to assist in the conduct of business by and for Lewis County.

2. **Relation to Other Policies.** Employees are to use Lewis County’s electronic mail, internet systems, phones and other network resources in a manner that is consistent with other county policies.

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3. **Acceptable Use.** The use of the electronic mail, internet, local area network systems and phones is reserved primarily for the conduct of business at the county. Limited legal and proper personal use of the electronic mail, internet local area network systems and phones during lunch and other breaks is permitted, but should not be excessive or interfere with normal operations of the county. Lewis County reserves the right to restrict and/or terminate access to non-essential services and web sites, installation of privately owned or non-standardized software, access to social media, personal email sites, sites containing inappropriate material, or sites active with spam or virus or as determined by the County's Information Technology Department, Legal Department and the County Manager without prior notice to employees.

4. **County Property.** The electronic mail, internet, local area network, computers, phone systems, software and hardware are County property. Additionally, all documents, voicemail, messages, text messages and attachments composed, sent, received or stored on e-mail sites, internet, local area network storage systems and phone systems are and remain the property of Lewis County. There is no expectation of privacy with respect to any communication on any County electronic communication equipment and system, and no expectation of privacy with respect to any County business undertaken on a personal electronic communication device and system.

If an employee uses personal electronic devices for email, texting and other social media for County related business, the employee may be subject to the County's right of access to review, audit, intercept, and /or disclose such information pertaining to County related business. In addition, the employee's personal electronic devices may be subject to subpoena in a County related matter. An employee using a personal electronic device for County business may not delete any County information, including but not limited to emails, text messages, and attachments, as such work-related information must be preserved for potential litigation. The County retains the right of access and preserves work related information on the employee's personal devices.

5. **Password Accountability.** Employees should not share passwords under any circumstances. Also, employees must not use a password to access a file, or retrieve any stored communication other than where authorized. All passwords are the property of Lewis County. Any compromised password should be reported to the Director of Information Technology immediately. Employee passwords are confidential and employees are accountable for all usage under their password of

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any Lewis County computer systems. When assigned, employees should change their default password as soon as possible. It is recommended that employees change their passwords to each of the systems they access every sixty (60) days.

6. **Non-Removal.** Employees may not remove from the premises any hardware, software, sensitive files or data without prior authorization by the Director of Information Technology under the direction of the County Manager. Software licensing agreements can only be used for Lewis County purposes unless otherwise specifically authorized in writing by the Director of Information Technology and shall comply with the terms of the relevant third party licensing agreement.

7. **Downloading.** When downloading documents or applications from the internet, Lewis County requires that such documents must be related to Lewis County business and constitute a reasonable use of the County resources. Programs, games, applications or other software may not be downloaded without prior management authorization from the Information Technology Department. Applications such as peer to peer file swapping/sharing tools and unauthorized browser enhancements and plug-ins are prohibited. Use of such applications is a violation of this policy and in some cases against the law.

8. **Offensive or Harassing Use Prohibited.** The electronic mail, internet, local area network and phone systems are not to be used to create or distribute any offensive, harassing or disruptive messages. Among those that are considered offensive are messages or material that contains sexual implications, racial or ethnic slurs, or other comments that offensively address someone's age, color, sex, sexual orientation, religion, national origin, ancestry or disability. In addition, the system must not be used to communicate other improper messages, for example, messages or material that is defamatory, derogatory, obscene or otherwise inappropriate. The electronic mail, internet, local area network systems and phones must not be used to commit any crime, including but not limited to sending obscene emails over the Internet with the intent to annoy, abuse, threaten, or harass another person.

9. **Compliance With the Law.** The Lewis County system shall not be used to commit any crime and shall comply with all state, federal and local laws and regulations.

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10. **No Sexually Explicit Sites.** Lewis County's internet system must not be used to visit sexually explicit or otherwise offensive or inappropriate web sites, or to send, display, download or print offensive material, pornographic or sexually explicit pictures or any other materials which would be found offensive by most reasonable people. Exceptions for researching legal cases by the District Attorney, County Attorney, and Probation departments are understood to be part of conducting County business. Content filters which are designed to disrupt access to these materials must not be bypassed or altered without prior approval of the Information Technology Department.

11. **Solicitation Prohibited and/or Restricted.** The electronic mail, internet, local area network and phone systems may not be used to solicit or advocate for outside or personal commercial ventures, religious or political causes, outside organizations, or other solicitations that are not job related. Lewis County employees under the direction of the County Manager may at a time of their choosing send out information for voluntary participation in non-business related activities and other messages. Otherwise, any mass electronic message which is not related to the direct business of Lewis County should have prior approval before being sent. Usage of email system to support non-profit fundraising may be available pending approval from the County Manager.

12. **Viruses.** Employees may not use Lewis County email, internet, local area network systems or phones to develop or send any virus or otherwise destructive programs. Employees should not open emails or attachments unless they are confident of the identity of the sender and the content of any attachments. Please report any suspicious email or attachments received to the Information Technology Department.

13. **Right to Monitor.** Lewis County reserves the right to review, audit, intercept, access and/or disclose any and all traffic in the system, including messages or material, including attachments created, received or sent, web sites visited and/or files downloaded over the County's electronic mail, internet, local area network or phone systems. Authorized representatives of the County under the direction of the County Manager may monitor the use of its systems in its sole discretion, at any time, with or without notice to any employee and may bypass any password. Such monitoring is capable of tracking and recording email messages sent and received as well as web sites visited by County employees. Lewis County reserves the right to review, audit, intercept,

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access and/or disclose County related information on an employee's personal electronic device, if the employee uses his/her personal electronic devices for County related business.

14. **Confidentiality.** The confidentiality of any message or material should not be assumed. Even when a message or material is erased, it may still be possible to retrieve and read that message or material. The use of passwords for security does not guarantee confidentiality. Messages read in HTML may identify the reader to the sender. Messages or material should be treated as confidential by other employees and accessed only by the intended recipient. Employees are responsible for maintaining the confidentiality of material on the systems. Without prior authorization from the Information Technology Department under the direction of the County Manager, employees are not permitted to retrieve or read email messages that are not sent to them. The contents of electronic mail or internet messages or material may, however, be disclosed to others with prior authorization from the Information Technology Department under the direction of the County Manager.

15. **Contact Person.** Employees who need help understanding this policy or who discover a violation of this policy should notify the County Manager.

Any violations of this policy may result in disciplinary procedures as set forth in labor agreements or under Section 75 of the Civil Service Law.

**RESOLUTION NO. 157 – 2015
RESOLUTION TO APPROPRIATE FUNDS
PROBATION 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 in the Probation Department account for the purchase of pepper spray, utilizing District Attorney Trust account funds, T87.05(NY Shared Assets-DA)

<u>Revenue</u>	Amount
A15801 (Probation Fees)	\$300.00

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Expense:

A3140.4407 (Supplies) \$300.00

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

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

**RESOLUTION NO. 158 - 2015
RESOLUTION APPROVING AGREEMENTS BETWEEN LEWIS COUNTY PUBLIC
HEALTH AGENCY AND VARIOUS PROVIDERS FOR PRESCHOOL SPECIAL
EDUCATION PROGRAM**

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

BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contracts with 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, 2015 and ending June 30, 2018, at a cost in accordance with the rates set forth by the State Education Department.

AGENCY CONTRACTORS
Benchmark Family Services
Building Blocks SLP, OT & PT Family Services, PLLC
Central Association for the Blind and Visually Impaired
Children’s Therapy Network
Faxton-St. Lukes
Jefferson Rehabilitation Center
Lewis County General Hospital
Special Programs, Inc. (d/b/a Little Lukes)
Milestones Children’s Center
Madison-Oneida BOCES
The Rowland Center
St. Lawrence-Lewis BOCES
Upstate Cerebral Palsy
INDEPENDENT CONTRACTORS
Susan Gydesen, CSW

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.

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

**RESOLUTION NO. 159 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH
AND VENESKY & COMPANY**

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

WHEREAS, Lewis County Public Health wishes to enter into an agreement with Venesky & Company for professional accounting and cost reporting services, and this is for the specific purpose to assist Lewis County with the compilation and entry of the information needed to complete the Medicaid Cost Report associated with the Preschool/School Supportive Health Services Program for the service period of July 1, 2014 through June 30, 2015; 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 Venesky & Company to provide professional accounting and cost reporting services for the specific purpose to assist Lewis County with the compilation and entry of the information needed to complete the Medicaid Cost Report associated with the Preschool/School Supportive Health Services Program for the service period of July 1, 2014 through June 30, 2015.

Section 2. That the fee for these services shall be at a cost not to exceed \$4,500.00, payable upon completion of the Medicaid Cost Report and certification by Lewis County's District Level Administrator.

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.

**RESOLUTION NO. 160 - 2015
RESOLUTION IN SUPPORT OF RENEWABLE ENERGY**

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

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WHEREAS, Lewis County is the home of the Maple Ridge Wind Farm on the Tug Hill, one of the largest projects in the eastern United States, with 195 towers and 322 megawatts of energy; and

WHEREAS, Lewis County embraces renewable energy opportunities and seeks to add to our existing wind, hydroelectric, biomass and solar generating capabilities; and

WHEREAS, these renewable energy projects create employment opportunities, and new property tax payments and revenue for local property owners; and

WHEREAS, municipalities within Lewis County support renewable energy development and continue to work effectively with project owners to ensure success.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators expresses its strong support for renewable energy projects, and as a home to successful projects, encourages New York State to support renewable energy funding for projects in our County.

Section 2. That Lewis County will be actively engaged in assisting private developers to accomplish their projects and will seek State and Federal support for these purposes.

Section 3. That the Chairman of the Board of Legislators and his colleague Legislators actively seek opportunities to promote the County's leadership for wind and other renewable energy projects.

Section 4. That the within resolution shall be forwarded to Governor Andrew M. Cuomo, NYS Senator Joseph Griffo and NYS Assemblyman Kenneth Blankenbush, and John B. Rhodes, NYSERDA President and CEO.

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

**RESOLUTION NO. 161 - 2015
RESOLUTION URGING ADOPTION OF HOME RULE REQUEST
NEW YORK STATE SENATE BILL NO. S.4819
AND COMPANION NYS ASSEMBLY BILL NO. A.7080**

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

WHEREAS, by Resolution No. 84 - 2015, the Board of Legislators of Lewis County requested Home Rule Legislation that would allow the County of Lewis to continue to impose an additional one percent (1%) local sales tax for the period beginning December 1, 2015 and ending November 30, 2017; and

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WHEREAS, the County of Lewis continues to experience such budgetary pressures as would justify an extension of the time in which it may impose such additional sales tax, and such additional sales tax revenue will enable the Board of Legislators to mitigate the need for increased property taxes; and

WHEREAS, said legislation has been introduced in both houses of the State Legislature as Senate Bill No. S.4819 and Assembly Bill No. A.7080; and

WHEREAS, Article 9, § 2(B) (2) of the New York State Constitution and Section 40 of the Municipal Home Rule Law require a home rule request be made to the State Legislature before the bills may become law.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby makes this Home Rule request to the State Legislature to enact New York State Senate Bill No. S.4819 and the companion bill in the NYS Assembly Bill No. A.7080.

TITLE OF BILL: An act to amend the tax law, in relation authorizing the County of Lewis to impose an additional one percent of sales and compensating use taxes.

PURPOSE: To authorize Lewis County to impose an additional one percent of sales and compensating use taxes.

SUMMARY OF PROVISIONS: Authorizes Lewis County to impose an additional one percent sales and compensating use tax until November 30, 2017. Effective date is December 1, 2015.

Section 2. The Clerk of the Board is hereby directed to forward certified copies of this Resolution to State Senator Joseph Griffo and Assemblyman Kenneth Blankenbush.

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

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

**RESOLUTION NO. 162 – 2015
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 of donations received from The NRA Foundation, Inc. is hereby approved in the Sheriff's Department account for the purchase of law enforcement items:

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<u>Increase Revenue</u>	<u>Amount</u>
A27061 (Contributions – Sheriff)	\$2,100.00
<u>Increase Expense</u>	
A3110.4800 (Law Enforcement Items)	\$2,100.00

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

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

**RESOLUTION NO. 163 – 2015
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 \$10,000.00 to be utilized to purchase laptops and vehicle storage units.

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 \$10,000.00 (Project # LE13-1024-D02) for the purchase of two laptops and five storage units for law enforcement patrol vehicles.

Section 2. That said grant is for the period from 09/01/2013 to 08/31/2015.

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 Dolhof, seconded by Legislator King, and adopted.

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**RESOLUTION NO. 164 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT
AND TRANSITIONAL LIVING SERVICES
OF NORTHERN NEW YORK**

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

WHEREAS, pursuant to Correction Law § 500-c, the Lewis County Sheriff (the "Sheriff") is responsible for the custody of inmates in the Lewis County Public Safety Building; and

WHEREAS, in such capacity, the Sheriff needs to obtain mental health counseling or other related mental health services for the inmates in the Sheriff's custody; and

WHEREAS, Transitional Living Services of Northern New York ("TLS") has offered to provide those services for the inmates at Lewis County Public Safety Building; and

WHEREAS, the Sheriff has considered the contract for TLS, 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 by and between the County of Lewis and Transitional Living Services of Northern New York, to provide mental health counseling or other related mental health services for the inmates in the Sheriff's custody for the term beginning January 1, 2015 and ending December 31, 2015 at a cost of \$150.00 per hour.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as may be approved by the County Attorney.

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

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

**RESOLUTION NO. 165 - 2015
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO KEVIN AND ROSEMARY THOMPSON)**

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

WHEREAS, Kevin and Rosemary Thompson were granted a Mortgage to the County of Lewis dated April 27, 1995, and recorded in the Lewis County Clerk's Office on June 2, 1995, as Liber 424 of mortgages at Page 26 to secure payment of a loan in the amount of \$11,063.40, pursuant to a program administered by Snow Belt Housing Company, Inc.; and

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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 Dolhof, and adopted.

**RESOLUTION NO. 166 – 2015
RESOLUTION TO TRANSFER FUNDS
SOCIAL SERVICES**

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

BE IT RESOLVED, as follows:

Section 1. That the following transfer of Capital Data Processing funds is hereby approved in the Social Services account to purchase a printer; Capital Data Processing balance \$101,341.63:

<u>Revenue</u>	Amount
A50310 (Inter-fund)	\$699.00

<u>Expense:</u>	
A6010.2217 (computers)	\$699.00

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

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

**RESOLUTION NO. 167 – 2015
RESOLUTION TO ADJUST PETTY CASH FUND
SOCIAL SERVICES**

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

WHEREAS, after reviewing ongoing need of the petty cash fund, the Department of Social Services has determined that an amount of \$200.00 would be adequate; and

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WHEREAS, it is recommended the Petty Cash fund for the Department of Social Services be reduced from \$400.00 to \$200.00; and that \$200.00 be returned to the General Fund.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Petty Cash fund for the Department of Social Services is hereby approved for a sum of \$200.00.

Section 2. That the sum of \$200.00 shall be returned and deposited into Account No. A210.07 Social Services Petty Cash.

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

RESOLUTION NO. 168 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND WWNV TV CHANNEL 7 NEWS FOR THE LEWIS
COUNTY PUBLIC TRANSPORTATION SYSTEM ADVERTISING CAMPAIGN

Introduced by Legislator Larry Dolhof, Chairman of Economic Development Committee.

WHEREAS, the County of Lewis, acting by and through the Lewis County Economic Development and Planning Department desires to enter into an Agreement with WWNV TV Channel 7 News for an integrated media plan across multiple platforms designed to serve and promote public transportation services throughout Lewis County; and

WHEREAS, the advertising includes at least 254 commercials on WWNV and Fox 28 television stations, website pre-rolls and banner advertisements on WWNVTV.COM, a special program allowance, and a fifty-two (52) week mobile application sponsorship opportunity with a banner URL link directly to the Lewis County Transportation website, at a total cost not to exceed \$15,080.00; and

WHEREAS, the Board of Legislators wishes to enter into the Agreement.

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 Economic Development and Planning Department, and WWNV TV Channel 7 News for an integrated media plan designed to promote and serve the Lewis County Public Transportation System.

Section 2. That the advertising plan, at a cost not to exceed \$15,080.00, shall include but not be limited to, at least 254 commercials, a special program allowance, website pre-rolls and banner advertisements on WWNVTV.COM, fifty-two (52) weeks of mobile application

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sponsorship with URL link to the Lewis County Transportation website, and costs of production for four (4) commercials.

Section 3. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute, seal and deliver such Agreement upon such terms as may be approved by the Lewis County Attorney.

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

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

**RESOLUTION NO. 169 -2015
RESOLUTION RE-APPOINTING MEMBERS AND
APPOINTING NEW MEMBERS TO
LEWIS COUNTY 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 to serve on the Lewis County Youth Bureau Advisory Board:

John Exford
Volunteer Transportation Program
4010 Edgewood Drive
Box 502
Lyons Falls, NY 13368
955-4277

Scott Mathys
Lewis County Opportunities, Inc.
8265 State Route 812
Lowville, NY 13367
376-8202 ext. 297

Rhonda Vanucchi
Community Member
5569 River Street
Lowville, NY 13367
376-3402

Mike Leviker
Community Member
Lewis County Sheriff's Office
PO Box 233
Lowville, NY 13367
376-3511

Section 2. That the following individuals are appointed as new members of the Lewis County Youth Bureau Advisory Board:

Mary Martin
Community Member
PO Box 218
Port Leyden, NY 13433
348-6490

Deanna Edick
County Government Member
8325 Bush Road
Croghan, NY 13327
346-1700

Brian Finn
Community Member
7668 N. State Street
Lowville, NY 13367
376-9117

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Section 3. That the term of said appointments shall be effective May 7, 2015 through June 30, 2017.

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

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

**RESOLUTION NO. 170 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY AND BRENNAN GROUP CONSULTING FOR
PROFESSIONAL SERVICES**

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

WHEREAS, Lewis County recognizes that the progressive development throughout the County requires viable water systems. And achieving collaborative water systems requires community dialogue, education, planning and in-depth knowledge of State funding; and

WHEREAS, Lewis County has received a proposal dated April 28, 2015 from Brennan Group Consulting for the purpose of acting as a strategic advisor and project manager working with local communities to assess local water systems and advise on opportunities to create more effective and efficient solutions; and

WHEREAS, the Board of Legislators wishes to retain their services from May 1, 2015 through December 31, 2015, with the opportunity to continue the agreement through April 30, 2016 or thereafter, if included and approved in the 2016 Lewis County Budget.

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 Brennan Group Consulting of 7705 Sally Road, Waterville, New York 13480 for engaging with local communities to act as a facilitator and expert in municipal water systems management and in drafting and securing available Federal and State grant funding for same.

Section 2. That said Agreement shall be effective May 1, 2015 through December 31, 2015 for an amount of \$32,000.00 to be paid in monthly increments of \$4,000.00, plus travel expenses as prior approved by the Lewis County Manager.

Section 3. That the Lewis County Board of Legislators hereby authorizes an extension of this Agreement through April 30, 2016 or thereafter, provided that the same has been included and approved in the 2016 Lewis County Budget.

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Section 4. That the Lewis County Board of Legislators hereby directs that the terms of this Agreement provide for a right of either party to terminate the Agreement, without penalty or further payment of monthly fees, upon thirty (30) days written notice to the other party.

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

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

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

Legislator Brennan wanted the record to show he is not related to Patrick Brennan.

**RESOLUTION NO. 171 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY AND WLADIS LAW FIRM FOR PROFESSIONAL SERVICES**

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

WHEREAS, Lewis County has received a proposal dated April 29, 2015 from the Wladis Law Firm of 6312 Fly Road, East Syracuse, New York 13057 for the purpose of authorizing executive summary, writing grant funding applications and advocating on behalf of the County at the State level for funding; and

WHEREAS, the Board of Legislators wishes to retain their services commencing May 1, 2015 through December 31, 2015, with the understanding of both parties that upon completion and approval of the County's 2016 budget, this agreement will be extended through April 30, 2016, with the further option to extend through December 31, 2016.

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 Wladis Law Firm of 6312 Fly Road, East Syracuse, New York 13057 for the purpose of authorizing executive summary, advocating on behalf of Lewis County at the State level for funding, and providing professional grant writing services.

Section 2. That said Agreement shall be effective May 1, 2015 through December 31, 2015, with compensation payable at a fee of \$7,500.00 per month for the months of May, June and July, 2015, and then at a monthly fee rate of \$5,000.00 thereafter.

Section 3. That the Lewis County Board of Legislators hereby authorizes an extension of this Agreement through April 30, 2016, (with an additional option to extend through December 31, 2016) provided that the same has been included and approved in the 2016 Lewis County Budget.

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Section 4. That the Lewis County Board of Legislators hereby directs that the terms of the Agreement provide for a right of either party to terminate the Agreement, without penalty or further payment of monthly fees, upon thirty (30) days written notice to the other party.

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

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

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

**RESOLUTION NO. 172 - 2015
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 position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Senior Social Welfare Examiner	Full-Time (Temporary for Up to 4 months)	Grade 29

Section 2. That Commissioner of Social Services Stacy Alvord is hereby authorized to fill said Temporary position effective immediately, during the leave of absence of the regular Senior Social Welfare Examiner for a period up to 4 months.

Section 3. That the position shall be filled in accordance with Civil Service regulations.

Section 4. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 173 - 2015
RESOLUTION DESIGNATING JEFFERSON-LEWIS AS LOCAL WORKFORCE
DEVELOPMENT AREA AND AUTHORIZING THE CHIEF EXECUTIVE OFFICIAL
OF EACH COUNTY TO ENTER INTO AN AGREEMENT TO ADMINISTER THE
WORKFORCE INNOVATION AND OPPORTUNITY ACT (“WIOA”)**

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

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WHEREAS, Jefferson and Lewis Counties are designated as a multi-jurisdictional workforce development area under the Workforce Innovation and Opportunity Act (WIOA), and seek to have the area be known as the “JEFFERSON - LEWIS LOCAL WORKFORCE DEVELOPMENT AREA” by designation of its respective Chief Elected Officials; and

WHEREAS, the Workforce Innovation and Opportunity Act (WIOA) provides for the Chief Elected Official of each County to be designated its respective authorized Executive to enter into an agreement to organize and implement activities pursuant to WIOA, and as proposed by the Governor of the State of New York for the purpose of administering WIOA in Jefferson and Lewis Counties; and

WHEREAS, the Board of Legislators wishes to authorize such designation and Chief Elected Officials’ Agreement pursuant to WIOA.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the designation of Michael A. Tabolt, Chairman of the Lewis County Board of Legislators, being the Lewis County Chief Executive authorized to enter into an Agreement with the designated Executive of Jefferson County for purposes of administering WIOA, and entering into agreements to organize and implement workforce development in the Jefferson-Lewis areas pursuant to WIOA.

Section 2. That the Board of Legislators hereby designates Michael A. Tabolt as the Executive authorized to designate the Jefferson-Lewis County areas to be known as the “Jefferson - Lewis Local Workforce Development Area” pursuant to WIOA.

Section 3. That Michael A. Tabolt, as the Chief Executive Official of the County of Lewis 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 Pepper, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 174 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PUBLIC HEALTH DEPARTMENT**

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

WHEREAS, the Cancer Services Program Assistant has resigned, and Public Health Director Penny Ingham recommends increasing the Public Health Case Manager position to full-time to assume the outreach duties of the resigning 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 Public Health Department, to increase the Public Health Case Manager from four (4) days per week to five (5) days per week effective immediately.

Section 2. That the within resolution shall take effect immediately

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

OTHER BUSINESS:

Clerk of the Board Teresa Clark read proclamations, whereby the Chairman had declared the Week of May 11-15, 2015 as “National Nursing Home Week” and “Police Appreciation Week”; and the Month of May as “Foster Parent Recognition Month” and “Older Americans Month”.

Mrs. Clark also announced that interested youths aged 15 or older may apply on-line for summer job opportunities at watersafari.com or with paper application to Enchanted Forest. Those interested may call the Employment and Training office at 376-5800, the Youth Bureau at 376-5411, or Sara Freda at 376-5919 or email: sfreda@lewiscountyny.org. The public transportation bus route will pick up at stops from Croghan to Boonville and Woodgate for a cost of \$1.00 each way, with discounted monthly passes available.

Legislator King queried the status of the cell phone surcharge initiative. Chairman Tabolt stated that Senator Griffo acknowledged his recent reminder of that initiative, while relating that State representatives are weary about approving taxes of any sort. Our focus, he said, is for renewal of the energy tax credit legislation.

In light of Mr. Pendergast’s resignation from the Ethics Board, Chairman Tabolt asked his colleagues to notify him of any replacement candidates.

Legislator Hathway made a motion to enter executive session at 6:31 p.m. to discuss union negotiations, seconded by Legislator Pepper and carried. The session began at 6:38 p.m. after a short recess. At 7:18 p.m. Legislator Hathway made a motion to re-enter regular session, seconded by Legislator Brennan and carried.

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

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REGULAR MEETING
June 2, 2015

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 the Pledge of Allegiance to the Flag.

There were 20 citizens present.

Chairman Tabolt announced approval of the May 5, 2015 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 2, 2015

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

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

Chairman Tabolt opened the public hearing to hear about and comment on activities undertaken with CDBG funds as part of the North Country Direct Homeownership Assistance Program.

PRIVILEGE OF THE FLOOR:

Director of Planning Frank Pace read the following prepared statement to inform the public on the accomplishments of the North Country Direct Homeownership Assistance Program over the past two years to meet the requirements for the second public hearing:

In 2013, St. Lawrence County applied for \$850,000 in funding through the Community Development Block Grant Program in order to establish the **North Country Direct Homeownership Assistance Program (NCDHAP)**. This application was made on behalf of the North Country Regional Economic Development Council.

The goal of the **NCDHAP** was to assist low- and moderate-income households across the North Country region (Clinton, Essex, Franklin, Hamilton, Jefferson, Lewis, and St. Lawrence Counties) to be able to purchase their first homes.

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NC DHAP was intended to assist LMI households to purchase existing homes by providing a buy-down on the mortgage, payment of most closing costs, and assistance to rehabilitate the housing unit to ensure that it meets code and HQS (Housing Quality Standards), as developed by the U.S. Department of Housing & Urban Development (HUD). For further information re HQS, see http://portal.hud.gov/hudportal/documents/huddoc?id=doc_9143.pdf

NC DHAP represented the first comprehensive approach to provide homebuyer assistance across the region. St. Lawrence County proposed to accomplish this by partnering with four Rural Preservation Companies that already administered first-time homebuyer programs in the North Country. One immediate benefit of this partnership was that LMI households in Hamilton County were able to access this type of assistance.

This application was successful; the County was awarded \$850,000. A Grant Agreement was signed, effective June 19, 2013. The Agreement stipulated that all funds must be expended within 24 months (by June 19, 2015). The Agreement anticipated that 28 households would be assisted; the County had estimated that 4 households in each county would receive assistance (7 counties in the North Country region). The County estimated that all Program funds (\$420,000 for mortgage buydown and closing costs; \$280,000 for rehabilitation of units) and all Program Delivery costs (\$76,000) would provide Direct Benefit to LMI households.

This ratio ($\$420,000 + \$280,000 + \$76,000 = \$776,000$; $\$776,000 / \$850,000 = 91.29\%$ Direct Benefit to LMI households) exceeds the required 70% threshold for LMI Benefit required by HUD.

The *NYS Community Development Block Grant Administration Manual* requires that:

“All Recipients of NYS CDBG funds must meet the citizen participation requirements at 24 CFR 570.486 and New York State’s Citizen Participation Plan, as amended which require Recipients to follow a citizen participation plan providing for ... one public hearing (one in each jurisdiction of a joint application) prior to the submission of an application for funding ... and one public hearing, if awarded, to be held during the administration of the grant to solicit comments on the effectiveness of the program’s administration.”

Public hearings were held in each county prior to submission of the application. Now, a second hearing is required. This second public hearing should furnish citizens with the following information:

- The amount of CDBG funds made available (\$850,000 total; this included \$74,000 for Administration; \$76,000 for Program Delivery; \$700,000 for Homeownership and Rehabilitation activities)
- Listing of activities undertaken with CDBG funds; see table immediately below:

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Accomplishments of NC DHAP

County Name	# Units Assisted	CDBG Dollars Spent (Approx.)
Clinton	2 units	\$ 67,180
Essex	4 units	\$ 98,850
Franklin	5 units	\$ 97,900
Hamilton	2 units	\$ 63,500
Jefferson	5 units	\$ 101,038
Lewis	4 units	\$ 100,000
St. Lawrence	4 units	\$ 161,509
Totals:	26 units	\$ 689,977
Projected:	28 units	\$700,000

- Amount of CDBG funds made available for activities that benefit LMI National Objective: all program funds (\$700,000) and Program Delivery funds (\$76,000) directly benefit LMI Households. This represents 91.29% Direct Benefit to LMI households.
- If CDBG activities resulted in displacement, review the displacement plan: No displacement of households occurred.
- Progress toward program goals and objectives: see table above.
- Provide for and encourage citizen participation. This is the purpose of today's hearing.
- Provide citizens with a reasonable opportunity to comment on activities that were undertaken, or to comment on any activity(ies) which were added, deleted or substantially changed from the application submitted to the State.

Comments will be accepted until June 19, 2015; they may be sent to:

Keith Zimmerman, Director of Planning
St. Lawrence County Planning Office
48 Court Street, Canton, NY 13617

315-379-2292
kzimmerman@stlawco.org

Snow Belt Housing Executive Director Cheryl Shenkle-O'Neill reported that four housing projects had been completed from 14 submitted grant applications. The average housing cost was \$87,875 with an average mortgage of \$64,000. A ratio of one out of every five or six applicants is ultimately eligible for grant funding.

The separately approved Lewis County homebuyer grant will support another five (5) housing projects, for which two applicants have already been approved. Ms. O'Neill urges interested residents to submit applications to her Lowville office or phone her at 315-376-2639.

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Legislator Hathway commended Ms. O'Neill for her efficient performance to assist the low-to-moderate income residents.

Lewis County Cornell Cooperative Extension Executive Director Michele Ledoux introduced Cathy Lehman as the newly appointed 4-H Educator.

Ms. Ledoux reported that she, Legislators Tabolt and Kulzer, Liz Swearingin and Frank Pace had each contacted Federal and State officials on behalf of the nine dairy farmers whose milk marketing contracts expired on 5/31/2015. Eight of them have found an alternate market effective 6/1/2015, while the other has sold his animals and may be selling his farm. Their milk price is subject to the "spot market" estimated at \$3 per cwt less than the average price of \$16, but will not be known until mid-July. The situation results from the flush market, largely impacted by the close of the school year, which will hopefully ease when school commences in September. The impact is further compounded by instant fertilizer and seed costs. The impacted farmers are encouraged to avail Peggy Murray's financial and budget planning counseling expertise.

Chairman Tabolt relayed speaking with NYS Agriculture and Markets Commissioner Richard A. Ball, who credited Ms. Ledoux for identifying the alternate milk markets for the displaced farmers. Mr. Ball submits that prices would be tied to milk exports, which are down.

Ms. Ledoux impressed the importance, and assured plans to pursue the couple of identified leads for development of agriculture related manufacturing facilities.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Niagara County Legislature informed their adoption of a Local Law to allow for common, safe items to be excluded from the dangerous fireworks definition; and the Yates County Legislature forwarded a resolution urging the State to fully fund Probation Departments for costs related to raising the age of criminal responsibility.

REPORTS OF COUNTY OFFICES AND DEPARTMENTS:

All Legislators have received copies of the 5/20/15 Highway Audit Report, the 5/20/15 Solid Waste Audit Report; the Treasurer's May Report; the minutes of the 4/28/15 Youth Bureau Advisory Board and the Delinquent Real Property Auction Summary Report prepared by Haroff Auction & Realty, Inc.

Frank Pace had also distributed copies of the Town of Greig Comprehensive Planning Survey conducted by the Center for Community Studies at Jefferson Community College.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Buildings and Grounds/Ways and Means Committee Chairman, reported the Buildings, County Clerk and Treasurer budgets are all on track. The NYS Commission of Corrections has approved the proposed water revisions in the public safety building so the project can move forward.

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The committee has spent considerable time discussing the DSS parking lot rehabilitation and solar energy options. The best case scenario for a solar project indicates savings of \$1.5 million or \$6.7 million over 30 years, if the Hospital facility is included. There are several variables including buy-out terms and rate escalators. The current electric agreements are being reviewed to determine their impact on a solar option. Larsen engineers are prepared to search for a developer to provide a power producing agreement (PPA) for the Board's consideration within two weeks.

Legislator Hathway made a motion to authorize Larsen Energy Group to obtain two optional agreements, one PPA inclusive of the Hospital and another without, at no further cost. The motion was seconded by Legislator Chartrand and carried.

Legislator Hathway referenced the initial County share estimate for the DSS green parking lot project of \$310,000 versus \$586,000 for traditional paving, excluding the alternates. The low site construction bid including five alternate options for porous asphalt sidewalks in lieu of concrete, porous asphalt sidewalk from DSS building to ARC, replacement of Stowe Street stairway entrance, concrete ramp at Stowe Street entrance and sanitary sewer extension was \$757,356. Venesky and Company have been retained to determine the State DSS reimbursements to be received over 8-10 years based on the percentage portion of the overall parking lot used for DSS purposes and depreciation.

Legislator Hathway made a motion to award the low bid for DSS parking lot site construction to JL Excavation of Chaumont, NY in the amount of \$728,236, excluding Alternate No. 4, equating a County share of \$378,486.95. The motion was seconded by Legislator Pepper.

In response to Legislator Brennan, Legislator Hathway affirmed the County share cost was \$207,000 less for the porous asphalt green grant project than traditional asphalt. Legislator Moser queried whether ongoing maintenance costs were considered, such as additional plowing equipment, salt and electric costs for lighting. Legislator Kulzer also posed whether ongoing pressure washing or vacuuming costs were considered. Legislator Hathway recognized the maintenance costs, reiterating that each option would be subject to non-determined DSS reimbursements. He affirmed life expectancy of 20-25 years for either asphalt option. Legislator King favored the leachable porous asphalt as opposed to the traditional, which would require a catch basin. Legislator Hathway informed the need to transfer \$120,000.00 to cover the County project cost that would leave a contingency fund balance of \$290,000. The motion then carried unanimously.

Legislator Hathway made a motion to award the low electrical bid to Northern Pioneer Construction in the amount of \$52,840.00 for the DSS parking lot, seconded by Legislator Pepper and carried.

Legislator Neil Pepper, Social Services/Office For Aging/Youth Committee Chairman, reported that Nancy Wolfe has been assigned OFA Administrative Assistant effective 6/1/15; and urged approval to create a reclassified part-time account clerk title.

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In recognition of Father's Day, OFA is offering \$3.50 meal certificates at one of the senior meal sites.

Legislator Pepper urged support of proposed resolutions, including the Homeless Apartment Initiative. Lewis County Opportunities, Inc. has a lease agreement for a Lowville 2-bedroom apartment for persons in need for up to 30 days. About 45 persons are assisted annually at a cost of \$17,000. This replaces the current arrangement with hotels/motels, which if unavailable locally, caseworkers must transport persons to a Carthage or Watertown site.

A group of 30 faith-based, private and public representatives are working for resurgence of the Habitat For Humanity program. A primary goal is to distinguish need for new construction or rehabilitation of existing homes. The group will make a presentation to the Board later this year.

Legislator Pepper cited need for adequate staff to handle the 2,704 Lewis County Medicaid cases that the State will not take over until 2017, 331 of which enrolled through New York State of Health and 59 enrolled for Child Health Plus. There are 1,761 households receiving food stamp assistance, equating 1 of every 6 households in the county.

Legislator Pepper made a motion to authorize DSS Commissioner Stacy Alvord to refill a full-time social welfare examiner due to retirement of Lorna Weber after 36 years of commendable service. The motion was seconded by Legislator Brennan and carried.

Legislator Pepper stated that he and Legislator Moroughan had visited with a young foster family and were impressed with the love and caring environment. They relayed gratitude for foster parents who willingly accept and care for children in need.

Legislator Bryan Moser, Veterans/Junkyard/Human Resource Committee Chairman, reported receipt of Derek Davey's monthly update; and announced the Junkyard Review Board will meet on 6/11/15.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, made a motion to authorize Sheriff Carpinelli to refill a part-time correction officer effective immediately, due to a resignation. The motion was seconded by Legislator Moroughan and carried. A late resolution was also enacted to authorize refilling a full-time deputy sheriff.

Legislator King reported the radio CAD system went live last month, the 911 phones are being delivered for installation, the Montague tower is up and the Osceola tower should be done today. The concrete pads for the shelters should be up by the end of June. Wells Communications and Aviat companies will be installing radio equipment and microwave software. The project is slightly behind schedule, but should be ready to go live in August.

Legislator King reported that while awaiting approval of their Assistance to Firefighters Grant application, the local Fire Departments need the radio equipment installed to enable communications for emergency response.

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In response to Legislator Hathway, Liz Swearingin stated that Sheriff Carpinelli has a continued problem retaining temporary parks and recreation patrols, whom are occasionally summoned to their regular employment during the time patrols are scheduled. He has been authorized to assign deputies to ensure adequate enforcement, not to exceed five (5) temporary parks and recreation patrols at any given time.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry & Parks Committee Chairman, reported ongoing discussion with two local businesses for potential renewal of rail activity in Lyons Falls. An informational flyer about the former HDK business in Harrisville has been distributed to prospective buyers. Research continues to determine the best energy options for the County, including the legality of forming a municipal power corporation.

Legislator Dolhof reported the National Grid grant funds of \$6,000 will finance the Paige Group communications project; and \$212,000 grant funds that will further development of the former Lyons Falls mill site.

Director of Planning Frank Pace assisted the Town of Greig with their community study. The JCC survey indicates majority support of recreational snowmobiling and ATV's.

Legislator Dolhof informed that Matt Schindler and two BOCES students are being subsidized through the Pratt Northam Foundation to work with the Parks and Recreation Director for trail maintenance and inventory of the county forests and invasive species.

Director Jackie Mahoney is collecting and reviewing the Phase 3 documentation from snowmobile clubs for the audit of State trail grant funds.

Grant sponsored ATV safety courses will be held locally on 6/13, 7/18 and 8/15/15. The Highmarket Wheeler's ATV Club is sponsoring three one-day events that require opening a portion of the Gomer Hill Road in Turin on 7/18, 8/8 and 9/5/15.

Legislator Dolhof also reported the Mill Creek mitigation project is progressing; and Ms. Mahoney continues to work with the NYS Office of Parks and Recreation to obtain an easement for the Millers' historic property in Watson.

Legislator Moser referenced the UTV Bill discussed during his Albany meetings with State representatives that have been separately sponsored by State Senator Patty Ritchie and Assemblywoman Addie Russell. The Executive Chamber, however relayed that environmentalists and the NYSDEC await desired discussion to relate their objection to ATV use on State lands. Chairman Tabolt added that the Inter-County Legislative Committee of the Adirondacks remains open for discussion, but do not support the initiative.

Chairman Tabolt reported that he and Jackie Mahoney had each received a personally penned thank you note from Adirondack Council Executive Director William Janeway for the tour of the SNIRT Run route, expressing appreciation for the chance to view the trails.

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Legislator Brennan also reported attending an economic development symposium in Cooperstown where they defined infrastructure and a trained workforce as the primary needs for businesses searching for potential locations. They recommend to research and learn about existing and prospective businesses to determine targets, and most importantly urged participation with the United Nations for a connection to the world economy.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, reported that Director Pete Wood had sent a tractor trailer load of recyclables to Oneida County as a test for efficiencies and savings. Oneida stockpiles recyclables and sells them when the market price is favorable. While savings are unknown at this time, Mr. Wood predicts this process will be cost effective.

Accordingly, Legislator Brennan made a motion to authorize Mr. Wood to purchase a Stadium International tractor trailer, Model 5900 iSDA at the State bid price not to exceed \$130,000.00. The motion was seconded by Legislator Moser and carried.

The transfer station will be open on July 3rd, but closed on July 4th.

Legislator Brennan reported the Whitesboro Bridge on NY Route 94 has been red-flagged. County personnel can do the repairs after approval of a State required engineering plan, which Highway Superintendent David Becker has retained for \$1,200.00. The VanAmber Road and Jerden Falls Road bridge projects are underway.

Mr. Becker requests to sell surplus equipment via an on-line auction. All area municipal superintendents have been informed and are eligible to bid.

Legislator Gregory Kulzer, Taxation/Information Technology/Elections Committee Chairman, reported that Real Property Tax Director Linda Hoskins and her staff are mapping E-911 addresses. The Spillman software does not accept abbreviations, requiring many entry corrections. Newly hired Tax Map Technician Alayna Arthur is performing well. Adam Zehr is assisting with the GIS software that will have pinpoint accuracy to enhance directions by dispatchers to emergency personnel.

Legislator Kulzer relayed that Mr. Zehr has been conferring with Jefferson County personnel with similar challenges with the Spillman software. He expanded colleague networking at a NYS I.T. Directors' conference in Saratoga. 326 phone numbers have been ported to new Frontier circuits and the 365 Office software has been installed to allow selected data sharing, email archiving and document posting. In response to the Governor's initiative to make broadband available to every home, Mr. Zehr will attend a conference at the Akwesasne Mohawk Casino on 6/8 to learn about a potential pilot partnership and vendor opportunities to accomplish service delivery.

Legislator Kulzer reported that at the request of the County Manager the Election Commissioners had conducted a comparison analysis of similar counties. The report indicates our budget is higher, largely due to the office space lease agreement and a greater number of election districts. Next year the County is required to assume the elections for the Villages of Castorland,

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Copenhagen, Croghan and Turin because they do not have the State required voting machines. The County had conducted the Village of Lowville election at their request, even though the Village owns new electronic voting machines. The Village willingly agreed to reimburse the County cost.

Legislator Kulzer also stated if the Villages changed their elections to the 2016 regular primary and general election dates, a savings of \$12,000.00 could be realized. There is a proposed resolution to urge State officials to set two unified dates for 2016 Federal, State and local primary elections, as opposed to the four scheduled dates. The required primary elections invoke substantial County cost, to be further compounded by additional Village election dates. Liz Swearingin stated that Election Commissioners Ann Nortz and Lindsay Burriss plan to present their analysis to the Board prior to the 7/7/15 meeting.

Legislator Richard Chartrand, Hospital Committee Chairman, reported the \$12,000 contribution by the Auxiliary was used to purchase a new cash register and a piece of equipment for the Radiology Department.

Rob Uttendorfsky had updated the Board of Managers on the implemented Meditech system for which his staff is trained and prepared to support. They are also preparing for the 68,000 national ICD-10 medical codes effective 10/1/2015, which have been expanded from the current 14,000 codes.

Fort Drum Drs. Carr and Carey are performing surgeries at our Hospital on their soldier patients, and one of their urologists is interested to provide services at our facility. Also, the Central NY cardiologist will expand local services to two days per week in June. Dr. Luenberger will commence practice at the South Lewis Health Center in August; Dr. Lindsey Huber, OBGYN, has commenced her practice and is reportedly well liked; and Dr. Fraser, OBGYN has returned to full-time practice.

The Certified Home Health Assistance (CHHA) program continues to exceed budgeted utilization.

There was a gain of \$162,206 in April; a year-to-date surplus of \$407,155, which is \$154,557 below the budgeted year-to-date surplus; operating revenue exceeded the monthly budget by \$1,563,521, but is below the year-to-date projection by \$347,488. April and May Vital Access Provider Assurance Program receipts were \$1,172,119. April admissions were 108 being 27 below the target. Outpatient visits of 6,216 is 280 below budget; and the clinic visits of 4,131 are 437 lower than budget. The year-to-date gross patient revenue is \$3,489,900 below the budget figure. However, the Hospital continues timely monthly County debt payments.

Legislator Chartrand also reported the 88.7% occupancy of the skilled nursing home is well below budgeted levels, but the April emergency room visits of 959 exceed projections by 42. There were five (5) persons who left the emergency room without being seen, down from 29 the prior month. The average hospital payment is received within 87 days, the shortest in 29 months.

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Legislator Chartrand announced certified nursing assistant Parrish Baillargeon as the April employee-of-the-month; and ICU registered nurse Charity Glenn as the 2014 employee-of-the-year.

He extended an invitation to all Legislators for the Hospital Foundation sponsored golf tournament to be held on 6/26/15 in Brantingham.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported a static number of 19.34 FTE's in the Public Health Department. The fringe benefit allocation is lower because retirement expense is no longer included within departmental budgets, and expenditures are within budget appropriations. The increased expenditure to Lewis County General Hospital is due to most vendors now being affiliated with the hospital.

There were no issues identified during review of the Board of Health report. Public Health officials encourage everyone born between 1945 and 1965 to be tested for Hepatitis C, to assure timely available treatment. Public outreach has been done to advise wearing proper clothing to protect against ticks and mosquitoes. There will be no community flu clinics this fall because vaccination is available at several venues. However, they will continue to schedule office-based clinics.

Legislator Moroughan announced that Emergency Management, Search & Rescue, Hospital and Office For Aging agencies are coordinating with Public Health for the planned 6/24/15 mass antibiotic dispensing drill, for which 100 staff and students have been pre-registered. Public Health Planner Ashley Waite is coordinating pre-registrations with the targeted senior population. The goal is to process a total of 200 participants per hour, each within 15 minutes of arrival, to illustrate the County's ability to dispense medications to all Lewis County citizens within 48 hours of State notification of an event. Willing participants may pre-register on the website.

Legislator Moroughan announced that Philip McDowell is acting as Interim Director of Community Services and the Community Services Board plans to discuss permanent replacement options and procedures on 6/9/15.

COUNTY MANAGER REPORT:

Liz Swearingin regretfully announced the impending closure of the Nirvana water bottling plant located in Forestport just south of our County border, which will displace 70 employees, inclusive of several Lewis County residents.

The Government Efficiency Plan has been submitted. The illustrated savings of \$385,000 far exceeds the target of \$248,000 and largely attributable to the privatization of the mental health clinic and alcoholism services, as well as \$66,000 for County liability insurance coverage with NYMIR, substantially due to increasing deductible amounts. Greater savings could be illustrated, but State regulations do not allow credit for the County's many long-standing municipally shared services.

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Ms. Swearingin stated the viability of the suggested shared service options posed by Town and Village officials during the outreach meetings will continue to be researched.

The Pew Research Foundation reported their national analysis that indicates that New York State gets more than 15% of its revenue from local governments to fund and implement services, compared to .08% for the remaining 49 states. New York relies more than any other state on local government revenues to support state services and policy goals, galvanizing the reason why our property taxes are 80% above the national average.

Ms. Swearingin and Chairman Tabolt had met with JCC President Carole McCoy and a representative of the Community Outreach and Continuing Education Program to learn about their plans to build an \$18.9 million Agriculture School for specialized brewing capabilities. A similar model school is located at Rutgers College. A letter of support for the new school project was composed and forwarded.

COUNTY TREASURER REPORT:

Patricia O'Brien recited the balances of the Special Contingency Fund - \$92,859.00; Contingency Fund-\$412,956.00; Capital Data Processing Fund- \$147,643.50; and Capital Equipment Fund - \$247,132.57, of which \$40,124.40 is the Highway portion.

Year-to-date sales tax receipts of \$2,904,581.80 are comparatively low, but due to conservative budgeting she believes the 2015 budgeted level will be achieved.

Mrs. O'Brien also reported that the Hospital continues to make timely debt repayments, with a balance due of \$4.3 million. The health insurance fund balance is \$2.5 million, below the recommended level of \$3-\$4 million.

SPECIAL REPORTS:

Chairman Tabolt reported speaking with Senator Griffo about unfunded State mandates, particularly concerned if the tax cap becomes permanent. Senators Flanagan and Funk have proposed legislation calling for the State to assume additional costs related to newly imposed mandates. Senator Griffo relayed that he has previously sponsored similar bills that were passed by the Senate. However, the grim reality is that the Assembly will not give any consideration to these bills.

At 6:35 p.m. Chairman Tabolt declared the public hearing closed.

REPORT OF THE WAYS AND MEANS COMMITTEE:

JUNE 2, 2015

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

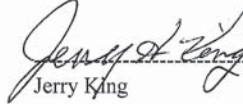
To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,597,289.67 and recommend that they be audited and allowed for the amounts claimed.



Philip Hathway

Chair



Jerry King

Committee



Richard Chartrand

Committee

Dated: June 2, 2015

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

RESOLUTIONS:

**RESOLUTION NO. 175 – 2015
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 \$ 1,597,289.67 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 Pepper, seconded by Legislator Moser, and adopted by roll call vote:

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 176 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS
(ACTING BY AND THROUGH THE ECONOMIC DEVELOPMENT DEPARTMENT)
AND NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID FOR
ACCEPTANCE OF ECONOMIC DEVELOPMENT GRANT FUNDS**

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

WHEREAS, the Lewis County Department of Economic Development applied for a grant from Niagara Mohawk-d/b/a National Grid's "*Cooperative Business Recruitment Program*", for partial funding of the County's Economic Development Marketing Strategy and Program Project contracted with the Paige Group; and

WHEREAS, the County has previously contracted with the Paige Group for the Economic Development strategy and marketing program development and has committed to the cost of \$12,000 for the initial phases of this work; and

WHEREAS, the County of Lewis received notice from National Grid that the County was awarded a grant of \$6,000.00 for its project, with further notice that the grant program requires the County to match the award amount 1:1 with funding from other sources; and

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WHEREAS, the County of Lewis seeks to accept this grant award and to pledge its commitment to match the award amount 1:1 with funding from other sources.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement by and between the County of Lewis, by and through its Economic Development Department and Niagara Mohawk Power Corporation, d/b/a National Grid for grant funding in the amount of \$6,000.00 under Project # 3160, referred to by National Grid as *Lewis County Development of Economic Development Marketing Strategy and Program Project*.

Section 2. That the Lewis County Board of Legislators hereby approves that the County match the award amount 1:1, with funding from other sources.

Section 3. That the Lewis County Board of Legislators understands and acknowledges that receipt of payment of the grant funds awarded by National Grid will be released to the County upon successful completion of the project or upon expiration of National Grid's program on March 31, 2016, unless extended by written agreement.

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

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

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

**RESOLUTION NO. 177 – 2015
RESOLUTION IN SUPPORT OF A UNIFIED PRIMARY DATE
FOR FEDERAL, STATE AND LOCAL PRIMARY ELECTIONS**

Introduced by Legislator Gregory Kulzer, Chairman of the Elections Committee.

WHEREAS, the cost of presidential primary and general elections have substantially increased over the past five years; and

WHEREAS, these unfunded mandated costs add to the current challenge for local municipalities during these times of limited revenue; and

WHEREAS, it is difficult to support additional cost for required multiple primaries, due to minimal benefit caused by voter confusion and low voter turnout; and

WHEREAS, the Lewis County Board of Legislators supports the selection of a unified date for the 2016 primary elections to decrease related costs.

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NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby records their support and urges the selection of a unified primary date for Federal, State and local primary elections in 2016.

Section 2. That the Clerk is directed to forward a certified copy of this resolution to Governor Andrew M. Cuomo, NYS Senator Joseph Griffo; NYS Assemblyman Kenneth Blankenbush and the New York State Association of Counties.

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

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

RESOLUTION NO. 178 - 2015
RESOLUTION AUTHORIZING PAYMENT OF RADIOS AND EQUIPMENT FOR
LEWIS COUNTY FIRE & RESCUE DEPARTMENTS AND A MEMORANDUM OF
UNDERSTANDING BETWEEN THE COUNTY OF LEWIS AND
ALL LEWIS COUNTY FIREFIGHTER DEPARTMENTS FOR REIMBURSEMENT OF
SAID COSTS FROM ANY AWARD RECEIVED FROM THE FIREFIGHTERS' JOINT
AFG GRANT APPLICATION

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 Fire Departments collectively applied for a joint 2014 Assistance to Firefighters Grant (AFG), by three (3) geographical regions of Lewis County, i.e., the North Group, Central Group and South Group, for radios and related equipment for their fire and rescue departments which are required under the County's comprehensive emergency 911 upgrade project; and

WHEREAS, the County's emergency 911 comprehensive upgrade project is now at the implementation stage, where the fire and emergency radios and related equipment must be purchased, implemented and tested and brought on line; and

WHEREAS, the Assistance to Firefighters Grant Program is highly competitive, and not guaranteed. If approved and awarded funding, it is unlikely that said funds will be available over the next few months when the County intends to have its emergency 911 upgrade system fully operational; and

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WHEREAS, the Lewis County Fire Departments cannot pay for this upgraded equipment at this time without the grant funds; and the County's emergency 911 upgrade project provided for fire and emergency radio and related equipment in its comprehensive plan; and

WHEREAS, the County wishes to advance payment for this equipment to advance the emergency 911 project for the benefit of the County, with the expectation that the Fire Department(s) will reimburse the County for the costs of the fire and emergency radios and equipment from any grant award proceeds, in accordance with the itemized lists submitted with the Grant application by each of the Departments; and

WHEREAS, the Board of Legislators wishes to enter into a Memorandum of Understanding with the Fire Departments for reimbursement of these costs to the County from any Grant funds received on behalf of any or all of the Fire Departments.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves payment of the fire and emergency services radios and related equipment required under the County's comprehensive 911 upgrade project from the County's emergency capital account.

Section 2. That the Lewis County Board of Legislators hereby authorizes and approves a Memorandum of Understanding to be entered into between the County and the fourteen (14) local Volunteer Fire Departments in Lewis County, wherein each Department agrees to reimburse the County from any AFG grant award funds received for the County's payment of any radios and related equipment for each of the Lewis County Volunteer Fire and Rescue Department(s).

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. 179 – 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO OFFICE FOR THE AGING**

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

WHEREAS, the vacant part-time Keyboard Specialist position has been re-classified as an Account Clerk, pursuant to Civil Service rules and regulations based on the duties and responsibilities of said position.

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 Office For Aging Department, to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Account Clerk	Part-Time (Up to 21 hrs/week)	Grade 13 (\$14.53-\$16.59/hr)

Section 2. That Office For the Aging Director Brenda Bourgeois is hereby authorized to fill said position effective immediately.

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

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

**RESOLUTION NO. 180 - 2015
RESOLUTION AUTHORIZING AGREEMENT WITH
NYS DIVISION OF CRIMINAL JUSTICE SERVICES AND
PROBATION DEPARTMENT –PRE-TRIAL 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 Pre-Trial Release Program, whereby Lewis County Jail detainees are interviewed to determine their eligibility for release under supervision, or release on recognizance.

Section 2. That said Agreement shall be effective for the period from July 1, 2015 through June 30, 2016, in the total amount of \$1,714.00.

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 Moser, seconded by Legislator Kulzer, and adopted.

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**RESOLUTION NO. 181 - 2015
RESOLUTION AUTHORIZING ADDENDUM TO AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND
BIRNIE BUS SERVICE, INC. FOR PRESCHOOL TRANSPORTATION**

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

WHEREAS, the County of Lewis, by and through the Lewis County Public Health Agency, wishes to amend the Agreement entered into with Birnie Bus Service, Inc. dated August 27, 2014 that provides transportation for preschool special education children, to include a cost of living rate increase of 1.4%; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an amendment to the Agreement entered into with Birnie Bus Service, Inc. dated August 27, 2014 that provides transportation for preschool special education children, to include a cost of living rate increase of 1.4%.

Section 2. That the new rates shall be effective August 1, 2015 through December 31, 2015 as follows:

Stand Alone Rate/Lewis County being the sole payer:

- \$286.39 per day for first child (round trip and this rate includes bus aide)
- \$50.67 per day for additional children (round trip and this rate includes bus aide)

Co-mingle with Oneida County Rate:

- \$86.19 per day for passenger (round trip and this rate 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. 182 - 2015
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.

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WHEREAS, Health Research, Inc. (“HRI”) has received a grant award from the Center of Disease Control Prevention for the purpose of distributing funds to eligible providers for Ebola Preparedness and Response Activities projects from April 1, 2015 through September 30, 2016; and

WHEREAS, the Lewis County Public Health Department is an eligible provider of these services, has an Ebola Preparedness and Response Activities project, and submitted an application to HRI for reimbursable costs of such services; and

WHEREAS, HRI has approved an agreement with Lewis County Public Health for reimbursement of its eligible costs of \$38,000.00, with fifty percent (50%) [\$19,000.00] of the award to be released upon execution of the agreement and an additional \$19,000.00 to be released upon period reviews of expenditures for its Ebola Preparedness and Response Activities from April 1, 2015 through September 30, 2016; and

WHEREAS, the Board of Legislators wishes to accept such award and enter into an agreement with HRI on behalf of Public Health.

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 reimbursement of eligible costs up to \$38,000.00 for Public Health’s Ebola Preparedness and Response Activities project for the period beginning April 1, 2015 through September 30, 2016, 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 Moser, and adopted.

**RESOLUTION NO. 183 – 2015
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 for the Emergency Preparedness Program Grant:

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<u>From:</u>	<u>Account:</u>	<u>Amount:</u>
A4092.1999	Pers Svs –PH Preparedness	\$ 5,094.00
A4092.4901	Professional Services	<u>\$ 3,090.00</u>
		\$ 8,184.00
 <u>To</u>		
A4092.4405	Copier/Reproduction	\$ 75.00
A4092.4407	Supplies	\$ 4,500.00
A4092.2909	Misc Equipment	<u>\$ 3,609.00</u>
		\$ 8,184.00

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

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

**RESOLUTION NO. 184 - 2015
AUTHORIZING OPENING OF CERTAIN PORTIONS OF
COUNTY ROADS FOR ATV SPECIAL EVENTS**

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

WHEREAS, Highmarket Wheelers ATV 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 three (3) one day all terrain vehicle (ATV) rally events to be held on the following dates: July 18, 2015, August 8, 2015 and September 5, 2015; 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, the Highmarket Wheelers ATV 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 and 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:

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- *CR 51 West Road, from State Route 26 to the Gomer Hill Road in the Town of Turin*

for three (3) one day all terrain vehicle (ATV) rally events to be held on the following dates: July 18, 2015, August 8, 2015 and September 5, 2015.

Section 2. That the permission granted herein is specifically conditioned upon Highmarket Wheelers ATV Club entering into a written agreement with the County of Lewis whereby:

1. Highmarket Wheelers ATV 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; and
2. Highmarket Wheelers ATV 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
3. 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.
4. Such other terms as the Chairman of the Board of Legislators with the consultation of County Attorney may deem acceptable.

Section 3. In the event there is lack of compliance with the terms and conditions set forth in this Resolution and the Agreement herein required, the County reserves its right to close the County road(s) herein authorized to be opened on said dates.

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 Kulzer, and adopted.

**RESOLUTION NO. 185 – 2015
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 be approved in the Sheriff's Department account for Law Enforcement DWI Crackdown overtime:

<u>Increase Revenues</u>	<u>Amount:</u>
A15890 (DWI Sheriff)	\$221.05
<u>Increase Expense:</u>	
A3111.1103 (OT)	\$217.00
A3111.1104 (Shift)	\$ 4.05

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

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

**RESOLUTION NO. 186 - 2015
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 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 23

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said position effective immediately, in compliance with Civil Service rules and regulations.

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

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

**RESOLUTION NO. 187 - 2015
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO TRACY D. HAND)**

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

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WHEREAS, Tracy D. Hand was granted a Mortgage to the County of Lewis dated March 27, 2002, and recorded in the Lewis County Clerk's Office on July 1, 2002, as Instrument Number 2002-00310 to secure payment of a loan in the amount of \$6,000.00, pursuant to a program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforescribed Mortgage.

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

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

**RESOLUTION NO. 188 - 2015
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 ("DSS") 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.

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 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

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Federal Poverty Limit and evidence an ability to benefit from parent education services in accordance with criteria established by department regulations.

Section 2. That the term of this Agreement shall be from June 1, 2015 through May 31, 2016 at a flat fee of \$500.00 per month per family for all clients referred by DSS with an open case and the total amount shall not exceed \$59,000.00, and with the local share cost of these services to be 25% of the stated amount 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 King, and adopted.

**RESOLUTION NO. 189 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
LEWIS COUNTY OPPORTUNITIES, INC. FOR
HOMELESS APARTMENT INITIATIVE**

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

WHEREAS, the Homeless Apartment Initiative is designed to accommodate individuals or families in Lewis County with temporary housing who are homeless; who are ineligible or on a waiting list for other housing programs within the community; and who have exhausted all natural supports within the community for temporary housing; and

WHEREAS, the initiative provides up to thirty (30) days of temporary housing within the Village of Lowville, where community supports exist for a variety of daily living needs, anticipating the limited transportation options of temporary residents; and

WHEREAS, the County of Lewis, by and through the Department of Social Services, desires to enter into an agreement with Lewis County Opportunities, Inc. who shall furnish these 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 Social Services, and Lewis County Opportunities, Inc. for the purpose of participating in the Homeless Apartment Initiative designed to accommodate individuals or families in Lewis County with temporary housing who are homeless.

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Section 2. That the term of this Agreement shall be from June 1, 2015 through May 31, 2016 for an amount not to exceed \$19,920.00.

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 Pepper, seconded by Legislator Chartrand, and adopted.

**RESOLUTION NO. 190 – 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES**

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

WHEREAS, the Staff Development Coordinator position has been re-classified as a Staff and Workforce Development Coordinator, pursuant to Civil Service rules and regulations based on the duties and responsibilities of said position.

NOW, THEREFORE, BE IT RESOLVED as follows:

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

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Staff and Workforce Development Coordinator	Full-Time	Grade B31 Step 5 (\$25.96/hr)

Section 2. That Commissioner of Social Services Stacy Alvord is hereby authorized to fill said position effective June 29, 2015.

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

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

**RESOLUTION NO. 191 – 2015
RESOLUTION TO APPROPRIATE FUNDS FOR
SOCIAL SERVICES**

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

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WHEREAS, the Department of Social Services has received an allocation in the amount of \$50,085.00 to support 2015 Summer Youth Employment (SYEP):

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the following appropriations are hereby approved for 2015 TANF Summer Youth Employment Program (SYEP):

<u>Increase Revenue:</u>	
A46090- Fed TANF	\$50,085.00

<u>Increase Expense:</u>	
A6109.1999 Pay – TANF SYEP	46,385.00
A6109.8999 Fringes – TANF SYEP	3,700.00

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

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

**RESOLUTION NO. 192 – 2015
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 budget transfer is hereby approved in the Department of Social Services to create a new account for Emergency Housing Apartment:

<u>From</u>	<u>Amount</u>
A6140.4999 (SNA)	\$ 5,000.00
A6142.4999 (Emerg Aid adults)	\$ 5,000.00

<u>To:</u>	
A6010.49 0 (Emerg Housing)	\$10,000.00

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

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

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**RESOLUTION NO. 193 -2015
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 2015 at an hourly rate of \$8.75, minimum wage; and

WHEREAS, the cost to the County of Lewis would only be for the fringe benefits other than Social Security.

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 numbers A.6380.1999 - \$21,000.00; A.6380.8999 - \$1,608.00 and revenue account No. A27052 - \$22,608.00.

Section 2. That the students employed shall be assigned to 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 Dolhof, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 194 – 2015
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 additional State Funds:

<u>Increase Revenue:</u>	
A35940 (STOA Funds)	\$12,000.00

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Increase Expense:

A5630.4904 (Marketing) \$12,000.00

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

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

**RESOLUTION NO. 195 - 2015
RESOLUTION AUTHORIZING ADDENDUM TO AGREEMENT BETWEEN THE
COUNTY OF LEWIS AND POMCO GROUP FOR
WORKERS' COMPENSATION PROGRAM**

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

WHEREAS, POMCO Group has provided a proposal to assume administration of the remaining workers' compensation claim files that have been handled by the Lewis County Self-Insurance Plan Administrator.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby authorizes the Addendum Agreement between the County of Lewis, by and through the Lewis County Self-Insurance Plan, and POMCO Group, for the purpose of providing third party administration of the remaining workers' compensation claims

Section 2. That the term of said addendum Agreement shall be for the period June 1, 2015 to February 29, 2016 at \$4,500.00 and from March 1, 2016 to February 28, 2017 at \$3,500.

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

**RESOLUTION NO. 196 - 2015
RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INVESTMENT ACT**

Introduced by Legislator Neil Pepper, Chairman of the Employment and Training Committee.

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BE IT RESOLVED as follows:

Section 1. Transfer the following funds from Dislocated Worker to Adult:

From:

Dislocated Worker	
CD6291.1999	\$ 5,500.00
CD6291.4909	\$ 1,345.00
CD6291.8999	\$ 4,500.00
CD6291.4999	<u>\$14,055.00</u>
	\$25,400.00

To:

Adult	
CD6292.1999	\$ 8,500.00
CD6292.4909	\$ 1,600.00
CD6292.8999	\$ 3,300.00
CD6292.4999	<u>\$12,000.00</u>
	\$25,400.00

No change to revenue

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

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

**RESOLUTION NO. 197 – 2015
RESOLUTION APPROVING AMENDMENT OF RESOURCE ALLOCATION PLAN
WITH NYS OFFICE OF CHILDREN AND FAMILY SERVICES**

Introduced by Legislator Neil H. Pepper, Chairman of the Lewis County 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 2015 Resource Allocation Plan between the County of Lewis and the New York State Office of Children and Family Services (OCFS) for the 2015 program year from \$21,115.00 to \$23,069.00. This request was 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.

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

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

**RESOLUTION NO. 198 - 2015
RESOLUTION TO APPROPRIATE FUNDS
YOUTH BUREAU**

Introduced by Legislator Neil Pepper, Chairman of the Youth Bureau Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation of increased State Aid funding is hereby approved:

<u>Revenue</u>	
A38201 (Youth Bureau)	\$1,954.00
<u>Expense</u>	
A7311.4906 (National Night Out)	\$1,954.00

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

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

**RESOLUTION NO. 199 - 2015
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS
CAPITAL DSS BUILDING**

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

BE IT RESOLVED, as follows:

Section 1. That the following transfer/appropriation is hereby approved to transfer contingency funds for the additional County share of the DSS Parking Lot project:

Part 1	
<u>From:</u>	<u>Amount</u>
A1990.4999 (Contingency)	\$120,000.00
<u>To:</u>	
A9950.9921 (To Capital County Projects)	\$120,000.00

Part 2

Increase Revenue:

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HAB50310 (Inter-fund Transfers) \$120,000.00

Increase Expense:

HAB1621.4 (DSS Bldg Exp) \$120,000.00

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

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

**RESOLUTION NO. 200 - 2015
RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING
BETWEEN THE LEWIS COUNTY HIGHWAY DEPARTMENT AND
LEWIS COUNTY AGRICULTURAL SOCIETY**

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

WHEREAS, the Lewis County Agricultural Society (“LCAS”) desires to borrow and use certain equipment from the Lewis County Highway Department (“County”) for the purpose of maintenance of the track at the Lewis County fairgrounds; and

WHEREAS, the County agrees to permit them to use said equipment upon prior notice and presentation of a copy of the LCAS liability insurance certificate, and provided that the County has the equipment available at the time requested.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Understanding by and between Lewis County Highway Department on behalf of the County of Lewis and Lewis County Agricultural Society to borrow and use certain equipment from the County for the purpose of maintenance of the track at the Lewis County fairgrounds.

Section 2. That this Memorandum of Understanding shall be ongoing, however both parties agree that this agreement shall terminate upon thirty (30) days prior written notice to the other.

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 Moser, and adopted.

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**RESOLUTION NO. 201 - 2015
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

WHEREAS, the Lewis County Highway Department wishes to sell surplus equipment and items by participation in the online auction services provided by Roy Teitsworth, Inc., at no cost to the County; and

WHEREAS, other Departments in the County wish to sell surplus equipment and items by participation in this online auction; 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 Highway Department and Roy Teitsworth, Inc, dba RTI Internet Auctions, to participate in the on line auction services to sell County used equipment and items beginning June 2, 2015 through June 9, 2015.

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 Brennan, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 202 - 2015
RESOLUTION TO APPROPRIATE FUNDS
CAPITAL EMERGENCY RADIO SYSTEM**

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

BE IT RESOLVED as follows:

JUNE 2, 2015

Brockport, New York 14420, that provide the removal and recycling services for end of life electronics and equipment; 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 a renewal Recycling Service Agreement between the County of Lewis by and through the Lewis County Solid Waste Department and Sunnking, Inc. to participate in the services that provide the removal and recycling for end of life electronics and equipment.

Section 2. That said Agreement shall be for the period beginning April 15, 2015 through April 15, 2018 as set forth in the table below:

ELECTRONIC DESCRIPTION	REVENUE	CHARGE
Computers, Computer Peripherals, Small Electronic Equipment, Small Scale Servers, Misc. Electronics, etc.	\$.075/lb.	N/A
TV/Monitor - Other (LCD, Plasma, LED)	\$.075/lb.	N/A
TV/Monitor - CRT	N/A	See Environ. Fee**
Bare Tubes and/or Broken CRT Glass	N/A	\$.35/lb.
Fluorescent Light Bulbs (Lamps)	N/A	\$1.50/lb.
Freon containing devices	N/A	\$.40/lb.
Batteries - Alkaline/Alkaline Cadmium	N/A	\$1.50/lb.
Batteries - Lithium/Button	N/A	\$7.50/lb.
Batteries - Lithium ION	N/A	No Charge
SERVICES AND FEES:		
Packing assistance provided by Sunnking (Per Hour, if required)	N/A	\$40/man hour
** Environmental Fee (Based on CRT television & monitor weight collected)	N/A	\$.15/lb.

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 Dolhof, and adopted.

**RESOLUTION NO. 205 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SHERIFF'S DEPARTMENT**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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>
Deputy Sheriff	Full-time	Grade 23

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said position effective immediately, in compliance with Civil Service rules and regulations.

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

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

OTHER BUSINESS:

Clerk of the Board Teresa Clark read a proclamation whereby the Chairman had declared the Month of May as "Mental Health Month". Chairman Tabolt had presented the proclamation at the local "Walk For Wellness" event held on 5/21/2015.

There being no other business to come before the Board, the meeting adjourned by motion of Legislator Brennan at 6:47 p.m., seconded by Legislator Chartrand and carried.

JULY 7, 2015

**REGULAR MEETING
July 7, 2015**

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

Roll Call: All Legislators were present.

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

There were 17 citizens present.

Chairman Tabolt announced approval of the June 2, 2015 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: July 7, 2015

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan, Committee

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

PRIVILEGE OF THE FLOOR:

Sheriff Michael Carpinelli asked the Board to memorialize and submit their opposition to proposed NYS Legislation Bill No. A06430/S983A, related to the restraint of pregnant female prisoners, essentially imposing additional unfunded mandates.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

NYSAC Executive Director Stephen Acquario acknowledged receipt and informed referral to the appropriate committee of this Board's resolution urging the State Legislature to establish a unified primary date for Federal, State and Local primary elections.

REPORTS OF COUNTY OFFICES AND DEPARTMENTS:

All Legislators have received copies of the 6/25/15 Highway Audit Report, the 6/24/15 Solid Waste Audit Report; the Treasurer's June Report and Quarterly Bed Tax Report; Sr. Code Enforcement Officer Ward Dailey's quarterly report; and minutes of the 6/16/15 Youth Bureau Advisory Board and 5/26/15 Soil and Water Conservation District Board of Directors meetings.

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The County Sealer's quarterly report and the minutes of the 1/20115 Public Health Services Advisory Committee meeting have been received and placed on file.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Buildings and Grounds/Ways and Means Committee Chairman, reported the Buildings, County Clerk and Treasurer budgets are all on track. Maintenance personnel completed 96 work orders during June. Also, a proposed Power Producing Agreement (PPA) had been received from Larsen Engineers, but was determined incomplete. Counter to the Committee's request for the "worst case scenario", the engineers had presented the "best case scenario". Moreover, instead of providing multiple quotes, they had provided only one company quote. The PPA has been returned to Larsen Engineers for revision and re-submission to the Committee.

Legislator Hathway reported that maintenance of the "Green" DSS parking lot will cost an additional \$5,000 annually, plus a one-time additional cost of \$3,500, while citing the expanded size of the parking lot. However, he reported an overall savings of \$200,000 attributable to the "Green" grant funding. A pre-construction meeting was held on 6/29/15. The contractor will start milling on 7/10/15 and expects to complete the project by the end of September.

Relative to the Public Safety Building water project, Development Authority personnel are analyzing engineer proposals and quotes and will recommend a selected vendor to the Committee.

Legislator Hathway also reported the Highway garage wall repair is ongoing. He credited the expertise of Frank Archer and Legislators King and Chartrand for defining the cause of electrical problems, thereby reducing estimated repairs from \$15,000 to \$1,000.

Legislator Hathway made a motion to authorize Highway Superintendent David Becker to order a Tenaco stainless steel sander with a Viking push blade for clearing snow and ice from the DSS parking lot for a cost of \$9,519.30, to be financed by Capital Equipment account funds. Eligible apportioned reimbursement would be sought through the NYS Department of Social Services. The motion was seconded by Legislator Chartrand and carried.

Legislator Neil Pepper, Social Services/Office For Aging/Youth Committee Chairman, announced that farmer's market coupon distribution began 7/1/15 to income eligible residents. Office For Aging has 520 coupon booklets valued at \$20 each. Senior Day at the Lewis County Fair will be held on 7/23/15 with various entertainment events planned.

Legislator Pepper made a motion to authorize refilling the position of Director of Social Services effective upon the appointment of Jennifer Jones as Commissioner, seconded by Legislator Dolhof and carried.

JULY 7, 2015

Legislator Pepper made a motion to authorize refilling a full-time Case Supervisor Grade B position upon the appointment of the current employee to Director of Social Services, seconded by Legislator King and carried.

Legislator Pepper made a motion to authorize refilling a full-time Office Specialist upon the appointment of the current employee to the Social Welfare Examiner position, effective August 3, 2015, seconded by Legislator Dolhof and carried.

Legislator Pepper also reported that Youth Bureau Advisory Board members Luke Moser, Tyler Eddy and Seth Shaw would provide a quarterly report at the next meeting.

Legislator Bryan Moser, Veterans/Junkyard/Human Resource Committee Chairman, reported that Derek Davey had referred a veteran to the MVCC welding educational program, which illustrates the potential positive effect of distance learning opportunities. He also reported there had been two junkyard complaints and three license renewals.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, reported the final radio tower in Osceola was up and the sheds are now being erected. Aviat and EF Johnson companies will then be setting up antennas and equipment in the shelters. National Grid will complete electrical hookups by the end of the month and the system should be ready to go live in August.

Legislator King reported that Legislator Pepper had obtained information relative to applying for a Ski-Doo and/or Polaris snowmobiles for use by law enforcement patrols. The next step is to obtain information to apply for an ATV that would be loaned and returned each year, with the County responsible for repairs. Sheriff Michael Carpinelli stated he had talked with Smith Marina in Old Forge and was told they have one snowmobile available. He would be pursuing the machine and await approval from the manufacturer. He also reported that D&D Power Sports has offered a Yamaha snowmobile at no charge.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry & Parks Committee Chairman, reported ongoing discussion with potential property owners for the business park. He relayed good local representation at the 5/29/15 meeting sponsored by the North Country Regional Economic Development Committee. Jefferson County won out over Lewis for citing of an agbotic test facility. Also, County Attorney McNichol is reaching out to other counties to ascertain how they handle municipal energy.

Legislator Dolhof extended an invitation to all Legislators to attend a 7/21/15 local workshop to discuss fair housing choice. As a condition for obtaining federal housing assistance, Lewis is a participant of the North Country Home Consortium. The workshop will focus on strategies to address impediments to fair housing choice, not merely to meet the Housing and Urban Development (HUD) requirement, but to highlight housing needs.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, made a motion to authorize Highway Superintendent David Becker to order a 2016 International truck

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with Viking-Cives plow through a lease agreement for a competitive interest rate, which today is at 2.85%, for a minimum total cost of \$231,244.00. The truck would be delivered in January 2016. The motion was seconded by Legislator Kulzer and carried.

Legislator Brennan reported Highway expenditures are within budgetary appropriations. Moreover, an additional 16 miles would be paved attributable to lower than projected fuel prices. The awarded paving vendor is expected to comply with the specified special oils required on road sections primarily used by the Amish. He commended Atty. McNichol for favorably resolving a contract discrepancy for Highway and Solid Waste uniforms, resulting in substantial savings over the 3-year agreement.

Legislator Gregory Kulzer, Taxation/Information Technology/Elections Committee Chairman, recommends creation of a clean-up fund to mitigate environmental issues with tax foreclosure properties. Real Property Tax personnel continue E-911 address mapping; and Town Boards are required to submit their certified approval of all jurisdictional road names.

Legislator Kulzer also recommends approval to transfer funds into the Information Technology account to pay for the board room recording equipment. The Microsoft Office 365 software is being implemented with newly assigned emails. Director Adam Zehr continues to work with Spillman representatives to implement the E-911 communications system; and has hooked up the Highway garage to the County telephone system effecting a \$120 monthly net savings. Mr. Zehr estimates a cost of \$5,000 to install surveillance cameras at the transfer station to monitor recyclables.

Legislator Kulzer cited the Governor's \$500 million allocation for the purpose of extending broadband to every residence. Adam Zehr has met with Mohawk Broadband, LLC owners who are capable of facilitating the broadband service by utilizing existing fiber optics.

Legislator Richard Chartrand, Hospital Committee Chairman, announced that orthopedic surgeon Dr. Swift will commence part-time practice on 7/8/2015, with plans for full-time practice by September accompanied by a second provider. The proposed new positions are support staff for Dr. Swift, which may be filled with current employees. If so, refilling those positions will be greatly scrutinized. CNY Cardiology has added more weekly service days. The durable medical equipment store located in the basement is beneficial because the hospital obtains and pays for items as they are needed rather than stocking items for unspecified durations.

Legislator Chartrand reported that the duties of retiring Quality Control Officer Jean Dryja will be divided amongst 2 or 3 employees instead of a replacement hire.

The hospital had a gain of \$122,030 in May; the year-to-date surplus of \$529,185 is above the year-to-date budgeted surplus of \$421,776. Timely monthly repayments to the County continue with a debt balance of \$4.2 million. The hospital administration team continues to implement practices to enhance their financial status. However, the resignation of Dr. Dinh will have a negative impact. Emergency room services have improved attested by only five persons leaving in May before being treated.

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Legislator Chartrand reported the average hospital payment is received within 83.4 days, the shortest in 30 months, which enables timely vendor payments and less incurred interest charges. The dialysis grant had been reduced by \$39,000 because contractors were unable to meet the minority business requirement and the hospital's waiver request was denied.

In conclusion, he reported the medical staff officers for the coming year are President Dr. Lynn Pisaniello, Vice-President Dr. Shereen Palmer, and Secretary/Treasurer Dr. Cynthia Fraser.

Legislator Kulzer respectfully added that August delivery of new CT Scanning, mammography and dense tissue ultrasound equipment will enhance competitiveness with other facilities, while also reducing maintenance costs.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, urged approval of proposed resolutions; reporting a static number of 19.34 PTE's for Public Health and expenditures within budget appropriations. There have been changes for categorical reporting requirements pursuant to the NYSDOH Article 6 regulations. Director Penny Ingham's goal was to process 168 persons per hour during the Mass Antibiotic Dispensing Drill, well above the State's suggested 97, to illustrate the ability to dispense to our entire population. Also, 786 animals had been vaccinated for rabies in May.

Legislator Moroughan also reported that Medicaid billing reimbursements have been submitted for Pre-School services through November 2014. Personnel continue to work with providers to assure proper and accurate documentation, especially for the more complicated evaluation services reports, with a goal to minimize Medicaid paybacks.

Legislator Moroughan reported the Community Services Board had decided to hire an independent Director of Community Services rather than combine the duties with another employee.

COUNTY MANAGER REPORT:

Liz Swearingin welcomed Jenny Jones as newly appointed Commissioner of Social Services.

She, Chairman Tabolt and a representative of the Wladis Law Firm had met with the Governor's staff in Albany, specifically Assistant Secretary of Economic Development and Innovation Adam Spence, Food & Agriculture Deputy Secretary Patrick Hooker, and Regional Economic Development Director Ryan Silva. The purpose was an introductory of Lewis County focusing on our core industries of dairy and agriculture, forestry and maple, and citing our respective workforce of expertise. They heard a portrayal of the economic importance of our partnership with Kraft. Our educational initiatives by reaching out to Mohawk Valley Community College and the Nano Tech Center were relayed, as well as our desire for an agricultural school at Jefferson Community College. The State officials appreciated the focus on core strengths. Ms. Swearingin relayed the group's parting perception of a beneficial meeting

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and favorable Lewis County name recognition.

Ms. Swearingin relayed her pride and pleasure to attend a recent ceremony for the installation of County Attorney Joan McNichol as President of the Mid York Women's Bar Association. She was recognized as one of the key leaders promoting their mission for the advancement of women in the legal field and society in general. A letter of commendation was read by the Honorable Judge Teresa Wiley Danks, U.S. Magistrate Judge of the Northern District of New York applauding Joan's leadership. The letter had been signed by 40 colleagues, mentors and friends bestowing accolades for Joan's leadership.

COUNTY TREASURER REPORT:

Patricia O'Brien recited the balances of the Special Contingency Fund- \$92,859.00; Contingency Fund-\$292,956.00; Capital Data Processing Fund- \$147,644.40; and Capital Equipment Fund- \$247,136.17, of which \$40,124.40 is the Highway portion.

Year-to-date sales tax receipts of \$4,097,360.73 are comparatively low, but due to conservative budgeting she believes the 2015 budgeted level will be achieved.

Mrs. O'Brien also reported that the Hospital continues to make timely debt repayments, with a balance due of \$4.2 million. The health insurance fund balance is \$2.4 million, with a cash balance of \$1.8 million, well below the recommended level of \$3-\$4 million. The insurance committee will meet on 7/9/15 to discuss initiatives that may favorably impact the health insurance fund.

SPECIAL REPORTS:

Chairman Tabolt reported being accompanied by Legislators King, Kulzer and Chartrand at the meeting of the Inter-County Committee of the Adirondacks. A majority of that group does not support legislation to legalize UTV's, citing their fear of losing access to existing areas of the Adirondack Park. The Senate is supportive of Senator Ritchie's proposed bill, however, requires a matching Assembly bill. Assemblywoman Addie Russell has indicated her willingness to Chairman Tabolt to discuss a proposed bill in the future. He was further encouraged by the optimism of the Governor's economic development team for future consideration of the UTV initiative.

Chairman Tabolt concurred with County Manager Swearingin's earlier summation of the good introductory meeting with Albany officials on behalf of Lewis County.

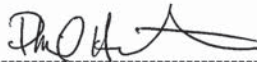
REPORT OF THE WAYS AND MEANS COMMITTEE:

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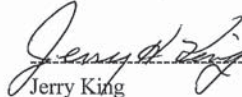
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

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 \$ 3,276,279.55 and recommend that they be audited and allowed for the amounts claimed.



Philip Hathway Chair



Jerry King Committee



Richard Chartrand Committee

Dated: July 7, 2015

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

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**RESOLUTION NO. 206 – 2015
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 \$ 3,276,279.55 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 Brennan, and adopted by roll call vote:

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 207 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO COUNTY CLERK**

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

WHEREAS, there is a vacant Motor Vehicle Application Examiner position, because the most recent hire did not successfully complete the probationary period.

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 County Clerk's Department of Motor Vehicles, to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Motor Vehicle Application Examiner	Full-time	Grade C15 (\$15.21/hr.)

Section 2. That County Clerk Douglas Hanno is hereby authorized to fill said position effective immediately.

Section 3. That this resolution shall take effect immediately.

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

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**RESOLUTION NO. 208 – 2015
DESIGNATION OF ADDITIONAL DEPOSITORY FOR 2015**

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

WHEREAS, Subdivision 3 of Section 212 of the County Law provides that the Board of Legislators shall designate one or more depositories for deposit of all monies received by the County Treasurer, and specify the maximum amount which may be kept on deposit in each depository.

NOW, THEREFORE, BE IT RESOLVED as follows:

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

Adirondack Bank	\$20,000,000.00
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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 Moser, and adopted.

**RESOLUTION NO. 209 – 2015
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 appropriation is hereby approved in the office of the District Attorney using money from T87.03 (DA-Federal Money) to purchase test kits and evidence bags for the Lewis County Sheriff's Department and three (3) Drager Alcotests for the New York State Police (Carthage).

<u>Increase Revenues</u>	
A26260 (Forfeiture Proceeds)	\$1,357.00
<u>Increase Expense</u>	
A1165.4906 (Prosecution Fund)	\$1,357.00

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

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

**RESOLUTION NO. 210 - 2015
RESOLUTION AUTHORIZING GRANT APPLICATION
FOR THE DOUBLE PLAY SPORTS COMMUNITY CENTER PROJECT**

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

WHEREAS, Double Play Sports Community Center (“Center”) opened to the public in 2011 at the former St. Peter’s Catholic School in the Village of Lowville. The Center has doubled its revenue since opening its doors after just one year as a wellness and enrichment haven for individuals and families in Lewis County; and

WHEREAS, the Center determined there was inadequate space and limited hours of operation to reach the capacity that is desired. Local demand-based surveys were conducted indicating that 91% of those surveyed believe there is a lack of options for family health, wellness and recreational activities in Lewis County, and that there is a need for a community, multi-use facility; and

WHEREAS, the Center desires to construct a new 35,000 square foot building at an estimated cost of \$6,500,000.00 to host a variety of activities and amenities, twelve (12) months of the year, to improve and enrich the quality of life of all members of the community, while employing fifteen (15) full-time staff the first year; and

WHEREAS, the Economic Development and Planning Department desires to assist with and submit a Consolidated Funding Application on behalf of the Double Play Sports Community Center to receive grant funding for its facility project.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby supports and approves the above referenced grant application.

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 such documents, writings and agreement to effectuate the intent of this Resolution and to take all steps necessary to advance this project, upon such terms as may be approved by the Lewis County Attorney.

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

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

JULY 7, 2015

**RESOLUTION NO. 211 - 2015
RESOLUTION AUTHORIZING GRANT APPLICATION
FOR MILLER RIVERFRONT PARK PROJECT**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

WHEREAS, the County of Lewis (“County”), by and through the Recreation, Forestry and Parks Department desires to submit a grant application through New York State Consolidated Funding Application (CFA) for the planning stage of a public river front Park Project on property owned by Daniel J. Miller located on river front parcels 214.03-01-21.1 and 214.03-01-9.1 on the Number Four Road, Lowville, New York, encompassing approximately 1.32 acres; and

WHEREAS, the County desires to create a public access to the Black River at this location and construct a walking trail, picnic area, floating dock and historical signage; and

WHEREAS, the planned improvements at this location will improve and add to the County’s tourism attractions and enhance the local economy.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the above referenced grant application.

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 such documents, writings and agreement to effectuate the intent of this Resolution and to take all steps necessary to advance this project, upon such terms as may be approved by the Lewis County Attorney.

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

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

**RESOLUTION NO. 212 - 2015
RESOLUTION AUTHORIZING GRANT APPLICATION
FOR SINGING WATERS PARK REVITALIZATION PROJECT**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

WHEREAS, Singing Waters Park (“Park”) is a County owned 100 acre parcel of land located on the Fish Creek Road in the Town of Greig, owned and operated by Lewis County since

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1930. The County developed a portion of this 100 acre forest to accommodate camping, picnicking, hiking and outdoor recreation areas in 1956; and

WHEREAS, the County has maintained this property and made improvements at this Park, and now desires to submit a grant application through New York State Consolidated Funding Application (CFA) for a revitalization project to improve the current facilities at the Park which may include among other things, replacement of picnic tables and fire pits, the addition of new signage, the creation of maps and establishment of new recreation trails; and

WHEREAS, the planned improvements at the Park will facilitate tourism and recreational use of the County's natural resources and enhance the local economy.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the above referenced grant application.

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 such documents, writings and agreement to effectuate the intent of this Resolution and to take all steps necessary to advance this project, upon such terms as may be approved by the Lewis County Attorney.

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

Moved by Legislator Pepper, seconded by Legislator Dolhof.

Legislator King asked if there would be a permit system for the park. Jackie Mahoney, Director of Recreation, Forestry & Parks, explained that the revitalization would be completed before considering a permit system. The permits would require additional personnel, which Jackie does not have, so there may be consideration for management by the Chamber of Commerce.

The resolution was then adopted.

**RESOLUTION NO. 213 – 2015
RESOLUTION TO APPROPRIATE FUNDS
ECONOMIC DEVELOPMENT**

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

BE IT RESOLVED, as follows:

Section 1. That the following fund appropriations are hereby approved for the NYS Brownfield Opportunities Assistance for Village of Lyons Falls Step 3 C1000367:

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Increase Revenue

A39013 NYS Lyons Falls BOA2	\$553,761.00
A27050.13 NYS Lyons Falls BOA2	\$ 38,528.00

Increase Expense

A8020.4913 NYS Lyons Falls BOA2	\$592,289.00
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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. 214 - 2015
RESOLUTION AUTHORIZING INTERGOVERNMENTAL MEMORANDUM OF
AGREEMENT (MOA) BETWEEN NYS DIVISION OF HOMELAND SECURITY AND
EMERGENCY SERVICES (DHSES) AND COUNTY OF LEWIS FOR LOAN OF
MUTUALINK EDGE SUBSCRIPTION SERVICE HARDWARE AND SOFTWARE
EQUIPMENT FOR COMMUNICATIONS PURPOSES**

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

WHEREAS, the NYS Division of Homeland Security and Emergency Services (DHSES) has acquired the hardware, software and user Mutualink Edge Subscription Service Interoperable Platforms (Interoperable Communications Resources), which allow counties to communicate on a common platform for emergency management and public safety planning and response purposes; and

WHEREAS, the DHSES wishes to temporarily loan such equipment at no cost to New York State counties for communications purposes, with the intention of enhancing the ability of the County to successfully communicate with the State, other local jurisdictions within the State, and adjoining States; and

WHEREAS, the County of Lewis desires to accept the temporary loan and use of the Equipment offered by DHSES, and enter into a Memorandum of Agreement with DHSES to reflect the terms, provisions and conditions for the temporary use of this equipment for the County's emergency management and public safety planning and response communications.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Intergovernmental Memorandum of Agreement between NYS Division of Homeland Security and Emergency Services and the County of Lewis for loan of the Interoperable Communications Resources equipment owned by DHSES.

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Section 2. That DHSES is to permit the County's use of this equipment on a temporary basis at no cost, with up to five (5) user subscriptions for County use.

Section 3. That the Board of Legislators authorizes the County of Lewis to enter into the Memorandum of Agreement with DHSES, for a period of twelve (12) months (unless terminated earlier pursuant to the terms of the MOA) commencing on the first Monday immediately following approval by the office of State Comptroller, unless further amended or extended by mutual consent.

Section 4. 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 5. That the within resolution shall take effect immediately.

Moved by Legislator Pepper, seconded by Legislator King.

Legislator King explained the boxes will enable agencies throughout the State to communicate, because everyone is not on the same frequency. The State loaned equipment will be accepted until such time as the State imposes related expense, at which time the equipment may be relinquished back to the State.

The resolution was then adopted.

**RESOLUTION NO. 215 - 2015
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY ETHICS BOARD**

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

WHEREAS, David Pendergast has resigned from the Lewis County Ethics Board effective April 30, 2015.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That pursuant to Local Law No. 5-2005 "Lewis County Ethics Law" the Board of Legislators hereby appoints Timothy O'Connor of 5336 Waters Terrace, Lowville, New York 13367, to fill the unexpired term of David Pendergast, as a member of the Lewis County Ethics Board.

Section 2. That the term of said appointment shall be for the period commencing on July 8, 2015 through December 31, 2016.

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

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

**RESOLUTION NO. 216 - 2015
RESOLUTION AUTHORIZING AMENDMENT TO
AGREEMENT BETWEEN LEWIS COUNTY AND
ARAMARK UNIFORM SERVICES**

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

WHEREAS, the County of Lewis, by and through the Lewis County Solid Waste Department and Lewis County Highway Department, entered into an agreement on March 15, 2011 with Aramark Uniform Services (“Aramark”) to provide uniforms for the employees in the Highway and Solid Waste Departments for a term of thirty-six (36) months, with said agreement containing an automatic renewal for an additional thirty-six (36) months. In addition, the agreement provided for an annual 5% increase, with periodic additional increase in charges (“off-cycle” price increases) if not rejected by the Purchaser (County) with fifteen (15) days of receipt of the increase; and

WHEREAS, the County provided notice to Aramark of its rejection of the periodic increased charges, and Aramark now agrees to revise the agreement to eliminate all off-cycle price increases, to eliminate the automatic renewal provision, and to adjust the prices retroactive to January 1, 2015; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an amendment to the agreement between the County of Lewis, by and through the Lewis County Solid Waste Department and Lewis County Highway Department, and Aramark Uniform Services to provide for elimination of the automatic renewal provision, the off-cycle price increase provision, and to credit the County for any overpayments made since January, 2015, together with any other modifications advised and negotiated by the County Attorney.

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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 217 - 2015
RESOLUTION AUTHORIZING PLACEMENT OF
"NO PARKING ZONE" SIGNS ON BOTH SIDES OF COUNTY ROAD 55
WEST OF THE LIMBURG FORKS ROAD IN THE TOWN OF DENMARK**

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

WHEREAS, the Highway Committee has reviewed with the Highway Superintendent the safety need for "No Parking Zone" signs on both sides of the Deer River Road, (County Route 55) in the Town of Denmark, covering approximately .16 miles west from a starting point approximately .34 miles west of the intersection of County Road 55 and Limburg Forks Road; and

WHEREAS, the Board of Legislators wishes to approve this signage and posting.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes and directs the placement of "No Parking Zone" sign(s) on both sides of County Road 55 (Deer River Road) in the Town of Denmark, covering an area approximately .16 miles west from a starting point approximately .34 miles west of the intersection of County Road 55 with Limburg Forks.

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

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

**RESOLUTION NO. 218 – 2015
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 budget appropriation is hereby approved in the Information Technology account for the Board Room recording equipment with funds appropriated from HAE9901.9, balance \$147,644.40:

<u>Increase Revenue:</u>	
A50310 (Inter-fund transfers)	\$5,923.98
<u>Increase Expense:</u>	
A1680.4605 (Repairs & Maint)	\$5,923.98

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

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

**RESOLUTION NO. 219 – 2015
RESOLUTION TO TRANSFER FUNDS
CONTINGENCY TO JUNKYARDS**

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 from Contingency to Junkyard account to cover mileage reimbursement to Junkyard Review Board members:

<u>From:</u>	<u>Amount</u>
A1990.4999 (Cont)	\$745.58
<u>To:</u>	
A8189.4507 (Travel)	\$745.58

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

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

**RESOLUTION NO. 220 - 2015
RESOLUTION APPOINTING MEMBER 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 appoints Dona Beyel of 4685 Mud Lake Road, West Leyden, New York 13489 to the Lewis County Office For Aging Advisory Council.

Section 2. The term of said appointment shall commence July 8, 2015 and expire on December 31, 2017.

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

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 221 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE CENTER FOR COMMUNITY STUDIES AT
JEFFERSON COMMUNITY COLLEGE AND
LEWIS COUNTY BOARD OF LEGISLATORS**

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

WHEREAS, the Lewis County Board of Legislators desires to enter into an Agreement with The Center For Community Studies at Jefferson Community College for professional services to compile, cleanse, analyze, and report out the results of a Lewis County Office for the Aging Service Needs Assessment Community Survey; and

WHEREAS, this survey is required by the New York State Office for the Aging for Development of a new four year plan for Lewis County Office for the Aging for the 2015-2020 period.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the Lewis County and The Center For Community Studies at Jefferson Community College for professional services in analyzing survey data that was collected by the Lewis County Office for the Aging and to compile, cleanse, analyze, and report out the results of a Lewis County Office for the Aging Service Needs Assessment Community Survey as required by the New York State Office for the Aging.

Section 2. That the Lewis County Board of Legislators authorizes and approves compensation of \$6,000.00 to The Center For Community Studies, payable upon receipt of the Final Report of Study Findings on or around December 1, 2015.

Section 3. That the Chairman of the Board of Legislators or the Vice-Chairman be and the same is hereby authorized to execute, seal and deliver such Agreement upon such terms as may be approved by the Lewis County Attorney.

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

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

**RESOLUTION NO. 222 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO OFFICE FOR THE AGING**

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

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WHEREAS, the Long Term Care Coordinator position shall be upgraded from Grade 26 to Grade 29 due to expansion and enhancement of the job responsibilities, program oversight, reporting and supervision, pursuant to Civil Service rules and regulations.

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 Office For Aging Department, to change the Long Term Care Coordinator title from Grade 26 to Grade 29.

Section 2. That Office For the Aging Director Brenda Bourgeois is hereby authorized to appoint Leah Schneider to the upgraded Long Term Care Coordinator Grade B29 Step 4 (\$23.88/hr.) effective July 13, 2015.

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

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

**RESOLUTION NO. 223 – 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO 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 Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Office For the Aging Department, to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Nutrition Services Coordinator	Full-Time	Grade 34 (\$25.46/hr.)

Section 2. That Office For the Aging Director Brenda Bourgeois is hereby authorized to fill said position, effective July 13, 2015.

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

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

**RESOLUTION NO. 224 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY PROBATION DEPARTMENT AND
AUTOMON, LLC FOR SOFTWARE MAINTENANCE AGREEMENT**

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 Board of Legislators hereby authorizes a software maintenance agreement between the County of Lewis, by and through the Lewis County Probation Department, and AutoMon, LLC, for the technical support services for the probation case management software.

Section 2. That this is for the term commencing August 14, 2015 for twelve (12) consecutive months and may be extended for up to five (5) additional one (1) year periods by mutual consent of the parties at a cost of \$3,847.47 for the base price, plus \$188.42 for each of the eight (8) registered users, for a total cost of \$5,354.83 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 Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 225 – 2015
RESOLUTION TO APPROPRIATE FUNDS
PUBLIC DEFENDER**

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 C000522 for the period 1/1/14 through 12/31/16:

<u>Revenue</u>		
A30253 Public Defender Grant C000522		\$56,964.00
<u>Expense</u>		
A1170.4904 Public Defender Grant C000522		\$56,964.00

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

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

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**RESOLUTION NO. 226 – 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PUBLIC HEALTH**

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

WHEREAS, one Keyboard Specialist position within the Public Health Department has been re-classified as an Administrative Assistant pursuant to Civil Service rules and regulations, based on the duties and responsibilities of said position.

NOW, THEREFORE, BE IT RESOLVED as follows:

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

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Administrative Assistant	Full-Time	Grade B15 (\$15.21-\$17.42/hr)

Section 2. That Public Health Director Penny Ingham 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 Pepper, and adopted.

**RESOLUTION NO. 227 – 2015
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 increases be approved for the EBOLA Preparedness and Response Activities Grant: HRI Contract #: 5038-01 (per resolution #182-2015)

<u>Account</u>	<u>Description</u>	<u>Amount</u>
A44898	EBOLA Grant	\$ 38,000.00
A4095.1999	EBOLA-Personal Svcs	\$ 2,115.00
A4095.8999	EBOLA-Fringe	\$ 1,210.00
A4095.4407	Supplies	\$ 12,925.00
A4095.4507	Travel	\$ 2,750.00
A4095.4901	Professional Services	\$ 15,000.00
A4095.4909	Miscellaneous	\$ 4,000.00

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

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

**RESOLUTION NO. 228 – 2015
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 mid-year adjustments:

<u>From</u>	<u>Account</u>	<u>Amount</u>
A4017.4901	Professional Services	\$ 225.00
A4085.4409	Data Processing	\$ 200.00
A4086.4409	Data Processing	<u>\$ 500.00</u>
	Total	\$ 925.00
<u>To:</u>		
A4017.4909	Miscellaneous	\$ 225.00
A4042.4507	Travel	\$ 500.00
A4085.4909	Miscellaneous	<u>\$ 200.00</u>
	Total	\$ 925.00

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

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

**RESOLUTION NO. 229 – 2015
RESOLUTION TO APPROPRIATE and TRANSFER FUNDS
CAPITAL CLEAN UP FUND**

Introduced by Legislator Gregory Kulzer, Chairman of the Taxation Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget changes are hereby approved in the Capital Clean Up Accounts to allow for assessment and possible clean up of tax foreclosure properties, utilizing Tax Foreclosure revenue:

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Part one:

Increase Revenue A10510 (Gain from Sale) \$40,000.00

Transfer to:
A9950.9921 (To Cap County Projects) \$40,000.00

Part two:

HAL50310 (Inter-fund Revenue) \$40,000.00

HAL1362.4 (Contractual & Misc) \$40,000.00

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

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

**RESOLUTION NO. 230 - 2015
RESOLUTION TO AUTHORIZE DIRECTOR OF
RECREATION, FORESTRY AND PARKS DEPARTMENT
TO EXECUTE LANDOWNER AGREEMENTS REGARDING COUNTY PROPERTY
WITH LOCAL SNOWMOBILE CLUBS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

WHEREAS, the County of Lewis is property owner of parcels of land in the County which encompass part of the snowmobile trails; and

WHEREAS, the Board of Legislators seeks to provide access to snowmobile clubs to use and maintain the snowmobile trails on the County's property by executing landowner agreements with local snowmobile clubs, and to grant the Director of Recreation, Forestry and Parks the authority to execute said agreements on behalf of the County.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves and authorizes the Director of Recreation, Forestry and Parks to execute land agreements with local snowmobile clubs, to provide access and use of the snowmobile trails on the County's properties.

Section 2. That the Board of Legislators hereby authorizes the Lewis County Director of Recreation, Forestry and Parks to execute and enter into the agreements as they are presented by the local snowmobile club, subject to approval by the County Attorney as to form and content.

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

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

**RESOLUTION NO. 231 - 2015
RESOLUTION AUTHORIZING OPENING OF CERTAIN PORTIONS OF
COUNTY ROADS FOR ATV SPECIAL EVENT FOR
ATV SAFETY COURSE AND CHICKEN BBQ TO BENEFIT CYSTIC FIBROSIS**

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

WHEREAS, Highmarket Wheelers ATV 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 25, 2015; 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 ATV 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 25, 2015.

Section 2. That the permission granted herein is specifically conditioned upon Highmarket Wheelers ATV Club entering into a written agreement with the County of Lewis whereby:

1. Highmarket Wheelers ATV 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

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property, including death arising out of or in any way connected with the conduct of the event and the use of those portions of County Roads by participants in the Event;

2. Highmarket Wheelers ATV 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 with property damage insurance of not less than \$300,000 for property damage claim coverage; and with said policy naming the County of Lewis as an additional primary insured; and
3. 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 and the participants in the Event.
4. 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 Pepper, and adopted.

**RESOLUTION NO. 232 – 2015
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 accounts:

<u>From:</u>	<u>Amount</u>
A3150.1101 (Per Serv)	\$30,000.00
A3150.4901 (Prof Serv)	\$ 3,000.00

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<u>To:</u>	
A3150.1103 (OT)	\$30,000.00
A3150.4508 (Inmate Bd)	\$ 3,000.00

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

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

**RESOLUTION NO. 233 – 2015
RESOLUTION APPOINTING COMMISSIONER OF THE
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES**

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

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints Jennifer Jones of Post Office Box 56, Beaver Falls, New York 13305 as Commissioner of the Lewis County Department of Social Services for a five (5) year term commencing on July 8, 2015 and terminating on July 7, 2020, subject to approval by the New York State Department of Social Services.

Section 2. That the Board of Legislators hereby establishes the starting annual salary for Jennifer Jones, in her capacity as Commissioner of Social Services, at \$68,000.00.

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

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

**RESOLUTION NO. 234 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND CAYUGA HOME FOR CHILDREN**

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 Cayuga Home For Children for the provision of foster care services for female juvenile delinquent offenders; 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 authorizes an agreement with Cayuga Home For Children for the provision of foster care services for female juvenile delinquent offenders.

Section 2. That this is for the period of January 1, 2016 through December 31, 2016 at a cost in accordance with the rates set forth by the state in the Agreement. There is no local share cost until costs exceed the foster care block grant, and then local share is 37.5% for residential and foster care.

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 - 2015
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 Lewis County Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Department of Social Services, to create the following Temporary positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Community Services Worker (2)	Temporary Full-Time	Grade C9 (\$13.33/hr.)

Section 2. That the Commissioner of Social Services is hereby authorized to fill said positions effective for the period September 14, 2015 through April 1, 2016.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 236 - 2015
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND LEWIS COUNTY GENERAL HOSPITAL**

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FOR REHABILITATION SERVICES

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

WHEREAS, in accordance with the policies and procedures of the Lewis County Department of Social Services (“DSS”) and in compliance with New York State and federal welfare reform legislation regulations, to aid in determining employability, 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

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, 2016 through December 31, 2016 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.

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. 237 – 2015
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

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New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

Title	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*
Elected Officials						
Appointed Officials						
Election Commissioner	8	Ann M. Nortz	36038362	1/1/15-12/31/16	No	21.59
Election Commissioner	8	Lindsay Burriss	43463876	1/1/15-12/31/16	No	21.48
Election Specialist	7	Nicole Demo	60268398	1/1/15-12/31/16	No	19.21
Assistant District Atty.	8	Mark Lemieux	60877149	12/1/14-12/31/15	Yes	
Real Property Tax Director	8	Linda Hoskins	42466250	10/1/13-9/30/19	Yes	
Clerk of the Board	8	Teresa L. Clark	34264044	1/1/14-12/31/15	Yes	
Highway Superintendent	8	David L. Becker	33686411	1/1/14-12/31/17	Yes	
Deputy Highway Supt.	8	Stanley Samsa	39059787	1/1/14-12/31/17	Yes	
Office For Aging Director	8	Brenda Bourgeois	39930474	1/1/14-12/31/15	Yes	
Solid Waste Director	8	Peter Wood	35851120	1/1/14-12/31/15	Yes	
Veterans' Service Director	8	Derek M. Davey	34922880	1/1/14-12/31/15	Yes	

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

**RESOLUTION NO. 238 - 2015
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 through Mountain View Prevention and Lewis County General Hospital is providing funds to establish 2 "Careers Here" internship positions during the summer of 2015, at an hourly rate of \$8.75 or minimum wage, and;

WHEREAS, the cost to the County of Lewis would only be for the fringe benefits other than Social Security.

NOW, THEREFORE, BE IT RESOLVED as follows:

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Section 1. That upon approval by the Pratt-Northam Foundation, the following amounts will be appropriated to expense account #'s: A.6380.1999 \$5250.00 and A.6380.8999 \$402.00 and revenue account No. A27052 \$5,652.00.

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 an additional two (2) positions with the title of Student Worker are created.

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

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

**RESOLUTION NO. 239 - 2015
RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

Introduced by Legislator Neil Pepper, Chairman of the Employment & Training Committee.

BE IT RESOLVED as follows:

NOA#PY15-01

Section 1. That the following funds be appropriated for Program Year 2015 for the period April 1, 2015 – June 30, 2017 for Youth per the Notice of Obligational Authority (NOA), #PY15-01, dated June 12, 2015 through the New York State Department of Labor, in the amount of \$64,325.25.

<u>YOUTH</u>	
CD6290.1999	\$47,300.00
CD6290.4909	\$ 2,100.00
CD6290.8999	<u>\$14,925.25</u>
	\$64,325.25

<u>WIA REVENUE</u>	
CD47910	\$64,325.25

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

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

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**RESOLUTION NO. 240 - 2015
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:

Morgan Austin – South Lewis Central School District
110 Grove Street
Boonville, NY 13309

Olivia Brooker – Lowville Academy & Central School
5345 Waters Terrace
Lowville, NY 13367

Section 2. That the term of said appointments shall be effective July 7, 2015, and shall terminate either on the date of their high school graduation, or the date they cease to be full-time High School students.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 241 - 2015
RESOLUTION AUTHORIZING TRANSFER OF FUNDS
TO THE INDUSTRIAL DEVELOPMENT AGENCY (“IDA”) AND A
MEMORANDUM OF UNDERSTANDING BETWEEN
THE COUNTY OF LEWIS AND THE IDA FOR A
“MAIN STREET ECONOMIC DEVELOPMENT” GRANT PROGRAM**

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

WHEREAS, the County of Lewis, by its Economic Development Department, desires to provide funding of \$125,000.00 to the Industrial Development Agency (“IDA”) to support a loan program for the Village of Lowville Business Community Development Grant Project in particular, and for other interested municipalities in Lewis County for similar “Main Street Development” programs; and

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WHEREAS, the County of Lewis supports this loan program, to be administered by the IDA, and agrees to enter into a Memorandum of Understanding with the IDA to outline the terms and conditions for advancement of the funds and the terms and conditions for expected reimbursement of the funds to the County; and

WHEREAS, the IDA is expected to administer the loan fund on behalf of the County;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes advance of \$125,000.00 from the Capital Economic Development fund account to the IDA, conditioned upon these funds being used explicitly as a loan fund for the Village of Lowville's Business Community Development Grant Project, if awarded, and, if funds remain available, for other municipalities that successfully receive funding for such a grant program.

Section 2. That the Board of Legislators further acknowledges that it anticipates reimbursement of these funds from the IDA, as program participants make repayments into the loan fund.

Section 3. That the Board of Legislators further authorizes a Memorandum of Understanding between the County of Lewis and IDA to incorporate the terms and conditions including but not limited to the IDA's administration of these funds, the use of these funds for the Village of Lowville Business Community Development Project and other "Main Street Development Programs", the terms of reimbursement to the County for these advanced funds, and any other provisions required to give effect to this authorization as the County Attorney may advise.

Section 4. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Memorandum of Understanding, pending approval by the County Attorney.

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

Moved by Legislator Dolhof, seconded by Legislator King.

County Manager Liz Swearingin clarified that the Main Street Grant is part of the Consolidated Funding Application (CFA) process, which is open once annually with a 7/31 application deadline. The instant resolution is specifically for the Village of Lowville project. It is a loan program. If Lowville does not utilize the entire amount, the remaining balance is available for any interested municipality in future years. As verbally indicated to her earlier, she recommends the Board amend the resolution to utilize the Hospital loan repayment funds.

Accordingly, Legislator Brennan made a motion to amend Section 1 of the Resolution to authorize appropriating \$125,000 from the fund balance.

Legislator King wanted assurance the loan would be repaid. Legislator Brennan said the intent is to hold property owners accountable through specific repayment terms in the agreement with the IDA, which may include a lien on the property. Director of Economic Development Eric

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Virkler stated the covenants of the agreement are at the Board's discretion and subject to County Attorney review and approval.

Legislator Dolhof explained that Snow Belt Housing has historically administered Main Street grants. The property owner is obligated to upfront cash equal to 25% of the grant, or may avail loan funds with amortized repayment up to 7 years. The loan is guaranteed through a lien on the property. Legislator King reiterated his request for assurance of loan repayment. Legislator Dolhof asserted the property owner would be held accountable through the IDA agreement.

Referencing Section 3 of the resolution, Attorney McNichol reported the terms of the MOU between the County and the IDA would be negotiated for inclusion of all terms desired by the Board.

In response to Legislator Pepper, Planning Director Frank Pace affirmed that Snow Belt Housing was preparing the Main Street application. Grant funds of up to \$50,000 are available to businesses for upgrades, plus \$25,000 for each of up to 2 apartment units, equating a maximum of \$100,000. The required 25% matching funds could be availed by eligible applicants through the loan program administered by the IDA. The loan agreement would stipulate repayment terms. The revolving loan fund would increase as repayments are received.

Legislator Moser takes exception that the Village of Lowville is the sole beneficiary of the grant/loan program. He recognizes that time is of the essence, while suggesting there may be another interested municipality in a Main Street grant. Legislator Brennan stated that any other interested community could be considered, but he is unaware of any other interest at this time. Legislator Hathway concurred with Legislator Moser's assertion that another municipality could conceivably submit an application. He surmised it would take a period of five years before the fund was replenished to a reasonable amount for other applicants, anticipating requests for additional County appropriations.

Citing the need to start somewhere to develop affordable housing, Legislator Pepper opined that as the County seat, Lowville was an appropriate place to start. In response to Legislator Chartrand, Mr. Pace relayed that four business owners have completed preliminary grant applications, some for only façade improvements and others to include housing rehabilitation.

Legislator Hathway inquired if it was necessary to conduct a public comment meeting prior to the Board's consideration to commit funding. Mr. Pace affirmed that the previously held hearing by Snow Belt Housing was a grant requirement, and the Village of Lowville was the only one that approached Snow Belt Housing for a Main Street grant application.

Legislator Moser reiterated his exception for the funds being dedicated specifically for Lowville. Mr. Pace explained the loan fund is an optional mechanism for any interested business to meet the local match requirement and is required to be paid back, but would not necessarily be availed by all businesses. In response to Legislator Brennan, Mr. Pace clarified that the primary request is for the Board's support of the Village of Lowville's grant application, and secondarily, but not necessarily for attendant funding. Although, he said, the commitment of funds would give more credence to the application, while illustrating support for businesses.

Legislator Dolhof asked if the micro loan program funds could be utilized for the instant purpose, and Legislator Moser indicated favor for this mechanism. Chairman Tabolt invoked that if the loan program had been posed in a timely manner to afford appropriate consideration by Legislators and municipalities, it may have been more palatable. Mr. Virkler explained, that

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although the micro loan fund regulations are somewhat flexible, they are not meant for housing rehabilitation.

Legislator Dolhof seconded Legislator Brennan's earlier motion to appropriate \$125,000 from the County fund balance, instead of the Capital Economic Development fund. The motion was carried, with Legislator Hathway opposed.

Legislator Hathway posed to remove the language in Section 1 [for other municipalities] surmising there would be no available funds. Citing the unknown whether the full \$125,000 would be utilized for the project, as well as loan repayment deposits, Legislator Dolhof suggested the language remain.

Due to confusion related to the withdrawal of proposed Resolution No. 214, Liz Swearingin clarified the County economic development fund, inclusive of the USDA monies, has a balance of \$150,000. In response to Legislators' indication to dedicate some of those funds, she suggested the issue be deferred.

Mr. Pace reported that he has consistent contact with community officials and leaders, none of which to-date have indicated interest in a Main Street grant. During development of the Government Efficiency Plan, community outreach facilitated participation and communication amongst the group. Liz Swearingin added, that formal meetings will resume this fall to evolve and evoke ongoing discussion to discern projects and initiatives that may enhance the quality of life for residents.

The resolution as amended was then adopted by a roll call vote of 8 to 2, with Legislators Hathway and Tabolt opposed.

RESOLUTION NO. 242 - 2015 RESOLUTION AUTHORIZING GRANT APPLICATION FOR SOUTHERN LEWIS COUNTY MUNICIPALITIES REGIONAL WATER PROJECT

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

WHEREAS, New York State Governor Andrew M. Cuomo, has created ten Regional Economic Development Councils; and

WHEREAS, as part of the Regional Economic Development strategy, a unified funding process, the Consolidated Funding Application has been developed and made available to distribute grant funds for job creation, infrastructure improvements and regionally significant economic development projects; and

WHEREAS, the Department of State of the State of New York has made funding available for 2015 Local Government Efficiency (LGE) Implementation Grant Program to assist applicants in implementing plans to improve local government efficiency and cost savings, and

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WHEREAS, the following communities in the Southern Lewis County Region deem it advantageous to join together in seeking a Local Government Efficiency Implementation Grant from the Department of State, to wit: County of Lewis, Town of Leyden, Town of Lewis, Town of Lyonsdale, Village of Lyons Falls and Village of Port Leyden, and

WHEREAS, the County of Lewis will act as the lead applicant and all the other constituent municipalities will act as co-applicants in this application, and

WHEREAS, the application will seek \$330,000 in total monies, \$300,000 in a Consolidated Funding Application/Department of State LGE Grant, and \$30,000 from the County of Lewis for the creation of a Southern Lewis County Regional Water Program.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The County of Lewis shall be the lead applicant for a Consolidated Funding Application/Efficiency Implementation Grant from the Local Government Efficiency Grant Program administered by the New York State Department of State for the purposes of the Southern Lewis County Regional Water Program Development.

Section 2. That the Chairman, or Vice-Chairman is hereby authorized to execute all necessary Grant Application Documents for submission to the Consolidated Funding Application, Department of State Local Government Efficiency Grant Program.

Moved by Legislator Moser, seconded by Legislator Dolhof.

In response to Legislator Hathway, County Manager Liz Swearingin stated that the County share for this grant is equal to the amount of contractual fees paid to Brennan Consulting.

The resolution was then adopted.

**RESOLUTION NO. 243 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
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 cards pursuant to Civil Service regulations:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Certified Nursing Assistant (2)	Full-time	\$11.88-\$15.61/Hr.

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Physician Office Assistant	Full-time	\$14.38-\$18.86/Hr.
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Section 2. That the 2015 Hospital budget included allocations for said positions.

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

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

OTHER BUSINESS:

Clerk of the Board Teresa Clark announced the Chairman's re-appointment of the following individuals to the Comprehensive Economic Development Strategy (CEDS) committee: Arleigh Rice, Michael Ciocondo, Terry Thisse, Cheryl Shenkle-O'Neill, Randall Schell, Paul Mooney and Eric Burch.

Legislator Hathway referenced a proposal by the Ways and Means Committee he had forwarded to each Legislator to create a \$250,000 community improvement fund utilizing Hospital repayment funds. There would also be allocations for assistance with engineering or grant writing expenses to enhance project completion. The Committee would vet each request, limit funding to \$50,000, and allocate \$2 for every one dollar put up by the requesting municipality. The Committee offers to formulate a policy to define the terms for the Lewis County Towns and Villages Improvement Fund, while requesting input from all Legislators. The Committee would vet each request.

Legislator Dolhof stated his conceptual support, but suggests monetary considerations be deferred until County budget deliberations. Legislators Brennan and Pepper each indicated their conceptual support for a dedicated fund. In response to Legislator Kulzer, Legislator Hathway affirmed there is no intent to hire a grant writer, but merely assist on a case-by-case basis.

Legislator Hathway explained the hospital repayments are essentially taxpayer dollars, so the intention is to create a mechanism to facilitate return of the monies to benefit the maximum number of taxpayers. Liz Swearingin asserted the need to develop a policy and determine administering logistics for tracking projects and payments. Legislator Moser generally supports the concept, but expressed budgetary concern for known deficits in the health insurance fund and it being too early to assume the hospital's financial status.

Chairman Tabolt recognized the Board's conceptual agreement. Legislator Chartrand suggested that each Legislator submit their comments and suggestions to Legislator Hathway, whom will compile and provide a report.

Chairman Tabolt inquired the status of the Animal Control Officer issue. Legislator King posed a meeting in July for further discussion. County Attorney McNichol reported gathering information from other Counties attesting that Towns generally administer animal

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control. She has gathered copies of Local Laws from Towns with a goal toward facilitating a uniformed approach throughout the County.

Legislator Chartrand made a motion to change the time of the August 4, 2015 board meeting to 9:00 a.m. to accommodate the annual golf outing and dinner. The motion was seconded by Legislator Kulzer and carried.

Upon the request of Sheriff Michael Carpinelli, Deputy and Range Instructor Brett Croneiser posed the purchase of replacement pistols. The current pistols are not broken, but are worn, the newest being a 2004 model. He stated they are exposed to all types of weather every day, and the metal components are subject to corrosion. The cost to refurbish the 53 pistols is \$9,169.00. Alternatively, purchasing 23 45-caliber pistols for road patrol officers and 30 40-caliber pistols for correction officers would cost \$7,188.78 with a trade-in allowance of \$300/pistol, or \$1,980.22 less than refurbishing.

In response to Legislator Kulzer's support for one type of ammunition and that all weapons would be interchangeable, Mr. Croneiser considered the lesser cost model for correction officers who do not carry their pistols every day. Replacing all weapons with a 45-caliber pistol would equate an additional \$1,800.00. In response to Legislator Moser, Mr. Croneiser quoted a cost of \$200.24 per pistol for 23 replacement leather holders for a total of \$4,605.29. The 40-calibers do not need replacement holders.

Legislator Moser referenced new Glock weapons purchased five years ago, questioning the validity for the need to replace correction officer pistols, particularly because of the minimal use or exposure to weather.

County Manager Liz Swearingin recognized that Mr. Croneiser had provided additional information today than had been previously provided in a written report to the Committee, while suggesting the issue would be appropriately presented to the Committee for their recommendation to the full Board.

Legislator Chartrand asked if the pistol replacement was an urgent request, or one that could be addressed during 2016 budget deliberations. Mr. Croneiser cited instances on the firing range when a deputy's gun has not fired. Legislator Kulzer invoked that proper maintenance prevents corrosion, insisting that officers be held accountable for weapon and leather holder maintenance.

Legislator Hathway summarized the replacement request is due to neglect for proper maintenance, inquiring the necessity to replace all weapons at one time. Mr. Croneiser recapped the request for all new guns, taking exception to having to determine which officers would not get a new weapon. He assured implementation of a maintenance plan, and semi-annual inspections and timely repairs.

In response to Legislator Hathway, Sheriff Carpinelli inferred the savings from not having to purchase snowmobiles, and a new boat for Lake Bonaparte patrols provided free of charge by

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the State.

Legislator Brennan asserted the 40-caliber as an effective weapon, querying the need for the 45-calibers. Mr. Croneiser submits the 45-caliber is an all-around better weapon. Legislator Pepper strongly insisted that all officers be held accountable for weapon maintenance.

Chairman Tabolt referred the matter to the Courts and Law Enforcement Committee for a recommendation.

There being no other business to come before the Board, the meeting adjourned by motion of Legislator Brennan at 7:37 p.m., seconded by Legislator Hathway and carried.

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REGULAR MEETING
August 4, 2015

The meeting was called to order at 9:00 a.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislator Moser whom had been excused.

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

There were 16 citizens present.

Chairman Tabolt announced approval of the July 7 and July 16, 2015 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: August 4, 2015

Lawrence Dolhof, Chairman
Craig Brennan, Committee

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

PRIVILEGE OF THE FLOOR:

Cornell Cooperative Extension Executive Director Michel Ledoux introduced newly appointed Animal and Plant Science 4-H Educator Paulina Renggli, who relayed enthusiasm and looks forward to educating opportunities.

Recreation, Forestry and Parks Director Jacqueline Mahoney announced she would be sponsoring a booth at the New York State Fair and asks for volunteers to disseminate information materials.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

All Legislators received copies of the 7/21/15 Highway Audit Report, the 7/20/15 Solid Waste Audit Report, and the Treasurer's July Report.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Buildings and Grounds/Ways and Means Committee Chairman, reported the Buildings, County Clerk and Treasurer budgets are all on track.

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The Committee has requested Larsen Engineers to submit additional solar Power Producing Agreements (PPA) for consideration. They will propose three more agreements within one week, for a total of four. The Committee will review and make a recommendation to the Board.

Legislator Hathway reported the need to dig down another foot for adequate stone base at the DSS parking lot resulting an additional \$14,000 cost, 90% of which will be covered by the grant. The County share of project cost remains within the approved \$310,000.

In response to Legislator Kulzer, Legislator Hathway stated that Bernier, Carr and Associates (BC&A) engineers had directed only two borings, although the project was approved for ten. The Committee, he said, recently met with BC&A and bluntly suggested they take partial responsibility for the additional cost. Atty. Joan McNichol recommended the contractual issues be discussed in executive session later today.

Legislator Hathway reported further issues at the DSS parking lot with gas lines that run to the Public Safety Building (PSB) and the DSS office building, that are not as deep as indicated on the drawings. NYSEG is requiring a new trench and new lines. The related additional costs will be covered by the Capital DSS and PSB budgetary appropriations.

Continuing, Legislator Hathway relayed an issue whereby the Committee had requested installation of conduit on the parking lot light poles to address future potential requests for surveillance cameras. However, BC&A had inadvertently not included the conduit in the specifications, and there is a change order for \$5,000. The Committee contends that a competitive bid would have been a lesser amount. He further reported that after lengthy review and deliberation Legislator Chartrand, Frank Archer and Adam Zehr collectively recommend a solution that reduces the cost to \$1,500, which would be covered by the budget.

Legislator Hathway made a motion to approve the \$1,500 change order to install the conduit for future additional surveillance cameras, if requested by the Workplace Violence Committee, seconded by Legislator Chartrand.

Legislator Kulzer cited the mistake was BC&A's, indicating they should pick up the cost. Legislator Chartrand termed the project as small and involves only two contractors. He suggested it would not be prudent to delay the contractors, potentially costing them lost revenue. Legislator Dolhof added the reduced cost is very close to what a competitive bid would have been. Legislator Kulzer reiterated concern for multiple mistakes by the engineers and chided their overall performance. The motion was then unanimously carried.

Legislator Hathway reported that DANC engineers had reviewed four engineer proposals for the PSB water system upgrades, all located within our region. BC&A's low bid was \$1,000 proposing to complete the project within four weeks. The next lowest bid was \$14,900 proposing nine weeks to complete. Accordingly, Legislator Hathway made a motion to award the engineering contract to BC&A for \$1,000, seconded by Legislator Chartrand. Legislator Kulzer reiterated his concern about their performance. Legislator Hathway affirmed that DANC engineers had given concise instructions on project expectations. The motion carried unanimously.

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Legislator Neil Pepper, Social Services/Office For Aging/Youth Committee Chairman, urged approval of sponsored resolutions relative to foster care services; and Director of Social Services' salary, vacated by newly appointed Commissioner Jennifer Jones.

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 five (5) years is set by the NYS Office For Aging for these positions. Two of the current Aides are due to terminate and would be refilled on 7/27/2015 and 10/26/2015 respectively. The motion was seconded by Legislator King and carried.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, reported completion of electrical connections to the towers; and that Aviat and EF Johnson companies were making final installations and align the towers in preparation for testing by the end of August.

Legislator King reported receipt of one bid for the dispatch center improvements from Kaplan-Schmidt Electric, Inc. of Rochester in the amount of \$234,825.00, within budgetary appropriations. Legislator King made a motion to award said bid, seconded by Legislator Moroughan. Legislator King stated the renovations include required controls for the jail doors. The motion was carried.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry & Parks Committee Chairman, reported ongoing discussion for maple product marketing and a bottling plant; and research for solar energy development. Discussion continues for advanced education opportunities with Mohawk Valley Community College. The stream gauge water monitoring system has been installed and Soil and Water Conservation District Manager Nichelle Billhardt will assist with implementation. Community outreach with Town and Village officials continues, as well as specific coordination with southern Lewis County municipalities for the water project. The public transportation system was highlighted through Channel 7 TV commercial advertising. Bus routes to Old Forge are well utilized with two buses running from 6/27-7/26/15. The highest demand day included 43 passengers from the northern route and 88 passengers from the southern route. There are 77 registered bus riders and several that are non-registered. Transit advertising on the two buses is being researched.

Legislator Dolhof reported economic development initiatives include continuation to meet with property owners to acquire land for a commerce park, and a consolidated funding application (CFA) has been submitted for a local incubator building. The IDA Board of Directors approved a \$50,000 micro-loan, and is considering staffing needs to administer the loans and other programs. The cash flow for the Lyons Falls mill project has been somewhat relieved by receipt of State grant reimbursement of \$330,000, which was passed on to the Development Authority of the North Country to repay their up-front line-of-credit for this project. They also anticipate receipt of the first \$500,000 of the \$1 million approved grant.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, reported paving an additional 16 miles over the projected schedule, with yet another three miles to be paved within budgetary appropriations. He partially attributed these accomplishments to lower than

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projected oil prices, while commending the work ethic of Highway personnel and Highway Superintendent David Becker's leadership. Also, all bridges that had been flagged have been repaired.

Legislator Gregory Kulzer, Taxation/Information Technology/Elections Committee Chairman, reported meeting with St. Regis Mohawk Tribe General Manager Jeff Beekhoo and DANC Telecom Manager Dave Wolf. Mr. Beekhoo boasts that every resident on the reservation is hooked up to their company's broadband system. He proposes to offer broadband to remote and unserved areas of Lewis County as a trial, by utilizing DANC's existing fiber, the Copenhagen tower owned by WWTI and the tower at the PSB. Implementation would not occur until the new radio system is tested and operational. Their goal is to illustrate the effectiveness and cost efficiency of their system to State officials, with plans to vie for available grant funds. Mr. Beekhoo recognizes the importance of the E-911 communication upgrades and assures his equipment will not interfere because of distinct frequencies.

Legislator Kulzer reported that Real Property Tax Director Linda Hoskins continues to attend Town Board meetings to address challenges with E-911 addressing of private roads. He also relayed Mrs. Hoskins' commendation of Employment and Training summer student worker Cassandra Goutermout for her efficient work and assistance.

Legislator Kulzer made a motion to authorize Chairman Tabolt to forward a letter to Governor Cuomo urging his signature on the Veterans Equality Act (Bill S5937/A8174a). The legislation memorializes State funding of enhanced veterans' pension benefits for eligible State, County, Police and School employees. Veterans may buy pension credits for up to three years in service and defense of our country. The Bill was unanimously adopted by the State Senate and by a 138-1 State Assembly vote. The motion was seconded by Legislator Brennan. Chairman Tabolt reported that contrary to the previous legislation which passed financial responsibility onto the Counties, the amended legislation affirms State responsibility for the enhanced benefits. The motion then carried.

Legislator Richard Chartrand, Hospital Committee Chairman, announced the June employee-of-the-month as Donna Honer, a 30-year L.P.N. who plans to retire in August. She is caring and always focuses on people's positive attributes. Donna is a team player, never too busy to assist co-workers, and will be deeply missed. Legislator Chartrand encouraged his colleagues to seek Donna out to recognize her years of service and wish her well in retirement.

Legislator Chartrand reported that orthopedic surgeon Dr. Swift has performed 15 surgeries since he started on 7/8/15. Dr. Josephina Tan-Domingo, OBGYN, will be retiring effective 8/21/2015. He encouraged Legislators to attend the 9/12/15 Hospital Foundation gala, at which Dr. Domingo will be recognized. Also, Dr. Dinh has resigned effective 8/6/15.

Legislator Chartrand reported the duties of retiring Quality Control Officer Jean Dryja have been divided amongst other employees, instead of hiring a replacement. The durable equipment store is operating in the hospital basement. Michele Prince expects delivery of radiology equipment in time for "Breast Cancer Awareness" month in October. Surrounding healthcare facilities have been informed of the availability of the equipment to enhance referrals and bolster revenue.

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The hospital had a June gain of \$16,073 versus a budgeted gain of \$25,793; the year- to-date surplus of \$543,258 is above the year-to-date budgeted surplus of \$454,569. There were 1,001 June emergency room visits with only five persons leaving before being treated, resulting 8% over budgeted revenues.

Legislator Chartrand further reported that Certified Home Health Agency (CHHA) services are above projections, urging approval of the recommendation to hire an additional nurse to assist with the caseload.

He reported that OBGYN Dr. Hoover had seen 135 patients in May and 160 in June. Family practitioner Dr. Luenberger will commence practice at the South Lewis Health Clinic in August, with a meet and greet to be held on 8/11/15 in the John C. Herrman, M.D. conference room.

In conclusion, Legislator Chartrand announced medical staff officers effective 7/1/15 are President Dr. Lynn Pisaniello, Vice-President Dr. Shereen Palmer, and Secretary/ Treasurer Dr. Cynthia Fraser.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, announced a scheduled candidate interview for Director of Community Services.

She reported the Public Health budget is on target; and one employee resignation that will not be re-filled. The number of children in need of pre-school services is 10-15 less than last year. Effective 7/1/15, the State has changed the payment process for special education teacher services. Previously service providers were paid based on a tuition rate, whether or not services were delivered. Now, payments are dependent upon proven delivery of services.

Legislator Moroughan reported that personnel met their goal by dispensing medication to over 150 persons per hour during the 6/24/15 disaster preparedness drill.

St. Lawrence County Health Initiative is applying on behalf of the Tri-County area for the multi-sector public health action and would like Lewis County Public Health to be a sub-contractor. As a participant, Lewis County could recoup some personnel costs. The action will assist us to assess our capacity and sustainability for chronic disease prevention programs.

Legislator Moroughan relayed that Eric Burch had informed about efforts to formulate a method for equally distributing Delivery Systems Reform Incentive Program (DSRIP) funds to all stakeholders.

Legislator Moroughan referenced the informational flyer that had been distributed to each Legislator about the scheduled Wildlife Oral Rabies Bait Drop of 89,000 during the week of August 11th throughout Lewis County, at no County cost. The bait will help head off the spread of rabies by raccoons and other wild animals.

Public Health Director Penny Ingham relayed their role is to notify and educate the public about the bait drop and impress the importance to not unnecessarily disturb the baits. The bait drop

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is a joint effort with the NYS Department of Health and the USDA and Wildlife Services, involving several States. It will prevent rabies in raccoons as our first line of defense to protect pets and livestock and lessen human exposure. Senators Joseph Griffo and Patricia Ritchie are credited with securing dedicated State funds to assure that Lewis County was included. They are particularly focused on the Black River Valley as a vulnerable wildlife corridor which moves rabies northward. Lewis County has not participated in a mass rabies drop for several years due to diminished funding and resources, instead able to bait only in the most critical zones. There is a trial bait being tested, which, if approved, is more effective.

In response to Legislator Brennan, Mrs. Ingham stated that scientific data proves the effectiveness of the bait drops to reduce the load in the raccoon rabies population. The USDA captures raccoons and wildlife in areas known with high loads, and after bait drops the numbers have consistently dropped. The goal is to lessen human exposure, in turn, reducing County costs for invasive and expensive post-rabies treatments.

Legislator Dolhof inquired whether it supports an artificial population of a natural group of wild predators that would die off each year. Mrs. Ingham stated there are other natural causes for predators to die off, adding that rabies is too deadly and dangerous for the targeted human population.

In response to Legislator Pepper, Michele Ledoux confirmed the benefit of the rabies bait drop to reduce exposure to livestock. Domestic pets are vaccinated, she said, asserting vaccination of cow herds is unrealistic. Raccoons are main carriers of rabies. So it lessens the exposure to dairy cattle from rabid animals that occasionally enter barns.

Legislator Dolhof, Insurance Committee Chairman, cautioned that if the trend continues, the County health insurance fund will have a deficit of \$700,000 by the end of the year. The committee has met several times, inclusive of hospital administration, to identify solutions that would minimize the impact for employees and the County.

COUNTY MANAGER REPORT:

On behalf of Human Resources Committee Chairman Bryan Moser, Liz Swearingin reported the results of meetings by Director James Swords and several Department Heads over the past 5-6 months to formulate a performance evaluation form. The proposed form for front-line personnel, and another for Department Heads and supervisory staff, will be distributed to Legislators for review. Upon approval, there will be training on the process.

Ms. Swearingin will provide a list of submitted Consolidated Funding Application (CFA) projects by the 7/31/15 deadline.

The vendor demonstrations for replacement of the County IFM financial system are scheduled in September. Departmental fiscal managers and key personnel will participate.

She and Treasurer Patty O'Brien plan to meet with the Ways and Means Committee on 8/7/15 to outline the process for budget preparation. The Board and Department Heads

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will be briefed thereafter. Ms. Swearingin referred to challenging choices the Board will face to meet the Tax Cap, a miniscule amount that is exceeded by salary increases alone, and further compounded by increased health insurance and 911 operating costs.

Ms. Swearingin announced the resignation of Micky Lehman from the IDA Board, and will coordinate with the Economic Development Committee for a recommendation to the Board for a replacement candidate.

COUNTY TREASURER REPORT:

Patricia O'Brien recited the balances of the Special Contingency Fund - \$92,859.00; Contingency Fund - \$292,210.42; Capital Data Processing Fund - \$141,721.21; and Capital Equipment Fund - \$251,639.65, of which \$40,124.40 is the Highway portion. She reported that year-to-date sales tax receipts are comparatively low, but she remains confident the 2015 budgeted level will be achieved.

Mrs. O'Brien also reported that the Hospital continues to make timely debt repayments, with a balance due of \$4.1 million. The health insurance fund cash balance is \$2.3 million, with a 6/30/15 fund balance of \$1,749,000.

SPECIAL REPORTS:

Chairman Tabolt acknowledged Legislators King and Chartrand, County Attorney Joan McNichol and Assistant Attorney Mary Iocovozzi attended an informational meeting at the Maple Ridge Windfarm Center with State Comptroller Thomas DiNapoli. Chairman Tabolt had attended the Governor's Bassmaster Challenge event held in Massena, where he took the opportunity to speak with Lieutenant Governor Kathy Hochul. Also, Legislators Dolhof and Brennan, County Manager Liz Swearingin and Director of Economic Development Eric Virkler had attended a Watertown meeting with U.S. Senator Kirsten Gillibrand.

REPORT OF THE WAYS AND MEANS COMMITTEE:

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RESOLUTIONS:

**RESOLUTION NO. 244 – 2015
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 \$ 1,846,019.48 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 King, and adopted by roll call vote:

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

NAYS: None

ABSENT: Moser

**RESOLUTION NO. 245 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
BUILDING MAINTENANCE DEPARTMENT**

Introduced by Legislator Philip Hathway, Chairman of the Buildings and Grounds 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 Buildings Maintenance Department, to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Cleaner	Full-time	Grade C2-1 (\$11.43/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 King, seconded by Legislator Pepper, and adopted.

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**RESOLUTION NO. 246 – 2015
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS
BUILDINGS AND GROUNDS**

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

BE IT RESOLVED as follows:

Section 1. That the following budget transfers are hereby approved in the Stowe Street Building & Grounds Department Account for the purchase of a sander and blade to maintain the DSS parking lot, funds to be transferred from the Capital Equipment account; balance \$287,264.05:

<u>Increase Revenue:</u>	
A50310 (inter-fund transfer)	\$9,519.30
<u>Increase Expense:</u>	
A1621.2909 (Misc Equip)	\$9,519.30

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

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

**RESOLUTION NO. 247 - 2015
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 number of hours per week from 40 hours to 32 hours for the Community Services Controller, effective August 4, 2015.

Section 2. That this resolution shall take effect immediately.

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

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**RESOLUTION NO. 248 - 2015
RESOLUTION OPPOSING THE US ENVIRONMENTAL PROTECTION AGENCY'S
and US ARMY CORPS OF ENGINEERS EXPANDED "DEFINITION OF WATERS OF
THE U.S. (WOTUS) UNDER THE CLEAN WATER ACT" AND SUPPORTING THE
UNITED STATES HOUSE OF REPRESENTATIVES BILL NO. H.R. 1732**

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

WHEREAS, on or about May 27, 2015, the US Environmental Protection Agency (EPA) and the US Army Corps of Engineers (CORPS) released a version of their final regulatory ruling to amend and expand the definition of "waters of the U.S." (WOTUS), subject to federal regulation (and permitting obligations) under the Clean Water Act (CWA). The aforementioned Agencies included definitions of "tributary" and "adjacent" which could expand the scope of CWA Federal jurisdiction over streams, municipal and private ditches, and even seasonal drainage areas which cut through farmer's fields. The Agencies' final rule defines "waters of the US" to include "tributaries" to mean any property having a "bed, bank and ordinary high water mark where water sometimes flows and eventually reaches navigable water", no matter how far away. This means that small, periodic wetlands or drainage ditches (county owned and privately owned), and small seasonal drainage areas on farmers' fields in Lewis County will be regulated by the Federal Government, even though they may be geographically isolated from any navigable or interstate water or territorial sea; and

WHEREAS, clean water has always been a priority and essential to our county government in protecting our resources for our citizens and businesses, in preserving local resources and maintaining public safety infrastructure. The County may be negatively impacted by the Agencies' changes to WOTUS, by requiring Counties to now include Section 404 permits and other CWA programs in maintenance of the County's roadside ditches, flood control channels, drainage and storm water culverts, and other infrastructure used and maintained by the County to funnel water away from low-lying roads, properties, and businesses in an effort to prevent accidents and flooding incidences for its citizens. Further, these amended definitions may strip property owners (municipal and private) of long held land rights. This is a substantial change from current law and U.S. Supreme Court decisions, and an onerous burden on local municipalities, small businesses and farming communities; and

WHEREAS, the EPA and CORPS initiated this rule without properly involving, consulting or soliciting the advice and recommendations of state and local officials, stakeholders, small businesses and other interested parties, on how each may be impacted and affected by the definition of WOTUS under the new rule, in direct disregard of FEDERALISM CONSULTATION REQUIREMENTS. It is apparent that the EPA and CORPS failed to take into account thousands of comments from farmers, small business owners and property owners, who know this rule adds unnecessary burdens. The National Association of Counties (NACo) submitted a nineteen (19) page letter to the Agencies that emphasized the importance of the local, state and federal

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partnership in crafting practical rules to ensure clean water without impeding counties' fundamental infrastructure and public safety functions, and called for the proposed rule to be withdrawn until further in-depth consultation with state and local governments took place; and

WHEREAS, in July, 2015, in an article by Elizabeth Wolters, the New York Farm Bureau indicated that these Agencies' new rule and definitions are "all about regulating land use, and could drastically change farm practices and permitting requirements for agriculture". What farmers in the North Country experience as typical drainage for part of a season or after significant rainfall on their fields could become subject to federal control, permitting and regulation; and

WHEREAS, the 114th Congress has taken up action on this matter through H.R. 1732, entitled "An act to preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes", cited as the "Regulatory Integrity Protection Act of 2015". The House of Representatives passed H.R. 1732 on May 12, 2015 and sent it to the Senate on May 13, 2015. [A similar bill is pending in the Senate under S 1140]; and

WHEREAS, H.R. 1732 calls for the Secretary of the Army and the Administrator of the Environmental Protection Agency to withdraw the proposed rule published in the Federal Register entitled "Definition of 'Waters of the United States' under the Clean Water Act" (79 Fed. Reg. 22188). This Bill further requires that these Agencies develop a new proposed rule to define WOTUS after taking into consideration public comments, reports, and the all-important joint consultation with and solicited advice and recommendations from representative state and local officials, stakeholders and other interested parties on how to so define WOTUS; to seek out and to reach consensus with state and local officials; to be ever mindful to protect the authorities of state and local governments and the rights of private property owners over natural and man-made water features, "including the continued recognition of Federal deference to State primacy in the development of water law, the governance of water rights, and the establishment of the legal system by which States mediate disputes over water use". H.R. 1732 goes on to develop a time frame for the Agencies to initiate the consultations with state and local stakeholders, to require a Report from the Agencies to describe in detail the advice, concerns and recommendations obtained from all state and local officials, to identify where consensus was reached and where it was not, and how definitional changes in the new proposed rule will impact, directly and indirectly, the public and private stakeholders and others, including small entities such as farmers; and

WHEREAS, the Board of Legislators seeks to have the EPA and CORPS immediately withdraw the proposed definition of "Waters of the United States" as they currently published in the Federal Register, and to have H.R. 1732 become law and followed by the EPA and CORPS in order to protect the economic livelihood of all landowners in Lewis County, to protect the rights of the County to maintain the public infrastructure and land use regulation, and to ensure the protection and rights of the Lewis County farming community in particular.

NOW, THEREFORE, BE IT RESOLVED

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Section 1. The Board of Legislators of the County of Lewis calls for the immediate withdrawal of the proposed rule published in the Federal Register entitled "Definition of 'Waters of the United States' under the Clean Water Act" (79 Fed. Reg. 22188), released and devised by the US Environmental Protection Agency and the U.S. Army Corps of Engineers.

Section 2. The Board of Legislators of the County of Lewis calls on the EPA and CORPS to have further analysis and more in-depth consultation with state and local governments in any proposed changes to WOTUS, including clarification that local streets, gutters, and man-made ditches be excluded from the definition of "waters of the U.S."

Section 3. The Board of Legislators of the County of Lewis supports H.R. 1732, cited as the "Regulatory Integrity Protection Act of 2015", passed by the House of Representatives on May 12, 2015, and urge the US Senate do the same, and be signed into law by the President of the United States.

Section 4. The Board of Legislators of the County of Lewis seeks to provide important consultative advice and recommendations to the named Agencies as to the practical and economic effects of changes to WOTUS upon local land use development and control, and in particular, the effects of same on the farmers, private landowners and small businesses in Lewis County, New York.

Section 5. The Board of Legislators of the County of Lewis hereby states its support for the above and directs that a copy of this resolution be forwarded to U.S. Senator Charles Schumer, U.S. Senator Kirsten Gillibrand, U.S. Congresswoman Elise Stefanik, Governor Andrew Cuomo, State Senate Majority Leader John Flanagan, State Senator Joseph A. Griffo, State Assemblyperson Kenneth Blankenbush, and all Counties in the State of New York.

Section 6. The within resolution shall take effect immediately.

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

**RESOLUTION NO. 249 – 2015
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 transfer is hereby approved in the Highway Department Accounts for the annual lease payment for the Tractor Trailer, utilizing Capital Equipment funds, balance \$287,264.05:

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Increase Revenue:
DM50310 \$24,910.21

Increase Expense:
DM5130.2233 \$24,910.21

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

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

**RESOLUTION NO. 250 – 2015
RESOLUTION TO TRANSFER FUNDS
CONTINGENCY TO JUNKYARDS**

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 Junkyard account from Contingency for payment of vehicle repairs:

<u>From:</u>	<u>Amount</u>
A1990.4999 (Cont)	\$1,000.00

<u>To:</u> A8189.4507 (Travel)	\$1,000.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 251 - 2015
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 Division of Chronic Disease Prevention in the amount of \$170,000.00 under contract number C028819 for cancer screening services; and

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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 Division of Chronic Disease Prevention to provide cancer screening services for the period of April 1, 2015 through March 31, 2016 in the amount of \$170,000.00.

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 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. 252 - 2015
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 \$18,011.00 under contract number C027486 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

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, 2015 and ending September 30, 2016 in the amount of \$18,011.00.

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.

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

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

**RESOLUTION NO. 253 – 2015
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 spending for the 2014-15 PHEP and Lead Grant Expenditures:

<u>From:</u>	<u>Account:</u>	<u>Amount:</u>
A4071.1999	Personal Services-Lead	\$ 2,000.00
A4092.4901	Professional Services	<u>\$ 166.38</u>
	Total	\$ 2,166.38
<u>To:</u>		
A4071.4407	Supplies	\$ 2,000.00
A4092.2909	Equipment	<u>\$ 166.38</u>
	Total	\$ 2,166.38

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

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

**RESOLUTION NO. 254 – 2015
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 accounts for the purchase of guns:

<u>From:</u>	<u>Amount</u>
A3150.4237 (Kitchen/food)	\$12,000.00

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To:

A3110.4800 (Law Enf Items)

\$12,000.00

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

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

**RESOLUTION NO. 255 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
BERKSHIRE FARM CENTER AND SERVICES FOR YOUTH**

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

WHEREAS, Berkshire Farm Center and Services for Youth (“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.

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 Berkshire Farm Center and Services for Youth for the provision of foster care services.

Section 2. That the term of this agreement shall be from January 1, 2016 through December 31, 2016 at per diem cost not to exceed the Maximum State Aid Rate established by the New York State Department of Health. There is no local share cost until costs exceed the foster care block grant and then the local share is 37.5% for residential/foster care.

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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 256 - 2015
RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES DEPARTMENT**

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

WHEREAS, pursuant to her authority, the Commissioner of the Lewis County Department of Social Services appointed Deanna Edick to the position of Director of Social Services, and

WHEREAS, the County of Lewis wishes to amend the Compensation Plan with respect to the position of Director of Social Services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Compensation Plan for the County of Lewis is hereby amended to set the annual salary for the Director of Social Services retroactive to July 13, 2015, as follows:

<u>TITLE</u>	<u>SALARY</u>
Director of Social Services	\$53,000.00

Section 2. That the within resolution shall take effect immediately

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

**RESOLUTION NO. 257 - 2015
RESOLUTION APPOINTING MEMBER 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 named individual as a member of the Lewis County Youth Bureau Advisory Board:

Grace Metzler, Lowville Academy & Central School
6920 Vineyard Lane
Lowville, NY 13367

Section 2. That the term of said appointment shall be effective from August 4, 2015 and shall terminate either on the date of her high school graduation, or she ceases to be full-time High School student.

Section 3. That this resolution shall take effect immediately.

AUGUST 4, 2015

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

**RESOLUTION NO. 258 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
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 cards pursuant to Civil Service regulations:

<u>TITLE</u>	<u>STATUS</u>
Registered Nurse (1)	Full-time

Section 2. That the 2015 Hospital budget includes allocations for said position.

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

Moved by Legislator Chartrand, seconded by Legislator King.

Legislator Hathway inquired whether this would be a new hire? Legislator Chartrand stated the additional position is needed for the Certified Home Health Care program to respond to increased activity, while citing that some referrals are being turned away due to the lack of personnel.

Civil Service requires creation of a new card. However, there cannot be a pre-determination of whether the new hire would be an in-house appointment or from outside, prior to proper advertising. If the position is filled by a current employee, Legislator Chartrand assured the Board of Managers' intent to thoroughly review the need to refill that position.

The resolution was then unanimously adopted.

OTHER BUSINESS:

Legislator Dolhof made a motion to enter executive session at 10:04 a.m. to discuss union negotiations, litigation and contractual issues, seconded by Legislator Pepper and carried. Chairman Tabolt called for a short recess after which the session began at 10:11 a.m. The session concluded at 10:45 a.m., at which time Legislator Brennan made a motion to re-enter regular session, seconded by Legislator Dolhof and carried.

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

SEPTEMBER 1, 2015

**REGULAR MEETING
September 1, 2015**

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

Roll Call: All Legislators were present, except Legislator Brennan whom had been excused.

The Invocation was offered by Legislator Hathway with a moment of silence for those recently departed, followed by the Pledge of Allegiance to the Flag.

There were 19 citizens present.

Chairman Tabolt announced approval of the August 4, 2015 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

Dated: September 1, 2015

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

PRIVILEGE OF THE FLOOR:

Mrs. Daniel Ortlieb, on behalf of her son Deputy Daryl Ortlieb, read a prepared supporting and commending statement, citing his dedication and exemplary personnel record. Recognizing the Legislator's limited authority over the Sheriff's Department, excepting budgetary impacts, she made a plea to not approve a replacement hire for her son's position. She strongly urged no "rash" decision in regard to police dog Wyman, terming him a highly trained valuable asset. Mrs. Ortlieb imparted that "Deputy Ortlieb's career and future is being held hostage", concluding, "It is his desire to be reunited with canine Wyman and be reinstated at the Lewis County Sheriff's Department canine team".

Lewis County Cooperative Extension Executive Director Michele Ledoux had distributed a report on County tourism and agricultural representations and outreach at the New York State Fair. The County was well represented by several 4-H novice dairy bowl, dairy judging, poultry science and horse competitor participants. Lewis County Dairy Princess Harley Hancock was present and FFA students will be at the Youth Building this weekend. The Ross, Starring and Nortz families competed in the open dairy show.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Ms. Ledoux also reported that numerous local maple producers have worked at the County's fair booth to sell products and distribute educational materials. This has provided an opportunity to develop marketing skills and work with the public about maple syrup and value added products.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Mrs. Stevie Kiggins had submitted her resignation from the Lewis County Industrial Development Agency Board of Directors effective 8/25/15.

The NYS Parks, Recreation and Historic Preservation office has informed that the Beaver Falls Grange Hall will be considered for nomination to the National and State Registers of Historic Places at their 9/17/15 meeting.

The Clerk read a letter authored by Suit-Kote Corp. General Manager Leland Wall, expressing appreciation for the hard work, dedication and cooperative spirit of Highway Superintendent David Becker and his crew. He commended them for going above and beyond to complete the road projects. To paraphrase, "They were always ready to do what it took to get the job done, but didn't forgo safety in that effort".

REPORTS OF COUNTY OFFICES AND DEPARTMENTS:

All Legislators received copies of the 8/25/15 Highway Audit Report, the 8/24/15 Solid Waste Audit Report, the Treasurer's August Report, and the minutes of the 6/23/15 Soil and Water Conservation District Board of Directors' meeting.

The minutes of the 4/21/15 Health Services Advisory Committee meeting have been received and placed on file.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Buildings and Grounds/Ways and Means Committee Chairman, reported teleconferencing with eCivics to discuss their federal, state and foundation grant writing solutions. They would identify and inform us of potential grants at a cost of \$2,975 per year, or provide full services for research, grant writing, reporting and tracking of grants for an annual cost of \$4,165. More discussion is planned during budget deliberations.

The Committee will also discuss the Bonadio Group's proposal for auditing services for best practices to affect cost savings. One focus would be Medicaid applications to assure that only those eligible are being approved for services.

The current budgets for the Buildings, County Clerk and Treasurer Departments are all on track.

SEPTEMBER 1, 2015

Legislator Hathway reported that electrical repair costs at the Highway garage were reduced from \$15,000 to \$6,000 owing to Legislator Chartrand's value engineering. The initial wall repair cost of \$50,000 was reduced to \$17,000 attributable to coordinated efforts of the Highway and Buildings Department personnel.

In addition to the vehicle commitments for the Highway, Social Services and Sheriff's Departments, the committee is reviewing other vehicle replacement requests.

Legislator Hathway has requested that Bernier, Carr & Associates define their understanding of the scope of the water upgrades at the Public Safety Building. A water pressure test will be conducted within the next 10 days, before the project proceeds.

The DSS parking lot project will be completed by the end of October within the local share budgetary appropriations of \$310,000.

Legislator Hathway reported the Hospital has joined the solar array project. Considering that one of the vendors had submitted an amended proposal, all vendors have been given one week for a likewise opportunity. The committee will put forth their recommendation at the September 14th special meeting. Larsen Engineers predict savings between \$3.5 and \$7 million over 30 years, dependent on market variables.

Legislator Neil Pepper, Social Services/Office For Aging/Youth Committee Chairman, reported 19 participants in the summer youth employment program at worksites throughout the County. Also, 16 youths aged 13-16 participated in the Persons In Need of Supervision (PINS) Diversion program, and were supervised by interns funded by the Pratt-Northam Foundation.

Legislator Pepper recited the list of upcoming events sponsored by the Office For the Aging; being a 9/11 senior golf tournament, 9/18 annual senior prom, 10/2 Oktoberfest and public hearing, 10/21 and 10/28 senior forums for Hospice and American Red Cross presentations.

Legislator Pepper relayed that Tyler Eddy, Harrisville student representative on the Youth Advisory Board, shared his experience as a participant at the American Legions' Boys' State Government Camp Program held at Morrisville State College. The delegates learned about the rights, duties, privileges and responsibilities of New York State government representatives, how to run a campaign for office, and the process to adopt legislation.

Mr. Eddy and Youth Bureau student representatives Seth Shaw and Luke Moser also participated in daily calisthenics lead by drill Sargents. During the week long program they heard experiences from Holocaust survivor Helen Sperling; and former Boys' State Cadet Brady Carroll of the U.S. Military Academy. The boys were congratulated for graduating from the Boys' State Program.

Legislator Pepper reminded everyone of the planned "National Night Out" event at the Lewis County Fairgrounds on 9/11/15.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Bryan Moser, Veterans' Services, Junkyards, Human Resources Committee Chairman, stated that all Legislators had received a copy of the Department Head and employee evaluation forms, as well as listed duties of the County Manager, for their consideration.

Legislator Moser relayed Veteran Services' Director Derek Davey's concerns about the constant changes imposed by the Veterans' Administration, which makes it very difficult for veterans to apply and obtain benefits.

As a member of the Transportation/Solid Waste Committee, Legislator Moser referenced the Suit-Kote Corporation's complimentary letter for Highway personnel efficiency, also commending them for how well they care for equipment and vehicles. He further relayed commendations from Jason Carrol of Paverite.

Legislator Moser reported the Committee's conclusion that one-man snow plowing was too unsafe. County Manager Liz Swearingin, Highway Superintendent David Becker, CSEA President Kip Turck and Highway employees will further discuss posed ideas to make plowing safer, while mindful of reducing employee work hours.

He reported the VanAmber Road bridge is on schedule to be opened by mid-October, following a required 28-day curing period for the concrete decking. All paving has been completed and bridge flags have been fixed.

Legislator Moser reported discussion to allow use of a credit card by Solid Waste Department employees who truck tires to Seneca Mills by way of the NY Thruway. If a truck were to break down they would need to call for service, because repairs are not allowed on the Thruway.

Disposal cost for car tires is \$85/Ton and \$300/Ton for tractor/truck tires, compounded by trucking and employee time expense. Legislator Moser urges exploring an alternate tire disposal option through the Biomass plant at Fort Drum.

He reported that BC&A engineer Matt Cooper is conducting a space efficiency study of existing buildings at the transfer station.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, made a motion to authorize Sr. Codes Officer Ward Dailey to purchase a car to replace a Ford Ranger that continues to require substantial repairs. The motion was seconded by Legislator Moser and carried.

Legislator King reported that finishing work is being done at the radio towers and the generators have been filled at each site. The Montague generator is expected within six weeks. EF Johnson representatives have been aligning the equipment for initial testing in mid-September using the Number Three Road tower. They have met with law enforcement and fire personnel and have provided five radios for each of them to examine and test. Pagers are being programmed and inventoried and will be distributed to Fire Departments after agreements have been executed.

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In response to Legislator Chartrand, Legislator King opined that it would be premature to apply for additional Homeland Security grants until determining maintenance costs.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry & Parks/Insurance Committee Chairman, reported incremental progress for business park development. Negotiations continue to focus on potential Lowville property owners, however, Lyons Falls, Glenfield and Port Leyden properties are also being considered.

The Regional Council committee is formulating grant reporting policies; and submission of a Consolidated Funding Application (CFA) is being considered for an Agbotic project.

Legislator Dolhof reported the Industrial Development Agency (IDA) Board of Directors is discussing potential sites for a maple bottling incubator building. A July newspaper article, he said, informed about the loan fund program. One loan is progressing toward closure, and other contacts have been made. The IDA is contemplating hiring an Economic Development Specialist or Associate.

Legislator Dolhof reported the Lewis County Development Corporation expects that Phase 2 demolition of the mill site to be completed by the end of the year. Although there is adequate project financing, delayed grant reimbursements continue to create cash flow challenges. The Development Authority of the North Country (DANC) partially renewed a line of credit that enables the project to move forward.

The summer BOCES and Pratt-Northam students, along with the temporary forestry worker completed the forestry inventory and all data has been electronically entered. Trail maintenance workers hope to complete some big projects before the end of the year.

Legislator Dolhof reported continued efforts to finalize required agreements with landowners along the Lee Gulf Trail prior to commencing the State Environmental Quality Review Assessment (SEQRA) process.

The Phase II snowmobile grant application has been submitted for 2016 trail grooming and maintenance.

Legislator Dolhof reported that Soil & Water Conservation District Manager Nichelle Billhardt and Jen Harvill of the Tug Hill Commission assisted with submission of a \$40,500 CFA for the Miller's Riverfront Park project. The stream gauge equipment has been installed and will be monitored by Soil & Water. Also, the mill creek stabilization project has been completed, thanks to the help of Ms. Billhardt and County Highway Department personnel. He further thanked all volunteers for working at the State Fair booth.

He reported the data collected from the Fair Housing Impediment Survey will be formulated into a report to the State. Also, the bus route to Utica colleges started last week.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Dolhof made a motion to authorize Planning Director Frank Pace to attend the Farm Days in Washington, D.C. from September 8-10, 2015 to participate in the discussion on agricultural issues on the Federal level. The motion was seconded by Legislator Hathway and carried.

Legislator Dolhof further reported that the Estimate and Apportionment of workers' compensation for 2016 had been distributed to all participating entities. Although estimated expenditures equate a 2.8% decrease, the amount to be raised by tax is up by 1.4%, because of diminishing State Fund reimbursements.

Legislator Gregory Kulzer, Taxation/Information Technology/Elections Committee Chairman, urged support of the resolution to retain environmental legal expertise to assist with a tax delinquent property. The ultimate goal is to garner federal Environmental Protection Agency assistance.

Legislator Kulzer reported the wettest June in 50 years measuring 5.2 inches of rain more than normal, negatively impacting crops. Cooperative Extension, he said, will request the same 2016 County appropriation as this year. They will sponsor a 4-H Achievement event at the Lowville Elks Lodge on 9/23/15.

Legislator Kulzer relayed an issue posed to the Martinsburg Town Board, whereby the property owner has planted corn on both sides of County Route 30 (Cemetery Road). It creates a tunnel effect and impedes travelers' view for deer. He will speak with Highway Superintendent David Becker about legal right-of-way crop planting standards. The Town, he added, continues to rehab their historic town hall with plans to utilize the second floor for musical events.

Legislator Richard Chartrand, Hospital Committee Chairman, reported receipt of the first Delivery Systems Reform Incentive Payment (DSRIP) of \$13,049,477 and anticipates another payment of \$17,049,477 from a separate public equity guarantee fund.

Legislator Chartrand cited increased orthopedic volumes as Dr. Swift establishes his practice. Dr. Leuenberger has commenced practice at the South Lewis Health Center encompassing osteopathic and acupuncture medicine. Dr. Josephina Tan-Domingo, OB/GYN retired effective 8/31/15, and everyone is encouraged to attend the 9/12/15 Hospital Foundation Gala, at which she will be honored.

Legislator Chartrand reported a year-to-date surplus of \$614,542 versus a budget projection of \$609,443. Timely monthly County debt payments continue, with an 8/31/15 balance of \$4 million. The Hospital will take advantage of early payment incentives and pay the \$4.17 million pension expense in December. The July emergency room visits totaled 5% above predictions and were the third highest in 13 years. The 2016 budget projections are based on a review of year-to-date global assumptions, project volumes and practice visits.

There is a scheduled 9/12/15 Board of Managers' retreat for an update presentation by Stroudwater Associates, as well as a chartered course for future operations.

SEPTEMBER 1, 2015

Legislator Chartrand reported the Hospital Board of Managers' has memorialized their support of the County's solar energy Power Purchasing Agreement initiative.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported opening Pre-School Transportation bids to be analyzed for a recommendation next month. Public Health expended 43% of their budgeted County share as of 6/30/15 with projections to spend only 88% by the end of the year, equating an unspent balance of \$100,000.

Legislator Moroughan reported review of the quarterly Board of Health, quality assurance, corporate compliance and emergency preparedness drill outcome reports, which had been distributed to all Legislators. She commended Director Penny Ingham and Fiscal Manager Paula Kaufmann for the diligence to affect cost savings.

Legislator Moroughan reported the Community Services budget was on track; and the Community Services Board had appointed Patricia Fralick as the Director of Community Services.

COUNTY MANAGER REPORT:

Liz Swearingin reported that she and Treasurer Patricia O'Brien will hold several meetings to inform employees of proposed changes to the County's self-funded health insurance plan.

She, Chairman Tabolt and Director of Economic Development Eric Virkler had met with Congresswoman Elise Stefanik and NYS Empire Development Director Howard Zensky at the Kraft plant. The officials gleaned a greater appreciation of the plant's importance to our local economy.

Ms. Swearingin reported scheduled 2-day presentations by each of two separate vendors to a small group of selected personnel, for replacement of the County's financial system.

A preliminary review of 2016 budget requests equates an estimated \$700,000 deficit. Department Heads have been asked to present their best case analysis to the Budget Officer and Ways and Means Committee at upcoming scheduled meetings.

The Ways and Means Committee had discussed the Star Enhanced Credit for local property owners, which is dependent on the County meeting the 2% Tax Cap. Ms. Swearingin recommends the Board adopt the Local Law to over-ride the Tax Cap as a precaution, in case the budget exceeds the cap.

COUNTY TREASURER REPORT:

Patricia O'Brien recited the balances of the Special Contingency Fund - \$92,859.00; Contingency Fund-\$291,210.42; Capital Data Processing Fund- \$141,721.83; and Capital Equipment Fund - \$257,336.70, of which \$15,214.19 is the Highway portion. She reported that year-to-date sales tax receipts are comparatively low, but she remains confident the 2015 budgeted level will be achieved.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Mrs. O'Brien reported the Hospital continues to make timely debt repayments, with a balance due of \$4 million. The health insurance fund balance as of 7/31/15 was \$1,750,680.11.

SPECIAL REPORTS:

Chairman Tabolt had attended an 8/14/15 Regional Economic Development Council meeting, at which the Governor's representative Brian Silva, reported a 46% increase in CFA's, 110 from our region alone. Agriculture Committee member Kate Fish had reported the North Country region produces 19% of the State's overall milk production, while only 9% of the processors are regionally located.

He had attended the 8/17/15 NYS Homeland Security Emergency Management training summit in Albany as a recertification requirement for chief executive officers. Director Robert MacKenzie, he said, remained for over three days of extensive training.

Chairman Tabolt reported that Congresswoman Stefanik had also met with local fire department ambulance responders who relayed their concerns for the diminishing number of volunteers. She was very receptive and promised to follow up with the proposed suggestions.

He had also attended the 8/27/15 Development Authority of the North Country's open house.

On 10/1/15 the Railroad Historical Society invites Legislators and IDA Directors to tour their 1947 locomotive and an information exchange meeting at the Lowville engine house.

Chairman Tabolt held up the "Ammunition Box" that he had been presented at the ground breaking ceremony held at Thompson Park where a dedicated monument for Fort Drum 10th Mountain Division Soldiers will be erected. The box is to be filled with Lewis County memorabilia, and will be buried at the monument site next summer with boxes representing St. Lawrence and Jefferson Counties, the City of Watertown and Fort Drum. They would be opened in 50 years.

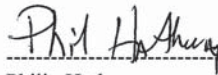
REPORT OF THE WAYS AND MEANS COMMITTEE:

SEPTEMBER 1, 2015

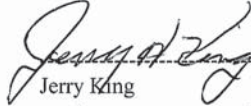
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

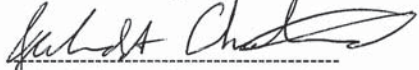
The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,325,327.32 and recommend that they be audited and allowed for the amounts claimed.



Philip Hathway Chair



Jerry King Committee



Richard Chartrand Committee

Dated: September 1, 2015

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

COUNTY OF LEWIS, NY SUMMARY OF REFUNDING RESULTS Insured (A+ Underlying); BQ; Callable *SLGS and Market Rates as of COB of 08/10/15*	
REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)	
<u>Dated/Delivery</u>	<u>11/17/2015</u>
Refunding Par Amount	8,165,000
Bond Arbitrage Yield	3.033444%
Escrow Yield	0.515924%
Refunded Bonds Par Amount	7,815,000
Average Coupon of Refunded Bonds	4.245407%
Net PV Savings	417,268.57
Percentage of PV Savings	5.339329%
Aggregate Budgetary Savings	577,643.53
Annual Budgetary Savings (Dec 31)	
Fiscal Year 2016	25,043.54
Fiscal Year 2017	24,612.50
Fiscal Year 2018	24,462.50
Fiscal Year 2019	27,856.25
Fiscal Year 2020	24,162.50
Fiscal Year 2021	28,287.50
Fiscal Year 2022	27,287.50
Fiscal Year 2023	26,850.00
Fiscal Year 2024	27,000.00
Fiscal Year 2025	27,731.25
Fiscal Year 2026	25,581.25
Fiscal Year 2027	25,256.25
Fiscal Year 2028	23,887.50
Fiscal Year 2029	26,343.75
Fiscal Year 2030	28,006.25
Fiscal Year 2031	28,862.50
Fiscal Year 2032	24,487.50
Fiscal Year 2033	25,165.62
Fiscal Year 2034	25,821.87
Fiscal Year 2035	26,456.25
Fiscal Year 2036	27,075.00
Fiscal Year 2037	27,406.25
ROOSEVELT & CROSS	

SEPTEMBER 1, 2015

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PROCEEDINGS OF THE BOARD OF LEGISLATORS

SOURCES AND USES OF FUNDS

County of Lewis, New York
Refunding 2008 GO Bonds
REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
Insured (A+ Underlying); BQ; Callable

SLGS and Market Rates as of COB of 08/10/15

Dated Date	11/17/2015
Delivery Date	11/17/2015

Sources:

Bond Proceeds:	
Par Amount	8,165,000.00
Net Premium	225,558.20
	<hr/>
	8,390,558.20
	<hr/>

Uses:

Refunding Escrow Deposits:	
Cash Deposit	0.31
SLGS Purchases	8,248,569.00
	<hr/>
	8,248,569.31

Delivery Date Expenses:	
Cost of Issuance	80,000.00
Underwriter's Discount	38,212.20
Insurance Premium (20 bps)	22,959.59
	<hr/>
	141,171.79

Other Uses of Funds:	
Additional Proceeds	817.10
	<hr/>
	8,390,558.20
	<hr/>

SEPTEMBER 1, 2015

SUMMARY OF REFUNDING RESULTS

County of Lewis, New York
Refunding 2008 GO Bonds
REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
Insured (A+ Underlying); BQ; Callable

SLGS and Market Rates as of COB of 08/10/15

Dated Date	11/17/2015
Delivery Date	11/17/2015
Arbitrage yield	3.033444%
Escrow yield	0.515924%
Bond Par Amount	8,165,000.00
True Interest Cost	3.100165%
Net Interest Cost	3.136223%
All-In TIC	3.196833%
Average Coupon	3.318161%
Average Life	12.611
Par amount of refunded bonds	7,815,000.00
Average coupon of refunded bonds	4.245407%
Average life of refunded bonds	13.089
PV of prior debt to 11/17/2015 @ 3.027119%	8,807,009.67
Net PV Savings	417,268.57
Percentage savings of refunded bonds	5.339329%

PROCEEDINGS OF THE BOARD OF LEGISLATORS

SAVINGS

County of Lewis, New York
 Refunding 2008 GO Bonds
 REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
 Insured (A+ Underlying); BQ; Callable

SLGS and Market Rates as of COB of 08/10/15

Date	Prior Debt Service	Refunding Debt Service	Savings	Annual Savings	Present Value to 11/17/2015 @ 3.0271189%
05/15/2016	165,350.00	177,362.71	-12,012.71		-11,835.58
11/15/2016	165,350.00	128,293.75	37,056.25		35,965.48
12/31/2016				25,043.54	
05/15/2017	165,350.00	178,293.75	-12,943.75		-12,375.43
11/15/2017	165,350.00	127,793.75	37,556.25		35,371.91
12/31/2017				24,612.50	
05/15/2018	445,350.00	457,793.75	-12,443.75		-11,545.25
11/15/2018	159,750.00	122,843.75	36,906.25		33,730.91
12/31/2018				24,462.50	
05/15/2019	449,750.00	457,843.75	-8,093.75		-7,287.09
11/15/2019	153,768.75	117,818.75	35,950.00		31,884.45
12/31/2019				27,856.25	
05/15/2020	453,768.75	462,818.75	-9,050.00		-7,906.87
11/15/2020	147,581.25	114,368.75	33,212.50		28,584.69
12/31/2020				24,162.50	
05/15/2021	457,581.25	459,368.75	-1,787.50		-1,515.49
11/15/2021	140,993.75	110,918.75	30,075.00		25,118.25
12/31/2021				28,287.50	
05/15/2022	460,993.75	460,918.75	75.00		61.71
11/15/2022	134,193.75	106,981.25	27,212.50		22,054.85
12/31/2022				27,287.50	
05/15/2023	464,193.75	461,981.25	2,212.50		1,766.42
11/15/2023	127,181.25	102,543.75	24,637.50		19,376.90
12/31/2023				26,850.00	
05/15/2024	467,181.25	462,543.75	4,637.50		3,592.92
11/15/2024	119,956.25	97,593.75	22,362.50		17,067.10
12/31/2024				27,000.00	
05/15/2025	474,956.25	467,593.75	7,362.50		5,535.29
11/15/2025	112,412.50	92,043.75	20,368.75		15,085.36
12/31/2025				27,731.25	
05/15/2026	477,412.50	472,043.75	5,368.75		3,916.88
11/15/2026	104,656.25	84,443.75	20,212.50		14,526.58
12/31/2026				25,581.25	
05/15/2027	479,656.25	474,443.75	5,212.50		3,690.33
11/15/2027	96,687.50	76,643.75	20,043.75		13,978.94
12/31/2027				25,256.25	
05/15/2028	486,687.50	481,643.75	5,043.75		3,465.17
11/15/2028	88,400.00	69,556.25	18,843.75		12,753.06
12/31/2028				23,887.50	
05/15/2029	493,400.00	484,556.25	8,843.75		5,896.03
11/15/2029	79,793.75	62,293.75	17,500.00		11,493.09
12/31/2029				26,343.75	
05/15/2030	494,793.75	482,293.75	12,500.00		8,086.95
11/15/2030	70,975.00	55,468.75	15,506.25		9,882.29
12/31/2030				28,006.25	
05/15/2031	500,975.00	485,468.75	15,506.25		9,734.95
11/15/2031	61,837.50	48,481.25	13,356.25		8,260.14
12/31/2031				28,862.50	
05/15/2032	506,837.50	493,481.25	13,356.25		8,136.98
11/15/2032	52,381.25	41,250.00	11,131.25		6,680.34
12/31/2032				24,487.50	
05/15/2033	512,381.25	496,250.00	16,131.25		9,536.71
11/15/2033	42,608.25	33,571.88	9,036.37		5,261.44
12/31/2033				25,165.62	
05/15/2034	517,606.25	498,571.88	19,034.37		10,919.96
11/15/2034	32,512.50	25,725.00	6,787.50		3,835.91
12/31/2034				25,821.87	
05/15/2035	527,512.50	505,725.00	21,787.50		12,129.47
11/15/2035	21,993.75	17,325.00	4,668.75		2,660.42
12/31/2035				26,456.25	
05/15/2036	531,993.75	507,325.00	24,668.75		13,327.03

SEPTEMBER 1, 2015

SAVINGS

County of Lewis, New York
 Refunding 2008 GO Bonds
 REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
 Insured (A+ Underlying); BQ; Callable

SLGS and Market Rates as of COB of 08/10/15

Date	Prior Debt Service	Refunding Debt Service	Savings	Annual Savings	Present Value to 11/17/2015 @ 3.0271189%
11/15/2036	11,156.25	8,750.00	2,406.25		1,280.57
12/31/2036				27,075.00	
05/15/2037	536,156.25	508,750.00	27,406.25		14,367.71
12/31/2037				27,406.25	
	12,159,425.00	11,581,781.47	577,643.53	577,643.53	416,451.47

Savings Summary

PV of savings from cash flow	416,451.47
Plus: Refunding funds on hand	817.10
Net PV Savings	417,268.57

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BOND PRICING

County of Lewis, New York
 Refunding 2008 GO Bonds
 REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
 Insured (A+ Underlying); BQ; Callable

SLGS and Market Rates as of COB of 08/10/15

Bond Component	Maturity Date	Amount	Rate	Yield	Price	Yield to Maturity	Call Date	Call Price
Uninsured Serial Bonds:								
	05/15/2016	50,000	2.000%	0.600%	100.690			
	05/15/2017	50,000	2.000%	0.950%	101.554			
		100,000						
Insured Serial Bonds:								
	05/15/2018	330,000	3.000%	1.050%	104.788			
	05/15/2019	335,000	3.000%	1.200%	106.141			
	05/15/2020	345,000	2.000%	1.450%	102.384			
	05/15/2021	345,000	2.000%	1.650%	101.831			
	05/15/2022	350,000	2.250%	1.850%	102.437			
	05/15/2023	355,000	2.500%	2.000%	103.463			
	05/15/2024	360,000	2.750%	2.150%	104.535			
	05/15/2025	370,000	3.000%	2.300%	105.939			
	05/15/2026	380,000	4.000%	2.500%	112.607	C 2.618%	05/15/2025	100.000
	05/15/2027	390,000	4.000%	2.700%	110.823	C 2.887%	05/15/2025	100.000
	05/15/2028	405,000	3.500%	2.900%	104.948	C 3.022%	05/15/2025	100.000
	05/15/2029	415,000	3.500%	3.000%	104.104	C 3.125%	05/15/2025	100.000
	05/15/2030	420,000	3.250%	3.100%	101.225	C 3.144%	05/15/2025	100.000
	05/15/2031	430,000	3.250%	3.200%	100.406	C 3.217%	05/15/2025	100.000
	05/15/2032	445,000	3.250%	3.300%	99.367			
	05/15/2033	455,000	3.375%	3.400%	99.672			
	05/15/2034	465,000	3.375%	3.450%	98.980			
	05/15/2035	480,000	3.500%	3.500%	100.000			
	05/15/2036	490,000	3.500%	3.550%	99.276			
	05/15/2037	500,000	3.500%	3.600%	98.512			
		8,065,000						
		8,165,000						

Dated Date	11/17/2015	
Delivery Date	11/17/2015	
First Coupon	05/15/2016	
Par Amount	8,165,000.00	
Premium	225,558.20	
Production	8,390,558.20	102.762501%
Underwriter's Discount	-38,212.20	-0.468000%
Purchase Price	8,352,346.00	102.294501%
Accrued Interest		
Net Proceeds	8,352,346.00	

SEPTEMBER 1, 2015

BOND DEBT SERVICE

County of Lewis, New York
 Refunding 2008 GO Bonds
 REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
 Insured (A+ Underlying); BQ; Callable

SLGS and Market Rates as of COB of 08/10/15

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
05/15/2016	50,000	2.000%	127,362.71	177,362.71	
11/15/2016			128,293.75	128,293.75	
12/31/2016					305,656.46
05/15/2017	50,000	2.000%	128,293.75	178,293.75	
11/15/2017			127,793.75	127,793.75	
12/31/2017					306,087.50
05/15/2018	330,000	3.000%	127,793.75	457,793.75	
11/15/2018			122,843.75	122,843.75	
12/31/2018					580,637.50
05/15/2019	335,000	3.000%	122,843.75	457,843.75	
11/15/2019			117,818.75	117,818.75	
12/31/2019					575,662.50
05/15/2020	345,000	2.000%	117,818.75	462,818.75	
11/15/2020			114,368.75	114,368.75	
12/31/2020					577,187.50
05/15/2021	345,000	2.000%	114,368.75	459,368.75	
11/15/2021			110,918.75	110,918.75	
12/31/2021					570,287.50
05/15/2022	350,000	2.250%	110,918.75	460,918.75	
11/15/2022			106,981.25	106,981.25	
12/31/2022					567,900.00
05/15/2023	355,000	2.500%	106,981.25	461,981.25	
11/15/2023			102,543.75	102,543.75	
12/31/2023					564,525.00
05/15/2024	360,000	2.750%	102,543.75	462,543.75	
11/15/2024			97,593.75	97,593.75	
12/31/2024					560,137.50
05/15/2025	370,000	3.000%	97,593.75	467,593.75	
11/15/2025			92,043.75	92,043.75	
12/31/2025					559,637.50
05/15/2026	380,000	4.000%	92,043.75	472,043.75	
11/15/2026			84,443.75	84,443.75	
12/31/2026					556,487.50
05/15/2027	390,000	4.000%	84,443.75	474,443.75	
11/15/2027			76,643.75	76,643.75	
12/31/2027					551,087.50
05/15/2028	405,000	3.500%	76,643.75	481,643.75	
11/15/2028			69,556.25	69,556.25	
12/31/2028					551,200.00
05/15/2029	415,000	3.500%	69,556.25	484,556.25	
11/15/2029			62,293.75	62,293.75	
12/31/2029					546,850.00
05/15/2030	420,000	3.250%	62,293.75	482,293.75	
11/15/2030			55,468.75	55,468.75	
12/31/2030					537,762.50
05/15/2031	430,000	3.250%	55,468.75	485,468.75	
11/15/2031			48,481.25	48,481.25	
12/31/2031					533,950.00
05/15/2032	445,000	3.250%	48,481.25	493,481.25	
11/15/2032			41,250.00	41,250.00	
12/31/2032					534,731.25
05/15/2033	455,000	3.375%	41,250.00	496,250.00	
11/15/2033			33,571.88	33,571.88	
12/31/2033					529,821.88
05/15/2034	465,000	3.375%	33,571.88	498,571.88	
11/15/2034			25,725.00	25,725.00	
12/31/2034					524,296.88
05/15/2035	480,000	3.500%	25,725.00	505,725.00	
11/15/2035			17,325.00	17,325.00	
12/31/2035					523,050.00
05/15/2036	490,000	3.500%	17,325.00	507,325.00	

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BOND DEBT SERVICE

County of Lewis, New York
Refunding 2008 GO Bonds
REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
Insured (A+ Underlying); BQ; Callable

SLGS and Market Rates as of COB of 08/10/15

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
11/15/2036			8,750.00	8,750.00	
12/31/2036					516,075.00
05/15/2037	500,000	3.500%	8,750.00	508,750.00	
12/31/2037					508,750.00
	8,165,000		3,416,781.47	11,581,781.47	11,581,781.47

SEPTEMBER 1, 2015

ESCROW REQUIREMENTS

County of Lewis, New York
Refunding 2008 GO Bonds
REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
Insured (A+ Underlying); BQ; Callable

SLGS and Market Rates as of COB of 08/10/15

Period Ending	Interest	Principal Redeemed	Total
05/15/2016	165,350.00		165,350.00
11/15/2016	165,350.00		165,350.00
05/15/2017	165,350.00	7,815,000.00	7,980,350.00
	496,050.00	7,815,000.00	8,311,050.00

PROCEEDINGS OF THE BOARD OF LEGISLATORS

ESCROW DESCRIPTIONS

County of Lewis, New York
 Refunding 2008 GO Bonds
 REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
 Insured (A+ Underlying); BQ; Callable

 SLGS and Market Rates as of COB of 08/10/15

Type of Security	Type of SLGS	Maturity Date	First Int Pmt Date	Par Amount	Rate	Max Rate
Nov 17, 2015:						
SLGS	Certificate	05/15/2016	05/15/2016	144,761	0.170%	0.170%
SLGS	Certificate	11/15/2016	11/15/2016	144,154	0.350%	0.350%
SLGS	Note	05/15/2017	05/15/2016	7,959,654	0.520%	0.520%
				8,248,569		

SLGS Summary

SLGS Rates File	10AUG15
Total Certificates of Indebtedness	288,915.00
Total Notes	7,959,654.00
	<hr/>
Total original SLGS	8,248,569.00

SEPTEMBER 1, 2015

ESCROW STATISTICS

County of Lewis, New York
 Refunding 2008 GO Bonds
 REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
 Insured (A+ Underlying); BQ; Callable

SLGS and Market Rates as of COB of 08/10/15

	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:	8,248,569.31	1.461	0.515924%	0.515924%	7,952,629.26	295,940.03	0.02
	8,248,569.31				7,952,629.26	295,940.03	0.02

Delivery date 11/17/2015
 Arbitrage yield 3.033444%

PROCEEDINGS OF THE BOARD OF LEGISLATORS

ESCROW SUFFICIENCY

County of Lewis, New York
Refunding 2008 GO Bonds
REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
Insured (A+ Underlying); BQ; Callable

SLGS and Market Rates as of COB of 08/10/15

Date	Escrow Requirement	Net Escrow Receipts	Excess Receipts	Excess Balance
11/17/2015		0.31	0.31	0.31
05/15/2016	165,350.00	165,349.71	-0.29	0.02
11/15/2016	165,350.00	165,350.88	0.88	0.90
05/15/2017	7,980,350.00	7,980,349.10	-0.90	
	8,311,050.00	8,311,050.00	0.00	

SEPTEMBER 1, 2015

PROOF OF ARBITRAGE YIELD

County of Lewis, New York
 Refunding 2008 GO Bonds
 REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
 Insured (A+ Underlying); BQ; Callable

SLGS and Market Rates as of COB of 08/10/15

Date	Debt Service	Present Value to 11/17/2015 @ 3.0334440124%
05/15/2016	177,362.71	174,742.03
11/15/2016	128,293.75	124,509.84
05/15/2017	178,293.75	170,449.61
11/15/2017	127,793.75	120,346.07
05/15/2018	457,793.75	424,872.92
11/15/2018	122,843.75	112,253.58
05/15/2019	457,843.75	412,122.98
11/15/2019	117,818.75	104,468.74
05/15/2020	462,818.75	404,245.61
11/15/2020	114,368.75	98,402.05
05/15/2021	459,368.75	389,332.49
11/15/2021	110,918.75	92,603.32
05/15/2022	460,918.75	379,060.38
11/15/2022	106,981.25	86,667.07
05/15/2023	461,981.25	368,666.10
11/15/2023	102,543.75	80,608.43
05/15/2024	462,543.75	358,167.77
11/15/2024	97,593.75	74,442.01
05/15/2025	2,057,593.75	1,546,030.80
11/15/2025	62,293.75	46,106.84
05/15/2026	62,293.75	45,417.98
11/15/2026	62,293.75	44,739.41
05/15/2027	62,293.75	44,070.97
11/15/2027	62,293.75	43,412.53
05/15/2028	62,293.75	42,763.92
11/15/2028	62,293.75	42,125.00
05/15/2029	62,293.75	41,495.62
11/15/2029	62,293.75	40,875.65
05/15/2030	482,293.75	311,741.26
11/15/2030	55,468.75	35,317.78
05/15/2031	485,468.75	304,487.00
11/15/2031	48,481.25	29,953.23
05/15/2032	493,481.25	300,332.94
11/15/2032	41,250.00	24,729.69
05/15/2033	496,250.00	293,060.75
11/15/2033	33,571.88	19,529.68
05/15/2034	498,571.88	285,699.67
11/15/2034	25,725.00	14,521.11
05/15/2035	505,725.00	281,203.82
11/15/2035	17,325.00	9,489.48
05/15/2036	507,325.00	273,727.15
11/15/2036	8,750.00	4,650.53
05/15/2037	508,750.00	266,355.01
	11,434,756.47	8,367,598.61

Proceeds Summary

Delivery date	11/17/2015
Par Value	8,165,000.00
Premium (Discount)	225,558.20
Arbitrage expenses	-22,959.59
Target for yield calculation	<u>8,367,598.61</u>

PROCEEDINGS OF THE BOARD OF LEGISLATORS

PROOF OF ARBITRAGE YIELD

County of Lewis, New York
 Refunding 2008 GO Bonds
 REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
 Insured (A+ Underlying); BQ; Callable

SLGS and Market Rates as of COB of 08/10/15

Assumed Call/Computation Dates for Premium Bonds

Bond Component	Maturity Date	Rate	Yield	Call Date	Call Price	Net Present Value (NPV) to 11/17/2015 @ 3.0334440124%
INS	05/15/2026	4.000%	2.500%	05/15/2025	100.000	-17,802.68
INS	05/15/2027	4.000%	2.700%	05/15/2025	100.000	-11,313.57
INS	05/15/2028	3.500%	2.900%	05/15/2025	100.000	-4,552.00
INS	05/15/2029	3.500%	3.000%	05/15/2025	100.000	-1,151.80

Rejected Call/Computation Dates for Premium Bonds

Bond Component	Maturity Date	Rate	Yield	Call Date	Call Price	Net Present Value (NPV) to 11/17/2015 @ 3.0334440124%	Increase to NPV
INS	05/15/2026	4.000%	2.500%			-15,104.48	2,698.20
INS	05/15/2027	4.000%	2.700%			-5,857.28	5,456.29
INS	05/15/2028	3.500%	2.900%			-509.96	4,042.04
INS	05/15/2029	3.500%	3.000%			4,279.59	5,441.39

SEPTEMBER 1, 2015

SUMMARY OF BONDS REFUNDED

County of Lewis, New York
 Refunding 2008 GO Bonds
 REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
 Insured (A+ Underlying); BQ; Callable

SLGS and Market Rates as of COB of 08/10/15

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
General Obligation Serial Bonds, 2008, 2008:					
SERIAL	05/15/2018	4.000%	280,000.00	05/15/2017	100.000
	05/15/2019	4.125%	290,000.00	05/15/2017	100.000
	05/15/2020	4.125%	300,000.00	05/15/2017	100.000
	05/15/2021	4.250%	310,000.00	05/15/2017	100.000
	05/15/2022	4.250%	320,000.00	05/15/2017	100.000
	05/15/2023	4.250%	330,000.00	05/15/2017	100.000
	05/15/2024	4.250%	340,000.00	05/15/2017	100.000
	05/15/2025	4.250%	355,000.00	05/15/2017	100.000
	05/15/2026	4.250%	365,000.00	05/15/2017	100.000
	05/15/2027	4.250%	375,000.00	05/15/2017	100.000
	05/15/2028	4.250%	390,000.00	05/15/2017	100.000
	05/15/2029	4.250%	405,000.00	05/15/2017	100.000
	05/15/2030	4.250%	415,000.00	05/15/2017	100.000
	05/15/2031	4.250%	430,000.00	05/15/2017	100.000
	05/15/2032	4.250%	445,000.00	05/15/2017	100.000
	05/15/2033	4.250%	460,000.00	05/15/2017	100.000
	05/15/2034	4.250%	475,000.00	05/15/2017	100.000
	05/15/2035	4.250%	495,000.00	05/15/2017	100.000
	05/15/2036	4.250%	510,000.00	05/15/2017	100.000
	05/15/2037	4.250%	525,000.00	05/15/2017	100.000
			7,815,000.00		

PROCEEDINGS OF THE BOARD OF LEGISLATORS

PRIOR BOND DEBT SERVICE

County of Lewis, New York
 Refunding 2008 GO Bonds
 REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
 Insured (A+ Underlying); BQ; Callable

SLGS and Market Rates as of COB of 08/10/15

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
05/15/2016			165,350.00	165,350.00	
11/15/2016			165,350.00	165,350.00	
12/31/2016					330,700.00
05/15/2017			165,350.00	165,350.00	
11/15/2017			165,350.00	165,350.00	
12/31/2017					330,700.00
05/15/2018	280,000	4.000%	165,350.00	445,350.00	
11/15/2018			159,750.00	159,750.00	
12/31/2018					605,100.00
05/15/2019	290,000	4.125%	159,750.00	449,750.00	
11/15/2019			153,768.75	153,768.75	
12/31/2019					603,518.75
05/15/2020	300,000	4.125%	153,768.75	453,768.75	
11/15/2020			147,581.25	147,581.25	
12/31/2020					601,350.00
05/15/2021	310,000	4.250%	147,581.25	457,581.25	
11/15/2021			140,993.75	140,993.75	
12/31/2021					598,575.00
05/15/2022	320,000	4.250%	140,993.75	460,993.75	
11/15/2022			134,193.75	134,193.75	
12/31/2022					595,187.50
05/15/2023	330,000	4.250%	134,193.75	464,193.75	
11/15/2023			127,181.25	127,181.25	
12/31/2023					591,375.00
05/15/2024	340,000	4.250%	127,181.25	467,181.25	
11/15/2024			119,956.25	119,956.25	
12/31/2024					587,137.50
05/15/2025	355,000	4.250%	119,956.25	474,956.25	
11/15/2025			112,412.50	112,412.50	
12/31/2025					587,368.75
05/15/2026	365,000	4.250%	112,412.50	477,412.50	
11/15/2026			104,656.25	104,656.25	
12/31/2026					582,068.75
05/15/2027	375,000	4.250%	104,656.25	479,656.25	
11/15/2027			96,687.50	96,687.50	
12/31/2027					576,343.75
05/15/2028	390,000	4.250%	96,687.50	486,687.50	
11/15/2028			88,400.00	88,400.00	
12/31/2028					575,087.50
05/15/2029	405,000	4.250%	88,400.00	493,400.00	
11/15/2029			79,793.75	79,793.75	
12/31/2029					573,193.75
05/15/2030	415,000	4.250%	79,793.75	494,793.75	
11/15/2030			70,975.00	70,975.00	
12/31/2030					565,768.75
05/15/2031	430,000	4.250%	70,975.00	500,975.00	
11/15/2031			61,837.50	61,837.50	
12/31/2031					562,812.50
05/15/2032	445,000	4.250%	61,837.50	506,837.50	
11/15/2032			52,381.25	52,381.25	
12/31/2032					559,218.75
05/15/2033	460,000	4.250%	52,381.25	512,381.25	
11/15/2033			42,606.25	42,606.25	
12/31/2033					554,987.50
05/15/2034	475,000	4.250%	42,606.25	517,606.25	
11/15/2034			32,512.50	32,512.50	
12/31/2034					550,118.75
05/15/2035	495,000	4.250%	32,512.50	527,512.50	
11/15/2035			21,993.75	21,993.75	
12/31/2035					549,506.25
05/15/2036	510,000	4.250%	21,993.75	531,993.75	

SEPTEMBER 1, 2015

PRIOR BOND DEBT SERVICE

County of Lewis, New York
Refunding 2008 GO Bonds
REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
Insured (A+ Underlying); BQ; Callable

SLGS and Market Rates as of COB of 08/10/15

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
11/15/2036			11,156.25	11,156.25	
12/31/2036					543,150.00
05/15/2037	525,000	4.250%	11,156.25	536,156.25	
12/31/2037					536,156.25
	7,815,000		4,344,425.00	12,159,425.00	12,159,425.00

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BOND SUMMARY STATISTICS

County of Lewis, New York
 Refunding 2008 GO Bonds
 REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
 Insured (A+ Underlying); BQ; Callable

 SLGS and Market Rates as of COB of 08/10/15

Dated Date	11/17/2015
Delivery Date	11/17/2015
Last Maturity	05/15/2037
Arbitrage Yield	3.033444%
True Interest Cost (TIC)	3.100165%
Net Interest Cost (NIC)	3.136223%
All-In TIC	3.196833%
Average Coupon	3.318161%
Average Life (years)	12.611
Weighted Average Maturity (years)	12.494
Duration of Issue (years)	10.158
Par Amount	8,165,000.00
Bond Proceeds	8,390,558.20
Total Interest	3,416,781.47
Net Interest	3,229,435.47
Total Debt Service	11,581,781.47
Maximum Annual Debt Service	580,637.50
Average Annual Debt Service	538,826.74
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	4.680000
Total Underwriter's Discount	4.680000
Bid Price	102.294501

Bond Component	Par Value	Price	Average Coupon	Average Life
Uninsured Serial Bonds	100,000.00	101.122	2.000%	0.994
Insured Serial Bonds	8,065,000.00	102.783	3.319%	12.755
	8,165,000.00			12.611

	TIC	All-In TIC	Arbitrage Yield
Par Value	8,165,000.00	8,165,000.00	8,165,000.00
+ Accrued Interest			
+ Premium (Discount)	225,558.20	225,558.20	225,558.20
- Underwriter's Discount	-38,212.20	-38,212.20	
- Cost of Issuance Expense		-80,000.00	
- Other Amounts	-22,959.59	-22,959.59	-22,959.59
Target Value	8,329,386.41	8,249,386.41	8,367,598.61
Target Date	11/17/2015	11/17/2015	11/17/2015
Yield	3.100165%	3.196833%	3.033444%

AGGREGATE DEBT SERVICE

County of Lewis, New York
 Refunding 2008 GO Bonds
 REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
 Insured (A+ Underlying); Bq., Callable

SLGS and Market Rates as of COB of 08/10/15

Date	Refunding 2008 GO Bonds Principal	Refunding 2008 GO Bonds Interest	Unfunded Bonds Principal	Unfunded Bonds Interest	Aggregate Principal	Aggregate Interest	Aggregate Debt Service	Annual Aggregate DIS
05/15/2016	50,000	127,352.71	265,000	10,700	315,000	138,062.71	453,062.71	586,756.46
11/15/2016		128,293.75		5,400		133,693.75	133,693.75	
05/15/2017	50,000	128,293.75	270,000	5,400	320,000	133,693.75	453,693.75	
11/15/2017		127,793.75				127,793.75	127,793.75	
12/31/2017	330,000	127,793.75			330,000	127,793.75	457,793.75	581,487.50
05/15/2018		122,843.75				122,843.75	122,843.75	
11/15/2018	335,000	122,843.75			335,000	122,843.75	457,843.75	
05/15/2019		117,818.75				117,818.75	117,818.75	
11/15/2019	345,000	117,818.75			345,000	117,818.75	462,818.75	575,662.50
05/15/2020		114,368.75				114,368.75	114,368.75	
11/15/2020	345,000	114,368.75			345,000	114,368.75	459,368.75	577,187.50
05/15/2021		110,918.75				110,918.75	110,918.75	
11/15/2021	350,000	110,918.75			350,000	110,918.75	460,918.75	570,287.50
05/15/2022		106,981.25				106,981.25	106,981.25	
11/15/2022	355,000	106,981.25			355,000	106,981.25	461,981.25	567,900.00
05/15/2023		102,543.75				102,543.75	102,543.75	
11/15/2023	360,000	102,543.75			360,000	102,543.75	462,543.75	584,525.00
05/15/2024		97,593.75				97,593.75	97,593.75	
11/15/2024	370,000	97,593.75			370,000	97,593.75	463,187.50	560,137.50
05/15/2025		92,043.75				92,043.75	92,043.75	
11/15/2025	380,000	92,043.75			380,000	92,043.75	472,043.75	559,637.50
05/15/2026		84,443.75				84,443.75	84,443.75	
11/15/2026	390,000	84,443.75			390,000	84,443.75	474,443.75	556,487.50
05/15/2027		76,643.75				76,643.75	76,643.75	
11/15/2027	405,000	76,643.75			405,000	76,643.75	481,643.75	551,087.50
05/15/2028		69,556.25				69,556.25	69,556.25	
11/15/2028	415,000	69,556.25			415,000	69,556.25	484,556.25	551,200.00
05/15/2029		62,293.75				62,293.75	62,293.75	
11/15/2029								546,850.00

PROCEEDINGS OF THE BOARD OF LEGISLATORS

AGGREGATE DEBT SERVICE

County of Lewis, New York
 Refunding 2008 GO Bonds
 REFUNDING 05/15/08 GO BONDS (05/15/18-05/15/37)
 Insured (A+ Underlying); EQ; Callable

SLGS and Market Rates as of COB of 08/10/15

Date	Refunding 2008 GO Bonds Principal	Refunding 2008 GO Bonds Interest	Unrefunded Bonds Principal	Unrefunded Bonds Interest	Aggregate Principal	Aggregate Interest	Aggregate Debt Service	Annual Aggregate D/S
05/15/2030	420,000	62,293.75			420,000	62,293.75	482,293.75	
11/15/2030		55,468.75				55,468.75	55,468.75	537,762.50
12/31/2030	430,000	55,468.75			430,000	55,468.75	485,468.75	
05/15/2031		48,481.25				48,481.25	48,481.25	533,950.00
12/31/2031	445,000	48,481.25			445,000	48,481.25	493,481.25	
05/15/2032		41,250.00				41,250.00	41,250.00	534,731.25
11/15/2032	455,000	41,250.00			455,000	41,250.00	496,250.00	
12/31/2032		33,571.88				33,571.88	33,571.88	529,821.88
11/15/2033	465,000	33,571.88			465,000	33,571.88	498,571.88	
12/31/2033		25,725.00				25,725.00	25,725.00	524,296.88
05/15/2034	480,000	25,725.00			480,000	25,725.00	505,725.00	
11/15/2034		17,325.00				17,325.00	17,325.00	523,050.00
12/31/2034	490,000	17,325.00			490,000	17,325.00	507,325.00	
05/15/2035		8,750.00				8,750.00	8,750.00	516,075.00
11/15/2035	500,000	8,750.00			500,000	8,750.00	508,750.00	
12/31/2035								508,750.00
05/15/2036								
11/15/2036								
12/31/2036								
05/15/2037								
12/31/2037								
	8,165,000	3,416,781.47	535,000	21,500	8,700,000	3,438,281.47	12,138,281.47	12,138,281.47

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EIC

Date	Cashflow	Present Value to 11/17/2015 @ 3.0271188745%
05/15/2016	177,362.71	174,747.41
11/15/2016	128,293.75	124,517.35
05/15/2017	178,293.75	170,465.48
11/15/2017	127,793.75	120,361.03
05/15/2018	457,793.75	424,738.93
11/15/2018	122,843.75	112,274.52
05/15/2019	457,843.75	412,212.72
11/15/2019	117,818.75	104,494.75
05/15/2020	462,818.75	404,358.83
11/15/2020	114,368.75	98,432.68
05/15/2021	459,368.75	389,465.79
11/15/2021	110,918.75	92,637.92
05/15/2022	460,918.75	379,213.80
11/15/2022	106,981.25	86,704.85
05/15/2023	461,981.25	368,838.29
11/15/2023	102,543.75	80,648.59
05/15/2024	462,543.75	358,357.38
11/15/2024	97,593.75	74,483.74
05/15/2025	467,593.75	351,547.59
11/15/2025	92,043.75	68,168.80
05/15/2026	472,043.75	344,389.23
11/15/2026	84,443.75	60,689.11
05/15/2027	474,443.75	335,895.30
11/15/2027	76,643.75	53,452.98
05/15/2028	481,643.75	330,900.19
11/15/2028	69,556.25	47,074.23
05/15/2029	484,556.25	323,048.09
11/15/2029	62,293.75	40,911.31
05/15/2030	482,293.75	312,022.92
11/15/2030	55,468.75	35,350.80
05/15/2031	485,468.75	304,781.10
11/15/2031	48,481.25	29,983.10
05/15/2032	493,481.25	300,641.75
11/15/2032	41,250.00	24,755.89
05/15/2033	496,250.00	293,380.37
11/15/2033	33,571.88	19,551.59
05/15/2034	498,571.88	286,029.09
11/15/2034	25,725.00	14,538.30
05/15/2035	505,725.00	281,545.59
11/15/2035	17,325.00	9,501.31
05/15/2036	507,325.00	274,076.92
11/15/2036	8,750.00	4,656.61
05/15/2037	508,750.00	268,711.97
	11,581,781.47	8,390,558.20

Summary

Valuation date	11/17/2015
Amount	8,390,558.20
Target for yield calculation	8,390,558.20

PROCEEDINGS OF THE BOARD OF LEGISLATORS

RESOLUTIONS:

**RESOLUTION NO. 259 – 2015
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 \$ 1,325,327.32 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.

Legislator Hathway made a motion to amend the total of Capital voucher No. 204650L to Northern Pioneer Construction from \$3,985.26 to \$2,470.00 to reflect uncompleted work for the DSS parking lot project. The total of the audit for approval is \$1,323,812.06. The motion was seconded by Legislator Moser and carried.

The resolution was then adopted by roll call vote:

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

NAYS: None

ABSENT: Brennan

**LOCAL LAW (INTRODUCTORY NO. 7- 2015)
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 2016 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 2016 BUDGET.**”

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SECTION 2. LEGISLATIVE FINDINGS

The Board of Legislators for the County of Lewis hereby finds and determines that the anticipated budgetary needs for fiscal 2016 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 2016 that exceeds the “tax levy limit” as that term is defined and calculated pursuant to the provisions of General Municipal Law § 3-c.

SECTION 5. EFFECTIVE DATE

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

**RESOLUTION NO. 260 - 2015
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 7 - 2015), 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 September 1, 2015 a proposed Local Law entitled “**LOCAL LAW TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2016 BUDGET.**”

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on October 6, 2015, 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

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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 King, and adopted.

**RESOLUTION NO. 261 - 2015
RESOLUTION AUTHORIZING SATISFACTION OF MORTGAGE
(COUNTY OF LEWIS TO ADIRONDACK INTERNATIONAL SPEEDWAY, INC.)**

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

WHEREAS, Adirondack International Speedway, Inc. was granted a Mortgage by the County of Lewis dated November 3, 2004, and recorded in the Lewis County Clerk's Office on March 21, 2005, as Instrument Number 2005-00861 to secure payment of a loan in the amount of \$342,725.00; and

WHEREAS, said mortgage was subsequently modified by Agreement dated November 7, 2013 to secure payment of the principal sum of \$114,242.00, pursuant to a Settlement Agreement between the parties dated November 7, 2013. Said mortgage modification was duly recorded in the Lewis County Clerk's Office on February 20, 2014, as Instrument No. 2014-000888; and

WHEREAS, said loan is deemed satisfied pursuant to the terms and conditions of the Settlement Agreement dated November 7, 2013 and a Satisfaction 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 execute a Satisfaction of Mortgage to discharge of record, the aforescribed Mortgage.

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

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

**RESOLUTION NO. 262 - 2015
LEWIS COUNTY
REFUNDING BOND RESOLUTION**

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

**REFUNDING BOND RESOLUTION OF THE BOARD OF
LEGISLATORS OF COUNTY OF LEWIS, NEW YORK (THE**

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“COUNTY”) AUTHORIZING THE ISSUANCE OF REFUNDING BONDS OF THE COUNTY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,600,000 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, 2008, dated May 15, 2008 in the original aggregate principal amount of \$9,800,000 (the “Series 2008 Bonds”), pursuant to a bond resolution adopted by the Board of Legislators of the County on December 12, 2005, as amended and restated by a superseding Bond Resolution on July 5, 2007, for the specific objects or purposes identified in Exhibit A attached hereto, which bonds have an outstanding principal amount of \$8,350,000, and mature in the following respective years and principal amounts: \$265,000 in the year 2016, \$270,000 in the year 2017, \$280,000 in the year 2018, \$290,000 in the year 2019, \$300,000 in the year 2020, \$310,000 in the year 2021, \$320,000 in the year 2022, \$330,000 in the year 2023, \$340,000 in the year 2024, \$355,000 in the year 2025, \$365,000 in the year 2026, \$375,000 in the year 2027, \$390,000 in the year 2028, \$405,000 in the year 2029, \$415,000 in the year 2030, \$430,000 in the year 2031, \$445,000 in the year 2032, \$460,000 in the year 2033, \$475,000 in the year 2034, \$495,000 in the year 2035, \$510,000 in the year 2036, and \$525,000 in the year 2037 (the “Prior Bonds”); and

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 2018 and thereafter are subject to redemption prior to their stated maturity at the option of the County on any date occurring on or after May 15, 2017; and

WHEREAS, the County has received a refunding proposal from Roosevelt & Cross Incorporated 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 2018 and thereafter; and

WHEREAS, the Board of Legislators has reviewed and considered the Refunding Financial Plan in consultation with the County Treasurer, and the financial advisory and bond counsel firms retained by the County; 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 Refunded Bonds, the Board of Legislators has determined, acting in consultation with the financial advisory and bond counsel firms retained by the County,

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that it is prudent for the County to consider the refunding of all or a portion of the outstanding 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 recommendations of Fiscal Advisors & Marketing, Inc., the financial advisory firm retained by the County, and the County Treasurer, the Board of Legislators hereby determines to undertake a refunding of the Prior Bonds maturing in the years 2018 and thereafter (the "Refunded Bonds"), through the issuance of refunding bonds of the County, and hereby determines to retain the services of Roosevelt & Cross Incorporated, as underwriter (the "Underwriter"), in connection with the issuance of such refunding bonds.

SECTION 2. For the object or purpose of refunding the \$7,815,000 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 unmatured interest payable on the Refunded Bonds to and including the date or dates on which the Refunded Bonds which are optionally redeemable are to 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 7 of this resolution), and fees and charges of the Escrow Holder (as defined in Section 7 of this resolution), financial advisory fees, printing fees and legal fees and (e) the premium or premiums for any policy or policies of municipal bond insurance or other form of credit enhancement facility or facilities for the refunding bonds as herein authorized, or any portion thereof, there are hereby authorized to be issued the "General Obligation Refunding (Serial) Bonds" of the County in an aggregate principal amount not to exceed \$8,600,000 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 \$8,165,000 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

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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 Refunding Bonds shall only be issued by the County if the refunding of the Refunded 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, as 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;

(b) The maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for the object or purpose for which the Refunded Bonds were issued are as shown in 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 or each separate series of Refunding Bonds will mature not later than the expiration of the remaining period of probable usefulness for the object or purpose for which the Refunded Bonds were issued, computed from the date of issuance of the Refunded Bonds, or from the date of issuance of the first bond anticipation note issued in anticipation thereof, whichever is earlier.

(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

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made a part of this resolution (the "Refunding Financial Plan"). The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the principal amount of \$8,165,000 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 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 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 Board of Legislators 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

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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 or on behalf of 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 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, as chief fiscal officer, 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.

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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 the Refunded Bonds on May 15, 2017, or, such later date or dates as may be hereinafter determined by the County Treasurer and provided for in the Final Refunding Financial Plan (each a "Redemption 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 or a series thereof, the election to call in and redeem the applicable Refunded Bonds that are subject to redemption at the option of the County and the direction 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 Treasurer, if any, then in office 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, and 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; provided, however, that the sale of the Refunding

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Bonds pursuant to such bond purchase agreement shall be 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. 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.

SECTION 16. The County Treasurer, the Clerk of the Board of Legislators, 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

(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 Board of Legislators 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(s) 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 on motion by Legislator Pepper, seconded by Legislator Moser, which resulted as follows:

<u>Legislator Brennan</u>	VOTING	<u>Absent</u>
<u>Legislator Chartrand</u>	VOTING	<u>Yes</u>
<u>Legislator Dolhof</u>	VOTING	<u>Yes</u>
<u>Legislator Hathway</u>	VOTING	<u>Yes</u>
<u>Legislator King</u>	VOTING	<u>Yes</u>

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<u>Legislator Kulzer</u>	VOTING	<u>Yes</u>
<u>Legislator Moroughan</u>	VOTING	<u>Yes</u>
<u>Legislator Moser</u>	VOTING	<u>Yes</u>
<u>Legislator Pepper</u>	VOTING	<u>Yes</u>
<u>Legislator Tabolt</u>	VOTING	<u>Yes</u>

The foregoing resolution was thereupon declared duly adopted.

Exhibit A
Summary of the Prior Bonds

General Obligation (Serial) Bonds, 2008

Dated Date: May 15, 2008
 Original Principal Amount: \$9,800,000
 Outstanding Principal Amount: \$8,350,000¹
 Principal Amount to be Refunded: \$7,815,000
 Interest Payment Dates: May 15th and November 15th

Maturity Schedule of the Refunded Bonds

<u>Date (May 15th)</u>	<u>Principal Amount</u>	<u>Date (May 15th)</u>	<u>Principal Amount</u>
2018	\$280,000	2028	\$390,000
2019	290,000	2029	405,000
2020	300,000	2030	415,000
2021	310,000	2031	430,000
2022	320,000	2032	445,000
2023	330,000	2033	460,000
2024	340,000	2034	475,000
2025	355,000	2035	495,000
2026	365,000	2036	510,000
2027	375,000	2037	525,000

Objects or Purposes

Period of Probable Usefulness

(determined as of the date of issuance of the Series 2008 Bonds or the first bond anticipation note issued in anticipation thereof)

the construction of a new court house building, to be connected by a common entrance way with the existing courthouse building, including site landscaping, associated parking, related site work improvements, original furnishings, fixtures and equipment, and other

30 years - subdivision 11(a)(1) of paragraph (a) of Section 11.00 of Local Finance Law

¹ The Prior Bonds maturing on May 15, 2016 in the principal amount of \$265,000 and on May 15, 2017 in the principal amount of \$270,000 are not being refunded by the Refunding Bonds.

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incidental and appurtenant improvements,
items and services

Exhibit B
Refunding Financial Plan

[attached]

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 263 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO COMMUNITY SERVICES DEPARTMENT**

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

WHEREAS, the Lewis County Community Services Board has selected and appointed Patricia M. Fralick as the Lewis County Director of Community Services, whom will begin her duties on September 23, 2015.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Community Services Department, to set the 2015 annualized salary for the Director of Community Services at \$72,500, effective September 23, 2015.

Section 2. That \$7,500.00 of said annualized salary shall be financed by New York State Single Point of Access (SPOA) grant funding.

Section 2. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 264 - 2015
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 an Aid-To-Prosecution grant application, to provide vital resources to District Attorney's Offices to support the enhanced prosecution of violent and serious felony offenders by maintaining increased levels of experienced prosecution personnel.

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 the retention of experienced prosecution personnel.

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Section 2. The term of said Agreement is from April 1, 2015 through September 30, 2016, in the amount of \$43,800.00

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 Dolhof, and adopted.

**RESOLUTION NO. 265 – 2015
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 appropriation is hereby approved in the office of the District Attorney using money from T87.03 (DA-Federal Money) to reimburse the District Attorney for the summer conference.

Increase Revenues

A26260 (Forfeiture Proceeds) \$1,101.72

Increase Expense

A1165.4507 (Travel & Subsistence) \$1,101.72

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

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

**RESOLUTION NO. 266 - 2015
RESOLUTION TO AUTHORIZE A MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY AND THE CORNELL COOPERATIVE EXTENSION
ASSOCIATION OF LEWIS COUNTY, FOR THE COUNTY'S CONTRIBUTION TO
UNREIMBURSED/INELIGIBLE COSTS AND EXPENSES OF MICHELE
LEDOUX'S TRAVEL AND PARTICIPATION UNDER THE NEW YORK STATE'S
"GLOBAL NEW YORK" TRADE INITIATIVE WITH CHINA, AND FOR THE
EXTENSION'S AGREEMENT TO REIMBURSE THE COUNTY WITH ANY
GRANT FUNDS RECEIVED.**

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

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WHEREAS, NY Empire State Development (“ESD”) awarded Lyndaker’s Maple Orchard (hereinafter “the company”) grant funding for participation in the NYS Food and Beverage Trade Mission to China, under the “State and Exports Promotion (“STEP”) Global NY Exports Grant Program”, from September 13, 2015 to September 19, 2015, where a free trade zone in China has been established to market New York products; and

WHEREAS, Lyndaker’s Maple Orchard named Michele Ledoux, Executive Director of Cornell Cooperative Extension Association of Lewis County (hereinafter “the Extension”), as the company’s named representative participant to attend the trade mission in China and market the company’s maple industry resources and products in this overseas market; and

WHEREAS, under the terms and conditions of the Grant, 90% of eligible travel and lodging costs, up to \$2,700.00 will be reimbursed to the Company, and then to the Extension, for each participant; and

WHEREAS, the Director of Planning has by separate Resolution, requested that the Board of Legislators authorize his travel to China for this marketing event and to have the Board of Legislators approve and authorize \$10,000.00 to be appropriated (from the Economic Development Marketing Account) to advance the costs and expenses of this trip to China from September 13, 2015 to September 19, 2015, for the Director of Planning and Executive Director of Cornell Cooperative Extension Association of Lewis County; and

WHEREAS, the “Extension” will enter into an agreement with Lyndaker’s Maple Orchard for the company to submit proper documents to ESD for reimbursement of 90% of the maximum eligible travel and lodging costs and expenses for representative participant Michele Ledoux, and for the Company to then be directed to turn over any reimbursed Grant funds to the Extension; and

WHEREAS, the County and the Extension will enter into a Memorandum of Understanding wherein the County agrees to advance all of the travel expenses of Michele Ledoux and to pay the unreimbursed and/or ineligible costs of Michele Ledoux’s trip to China up to a maximum of \$1,000.00, (estimated costs are approximately \$895.00 (consisting of \$300.00 for food, \$200.00 for a Visa, \$125.00 for medical preparation, and \$270.00 representing 10% of the maximum grant travel and lodging costs), and with the Extension agreeing to pay over to the County any grant funds received for travel and lodging costs for this trip; and

WHEREAS, the Board of Legislators seeks to authorize this travel, expense and agreement in order to further Lewis County economic development and to promote and market the Lewis County maple industry.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the advance of costs and expenses of Michele Ledoux, Executive Director of Cornell Cooperative Extension Association of Lewis County, (from the \$10,000.00 appropriation authorized and identified for the China trip

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from the Economic Development Marketing Account), as a Grant participant in the September 13, 2015 to September 19, 2015 NYS Food and Beverage Trade Mission to China.

Section 2. That the Board of Legislators authorizes and directs that the County enter into a Memorandum of Understanding with Cornell Cooperative Extension Association of Lewis County, with the terms of said Memorandum of Understanding to include that the Extension agrees to reimburse the County for any eligible Grant funds received by it toward the eligible/reimbursable expenses of this event (anticipated to be 90% of travel and lodging costs of the participant representative, up to a maximum of \$2,700.00 per participant), or as otherwise further granted and funded by Empire State Development (ESD), and wherein the County agrees to pay for the unreimbursed/ineligible costs and expenses of Executive Director Michele Ledoux's travel to China up to a maximum of \$1,000.00, and which are currently estimated to be \$895.00.

Section 3. That the Board of Legislators authorizes the Director of Planning to charge and pay for the expenses of Michele Ledoux, Executive Director of Cornell Cooperative Extension, and to accumulate and submit receipts to the County Manager for all expenditures.

Section 4. That the Chairman of the Board of Legislators or the Vice-Chairman be and the same is hereby authorized to execute and deliver such Memorandum of Understanding, pending approval by the County Attorney.

Section 5. That this Resolution shall take effect immediately.

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

Legislator Moser abstained because he is a principle owner of Moser's Maple, LLC.

RESOLUTION NO. 267 - 2015
RESOLUTION TO AUTHORIZE DIRECTOR OF PLANNING TO TRAVEL TO CHINA AS REPRESENTATIVE PARTICIPANT UNDER NEW YORK STATE'S "GLOBAL NEW YORK" TRADE INITIATIVE, AND TO AUTHORIZE PAYMENT OF COSTS OF PARTICIPATION AND TO AUTHORIZE MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY AND MOSER'S MAPLE LLC, THE LOCAL BUSINESS SPONSOR AND GRANT AWARD RECIPIENT

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

WHEREAS, NY Empire State Development ("ESD") awarded Moser's Maple LLC (hereinafter "the company") grant funding for participation in the NYS Food and Beverage Trade Mission to China, under the "State and Exports Promotion ("STEP") Global NY Exports Grant Program", from September 13, 2015 to September 19, 2015, where a free trade zone in China has been established to market New York products; and

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WHEREAS, Moser’s Maple LLC, seeks to name Frank Pace, Lewis County Director of Planning, as the company’s named representative to attend the trade mission in China and market the company’s and county’s maple industry resources and products in this overseas market; and

WHEREAS, under the terms and conditions of the Grant, 90% of eligible travel and lodging costs will be reimbursed, up to \$2,700.00 for each participant; and

WHEREAS, the Director of Planning seeks to have the Board of Legislators approve and authorize \$10,000.00 to be appropriated (from the Economic Development Marketing Account) to advance payment of the costs and expenses of this trip to China from September 13, 2015 to September 19, 2015 for the Director of Planning as well as the Executive Director of the Cornell Cooperative Extension Association of Lewis County, and to have the County enter into a Memorandum of Understanding with Moser’s Maple LLC, wherein the company will acknowledge the Director of Planning as its representative participant on the mission. The agreement shall further provide that the company agrees to submit the proper documents to ESD for reimbursement of 90% of the maximum eligible travel and lodging costs and expenses, and to then reimburse the County the maximum reimbursed grant funds received by the Company in order for the County to re-capture a portion of the expenses advanced for this marketing mission; and

WHEREAS, the estimated and anticipated costs for each representative’s participation in this trade mission are as follows:

90% reimbursed costs:

Airfare:	\$1,158.00
Lodging:	1,078.00
Ground transportation:	<u>\$ 464.00</u>
Subtotal:	\$ 2,700.00 (\$2,430.00 reimbursed, with \$270.00 cost to County)

Unreimbursed/Ineligible estimated costs:

Food:	\$ 300.00
Visa:	200.00
Medical Prep.	<u>125.00</u>
Subtotal:	\$ 625.00

Estimated total cost to County after reimbursement of eligible funds: **\$895.00**; and

WHEREAS, the Board of Legislators seeks to authorize this travel, expense and agreement in order to further Lewis County economic development and to promote and market the Lewis County maple industry.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes \$10,000.00 from the Economic Development Marketing Account, to be used to advance the costs and expenses of the Director of Planning as well as the Director of the Cornell Cooperative Extension Association of Lewis County, to travel to and participate as Grant-qualified representative participants in the September 13 to September 19 NYS Food and Beverage Trade Mission to China.

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Section 2. That the Board of Legislators authorizes and directs that the County enter into a Memorandum of Understanding with Moser's Maple LLC, whose company was accepted for Grant funding and participation in this trade mission to China through the "State Trade and Exports Promotion (STEP) Global NY Exports Grant Program", with the terms of said Memorandum of Understanding to include that the company authorized and appointed the Lewis County Director of Planning as its named participant representative for the mission to China, and wherein the company agrees to reimburse the County for any eligible Grant funds received by it toward the eligible reimbursable expenses of this event (anticipated to be 90% of travel and lodging costs of the participant representative, up to a maximum of \$2,700.00 per participant), or as otherwise further granted and funded by Empire State Development (ESD).

Section 3. That the Board of Legislators authorizes the Director of Planning to be reimbursed up to \$1,000.00 for daily meals in accordance with County rates, for the cost of a Visa, for required medical preparation for travel, and for the 10% local share of travel and lodgings costs, and for the Director of Planning to be issued the appropriate County credit cards to advance the estimated total costs of this trip for the Director of Planning and for Michele Ledoux, Executive Director of Cornell Cooperative Extension; and for the Director of Planning to accumulate and submit receipts to the County Manager for all expenditures.

Section 4. That the Chairman of the Board of Legislators or the Vice-Chairman be and the same is hereby authorized to execute and deliver such Memorandum of Understanding, pending approval by the County Attorney.

Section 5. That this Resolution shall take effect immediately.

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

Legislator Moser abstained because he is a principle owner of Moser's Maple, LLC.

**RESOLUTION NO. 268 – 2015
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 appropriation of the FY14 HazMat Grant is hereby approved:

A43052.4 FY14 HazMat CFDA#97.067 \$15,000.00

A3416.2911 FY14 HazMat CFDA#97.067 \$15,000.00

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

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

**RESOLUTION NO. 269 – 2015
RESOLUTION AUTHORIZING AGREEMENT WITH
NEW YORK STATE DIVISION OF HOMELAND SECURITY
AND EMERGENCY MANAGEMENT**

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 Management Services for funding in the amount of \$30,384.00, requiring 50% local matching funds or \$15,192.00, to cover a portion of emergency manager's annual compensation to ensure the 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 NYS Division of Homeland Security and Emergency Services in the amount of \$30,384.00, hereby committing the 50% local matching funds of \$15,192.00 for the grant period from 10/1/2014 to 9/30/2016.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators be and the same is hereby authorize to execute, seal and deliver said Grant Agreement.

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

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

**RESOLUTION NO. 270 – 2015
RESOLUTION AUTHORIZING AGREEMENT WITH
NEW YORK STATE DIVISION OF HOMELAND SECURITY
AND EMERGENCY MANAGEMENT**

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 Management Services for funding in the amount of \$55,000.00 with no local match requirement, for the purchase of a utility vehicle capable of navigating unique terrain to assist with communications in neighboring Counties, thus improving inter-operability; and to purchase radio accessories to secure communications between road patrol officers and dispatchers to ensure officer safety.

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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 NYS Division of Homeland Security and Emergency Services in the amount of \$55,000.00 for the grant period from 9/1/2015 to 8/31/2018.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators be and the same is hereby authorize to execute, seal and deliver said Grant Agreement.

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

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

**RESOLUTION NO. 271 - 2015
RESOLUTION AUTHORIZING THE COUNTY OF LEWIS
TO EXECUTE BUSINESS ASSOCIATE AGREEMENT
WITH LIFETIME BENEFIT SOLUTIONS, INC.
TO COMPLY WITH PRIVACY RULE REVISIONS**

Introduced by Lawrence Dolhof, Chairman of the Insurance Committee.

WHEREAS, Lifetime Benefit Solutions, Inc., with offices at 115 Continuum Drive, Liverpool, New York 13088 requires the County of Lewis to execute an updated Business Associate Agreement (“BAA”) regarding the requirements of Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) and the Health Information Technology for Economic and Clinical Health Act (the “HITECH Act”), collectively “the Federal Privacy Rules”; and

WHEREAS, this requirement to execute the updated BAA is so that all parties are compliant with Privacy Rule revisions, as this could be subject to an audit and fines if the BAA is not in effect.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the County of Lewis to execute the Business Associate Agreement with Lifetime Benefit Solutions, Inc. regarding the requirements of HIPAA and the HITECH Act to comply with the Federal Privacy Rules.

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 King, and adopted.

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**RESOLUTION NO. 272 - 2015
RESOLUTION AUTHORIZING PROFESSIONAL
CONSULTING SERVICES WITH LOCEY & CAHILL, LLC**

Introduced by Legislator Lawrence Dolhof, Chairman of the Insurance Committee.

WHEREAS, Locey & 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; and

WHEREAS, Lewis County desires to enter into an Agreement with Locey & Cahill to provide the services in the preparation and filing of the Actuarial Attestation Statements, Forms, Reports and Claims associated with the Medicare Part D Retiree Drug Subsidy Program for Lewis County.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby authorizes an Agreement between Locey & Cahill, LLC and the County of Lewis, for professional consulting services for the period of September 1, 2015 through August 31, 2016 at a cost of \$2,000.00.

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

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

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

**RESOLUTION NO. 273 - 2015
RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY OF LEWIS AND THE
CIVIL SERVICE EMPLOYEES ASSOCIATION, INC.**

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, the County of Lewis ("County") and the Lewis County Local 825 of the Civil Service Employee's Association, Inc. ("CSEA") executed a collective bargaining agreement dated August 22, 2014, which covers the period of January 1, 2014 through December 31, 2017; and

WHEREAS, the County and CSEA would like to clarify ARTICLE V - HOURS OF WORK for the Lewis County Highway Department employees to reflect a specific Monday for the commencement date and ending date applicable to the ten (10) hour schedule for Highway Employees.

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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 and Civil Service Employees Association, Inc. to clarify ARTICLE V - HOURS OF WORK for the Lewis County Highway Department employees to reflect a specific Monday for the commencement date and ending date applicable to the ten (10) hour schedule for Highway Employees; in that Highway Employees will commence ten (10) hour shifts on the third Monday in April, and they will end ten (10) hour shifts and resume eight (8) hour shifts the second Monday of October.

Section 2. That a collective bargaining agreement dated August 22, 2014 was fully executed and covers the period of January 1, 2014 through December 31, 2017. This Memorandum of Understanding shall reflect a permanent change to this section of the current CSEA Collective Bargaining Agreement for the remainder of its term. The Memorandum of Understanding shall become effective immediately upon complete execution.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators be and the same is hereby authorized to make, execute, seal and deliver a Memorandum of Understanding between the County of Lewis and the Civil Service Employee's Association, Inc. upon such form as may be approved by the County Attorney.

Section 4. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 274 - 2015
RESOLUTION APPOINTING MEMBERS TO
LEWIS COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BOARD OF DIRECTORS**

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

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 Industrial Development Agency Board of Directors 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 of Legislators.

NOW, THEREFORE, BE IT RESOLVED as follows:

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Section 1. That this Board of Legislators hereby appoints the following individuals to the Lewis County Industrial Development Agency Board of Directors to serve at the pleasure of the Board of Legislators:

Gary Herzig of 9651 Lewis Street, P.O. Box 37, Beaver Falls, NY 13305 Joseph Lawrence of 6994 State Route 26, Lowville, NY 13367.

Section 2. That said appointments shall be effective September 2, 2015 for an indefinite term.

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

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

**RESOLUTION NO. 275 - 2015
RESOLUTION AUTHORIZING INTER-MUNICIPAL AGREEMENTS BETWEEN
COUNTY OF LEWIS AND THE VARIOUS LOCAL MUNICIPALITIES FOR SHARED
SERVICES IDENTIFIED BY PARTICIPANTS IN THE LEWIS COUNTY COMMUNITY
OUTREACH GOVERNMENT EFFICIENCY PLAN INITIATIVE**

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

WHEREAS, over the past year, the Lewis County Manager and Lewis County Director of Planning initiated a Community Outreach Government Efficiency Plan (COGEP) and set up meetings with interested Lewis County Municipalities in an effort to comply with the NYS Government Efficiency Program, and in an effort to share services, identify potential sources of shared services among the Lewis County Villages, Towns and County, and to continue to bring forward good ideas for efficiency in Lewis County governmental jurisdictions; and

WHEREAS, these periodic meetings have been well attended, with the Director of Planning providing the lead and organizational framework for the participants. The Director of Planning and the local municipal participants have identified a number of potential areas and programs in which some and/or all of the interested partners may seek to enter into Inter- Municipal Agreements (“IMAs”) with the County to share services; and

WHEREAS, some of the ideas and examples for potential shared services and inter-municipal agreements may include shared general contractual support services such as Request for Proposal Statement of Qualifications (RFPSQs), shared vendor presentations, materials and equipment, and information technology services and software; and

WHEREAS, the Director of Planning wishes to have the Board of Legislators authorize Inter-Municipal Agreements with the County in which some or all of the interested partners can share in specific services for economic and resource efficiency; and

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WHEREAS, the County of Lewis desires to further the Community Outreach Government Efficiency Plan by authorizing such Inter-Municipal Agreements between the County and interested local municipal partners in Lewis County.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes Inter- Municipal Agreements between the County and interested municipal partners in order to further the COGEP initiative.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Director of Planning, with the assistance of the County Attorney, to draft particular Inter-Municipal Agreements between the County and interested municipal partners in areas of identified shared services; to circulate such drafts to the interested municipal partners, and to present the final proposed IMAs to the Board of Legislators for consideration and decision.

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

Moved by Legislator Dolhof, seconded by Legislator Pepper.

In response to Legislator King, County Manager Liz Swearingin clarified that any proposed inter-municipal agreement would be presented to the Board for approval.

The resolution was adopted.

**RESOLUTION NO. 276 - 2015
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 \$34,000.00 with a maximum reimbursable amount of \$17,000.00 available from June 30, 2015 through June 29, 2016 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.

NOW, THEREFORE, BE IT RESOLVED, as follows:

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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, 2015 and ending June 29, 2016 in a maximum reimbursable amount to Public Health of \$17,000.00 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 Pepper, seconded by Legislator King, and adopted.

**RESOLUTION NO. 277 - 2015
RESOLUTION AUTHORIZING LEWIS COUNTY PUBLIC HEALTH AGENCY
TO SUBMIT A MEDICARE ENROLLMENT APPLICATION TO
BILL INSURANCE FOR SERVICES PROVIDED**

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

WHEREAS, the Lewis County Public Health Agency ("Agency") wishes to submit a Medicare Enrollment Application for the purpose of billing insurance for services that are provided; and

WHEREAS, the Chairman of the Board of Legislators is authorized to act on behalf of the County of Lewis to sign the application.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the Lewis County Public Health Agency to submit a Medicare Enrollment Application for the purpose of billing insurance for services that are provided.

Section 2. That the Chairman of the Board of Legislators is authorized to sign the application, subject to the approval of the County Attorney.

Section 3. That this Resolution shall take effect immediately.

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

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**RESOLUTION NO. 278 - 2015
RESOLUTION APPROVING APPLICATION TO POMCO GROUP
TO BILL INSURANCE FOR ADDITIONAL SERVICES
AND INCLUDE TO CURRENT CONTRACT
WITH LEWIS COUNTY PUBLIC HEALTH AGENCY**

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

WHEREAS, the County of Lewis, by and through the Lewis County Public Health Agency, ("Agency") currently has a Participating Agreement with POMCO, Inc., a third party administrator providing payment of claims for eligible services of various health plans throughout New York State, and whereby POMCOPlus+ is its network of providers and hospitals who have Participating Agreements with POMCO; and

WHEREAS, the Agency desires to add its Licensed Home Care Service Agencies services as additional payment claims for eligible services under the existing contract with POMCO.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the submission of the application to the POMCO Group to add additional claims for services of Licensed Home Care Service Agencies to the current contract between the County of Lewis, by and through the Lewis County Public Health Agency, and POMCO Group.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Application, 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. 279 – 2015
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 transfer of funds is hereby approved in the Public Health accounts to allow for adjustments in the Rabies vaccine account:

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From:

A4089.4367 Vaccines/Pharmaceutics \$10,000.00

To:

A4042.4367 Vaccines/Pharmaceutics \$10,000.00

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

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

**RESOLUTION NO. 280 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY
AND UNIVERSAL AMERICAN TO BILL INSURANCE FOR SERVICES PROVIDED FOR
LICENSED HOME CARE**

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

WHEREAS, the Lewis County Public Health Agency (“Agency”) wishes to enter into a Participating Provider Agreement with Universal American to participate in the following insurance plans: American Progressive Life & Health Insurance Company of New York and Today’s Option of New York, Inc.; and

WHEREAS, the Agency then bills these insurance companies for services provided by their Licensed Home Care; 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 Provider Agreement between Lewis County Public Health Agency and Universal American for the purpose of participating in the insurance plans of American Progressive Life & Health Insurance Company of New York and Today’s Option of New York, Inc. and to bill these insurance companies for services provided by their Licensed Home Care.

Section 2. That the term of this agreement is effective when both parties execute the agreement, with no cost to the County.

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

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

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

**RESOLUTION NO. 281 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY
AND UNIVERSAL AMERICAN TO BILL INSURANCE FOR SERVICES PROVIDED FOR
DIAGNOSTIC & TREATMENT CENTER**

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

WHEREAS, the Lewis County Public Health Agency (“Agency”) wishes to enter into a Participating Provider Agreement with Universal American to participate in the following insurance plans: American Progressive Life & Health Insurance Company of New York and Today’s Option of New York, Inc.; and

WHEREAS, the Agency then bills these insurance companies for services provided by their Diagnostic & Treatment Center; 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 Provider Agreement between Lewis County Public Health Agency and Universal American for the purpose of participating in the insurance plans of American Progressive Life & Health Insurance Company of New York and Today’s Option of New York, Inc. and to bill these insurance companies for services provided by their Diagnostic & Treatment Center.

Section 2. That the term of this agreement is effective when both parties execute the agreement, with no cost to the County.

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

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

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

**RESOLUTION NO. 282 - 2015
RESOLUTION INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL
PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF
HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF
THE TAX LAW OF THE STATE OF NEW YORK**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Gregory Kulzer, Chairman of the Taxation Committee.

WHEREAS, Clause 36 of subparagraph (i) of the opening paragraph of section 1210 of the Tax Law, as added by Chapter 47 of the Laws of 2004 and as further amended by chapter 251 of the laws of 2011, authorized and empowered the County of Lewis to adopt and amend local laws, ordinances or resolutions imposing an additional three quarters of one percent (.75%) rate of sales and compensating use taxes for the period beginning June 1, 2004 and ending November 30, 2013; and

WHEREAS, Chapter 353 of 2013 further amends Clause 36 of subparagraph (i) of the opening paragraph of section 1210 of the Tax Law to authorize the County of Lewis to adopt and amend local laws, ordinances or resolutions to impose an additional one percent (1%) rate of sales and compensating use taxes for the period beginning December 1, 2013 and ending November 30, 2015;

WHEREAS, Chapter 186 of 2015 further amends Clause 36 of subparagraph (i) of the opening paragraph of section 1210 of the tax law to authorize and empower the County of Lewis to adopt and amend local laws, ordinances or resolutions to impose an additional one percent (1%) rate of sales and compensating use taxes for the period beginning December 1, 2015 and ending November 30, 2017; therefore

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

Section 1. Section 4-A of Resolution No. 112-1981, enacted by the Board of Legislators of the County of Lewis on August 24, 1981, imposing sales and compensating use taxes, as amended, is amended to read as follows:

Section 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning December 1, 2015, and ending November 30, 2017. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

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Section 2. Paragraph (c) of subdivision (1) of section 11 of Resolution No. 112-1981, enacted by the Board of Legislators of the County of Lewis on August 24, 1981, imposing sales and compensating use taxes, as amended, is amended to read as follows:

(c) With respect to the additional tax of one percent for the period beginning December 1, 2013 and ending November 30, 2017, in respect to the use of property used by the purchaser in this county prior to December 1, 2013.

Section 3. This enactment shall take effect December 1, 2015.

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

**RESOLUTION NO. 283 – 2015
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

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 Monday, September 14, 2015 at 3:00 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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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

**RESOLUTION NO. 284 - 2015
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, 2016 through December 31, 2016 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 to 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 Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 285 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES
AND ELMCREST CHILDREN'S CENTER**

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

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

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

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 Moroughan, seconded by Legislator Pepper.

Legislator Dolhof made a motion to amend the dates in Section 3 to read from January 1, 2016 through December 31, 2016, seconded by Legislator Pepper and carried.

The resolution was then adopted.

**RESOLUTION NO. 286 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND HILLSIDE CHILDREN’S CENTER**

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 Hillside Children’s Center for the provision of foster care services; and

WHEREAS, there is no local share cost until costs exceed the foster care block grant, and then local share may be from 37.5% to 100% depending upon client eligibility; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 with Hillside Children's Center for the provision of foster care services for the period of January 1, 2016 through December 31, 2016 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 Dolhof, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 287 - 2015
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.

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

Moved by Legislator Hathway, seconded by Legislator Pepper.

Legislator Dolhof made a motion to amend the dates in Section 2 to read from January 1, 2016 through December 31, 2016, seconded by Legislator Pepper and carried.

The resolution was then and adopted.

**RESOLUTION NO. 288 - 2015
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 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, 2015 through September 30, 2016 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 Moroughan, and adopted.

**RESOLUTION NO. 289 - 2015
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

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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, 2016 and ending December 31, 2016 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 Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 290 - 2015
RESOLUTION AUTHORIZING THE COUNTY OF LEWIS
TO BE NAMED THE LEAD AGENCY OF THE
STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) PROCESS
FOR THE COUNTY OF LEWIS SOLAR PHOTOVOLTAIC (PV) PROJECT**

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

WHEREAS, under current NYSERDA funding opportunities, the County of Lewis plans to deploy a solar PV system on its property located at 5252 Outer Stowe Street, Lowville, New York; and

WHEREAS, in order to aid the Board of Legislators in determining whether such project and financing and other related actions of the County in connection therewith (the “Action”) may have a significant effect on the environment, the County Board of Legislators seeks to have the appropriate Environmental Assessment Form (EAF) prepared; and

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WHEREAS, the County of Lewis will review the environmental impacts of the proposed action and follow through with the SEQRA process accordingly, and seeks to be the lead agent of the State Environmental Quality Review Act (SEQRA) Process for the County of Lewis Solar Photovoltaic (PV) Project.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby declares that it is acting as lead agency for the purpose of SEQRA review concerning the Solar PV Project and all actions related thereto.

Section 2. That the Director of Planning is authorized and directed to prepare the appropriate forms and applications with the assistance of Larsen Engineers.

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 291 - 2015
RESOLUTION AUTHORIZING RETAINER AGREEMENT WITH BOWITCH & COFFEE
LLC FOR LEGAL AND CONSULTING SERVICES WITH RESPECT TO
ENVIRONMENTAL CONDITIONS ON CERTAIN TAX DELINQUENT PROPERTY

Introduced by Legislator Greg Kulzer, Chairman of the Taxation and Agriculture Committee.

WHEREAS, Attorney Gary S. Bowitch, Esq., partner of Bowitch & Coffey, LLC, has expertise in providing legal advice and guidance in remediating environmental conditions on delinquent tax properties to enable the municipality to avoid potential liability while proceeding to tax foreclosure; and

WHEREAS, the Taxation and Agriculture Committee finds that it is in the County's best interest to secure the professional services of Gary Bowitch in order to remedy the on-going contamination issues on the former cheese manufacturing plant in the Town of New Bremen, commonly referred to as the Lewis County Dairy property; and

WHEREAS, the Board of Legislators seeks to secure the legal services of Gary Bowitch on the Lewis County Dairy property environmental issues, with a goal of having the State and/or Federal appropriate agencies invest funds to remediate the property and allow for the County to proceed with a tax foreclosure proceeding in order to take title to the property without any financial or environmental obligation and liability; and

WHEREAS, the Board of Legislators seeks to secure said legal services at an hourly rate of \$185.00 per hour plus reasonable expenses, not to exceed a cost of \$10,000.00; and

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WHEREAS, the Board of Legislators has set aside funds from the tax auction into a special account to be expended to remediate tax delinquent contaminated properties, and seeks to have these legal fees paid from said account.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes a contract to retain the legal services of Gary S. Bowitch, Esq., of Bowitch & Coffey, LLC at an hourly rate of \$185.00 plus reasonable expenses, not to exceed \$10,000.00, for environmental legal consultation and advice pertaining to remediation of the Lewis County Dairy property in the Town of New Bremen by the State and/or Federal governmental agencies.

Section 2. That the payment of fees to Bowitch & Coffey, LLC shall be made from the special account established from tax auction proceeds for remediation of tax delinquent properties.

Section 3. That the Chairman, or the Vice-Chairman, of the Board of Legislators be and the same is 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 Dolhof, seconded by Legislator King, and adopted.

**RESOLUTION NO. 292 - 2015
RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT BETWEEN
LEWIS COUNTY ECONOMIC DEVELOPMENT AND PLANNING DEPARTMENT AND
BIRNIE BUS TOURS, INC.**

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

WHEREAS, the County of Lewis, by and through the Lewis County Economic Development and Planning Department, entered into an Agreement with Birnie Bus Tours, Inc. dated February 20, 2015 and adopted by Resolution No. 516-2014 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 that was effective January 1, 2015 and to continue through December 31, 2015; and

WHEREAS, both parties now desire to amend the Agreement to add a Utica route, also known as the "College Connector", in connection with Oneida County Rural Transit and Birnie Bus, Inc.; and

WHEREAS, the route will serve both Lewis County and Oneida County residents with planned pick up locations in Lowville, Port Leyden, Boonville, Alder Creek, Remsen, Barneveld, Utica and New Hartford; 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 Amendment to the Agreement dated February 20, 2015 between the County of Lewis, by and through the Lewis County Economic Development and Planning Department, and Birnie Bus Tours, Inc. to add a Utica route, also known as the “College Connector”, in connection with Oneida County Rural Transit and Birnie Bus, Inc. to serve both Lewis County and Oneida County residents with planned pick up locations in Lowville, Port Leyden, Boonville, Alder Creek, Remsen, Barneveld, Utica and New Hartford.

Section 2. That said Agreement amendment shall be for the period of September 1, 2015 through December 31, 2015 and shall be at a cost of \$363.52 per day for the Utica route, with Lewis County retaining the NYS DOT State Operating Assistance (“STOA”) funds associated with this route.

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. 293 - 2015
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, 2016 through December 31, 2016 at a cost not to exceed \$26,712.00.

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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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

**RESOLUTION NO. 294 – 2015
RESOLUTION SETTING 2016
WORKERS' COMPENSATION APPORTIONMENT
FOR LEWIS COUNTY SELF-INSURANCE PLAN**

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

WHEREAS, the only control over the County's self-insured workers' compensation plan is to emphasize workplace safety and prevention; and

WHEREAS, in accordance with this philosophy, the Board of Legislators imposes a proportionate assessment 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 2016 workers' compensation assessments for participants of the Lewis County Self-Insurance Plan, to assess a 50% experience rating based on actual respective expenses in 2012, 2013 and 2014 that shall be capped at \$40,000 for any one claim per annum; 30% shall be based on proportionate 2015 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 Moser, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 295 - 2015
RESOLUTION APPROVING APPOINTMENTS TO
JEFFERSON-LEWIS
WORKFORCE DEVELOPMENT BOARD**

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

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WHEREAS, pursuant to the Workforce Innovation & Opportunity Act, Public Law 113-128 as signed into law by President Obama on July 22, 2014, the Jefferson- Lewis Workforce Development Board (WDB) has been established; and

WHEREAS, the Workforce Innovation & Opportunity Act requires that 20% of the WDB consist of members of labor organizations and an organization that meets the needs of those with barriers to employment; and

WHEREAS, the membership also needs to be in line with the funding distribution, therefore 80% of the membership is from Jefferson County and 20% of the membership is from Lewis County.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the appointment of the following listed individuals to serve as members of the Jefferson- Lewis Workforce Investment Board through the term expiration date opposite each:

<u>Jefferson County Representatives</u>	<u>Term Expires</u>
Robert Hagemann, Jefferson County Administrator	6/30/2016
Carole McCoy, SUNY Jefferson	6/30/2016
Lynn Murray, Murcrest Farms	6/30/2016
MaryBeth LaValle, Knowlton Technologies	6/30/2017
Jody Pettit, Hilton Garden Inn	6/30/2017
Carol Urbanowicz, Hi-Lite Airfield Services	6/30/2017
Kathy Watson, Timeless Frames	6/30/2017
Peter Whitmore, Jreck Subs	6/30/2017
Sandra Petrillose, JRC	6/30/2017
George Anderson, Current Applications	6/30/2018
Michael Britt, Samaritan Medical Center	6/30/2018
Donald Alexander, Jefferson County Economic Development	6/30/2018
Christine Rolfe, WPBS	6/30/2018
<u>Jefferson-Lewis Representatives</u>	
Stephen Todd, Jefferson-Lewis BOCES	6/30/2016
June O'Neill, Commissioner's North Country Representative	6/30/2017
Patrick Sheppard, Regional Director, Access-VR	6/30/2018
John O'Driscoll, IBEW	6/30/2018
Dale Stehlin, Bricklayers & Allied Craftworkers	6/30/2018
Fred Montego, NYSUT	6/30/2018
<u>Lewis County Representatives</u>	<u>Term Expires</u>
Matthew Cooper, Bernier, Carr & Associates	06/30/2017
Michael Schantz, Qubica AMF	06/30/2017
Eric Virkler, Economic Development Director	06/30/2017
Eric Burch, Hospital CEO	06/30/2017
Tracey Yarina, FiberMark	06/30/2018

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

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

**RESOLUTION NO. 296 - 2015
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#PY15-2

Section 1. That the following funds be appropriated for the Program Year 2015, 7/1/15-6/30/17, Adult and Dislocated Worker, per the Notice of Obligational Authority (NOA), #15-2, dated July 17, 2015 through the New York State Department of Labor, as indicated below:

<u>Adult</u>	
CD6292.1999	\$ 3,000.00
CD6292.4909	\$ 500.00
CD6292.8999	\$ 1,600.00
CD6292.4999	<u>\$ 840.34</u>
Total	\$ 5,940.34

<u>WIARevenue</u>	
CD47910	\$ 5,940.34

<u>DislocatedWorker</u>	
CD6291.1999	\$ 5,000.00
CD6291.4909	\$ 1,000.00
CD6291.8999	\$ 2,700.00
CD6291.4999	<u>\$ 5,238.33</u>
	13,938.33

<u>WIARevenue</u>	
CD47910	\$ 13,938.33

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

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

SEPTEMBER 1, 2015

**RESOLUTION NO. 297 – 2015
RESOLUTION TO APPROPRIATE FUNDS
CDBG HOMEBUYER GRANT
SNOW BELT HOUSING COMPANY, INC.**

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriations are hereby approved for the Community Development Block Grant (CDBG) for first-time Homebuyers Program through Snow Belt Housing Company, Inc.,

<u>Revenue</u>	
CL49103 (Snow Belt Project)	\$135,024.54

<u>Expense</u>	
CL8688.4901 (First time homeowners)	\$135,024.54

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

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

**RESOLUTION NO. 298 – 2015
RESOLUTION TO APPROPRIATE FUNDS
CDBG HOUSING REHABILITATION PROGRAM
SNOW BELT HOUSING COMPANY, INC.**

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriations are hereby approved for the Community Development Block Grant for the Housing Rehabilitation Program through Snow Belt Housing Company, Inc.:

<u>Revenue</u>	
CL49103 (Snow Belt Project)	\$347,636.94

<u>Expense</u>	
CL8688.4901 (First time homeowners)	\$347,636.94

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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

RESOLUTION NO. 299 - 2015
RESOLUTION AUTHORIZING LETTER OF INTENT TO NEGOTIATE
A POWER PURCHASE AGREEMENT (PPA) WITH A SOLAR DEVELOPER
APPROPRIATE FOR THE COUNTY OF LEWIS SOLAR ENERGY PROJECT

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

WHEREAS, The Board of Legislators of the County of Lewis contracted with Larsen Engineers to provide analysis and consultation with respect to the feasibility of a solar Photovoltaic (PV) system for County energy needs, in an effort to reduce electricity costs and to reduce the footprint of the County on energy resources; and

WHEREAS, Larsen Engineers provided the Board of Legislators with said study, and the funding opportunities under current NYSERDA grants available to the County to deploy a solar PV system and array on the County's land at 5252 Outer Stowe Street, Lowville, NY, with a production capacity of 1620 kW or more; and

WHEREAS, in order to advance the project, the Board of Legislators will be required to authorize the project and choose a Solar Developer to build the PV system. The Board of Legislators, in choosing a Solar Developer, will be contracting to have the Developer build the PV system on the County's land with a lease to the Developer, and with Board purchasing power (electricity) for the County through a Solar PV Purchase Power Agreement (PPA) with the Developer; the PPA will provide a means for the County to realize consistent and competitive electricity pricing over the course of twenty (20) years; and

WHEREAS, through the PPA process, the Solar Developer will build the PV system, with zero upfront costs to the County. The Solar Developer will sell power produced by the system to the County at a rate significantly lower than what is currently paid by the County to Niagara Mohawk Power Corporation; and

WHEREAS, Larsen Engineers provided the County with four (4) Solar Developers and their preliminary proposal outlines for development of a Solar PV System; and

WHEREAS, the Board of Legislators of the County of Lewis seek to move forward with this project and choose a Solar Developer with which to negotiate the terms and conditions of a Power Purchase Agreement (PPA);

NOW, THEREFORE, BE IT RESOLVED, as follows:

SEPTEMBER 1, 2015

Section 1. That the Lewis County Board of Legislators hereby authorizes the Ways and Means Committee to choose the most appropriate Solar Developer from the final proposals offered by the four (4) participating companies.

Section 2. That the Lewis County Board of Legislators hereby authorizes a letter of intent to be sent to the Solar Developer Company chosen by the Committee, wherein the County will engage in negotiations for an acceptable Solar PV System Power Purchase Agreement.

Section 3. That the County Attorney is authorized to negotiate terms and conditions of a PPA, subject to the Board of Legislators acceptance or rejection of said final terms.

Section 4. That pursuant to the agreement with Larsen Engineers dated March 9, 2015, Larsen Engineers shall be compensated by the selected Solar Developer under the PPA.

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

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

OTHER BUSINESS:

Legislator Moser made a motion to enter executive session at 6:28 p.m. to discuss a court decision and a specific personnel issue, seconded by Legislator Chartrand and carried. Chairman Tabolt called for a short recess after which the session began at 6:37 p.m. The session concluded at 7:12 p.m., at which time Legislator Hathway made a motion to re-enter regular session, seconded by Legislator Pepper and carried.

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**SPECIAL MEETING
September 14, 2015**

The meeting was called to order at 3:00 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 Chairman Tabolt, followed by the Pledge of Allegiance to the Flag.

There was 1 citizen 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: September 14, 2015

Lawrence Dolhof, Chairman
Bryan Moser,
Craig Brennan, Committee

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

Chairman Tabolt opened the public hearing for comments on a Community Development Block Grant application.

Teresa Clark read that Lewis County will hold a public hearing on Monday, September 14, 2015 at 3:00 p.m. at the Lewis County Courthouse, 7660 North State Street, Lowville, NY for the purpose of hearing public comments on the County's community development and housing needs, and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications for the 2015 program year. The CDBG program provides funds to local governments for housing, economic development, public facilities, public infrastructure, and planning, with the principal beneficiaries being persons of low or moderate income. The CDBG program is administered by the New York State Office of Community Renewal. The program may also aid in eliminating slums and blight and in addressing urgent needs. The hearing will provide information about, and allow for participation in the possible development of the grant application; comment on any proposed projects; and receive technical assistance to develop alternate proposals. The hearing is being conducted in compliance with the requirements of the Housing and Community Development Act of 1974, as amended. The Lewis County Court House is accessible to persons with disabilities. Special interpretive arrangements are available for residents with hearing impairments or those in need of translation from English. There were no written comments submitted.

Approximately \$10 million is available for Community Development Block Grant funding for housing activities and the application is due September 25, 2015. The county can apply for up

SEPTEMBER 14, 2015

to \$850,000 for housing projects that would include housing rehabilitation; replacement of mobile homes; homeownership assistance; and residential water and wastewater systems (such as well and septic system replacement) that primarily benefit low and moderate income persons.

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.

Snow Belt Housing Executive Director Cheryl Shenle-O'Neill Snow Belt would like the county to consider a Homeownership application in an amount to be determined based on need and number of applications. She estimates it would be for approximately \$400,000 since the money has to be spent within two years from the time of award. 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 \$35,000 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 Housing would administer the grant as a sub-recipient of the county. They are currently administering a \$200,000 homeownership program that was awarded last year and have committed funds to seven projects, have closed on three, with another closing scheduled next Monday. They have some applicants on a waiting list, but funds have been exhausted. Anyone who is interested is requested to call their office at 376-2639.

Ms. O'Neill reported the Housing Rehabilitation applications are very competitive, so she is working with County Planning Director Frank Pace to strengthen their prospective 2016 application to enable assistance to several awaiting residents.

In response to Legislator Chartrand, Ms. O'Neill stated the income threshold is set by the Housing and Urban Development (HUD), currently \$33,550 for one person, which increases by \$2,000-\$3,000 for each additional household occupant.

In response to Legislator Moser, Ms. O'Neill stated that Snow Belt Housing works in coordination with Lewis County Opportunities, Inc., recognizing that their Weatherization Program does not allow roof, plumbing or electrical repairs.

Ms. O'Neill distinguished that the CDBG Rehabilitation Program does not allow for rehabilitation of mobile homes, but does allow new replacements. Under the Rehabilitation Program, two mobile homes had been replaced.

Last year, she reminded that Lewis County applied jointly with St. Lawrence County for a homeownership CDBG, but was unable to utilize a substantial portion of the funds because persons were unable to identify an affordable home. For unknown reasons, there are currently several single-family homes on the market. The home must be an existing single-family year-round residence. Snow Belt Housing inspects homes to assure eligibility.

On average applicants are approved for \$22,000 for purchase and \$13,000 for required repairs. However, if no repairs are needed, up to \$35,000 may be applied toward the purchase, but cannot exceed 50% of the total purchase price. The program is meant to finance the difference

PROCEEDINGS OF THE BOARD OF LEGISLATORS

between the purchase amount and the approved bank mortgage, essentially the required down payment. The Community Bank does not charge closing fees to program applicants. However, if the applicant vacates the home before three years, the closing costs are payable to the bank, and they must also repay the entire loan amount. Loan repayment thereafter is proportionate to owner occupancy between 3-10 years. There is no loan repayment after 10 years. An escrow account is required for insurance and property taxes. An applicant is prohibited from subordinating the mortgage to pay off other debt.

In response to Legislator Dolhof, Ms. O'Neill reported that historically there have been very few foreclosures for CDBG program applicants.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Buildings and Grounds/Ways and Means Committee Chairman, recapped the quest for a solar array project. The initial proposals projected a \$6.7 million cost savings over 30 years. The most recent amended proposal projects a \$7.54 million cost savings over 30 years, which increases to \$7.75 million if the Hospital is included which increases the solar array. The proposals indicate the worst case scenario would result in \$3.85 million savings over 30 years.

The Committee will move forward to negotiate a Power Purchase Agreement (PPA) with a selected vendor, and present it for Board approval. In response to Legislator Moser, Legislator Hathway relayed that action in October would be timely to avail maximum NYSERDA incentive credits.

Chairman Tabolt relayed an invitation from Assemblywoman Addie Russell to attend an Albany meeting, tentatively set for 10/19/15, to discuss UTV Legislation. He asked County Manager Liz Swearingin to contact the Wladis Law Firm to inquire their availability to attend the meeting.

Chairman Tabolt closed the public hearing for comments on the CDBG application.

RESOLUTIONS:

RESOLUTION NO. 300 - 2015 AUTHORIZING APPLICATION FOR 2015 NEW YORK STATE 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 14th day of September, 2015 and has considered the comments presented thereat regarding community development, housing needs and other possible development activities in preparation of a CDBG Application.

SEPTEMBER 14, 2015

NOW, THEREFORE, BE IT RESOLVED that

Section 1. The Board of Legislators hereby authorizes the filing of one or more 2015 New York State Small Cities Community Development Block Grant (CDBG) Applications to secure funding for housing, economic development, public facilities, public infrastructure, and planning, with the principal beneficiaries being persons of low or moderate income within Lewis County in an amount not to exceed \$850,000, and for other such related activities as may be determined.

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, pending approval by the County Attorney.

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

Moved by Legislator Dolhof, seconded by Legislator Moser.

In response to Legislator King, Ms. O'Neill clarified that this grant application would be for \$400,000 for purchase of owner-occupied homes for eligible low income persons. She had received notification of grant availability on 7/15/15, which makes it difficult to prepare the documents, hold the required public hearing and timely submit the application by the end of September.

Ms. O'Neill relayed speaking with regulatory representatives who indicate that 2016 grants will require one public hearing, which she recommends held by February that will suffice for any and all CDBG applications for that year.

The resolution was then adopted.

**RESOLUTION NO. 301 - 2015
RESOLUTION AUTHORIZING RETAINER AGREEMENT WITH
WLADIS LAW FIRM FOR PROFESSIONAL SERVICES TO ASSIST IN
PREPARATION OF A PURCHASE POWER AGREEMENT (PPA)**

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

WHEREAS, the Board of Legislators has authorized the Ways and Means Committee to further analyze and choose a potential Solar Developer for the County's intended Solar Photovoltaic (PV) System for the County's energy needs in an effort to reduce energy costs and its footprint on energy resources; and

WHEREAS, the Wladis Law Firm of 6312 Fly Road, East Syracuse, New York 13057 has expertise in providing legal consultation and advice in negotiating terms of Purchase Power Agreements (PPA) in relation to the development of a solar Photovoltaic (PV) system; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Board of legislators seeks to retain the legal services of the Wladis Law Firm to assist the County Attorney in the negotiation of a Purchase Power Agreement with a Solar Developer, when the Board is ready to move forward on the negotiations; and the Board seeks to authorize such legal services at the rate of \$225.00 per hour, for a total payment not to exceed \$3,000.00.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Retainer Agreement between the County of Lewis and Wladis Law Firm of 6312 Fly Road, East Syracuse, New York 13057 for the purpose of assisting in the negotiation, preparation and review of a Purchase Power Agreement (PPA) in relation to the development of a solar Photovoltaic (PV) system for Lewis County with a Solar Developer approved by the Board.

Section 2. That said Agreement shall be effective September 15, 2015 with compensation payable at the rate of \$225.00 per hour for the services of Kevin C. Murphy, Esq., as named counsel from the firm, with total compensation not to exceed \$3,000.00 unless approved by the Board.

Section 3. That the Chairman or Vice-Chairman is hereby authorized to execute, seal and deliver said Agreement, upon such form as approved by the County Attorney.

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

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

**RESOLUTION NO. 302 – 2015
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS
BUILDINGS AND GROUNDS**

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

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation and transfer is hereby approved in the Stowe Street Building and Grounds Department Account for the purchase of a John Deere tractor for maintenance of the DSS parking lot, utilizing Capital Equipment funds, balance: \$257,338.86.

Increase Revenue:

A50310 (Inter-fund transfer)	\$24,924.92
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Increase Expense:

A1621.2909 (Misc Equip)	\$24,924.92
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SEPTEMBER 14, 2015

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

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

OTHER BUSINESS:

Legislator Brennan made a motion to enter executive session at 3:36 p.m. to discuss litigation matters with County Attorney Joan McNichol, seconded by Legislator Chartrand and carried. The session concluded at 3:52 p.m., at which time Legislator Chartrand made a motion to re-enter regular session, seconded by Legislator Brennan 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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

REGULAR MEETING

October 6, 2015

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 with a moment of silence for those recently departed, followed by the Pledge of Allegiance to the Flag.

There were 19 citizens present.

Chairman Tabolt announced approval of the September 1 and September 14, 2015 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 6, 2015

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 Local Law Introductory No. 7-2015 "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 2016 Budget".

PRIVILEGE OF THE FLOOR:

No one wished to speak.

REPORTS OF COUNTY OFFICES AND DEPARTMENTS:

All Legislators had received copies of the 9/28/15 Highway Audit Report, the 9/28/15 Solid Waste Audit Report, the Treasurer's 3rd Quarter Bed Tax and September reports, and minutes of the 8/18/15 Soil and Water Conservation District Board of Directors' and the 9/24/15 Youth Bureau Advisory Board meetings.

OCTOBER 6, 2015

Real Property Tax Director Linda Hoskins and Treasurer Patricia O'Brien had submitted approved applications for refund of 2013 and 2014 property taxes to Colleen Miller, Town of Watson in the amount of \$267.16 and \$271.59 respectively.

The Board of Elections' Commissioners had submitted the Statements of Canvass for the September 10, 2015 Primaries, to be placed on file.

County Sealer of Weights and Measures Barbara Cooper had submitted her third quarter report of activities, to be placed on file.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Buildings and Grounds/Ways and Means Committee Chairman, reported that jurisdictional Department Heads are all confident to remain within budgetary appropriations. The top coat will be applied to the DSS parking lot by the end of this week and the project is within budget.

Legislator Hathway asked for an executive session later today to discuss contractual negotiations for the solar project.

Legislator Neil Pepper, Social Services/Office For Aging/Youth Committee Chairman, reported 166 participants at the 10/2/15 Oktoberfest and annual Office For Aging (OFA) public hearing. He reminded persons to complete the community needs assessment survey that assists with program planning. A request for proposals has been issued today for Senior Nutrition congregate and home-delivered meals.

Legislator Pepper also reported receipt of 214 HEAP applications. Outreach will commence upon State notification of the official program opening date and income guidelines.

He further reported open enrollment for the Health Insurance Information Counseling and Assistance Program from 10/15-12/7/15. Medicare beneficiaries are encouraged to review and make any needed changes for coverage. OFA personnel assist them with Part D prescription, Part C Medicare Advantage and supplemental plans, as well as retiree coverage.

Legislator Pepper made a motion to authorize Commissioner Jennifer Jones to refill an existing Community Services Worker position upon the impending resignation of the current employee. The motion was seconded by Legislator Moroughan and carried.

Legislator Pepper reported a successful National Night Out event. The Youth Bureau Advisory Board had met on 9/24/15 and will consider applications for their \$13,000 State allocation for activities that directly benefit youth.

Legislator Bryan Moser, Veterans' Services, Junkyards, Human Resources Committee Chairman, reported five junkyard violations; two renewals; and two denials. One of the denials involves a fence waiver consideration, and the other was due to the jurisdictional Town's law change.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Moser reported the Human Resource Committee considered requests to re-fill a jail nurse, probation officer trainee, dispatch/correction officer and community services worker positions.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, reported preliminary pager testing for the Harrisville, Carthage and Town of Lewis utilizing St. Lawrence, Jefferson and Oneida County towers respectively, to assure that alerts will be received through a sole pager. The Harrisville antennae was received that will enable testing this week.

E.F. Johnson and Wells Communication representatives will provide dispatcher training next week. Testing of the switches and generators identified four non-working switches that the company is being requested to review. There are also issues with some of the shelter locks that are being reviewed.

Legislator King reported plans to review the Jefferson County Dog Control Officer policies and will make a recommendation for Lewis County next month.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry & Parks/Insurance Committee Chairman, reported the stream gauge monitoring equipment is collecting data that is being shared with the Hudson Black River Regulating District, the Jefferson County Soil & Water Conservation District and the public. Visual monitoring will be done in November along the Ridge, Mertz and East Martinsburg Roads and Water Street.

In response to Legislator King, Legislator Dolhof stated the gauge readings are tracked through the Soil & Water Conservation District office. Frank Pace stated the system is programmed to send electronic alerts to pre-selected personnel at defined water levels at the various sites. Protocols are being formulated with Fire and Emergency Management Director Robert MacKenzie, III. The Black River Regulating District is considering installation and maintenance of a satellite link at the County building to enable remote monitoring of the Black River for real time water level readings at the various Black River sites that would enhance monitoring of reservoir releases.

Legislator Dolhof made a motion to authorize Recreation, Forestry & Parks Director Jacqueline Mahoney to travel to Garden State Outdoor Sportsman Show in Edison, NJ from Jan. 6-Jan. 11, 2016; to Tri-State Outdoor Expo in Pittsburgh, PA from Jan. 28-Feb. 1, 2016; and to Springfield Camp and Outdoors Show in Springfield, MA from Feb. 12-Feb. 15, 2016. In response to Legislator Chartrand, Director Mahoney reported changing last year's Erie site to Pittsburgh, PA; and trying a New Jersey site. The motion was seconded by Legislator Brennan and carried.

Legislator Dolhof reported submission of annual reports to the Regional Economic Development Council (REDC) and Upstate Revitalization Initiative (URI). Efforts continue for development of an incubator building within a potential existing facility with significant square footage. There is discussion with two potential tenants. The IDA has hired Tim Peterson as a Business Development Specialist to assist with project development and inventory.

OCTOBER 6, 2015

Legislator Dolhof reported the Lewis County Development Corporation (LCDC) continues demolition at the Lyons Falls mill site. The LCDC recently received \$500,000 from NYS for a past due grant request, and was approved for a line of credit through the Development Authority of the North Country (DANC) for construction financing. New funding will be need for the next phases of demolition.

Legislator Dolhof cited the resolution to increase the health insurance premium by 15%. Necessary, he said, because the fund is on an unsustainable path, barely able to cover monthly expenses. Due to the recent rejecting union vote, management and union representatives will continue to explore mutually acceptable changes for cost savings.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, reported postponing Bernier, Carr & Associates' efficiency analysis of transfer station operations, because the Development Authority of the North Country has garnered grant funds and will conduct a tri-County analysis.

Legislator Brennan reported that Solid Waste surplus equipment will be inclusive with the Highway surplus equipment internet auction. An advertising campaign is being formulated to educate residents on recycling versus disposable waste. The ads would also inform about the requirement to use clear bags effective 4/15/2016.

Legislator Brennan reported the VanAmber Road Bridge is scheduled to open on 10/16/15. He commended and thanked Building Supervisor Frank Archer and his crew for all the work they have done to repair and spruce up the Highway garage.

Legislator Gregory Kulzer, Taxation/Information Technology/Elections Committee Chairman, reported that I.T. Director Adam Zehr and County Atty. Joan McNichol were negotiating the agreement with Mohawk Networks, LLC to expand broadband access to remote areas. An inter-mapper will be installed for the County's software/equipment network to provide real time monitoring and 24/7 alerts that pinpoint the trouble area to greatly reduce personnel repair time.

Legislator Kulzer cited the proposed Local Law to allow information to be included with the tax bill to identify County expenditures for various State mandates.

Legislator Richard Chartrand, Hospital Committee Chairman, relayed good discussion at the 10/5 meeting with the medical staff to discuss their participation in the Hospital's long-range strategic planning. Another meeting will be held to further the discussion. The American Academy of Sleep Medicine plans to recommend recertification of the sleep lab as a result of their on-site survey. The Falls Pharmacy plans to rejoin the Hospital's 340B pharmacy program effective 1/1/2016 that relates to Hospital reimbursement for each prescription.

Hospital CEO Eric Burch will attend a 10/8 meeting with the partners to further discuss the Delivery Systems Reform Incentive Payment (DSRIP), with awards to be announced by the NYS Department of Health on 10/20/15. The Hospital has submitted three projects for

PROCEEDINGS OF THE BOARD OF LEGISLATORS

consideration; an assisted living facility, a collaborative project to site the Copenhagen Clinic in the Copenhagen Central School; and renovations of the surgical unit.

Legislator Chartrand reported an August gain of \$19,856 versus a budgeted loss of \$204,691; a year-to-date surplus of \$634,398 versus a budget projection of \$404,752. Timely monthly County debt payments continue with a balance of \$3.9 million. Six (6) persons had left the emergency room in August without being seen, compared to 27 in August 2014.

Legislator Chartrand reported receipt of \$4 million related to the VAPAP. The Hospital awaits NYSDOH approval of their submitted VAPAP transformational plan.

Family and neuromuscular physician Dr. Leuenberger has been well received at the South Lewis Health Center; and an orthopedic surgeon will join Dr. Swift to enable office coverage for three weeks per month.

Legislator Chartrand announced Building Maintenance employee Phil Sweeney as the August employee-of-the-month. He was commended for assistance to residents and staff alike.

Legislator Chartrand cited the resolution to create a dietetic technician card to replace a registered dietician; and a Registered Ultrasound Technician card to enable the proper title for the newly registered employee. The abolishment of three other position cards will equate net savings.

The Foundation Gala had net receipts of over \$60,000, nearly double from last year. Dr. Josephina Tan-Domingo was recognized for her 40+ tenure at Lewis County General Hospital and Legislator Chartrand encouraged everyone to wish her well.

In response to Legislator Hathway, Legislator Chartrand stated the report for the survey of the clinics would be made available to the Board later this month.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, announced Director Penny Ingham's request to proclaim October as "Breast Cancer Awareness Month" and the week of 10/25-31/16 as "Lead Poisoning Prevention Week".

The Committee recommends approval to refill the jail nurse position, due to a resignation. Legislator Moroughan also reported the committee's recommendation to authorize an agreement with Birnie Bus Service as the low bidder for transportation of Pre-school children.

Legislator Moroughan reported receipt by Public Health of a Performance Initiative Award in the amount of \$13,000 in recognition of their sexually transmitted disease prevention efforts. Also, a State cost-of-living adjustment has been received and will offset fringe benefit expense.

Legislator Moroughan introduced newly appointed Director of Community Services Patricia Fralick; while thanking Controller Tammi McIntyre for reporting at Community Services Board meetings during the past few months.

COUNTY MANAGER REPORT:

OCTOBER 6, 2015

Liz Swearingin reported that despite the efforts to inform employees of proposed cost-saving changes to the County's self-funded health insurance plan, the union voted down the proposal. We will continue to work with union representatives. A directive will be distributed to inform active employees of the voluntary Excellus Blue4U program. Participants are asked to complete a short health assessment, blood pressure check and lab work, with a goal of early diagnosis that generally results in lower health care costs.

A preliminary \$800,000 - \$900,000 2016 levy increase has been reduced to \$440,000 after working sessions with the Ways and Means Committee, Department Heads and Treasurer Patricia O'Brien. This amount is still \$300,000 over the 2016 Tax Cap. Budget Officer Liz Swearingin plans continued meetings with the Ways and Means Committee, while commending Department Heads for proposing good cost reduction initiatives. She is satisfied with their budget tracking and alerting of risks that may impact the budget.

In response to Legislator Chartrand, Ms. Swearingin stated it was an all-or-nothing health plan proposal to the union. The primary changes were 1) everyone on maintenance drugs would be required to mail-order through Wegmann's; 2) Maximum out-of-pocket would be increased to \$13,200 for family and \$7,000 for single. These figures are comparatively low compared to national plans, largely due to opportunities to utilize our Hospital services; 3) the co-pay for specialist doctor visits would increase; and 4) add a Tier 4 for specialized drugs with higher co-pays.

Ms. Swearingin reiterated that 14 meetings were held to inform employees of the proposed changes, at which union representatives spoke in favor of the changes. A significant number of employees attended the meetings. All participants would benefit by realized savings through avoided premium increases. Legislator Chartrand thanked her and Ms. O'Brien for their efforts.

COUNTY TREASURER REPORT:

Patricia O'Brien recited the balances of the Special Contingency Fund - \$92,859.00; Contingency Fund-\$291,210.42; Capital Data Processing Fund- \$141,722.37; and Capital Equipment Fund - \$232,413.94, of which \$15,214.19 is the Highway portion. She reported that year-to-date sales tax receipts are comparatively low, but she remains confident the 2015 budgeted level will be achieved.

Mrs. O'Brien reported the Hospital continues to make timely debt repayments, with a balance due of \$3.9 million. The health insurance fund balance as of 8/31/15 was \$1,543,654.17.

SPECIAL REPORTS:

Chairman Tabolt reminded Legislators to deposit Lewis County memorabilia into the "Ammunition Box" that will be buried next summer at the site of the memorial monument for Fort Drum 10th Mountain Division Soldiers. Legislator Moroughan had provided documents representing Otis Technology and the Pine Grove Church; and Moser Maples provided a package of maple minis candies.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Chairman Tabolt and Legislator Brennan had attended the NYSAC conference. As Lewis County Chairman, he posed the Board's initiative to request the Governor to combine the three 2016 election primaries; as well as to waive the State required voter registration day that very few Lewis County residents had previously availed. NYSAC Executive Director Steve Acquario relayed hearing support for these initiatives directly from Senator Joseph Griffo.

An overwhelming number of County officials voiced their displeasure with the State taking credit for County efficiencies, particularly when many must consider overriding the State-imposed Tax Cap. NYSAC had presented a listing of the various efficiency measures Counties have implemented.

Chairman Tabolt further reported that NYSAC continues to lobby the State to take over costs associated with Indigent Defense.

Chairman Tabolt had introduced the Board's initiative at a joint meeting of the Western and Adirondack Inter-County committees, for State Legislation to approve an ATV weight limit increase. As a result, Legislators Chartrand and Moser will accompany the St. Lawrence County Trail Coordinator to the 10/16/15 Western Inter-County Committee meeting to garner support for this initiative.

Lewis County is hosting the Inter-County Committee of the Adirondacks on 10/22/15 with a tour of Marks Farms. A meeting and luncheon will follow at the Boondocks Restaurant.

Chairman Tabolt closed the public hearing at 5:54 p.m.

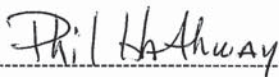
REPORT OF THE WAYS AND MEANS COMMITTEE:

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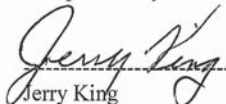
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

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 \$ 1,915,766.31 and recommend that they be audited and allowed for the amounts claimed.



Philip Hathway Chair



Jerry King Committee



Richard Chartrand Committee

Dated: October 6, 2015

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

RESOLUTIONS:

**RESOLUTION NO. 303 – 2015
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 \$ 1,915,766.31 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Hathway, seconded by Legislator Dolhof, and adopted by roll call vote:

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

NAYS: None

ABSENT: None

**LOCAL LAW (INTRODUCTORY NO. 8 - 2015)
COUNTY OF LEWIS**

**A LOCAL LAW AMENDING LOCAL LAW 6-2011
ESTABLISHING TRUTH IN TAXATION IN LEWIS COUNTY**

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. TITLE

This local law shall be entitled “A LOCAL LAW AMENDING LOCAL LAW 6-2011 ESTABLISHING TRUTH IN TAXATION IN LEWIS COUNTY.”

SECTION 2. PURPOSE

The purpose of this Local Law is to provide a legal mechanism to ensure that citizens receive accurate tax bill information, county budget information, and relevant county operation information on an annual basis.

OCTOBER 6, 2015

1. **Annual Property Tax Bill Data:** The Budget Officer and Real Property Director are hereby directed to identify that portion of each annual property tax bill dedicated to NYS Medicaid Mandate, NYS Welfare Mandate and other NYS Mandates within the taxing purpose section of each such bill.
2. **Tax Bill Flyer:** The Budget Officer and Real Property Director are hereby directed to take any and all action necessary to cause a Tax Bill Flyer summarizing financial information regarding state and federal mandates to be included as an enclosure with each annual property tax bill. The Tax Bill Flyer shall include the following sections:
 - a. Standard statement defining mandate.
 - b. Narrative summary of key financial impacts of State and Federal mandates.
 - c. A chart illustrating mandated portions of the County budget.
 - d. A list of all the names, addresses and contact information of the Governor and federal and state legislators representing areas of the County of Lewis.
3. **County Operations Flyer:** The Budget Officer/County Manager is hereby authorized to cause a Flyer to be included as an enclosure with each annual property tax bill, which provides property tax payers with important changes in county operations, as the Budget Officer/County Manager deems appropriate and/or necessary.

SECTION 3. PROCEDURE

The procedures required by this local law shall be carried out in addition to, and in accordance with, other annual tax billing procedures existent within the County of Lewis.

SECTION 4. EFFECTIVE DATE

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

**RESOLUTION NO. 304 - 2015
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 8 - 2015), COUNTY OF LEWIS**

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on October 6, 2015, a proposed Local Law entitled "A LOCAL LAW AMENDING LOCAL LAW 6-2011 ESTABLISHING TRUTH IN TAXATION IN LEWIS COUNTY."; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That a public hearing will be held on November 3, 2015, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

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

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

**RESOLUTION NO. 305 - 2015
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 6 – 2015, 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 1, 2015, directing that a public hearing be held by said Board on October 6, 2015, 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 TO AUTHORIZE OVERRIDING THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2016 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 1, 2015, 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. 7 – 2015), 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 2016 BUDGET”; be and the same hereby is designated as Local Law No. 6 –2015, County of Lewis.

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Section 2. That Local Law No. 6 – 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 Hathway, seconded by Legislator Moser, and adopted pursuant to the following roll call vote:

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 306 – 2015
RESOLUTION TO APPROPRIATE FUNDS
COMMUNITY SERVICES**

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved for an increase in State funding for Mountain View Prevention:

<u>Increase Revenue</u>	
A34914 Mountain View Revenue	\$4,547.00
<u>Increase Expense</u>	
A4325.4999 Mountain View	\$4,547.00

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

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

**RESOLUTION NO. 307 - 2015
RESOLUTION URGING PASSAGE OF SENATE BILL S.4964A AND
ASSEMBLY BILL A.8201 BY THE NEW YORK STATE LEGISLATURE
TO INCREASE THE SHARE OF REVENUE COUNTIES RETAIN FOR
CERTAIN DMV SERVICES**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, Senate Bill S.4964A and Assembly Bill A.8201 a concurrent resolution of the New York State Assembly and Senate, proposing amendments to the New York State Vehicle and Traffic Law in relation to increasing the retention percentage collected for certain motor vehicle fees; and

WHEREAS, 51 of the 62 New York counties are mandated by the State to operate a local Department of Motor Vehicles (DMV) Office; and

WHEREAS, this local DMV operation is one of many examples of shared services that counties provide for the State; and

WHEREAS, under current law the State of New York takes 87.3 percent of all fees collected from the work performed by the County-operated DMV's, despite the County providing all services, including overhead and staffing to fulfill its State-mandated obligations; and

WHEREAS, the remaining 12.7 percent County share has not been increased since 1999, while Internet services continue to affect the amount of fee-based revenue available to County DMV's; and

WHEREAS, the Governor and State Legislature have stated that lowering the property tax burden on local residents is a key priority; and

WHEREAS, increasing the County DMV revenue sharing rate with the State will not result in any increased costs or fees to local residents or taxpayers and will provide Counties with revenue to continue to provide necessary local government services.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby urges the New York State Senate and Assembly to approve Senate Bill S.4964A and Assembly Bill A.8201.

Section 2. That a certified copy of this resolution shall be forwarded to New York Governor Andrew M. Cuomo, NY Senator Joseph Griffo and NY Assemblyman Kenneth Blankenbush.

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

RESOLUTION NO. 308 - 2015
RESOLUTION ESTABLISHING HEALTH INSURANCE PREMIUMS EFFECTIVE
OCTOBER 1, 2015

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

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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 since August 2014, 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 15%.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1 The Board of Legislators hereby approves the Plan Administrator's recommendations effective October 1, 2015 until further amended or modified by the Board of Legislators.

Section 2. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 309 - 2015
RESOLUTION APPROVING AGREEMENTS BETWEEN
LEWIS COUNTY HIGHWAY AND SOLID WASTE DEPARTMENTS WITH
ROY TEITSWORTH, INC., dba RTI INTERNET AUCTIONS

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

WHEREAS, Lewis County Highway and Solid Waste Departments wish 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

WHEREAS, the Lewis County Highway and Solid Waste Departments wish to sell surplus equipment 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:

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Section 1. That the Board of Legislators hereby authorizes said Agreements between the County of Lewis, through the Lewis County Highway and Solid Waste Departments with Roy Teitsworth, Inc, dba RTI Internet Auctions, to participate in the on-line auction services to sell County used equipment beginning October 6, 2015 through October 13, 2015.

Section 2. That the Lewis County Superintendent of Highways, the Lewis County Solid Waste Director, or the Chairman or Vice-Chairman of the Board of Legislators are hereby authorized to make, execute, seal and deliver such Agreements, pending approval by the County Attorney.

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

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

**RESOLUTION NO. 310 - 2015
RESOLUTION DESIGNATING
LEWIS COUNTY CHAMBER OF COMMERCE AS
TOURIST PROMOTION AGENCY
AND COMMIT MATCHING FUNDS**

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 2015-2016.

Section 2. That this Board hereby endorses the application of Lewis County Chamber of Commerce, and hereby commits matching County funds in the amount of \$40,000.0 in support of the said application.

Section 3. That the Chairman, or Vice-Chairman, of the Lewis County Board of Legislators is hereby authorized to sign any and all necessary papers and documents in connection with said application.

Section 4. That this resolution shall take effect immediately.

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

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**RESOLUTION NO. 311 - 2015
RESOLUTION AUTHORIZING COUNTY PARTICIPATION IN A GRANT WIRELESS
PILOT PROJECT WITH MOHAWK NETWORKS, LLC AND DEVELOPMENT
AUTHORITY OF THE NORTH COUNTRY (DANC)
TO EXPAND BROADBAND SERVICE TO BENEFIT RURAL COMMUNITIES IN THE
NORTH COUNTRY**

Introduced by Legislator Gregory Kulzer, Chairman of the Information Technology Committee.

WHEREAS, New York State announced a \$500 million dollar investment to expand broadband in New York, especially to underserved and rural areas through 2018; and

WHEREAS, Mohawk Networks, LLC (“Mohawk”), in partnership with Development Authority of the North Country (“DANC”), seeks to submit a grant proposal under the New York State Broadband Initiative, to expand wireless internet service in the North Country, including Lewis County, especially to rural areas not currently served, by a “last mile broadband” pilot project utilizing a wireless point to multipoint delivery; and

WHEREAS, in order to qualify for this State Grant funding, Mohawk must submit a concept proposal of a detailed pilot program, with commitment from interested parties; and

WHEREAS, Mohawk seeks to lease tower and shelter space on the County’s tower located at the Public Safety Building, as part of the pilot program, along with the Copenhagen Tower (owned by WWTI) and the shelter space (owned by the County). DANC has committed to participate in this Pilot Project by waiving any fees for connection to its fiber optic network in the North Country for multipoint delivery, and Mohawk seeks to have the County provide the tower and equipment space at no cost for this initial pilot; and

WHEREAS, the County has invested substantial funds to upgrade its Emergency 911 upgrade system, and desires to participate and commit to this pilot project, provided the project and use of the County tower and equipment shelters does not and will not interfere with and/or conflict in any way with the County’s Emergency 911 upgrade project and system; and

WHEREAS, the County Director of Information Technology has met with the 911 upgrade project committee to provide an overview of the pilot together with the specifications and details of space, power, equipment, conduit and other particulars which would be required.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County to participate in this broadband initiative pilot project provided same does not interfere in any way with the County’s Emergency 911 upgrade project and development.

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Section 2. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Understanding to be entered into with Mohawk and DANC to set forth the terms and conditions of the County's participation in the Pilot, including but not limited to specific terms and requirements of the County's Emergency 911 Project Committee for tower and shelter space, power service, and length of time for the pilot project, and the County's right to terminate the arrangement at any time if there is any adverse affect upon the Emergency 911 project.

Section 3. That the Chairman or Vice-Chairman is hereby authorized to execute, seal and deliver said Agreement, 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 King , and adopted.

**RESOLUTION NO. 312 – 2015
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:

Section 1. That the following budget transfers are hereby approved in the Office For the Aging accounts to allow for NY Connects Expansion:

<u>From:</u>	Amount
A6772.4301 Telephone	\$ 700.00
A6772.4703 Veh Exp Gas	\$ 400.00
A6772.4903 All Types Ins	\$ 1,383.00
A6772.4915 Prof Svc STAT	\$ 200.00
A6772.4917 Prof Svc Reg Dietician	\$ 7,522.00
A6772.4920 OFA BIP	<u>\$15,365.00</u>
	\$25,570.00
 <u>To:</u>	
A6772.1999 Pers Svc	\$12,590.00
A6772.2217 Computers	\$ 4,000.00
A6772.2909 Misc Equip	\$ 2,100.00
A6772.4401 Postage	\$ 50.00
A6772.4407 Supplies	\$ 1,000.00
A6772.4909 Misc Equip	\$ 4,730.00
A6772.4919 Senior Events	<u>\$ 1,000.00</u>
	\$25,570.00

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

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

**RESOLUTION NO. 313 – 2015
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 accounts to appropriate Oktoberfest ticket sale revenue:

Increase Revenues

A27051 (Contrib-OFA)	\$400.00
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Increase Expense

A6772.4919 (Sr Events)	\$400.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 314 - 2015
RESOLUTION TO CLAIM FUNDS
WITH REFERENCE TO 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 Lewis County Board of Legislators resolves to claim funds under the New York State Office for the Aging 2014-2014 Direct Care Worker Program, and authorizes the Chairman of the Board to execute the Certification form for the 2014-2015 Appropriation for Direct Care Worker Program indicating that funds claimed were related to salary increases and salary-related fringe benefit increases for qualified Direct Care Staff (up to 2%), and attests that the funds were and/or will be used solely for this purpose.

Section 2. That the Chairman of the Lewis County Board of Legislators is hereby authorized to execute the New York State Office for the Aging CERTIFICATION PURSUANT TO PART I OF CHAPTER 60 OF THE LAWS OF 2014 (see attached), according to the terms and amounts designated as follows:

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The New York State Office for the Aging to Reimburse Lewis County for salary increases and salary-related fringe benefit increases for qualified Direct Care Staff (up to 2%) for:

<u>Program Year</u>	<u>Amount</u>
1/1/2015 – 3/31/2015	Up to \$3,391.00
4/1/2015 – 3/31/2016	Up to \$26,982.00

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

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

**RESOLUTION NO. 315 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PROBATION 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 Probation Department to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Probation Officer Trainee	Temporary Full-time	Grade C24-1

Section 2. That Director MaryJo Burkhard is hereby authorized to fill the temporary position effective immediately for a period up to six months.

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

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

**RESOLUTION NO. 316 - 2015
RESOLUTION APPROVING AGREEMENT BETWEEN LEWIS COUNTY PUBLIC
HEALTH AGENCY AND THE PRESCHOOL SPECIAL EDUCATION PROGRAM FOR
TRANSPORTATION WITH BIRNIE BUS SERVICE, INC.**

Introduced by Legislator 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, with County share being 40.5% of costs; 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 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 January 1, 2016 through June 30, 2016 and shall be at a cost of:

- \$322.50 per day for first child (round trip and includes bus aide)
- \$46.00 per day for additional children (round trip and includes bus aide)
- \$97.50 per day for co-mingled rate (round trip and includes bus aide) (Sharing with Oneida County)

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

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

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

**RESOLUTION NO. 317 – 2015
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 2015 budget appropriation increase is hereby approved for the 2015-2016 COLA (Cost of Living) Funds:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
A34461	COLA-PH	\$ 19,838.00
A4020.4909	COLA-Misc.	\$ 19,838.00

Programs providing COLA funds are as follows:

Rabies Program –	\$ 778.00
CSHCN –	\$ 1,324.00
Lead Poisoning Prevention –	\$ 1,696.00
Immunization Action Program –	\$ 2,406.00
Cancer Services Program -	\$ 13,634.00

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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. 318 – 2015
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 to cover the purchase of Boat Patrol items using donations received from the Brantingham Community Association, Inc.:

<u>IncreaseRevenues</u>	<u>Amount:</u>
A27053.2 (Contrib-Pks-Rec & other)	\$202.00

<u>IncreaseExpense:</u>	<u>Amount</u>
A3112.4999 (Expenditures)	\$202.00

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

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

**RESOLUTION NO. 319 – 2015
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 in the office of the Sheriff's Department to pay for overtime patrol on St. Patrick's Day.

<u>IncreaseRevenues</u>	
A15890 Sheriff - DWI	\$761.83

<u>IncreaseExpense</u>	
A3111.1103 (OT)	\$748.63
A3111.1104 (Shift Diff)	\$ 13.20

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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. 320 – 2015
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 to cover inmate board and law library expenses:

<u>From:</u>	Amount
A3150.4303 (Utilities)	\$10,000.00
<u>To:</u>	
A3150.4508 (Inmate Board)	\$ 5,000.00
A3150.4914 (Law Library)	\$ 5,000.00

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

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

**RESOLUTION NO. 321 - 2015
RESOLUTION TO ADJUST FUNDS
SOCIAL SERVICES
SFY15-16**

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

WHEREAS, the County of Lewis has received approval from OCFS for the SFY15-16 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.

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

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

**RESOLUTION NO. 322 - 2015
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:

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, 2016 through December 31, 2016 at a cost in accordance with the rates set forth by the State in the Agreement. Local share cost is 37.5%, but not incurred until block grant is exceeded.

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 Pepper , and adopted.

**RESOLUTION NO. 323 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE NEW YORK STATE STOP-DWI FOUNDATION AND
THE LEWIS COUNTY STOP DWI PROGRAM
FOR PROJECT CRACKDOWN**

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

WHEREAS, NYS STOP-DWI Foundation has been awarded \$1,588,274.00 to participate in New York State's Highway Safety Program to reduce the number of crashes, injuries and deaths on New York's roads; and

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WHEREAS, the Lewis County STOP DWI Program has received \$5,328.91 from the grant award for participation in New York State's Highway Safety Program for the statewide Project Crackdown; 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 NYS STOP-DWI Foundation for the purpose of receiving a grant award in the amount of \$5,328.91 to participate in New York State's Highway Safety Program to reduce the number of crashes, injuries and deaths on New York's roads.

Section 2. That the Crackdowns are scheduled as follows:

Halloween: October 30 – November 1, 2015
Thanksgiving: November 25 – 29, 2015
Holiday Season: December 18, 2015 – January 3, 2016
Super Bowl: February 5 – 8, 2016
St Patrick's Day: March 17-20, 2016
Memorial Day: May 27 – 31, 2016
July 4th: 1 – 5, 2016
Labor Day: August 19 – September 5, 2016

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. 324 - 2015
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 Department to cover Interim Director expense:

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<u>From:</u> A4335.4909Misc	<u>Amount</u> \$1,700.00
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<u>To:</u> A4335.4901Prof Serv	\$1,700.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 325 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
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 cards pursuant to Civil Service regulations:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Dietetic Technician (1)	Full-time	\$15.68-\$19.92/hr.
Ultrasound Technician (1)	Full-time	\$27.16-\$35.70/hr.

Section 2. That the following position cards shall be hereby ABOLISHED:

Registered Dietician	Part-time
Ultrasound Technician (Non-Registered)	Full-time
Quality Assurance Coordinator	Full-time

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

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

**RESOLUTION NO. 326 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO JAIL NURSE**

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

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WHEREAS, the existing Jail Nurse has submitted her resignation effective October 2, 2015; and

WHEREAS, the State Commission of Corrections mandates that a nurse be available to serve the needs of jail inmates.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis to authorize hiring a Registered Professional Nurse to serve as Jail Nurse:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Jail Nurse	Part-time (Up to 32 hrs/week)	Grade 31

Section 2. That the Board hereby authorizes filling said position effective immediately.

Section 3. That the within resolution shall take effect immediately

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

OTHER BUSINESS:

Legislator Hathway referenced the Governor's initiative to offer free college tuition, reporting the County annually expends an average of \$836,000 for community college tuition subsidies. He suggests the Board record their opposition to "free tuition" if the intent is to pass respective financial responsibility on to the County. "We cannot tolerate any more", he stated. Chairman Tabolt expects the Governor's representative Jeff Farrell to attend the 10/22/15 Inter-County meeting, and will alert him to be prepared to respond to relative questions.

Clerk of the Board Teresa Clark read proclamations whereby Chairman Tabolt had declared the Month of October as "Breast Cancer Awareness Month"; the Week of October 18-24, 2015 as "Freedom From Workplace Bullies Week"; and the Week of October 25-31, 2015 as "Lead Poisoning Prevention Week".

Legislator Moser made a motion to enter executive session at 6:11 p.m. to discuss terms of negotiations for specific contractual agreements and a personnel issue, seconded by Legislator Brennan and carried. Chairman Tabolt called for a short recess after which the session began at 6:19 p.m. Legislator Dolhof made a motion to re-enter regular session at 7:23 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 Brennan, seconded by Legislator Dolhof and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**FIRST DAY
ANNUAL SESSION
November 3, 2015**

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

Roll Call: All Legislators were present, except Legislator Moser whom had been excused.

Chairman Tabolt offered the Invocation, asking for prayers for Social Services employee Santi Zehr who was in the hospital with a serious illness, followed by a moment of silence for those deceased, and then led the Pledge of Allegiance to the Flag.

There were 18 persons present.

Mr. Edwin Sinclair, a long-time Lewis County Deputy Fire Coordinator of the Southern Zone and Lyons Falls Firefighter, was escorted to the front of the room by Fire and Emergency Management Director Robert MacKenzie, III. Clerk of the Board Teresa Clark read a proclamation commending Edwin Sinclair for his dedicated fire safety service. Chairman Tabolt then presented him with the document accompanied by a standing ovation.

Chairman Tabolt announced approval of the October 6, 2015 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 3, 2015

Lawrence Dolhof
Craig Brennan, Committee

Legislator Dolhof 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. 8-2015 being a "Local Law Amending Local Law No. 6-2011 Establishing Truth In Taxation in Lewis County".

PRIVILEGE OF THE FLOOR:

No one wished to speak.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Real Property Tax Director Linda Hoskins and Treasurer Patricia O'Brien have submitted approved applications for refund of 2014 and 2015 property taxes to Colleen Miller, for two separate parcels in the Town of Watson in the total amount of \$1,457.29.

NOVEMBER 3, 2015

Public Health Director Penny Ingham submitted the minutes of the 8/10/2015 Health Services Advisory Committee meeting to be placed on file.

All Legislators have received copies of the 10/21/15 Highway Audit Report, the 10/22/15 Solid Waste Audit Report, the Treasurer's October report, and meeting minutes of the 9/15/15 Soil and Water Conservation District Board of Directors.

The following semi-annual apportionment of mortgage tax report had also been distributed to each Legislator:

**APPORTIONMENT OF MORTGAGE TAX
April 1, 2015 through September 30, 2015**

	<u>KEY</u>	<u>VALUATION</u>	<u>AMOUNT</u>
Town of Croghan		314,797,666	\$17,814.39
Village of Croghan	.025713783	16,189,278	<u>470.17</u>
			\$18,284.56
Town of Denmark		181,327,970	\$24,020.74
Village of Castorland	.044003942	15,958,291	1,251.89
Village of Copenhagen	.111664858	40,495,924	<u>3,176.80</u>
			\$28,449.43
Town of Diana		172,574,973	\$14,400.10
Village of Harrisville	.065388885	22,568,970	<u>1,007.49</u>
			\$15,407.59
Town of Greig		227,217,263	\$14,493.70
Town of Harrisburg		263,075,304	\$ 2,177.97
Town of Lewis		73,296,112	\$ 4,604.64
Town of Leyden		101,443,543	\$ 6,245.45
Village of Port Leyden	.079665854	16,163,173	<u>540.62</u>
			\$ 6,786.07
Town of Lowville		445,612,744	\$32,355.17
Village of Lowville	.281786159	251,135,007	<u>12,694.32</u>
			\$45,049.49
Town of Lyonsdale		100,487,319	\$ 7,709.53
Village of Lyons Falls	.036812720	7,398,423	303.13
Village of Port Leyden	.026913759	5,408,983	<u>221.62</u>
			\$ 8,234.28

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Town of Martinsburg		401,107,085	\$ 9,645.86
Town of Montague		40,129,213	\$ 2,012.12
Town of New Bremen		173,656,584	\$14,519.67
Village of Croghan	.035625139	12,373,080	<u>536.38</u>
			\$15,056.05
Town of Osceola		50,932,462	\$ 725.62
Town of Pinckney		37,075,815	\$3,423.64
Town of Turin		74,746,977	\$ 3,850.02
Village of Turin	.080469462	12,029,698	<u>336.92</u>
			\$ 4,186.94
Town of Watson		205,348,969	\$21,646.42
Town of West Turin		148,366,967	\$ 4,590.73
Village of Constableville	.046158044	13,696,658	258.46
Village of Lyons Falls	.133996080	39,761,184	<u>750.31</u>
			\$ 5,599.50
		GRAND TOTAL	<u>\$205,783.88</u>

To County of Lewis \$102,892.00

Gregory Kulzer, Chairman
 Craig Brennan
 Lawrence Dolhof
 Taxation Committee

Dated: November 3, 2015

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 \$205,783.88 from the tax on mortgages from April 1, 2015 through September 30, 2015 has been apportioned to the Tax Districts entitled to same and, you are hereby directed to pay the respective Supervisors the amount due to the Towns, to their Village Treasurers the amount due the Villages, and to the County of Lewis the amount stated, according to the foregoing schedule, pursuant to the provisions of Section 261 of the Tax Law.

Given under the hands of the Chairman and the Clerk of the Board of

NOVEMBER 3, 2015

Legislators of Lewis County, and the seal of the Board of Legislators being hereto affixed on the 4th day of November 2015.

Michael A. Tabolt, Chairman
Teresa K. Clark, Clerk of the Board

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Buildings and Grounds/Ways and Means Committee Chairman, reported that departmental budgets are all on track and expected to close the year with a surplus.

Legislator Hathway was appreciative that County Manager Liz Swearingin had arranged a meeting with the State Comptroller's representative in Utica, deferring to her report.

He further reported the DSS parking lot project would be completed in three weeks and within budget.

Legislator Hathway announced the Committee would meet on 11/5/15 to review the amended Power Purchasing Agreement (PPA), expecting to put forth an authorizing resolution thereafter.

Legislator Neil Pepper, Office For the Aging/Social Services/Youth Committee Chairman, reported attendance of 135 persons at the "Meet the Services that make Your Community" event. A separate event is scheduled on 11/5/15 for Head Start families.

Legislator Pepper reported receipt and processing of 269 HEAP applications by the Office For the Aging. Applications will be mailed to new interested seniors when the program officially opens on 11/16/15. The Department of Social Services is also processing applications.

The Office For the Aging HICAP Coordinator is available to assist Medicare beneficiaries with review of their current insurance coverage, premiums and formularies.

Legislator Pepper also reported submission of 579 community needs assessment surveys, which have been forwarded to JCC Community Studies to summarize the results that will be utilized in formulating OFA's 4-year plan.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, made a motion to authorize Sheriff Carpinelli to re-fill one part-time Dispatcher/Correction Officer effective immediately, seconded by Legislator Pepper and carried.

Legislator King reported the radio communications system is scheduled to go live on 11/18/2015, pending testing results. Radios and pagers are being programmed and inventoried before timely distribution to Fire Departments. Certain local responders have been trained, who will be responsible to train all other firefighters.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

In preparation for building renovations, and to minimize inmate disruption, Legislator King reported that conduit would be dragged through the halls at the public safety building tonight from 10:35 p.m. to 5:30 a.m.

In response to Chairman Tabolt, Legislator King reported participating in two separate communication tests within various areas that were passable by vehicle. The second test was in different weather conditions when reception was good from 15 – 20 feet outside the vehicle. There had been interference during the first test conducted from inside the vehicle. More testing will be conducted in the spring when there is full foliage to confirm maximum coverage, especially in known “dead” areas of Harrisville, Osceola and the Town of Lewis.

Legislator Lawrence Dolhof, Insurance Committee Chairman, clarified the decision to increase the health insurance premium by 15%, instead of the recommended 20%, was with the understanding that union employees would accept proposed cost-saving amendments. After the defeating union vote, representatives have indicated interest to revisit and consider another vote on the proposed cost-saving measures. However, stated Legislator Dolhof, “If there is no movement from the union, the board may impose an additional 5% increase in December”. “The plan is not sustainable!”, he asserted. In response to Chairman Tabolt, Legislator Dolhof clarified it would be a minimum increase of 5%. He insisted it was not retaliation to the union vote, citing the County share of the increase equates to almost \$500,000.

Legislator Chartrand explained his understanding the increase was due to the cost of insurance expenses and the inadequate fund balance being well below the recommended \$3.5 - \$4 million. He further emphasized that increasing premiums is necessary, not punitive.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, reported ongoing efforts by Director Pete Wood to modernize solid waste buildings and consolidation efficiencies that have effected economical waste disposal management. Terming it an effort to “help Mother Nature recover from waste disposal”, he urged Board approval of the proposed media advertising campaign to educate the public on recyclable items. The clear bags, he said, will allow those responsible to identify recyclables in the trash.

Legislator Brennan announced opening of the VanAmber Road Bridge. The Central New York Branch of the American Public Works Association has selected it for the 2015 Transportation Project of the Year Award. He congratulated and commended Highway Superintendent David Becker and his entire crew for their professional conduct that undoubtedly had lead to the award.

Legislator Brennan relayed receipt of a commending letter from Copenhagen resident David Woodruff, who had alerted the Highway Superintendent of an erosion issue. He praised Mr. Becker and his crew for timely assessment and subsequent collaborative work to mitigate the problem.

Legislator Gregory Kulzer, Taxation/Information Technology/Elections/Agriculture Committee Chairman, reported that Information Technology Director Adam Zehr continues to update at the Court House and DSS buildings as necessary.

NOVEMBER 3, 2015

Legislator Kulzer relayed a request from the Martinsburg and Turin Town Boards for a County allocation of \$20,000-\$25,000 to assist with dog control expenses for all 17 towns.

Legislator Richard Chartrand, Hospital Committee Chairman, reported the Board of Managers had approved the 2016 Hospital budget estimating revenue of \$69.75 million representing a 3.2% increase over the \$67.63 million this year. There is a full-time orthopedic surgeon, with the possibility for a second. The 2015 average of 80% occupancy of the skilled nursing home facility is projected between 93%-97% next year. Another full-time physician will be starting at the South Lewis Health Center and plans are to replace a physician assistant upon the impending retirement. The Hospital anticipates attaining the projected year-end surplus of \$500,000.

Legislator Chartrand announced Home Health and Hospice LPN Barbara Herr as the September employee-of-the month. She arrives early to work and is eager to stay beyond the scheduled work day if needed. Barbara is knowledgeable in all aspects of her job and very attentive with patient care. She always has a pleasant voice, kind smile and is ready to listen. Legislator Chartrand encouraged everyone to commend Barbara for her performance.

Legislator Chartrand announced and encouraged attendance at the "After Hours" event to be held at the Ridgeview Inn on 11/5/15 sponsored by the Friends of Hospice and Hospice Program. Also, there is a meet and greet scheduled for Dr. Leuenberger on 11/4/15 from 4 to 6 p.m. at the South Lewis Health Center.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported that Public Health will no longer provide a Jail Nurse effective upon the date the vacated position is refilled. However, they will provide coverage during illness or vacation for the appointed Jail Nurse. Public Health has received a second Performance Initiative Award of \$13,000; and the NYSDOH has approved a two-percent increase for Pre-School program tuition.

Legislator Moroughan reported the Community Services Board has assumed responsibility for the Single Point of Access (SPOA) program. They are participating in two NYS Delivery Systems Reform Incentive Payment (DSRIP) initiatives, and Director Penny Ingham will represent the County in the CNY Care Collaborative, Inc. group.

Legislator Chartrand referred to letters that some seniors are receiving by mail for consulting assistance received through the Office For the Aging. He clarified that persons at or below the established poverty level receive free services. However, the State requires the local office to forward a letter of request and/or recommendation for a donation from those whose income is twice the poverty level or above, likewise for meal donations.

On behalf of the Denmark Town Board, Legislator Brennan suggested the County seriously consider taking over dog control, recognizing it may require a new hire. Legislator Kulzer verified that the Towns are willing to administer dog control, but request a County allocation of \$20,000 - \$25,000 to be shared by all Towns. As part of the committee charged to research dog control, County Attorney Joan McNichol reports only three (3) Counties in the State administer dog control, feasible because all respective towns agreed.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Contrarily, Atty. McNichol reported that not all Towns support the County administering dog control. She opined it would be very difficult for one County-wide officer to cover the vast geographic area, but will continue her research. Legislator King cited the varying Town Laws for dog control that would make it difficult to administer. Moreover, he asserted it would not be a self-sustaining program even if the County received dog permit revenue. Legislator Kulzer reiterated the Towns' willingness to administer dog control, while requesting a County allocation to ease the strain on their budgets. He would support an allocation, but does not feel the County should take over administration. Legislator King is confident the Towns could administer the program more efficiently. Legislator Hathway concurred, and expressed support to consider a County appropriation

COUNTY MANAGER REPORT:

County Manager Liz Swearingin intends to present the 2016 Tentative Budget at a special meeting on 11/10/15, and requests the Board to schedule the public hearing for 11/19/15.

She had distributed the Treasurer's report, expressing confidence to meet the budgeted sales tax level that would require last quarter receipts of \$2.1 million, equal to the least quarterly receipts year-to-date.

Ms. Swearingin reported the Hospital continues to make timely monthly debt repayments.

Health insurance claims exceeded receipts by \$167,000 in September with a year-to-date loss of \$1.2 million. However, that amount does not consider the 15% premium increase that took effect 10/1/2015.

The County's September unemployment rate was 5.6% down from April's rate of 7.6%. The rates reflect steady progress compared to our 8.5% a couple of years ago, but remains above the national average of 4.5%

Ms. Swearingin reported accompanying Eric Virkler, Frank Pace and Tim Peterson for a tour of SUNY Morrisville and Nelson Farms. She gleaned a good partnership between public and private entities. They have a dairy incubator building where they educate and assist interested persons with product recipe development, scaling production, pricing, marketing and distribution.

The Nelson Farms display various retail products at the store front with an accompanying community kitchen. Neither the incubator building nor the community kitchen required a substantial investment. The real advantage, cited Ms. Swearingin, is provided through their affiliation with SUNY Morrisville, with personnel who can knowledgeably guide persons and assure compliance with relative regulatory requirements.

Ms. Swearingin reported the County has, or is in the process of implementing, several of the ideas posed by the State Comptroller's representative. One exception is a recommended NYSERA energy audit of County buildings.

NOVEMBER 3, 2015

SPECIAL REPORTS:

Chairman Tabolt showed the “Grand Slam” business sign that would be deposited into the ammunition box as Lewis County memorabilia.

Lewis County sponsored a meeting of the Inter-County Committee of the Adirondacks, during which the Marks Farms’ tour was termed by many of the 40 attending officials as their most interesting tour.

Chairman Tabolt stated his intent to present the County’s resolution calling on the State to assume the costs associated with Indigent Legal Defense to the Inter-County group next month, and encourage a supporting resolution.

In reference to the Local Law for “Truth In Taxation”, Legislator Hathway deemed it good to inform taxpayers of categorical expenditures, especially the substantial portion related to State mandates.

Chairman Tabolt then declared the public hearing closed at 5:47 p.m.

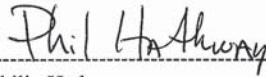
REPORT OF THE WAYS AND MEANS COMMITTEE:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

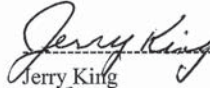
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

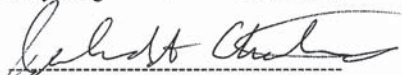
The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,333,825.79 and recommend that they be audited and allowed for the amounts claimed.



Philip Hathway Chair



Jerry King Committee



Richard Chartrand Committee

Dated: November 3, 2015

Approved on motion by Legislator Brennan, seconded by
Legislator Dolhof, and carried.

NOVEMBER 3, 2015

RESOLUTIONS:

**RESOLUTION NO. 327 – 2015
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 \$ 1,333,825.79 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 Brennan, and adopted by roll call vote:

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

NAYS: None

ABSENT: Moser

**RESOLUTION NO. 328 - 2015
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 7 – 2015, COUNTY OF LEWIS**

Introduced by Legislator Gregory Kulzer, Chairman of the Taxation Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on October 6, 2015, directing that a public hearing be held by said Board on November 3, 2015, 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 6-2011 ESTABLISHING TRUTH IN TAXATION IN LEWIS COUNTY"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on October 29, 2015, 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.

NOW, THEREFORE, BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 8 – 2015), County of Lewis, being “A LOCAL LAW AMENDING LOCAL LAW 6-2011 ESTABLISHING TRUTH IN TAXATION IN LEWIS COUNTY”, be and the same hereby is designated as Local Law No. 7–2015, County of Lewis.

Section 2. That Local Law No. 7–2015, 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 Dolhof , seconded by Legislator King , and adopted pursuant to the following roll call vote:

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

NAYS: None

ABSENT: Moser

**LOCAL LAW (INTRODUCTORY NO. 9 - 2015)
COUNTY OF LEWIS**

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

A LOCAL LAW AMENDING LOCAL LAW NO. 12-2013 RE-STATING LOCAL LAW NO. 4-1956 COUNTY OF LEWIS, AS SUBSEQUENTLY AMENDED, BEING A LOCAL LAW ENUMERATING RULES AND REGULATIONS OF THE ADMINISTRATION OF THE LEWIS COUNTY SELF-INSURANCE PLAN

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

SECTION 1. That Local Law No. 12-2013 Re-Stating Local Law No. 4-1956, County of Lewis, as subsequently amended, entitled “A LOCAL LAW ENUMERATING RULES AND REGULATIONS OF THE ADMINISTRATION OF LEWIS COUNTY SELF-INSURANCE PLAN” is hereby amended as follows:

SECTION 2. Rules and Regulations for the Administration of the Lewis County Self-Insurance Plan are hereby promulgated.

NOVEMBER 3, 2015

- A. In addition to the County, the following shall be deemed eligible to participate in the Lewis County Self-Insurance Plan (1) all of the seventeen (17) Towns and nine (9) Villages within the County; (2) Lewis County Search & Rescue, Inc. effective January 1, 1994; and (3) Lewis County Soil & Water Conservation District pursuant to Workers' Compensation Law Section 63 subdivision 5.

Eligible participants as defined in subdivision (A) hereof and other than those in the Plan at the time of its adoption, shall be admitted as of January first following the date of application for participation, provided, however, that a certified copy of a resolution of the governing body of the applicant must be filed with the Workers' Compensation Committee (Committee) of the Lewis County Board of Legislators by the preceding July first.

- B. A participant may withdraw from the Plan effective at the end of a fiscal year, by filing with the Committee by the preceding July first notice of such withdrawal.
- a. Provided, however, that as a condition of such withdrawal, such participant shall pay, in a lump sum or in installments, an equitable share of the outstanding liabilities of the plan as of the date of withdrawal.
 - b. The amount payable by said participant for such withdrawal shall be determined by an actuary based on historical claims data and shall include the cost of such actuarial study, and upon withdrawal shall be paid in full to the Lewis County Self-Insurance Plan, or in such installments and at such dates as the Board of Legislators may determine; or said participant may elect to assume all financial responsibility for each and every claim made against the respective participant without regard to date of occurrence.
 - c. Any payments required upon entry to or withdrawal from the Plan may be financed, in whole or in part, by any municipal corporation or district corporation by the issuance of bonds or capital notes pursuant to the local finance law. (See. Workers' Compensation Law Section 65[1].
- C. The share of each participant in the Plan shall be collected as provided in Section 67 of the Workers' Compensation Law, except that the share of the Towns and Villages participating in the Plan shall be collected by inclusion in the next succeeding tax levy. The annual estimate of expenses shall be apportioned among the participants in a manner consistent with New York State Workers' Compensation Law and recommended by the Plan Administrator and approved by resolution of the Board of Legislators. The apportionment formula(s) shall be established by resolution and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

forwarded annually to each participant pursuant to Section 67 of the Workers' Compensation Law by the preceding September first.

- D. A reserve of **[\$2,000,000]** is hereby established for the Plan. Such amount shall be accumulated by including in each annual estimate a sum not to exceed \$10,000. However, beginning in fiscal year 1965 such amount may be accumulated by (a) inclusion in each annual estimate a sum not exceeding \$10,000, or by (b) the transfer to said reserve of any unexpended balance in current funds, or by (c) the addition to said reserve of any income earned from the investment of the funds in said reserve, or by (d) such combination of said methods as the Committee may deem proper. The first installment shall be included in the annual estimate of 1957. When the amount of the reserve is at the maximum, any amount expended therefrom shall be restored by one or more of the aforesaid methods, as said Committee may designate.
- E. Every volunteer firefighter/ambulance squad applicant shall undergo a physical examination and be accepted for inclusion under the Lewis County Self-Insurance Plan by the Workers' Compensation Committee or its duly authorized Administrator, before undertaking any of the said volunteer duties. Said physical examination and related forms shall be an expense of the Plan. Failure to take such physical examination and be so approved, shall deny all coverage hereunder to said volunteer.
- No participant shall allow an employee or volunteer to assume a position, the duties of which would knowingly aggravate a physical defect or disability.
- F. That no other provision of this Local Law withstanding youths being considered, treated and placed with reference to programs under Section 758-a of the Family Court Act and all related laws, rules and regulations, shall be exempt.
- G. Each participant shall maintain a record of all injuries sustained by respective employees in the course of their employment. Forms or reports to be filed by participants pursuant to this subdivision shall be furnished by and be an expense of the Plan. Reports required to be filed with the New York State Workers' Compensation Board, pursuant to the Workers' Compensation Law; Volunteer Firefighters' Law or Volunteer Ambulance Law, shall be filed promptly with the Administrator of the Lewis County Self-Insurance Plan. The Committee shall report to the Board of Legislators failure of a participant to file required reports, and the Board of Legislators may take such action as it deems proper as provided herein.
- H. Plan participants shall cooperate with the Committee by promptly filing all required reports, by aiding in the investigation of claims, and the furnishing of any additional aid or information that may be required to carry out the provisions and the intent of the Workers' Compensation Law, Volunteer Firefighter's Law or Volunteer Ambulance Law. The Board of Legislators may, by resolution, impose a **penalty**

NOVEMBER 3, 2015

upon any Participant equal to the amount imposed upon the Lewis County Self-Insurance Plan by the New York State Workers' Compensation Board for a respective claim, due to non-compliance with the Payor Compliance Policy.]

- I. The Board of Legislators may, by resolution, expel a participant for failure to observe the rules and regulations adopted, or for any violation of the provision of the Workers' Compensation Law, Volunteer Firefighter's Law or Volunteer Ambulance Law provided, however, that a participant shall be notified in writing at least thirty (30) days prior to the effective date of expulsion; and further provided, that expulsion shall not relieve a participant from paying its share of the outstanding liabilities of the Plan at the date of expulsion, as determined by an actuary based on historical claims data.
- J. An employer who knowingly permits or employs a minor to work in violation of any provision of the New York State Labor Law, shall be liable for imposed increased awards provided by Section 14-a of the Workers' Compensation Law.
- K. That the Lewis County Board of Legislators hereby delegates to the Workers' Compensation Committee thereof full power and authority to make and promulgate any and all rules and regulations in connection with the enforcement and administration of the within Local Law provided that such rules and regulations are not inconsistent herewith or inconsistent with any applicable Federal or State laws, rules and regulations.

SECTION 3. That pursuant to Section 3, Group 19 of the Workers' Compensation Law, this Local Law shall cover all employees or officers elective or appointive, or otherwise not enumerated in Section 3, Subdivision 1, Groups 1 to 17 inclusive, of the Workers' Compensation Law.

SECTION 4. That this Local Law shall take effect immediately upon all legal requirements being met.

**RESOLUTION NO. 329 - 2015
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 9 - 2015), COUNTY OF LEWIS**

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on November 3, 2015 a proposed Local Law entitled "LOCAL LAW TO AMEND LOCAL LAW NO. 12-2013 RE-STATING LOCAL LAW NO. 4-1956 COUNTY OF LEWIS, AS SUBSEQUENTLY AMENDED, BEING A LOCAL LAW ENUMERATING RULES AND REGULATIONS OF THE ADMINISTRATION OF THE LEWIS COUNTY SELF-INSURANCE PLAN"; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, amendments to section 2D and section 2H are proposed;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on December 1, 2015, 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 King, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 330 - 2015
RESOLUTION TO TRANSFER FUNDS
BUILDING CODES**

Introduced by Legislator Jerry King, Chairman of the Building Codes Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget changes are hereby approved in the Building Codes Department for the purchase of an Impala with Capital Equipment funds (HAD9901.9) balance \$232,416.03:

Increase Revenue:

A50310 (Inter-fund transfers)	\$17,971.53
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Increase Expense:

A3620.2233(Vehicles)	\$17,971.53
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Section 2. That the within resolution shall take effect immediately.

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

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**RESOLUTION NO. 331 - 2015
RESOLUTION AUTHORIZING LEWIS COUNTY
DEPARTMENT OF BUILDINGS AND GROUNDS TO ENTER AGREEMENTS FOR
PLOWING OF THE ROADS TO TOWER SITES IN LEWIS COUNTY**

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

WHEREAS, the Board of Legislators of Lewis County ("County") is in the process of upgrading its Emergency Radio Communications System, which included adding and upgrading the tower sites and supporting structures in various locations in the County; and

WHEREAS, the tower sites must be accessible at all times, which requires the County's Building and Grounds Department to either snow plow the access roads or arrange for others to assist with timely snow plowing of the sites throughout the winter season; and

WHEREAS, the Building and Grounds Department has contacted a number of residents within the County who will assist with snowplowing of a number of tower site roads in the various locations throughout the County, at reasonable hourly rates ranging from \$50.00 to \$150.00, depending upon the equipment used (truck plow or tractor), the amount of snow and the weather conditions at the time; and

WHEREAS, the County desires to enter into contracts with the individuals/businesses willing and able to snow plow the tower site roads designated by the Supervisor of Buildings and Grounds for the 2015-2016 season.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes Agreements with certain residents/business owners in Lewis County to provide snow plowing services at tower locations identified by the Supervisor of Buildings and Grounds.

Section 2. That the term of these agreements shall be for the 2015-2016 season, at a cost for each Agreement to range from \$50.00 to \$150.00 per hour depending upon the equipment to be used, the amount of snow and other weather conditions, and any other relevant information provided to the Supervisor of Buildings and Grounds. The agreements shall further provide that each individual contractor shall have proper insurance and amounts as determined appropriate by the County Attorney.

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.

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

**RESOLUTION NO. 332 - 2015
RESOLUTION TO TRANSFER/APPROPRIATE FUNDS
STOWE STREET BUILDINGS**

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriations are hereby approved for funds needed for Wireless Access Points at DSS, utilizing Capital Data Processing HAE9901.9 funds, balance \$141,722.89:

<u>Revenue:</u>	Amount
A50310 (Interfund)	\$ 282.79
A36100 State DSS Admin	\$ 282.79
A46100 Fed DSS Admin	\$ 565.56

<u>Expense:</u>	
A6010.2217 (computers)	\$1,131.14

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

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

**RESOLUTION NO. 333 - 2015
RESOLUTION TO APPROPRIATE/UNAPPROPRIATE FUNDS
COMMUNITY SERVICES**

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

BE IT RESOLVED as follows:

Section 1. That the following budget appropriations are hereby approved in the Community Services accounts to appropriate/unappropriate for reallocation of funds:

<u>Increase Revenue:</u>	
A34915 TLS	\$15,000.00

<u>Increase Expense:</u>	
A4318.4215 TLS	\$15,000.00

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<u>Decrease Revenue:</u>	
A34903.1 NRCIL	\$15,000.00
<u>Decrease Expense:</u>	
A4324.4700 NRCIL	\$15,000.00

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

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

RESOLUTION NO. 334 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
COUNTY OF LEWIS AND CSEA EMPLOYEE BENEFIT FUND

Introduced by Legislator Bryan Moser, Chairman of the County Officers and Employees Committee

WHEREAS, the County of Lewis and the CSEA Employee Benefit Fund (hereafter the "FUND") entered into an agreement dated July 19, 1988 for the FUND to provide certain benefits to the COUNTY's covered employees, with said agreement having been extended by Renewal Agreements; and

WHEREAS, the parties desire to continue the provision of said benefits upon the terms and conditions therein contained, except as modified by the Renewal Agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Renewal Agreement between the County of Lewis and the CSEA Employee Benefit Fund, pursuant to which the FUND shall provide the SUNRISE DENTAL PLAN benefits to the County's covered employees, with the COUNTY paying the FUND the amounts per covered employee as set forth 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, upon such from as may be approved by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

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

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**RESOLUTION NO. 335 - 2015
AUTHORIZING EXECUTION OF A CORRECTION DEED**

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

WHEREAS, a tax deed from Chas. T. Taylor, as County Treasurer, to the Town of Croghan, dated May 2, 1956, and recorded in the Lewis County Clerk's Office November 19, 1956 in Book 241 of Deeds at page 574, described approximately 62 acres of land owned by Orlander Standard, located in Macomb's Purchase, Great Tract 5, Chassinees Tract, 7 – 8 E. Range 24, Bd. N. by Lewis, E. by Lewis, S. by Yoder, W. by Lewis; and

WHEREAS, the aforementioned recorded deed incorrectly described the land in question as being in "7 - 8 E. Range 24", when it should have been described as being in "3 E. Range 24 N." and

WHEREAS, there are other discrepancies in the spelling of certain names in the deed description; and

WHEREAS, the correct deed description that should have been utilized in the prior Tax Deed is as follows:

ALL THAT TRACT, PIECE OR PARCEL OF LAND situated in the Town of Croghan, County of Lewis, State of New York, described as follows: Macomb's Purchase, Great Tract 5, Chassanis Tract, 3 E. Range 24 N., Stanard, Orlander. Bd. N. by Moser and Noftsier, E. by JP Lewis Co., S. by L. Zehr, W. by JP Lewis Co., Containing sixty-two (62) acres of land, more or less.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a Corrective deed be executed to correct the original legal description and name spelling discrepancies pertaining to the subject premises conveyed by Chas. T. Taylor, as County Treasurer for the County of Lewis, to the Town of Croghan by Deed dated May 2, 1956 and recorded in the Lewis County Clerk's office on November 16, 1956, Book 241 of Deeds at page 574, and thereafter conveyed by the Town of Croghan to Clifford Shaw by Deed dated November 16, 1956 and recorded in the Lewis County Clerk's office on December 5, 1956 in Book 242 of Deeds at page 141.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal and deliver said corrective deed and other required recording documents, pending approval by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

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

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**RESOLUTION NO. 336 - 2015
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 Emergency Services for the grant award of \$6,000,000.00 for the Radio Systems Project through December 2, 2016.

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 King, and adopted.

**RESOLUTION NO. 337 - 2015
RESOLUTION TO APPROPRIATE FUNDS
FIRE AND EMERGENCY MANAGEMENT**

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

BE IT RESOLVED as follows:

Section 1. That the following appropriation is hereby approved in the Fire & Emergency

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Management account for the \$42,832.50 purchase of a 2016 Tahoe with Grant funds of \$41,250, and the balance covered by Capital Equipment funds (HAD9901.9) balance \$232,416.03:

Increase Revenue:
A50310 (Inter-fund transfers) \$1,582.50

Increase Expense:
A3410.2233 (Vehicles) \$1,582.50

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

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

**RESOLUTION NO. 338 - 2015
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 appropriation is hereby approved for FY15 Homeland Security Grant funds:

A43062	FY15 Homeland CFDA#97.067	\$55,000.00
A3420.2909	FY15 Homeland EMO CFDA#97.067	\$41,250.00
A3420.2910	FY15 Homeland Sheriff CFDA#97.067	\$13,750.00

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

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

**RESOLUTION NO. 339 - 2015
RESOLUTION TO APPROPRIATE FUNDS
FIRE AND EMERGENCY MANAGMENT**

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

BE IT RESOLVED, as follows:

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Section 1. That the following appropriation is hereby approved for FY14 Homeland Security Grant funds:

A43061	FY14 Homeland CFDA#97.067	\$37,500.00
A3419.2909	FY14 Homeland CFDA#97.067	\$37,500.00

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

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

**RESOLUTION NO. 340 - 2015
RESOLUTION AUTHORIZING AGREEMENT WITH
NEW YORK STATE DIVISION OF HOMELAND SECURITY
AND EMERGENCY MANAGEMENT**

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 Management Services for funding in the amount of \$12,500.00 with no local match requirement, for the purchase of night vision equipment to enhance the safety of police officers during active shooter situations in unlighted buildings or outside locations.

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 NYS Division of Homeland Security and Emergency Services in the amount of \$12,500.00 for the grant period from 9/1/2014 to 8/31/2016.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators be and the same is hereby authorize to execute, seal and deliver said Grant Agreement.

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

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

**RESOLUTION NO. 341 - 2015
RESOLUTION IN SUPPORT OF MUNICIPAL ELECTRIC AND GAS ALLIANCE'S
PLANS FOR COMMUNITY CHOICE AGGREGATION**

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

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WHEREAS, Municipal Electric and Gas Alliance (MEGA) plans to offer support for municipalities interested in Community Choice Aggregation (CCA) as conceived by the New York State Public Service Commission; and

WHEREAS, the County of Lewis participates in MEGA's energy supply programs, and are confident MEGA can provide us with the support and guidance needed to implement a Community Choice Aggregation program that truly benefits our residents; and

WHEREAS, the New York State Public Service Commission's CCA concept represents a potential means for bringing better energy supply pricing to our communities and an ability to animate markets for distributed energy resources, among other benefits. Residential customers could benefit from the ability to aggregate their requirements through a transparent, competitive procurement for energy supplies, eliminating the bad marketing practices that frequently victimize our citizens; and

WHEREAS, as we understand the protocols and procedures being developed by the NYS Public Service Commission, we are prepared to plan and execute a program including vigorous public information and education, a referendum, competitive procurement and management oversight to assure our residents receive the benefits of aggregation and are also afforded an opportunity to participate in shaping the energy future in Lewis County.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby records their interest in Municipal Electric and Gas Alliance's offer to support and guide municipalities for development and implementation of a Community Choice Aggregation Program as conceived by the New York State Public Service Commission.

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

RESOLUTION NO. 342 - 2015
RESOLUTION AUTHORIZING DISTRIBUTION OF RADIOS AND EQUIPMENT TO LEWIS COUNTY FIRE & RESCUE DEPARTMENTS AND A MEMORANDUM OF UNDERSTANDING/LEASE AGREEMENT 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 as well as a number of Fire and Rescue Squads; and

WHEREAS, the County's emergency 911 comprehensive upgrade project provided for fire and emergency radio and related equipment in its comprehensive plan, and is now at the

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implementation stage, where the fire and emergency radios and related equipment must be distributed to the Fire and Rescue Departments for testing and to be brought into service; and

WHEREAS, the Lewis County Fire Departments and Rescue Departments cannot currently pay for this upgraded equipment, and have not received the Assistance to Firefighters Grant award funds for which they applied; and

WHEREAS, the County wishes to lease this equipment to the Fire Departments and Rescue Squads in the County for a period of three (3) years in order to advance the emergency 911 project for the benefit of the County, with the expectation that the Fire Department(s) and Rescue Squads will reimburse the County for the costs of the fire and emergency radios and equipment from any grant award funds it may reapply for, or from other funding streams it may receive, unless the County further extends or modifies the lease term and provisions; and

WHEREAS, the Board of Legislators wishes to enter into a Memorandum of Understanding and/or Lease Agreement with each Fire Department and Rescue Squad to set forth the responsibilities and obligations of each Department to maintain said equipment in good repair for its intended use for the period of the lease term at the Department's sole cost and expense, and to then arrange for reimbursement to the County for the value of the equipment distributed to each Department and/or Squad.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves distribution of the fire and emergency services radios and related equipment required under the County's comprehensive 911 upgrade project to the individual Fire Departments and Rescue Squads, in accordance with the master list maintained by the 911 Upgrade Project Committee.

Section 2. That the Lewis County Board of Legislators hereby authorizes and approves a Memorandum of Understanding and/or Lease Agreement to be entered into between the County and each Volunteer Fire Department and Rescue Squad in Lewis County, wherein each Department agrees to maintain in good repair and be responsible for each piece of equipment provided during the lease term, and to reimburse the County from any AFG grant award funds which may be received, or from any other funds, for the value of each radio and related equipment within three (3) years, unless further extended or modified by the County.

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

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

Moved by Legislator Pepper, seconded by Legislator King.

While recognizing the importance for firefighters and EMS responders to have the necessary equipment, Legislator Brennan relayed understanding the County would finance the

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equipment because the Fire Departments' AFG grant was denied. He asked for clarification on the level of equipment being provided, recalling the Fire Department requests were excessive. Legislator King stated the responders need the radios and pagers before the old system is shut down, otherwise they would be unable to operate; and financing a \$100,000 debt is beyond their means.

Legislator King verified the Fire Departments clearly understand the County is providing the initial radios and pagers only, and the County would be reimbursed if they subsequently garnered grant monies. There were six (6) radios provided for EMS responders. Each department will receive one mobile for all apparatus, eight (8) radios for line officers, and two (2) for each engine, which he termed a minimum to do their job.

The resolution was then adopted.

RESOLUTION NO. 343 - 2015
RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE LEWIS COUNTY HIGHWAY DEPARTMENT AND THE TOWN OF PINCKNEY FOR THE TRANSFER AND SALE OF CERTAIN USED EQUIPMENT TO THE TOWN IN CONSIDERATION OF A CREDIT TO BE APPLIED TO THE COUNTY FOR SNOW AND ICE CONTROL ON CERTAIN COUNTY ROADS

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

WHEREAS, the Lewis County Highway Department ("County") desires to transfer certain equipment to the Town of Pinkney ("Town"), in consideration of the Town crediting the County with the value of said equipment against its obligation to the Town for snow and ice control and removal on certain County roads for the 2015-2016 winter season; and

WHEREAS, the County desires to enter into an agreement, (to be incorporated in the January 1, 2016 – December 31, 2018 Inter-Municipal Snow and Ice Control Agreement between the County and Town to be executed after adoption of the County Budget), to transfer and sell ownership of said used equipment to the Town for the following equipment and for the prices set forth:

- The County will transfer and sell 1966 Traxcavator, Serial No. 53A8151, Model 977H, for the amount of \$10,000 to the Town. The purchase will be applied against the first snow and ice removal installment payment to the Town in 2016; and
- The County will transfer and sell 1989 Ford L9000 4WD plow truck, VIN 1FDYK9026KV47914, for the amount of \$5,000 to the Town. The purchase will be applied against the first snow and ice removal installment payment to the Town in 2016; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an inter-municipal agreement between the Lewis County Highway Department and the Town of Pinckney for the transfer and sale of certain used equipment to the Town of Pinckney for a total cost of \$15,000.00, with the Town to credit the County for said amount, and to apply such credit to the fees for control of snow and ice on certain county roads.

Section 2. That the credit of \$15,000.00 is to be applied against the first installment payment from the County to the Town in 2016 for control of snow and ice on certain county roads, and is to be incorporated in the Inter – Municipal Agreement for Control of Snow and Ice on Certain County Roads to be adopted and executed after adoption of the County Budget.

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. 344 - 2015
RESOLUTION APPROVING AMENDED MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN THE COUNTY OF LEWIS AND LEWIS COUNTY GENERAL
HOSPITAL HUMAN RESOURCES

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, the County of Lewis (“County”) heretofore adopted Local Law No. 2–2010, entitled, “A LOCAL LAW AUTHORIZING LEWIS COUNTY TO WITHDRAW FROM CIVIL SERVICE COMMISSION AND ESTABLISHING THE LEWIS COUNTY HUMAN RESOURCES DEPARTMENT”, and

WHEREAS, thereafter, by Resolution No. 88-2011, the County of Lewis and the Lewis County General Hospital (“LCGH”) agreed to create a single Director of Human Resources/Personnel Director to oversee and manage the human resource functions for both the County and LCGH, as well as to provide for the administration of Civil Service requirements pursuant to the Civil Service Law, and entered into a Memorandum of Understanding (“MOU”) dated March 24, 2011 in which they set forth their understandings of the responsibilities of the Director of Human Resources in the performance of his or her duties, as well as the budgeting of the expenses associated with the combined Human Resource Department; and

WHEREAS, in 2013, by Resolution No. 256-2013, the Board of Legislators appointed James A. Swords to the position of Director of Human Resources/Personnel Officer pursuant to Civil Service law § 15 (1)(b); and

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WHEREAS, the County and LCGH seek to amend the MOU to update and reflect their understandings of the responsibilities of the Director of Human Resources in the performance of his duties for the LCGH and County, as well as the shared compensation arrangements for the services of the Director by the County and LCGH;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Amended Memorandum of Understanding to be entered between the County and LCGH, wherein the County and LCGH agree that the Director's time will be equally apportioned between his responsibilities at the LCGH and at the County, and with the County and LCGH to equally share the compensation of the Director, including his salary and benefits, together with such other relevant provisions to give effect to same.

Section 2. That the Chairman of the Board of Legislators or the Vice Chairman be and the same is hereby authorized to execute, seal and deliver said Amended Memorandum of Understanding, upon approval of the County Attorney.

Section 3. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 345 - 2015
RESOLUTION IN SUPPORT OF NYS ASSEMBLY BILL A 6202-A, CALLING ON THE STATE TO ASSUME THE COSTS OF INDIGENT LEGAL DEFENSE SERVICES AND FOR THE COMPLETE REIMBURSEMENT TO ALL COUNTIES FOR EXPENSES ASSOCIATED WITH THE INDIGENT LEGAL DEFENSE UNFUNDED MANDATE

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

WHEREAS, in 1963 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 by the State of New York has resulted in a system in which the county and local property tax payers are burdened with the vast majority of cost for this State responsibility; and

WHEREAS, public defense services are inadequately financed by the State of New York; 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 to be in crisis, and urged the expeditious establishment of an Independent Public Defense Commission overseeing a STATE-FUNDED, statewide defender system; and

WHEREAS, the State of New York settled the *Matter of Hurrell-Harring, et al v. State of New York*, a systemic lawsuit seeking to transform the indigent defense system into a statewide defender system consistent with the State's responsibility under *Gideon v. Wainwright*; and

WHEREAS, in settlement of *Hurrell-Harring*, the State accepted its responsibility to ensure that each person charged with a crime in the five (5) counties named in the lawsuit, is represented by counsel at arraignment; that Indigent Legal Services (ILS) caseload/workload standards are implemented; that dedicated funding 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 settlement of the *Hurrell-Harring* matter has resulted in disparity between the five named counties of the lawsuit and the remaining fifty-seven (57) counties with respect to the financial benefit provided by the State to individual county indigent legal defense plans; and

WHEREAS, Assemblywoman Patricia Fahy has introduced legislation (A6202-A) designed to address the inequity created by the *Hurrell-Harring* settlement, through a phase-in indigent legal defense funding model that would ultimately see the State assume its responsibility to fund indigent defense and reimburse all Counties for their indigent legal defense expenditures delegated to them in 1965; and

WHEREAS, State Senator Joseph Griffo and other Senators are working in the State Senate toward a Bill designed to address this inequity and unfunded mandate delegated to the Counties; and

WHEREAS, the Lewis County Board of Legislators seeks to support these efforts and proposed Bills.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators of Lewis County supports the efforts of Assemblywoman Patricia Fahy and Senator Griffo in their respective efforts to bring forth legislation designed to alleviate the financial burdens imposed upon the fifty-seven (57) counties by the continued unfunded mandate of indigent legal defense.

Section 2. That the Board of Legislators of Lewis County calls upon the State Assembly and Senate to enact legislation as Assemblywoman Fahy has proposed, to address the inequity created by the *Hurrell-Harring* settlement through a phase-in funding model for indigent legal defense that would ultimately have the State reimburse all counties for indigent legal defense

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expenditures, thereby having the State assume its responsibility to fully fund indigent legal defense.

Section 3. That the Board of Legislators of Lewis County declares 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 the 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 Senate and New York State Assembly, New York State Defenders' Association, New York State Office of Indigent Legal Services, New York State Association of Counties (NYSAC), and all others deemed necessary and proper.

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

**RESOLUTION NO. 346 - 2015
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 accounts to appropriate donation from United Healthcare to sponsor "Meet the Services that Make Your Community".

<u>Increase Revenues</u>	
A27051 (Contrib-OFA)	\$300.00
<u>Increase Expense</u>	
A6772.4919 (Sr Events)	\$300.00

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

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

**RESOLUTION NO. 347 - 2015
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 Probation Department 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 Probation Department by the Family Court for the term beginning January 1, 2016 through December 31, 2016 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 Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 348 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN PROBATION DEPARTMENT AND
INSIGHTS FORENSIC COUNSELING**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement 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 Probation Department wishes to enter into an agreement with this Agency to utilize their 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 Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Probation Department, and Insights Forensic Counseling for the provision of services for counseling to clients referred by the Lewis County Probation Department.

Section 2. That the term of this agreement shall be January 1, 2016 through December 31, 2016 at a cost not to exceed \$80.00 per session and attendance at meetings; \$47.50 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 Moroughan, and adopted.

**RESOLUTION NO. 349 - 2015
RESOLUTION TO AMEND RESOLUTION NO. 316-2015 REGARDING
AN 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 Board of Legislators adopted Resolution No. 316-2015 on October 6, 2015 to authorize 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; and

WHEREAS, the agreement is for the period of January 1, 2016 through June 30, 2016. The amendment to the agreement will keep the same term dates with an option to extend for one additional year with renewal periods at a maximum term through June 30, 2018. The rates will stay the same except for a Consumer Price Index (CPI) rate increase each year of the extensions, based upon the State Education Department (SED) pupil transportation rates.

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends Resolution No. 316-2015 that was adopted on October 6, 2015 to authorize an Amendment to the Agreement between the County of Lewis, by and through the Lewis County Public Health Agency, and Birnie Bus Service, Inc. to provide transportation for pre-school special education children.

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Section 2. That the agreement is for the period of January 1, 2016 through June 30, 2016 with the amendment providing an option to extend for one additional year, and with additional renewal periods for a maximum term through June 30, 2018. The rates will stay the same, except for a Consumer Price Index rate increase for each year of the extensions based on the State Education Department pupil transportation 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 Pepper, seconded by Legislator Kulzer, and adopted.

RESOLUTION NO. 350 - 2015
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 Counsel (Jefferson-Lewis Child Care Project) for the purpose of implementing health care consultant services to review, verify and approve child care program's compliance with NYS Health Care Plan regulations.

Section 2. That the term of this Memorandum of Understanding shall be from October 1, 2015 through September 30, 2016 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 Dolhof, and adopted.

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**RESOLUTION NO. 351 - 2015
RESOLUTION TO AUTHORIZE AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND CENTRAL NEW YORK CARE
COLLABORATIVE, INC.**

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

WHEREAS, Central New York Care Collaborative, Inc. is a New York not-for-profit corporation (“CNYCC”) located at 109 Otisco Street, Syracuse, New York 13204; and

WHEREAS, the New York State Department of Health (“DOH”) has approved the PPS Project Plan submitted to form a Performing Provider System (“PPS”) under New York State Delivery System Reform Incentive Payment Program (“DSRIP”) to serve individuals enrolled in Medicaid and uninsured individuals in the counties of Cayuga, Lewis, Madison, Oneida, Onondaga and Oswego (“Central New York Region”); and designated CNYCC as the PPS lead; and

WHEREAS, pursuant to the PPS Project Plan, the PPS will seek to enhance access to primary and behavioral health care, improve care coordination among providers in the Central New York Region, reduce avoidable hospital usage, and evolve during the five-year term of DSRIP into an effective integrated delivery network; and

WHEREAS, the County of Lewis, by and through the Lewis County Public Health Agency desires to enter into an Agreement with Central New York Care Collaborative, Inc.; and

WHEREAS, the Board of Legislators wishes to accept such partnership organization agreement;

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, and Central New York Care Collaborative, Inc. to serve individuals enrolled in Medicaid and uninsured individuals in the counties of Cayuga, Lewis, Madison, Oneida, Onondaga and Oswego under the New York Delivery System Reform Incentive Payment Program through Performing Provider System. This System will seek to enhance access to primary and behavioral health care, improve care coordination among providers in the Central New York Region, reduce avoidable hospital usage, and evolve during the five-year term of DSRIP into an effective integrated delivery network.

Section 2. That this is for the term commencing November 3, 2015 through December 31, 2020.

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.

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

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

RESOLUTION NO. 352 - 2015
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 (“CLIA”) 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 who can serve as a consultant to Public Health in this capacity, and all parties are willing to have this technologist act as Public Health’s technical consultant; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Agreement between the County of Lewis, by and through the Lewis County 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 September 22, 2015 through September 21, 2018.

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 Kulzer, and adopted.

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**RESOLUTION NO. 353 - 2015
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 adjustments in the Rabies vaccine account:

<u>From:</u> A4093.1999	Pers Svs-Chronic Disease	\$ 500.00
<u>To:</u> A4093.4901	Professional Services	\$ 500.00

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

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

**RESOLUTION NO. 354 - 2015
RESOLUTION AUTHORIZING AMENDMENT AND 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, Project # RTP-11-TI-001, (Contract #C110111) with the State of New York, acting by and through the Office of Parks, Recreation and Historic Preservation, and to modify the estimated budget detail to include purchase of equipment (small trail dozer, tracked skid steer, and UTV); and

WHEREAS, the total estimated budget for the project is \$135,000.00, with Federal share being \$108,000.00 and the Local share being \$27,000.00; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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Section 1. That the Lewis County Board of Legislators hereby authorizes a Modification Agreement between the County of Lewis, by and through the Recreation, Forestry and Parks Department and the State of New York Office of Parks, Recreation and Historic Preservation for the extension of the grant term and modification of estimated budget detail.

Section 2. That this is for the term beginning April 27, 2011 and extended through December 31, 2016.

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. 355 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE
COUNTY OF LEWIS AND BONADIO & CO., LLP FOR CONSULTING AND
ASSESSMENT SERVICES FOR THE LEWIS COUNTY DEPARTMENT OF SOCIAL
SERVICES CHRONIC CARE PROGRAM

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

WHEREAS, the County of Lewis desires to enter into an Agreement with Bonadio & Co., LLP to provide professional consulting and assessment services associated with the analysis of Lewis County Department of Social Services ("LCDSS") overall operational efficiencies in the Department's Chronic Care program. The goal of the assessment is to test internal controls, perform quality control procedures over program determinations/payments, analyze efficiencies, effectiveness and collaborative efforts of staff while investigating areas in which tax payer dollars may be saved; and to recommend changes to strengthen internal controls for management and employees while meeting Federal and State regulations, particular but not limited to Medicaid and eligibility; and

WHEREAS, the compensation for such services shall be paid by the LCDSS and shall not exceed Ten Thousand (\$10,000.00) Dollars, but with the Lewis County Commissioner of Social Services having the discretion to request additional services from the Bonadio Group at the rate of \$175.00 per hour on complex cases outside the scope of services to be provided under the lump sum payment of \$10,000.00; 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 Lewis County Board of Legislators hereby authorizes an agreement between the County of Lewis, through the Lewis County Department of Social Services, and Bonadio & Co., LLP to provide certain professional consulting and assessment services to the LCDSS of its Chronic Care program, including recommendations for internal cost efficiencies and controls, at a cost payable by LCDSS not to exceed \$10,000.00 for such services and analysis as set forth in its proposal outline dated October 5, 2015.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Lewis County Commissioner of Social Services to further engage the Bonadio Group beyond the scope of services provided under the assessment of the Chronic Care program, at the rate of \$175.00 per hour, at the discretion of the Commissioner.

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 Brennan, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 356 - 2015
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 purchase substance abuse and assessment 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 purchase of substance abuse and assessment services for individuals receiving assistance from DSS.

Section 2. That this is for term of January 1, 2016 through December 31, 2016 at the following costs and as a payer of last resort, DSS shall be responsible for payment of the actual costs incurred by Credo as follows:

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- Addiction assessments at a cost not to exceed the current Medicaid reimbursable rate of \$152.67.
- Urine screens, toxicology screens and breathalyzers at a cost not to exceed current laboratory screening costs for screens that require shipment to a professional laboratory.
- Substance abuse services as follows: Assessment Normative (30 minutes) - \$132.31; Assessment Brief (15 minutes - \$41.37; Assessment Extended (75 minutes) \$152.67; Individual Therapy Norm (45 minutes) - \$122.13; Individual Brief (25 minutes) - \$91.59 & Group Counseling (60 minutes) - \$47.33.
- Case consultation and the fee will provide for one hour of service and will include travel costs within the Village of Lowville at a cost.
- Payment shall be made to Credo for clients who fail to cancel appointment at least one day in advance.

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 Kulzer, and adopted.

**RESOLUTION NO. 357 - 2015
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 September 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.

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Childcare Center Rates 2015-2016

Age	5 Days	4 Days	3 Days	2 Days
Infants	\$173.75	\$147.00	\$110.25	\$73.50
Toddler	\$173.75	\$147.00	\$110.25	\$73.50
Preschool	\$173.75	\$147.00	\$110.25	\$73.50
Pre-K	\$173.75	\$147.00	\$110.25	\$73.50

AM SACC	\$25.00	\$20.00	\$15.00	\$10.00
AM SACC	\$15.00 if picked up by 11:00 a.m. / \$36.75 full day rate			

Universal Pre-K Wrap-around Care 2015-2016

Class	Tuition
AM/PM Class (5 day attendance)	\$118.00
Daily Rate (Less than 5 day attendance)	\$25.75
½ day rate for snow days, ½ days of school	\$11.00
Full Day Care	\$36.75

Family Discount

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

Annual registration fee is \$55.00 per child

After School Program

Daily Rate for 1 st Child	Daily Rate for 2 nd Child
\$4.00	\$3.00

The above rates are applicable for full day had half day due to grant funding; and

Annual registration fee is \$55.00 per 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 Moroughan, seconded by Legislator King, and adopted.

**RESOLUTION NO. 358 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
LABORATORY CORPORATION OF AMERICA HOLDINGS**

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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.

Section 2. That the term of this agreement shall be from January 1, 2016 through December 31, 2016 at a cost of \$45.00 per sample and not to exceed an annual cost of \$10,000.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement, 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. 359 - 2015
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

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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.

Section 3. That the term of this Cooperation Agreement shall be from January 1, 2016 through December 31, 2016 for an amount not to exceed \$38,303.00.

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 Pepper, and adopted.

**RESOLUTION NO. 360 – 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND THE COUNTY LAW DEPARTMENT FOR PURCHASE OF SERVICES
(COLLECTIONS & RECOVERIES)**

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

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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 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, 2016 through December 31, 2016 for an amount not to exceed \$45,054.00.

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 Dolhof, and adopted.

RESOLUTION NO. 361 - 2015
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.

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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.

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, 2016 through December 31, 2016 for an amount not to exceed \$183,791.00.

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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 Brennan , and adopted.

**RESOLUTION NO. 362 - 2015
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, 2015 through June 30, 2016 for an amount not to exceed \$20,499 in grant funds received from NYS Office of Children and Family Services.

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.

**RESOLUTION NO. 363 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN DEPARTMENT OF
SOCIAL SERVICES AND RUBENZAH, 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 provide psychological services for rehabilitation and supportive services to families whose children have been named in an indicated child abuse and/or maltreatment report; those

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who have been assessed at risk of foster care placement; or whose placement 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 placement could be shortened through the provision of such services.

Section 2. That the term of this Agreement shall be from January 1, 2016 through December 31, 2016 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 Dolhof, and adopted.

**RESOLUTION NO. 364 - 2015
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”) to renew the terms for TLS to provide the services of psychiatric and/or psychological evaluations of individuals receiving services from DSS; and

WHEREAS, the local cost share to the County under this Agreement averages 37% and can be between 0% - 71% depending upon eligibility of the client; 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 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, 2016 through December 31, 2016 at a cost not to exceed \$158.00 per psychiatric or psychological assessment; \$101.20 per clinical treatment; a rate of \$25.00 for 15 minutes per telephone case consultations with DSS personnel and travel cost to and from case consultations/treatment plan meetings held outside the TLS office at the rate of 57.5 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 King, seconded by Legislator Pepper, and adopted.

RESOLUTION NO. 365 - 2015
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

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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, 2016 through December 31, 2016 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.

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. 366 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND
U.S. CARE SYSTEMS, INC.**

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

WHEREAS, the Lewis County Department of Social Services (“DSS”) is authorized to provide personal care services to persons eligible to receive said services pursuant to New York State Social Services Law and 18 New York Code of Rules and Regulations; and

WHEREAS, DSS wishes to enter into an Agreement with the U.S. Care Systems, Inc. to provide these personal care services for those that are eligible 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 approves the contract with U.S. Care Systems, Inc. for the provision of personal care services for those that are eligible in Lewis County for the period commencing January 1, 2016 through December 31, 2017 at a cost in accordance with the rates set forth by the state in the Agreement. The County amount is up to 13% depending on the eligibility of the client.

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.

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

**RESOLUTION NO. 367 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND
VOLUNTEER TRANSPORTATION CENTER, 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 Volunteer Transportation Center, Inc. to manage and supervise transportation requests by DSS for non-emergency Medicaid and Services for clients, using volunteer drivers with their own vehicles to provide transportation services for DSS clients not having any other means of transportation; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the Agreement between the Lewis County Department of Social Services and Volunteer Transportation Center, Inc. to manage and supervise transportation requested by DSS for non-emergency Medicaid and Services using volunteer drivers with their own vehicles to provide transportation services for DSS clients.

Section 2. That this is for the period beginning January 1, 2016 and ending December 31, 2016 to reimburse Volunteer Transportation Center, Inc. for such transportation services in accordance with rates set forth in the relevant programs in which the DSS client participates. The local share cost is from 0% to 13%, depending upon eligibility of the client and of the specific program.

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 King , and adopted.

**RESOLUTION NO. 368 - 2015
RESOLUTION AUTHORIZING ADDITIONAL LEGAL FEES PURSUANT TO THE
RETAINER AGREEMENT WITH
WLADIS LAW FIRM FOR PROFESSIONAL SERVICES TO ASSIST IN
PREPARATION OF A PURCHASE POWER AGREEMENT (PPA)**

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

WHEREAS, the Board of Legislators authorized the Ways and Means Committee to further analyze and choose a potential Solar Developer for the County's intended Solar Photovoltaic (PV) System for the County's energy needs in an effort to reduce energy costs and its footprint on energy resources; and

WHEREAS, the Wladis Law Firm of 6312 Fly Road, East Syracuse, New York 13057 has expertise in providing legal consultation and advice in negotiating terms of Purchase Power Agreements (PPA) in relation to the development of a solar Photovoltaic (PV) system; and

WHEREAS, by Resolution No. 301-2015, the Board of legislators authorized the legal services of the Wladis Law Firm to assist the County Attorney in the negotiation of a Purchase Power Agreement with a Solar Developer, at the rate of \$225.00 per hour, for a total payment not to exceed \$3,000.00, unless further approved by the Board; and

WHEREAS, the professional services provided by Wladis on the review of proposed PPAs will exceed the initial authorized amount of \$3,000.00, and the expertise and legal advice of Kevin C. Murphy, Esq. on the matter is requested by the County Attorney to continue.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes continuance of compensation payable for the legal services of Kevin C. Murphy, Esq., of the Wladis firm at the rate of \$225.00 per hour as set forth in the executed Retainer Agreement between the County of Lewis and Wladis Law Firm, for the purpose of assisting in the negotiation, preparation and review of a Purchase Power Agreement (PPA) in relation to the development of a solar Photovoltaic (PV) system for Lewis County with a Solar Developer approved by the Board.

Section 2. That the Lewis County Board of Legislators hereby authorizes additional compensation to the firm for the professional services rendered by Kevin C. Murphy, Esq., not to exceed an additional \$4,000.00 unless approved by the Board.

Section 3. That the Chairman or Vice-Chairman is hereby authorized to execute, seal and deliver said Agreement, upon such form as approved by the County Attorney.

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

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

**RESOLUTION NO. 369 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND WWNY TV CHANNEL 7 NEWS
FOR THE LEWIS COUNTY SOLID WASTE DEPARTMENT
ADVERTISING CAMPAIGN**

NOVEMBER 3, 2015

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

WHEREAS, the County of Lewis, acting by and through the Lewis County Solid Waste Department desires to enter into an Agreement with WWNY TV Channel 7 News for an integrated media plan across multiple platforms designed to serve and promote recycling in Lewis County; and

WHEREAS, the advertising includes seven (7) months of 391 commercials on WWNY television station, pre-roll video on www.wwnytv.com and a link directly to www.NorthCountryRecyclers.org website and website investment at a cost not to exceed \$21,400.00; and

WHEREAS, the Agreement shall include WWNY TV Channel 7 News producing four (4) commercials (two [2] thirty second commercials and two [2] fifteen second commercials); and

WHEREAS, the Board of Legislators wishes to enter into the Agreement.

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 Solid Waste Department, and WWNY TV Channel 7 News for an integrated media plan designed to promote recycling in Lewis County.

Section 2. That the advertising plan, at a cost not to exceed \$21,400.00, shall include but not be limited to, at least 391 commercials, pre-roll video on www.wwnytv.com and linked directly to www.NorthCountryRecyclers.org website and website investment for seven (7) months, with the Contractor producing four (4) commercials.

Section 3. That the Chairman of the Board of Legislators or the Vice-Chairman be and the same is hereby authorized to execute, seal and deliver such Agreement upon such terms as may be approved by the Lewis County Attorney.

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

Moved by Legislator Kulzer, seconded by Legislator Pepper.

In response to Legislator Hathway, Legislator Brennan affirmed the expense would be financed from the enterprise fund.

Legislator Chartrand reiterated that the media advertising will focus on educating and encouraging the public to recycle.

The resolution was then adopted.

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**RESOLUTION NO. 370 - 2015
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:

Title	Name	Registration Number	Standard Work Day	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/ Month
County Clerk	Douglas Hanno	36316131	8	01/01/2012 - 12/31/2015	N	29.19
County Treasurer	Patricia O'Brien	34409250	8	01/01/2012 - 12/31/2015	N	22.23
Election Commissioner	Ann Nortz	36038362	8	01/01/2013 - 12/31/2016	N	23.39
Election Commissioner	Lindsay Burris	43463876	8	01-01/2013 - 12/31/2016	N	23.52
Jail Physician	Sean Hamey, M.D.	41010364	6	01/01/2012 - 12/31/2015	N	3.34
DSS Commissioner	Jennifer Jones	36250488	8	07/08/2015 - 07/07/2020	Y	
Asst. County Attorney	Mary Iocovoizzi	33988346	8	03/30/2015 - 12/31/2015	Y	

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Dir. Community Services	Patricia Fralick	34264044	8	09/23-2015 - 12/31/2015	Y	

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

**RESOLUTION NO. 371 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE
COUNTY OF LEWIS AND BONADIO & CO., LLP FOR
CONSULTING AND ASSESSMENT SERVICES FOR CERTAIN LEWIS COUNTY
DEPARTMENTS**

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

WHEREAS, the County of Lewis desires to enter into an Agreement with Bonadio & Co., LLP (“Bonadio Group”) to provide professional consulting and forensic assessment services to analyze the internal controls surrounding the handling of cash within a number of County Departments; and

WHEREAS, the scope of services to be provided by the Bonadio Group in this assessment shall include but not be limited to a review of the policies and procedures in place surrounding the handling and safekeeping of cash and cash transactions, as well as to identify the

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roles and responsibilities of individuals within department operations responsible for these tasks, and the development of a written report summarizing observations, findings and recommendations identified; and

WHEREAS, the compensation for such services on four (4) County Departments determined by the County Manager, shall not exceed \$6,840.00, with \$6,000.00 payable from the current audit account and \$840.00 from the contingency account; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the County of Lewis and Bonadio & Co., LLP to provide certain professional consulting and forensic assessment services on four (4) County Departments designated by the County Manager, to analyze the internal controls and procedures surrounding the handling and safekeeping of cash and cash transactions as set forth in the Bonadio Group's scope of services outlined in its proposal dated October 27, 2015.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Lewis County Manager to designate the four (4) Departments to participate in this assessment and forensic audit.

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 King , seconded by Legislator Hathway , and adopted.

**RESOLUTION NO. 372 - 2015
RESOLUTION TO APPROPRIATE AND TRANSFER
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 appropriations are hereby approved in various accounts due to increase in revenue in 2015 budget, utilizing Fund Balance:

Transfer from:	
A599 (fund balance)	\$1,000,000.00

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Transfer to:

A9950.9925 (to Cap Equip)	\$ 120,000.00
A9950.9926 (To Cap Hwy Bldg)	\$ 100,000.00
A9950.9928 (To Cap Eco Dev)	\$ 400,000.00
A9950.9940 (To Cap Radio)	\$ 180,000.00
A1680.4901 (IT Prof Serv)	\$ 25,000.00
A6412.4999 (LCIDA)	\$ 50,000.00
A8692.4999 (To Other Municipalities)	\$ 125,000.00

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

Moved by Legislator Dolhof, seconded by Legislator Hathway.

Legislator Moroughan made a motion to amend Section 1. To increase the transfer from fund balance to \$1,020,000.00 and add a \$20,000.00 appropriation to Transitional Living Services, Account No. A4318.4999 (TLS/COUNTY). The motion was seconded by Legislator King.

In response to Legislator Brennan, Liz Swearingin explained the State had denied the reallocation of SPOA funds as recommended and requested by the Community Services Board. After thorough review, Director of Community Services Patricia Fralick requested the additional County allocation to assist TLS with operational expenses during durational delays in billing reimbursements, changes related to DSRIP and substantial changes for implementation of ICD-10 coding.

Legislator Kulzer turned the discussion to the IDA allocation, confused as to the reasoning. Director of Economic Development Eric Virkler reported a total of \$150,000 is available to be loaned to small businesses, of which \$50,000 is committed. There are no other applications at this time. "The additional \$50,000 would be adequate to finance three (3) instead of two (2) business loan applications", stated Legislator Dolhof. Ms. Swearingin said the allocation was to support the 2016 small business loan fund program. Legislator Hathway clarified it was a one-time allocation.

In response to Legislator Brennan, Legislator Hathway clarified the allocation for the Capital Highway building account would potentially allow for project engineering to commence.

The amending motion to add an additional \$20,000 appropriation to TLS was then carried.

The resolution was then adopted.

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**RESOLUTION NO. 373 - 2015
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 \$232,416.03, funds transferred from A9950.9925 (To Capital Equipment):

HAD50310 (Inter-fund transfer) \$120,000.00

HAD9901.9 (Inter-fund transfer) \$120,000.00

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

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

**RESOLUTION NO. 374 - 2015
RESOLUTION TO
APPROPRIATE FUNDS
CAPITAL ECONOMIC DEVELOPMENT**

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 Economic Development account, balance of \$300,000.00, funds transferred from A9950.9928 (To Capital Eco Dev Projects):

HAJ50310 (Inter-fund transfer) \$400,000.00

HAJ9901.9 (Inter-fund transfer) \$400,000.00

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

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

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**RESOLUTION NO. 375 - 2015
RESOLUTION TO APPROPRIATE FUNDS
CAPITAL HIGHWAY BUILDING**

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 Highway Building account, balance of \$355,572.29, funds transferred from A9950.9926 (To Capital Hwy Bldg):

HAA50310 (Inter-fund transfer) \$100,000.00

HAA9901.9 (Inter-fund transfer) \$100,000.00

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

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

**RESOLUTION NO. 376 - 2015
RESOLUTION TO APPROPRIATE FUNDS
CAPITAL RADIO 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 Radio Equipment account, balance of \$467,123.40, funds transferred from A9950.9940 (To Capital Radio Equipment):

HA50310 (Inter-fund transfer) \$180,000.00

HA9901.9 (Inter-fund transfer) \$180,000.00

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

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

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**RESOLUTION NO. 377 - 2015
RESOLUTION AUTHORIZING TRANSFER OF FUNDS
TO THE INDUSTRIAL DEVELOPMENT AGENCY (“IDA”) AND A
MEMORANDUM OF UNDERSTANDING BETWEEN
THE COUNTY OF LEWIS AND THE IDA FOR THE SMALL BUSINESS LOAN FUND**

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

WHEREAS, the County of Lewis, by its Economic Development Department, desires to provide funding of \$50,000.00 to the Industrial Development Agency (“IDA”) to support the Small Business Loan Fund program, and the IDA is expected to administer the loan fund on behalf of the County; and

WHEREAS, the County of Lewis supports this loan program, to be administered by the IDA, and agrees to enter into a Memorandum of Understanding with the IDA to outline the continuing terms and conditions for advancement of the funds for small businesses in the County of Lewis who are eligible for such loans.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes \$50,000.00 from the fund balance to the IDA, conditioned upon these funds being used explicitly to support the Small Business Loan Fund program.

Section 2. That the Board of Legislators further authorizes a Memorandum of Understanding to be entered into between the County and IDA to outline the continuing terms and conditions for advancement of this fund program, and any other provisions required to give effect to this authorization as the County Attorney may advise.

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

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

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

**RESOLUTION NO. 378 - 2015
RESOLUTION AUTHORIZING ONE-TIME DISTRIBUTION
TO TOWNS AND VILLAGES**

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

NOVEMBER 3, 2015

WHEREAS, the County implemented various cost saving measures in 2015 together with a number of shared services under its Government Efficiency initiative, which resulted in a revenue surplus, a portion of which the County seeks to distribute to the Towns and Villages of the County as a one-time distribution, in order to assist each town and village with expenses in the continuation of Government Efficiency efforts, as each jurisdiction may determine.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the following one-time distribution of \$125,000.00 to the named Towns and Villages in the County of Lewis for the amounts opposite each based on apportioned property valuations:

Town of Croghan	\$16,187.17
Town of Denmark	6,892.06
Town of Diana	8,114.45
Town of Greig	12,972.32
Town of Harrisburg	2,016.01
Town of Lewis	4,056.63
Town of Leyden	5,034.33
Town of Lowville	6,129.83
Town of Lyonsdale	4,285.11
Town of Martinsburg	5,152.23
Town of Montague	2,162.27
Town of New Bremen	9,008.72
Town of Osceola	2,531.45
Town of Pinckney	1,789.63
Town of Turin	3,209.18
Town of Watson	11,616.13
Town of West Turin	5,158.21
Village of Castorland	674.40
Village of Constableville	701.08
Village of Copenhagen	1,654.11
Village of Croghan	1,454.84
Village of Harrisville	1,071.24
Village of Lowville	9,881.22
Village of Lyons	1,719.95
Village of Port Leyden	939.02
Village of Turin	<u>588.41</u>
Total:	\$125,000.00

Section 2. That the Treasurer is directed to make the aforesaid payments from the Lewis County fund balance.

Section 3. That this Resolution shall take effect immediately.

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Moved by Legislator Brennan, seconded by Legislator Pepper.

Legislator Brennan commended his colleagues for assisting Town and Village governments who may be struggling.

The resolution was then adopted.

**RESOLUTION NO. 379 - 2015
RESOLUTION IN MEMORIAM OF ROBERT ARCHER**

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

WHEREAS, Robert Archer recently departed this life on October 31, 2015; and

WHEREAS, he began service with the County of Lewis as a Highway Department laborer in May 1952, thereafter as an MEO, General Foreman and Deputy Superintendent of Highways, being appointed and serving as Lewis County Superintendent of Highways from May 1, 1982 until retiring on October 18, 1991; and

WHEREAS, it is proper for us as friends, acquaintances and members of this Board of Legislators to record our recognition and appreciation for the sincere, unselfish and valuable services rendered by the deceased.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That as an enduring record and mark of respect to the memory of the deceased, Robert Archer, an honorable and able public official, this Resolution shall be printed in the official record of the proceedings of the Lewis County Board of Legislators and a copy thereof forwarded to the family of Robert Archer.

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

OTHER BUSINESS:

Legislator Hathway made a motion to schedule a special meeting for Tuesday, November 10, 2015 at 2 p.m. for the County Budget Officer to present the 2016 Tentative County Budget, seconded by Legislator Brennan and carried.

At 6:26 p.m. Legislator Pepper made a motion to enter executive session to discuss contractual and legal issues, seconded by Legislator King and carried. The session commenced at 6:34 p.m. after a short recess. At 7:20 p.m. Legislator Chartrand made a motion to re-enter regular session, seconded by Legislator Moroughan and carried.

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There being no other business to come before the Board, Legislator Chartrand made a motion to adjourn, seconded by Legislator Brennan and carried.

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**SECOND DAY
ANNUAL SESSION
November 10, 2015**

The meeting was called to order at 2:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislators Brennan and Pepper whom had each been excused.

Legislator Hathway offered the Invocation, followed by a moment of silence for those recently deceased. Chairman Tabolt then led the Pledge of Allegiance to the Flag.

There were 11 County Department Heads and Fiscal Managers present, as well as one non-profit agency representative.

Chairman Tabolt announced approval of the November 3, 2015 meeting minutes.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

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

Dated: November 10, 2015

Lawrence Dolhof
Bryan Moser, Committee

Legislator Moroughan made a motion to accept the recommendation, seconded by Legislator Moser, and carried.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Clerk read a note from the Family of Robert Archer expressing their appreciation for the Board's kind remembrance of him and his public service.

The Yates County Legislature had submitted a resolution urging the Governor and State Legislature to gradually restore the 50/50 State/County sharing for the safety net program and to increase shelter grant reimbursements to counties.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

County Manager and Budget Officer Liz Swearingin presented the 2016 Tentative County Budget, a copy of which had been distributed to each Legislator and the Clerk of the Board; and read her following budget message:

To: Chairman Michael Tabolt and County Legislators

NOVEMBER 10, 2015

Enclosed for your review and consideration is the proposed 2016 tentative budget for Lewis County. First, I would like to thank the Lewis County Legislators, especially the Ways and Means Committee, and the Lewis County Department Heads and their teams for their hard work and thoughtful discussions we have had over the past several weeks and months regarding the 2016 budget. Collaboration and discussion are key to a successful product, not only for county government but for the communities we are entrusted to serve. I would also like to especially thank Patty O'Brien, County Treasurer, whose steady guidance, insightful ideas and tireless work ethic make this budget manageable, and even pleasant.

I am happy to report that the tentative budget for 2016 will again have a:

Decrease in the tax rate per \$1000 from 7.58 in 2015 to 7.44 in 2016

Decrease in the use of fund balance from \$1.3M in 2015 to \$920,000 in 2016

And, we will be under the state mandated tax cap by \$27,336

Because our Government Efficiency Plan, which 23 of our 26 municipalities participated in, was approved by New York State, eligible taxpayers will receive additional income tax rebates. Across New York State, many counties are raiding their fund balances or increasing tax rates; we are not.

This past year, we put in place a process for every department to review their budgets every month with their legislative committees. This has increased accountability for results and kept everyone more informed about cost drivers and financial results.

This is a fiscally responsible budget with no reduction in county services.

I will now speak to the County budget. For purposes of this discussion, I am excluding the Lewis County General Hospital. The Board of Managers approved the hospital's budget at their November 2, 2015 meeting. The hospital is an EBF or an Enterprise Business Fund, and their budget is expected to be a net zero where revenues equal expenses. The budget approved by the Board of Managers and submitted to the County includes a 3.2% increase from \$67.63M to \$69.79M. The County's budget includes the annual \$2.8M subsidy to the hospital.

Global Assumptions for 2016 Tentative Budget

- Targeted general fund balance is \$11M or approximately 10% of our total budget
- Maintain our A+ credit rating
- Maintain County Service Levels
- No increase in fees for County services
- Lower the use of fund balance to \$500,000 or less within the next 5 years to account for the loss of windmill money in December of 2021
- Continue to set aside money for a highway garage -layaway plan

Financial Summary

While revenues are less year over year, expenses fell further, leaving a net gain year over year of \$118,296. In addition, the recommendation is to continue to reduce the County's use of

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fund balance- as a way to lower taxes- and utilize \$920,000 for a net total tax levy of \$15.1M. Eventually, the goal is to have revenues match expenses and eliminate or significantly reduce the use of fund balance. Taxable land value increased \$70M of 3.6% versus the levy increase of 1.65%.

	2015 Adopted Budget	2016 Tentative Budget	Year Over Year Differences
Total Revenues	28,055,859	27,921,646	Revenues year over year are less by \$134,213
Total Appropriations or Expenses	44,216,987	43,964,478	However, expenses are also less by \$252,509
Balance to Be Raised by Taxes	16,161,128	16,042,832	Net balance is \$118,296 head of last year
Less: Applied Fund Balance	1,283,860	920,000	Continued to decrease reliance on fund balance
Real Property Tax	14,877,268	15,122,832	Net increase in tax levy is \$245,564 or 1.65%
Taxable Value as of 10/26/15	1,962,824,475	2,033,493,706	Increase of \$70.6M or 3.6%
County Tax Rate	7.54	7.44	

The major increases in expenses year over year were a \$400,000 increase in healthcare costs, the second highest increase was a contractual increase of 2% wage increase of \$356,899.

Offsetting the increases were reductions in funding requirements for the New York State Retirement System \$420,000, reductions in staff \$266,000, plus we renegotiated numerous contracts this year for insurance, copiers and phone systems that contributed \$115,000 to year over year savings.

Risk

The County budget always has risks associated with the number of kids in foster care or early intervention services or pre K. The assumptions in the budget are based on history plus the department heads best knowledge of the clients they serve. Because we have the monthly review process in place for all departments, should we run into a spike in any of these areas, we will have early warnings with the potential to make adjustments mid-year if necessary.

However, the single biggest risk in the county budget for 2016 and beyond is the dramatically rising cost of healthcare and specifically retiree healthcare for ages 55 to 64. The 55-64s are the highest consumer of pre Medicare healthcare dollars. While well intentioned when the county benefits were negotiated, the landscape of healthcare has changed too dramatically to ignore the consequences. We are not on a sustainable or fiscally sound path. Lewis County has a steady but aging population that will depend more and more on individuals with fixed incomes. To date, both the hospital and the county have engaged in productive discussions with the union leadership, but we have not had any successful movement forward toward solving this problem. It is vital that we work together with union leadership and our county employees to come to a negotiated solution.

Revenues

77% of county revenue come from 3 sources:

- Sales tax \$10.7M or 38%
- State Aid \$6.3M or 23%
- Federal Aid \$4.5M or 16%

NOVEMBER 10, 2015

In 2016 it is recommended that the board approve an increase to the budgeted sales tax by \$265,000. That may seem counter intuitive, given the press regarding lower sales tax throughout the north country, however; Lewis County has historically been very conservative regarding sales tax. In the last five years including this year, on average, Lewis County sales tax has come in about \$980,000 over budget.

The detail revenue breakdown is as follows:

Revenues	2015 Adopted Budget	2016 Tentative Budget	Increase or (Decrease)
Sales Tax	10A83,500	10,748,500	265,000
State Aid	6,276,163	6,288,117	11,954
Federal Aid	4,781,002	4,532,985	(248,017}
Pilots and Tax Sales	2,795,000	2,825,000	30,000
Fees & Charges Collected by Departments	2,367,116	2,178,533	(188,583}
Sale of Forest products, tobacco settlement, etc.	480,000	515,300	35,300
Interest on deposits and rent	207,670	224,340	16,670
Charges to Other Governments	188,271	188,271	-
Miscellaneous	215,991	167,255	(48,736}
Home & Community Services	130,000	124,395	(5,605}
Licenses & Permits	71,896	70,000	(1,896}
Fines and Forfeitures	59,250	58,950	(300}
	28,055,859	27,921,646	(134,213}

Expenses:

75% of County expenses fall into 9 categories of spend:

- Salaries paid to employees \$12,556,632 or 29%
- Employee Benefits including Retirees \$6,976,380 or 16%
- Medicaid payment to New York State \$5,050,000 or 11%
- IGT required payment to support Lewis County General Hospital \$2,800,000 or 6%
- Community Service Pass Through Programs (NCIRL, TLS, etc.) \$1,795,042 or 4%
- Pre K \$1,214,043 or 3%
- Foster Care \$1,150,000 or 3%
- Community College \$800,000 or 2%
- Outside Agencies (Cornell, Soil & Water, etc.) \$525,000 or 1%

Appropriations / Expenses	2015 Adopted Budget	2016 Tentative Budget	Increase / (Decrease)
Employee Salaries	12,380,038	12,556,632	176,594
Employee Benefits Including Retirees	7,205,351	6,976,380	(228,971)
Medicaid	5,105,100	5,050,000	(55,100)
IGT	2,800,000	2,800,000	-
Community Service Programs: E.g. NCIRL, TLS, etc.)	1,107,965	1,795,042	87,077

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Pre K	1A54,996	1,214,043	(240,953)
Foster Care	1,150,000	1,150,000	-
Community College	800,000	800,000	-
Outside Agencies (e.g. Cornell, Soil & Water, etc.)	509,000	525,000	16,000
Subtotal	33,112A50	32,867,097	(245,353)
All Other	11,104,537	11,097,379	(7,158)
Total	44,216,987	43,964A76	(252,511)

Headcount

There is a net decrease in headcount year over year of seven positions.

Clerk of the Board	-1	Clerical
Human Resources	-1	Clerical
Sheriff	-1	Clerical
Probation	1	Temporary to cover for medical leave
DSS	-2	Case worker and Coordinator
Public Health	-3	Includes +1for popuation health specialist
Net Decrease January 2015 to December 2016	-7	

Capital Accounts

In 2015, County Government initiated and completed several critical capital projects that are now complete (E.g. renovations to the highway garage, replacement of critical IT server equipment, PSB renovations, etc.) Many overdue projects are now complete. 2016 is expected to be a year for routine maintenance expenses with no other major project funding.

Of particular note, after years of planning and project implementation, the Emergency Radio Project will be going live next week. This \$11M project will come in under budget. \$6M was covered by grant money, the remaining \$5M was expected to be debt carried by the county. Due to prudent management of the project, the \$5M county liability has been reduced to \$2.9M.

Included in the budget is 2016 prioritized spending for capital projects. They are as follows:

	Capital Buildings (incl DSS, Courthouse, Highway, PSB) (1)	Capital Data Processing (2)	Capital Equipment Vehicles (3)	Capital Highway (4)	Radio Project (5)	
Current Balance	\$ 609,541	\$ 141,222	\$ 232,415	\$ 355,572	\$ 435,695	
2016 Appropriati	\$ 66,000	\$ -	\$ 297,000	\$ 200,000	\$ 800,000	
Total 2016 Appro	\$ 675,541	\$ 141,222	\$ 529,415	\$ 555,572	\$ 1,235,695	
(1) Funding at \$100,000 less than in 2015, major projects completed in 2015						

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(2) Major projects (servers, phones, office 365 all completed in 2015. Emphasis on 2016 will be on Implementation.
(3) Of the \$529,415: \$200,000 is for highways, other requests include: 2 replacement cars for each Sheriff and for DSS
(4) For new highway garage
(5) Current BAN is \$2.9M. This funding is to pay down debt

Debt

County Government has been very careful not to acquire a debt that they cannot afford to pay for. The County's current debt obligations are:

		Outstanding 12/31/15	Principal Due 2016	Interest in 2016	Interest Rate	Maturity
County Courthouse	BOND (1)	8,350,000	265,000	357,200	4%	2037
Emergency Radio	BAN (2)	2,900,000	-	25,000	1%	Annual
1. The County has filed for a refinancing of the County Courthouse bond in 2016 It is expected that the interest rate will drop by more than 50%.						
2. The Radio project borrowed a total of \$2.9M versus the \$5M originally budgeted. Of the \$2.9M, \$800,000 is currently available to pay down debt. The intent is to aggressively pay down the remaining \$2.1M						

State Mandates

No County Budget in New York State would be complete without a discussion of State Mandates. These are the 9 programs that New York State requires counties to fund. In March of this year, Pew Charitable Trusts, shows that New York State gets more than 15% of its revenues from local government to fund and implement services. The average for the other 49 remaining states is 0.8%. By a factor of nearly 20 times, New York State relies more than any other state on local government revenues to support state services and public policy goals. When elected representatives can pass laws and add regulations to the books that they do not have to pay or figure out how to fund, there is no accountability for spending.

78 cents of every Lewis County tax bill goes directly to New York State for the following programs:

	Budgeted Expense	County Share
Indigent Defense	391,671	391,671
Probation	520,769	415,169
Pre K	1,335,949	514,158
Early Intervention	223,777	128,616
Medicaid	5,874,984	5,050,000
Pension	1,975,335	1,975,335
Foster Care	3,208,024	230,085
Safety Net	547,970	412,134
Youth Detention	108,778	2,100
IGT/ Lewis County support for LC General Hospital	2,800,000	2,800,000

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	16,987,257	11,919,268
Tax Levy	15,122,832	
%to levy	1.1232	
%of County Share Supporting Mandated Programs		78.8%

The intent of the programs is good, the fiscal discipline and process for controlling costs in Albany needs some work and attention.

Summary

The 2016 Lewis County budget is a fiscally responsible budget. Without reducing services or increasing fees, the county will remain under the tax cap without raiding the fund balance.

On a home with a taxable value of \$100,000 the county tax bill would reduce from \$758 to \$745.

The 2016 Lewis County budget is respectfully submitted for public comment and approval.

Speaking on behalf of the entire Board, Chairman Tabolt sensed that everyone was pleased with the Tentative budget, thanking Liz, Patty O'Brien and the Ways and Means Committee for a terrific job, especially compared to portrayed budget challenges of surrounding counties.

Legislator Hathway compared property tax rates from 10 years ago of \$8.67 per thousand to the current \$7.44 equating a 14% reduction. The average tax rate over the ten years was \$7.38. Over the past four years, the average tax rate has been \$7.45, while during the same period, the annual use of fund balance has been reduced from \$2,244,187 million to the current \$920,000. Meanwhile, the fund balance has increased to the recommended \$11 million level.

Legislator Hathway proudly relayed the accuracy of the Board's consistent conservative budgeting approach. He personally credited and extended gratitude to Liz Swearingin and Patty O'Brien for tracking and closely monitoring the budget. Citing the favorable financial status, he also thanked his colleagues for respective prudent actions.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Buildings and Grounds/Ways and Means Committee Chairman reported the Committee intention to finalize and propose their recommendation for a Power Purchasing Agreement (PPA) for action on 11/19/15.

SPECIAL REPORTS:

Chairman Tabolt referenced the next meeting of the Inter-County Committee of the Adirondacks scheduled in Fulton County on 11/19/15, asking if any Legislator would

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represent the County to advocate for resolutions urging State take-over of expenses related to Indigent Legal Defense and opposing the EPA's definition of "Waters of the U.S." under the Clean Water Act. Legislator Moroughan offered to attend.

After consulting with the Board, Chairman Tabolt announced the traditional Christmas luncheon would be held following the final meeting of the year on 12/22/15.

RESOLUTIONS:

**RESOLUTION NO. 380 - 2015
RESOLUTION TO SET PUBLIC HEARING ON
2016 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 2016 Tentative County Budget to be held in the second floor board room of the County Court House, State Street, Lowville, New York on the 19th day of November, 2013 to begin at 5:00 p.m.

Section 2. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 381 - 2015
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 re-appoints John Jones of Post Office Box 57, Beaver Falls, New York 13305 as a member of the Region 6 Fish and Wildlife Management Board, as the Lewis County Sportsmen's Representative.

Section 2. That the term of said appointment shall be for the period from January 1, 2016 through December 31, 2017.

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

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

**RESOLUTION NO. 382 - 2015
RESOLUTION TO AMEND SICK LEAVE BANK POLICY**

Introduced by Legislator Bryan Moser, Chairman of County Officers and Employees and Human Resources Committees.

WHEREAS, Lewis County established a voluntary Sick Leave Bank per Resolution No.106-1991 that is administered by the Labor Management Committee, to establish a formula and guidelines for participation in the sick leave bank for catastrophic and/or prolonged illnesses and injuries of its members; and

WHEREAS, the Committee desires to make amendments to the Sick Leave Bank Policy, which is subject to the approval of the Lewis County Board of Legislators; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the amendments to the Sick Leave Bank Policy, as established by the Labor Management Committee, and attached to this Resolution.

Section 2. That the Clerk of the Board is hereby directed to make the amendments as herein set forth to the Administrative Manual upon such form as may be approved by the County Attorney and distribute the same to all Department Heads.

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

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

**SICK LEAVE BANK POLICY &
PROCEDURES**

*(Revised: September
2015)*

1. There shall be established a voluntary Sick Leave Bank to be administered as per the collective bargaining agreement by the Labor-Management Committee to provide additional sick leave for catastrophic and/or prolonged illnesses and injuries of its members. The Labor-Management Committee shall develop, maintain and

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enforce the rules and regulations of the operation of the Sick Leave Bank.

2. All county employees that accrue sick time are eligible to become members of the Sick Leave Bank by donating three (3) days of their own accumulated sick leave days to the bank upon initial enrollment or reenrollment and one (1) day each year thereafter due on the first of August of each year. Members must have 10 days of accumulated sick time to be eligible to join the bank.
3. New members may join on August 1st of each year. Membership in the Sick Leave Bank shall continue each year until the member notifies the County Treasurer's Department of his/her intent to voluntarily withdraw from the bank. Such withdrawal from the Sick Leave Bank shall be only on August 1st of each year. Days contributed to the Sick Leave Bank are nonrefundable.
4. In the event of a prolonged/catastrophic illness or injury in excess of twenty (20) working days, with medical verification, a member whose paid accumulated time (sick, vacation, compensatory and personal) has been exhausted may be entitled to draw up to a maximum of 60 days or 15% of the Sick Leave Bank (whichever is less) in a given year.
 - a) The employee will not be required to disclose the nature of their illness. The employee will be required to provide a physician's certificate that gives a beginning date and an end date for the medical leave. The committee can consider a request to waive the requirement for an end date. For the purposes of the Sick Leave Bank, statements from medical providers other than physicians (i.e. Nurse Practitioners and Physician Assistants) will be accepted. Each request will be evaluated on an individual basis and exceptions may be considered.
 - b) Sick Leave days will not be granted for Maternity Leave, Workers Compensation cases or illness of a family member.
5. Sick Bank requests must be routed through the employee's first-line supervisor (or other member of the supervisory chain to include the department director) to the Human Resources director, who will convene the labor-management committee to consider the request. A copy of the request will be provided by the employee to the local labor union representative.
 - a) The decision of the Labor-Management Committee in connection with application for Sick Leave Bank usage shall be final and binding and shall not be subject to review by the grievance procedure contained in the employee contract between the County of Lewis and CSEA or by any other method.
 - b) The Committee reserves the right, with the concurrence of a medical advisory member of the committee, to request a second medical opinion.

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- c) The committee's final decision on the Sick Leave Bank request will be provided to the Department Head and to the employee as soon as practicable.
- 6. When an employee is on sick leave time from the Sick Leave Bank, all benefits will accrue to the employee. Members that use the Sick Leave Bank are not required to make any contribution other than those stated above.
 - a) The employee will not be required to use their accrued time during their medical leave covered by Sick Leave Bank hours. This will provide them some earned benefit time when they return to work.
 - b) If the employee returns to work prior to using up all Sick Leave Bank hours, those unused hours are returned to the bank.
- 7. When the total accumulation of days in the bank reaches 400 or more, no further annual contributions will be necessary to continue membership in the bank. When the bank falls below 400 days, annual contributions will begin again.
- 8. A review of this policy will be made periodically or as mutually agreed upon by the Labor-Management Committee and submitted to the Board of Legislators for final approval.

OTHER BUSINESS:

At 2:32 p.m. Legislator Dolhof made a motion to enter executive session to discuss contractual negotiations, seconded by Legislator Moser and carried. At 2:45 p.m. Legislator Chartrand made a motion to re-enter regular session, seconded by Legislator Dolhof and carried.

There being no other business to come before the Board, Legislator Dolhof made a motion to adjourn, seconded by Legislator Moser and carried.

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**THIRD DAY
ANNUAL SESSION
November 19, 2015**

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 Pepper whom had each been excused.

Legislator Hathway offered the Invocation, followed by a moment of silence for those recently deceased. Chairman Tabolt then led the Pledge of Allegiance to the Flag.

There were 20 citizens present.

Chairman Tabolt announced approval of the November 10, 2015 meeting minutes.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

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

Dated: November 19, 2015

Craig Brennan
Bryan Moser, Committee

Legislator Moser made a motion to accept the recommendation, seconded by Legislator Brennan, and carried.

Chairman Tabolt opened the hearing for public comments on the 2016 Tentative Lewis County Budget.

PRIVILEGE OF THE FLOOR:

Eileen Mathys, representing the Croghan Free Library and all Lewis County libraries, thanked the Board and County Manager for their past support, expressing appreciation for the hard work and budget decisions they face. She cited the challenges to provide library services, reporting program attendance has increased by 41% over the past decade, the number of computers for public use have increased by 33%, while inter-library loans and sharing has increased astronomically to evoke efficiencies. Ms. Mathys made a plea to the Board to increase the libraries' allocation to last year's level of \$30,000, to help them continue the level of services residents deserve.

Mountain View Prevention Services Executive Director Arlene Hall reported her perspective on a recent meeting of 50-70 service providers and advocacy agencies to discuss drug problems. The forum was sponsored by the Assembly Minority Task Force on Heroin and Community Response by Assemblymen Kenneth Blankenbush and Will Barclay. One goal is to affect change in the way insurance companies reimburse for alcohol and substance abuse treatment.

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Ms. Hall told of an individual who was “clean” after the allowed 28-day in-patient treatment, was released and then died of an overdose before a plan was devised for ongoing treatment.

Family members had shared their stories and impressed the need for an in-patient “detox” unit in the North Country, the closest being in Canton. Addiction, said Ms. Hall, is a non-discriminatory disease. Those afflicted by heroin and like substances need facilities and certified professionals for proper treatment. Unlike other chronic addictions that are routinely treated and recognized by health insurance carriers, treatment of drug abusers is very limited. An individual had relayed her personal experience of affliction urging the need for affordable and supportive treatment options. Ms. Hall reported that Dr. Daniel Pisaniello is certified for suboxuom treatment.

Credo provides out-patient and group therapy for males with an average six-month treatment plan, but there is a lack of services for women abusers. The Jefferson County Assistant District Attorney spoke of the human trafficking of women prostitutes who feel they have no way out of that lifestyle.

Sheriff Michael Carpinelli and District Attorney Leanne Moser had each reinforced the importance of education of young persons, posing reinstatement of the D.A.R.E. Program for outreach to school students; and the prosecution of criminals and success of the Drug Court program. Law enforcement and human services workers that enter homes to investigate and/or assist persons have heightened concern for the substantial increase in methamphetamine use and resulting dangerous causes. The Sheriff has a dedicated phone line and encourages anyone with questions or concerns about Opioids or other substances, or may anonymously alert about suspicious activity by calling 376-2020.

In response to Assemblyman Will Barclay’s inquiry of how drugs reach the County, Ms. Hall merely cited the main access State highways that provide a relatively easy pathway for drug trafficking, while citing the associated money value as incentive.

She had also participated in a forum of the Northern Tier Providers’ Coalition of Treatment, Prevention and Recovery attended by Senator Elizabeth O’C. Little and Assemblywoman Janet Duprey. Ms. Hall encouraged everyone to visit the combatheroin.ny.gov website developed by the New York State Office of Alcohol and Substance Abuse Services (OASAS) where many personal stories are displayed to compel changes to enhance recovery.

Mountain View Prevention Services, she said, operates on the premise of combined strategies with a staff of 10, 7 of which work in local schools and reach out to 1,500-1,700 kids aged K-12 annually. Employees have reached out to clergy and physicians as the most likely persons an afflicted individual or family member may turn to in a crisis. They sponsor and participate in forums, continually network at community events, and utilize school newsletters, newspaper articles and other media outlets to educate about the affects of all substances, all toward the goal of prevention. During the Safe Pill Drop-Off Day 188 lbs. were collected with no questions asked; and a Methamphetamine Awareness Week will be held from 11/30-12/4/15.

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Ms. Hall reported submission of a 5-year Drug Free Communities' matching grant application for \$125,000, utilizing information collected from the on-line community adult survey.

The September "High In Plan Site" forum was attended by 140 law enforcement officials across the region. The Montana presenter illustrated prevalent trends in clothing, electronic devices and other products and how they are marketed for use by persons to conceal drugs and related odors. There is particular concern for harmful edible products marketed to kids.

Mountain View Prevention Services staff continually review the influx of educational and awareness materials and notices about new products and trends received through various sources that is shared with service providers, law enforcement officials and the public-at-large through every available medium.

In closing, Ms. Hall thanked the Board for County appropriations which enables the agency to avail matching grant funds. Several informational flyers and brochures were left for distribution.

SPECIAL COMMITTEE REPORTS:

Legislator Craig Brennan reported on his and Legislator Moroughan's attendance at the Inter-County Legislative Committee of the Adirondacks earlier today in Johnstown. He is encouraged by the gained momentum for the initiative to urge the State Legislature to approve an increased ATV weight for permits to include UTV side-by-sides. Our position has been strengthened by the documented support of the Western Inter-County group, as a direct result of our Board's outreach.

At that meeting, NYSAC representative Dave Lucas reported ongoing analysis to determine the State-wide ramifications of the proposed \$15.00 minimum wage. Legislator Brennan invoked the potential devastating affects for Lewis County economics due to our lower wage for entry-level employees that would force reconsideration of professional wages across the board.

Mr. Lucas had also informed the Governor's pursuit of transformative initiatives from across the State that could be financed by the \$2.3 billion discretionary allocations received through bank settlements. Legislator Brennan further cited the additional \$1.5 billion available for shared services projects.

Mr. Lucas had also distributed information on the Environmental Protection Agency's (EPA) proposal to expand their jurisdictional authority to include smaller waterways that would negatively impact local farmers and unnecessarily divert local scarce resources.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

STANDING COMMITTEE REPORTS:

Legislator Bryan Moser, Junkyards/Veterans' Services Committee Chairman, relayed that Derek Davey had provided quarterly veteran contact and benefit numbers. Also, Ward Dailey had apprised of his concern with delays in non-compliance notification to junkyard owners.

On behalf of Legislator Brennan, Legislator Moser reported the Solid Waste/Transportation Committee had an executive session discussion about Solid Waste Department contractual and personnel issues. Also, Highway Superintendent David Becker had reported ordering materials for the bridge on the Cemetery Road, and that snowplows are ready for the season.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, reported the new radio communications system went live yesterday. E.F. Johnson representatives are working on minor necessary adjustments and some pagers are being re-programmed. One defective unit that affects phone communications is being replaced by the company.

SPECIAL REPORTS:

Chairman Tabolt expressed appreciation for U.S. Senator Charles Schumer's visit to the Kraft/Hines facility, impressed with the time he spent, the pride he portrayed in the project and his willingness to support expanded developments.

Chairman Tabolt declared the public hearing closed at 5:54 p.m.

Legislator Brennan made a motion to authorize Recreation, Forestry and Parks Director Jacqueline Mahoney to travel to Hartford, CT from January 21-25, 2016 for the Northeast RV and Camping Show. The motion was seconded by Legislator Moser and carried.

RESOLUTIONS:

On behalf of Legislators Chartrand and King, Ways and Means Committee Chairman Philip Hathway congratulated County Clerk Douglas Hanno on his impending retirement. He thanked him for his tireless efforts for the benefit of the County. At his request, the following resolution was read in its entirety, after which each Legislator personally acknowledged Mr. Hanno by a hand shake.

RESOLUTION NO. 383 - 2015 RESOLUTION IN RECOGNITION OF DOUGLAS P. HANNO

Introduced by Legislator Philip Hathway, Chairman of the County Clerk Committee.

WHEREAS, **Douglas P. Hanno** commenced his duties as Lewis County Clerk on January 1, 2000, initially selected by an overwhelming majority of the electorate in 1999 and in three subsequent general elections thereafter; and

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WHEREAS, during his tenure, operations have been computerized and new technology implemented for retention of records which have resulted in efficiencies, ease of public access to records and substantial space reduction for required records; and

WHEREAS, he has consistently endeavored to retain the highest level of professional and courteous customer service, particularly at the motor vehicle office, as the best practice to counter efforts from the State level to usurp local revenue through the ease of on-line services; and

WHEREAS, **Douglas P. Hanno** portrays the epitome of community service in several ways, not the least of which for instituting “Hot Dog” days in the Court House, for which he has donated and grilled every hotdog for over 30 luncheons and raised more than \$16,500.00 which has been passed along to assist various local charity organizations and individuals in need of a helping hand; and

WHEREAS, it is proper for us as friends, acquaintances and members of this Board of Legislators to record our recognition and appreciation for the sincere and valuable services rendered by **Douglas P. Hanno**.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That as an enduring mark of respect for the honorable and conscientious public service of **Douglas P. Hanno**, this resolution shall be printed in the official record of Proceedings of the Lewis County Board of Legislators, and a copy thereof forwarded to Douglas P. Hanno.

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

**LOCAL LAW (INTRODUCTORY NO. 10 - 2015)
COUNTY OF LEWIS**

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

**A LOCAL LAW RESCINDING LOCAL LAW NO. 6-2015 TO OVERRIDE THE TAX
LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX
CAP) FOR THE LEWIS COUNTY 2016 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. 6-2015 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2016 BUDGET.”

PROCEEDINGS OF THE BOARD OF LEGISLATORS

SECTION 2. LEGISLATIVE FINDINGS

The Board of Legislators for the County of Lewis hereby finds and determines that the anticipated budgetary needs for fiscal 2016 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 2016 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 authorize rescission of Local Law No. 6-2015.

SECTION 5. EFFECTIVE DATE

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

**RESOLUTION NO. 384 - 2015
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 10 - 2015), 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 19, 2015 a proposed Local Law entitled “LOCAL LAW RESCINDING LOCAL LAW NO. 6-2015 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2016 BUDGET.”

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on December 1, 2015, 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

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House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

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

**LOCAL LAW (INTRODUCTORY NO. 11 - 2015)
COUNTY OF LEWIS**

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

**A LOCAL LAW PROVIDING FOR AN INCREASE
IN SALARIES FOR CERTAIN LOCAL OFFICIALS**

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

SECTION 1. Commencing January 1, 2016, 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	\$69,360.00
Superintendent of Highways	\$71,000.00
Commissioners of Elections	\$42,344.00

SECTION 2. This Local Law is subject to a permissive referendum and shall take effect 45 days after the adoption hereof and all legal requirements having been met.

**RESOLUTION NO. 385 - 2015
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 11 - 2015), COUNTY OF LEWIS**

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on November 19, 2015 a proposed Local Law entitled "A LOCAL LAW PROVIDING FOR AN INCREASE IN SALARIES FOR CERTAIN LOCAL OFFICIALS."

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on December 1, 2015, 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.

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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 Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 386 - 2015
RESOLUTION AUTHORIZING AMENDMENT TO THE 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 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, the Board of Legislators awarded 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 as the "best value" for the County as that term is defined by Local Law No. 7 – 2013, and subsequently entered into a contract with E. F. Johnson Technologies, Inc. dated March 21, 2014; and

WHEREAS, the contract provided for substantial completion of the radio upgrade system by July, 2015, and with E.F. Johnson entitled to final payment upon the County's "beneficial use" and "final acceptance" of the system; and

WHEREAS, the County will not be able to test the system and performance guarantees set forth in the contract under "full foliage conditions" until June, 2016, but seeks to have a system cut-over/beneficial use of the seller provided equipment on or about November 18, 2015, with formal system coverage acceptance testing and other services required to render the project suitable for Final Acceptance by the County by June 30, 2016; and

WHEREAS, since the County will be using the system and equipment prior to "Final Acceptance" in June, 2016, the County recognizes that the contract implementation schedule,

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warranty and maintenance schedules, performance and payment bond and milestone payments under the original contract must now be modified; and

WHEREAS, the Board of Legislators wishes to amend the contract with E.F. Johnson Technologies to incorporate these modifications and amendments to reflect the changes necessary to extend the Final Acceptance terms to June 30, 2016.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes an amendment to the contract with E. F. Johnson Technologies, Inc. dated March 21, 2014, to incorporate such terms and conditions to the implementation schedule, warranty and maintenance schedules, performance and payment bond required amounts, and milestone payment required amounts to reflect the extension of the Final Acceptance date to June 30, 2016.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Change Order/Modification/Extension Agreement, upon such form(s) as may be approved by the County Attorney.

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

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

**RESOLUTION NO. 387 - 2015
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY OPPORTUNITIES, INC.
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 Lewis County Commissioner of Social Services **Jennifer Jones**, 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 December 31, 2018.

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

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

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**RESOLUTION NO. 388 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY AND TYLER TECHNOLOGIES, INC. FOR SOFTWARE,
PRODUCTS AND SERVICES FOR AN EFFICIENT AND COST SAVING
INTEGRATED BUSINESS, FINANCIAL, ADMINISTRATIVE AND MANAGEMENT
SYSTEM**

Introduced by Legislator Gregory Kulzer, Chairman of the Information Technology Committee.

WHEREAS, the County Manager and a designated Review Team undertook to examine companies who could provide the County with an updated, efficient, cost effective and integrated software and license system to address the County's payroll, financials, human resources, accounting, data information and analytics to efficiently serve the County operation. The new system will replace the Integrated Finance Management and Access System ("IFM") currently in use; and

WHEREAS, the Review Team members considered and compared the programs and technologies offered by the two leading companies in the field, i.e., New World and Tyler Technologies, Inc. ("Tyler"). The Review Team took part in multiple on-site demonstrations and webexes offered by both companies in demonstrating the software and beneficial technical uses of their respective programs; and

WHEREAS, after having weighed the benefits and costs of each proposed system, and in consideration of the financial advantages and system design efficiencies of the software and related services proffered by Tyler Technologies, (together with the company's extension of discounts to purchase and integrate other tax and real property functions of interest to the County), and Tyler's recent purchase of New World, the County of Lewis wishes to enter into an agreement with Tyler Technologies, Inc., to purchase Tyler Software, Licenses and Related Services for its financial, payroll, HR, accounting, general billing, procurement, contract services, administration and security, with an embedded management system program and other services to improve productivity, efficiency, and document management in a modern technological system while eliminating massive amounts of paper; and

WHEREAS, the County seeks to enter into an agreement with Tyler to provide software, software licenses, pre-implementation and implementation services at a cost not to exceed \$319,973. In addition, the County seeks to provide for the first year's maintenance service at a cost not to exceed \$8,757 and to agree to reimburse Tyler for estimated travel expenses during the first year project implementation at a cost not to exceed \$46,580.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves a contract between the County of Lewis and Tyler Technologies, Inc. to provide software, software licenses, Pre-Implementation Services and Implementation Services (including data conversion) pursuant to a

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commencement date and fee schedule date to be agreed upon and set forth in an Agreement between the parties, for a cost not to exceed \$319,973.

Section 2. That the Board of Legislators hereby approves provisions of the aforesaid contract between the County and Tyler to include a one year maintenance agreement at a cost not to exceed \$8,757 and for reimbursement of estimated travel expenses of Tyler personnel to provide the services and implement the system at a cost not to exceed \$46,580; and for the Agreement to provide for such other relevant provisions and terms as may be advised by the County Attorney and County Manager.

Section 3. That the Chairman or the Vice Chairman 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. 389 - 2015
RESOLUTION AUTHORIZING A POWER PURCHASE AGREEMENT (PPA) WITH
GREENSKIES RENEWABLE ENERGY LLC FOR THE PURPOSE OF PROVIDING
SOLAR SERVICES TO THE COUNTY OF LEWIS BY THE INSTALLATION AND
OPERATION OF SOLAR PHOTOVOLTAIC SYSTEMS FOR THE COUNTY**

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

WHEREAS, The Board of Legislators of the County of Lewis contracted with Larsen Engineers to provide analysis and consultation with respect to the feasibility of a Solar Photovoltaic (PV) System for County energy needs, in an effort to reduce electricity costs and to reduce the footprint of the County on energy resources; and

WHEREAS, Larsen Engineers provided the Board of Legislators with said study, and the funding opportunities under current NYSERDA grants available to the County to deploy a solar PV system and array on the County's land at 5252 Outer Stowe Street, Lowville, NY, with a production capacity of 1620 kW or more; and

WHEREAS, in order to advance the project, the Board of Legislators must authorize the Solar Developer to build the PV system. The Board of Legislators, in choosing a Solar Developer, will be contracting to have the Developer build the PV system on the County's land with a lease to the Developer, the PPA will provide a means for the County to realize consistent and competitive electricity pricing over the course of twenty (20) years; and

WHEREAS, through the PPA process, the Solar Developer will build the PV system, with zero upfront costs to the County. The Solar Developer will sell power produced by the

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system to the County at a rate significantly lower than what is currently paid by the County to National Grid Niagara Mohawk Power Corporation; and

WHEREAS, Larsen Engineers provided the County with four (4) Solar Developers and their preliminary proposal outlines for development of a Solar PV System; and

WHEREAS, the Board of Legislators of the County of Lewis authorized the Ways and Means Committee to choose the most appropriate Solar Developer from the final proposals offered by competing companies who responded, and to commence negotiations of an acceptable Solar PV System Power Purchase Agreement through the County Attorney; and

WHEREAS, the Ways and Means Committee chose Greenskies Renewable Energy LLC (“Greenskies”) to commence negotiations of an acceptable PPA. The negotiations have been ongoing and are close to final acceptance of terms.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Power Purchase Agreement to be entered between the County of Lewis and Greenskies Renewable Energy LLC (“Greenskies”) for the purpose of providing solar services to the County by the installation and operation of a Solar Photovoltaic System on the County’s property located at 5252 Outer Stowe Street, Lowville, NY.

Section 2. That the County Attorney is authorized to negotiate terms and conditions of the PPA, subject to the Board of Legislators acceptance or rejection of said final terms.

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

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

Moved by Legislator King, seconded by Legislator Hathway.

Legislator Hathway made a motion to delete Section 2, seconded by Legislator King and carried. The resolution was then adopted.

OTHER BUSINESS:

At 6:02 p.m. Legislator Hathway made a motion to enter executive session to discuss contractual negotiations, seconded by Legislator Moser and carried. After a short recess the session began at 6:07 p.m. At 6:46 p.m. Legislator Brennan made a motion to re-enter regular session, seconded by Legislator King and carried.

There being no other business to come before the Board, Legislator Brennan made a motion to adjourn, seconded by Legislator Moser and carried at 6:48 p.m.

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**FOURTH DAY
ANNUAL SESSION
December 1, 2015**

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

Roll Call: All Legislators were present.

Legislator Hathway offered the Invocation, followed by a moment of silence for those recently deceased. Chairman Tabolt then 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
Bryan Moser
Craig Brennan, Committee

Dated: December 1, 2015

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

At 5:03 p.m. Chairman Tabolt opened the public hearing for comments on Local Law Intro. No. 9-2015 “Amending Local Law No. 12-2013 Re-Stating Local Law No. 4-1956 As Subsequently Amended, Being a Local Law Enumerating Rules and Regulations of the Administration of the Lewis County Self-Insurance Plan; Local Law Intro. No. 10-2015 “Rescinding Local Law No. 6-2015 To Override the Tax Levy Limit Established by General Municipal Law 3-C (A/K/A 2% Tax Cap) for the 2016 County Budget; and Local Law Intro. No. 11-2015 “Providing Increase in Salaries for Certain Local Officials”.

PRIVILEGE OF THE FLOOR:

Mary Frances Waligory, dental hygienist contractual provider, referenced receipt of a letter from Public Health Director Penny Ingham informing the dental education program was being discontinued. Additionally, Ms. Ingham’s letter indicated plans to target populations for evidence-based outcomes as recommended by the State. Ms. Waligory made a plea to the Board to re-instate the program, purporting contact with 2,000 K-3rd grade students annually, many of which have never seen a dentist, she said.

Ms. Waligory referenced a support letter authored by Lynn Stacy, DDS terming it a worthwhile preventive program at a nominal cost of \$3.50/child, when compared to \$150 per dental filling.

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Chairman Tabolt inferred that alternative programs were being considered, while referring the matter to the Public Health Committee for discussion to assure that some form of dental program for children would continue.

On behalf of the Northern New York Vintage Snowmobile Racing Organization, Joanna Moore announced cancellation of the Boonville annual event. Alternatively, the organization has scheduled the races to be held at the Adirondack International Speedway from January 29-31, 2016, with races under the lights on Friday night. They expect 150-175 Vintage and Canadian Pro-Circuit racer participants to travel from across the border and Wisconsin. Tourist room reservations will be made as far away as Watertown. The event organizers await a response from ABC Sports who are considering broadcasting the event.

In response to Legislator Brennan's offer to help, Ms. Moore suggested welcoming banners be placed throughout the County. She also relayed an offer to provide a fireworks show equivalent to that of the Lewis County Fair, for a cost of \$1,500. Event brochures were left for distribution.

Erik Griffin reported that Oneida County had named some roads in honor and memory of Vietnam and other veterans. The Vietnam veterans, he said, never got a proper welcome upon returning from war. He requested the Board to consider naming a road in honor and memory of his dad, who was a Vietnam veteran. Chairman Tabolt acquiesced that "We can never do enough for veterans", and would discuss the request with Legislators.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Ontario County Legislature submitted a resolution requesting expedited decision making by the NYSDEC concerning the Ontario County Landfill expansion permits, requesting support from all County Legislatures which have sent solid waste to the Ontario County landfill in the last two years. It had been learned that this issue had been resolved earlier today.

Albany County Executive Daniel McCoy, Rensselaer County Executive Kathleen Jimino and Schoharie County Legislature Chairman Earl Van Wormer jointly extend an invitation for Legislators to participate in and support a press conference to be held in the State Capitol building on the Million Dollar Staircase Wednesday, December 9th at 10:30 a.m. related to protecting public health from natural gas infrastructure.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Fire and Emergency Management Director Robert MacKenzie, III has appointed Robert Belling as Deputy Fire Coordinator for the North Zone and Additional Zones as needed.

All Legislators have received copies of the 11/18/15 Highway Audit Report, the 11/20/15 Solid Waste Audit Report, the Treasurer's November report, and minutes of the 10/20/15 Soil and Water Conservation District Board of Directors and 11/18/15 Youth Bureau Advisory Board meetings.

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REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Buildings and Grounds/Ways and Means Committee Chairman, reported that departmental budgets are within budgetary line item expenditures. We will explore available private and/or NYSERDA grant funding for energy efficiency surveys of the Public Safety and DSS buildings.

The Committee recommends encumbering 2015 outside counsel appropriations for legal research on a special project. A fleet management program is also being explored. The DSS parking lot is largely completed, although work on the retention ponds and other minor corrections will be done in the spring.

Legislator Hathway referenced the proposed resolution for outside agency contract addendums for one-time additional allocations.

Legislator Neil Pepper, Office For the Aging/Social Services/Youth Committee Chairman, reported 295 HEAP applications have been processed. Emergency assistance will be offered effective 1/4/2016 and the program will end 3/15/2016. Counseling is available for health insurance options with referrals to the NYS Office for the Aging. Gift cards will be disbursed to seniors through mailing cards or placed in food baskets to be delivered by Christmas Sharing program volunteers.

Legislator Pepper reported the Social Services Employment Plan has been posted on the County website, subject to public comments through 12/23/15. The DSS Fraud Unit investigated 36 Lewis County applications for assistance during the second quarter of the year, with only one case being denied. Lewis County examiners have a 94% accuracy rate, the third highest Statewide.

Donations for our vulnerable residents are being collected by the Homeless Christmas Trees located at the Chamber of Commerce office, and South Lewis and Lowville Schools.

On behalf of the entire Board, Legislator Pepper commended the Lyndaker family of Croghan for opening their hearts and home to adopt four foster children. When he retired in 2006, Legislator Pepper said he moved to Lewis County primarily because of the recreational opportunities, but has since been overwhelmed and touched by the generosity of persons with big hearts.

Legislator Bryan Moser, Human Resources Committee Chairman, reported that multi-year supervisory level training will commence in 2016 for first-line supervisors; the second year for mid-line supervisors and the third year for all supervisory staff.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, reported the radio communications system implementation has had good results. Pagers are being reviewed and necessary adjustments are being made as identified.

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In response to Chairman Tabolt, Legislator King stated renovations of the 911 dispatch center would soon commence.

Legislator Lawrence Dolhof, Economic Development Committee Chairman, reported that requests for agriculture land inclusions into the Agricultural District would be accepted through 12/15/15. The application has been posted on the County website.

Legislator Dolhof stated that potential options are being explored for an incubator building site. Also, the Regional Economic Development Council (REDC) and Upstate Revitalization Initiative (URI) awards will be announced in Albany on 12/10/15.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, referenced the resolution to outsource recycling to the Oneida-Herkimer Solid Waste facility. Attendant to that resolution, Legislator Brennan made a motion to authorize Solid Waste Director Pete Wood to advertise for bids for a compactor and a compactor trailer for transporting recyclables. The motion was seconded by Legislator Moser and carried.

Legislator Brennan reported that he and Legislator Moroughan had accompanied Chairman Tabolt to the Copenhagen School for the reading and presentation of the well deserved commending proclamation to the Copenhagen Girl's Varsity Soccer Team. The "Lady Golden Knights had won the State Championship. The event was attended by Assemblyman Ken Blankenbush and Senator Joseph Griffo's representative, as well as the entire student body.

Legislator Gregory Kulzer, Taxation/Information Technology/Elections/Agriculture Committee Chairman, reported that property tax bills would be mailed on 12/31/15. Senior Keyboard Specialist Betsy Boliver had been elected as the Croghan Town Clerk, but has since declined to accept that position. She will, therefore, remain in the Real Property Tax office, which will greatly assist the replacement Director when Linda Hoskins assumes her newly elected position as Lewis County Clerk on 1/1/2016.

Legislator Kulzer reported that Adam Zehr has been assisting with implementation of the new communications system upgrades. He continues to negotiate the Memorandum of Understanding with Mohawk Networks to facilitate broadband expansion to outlying rural areas to enhance low-cost Internet options.

The current County IFM system will be replaced by Tyler Technologies, with predicted savings of \$32,000 annually.

In conclusion, Legislator Kulzer thanked Legislator Hathway and the Ways and Means Committee for their review and recommendation to allocate additional funds to the libraries and other outside agencies.

Legislator Richard Chartrand, Hospital Committee Chairman, reported the Breast Cancer Awareness dinner raised \$20,000 for the Lewis County "Fund For Hope" that is used to help cancer patients with travel expenses.

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Legislator Chartrand reported the annual NYSDOH nursing home survey identified two minor deficiencies, a report that Acting Nursing Home Administrator Lisa Bain was pleased with. Hospital CEO Eric Burch continues to work with the partners on the Delivery Systems Reform Incentive Payment (DSRIP), anticipating distribution of the funds to begin in December. The Hospital awaits NYSDOH award announcements on their applications for an assisted living facility, a Copenhagen Health Cooperative and for renovations of surgical suites. They also anticipate receipt of IGT funds in December.

Legislator Chartrand reported a year-to-date surplus of \$732,792 well above the budgeted level of \$218,884. As of 11/13/15, the County debt balance is \$3.8 million; and October and November health insurance premiums have been paid. The nursing home IGT amount to be received next year is estimated at \$4 million. Receipt of the low volume appeal payment of \$908,000 is expected soon. Lastly, the 2016 nominating committee has put forth Michael Young for Chairman, Gary Turck for Vice-Chairman and Kevin McArdle for Secretary.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported a probable Public Health County share surplus of \$160,000. A data analysis for Early Intervention Program costs is being conducted by NYSDOH. The State and County costs for the program have increased since the 2013 State takeover of treatment billings. They anticipate cost saving recommendations for policies and contractual services. The Committee reviewed the Quality Improvement and Cooperative Compliance Report that is available for anyone interested.

Legislator Moroughan made a motion to authorize Public Health Emergency Preparedness Coordinator Ashley Waite and Fiscal Manager Paula Kaufmann to travel to Dallas, Texas from 4/17/2016-4/22/2016 for the Preparedness Summit and Road-to-Ready Workshop, for emergency preparedness planning and response, education and networking. The cost will be covered by Ebola Virus Disease Grant funds. The motion was seconded by Legislator Hathway and carried.

Legislator Moroughan reported that Patricia Fralick, Director of Community Services, is familiarizing herself with local and State-wide initiatives. The Suicide Prevention Coalition meets monthly to identify ways to raise suicide awareness. Also, Bridgette Gillette has resigned from the mental health and alcohol and substance abuse sub-committees.

COUNTY MANAGER REPORT:

Liz Swearingin reported distributing United Way campaign letters to Legislators and County employees with a personal goal to increase participation.

She was one of 80 persons from the Tri-County area to attend the “Bridges Out of Poverty” conference sponsored by NRCIL, “one of the best in her career”, she said. The Minneapolis speaker was a personal model of pulling herself out of poverty and attaining a successful career of counseling law enforcement, emergency management and social services about generational poverty. She had provided some real life examples for change to those who develop the rules and policies. Ms. Swearingin will meet with Karen Boliver to determine how the County may assist toward that goal. One example was to create a single intake form for the

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spectrum of social services, which could be shared with various service providers for greater efficiency.

Legislator Hathway cited the 26-page document needed when a doctor makes a referral for home services through the Office For the Aging, even though similar documentation has been completed by another agency or department. Ms. Swearingin stated that most departmental services are predicated on State regulations, which would necessitate a grassroots movement for changes.

COUNTY TREASURER REPORT:

Patricia O'Brien recited the balances of the Special Contingency Fund - \$92,859.00; Contingency Fund-\$291,210.42; Capital Data Processing Fund- \$141,440.64 and Capital Equipment Fund - \$332,864.16, of which \$15,214.19 is the Highway portion. She remains confident to achieve budgeted sales tax receipts.

Mrs. O'Brien reported the Hospital continues to make timely debt repayments, with a balance of \$3.7 million; and indicates they will pre-pay their retirement pension payment on 12/15/15.

She also reported another deficit month in October for the internal service fund (health insurance), unsure whether the 15% premium increase receipts will be sufficient.

SPECIAL REPORTS:

Chairman Tabolt referenced the proposed minimum wage increase to \$15.00/hr, relating his opinion of the potential inequities for Lewis County to an inquiring Governor's representative. That wage, he said, would be substantially above that paid to dedicated Hospital employees. It would be counter-productive to the State's plight to retain businesses, and enable a wage to its workers above that of a farm owner. He asked his colleagues to support a resolution to record this position at the next meeting.

Chairman Tabolt announced plans to attend the Governor's REDC and URI award announcements on 12/10/15 in Albany.

Chairman Tabolt declared the public hearing closed at 5:49 p.m.

REPORT OF THE WAYS AND MEANS COMMITTEE:

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**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 \$ 1,226,167.91 and recommend that they be audited and allowed for the amounts claimed.



Philip Hathway Chair



Jerry King Committee



Richard Chartrand Committee

Dated: December 1, 2015

Approved on motion by Legislator _____ King _____, seconded by
Legislator _____ Hathway _____, and carried.

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RESOLUTIONS:

**RESOLUTION NO. 390 - 2015
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 \$1,226,167.91 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 Pepper, and adopted by roll call vote:

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 391 - 2015
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 8 – 2015, COUNTY OF LEWIS**

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on November 3, 2015, directing that a public hearing be held by said Board on December 1, 2015, 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, "LOCAL LAW TO AMEND LOCAL LAW NO. 12-2013 RE- STATING LOCAL LAW NO. 4-1956 COUNTY OF LEWIS, AS SUBSEQUENTLY AMENDED, BEING A LOCAL LAW ENUMERATING RULES AND REGULATIONS OF THE ADMINISTRATION OF THE LEWIS COUNTY SELF- INSURANCE PLAN"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on November 25, 2015, 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.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 8 – 2015), County of Lewis, being “LOCAL LAW TO AMEND LOCAL LAW NO. 12-2013 RE-STATING LOCAL LAW NO. 4-1956 COUNTY OF LEWIS, AS SUBSEQUENTLY AMENDED, BEING A LOCAL LAW ENUMERATING RULES AND REGULATIONS OF THE ADMINISTRATION OF THE LEWIS COUNTY SELF-INSURANCE PLAN”; be and the same hereby is designated as Local Law No. 8 –2015, County of Lewis.

Section 2. That Local Law No. 8-2015, 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 King, seconded by Legislator Dolhof, and adopted pursuant to the following roll call vote:

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 392 - 2015
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 9 – 2015, 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 19, 2015, directing that a public hearing be held by said Board on December 1, 2015, 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 RESCINDING LOCAL LAW NO. 6-2015 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2016 BUDGET.” and

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WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on November 25, 2015, 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. 10 – 2015), County of Lewis, being “A LOCAL LAW RESCINDING LOCAL LAW NO. 6-2015 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2016 BUDGET.”; be and the same hereby is designated as Local Law No. 9 – 2015, County of Lewis.

Section 2. That Local Law No. 9 – 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 Hathway, seconded by Legislator Moser, and adopted pursuant to the following roll call vote:

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 393 - 2015
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 1 – 2016, 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 19th 2015, directing that a public hearing be held by said Board on December 1, 2015, 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

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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 25, 2015, 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. 11 – 2015), 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. 1–2016, County of Lewis.

Section 2. That Local Law No. 1–2016, 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 pursuant to the following roll call vote:

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 394 - 2015
RESOLUTION AMENDING 2016 TENTATIVE COUNTY BUDGET
TO AMEND COMPENSATION PLAN
WITH REFERENCE TO PUBLIC HEALTH DEPARTMENT**

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

WHEREAS, the 2016 Tentative Budget includes creation of a Population Health Specialist (PT); and

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WHEREAS, the Civil Service certified title for said position is Public Health 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 Public Health Agency, to abolish the new title of Population Health Specialist (PT); and replace it with the title of Public Health Specialist (FT).

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

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

**RESOLUTION NO. 395 - 2015
RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR
COMMENCING JANUARY 1, 2016 MAKING APPROPRIATIONS
FOR THE CONDUCT OF COUNTY GOVERNMENT AND
ESTABLISHING RATES OF COMPENSATION FOR OFFICERS
AND EMPLOYEES FOR FISCAL YEAR 2016**

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

WHEREAS, the governing body has met and considered the 2016 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, 2016.

Moved by Legislator Hathway, seconded by Legislator Brennan, and adopted by the following roll call vote:

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

NAYS: None

ABSENT: None

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**RESOLUTION NO. 396 - 2015
ASSESSING AND LEVYING AMOUNT OF TAX CALLED FOR
UNDER THE COUNTY BUDGET AS ADOPTED BY THE BOARD OF
LEGISLATORS ON THE 1st DAY OF DECEMBER 2015
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. 395 - 2015 adopted on the 1st day of December 2015, has adopted a County Budget for fiscal year 2016; and

WHEREAS, the said Board of Legislators by Resolution No. 395 - 2015 adopted on the 1st day of December 2015, has made appropriations for the conduct of Lewis County Government for fiscal year 2016.

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 \$ 15,122,832.00.

Moved by Legislator King, seconded by Legislator Chartrand, and adopted by the following roll call vote:

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 397 - 2016
RESOLUTION FOR MAINTENANCE ON THE
COUNTY ROAD SYSTEM FOR THE YEAR 2017**

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.

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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 \$766,224.00 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 Brennan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 398 - 2015
RESOLUTION FOR SNOW REMOVAL ON
COUNTY ROAD SYSTEM FOR THE YEAR 2016**

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

BE IT RESOLVED as follows:

Section 1. That the proposed program of snow removal on the County Road System as submitted by the County Superintendent of Highways, be and hereby is approved.

Section 2. That there be and hereby is appropriated and set aside from the County Road Fund as defined in Section 110 of the Highway Law the sum of \$1,956,800.00, 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 Dolhof, seconded by Legislator Moser, and adopted.

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**RESOLUTION NO. 399 - 2015
RESOLUTION AUTHORIZING THE SUPERVISOR OF EACH TOWN IN THE
COUNTY OF LEWIS TO ADD TO THEIR TAX WARRANT THE 2016 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 2016 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 Dolhof, seconded by Legislator King, and adopted.

**RESOLUTION NO. 400 - 2015
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.

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 2015 Assessment Rolls for the seventeen (17) Towns in Lewis County.

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

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

**RESOLUTION NO. 401 - 2015
RESOLUTION AUTHORIZING COUNTY TREASURER
TO MAKE NECESSARY BUDGET TRANSFERS**

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 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 2015 fiscal year.

Section 2. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 402 - 2015
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.

NOW, THEREFORE, 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, 2016 through December 31, 2016.

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 King, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 403 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY SERVICES DEPARTMENT AND CREDO
COMMUNITY CENTER FOR THE TREATMENT OF ADDICTIONS**

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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, 2016 through December 31, 2016 at a cost not to exceed \$19,577.00.

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 Moroughan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 404 - 2015
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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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, 2016 through December 31, 2016 at a rental cost of \$4,920.00, payable in equal monthly installments of \$410.00. Said amount is inclusive of utilities.

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 Brennan, seconded by Legislator Pepper, and adopted.

RESOLUTION NO. 405 - 2015
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

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:

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Section 1. That the Board of Legislators hereby approves the following contracts for fiscal year 2016, the term of these services are beginning January 1, 2016 and ending December 31, 2016, at the amounts set opposite to each respectively:

ENTITY	AMOUNT
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 Moroughan, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 406 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND THE TOWN OF DIANA MUSEUM**

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

WHEREAS, the Board of Legislators wishes to enter into an Agreement with the Town of Diana Museum that house, maintain, research, collect and hold for public view, historical information, data and artifacts of a local and regional interest all for the purpose of housing, maintaining, and operating a public museum and historical edifice.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves a contract between the County of Lewis and the Town of Diana Museum for fiscal year 2015 in the amount of \$200.00, to be used for research and data collection.

Section 2. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement.

Section 3. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 407 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DISTRICT ATTORNEY
AND JOHN A. CIRANDO, ESQ.**

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

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, 2016 through December 31, 2016 at a cost not to exceed \$90.00 an hour for his services, plus reasonable and necessary disbursements as defined 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 Moser, and adopted.

**RESOLUTION NO. 408 - 2015
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 & 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

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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.

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, 2016 through December 31, 2016 at a cost of \$16.00 per hour at 10 hours per week as needed and not to exceed \$8,320.00 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 Moroughan, seconded by Legislator Pepper, and adopted.

RESOLUTION NO. 409 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE LEWIS COUNTY DISTRICT ATTORNEY'S OFFICE
AND SAMUEL A. LIVINGSTONE, M.D.

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

WHEREAS, the Lewis County District Attorney's Office wishes to enter into an agreement with Samuel A. Livingstone, M.D., an experienced forensic pathologist, to perform forensic autopsies as required; assist with death scene investigations and the manner and causes of death; provide expert forensic pathologist consultation services and testify in court as required under the direction of the Lewis County District Attorney; and

WHEREAS, the County of Lewis is in need of the specialized services that Dr. Samuel A. Livingstone can provide.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That this Board of Legislators hereby authorizes an agreement between the Lewis County District Attorney's Office and Samuel A. Livingstone, M.D. to perform forensic autopsies and related services for the County of Lewis.

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Section 2. That this is for the term commencing on January 1, 2016 through December 31, 2017 at a cost of \$1,250.00 per quarter and an additional \$1,150.00 per autopsy performed on behalf of the County of Lewis and \$150.00 per death certificate in lieu of an autopsy together with the costs and related expenses for conferences or training seminars in the spring and fall for the New York State County Coroners and Medical Examiners Association.

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 Brennan, and adopted.

**RESOLUTION NO. 410 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DISTRICT ATTORNEY/CORONER'S OFFICE
AND MARK A. TUTTLE**

Introduced by Legislator Jerry King, Chairman of the Courts & 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:

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, 2016 through December 31, 2016 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.

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

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

**RESOLUTION NO. 411 – 2015
RESOLUTION TO TRANSFER FUNDS
SPECIAL CONTINGENCY TO 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 transfer is hereby approved to the District Attorney/ Coroner account from Special Contingency for payment of autopsies, x-rays, hospital bills and transcriptions:

<u>From:</u> A1010.4199 (Sp Contingency)	Amount \$7,500.00
<u>To:</u> A1185.4901 (Prof Serv)	\$7,500.00

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

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

**RESOLUTION NO. 412 - 2015
RESOLUTION AND ORDER WITH REFERENCE
TO DOG QUARANTINE**

Introduced by Legislator Gregory Kulzer, Chairman of the Agriculture Committee.

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, 2015 to May 15, 2016.

- 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.

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- 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 Moser, seconded by Legislator Chartrand, and adopted.

**RESOLUTION NO. 413 - 2015
RESOLUTION TO CLOSE
CAPITAL BRIDGE ACCOUNT
CEMETERY ROAD OVER ROARING BROOK**

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

BE IT RESOLVED as follows:

Section 1. That the Capital Bridge Account for the Cemetery Road Over Roaring Brook shall be closed and all funds are un-appropriated:

<u>Decrease Expense:</u>	
HV5197.4	\$86,750.74
<u>Decrease Revenue:</u>	
HV45910	\$68,921.10
HV35910	\$ 3,791.00
<u>Increase Expense:</u>	
HV9901.9	\$14,038.64

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

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

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**RESOLUTION NO. 414 - 2015
RESOLUTION TO CLOSE
CAPITAL ACCOUNT
DEER RIVER ROAD**

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

BE IT RESOLVED as follows:

Section 1. That the Capital Account for the Deer River Road shall be closed and all funds are un-appropriated:

<u>Decrease Expense:</u>	
HAG5197.4	\$101,981.73
<u>Decrease Revenue:</u>	
HAG45910	\$ 30,098.30
<u>Increase Expense:</u>	
HAG9901.9	\$ 72,091.13
<u>Increase Revenue:</u>	
HAG24010	\$ 207.70

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

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

**RESOLUTION NO. 415 - 2015
RESOLUTION TO CLOSE
CAPITAL BRIDGE ACCOUNT
FISH CREEK**

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

BE IT RESOLVED as follows:

Section 1. That the Capital Account for the Fish Creek Bridge shall be closed and all funds are un-appropriated:

<u>Decrease Expense:</u>	
HY5197.4	\$76,632.31
HY5197.41	\$83,979.16
<u>Decrease Revenue:</u>	

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HY45910	\$62,622.44
HY45911	\$82,333.41
HY27700	\$ 3,913.91
HY35910	\$ 4,170.51

Increase Expense:

HY9901.9	\$ 7,571.20
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 416 - 2015
RESOLUTION TO CLOSE
CAPITAL BRIDGE ACCOUNT
MAD RIVER**

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

BE IT RESOLVED as follows:

Section 1. That the Capital Account for the Mad River Bridge shall be closed and all funds are un-appropriated:

Decrease Expense:

HAH5197.4	\$239,095.44
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Decrease Revenue:

HAH45910	\$191,333.81
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Increase Expense:

HAH9901.9	\$168,542.89
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Increase Revenue:

HAH24010	\$ 357.77
HAH35910	\$120,423.49

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

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

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**RESOLUTION NO. 417 - 2015
RESOLUTION TO CLOSE
CAPITAL ACCOUNT
SUGAR RIVER BRIDGE**

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

BE IT RESOLVED as follows:

Section 1. That the Capital Account for the Sugar River Bridge shall be closed and all funds are un-appropriated:

<u>Decrease Expense:</u>	
HU5197.4	\$123,344.62

<u>Decrease Revenue:</u>	
HU45910	\$ 98,675.68

<u>Increase Expense:</u>	
HU9901.9	\$137,029.95

<u>Increase Revenue:</u>	
HU35910	\$112,361.01

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

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

**RESOLUTION NO. 418 - 2015
RESOLUTION TO CLOSE
CAPITAL ACCOUNT
WEST MAIN OVER SUGAR RIVER BRIDGE**

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

BE IT RESOLVED as follows:

Section 1. That the Capital Account for the West Main Over Sugar River Bridge shall be closed and all funds are un-appropriated:

<u>Decrease Expense:</u>	
HW5197.4	\$327,646.63

<u>Decrease Revenue:</u>	
HW45910	\$263,524.85

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**RESOLUTION NO. 420 - 2015
AUTHORIZING AGREEMENT WITH CNY FAIR HOUSING
TO UPDATE THE ANALYSIS OF IMPEDIMENTS
TO FAIR HOUSING CHOICE IN LEWIS COUNTY**

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

WHEREAS, the Lewis County Economic Development & Planning Department has undertaken a project to examine fair housing matters in the County, and desires to enter into an Agreement with CNY Fair Housing to update the Analysis of Impediments to Fair Housing Choice in Lewis County. This analysis is part of the criteria and goals provided under the Community Development Block Grant Administration (“CDBG”); and

WHEREAS, CNY Fair Housing is proposing to update the Analysis of Impediments to Fair Housing Choice for Lewis County, New York. The Analysis of Impediments is a study identifying barriers to housing choice for protected classes and possible remedies for those barriers. It is to be completed as part of Lewis County’s obligation as a member of the North Country HOME Consortium; and

WHEREAS, CNY Fair Housing is a fair housing enforcement agency who has provided comprehensive fair housing services, including completion of analyses of impediments for a number of municipalities; and

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

NOW, THEREFORE BE IT RESOLVED, that

Section 1. That the Board of Legislators of Lewis County authorizes an Agreement between the Lewis County Economic Development & Planning Department and CNY Fair Housing to update the Analysis of Impediments to Fair Housing Choice survey report for Lewis County.

Section 2. That the Board of Legislators authorizes payment not to exceed \$2,000.00 to CNY Fair Housing for this service, to be paid from the CDBG fund account.

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 King.

In response to Chairman Tabolt, Liz Swearingin reported that updating the survey will facilitate eligibility for additional funding.

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The resolution was then adopted.

**RESOLUTION NO. 421 - 2015
RESOLUTION TO AUTHORIZE LEVYING
HUDSON RIVER-BLACK RIVER
REGULATING DISTRICT ASSESSMENTS**

Introduced by Legislator Michael A. Tabolt, Chairman 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, 2016; 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 November 10, 2015, 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	\$ 2,229.00
129.08-03-16.120	1% Fee	22.29
	Total	\$ 2,251.29
Parcel No.: 39	Town of Croghan	
Tax Map No.:	Croghan Island Mill Lumber Co.	\$ 2,229.00
129.08-03-14.110	1% Fee	22.29
	Total	\$ 2,251.29

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Parcel No.: 40-41	Town of Croghan	
Tax Map No.:	Beaverite Products, Inc.	\$ 4,457.00
129.08-03-02.100	1% Fee	44.57
	Total	\$ 4,501.57
Parcel No.: 50	Town of Lyonsdale	
Tax Map No.:	Niagara Mohawk-National Grid	\$ 494.00
324.00-01-28.100	1% Fee	4.94
	Total	\$ 498.94

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 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 Moser, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 422 – 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY HUMAN RESOURCES DEPARTMENT
AND CITEC BUSINESS SOLUTIONS**

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, CITEC Business Solutions, (“CITEC”) is a not-for-profit business consulting organization driven by a mission to help the small and medium sized enterprises in northern New York to thrive, rather than just survive. CITEC provides the training for employees to become more effective supervisory leaders who are brand new to the role or those who have been supervising others for years and are ready to take on more of a leadership role; and

WHEREAS, the County of Lewis, by and through the Lewis County Human Resources Department wishes to enter into an agreement with CITEC Business Solutions for the purpose of providing professional and other management services necessary and customary to assist Lewis County with supervisor training in 2016; 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 Lewis County Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Lewis County Human Resources Department, and CITEC Business Solutions for the purpose of providing professional and other management services necessary and customary to assist Lewis County with supervisor training in 2016.

Section 2. That this is for the period commencing January 1, 2016 through December 31, 2016 at a cost of \$15,680.00 for eight (8) different topics, two (2) four hour sessions for training and materials up to ten (10) participants per session. If additional participants are added, cost will be \$10.00 per additional participant/session. The not to exceed cost of the contract is \$20,000.00. Payment of \$3,920.00 upon execution, with payments thereafter due on April 30, 2015, August 31, 2016 and November 30, 2016.

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. 423 - 2015
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 the Lewis County Office For Aging Advisory Council:

Jennifer Jones, Lewis County Commissioner of Social Services

MaryEllen McManus of P.O. Box 223, Center Street, Lyons Falls, NY 13368

Section 2. The term of said appointment shall commence January 1, 2016 and expire on December 31, 2018.

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

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

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**RESOLUTION NO. 424 - 2015
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 the providing legal services on behalf of elderly individuals.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That Brenda J. Bourgeois, Director of 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 annual amount not to exceed \$5,000.00.

Section 2. That the term of this service shall be from January 1, 2016 through December 31, 2016; 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 Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 425 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
OFFICE FOR THE AGING AND MCMANUS HOTEL**

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

WHEREAS, the Office for the Aging sent out a Request For Proposals ("RFP") for Nutrition Meal Programs and accepted the offer from Fred McManus of McManus Hotel; and

WHEREAS, the County of Lewis, by and through the Office for the Aging wishes to enter into an Agreement with McManus Hotel for a Nutrition Program to provide meals to

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certain elderly residents of Lewis County in the following locations: Copenhagen, Croghan, Harrisville, Lowville and Lyons Falls; 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 Office For the Aging and McManus Hotel for the purpose of providing senior meals for the Nutrition Program.

Section 2. That this is for the term commencing on January 1, 2016 and terminating on December 31, 2018 at the cost of \$7.75 per meal for 2016; \$8.05 per meal for 2017; and \$8.35 per meal for 2018. The County share amount is 25% and the State/Federal share amount is 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 Dolhof, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 426 - 2015
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	\$18.75 per hr. for Level II
U.S. Care Systems, Inc.	EISEP/CSE Services (In-Home Care)	\$18.00 per hr. for Level I \$18.75 per hr. for Level II

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Section 2. That the term of said Agreements shall be the period from January 1, 2016 through December 31, 2016.

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 Pepper, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 427 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
OFFICE FOR THE AGING AND OSCEOLA OUTPOST**

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

WHEREAS, the Office for the Aging sent out a Request For Proposals (“RFP”) for Nutrition Meal Programs and accepted the offer from Theresa J. Sullivan of Osceola Outpost; and

WHEREAS, the County of Lewis, by and through the Office for the Aging wishes to enter into an Agreement with Osceola Outpost for a Nutrition Program to provide meals to certain elderly residents of Lewis County in Osceola; 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 Office For the Aging and Osceola Outpost for the purpose of providing senior meals for the Nutrition Program.

Section 2. That this is for the term commencing on January 1, 2016 and terminating on December 31, 2018 at the cost of \$7.75 per meal for 2016; \$8.05 per meal for 2017; and \$8.35 per meal for 2018. The County share amount is 25% and the State/Federal share amount is 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 Dolhof, seconded by Legislator Pepper, and adopted.

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**RESOLUTION NO. 428 - 2015
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; 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 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 January 1, 2016 through December 31, 2017 at a cost of \$875.00 per month, not to exceed \$21,000.00 for the two year term.

Section 2. That the County Share is twenty-five (25%) percent.

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

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

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

**RESOLUTION NO. 429 - 2015
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.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the following four (4) meal site lease agreements for the term of one year commencing on January 1, 2016 and terminating on December 31, 2016.

MEAL SITE RENTAL FACILITY

AMOUNT

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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	\$140.00 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 Hathway, and adopted.

**RESOLUTION NO. 430 - 2015
RESOLUTION APPOINTING MEMBERS TO
PLANNING BOARD**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints the following individuals to the Lewis County Planning Board:

Dennis Lee of 7362 Utica Blvd., Lowville, New York 13367

Michael W. Kaido of 1252 Fish Creek Road, PO Box 156, West Leyden, NY 13489

Section 2. That the term of said appointments shall be effective from January 1, 2016 through December 31, 2018.

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

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

**RESOLUTION NO. 431 - 2015
RESOLUTION APPOINTING MEMBERS TO
PUBLIC HEALTH SERVICES ADVISORY BOARD**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following individuals as members of the Health Services Advisory Committee:

Susan E. Gydesen, MSW of P.O. Box 472, Croghan, New York 13327

Cheryl Kelly, RN of 7043 West Road, Lowville, New York 13367

Stacy Alvord of P.O. Box 347, Lowville, New York 13367

Section 2. That the term of said appointments shall be in effect from January 1, 2016 through December 31, 2018.

Section 3. That the within resolution shall take effect immediately

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

**RESOLUTION NO. 432 - 2015
RESOLUTION AUTHORIZING INTER-GOVERNMENTAL AGREEMENT
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY
AND ONEIDA COUNTY PUBLIC HEALTH DEPARTMENT**

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 Intergovernmental Agreement with the Oneida County Public Health Department for testing and treatment of sexually transmitted diseases, (“STD’s”) including human immunodeficiency virus (“HIV”) for Lewis County residents; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency, and the Oneida County Public Health Department for testing and treatment of STD’s, including HIV for Lewis County residents.

Section 2. That this is for the period commencing January 1, 2016 and ending December 31, 2017 at a cost of \$120.00 per visit.

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Section 3. That the Lewis County Board of Legislators hereby authorizes execution of the "Business Associate Agreement" required for compliance with HIPAA and the HITECH Act, to be attached as an appendix to the Agreement.

Section 4. 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 5. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 433 - 2015
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 in the Immunization Grant during this contract year:

<u>From:</u>		
A4092.4901	Professional Services	\$ 1,250.00
<u>To:</u>		
A4089.4503	Educational Material	\$ 1,250.00

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

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

**RESOLUTION NO. 434 - 2015
RESOLUTION AUTHORIZING DIGITAL DATA
RELEASE LICENSE AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND
ABSOLUTE AUCTIONS & REALTY**

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

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WHEREAS, the County of Lewis wishes to enter into a Digital Data Release License Agreement with the Absolute Auctions & Realty (“Absolute”) company, for the purpose of allowing Absolute 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 Absolute Auctions & Realty for the purpose of allowing Absolute 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, 2016 and ending December 31, 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 Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 435 - 2015
RESOLUTION TO TRANSFER FUNDS
RECREATION, FORESTRY AND PARKS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Recreation, Forestry & Parks accounts:

<u>From:</u>	<u>Amount</u>
A7990.4605 Repairs & Maint	\$4,573.79
A8711.4910 Singing Waters	\$2,488.37
A7989.4501 Education	\$ 58.88
<u>To:</u>	
A7990.1999 Pers Serv	\$4,573.79
A8711.4400 Taxes	\$2,488.37
A7989.4401 Postage	\$ 58.88

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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. 436 - 2015
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 law enforcement patrols for the Winter Parks and Recreation program:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Deputy Sheriff (5)	Temporary Part-time	Grade 23

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said positions for the period from December 14, 2015 through April 30, 2016, in compliance with Civil Service rules and regulations.

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

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

**RESOLUTION NO. 437 - 2015
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.

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

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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, 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, 2016 through December 31, 2016 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 Moser, seconded by Legislator King, and adopted.

**RESOLUTION NO. 438 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT AND
ELW SOFTWARE**

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

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:

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, 2016 through December 31, 2016 in an amount not to exceed \$8,500.00.

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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 Moroughan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 439 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT
AND LOCUM INTERACTIVE, INC.**

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

WHEREAS, the Lewis County Sheriff's 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 mental health services to the inmates at the Lewis County Jail; 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 with Locum Interactive, Inc. to provide the services of Lawrence J. Palinski and Steven M. Fogleman, MD for mental health services to the inmates at the Lewis County Jail.

Section 2. That this is for the term beginning January 1, 2016 and ending December 31, 2016 at a cost of \$2,500.00 per month (Physician's Rate") which includes one visit to the work facility per month for a total of four (4) hours per visit and one phone consultation per week for a total of one (1) hour per call. Any additional coverage needed per month shall be charged at \$300.00 per hour to be on-call during a weeknight, and should the Physician be called back to the worksite during the weeknight, Physician will be paid at the rate of \$350.00 per hour. Additionally, \$400.00 per hour to be on call during a recognized holiday and should the Physician be called back to the worksite on the holiday, the Physician will be paid at the rate of \$450.00 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, upon such form as may be approved by the County Attorney.

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

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

**RESOLUTION NO. 440 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT
AND TRANSITIONAL LIVING SERVICES
OF NORTHERN NEW YORK**

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

WHEREAS, pursuant to Correction Law § 500-c, the Lewis County Sheriff (the "Sheriff") is responsible for the custody of inmates in the Lewis County Public Safety Building; and

WHEREAS, in such capacity, the Sheriff needs to obtain mental health counseling or other related mental health services for the inmates in the Sheriff's custody; and

WHEREAS, Transitional Living Services of Northern New York ("TLS") has offered to provide those services for the inmates at Lewis County Public Safety Building; and

WHEREAS, the Sheriff has considered the contract for TLS, 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 by and between the County of Lewis and Transitional Living Services of Northern New York, to provide mental health counseling or other related mental health services for the inmates in the Sheriff's custody for the term beginning January 1, 2016 and ending December 31, 2016 at a cost of \$150.00 per hour.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as may be approved by the County Attorney.

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

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

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**RESOLUTION NO. 441 - 2015
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 in the Sheriff's Department to pay for overtime in the jail using restitution money received from former inmate.

Increase Revenues

A22640 -Jail Fac - Other Gov'ts. \$182.12

Increase Expense

A3150.1103 (OT) \$182.12

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

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

**RESOLUTION NO. 442 - 2015
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 accounts for inmate medical and law library:

<u>From:</u>	<u>Amount</u>
A3110.4703 (Vehicle gas/oil)	\$15,000.00

<u>To:</u>	
A3150.4509 (Inmate medical)	\$13,000.00
A3150.4914 (Law Library)	\$ 2,000.00

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

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

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**RESOLUTION NO. 443 - 2015
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 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, 2016 through December 31, 2016 at a cost not to exceed \$31,920.00, payable in quarterly installments of \$7,980.00 upon receipt of a completed Quarterly Registration Review Report from the DCCS Regional Office.

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. 444 - 2015
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, 2016 through December 31, 2016, with the Lewis County Department of Social Services to

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receive \$8,400.00 quarterly (Maximum Funding Amount of \$33,600.00), for an acceptable level of compliance and performance as specified by the Division of Child Care Services (“DCCS”).

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 Kulzer, and adopted.

**RESOLUTION NO. 445 - 2015
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 (“LCDSS”) is charged with administering Employment and Training programs for employable recipients of Temporary Assistance and Supplemental Nutrition Assistance Programs (“SNAP”). Departmental regulations require LCDSS to establish a conciliation procedure to resolve participant grievances and/or non-compliance by participants; and

WHEREAS, the LCDSS wishes to enter into an Agreement with the Resolution Center of Jefferson and Lewis Counties, Inc. to provide mediators to facilitate with this conciliation procedure.

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 with a conciliation procedure to resolve participant grievances and/or non-compliance requirements.

Section 2. That the term of this Agreement shall be from January 1, 2016 through December 31, 2016 for an amount not to exceed:

- \$50.00 for each case requiring mediation and \$15.00 for each case in which a mediation hearing is scheduled but not held; and
- If additional mediation sessions are required for a case, each additional session will cost \$25.00;

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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 Chartrand, and adopted.

**RESOLUTION NO. 446 - 2015
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, 2016 through December 31, 2016 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 King, and adopted.

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**RESOLUTION NO. 447 - 2015
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
THE WILLIAM GEORGE AGENCY FOR CHILDREN'S SERVICES**

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

WHEREAS, The William George Agency for Children's Services, Inc. ("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.

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 William George Agency for Children's Services, Inc. for the provision of foster care services.

Section 2. That the term of this agreement shall be from January 1, 2016 through December 31, 2016 at a per diem cost not to exceed the Maximum State Aid Rate established by the New York State Department of Health. There is no local share cost until foster care costs exceed the Block Grant, and then local share may be from 37.5% to 100% depending upon the Treatment Plan and client eligibility; and

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. 448 - 2015
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 to the Federal government.

NOW, THEREFORE, BE IT RESOLVED, as follows:

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Section 1. That the sum of \$37,116.00 be debited to Account No. A6141.4999 - HEAP Expense.

Section 2. That this return of Federal Aid in the amount of \$37,116.00 also be credited to Account No. A46410 –Federal HEAP Revenue.

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

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

**RESOLUTION NO. 449 - 2015
RESOLUTION APPROVING INTER-GOVERNMENTAL AGREEMENT
BETWEEN LEWIS COUNTY SOLID WASTE DEPARTMENT
AND THE ONEIDA-HERKIMER SOLID WASTE MANAGEMENT AUTHORITY
FOR PROCESSING AND MARKETING OF RECYCLABLES**

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

WHEREAS, the County of Lewis, by and through the Lewis County Solid Waste Department (LCSWD), desires to enter into a recycling Agreement with the Oneida-Herkimer Solid Waste Management Authority (“OHSWMA”), a public benefit corporation under the New York State Public Authorities Law, with offices located at 1600 Genesee Street, Utica, NY, to provide for processing and marketing of residential recyclable materials delivered from Lewis County; and

WHEREAS, OHSWMA is expressly empowered under Public Authorities Law § 2049-ee (8) to contract with other counties to receive residential recyclable materials originating from other counties, and by doing so is performing an essential governmental function by its receipt, processing and marketing of residential recyclable materials originating from Lewis County; and

WHEREAS, the County of Lewis generates significant residential recyclable materials at its facilities which need to be processed and marketed for the benefit of all Lewis County residents; and

WHEREAS, the County of Lewis possesses the requisite equipment and permits to transport residential recyclables to OHSWMA Recycling Center on Leland Avenue, Utica, NY, and OHSWMA has been permitted by the NYSDEC to receive and process these materials; and

WHEREAS, this inter-governmental agreement is intended to reduce the County’s costs associated with processing and marketing of residential recycling materials; and

WHEREAS, this intergovernmental agreement is for a five (5) year term, commencing January 1, 2016 and ending December 31, 2020, with a rate of \$70 for the first year with annual increases of 2 % commencing January 1, 2017 and each subsequent year, for each ton of recyclables delivered to OHSWMA for processing and marketing. The County will be billed

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monthly and receive a monthly credit against the monthly processing/marketing fee, for revenues realized from the sale of sorted recyclable materials, less residue rates as set forth in the inter- governmental agreement; and

WHEREAS, the Board of Legislators seeks to enter into this Agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Inter-governmental Recycling Service Agreement between the County of Lewis by and through the Lewis County Solid Waste Department and the Oneida-Herkimer Solid Waste Management Authority to process and market residential recyclables from Lewis County.

Section 2. That said Agreement shall be for the period beginning January 1, 2016 through December 31, 2020, with the County to pay OHSWMA monthly fees at the rate of \$70/ton for the first year, with 2% increases each subsequent year; and with the County to receive credit for revenues realized from the sale of sorted, recyclable materials less residue rates as set forth in the Agreement.

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

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

Moved by Legislator Chartrand, seconded by Legislator Brennan.

In response to Chairman Tabolt, Legislator Brennan predicts annual savings of \$40,000, substantially attributable to labor and equipment. The “zero sort” process will reduce labor, he said. Legislator Moser offered that the Oneida-Herkimer facility is a State-of-the-art system for sorting capabilities. Everything is tied to the clear bag use, he added.

Legislator Brennan informed of the multi-media advertising campaign for public education on recyclable items and the implementation date of 4/1/2016 requiring clear bag use. As the primary advocate for expanding recycling efforts, the Development Authority of the North Country will share in the campaign cost. In addition, an informational flyer will be included in all County property tax bills.

The resolution was then adopted.

**RESOLUTION NO. 450 - 2015
RESOLUTION AUTHORIZING AGREEMENT WITH
TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK**

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

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WHEREAS, Transitional Living Services of Northern New York (“TLS”) provides comprehensive out-patient clinic services to the residents of Lewis County who have mental illness, behavior problems, emotional distress and other disorders; impacting the patient/client’s ability to function in the home, workplace and community; and

WHEREAS, the County of Lewis, through various government efficiencies, realized increased revenues in 2015, and seeks to provide TLS with a one-time payment of \$20,000 from the County’s 2015 general fund balance, to be used by TLS in 2016 for its mental health clinic management services.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes an Agreement with TLS to provide a one-time payment of \$20,000 from the County’s 2015 general fund account, to be paid over and used by TLS in 2016 to provide mental health management services for its clinical services to Lewis County residents.

Section 2. That the Chairman, or the Vice-Chairman, of the Board of Legislators be and the same are hereby authorized to execute and deliver such agreement upon such form as approved 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. 451 - 2015
RESOLUTION TO APPROPRIATE AND TRANSFER
FUNDS NON-DEPARTMENTAL**

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 for a Non-Departmental account, due to increase in revenue in 2015 budget, funds from Fund Balance:

<u>Transfer from:</u>	
A599 (Fund balance)	\$20,000.00
<u>Transfer to:</u>	
A4339.4999 (TLS Cty Exp)	\$20,000.00

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

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

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**RESOLUTION NO. 452 - 2015
RESOLUTION AUTHORIZING ADDITIONAL LEGAL FEES PURSUANT TO THE
RETAINER AGREEMENT WITH
WLADIS LAW FIRM FOR PROFESSIONAL SERVICES TO ASSIST IN
PREPARATION OF A PURCHASE POWER AGREEMENT (PPA)**

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

WHEREAS, the Board of Legislators authorized the Ways and Means Committee to analyze and choose a potential Solar Developer for the County's intended Solar Photovoltaic (PV) System for the County's energy needs in an effort to reduce energy costs and its footprint on energy resources; and

WHEREAS, the Board of Legislators authorized a PPA with Greenskies Renewable Energy, LLC ("Greenskies"); and

WHEREAS, by Resolution No. 301-2015, the Board of Legislators authorized the legal services of the Wladis Law Firm to assist the County Attorney in the negotiation of a Purchase Power Agreement with a Solar Developer, at the rate of \$225.00 per hour, for a total payment not to exceed \$3,000.00, and thereafter authorized an additional payment of \$4,000.00 to the Wladis Law Firm for such services by Resolution No. 368- 2015, with any additional amounts to be further approved by the Board; and

WHEREAS, the professional services provided by Kevin C. Murphy, Esq. of the Wladis Law Firm through November 18, 2015, for review and negotiation of terms and provisions of a proposed PPA with Greenskies totals \$9,893.57; an amount in excess of the \$7,000.00 authorized by the Board; and

WHEREAS, the County Attorney requests the continuation of the legal services of Kevin Murphy, Esq., in the negotiation of a final PPA, with said attorney and firm agreeing to cap the legal fees for such services at \$10,000.00.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes continuance of compensation payable for the legal services of Kevin C. Murphy, Esq., of the Wladis Law Firm at the rate of \$225.00 per hour as set forth in the executed Retainer Agreement between the County of Lewis and Wladis Law Firm, for the purpose of assisting in the negotiation, preparation and review of a Purchase Power Agreement (PPA) between Lewis County and Greenskies Renewable Energy, LLC, a Solar Developer approved by the Board.

Section 2. That the Lewis County Board of Legislators hereby authorizes total compensation to the firm for the professional services rendered by Kevin C. Murphy, Esq., not to exceed \$10,000.00.

Section 3. That the Chairman or Vice-Chairman is hereby authorized to execute, seal and

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deliver said Agreement, upon such form as approved by the County Attorney.

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

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

**RESOLUTION NO. 453 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY, BIRNIE BUS TOURS, INC. AND
NYSARC, INC. (ONEIDA-LEWIS CHAPTER) (“ARC”) AND
UPSTATE CEREBRAL PALSY (“UCP”)**

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

WHEREAS, Section 119-r of the General Municipal Law of the State of New York authorizes a county to enter into a contract with a privately owned or operated mass transportation facility for mass transportation services to be rendered to the people of Lewis County; and

WHEREAS, the County has adopted Local Law No. 4 – 2009, entitled, “A LOCAL LAW AUTHORIZING PUBLIC TRANSPORTATION SYSTEM WITHIN LEWIS COUNTY,” whereby the County of Lewis has authorized the Board of Legislators to enter into a contract or contracts for a fair and reasonable consideration for mass transportation services to be rendered to the public by a privately-owned or operated mass transportation facility; and

WHEREAS, the BIRNIE BUS 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 Upstate 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

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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 UPSTATE 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 January 1, 2016 and continue through December 31, 2016 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 Dolhof, seconded by Legislator Pepper.

In response to Legislator King, Planning Director Frank Pace affirmed that the fare boxes are separate from the State Transportation Operating Assistance (STOA) Program.

The resolution was then adopted.

Demand Response/Medicaid Van for Non Emergency Medicaid Transportation:

The County shall pay the Carrier \$27.24 per hour for Demand Response/Medicaid Van transit hours. This rate may be subject to the County's right to further negotiate reduction of the hourly rate for the remainder of the term of this Contract. The Carrier shall provide cumulative payroll hours in monthly invoices to the County (under a separate line item labeled Demand Response/Medicaid Van). The County also maintains the right to terminate Demand Response/Medicaid Van service with a thirty day written notice to the Carrier. NEMT service is available Monday – Friday except on the holidays listed under the Fixed Route exclusions. NEMT service is only for Medicaid clients by appointment only.

Old Forge Seasonal Route:

The County shall pay the carrier \$462.00 per day for round trip service between Croghan, NY and Old Forge, NY for the summer season. Tentative pick up locations include:

- 1) Croghan
- 2) Lowville
- 3) Glenfield
- 4) Lyons Falls
- 5) Port Leyden

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- 6) Boonville
- 7) Woodgate

The route is subject to change upon written approval of both parties. Service is 7 days per week and the route is open to the public in both directions. This service commences on or about June 10, 2015 and terminates after Labor Day weekend. The Carrier charges \$1.00 fare each way for this service. Carrier keeps the fare box.

The Carrier shall provide the County with a monthly invoice which shall include the number of days of service and ridership data by location.

Route 518 Expansion (Lowville to Boonville):

The County shall pay the Carrier \$1,384 per month for Route 518 expansion (Lowville to Boonville round trip) as part of a three way partnership with United Cerebral Palsy, Birnie Bus, Inc. and Lewis County. Lewis County will pay for this expanded portion of service while Birnie Bus, Inc. will credit UCP \$16,600 per year as per the agreed upon partnership. The Carrier shall provide a separate line item for Rt. 518 expansion on its monthly invoices to the County. Presently, the expanded service runs Monday – Friday except the holidays listed under the Fixed Route exclusions. The County also maintains the right to adjust or terminate this expanded route with a thirty day written notice to the Carrier and UCP.

Fare Box:

The Carrier shall keep the fare box as part of its contracted service. The Carrier maintains all records regarding fare box revenue. Carrier shall provide the County with a monthly invoice with fare box revenue data.

**RESOLUTION NO. 454 - 2015
RESOLUTION AUTHORIZING COUNTY TREASURER
TO CORRECT ERRORS ON TAX ROLLS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means 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 2016.

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 2016.

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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 Chartrand, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 455 - 2015
RESOLUTION TO APPROPRIATE AND TRANSFER 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, due to increase in revenue in 2015 budget, funds from Fund Balance:

Transfer from:	
A599 (fund balance)	\$16,800.00
Transfer to:	
A7520.4999 (Historical)	\$ 5,000.00
A7521.4999 (Constable Hall)	\$ 200.00
A7522.4999 (Maple Museum)	\$ 200.00
A7410.4999 (Libraries)	\$ 5,000.00
A8753.4999 (Ag Society)	\$ 1,000.00
A7524.4999 (Railroad)	\$ 200.00
A7525.4999 (Diana Museum)	\$ 200.00
A4322.4909 (ARC)	<u>\$ 5,000.00</u>
	\$16,800.00

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

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

**RESOLUTION NO. 456 - 2015
RESOLUTION AUTHORIZING CONTRACT ADDENDUMS
WITH VARIOUS OUTSIDE AGENCIES**

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

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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 2015, for the amounts set opposite to each:

<u>OUTSIDE AGENCY</u>	<u>AMOUNT</u>
Lewis County Historical Society	\$ 5,000.00
Constable Hall Association	200.00
American Maple Museum	200.00
North Country Library System	5,000.00
Lewis County Agricultural Society	1,000.00
Railroad Historical Society NNY	200.00
Oneida-Lewis Chapter, NYSARC	5,000.00

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 Hathway, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 457 - 2015
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#PY15-3

Section 1. That the following funds be appropriated for Program Year 2015, 7/1/15-6/30/17, Title 1B Adult and Dislocated Worker programs, per the Notice of Obligational Authority (NOA), #15-3, dated October 23, 2015 through the New York State Department of Labor, as indicated below:

<u>Adult</u>	
CD6292.1999	\$ 23,000.00
CD6292.4909	\$ 9,000.00
CD6292.8999	\$ 11,500.00
CD6292.4999	<u>\$ 14,400.20</u>
Total	\$ 57,900.20

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WIARevenue
CD47910 \$ 57,900.20

DislocatedWorker
CD6291.1999 \$ 25,100.00
CD6291.4909 \$ 9,031.00
CD6291.8999 \$ 7,700.00
CD6291.4999 \$ 3,113.35
 \$ 44,944.35

WIARevenue
CD47910 \$ 44,944.35

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

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

RESOLUTION NO. 458 - 2015
RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION ON BEHALF OF
THE COUNTY OF LEWIS TO 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 New York State Division of Homeland Security and Emergency Services, Office of Interoperable and Emergency Communications, has announced the availability of \$10 million grant funds to facilitate operations of public safety answering points; and

WHEREAS, the Board of Legislators wishes to submit a grant application.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves submission of an application on behalf of the County of Lewis to the New York State Division of Homeland Security and Emergency Services for a Public Safety Answering Points Operations Grant to enhance operations of our public safety answering point system.

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

Moved by Legislator Pepper, seconded by Legislator Dolhof.

In response to Legislator Brennan, Dispatch Supervisor Cheryl LaLonde explained the

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grant funds represent the annual “wireless allocation”, and estimates Lewis County’s grant share at \$182,000 to support the 911 program operations.

Chairman Tabolt relayed that U.S. Senator Schumer’s representative had recently advised that applications are being accepted for AFG grant funding from 12/7/15-1/15/16. Legislator King clarified that Fire Departments can not apply for funding to finance completed projects, so funds are not available to finance radios/pagers that have already been purchased. He assured there would be thorough review to ascertain improved language for future grant applications, when the reasons for grant denial are released. There were 9,000-10,000 applications submitted nationwide, he added.

The resolution was then adopted.

**RESOLUTION NO. 459 - 2015
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 the purchase of two radios for the Public Health Emergency Preparedness Redundant Communication:

<u>From:</u>		
A4092.4901	Professional Services	\$5,300.00
<u>To:</u>		
A4092.2909	Misc Equip	\$5,300.00

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

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

OTHER BUSINESS:

Legislator Brennan recognized and commended Hospital CEO Eric Burch and his staff for turning things around during the past year to accomplish a more favorable financial status.

He wished everyone a Merry Christmas.

The Clerk of the Board announced Chairman Tabolt had re-appointed Fred Munk as an Agricultural and Land Preservation Representative and Robert Domagala as an Active Farmer Representative to the Agricultural and Farmland Protection Board for a 4-year term through December 31, 2019.

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Proclamations were read to commend Lyons Falls Volunteer Fire Department EMT Josh Levesque for his conscientious actions that were directly responsible for saving a life. He is continuing his education to become a paramedic. Another, to commend the Copenhagen Girl's Varsity Soccer Team for attaining the distinguished NYSPHSAA Class "D" Regional Championship.

The Chairman had also declared the week of December 7-11, 2015 as "Employee Learning Week"

At 6:31 p.m. Legislator Chartrand made a motion to enter executive session to discuss personnel contracts and potential land acquisition, seconded by Legislator Dolhof and carried. The Board invited Legislator-Elect Roscoe Fawcett, Jr. to join them. The session commenced at 6:42 p.m. after a short recess. At 7:29 p.m. Legislator Moser made a motion to re-enter regular session, seconded by Legislator Brennan and carried.

There being no other business to come before the Board, Legislator Chartrand made a motion to adjourn, seconded by Legislator Moroughan and carried.

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**FINAL DAY
ANNUAL SESSION
December 22, 2015**

The meeting was called to order at 10:00 a.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

Legislator Moser offered the Invocation, followed by a moment of silence for those recently deceased. Chairman Tabolt then led the Pledge of Allegiance to the Flag.

There were 9 persons present.

Chairman Tabolt approved the minutes of the 11/19/15 and 12/1/15 meetings.

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 22, 2015

Lawrence Dolhof
Bryan Moser
Craig Brennan, Committee

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

PRIVILEGE OF THE FLOOR:

Chairman Tabolt introduced Ethics Board candidate Thomas Beyer of Castorland, informing that he had spent his life working at Climax, and also as a volunteer with the Castorland Fire Department, currently serving as President.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Mr. Vincent Vetere, CFO of Arc Oneida-Lewis Chapter, NYSARC sent a letter of thanks to the Board for the additional 2015 allocation of \$5,000.00 to support their programs.

The Northern New York Volunteer Firemen's Association extended an invitation to all Legislators to attend a January 10, 2016 special meeting at 2 p.m. at the Copenhagen Volunteer Fire Hall. The agenda includes a discussion on legislative items of concern to volunteer fire service, as well as representatives of governmental agencies. The meeting is co-sponsored by the Firemen's Association of the State of New York.

The NYS Parks, Recreation and Historic Preservation office informed that the Beaver Falls Grange Hall has been listed on the National Register of Historic Places.

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REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Real Property Tax Director Linda Hoskins and Treasurer Patricia O'Brien have submitted approved applications for refund and credit of real property taxes to Stanley and Betty Szalach of the Town of Turin in the total amount of \$24.11 for 2013, 2014 and 2015.

Board of Election Commissioners Ann Nortz and Lindsay Burriss submitted the Statements of the County Board of Canvassers for the 11/3/2015 general election.

Fire and Emergency Management Director Robert MacKenzie, III informed his appointment of Gary Ashline as Deputy Fire Coordinator for the Central/North and Additional Zones as needed.

All Legislators have received copies of the 2015 annual report for Cooperative Extension, Ethics Board and Youth Bureau Advisory Board, the 12/21/15 Highway audit report, and minutes of the 11/24/15 Soil and Water Conservation District Board of Directors and 12/1/15 Traffic Safety Committee meetings.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Buildings and Grounds/Ways and Means Committee Chairman, made a motion to authorize Building Maintenance Supervisor Frank Archer to purchase a 2016 Ford F-250 truck for a State bid price of \$23,832.85 and a 2016 Ford F-150 truck for \$21,372.59 from Van Bortel Ford, Inc.. The motion was seconded by Legislator Chartrand and carried.

Legislator Neil Pepper, Office For the Aging/Social Services/Youth Committee Chairman, reported that as required by the State, Social Services staff are reviewing existing liens of persons receiving temporary assistance. Those persons will receive a lien status report by mail on 2/1/2016 and every two years thereafter.

Volunteer foster care agencies and foster parents are implementing reasonable and prudent parent standards to maintain the health, safety and best interest of children in foster care, while encouraging emotional and developmental growth. The standards will help parents determine whether to allow their child to participate in enrichment, cultural and social activities.

Legislator Pepper reported receipt of 820 HEAP applications, of which 638 have been processed. HEAP payments have been sent to vendors for persons receiving Senior Nutrition Assistance Program (SNAP). The emergency HEAP program, he said, will start on 1/4/2016.

Legislator Pepper relayed appreciation on behalf of the Youth Bureau Advisory Board and Social Services for donations to the Homeless Christmas Tree Program, recognizing the generosity of County employees and the community.

Legislator Bryan Moser, Junkyard/Veterans' Services Committee Chairman, commended Veterans' Services Counselor Stephen Kilionski for volunteering with the Meals-on-Wheels

PROCEEDINGS OF THE BOARD OF LEGISLATORS

program, during which he makes contacts with veterans whom otherwise may not reach out for services.

Legislator Moser reported the Junkyard Review Board had addressed five (5) complaints and had issued seven (7) junkyard renewal licenses.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, made a motion to authorize Probation Director MaryJo Burkhard to purchase a 2016 Chevrolet Impala from Cappellino Chevrolet of Boston, New York for the State Bid price of \$17,983.50, seconded by Legislator Moroughan. In response to Legislator Moser, Liz Swearingin affirmed that a fleet management plan would be considered during the coming year. The motion was then carried.

Legislator King reported correction of the one microwave dish that had been shifted by wind, and that the radio communications system is operational with minor adjustments being made to enhance voice quality.

Legislator Lawrence Dolhof, Economic Development Committee Chairman, reported that Cooperative Extension staff and Planning Director Frank Pace continue to work with maple producers to enhance marketing sales to China.

The National Weather Service located in Buffalo, New York has requested the Soil and Water Conservation District to relate data as it is collected by the flood mitigation equipment installed along the Black River.

Legislator Dolhof reported that Mr. Pace and Liz Swearingin continue their efforts to develop and implement advanced education opportunities. They also maintain contact with Kraft representatives to further their expansion project.

Legislator Dolhof reported 1,840 ATV permits sold in 2015 for a total of \$82,870.00, plus 703 3-day passes for a total of \$14,050.00. The County's ATV fund reporting continues to be reviewed to attain public transparency. The NYS Office of Parks and Recreation has informed the amount of local 2015-2016 snowmobile trail grant funding is \$307,955.00 for grooming 381 miles of corridor-A trails and 112 miles of secondary trails. The voucher for 70% upfront grant payment of \$215,568 has been submitted. He also urged support of his sponsored resolution to authorize a kite skiing event in February

Legislator Dolhof reported ongoing discussion with property owners for development of a business park and incubator building. A group of business leaders initiated a monthly breakfast meeting for discussion on mutual issues. The Paige Group has created videos and brochures to highlight local assets and will present an illustration in early 2016.

Legislator Dolhof stated discussion continues with GVT railroad owners relative to the impending termination of their PILOT agreement.

The Lewis County Development Corporation (LCDC) expects to complete the current phase demolition of the Lyons Falls mill site, and has received a \$300,000 deposit from Empire

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State Development. A request for proposals (RFP) has been issued to continue the demolition project, estimated at \$1.5 million to complete.

In conclusion, Legislator Dolhof reported that County personnel are assisting Tug Hill Vineyard owners with a USDA grant application.

Legislator Craig Brennan, Transportation/Solid Waste Committee Chairman, made a motion to waive the County portion of the tipping fees and reimburse the Village of Castorland in the amount of \$4,363.05 for removal of the old Agway feed mill blighted property. The project was initiated by Castorland native Bob Sturtz, whom had personally invested over \$100,000 to mitigate the blighted property. The Development Authority of the North Country had waived their portion of tipping fees. The motion was seconded by Legislator Pepper and carried.

Legislator Brennan commended Solid Waste Director Pete Wood and his staff for advancing recycling efforts; and Highway Superintendent David Becker and his staff for an outstanding year during which they surpassed planned projects while remaining within budgetary appropriations.

Legislator Richard Chartrand, Hospital Committee Chairman, reported the Hospital has upheld the MOU for County debt repayment, as well as pre-payment of their pension expense. They anticipate receipt of \$6,356,000 additional revenue in 2016, \$5.2 million of which they expect within the first quarter. Currently, vendor payments are made within 90 days, which very soon should be reduced to within 70 days.

Legislator Chartrand urged support for all proposed Board of Manager appointments.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, urged support for proposed resolutions. The current 33 children being served and 11 referrals for the Early Intervention Program is an increase over last year. The Pre-School Program caseload of 106 active children and 27 referrals simulates last year's numbers.

Legislator Moroughan reports the NYSDOH has invited the local agency to participate in a 25-month demonstration cancer prevention program. The purpose is to augment the existing program to reduce ultra violet exposure and increase HPV vaccination rates. Sub-contractors would be utilized to provide the services, and the Public Health Supervisor would be hired earlier than previously recommended to administer the \$465,000 grant. The program would neither increase the County head count nor County share allotment.

Director Penny Ingham had presented an update on dental health strategies reporting enhanced dental health access due to two local dentists who are now accepting Medicaid patients. The North Country Family Health Center will soon have one part-time dentist available. There is continued collaboration with other agencies to introduce new programs to enhance dental health education, water fluoridation and fluoride varnish.

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Legislator Moroughan reported the Community Services budget will end the year with a \$2,000 surplus. The Central NY Collaborative group representing the Hospital, Public Health and other medical and mental health service providers are working to reduce Medicaid expense related to emergency room and hospital treatment.

She announced the resignation of Sue Pierce from the Developmental Disabilities subcommittee of the Community Services Board.

Legislator Moroughan reported the 2016 agency contracts and memorandums of agreement are being finalized for Assisted Outpatient Treatment.

COUNTY MANAGER REPORT:

Liz Swearingin thanked MaryJo Burkhard, Sue Lyndaker, Charlene Berrus and Adam Zehr for their collective hard work over several months to reduce the over 50 layouts and print formats and develop a sole County logo. The new standardized logo will be used for all County employee business cards, letterhead, fax covers, power point presentations, envelopes and memos.

SPECIAL REPORTS:

In response to Senator Pattie Ritchie's invitation, Chairman Tabolt reported that he and Legislator Chartrand had attended a conference in Albany. Legislator Chartrand that Senators Ritchie and Little had assembled the limited group to ascertain common ground for legislation to increase the allowed registered weight of UTV's to 1,500 pounds. The environmental group had already expressed their concern for the damage heavier vehicles would cause in the Park. Increasing the weight and the purported damage were the only two unresolved issues preventing related legislation. Legislator Chartrand defended the weight increase, submitting that most of the riders are older residents traveling at slower speeds. Senators Ritchie and Little relayed their intent to present their UTV legislation to the Governor in January.

At the request of Chairman Tabolt, Legislator Brennan made a motion to change the date of the Board's regular monthly meeting to February 9, 2016 at 5 p.m. so that interested Legislators may attend the 2/1-2/3/2016 NYSAC conference. The motion was seconded by Legislator Chartrand and carried.

Chairman Tabolt relayed that along with the Clerk and Deputy Clerk of the Board, Lewis County will Chair the Inter-County Legislative Committee of the Adirondacks during 2016. The Clerk of the Board will serve as the group's secretary to accept correspondence, create agendas, provide meeting notices and coordinate the monthly luncheon meetings. In accordance with the Committee By-Laws, Lewis County will host the first meeting of the year on January 28, 2016 at Ridge View Inn to begin at 10:30 a.m. Fernando Vaquero, representing the local Heinz-Kraft company, has agreed to update the Inter-County group about the facility.

On behalf of the Lowville Volunteer Fire Department, Legislator Chartrand informed the Lewis County ARC bus was regularly stopping to pick up passengers at the front entrance of the

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Lowville Firehall. There have been reported concerns for potential risk for first responders and/or pedestrians in the event of a siren call. County Attorney McNichol stated that she would address the issue with the contract agency.

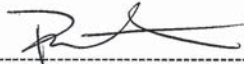
REPORT OF THE WAYS AND MEANS COMMITTEE:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**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 \$ 570,323.10 and recommend that they be audited and allowed for the amounts claimed.



Philip Hathway

Chair

Jerry King

Committee



Richard Chartrand

Committee

Dated: December 22, 2015

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

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RESOLUTIONS:

**RESOLUTION NO. 460 – 2015
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 \$ 570,323.10 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted by roll call vote:

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 461 - 2015
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 Mental Health Law § 9.60 for Assisted Outpatient Treatment evaluations and court testimony and Criminal Procedure Law § 730 evaluation to determine the mental capacity of a criminal defendant as ordered by the 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 Community Services Department with

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Locum Interactive, Inc. to provide the services of Steven M. Fogelman, MD for psychiatric services pursuant to Mental Health Law § 9.60 for Assisted Outpatient Treatment evaluations and court testimony and for Criminal Procedure Law § 730 evaluations to determine the mental capacity of a criminal defendant as ordered by the court.

Section 2. That this is for the term beginning January 1, 2016 and ending December 31, 2016 at a cost of \$325.00 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, upon such form as may be approved 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. 462 - 2015
RESOLUTION TO TRANSFER FUNDS
BUILDING CODES**

Introduced by Legislator Jerry King, Chairman of the Building Codes Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2015 budget transfer is hereby approved in the Building Codes Department for the purchase of a new Ford F-150 truck utilizing Capital Equipment funds (HAD9901.9), balance \$338,625.69:

<u>Increase Revenue:</u>	
A50310 (Inter-fund transfers)	\$21,375.83
<u>Increase Expense:</u>	
A3620.2233 (Vehicles)	\$21,375.83

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

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

**RESOLUTION NO. 463 - 2015
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS
BUILDINGS AND GROUNDS**

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

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BE IT RESOLVED as follows:

Section 1. That the following 2015 budget change is hereby approved in the Court House Building and Grounds Department Account for the purchase of one new F-250 truck, one new F-150 truck and one truck cap, with funds to be transferred from the Capital Equipment account, balance \$338,625.69:

<u>Increase Revenue:</u>	
A50310 (inter-fund transfer)	\$52,983.64
<u>Increase Expense:</u>	
A1620.2233(Vehicles)	\$52,983.64

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

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

**RESOLUTION NO. 464 - 2015
RESOLUTION TO APPOINT MEMBER TO
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 Douglas Ort of 125 Sherman Street, Watertown, New York 13601, to the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. That the term of said appointment shall be effective January 1, 2016 through December 31, 2019.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 465 - 2015
RESOLUTION TO APPOINT MEMBER TO
COMMUNITY MENTAL HEALTH, DEVELOPMENTAL
DISABILITIES AND ALCOHOLISM SERVICES BOARD**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 John Waterhouse of 11622 Zecher Road, Carthage, New York 13619, 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, 2016 through December 31, 2019.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 466 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY SERVICES AND
NORTHERN REGIONAL CENTER FOR INDEPENDENT LIVING
FOR OUTREACH PEER ADVOCATE**

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

WHEREAS, the Community Services Board has reviewed the proposal for an Outreach Peer Advocate to assist people with disabilities who reside in outlying rural communities to access primary and mental health care, as well as entitlements and independent living services, and to also assist with executing broader agency and community goals. The Community Services Board has determined that this service is necessary to meet the needs of the community and the costs are reasonable for servicing such needs; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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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 Northern Regional Center For Independent Living for the purpose of an Outreach Peer Advocate to assist people with disabilities who reside in outlying rural communities to access primary and mental health care, as well as entitlements and independent living services, and to also assist with executing broader agency and community goals.

Section 2. That the term of this Agreement shall be from January 1, 2016 through December 31, 2016 for an amount not to exceed \$46,833.00.

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 King, and adopted.

RESOLUTION NO. 467 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY SERVICES BOARD
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 an Agreement with Transitional Living Services of Northern New York (“TLS”); and

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 and to directly bill Medicaid/Medicare and other third party insurers for eligible 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 Lewis County Community Services Board and Transitional Living Services of Northern New York to provide out-patient clinic services.

Section 2. That this is for the term commencing January 1, 2016 through December 31, 2016, with no fees and expenses payable by the County to TLS for the out-patient clinic services.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 3. 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 4. That the within resolution shall take effect immediately.

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

RESOLUTION NO. 468 - 2015
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, 2016 through December 31, 2016 for an amount not to exceed \$643,751.00; such services to include: Transition Management Services; MICA; 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 and said payments are contingent upon receipt of state aid by Community Services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract between Transitional Living Services of Northern New York and the Lewis County Community Services Department for the term January 1, 2016 through December 31, 2016 for an amount not to exceed \$643,751.00.

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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, upon such form as may be approved 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. 469 - 2015
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 Department for adjustments to TLS accounts:

<u>From:</u>	Amount
A4318.4220 TLS Case Mgmt Non Med	\$565.00
<u>To:</u>	
A4318.4221 TLS Health Home Case Mgmt	\$314.00
A4318.4222 TLS Health Home Svc Dollars	\$251.00

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

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

**RESOLUTION NO. 470 – 2015
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 appropriation is hereby approved in the office of the District Attorney using money from T87.03 (DA-Federal Money) to pay for Criminal Procedure Law books for the Lewis County Sheriff's Department, New York State Police, and Lowville Village Police.

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Increase Revenues

A26260 (Forfeiture Proceeds) \$457.61

Increase Expense

A1165.4505 (Dues/Sub/books) \$457.61

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

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

**RESOLUTION NO. 471 – 2015
RESOLUTION AUTHORIZING AGREEMENT WITH
COUNTY OF LEWIS INDUSTRIAL DEVELOPMENT AGENCY (IDA)**

Introduced by Lawrence Dolhof, Chairman of the Economic Development Committee

WHEREAS, the County of Lewis (“County”) and the County of Lewis Industrial Development Agency (“IDA”) entered into an Agreement on December 22, 2014 for the purpose of having the County Director of Economic Development perform and provide shared services on behalf of and for the benefit of the IDA, together with any other services to which both parties mutually agree; and

WHEREAS, the Board of Legislators of Lewis County wishes to amend and renew the agreement between the County and the IDA wherein they will share equally the compensatory time and services of the Director for Economic Development in Lewis County; and

WHEREAS, the County and IDA acknowledge that the Director’s time, including but not limited to administrative and managerial services, for the benefit of the IDA have represented approximately fifty (50%) percent of the Director’s compensatory time which is payable at the rate of \$51.88 per hour, including all benefits. It is expected and intended that the Director’s work and services will continue to be shared equally 50/50 by the County and the IDA.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes a renewal agreement between Lewis County and the County of Lewis Industrial Development Agency (IDA), for the purpose of having the County Director of Economic Development perform administrative and managerial functions and services on behalf of and for the benefit of the IDA, together with any other services to which both parties mutually agree for Economic Development in Lewis County.

Section 2. The Board of Legislators authorizes said agreement to provide for the County to charge the IDA, and the IDA to reimburse the County at the rate of \$51.88 per hour for the Director’s services, with the IDA to reimburse the County at such hourly rate for fifty (50%)

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percent of the compensatory time of the Director. Said agreement to provide for the Director to continue to record his time and services rendered for the benefit of the IDA.

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 Dolhof, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 472 - 2015
RESOLUTION AUTHORIZING AND ADOPTING A DEBRIS MANAGEMENT PLAN
FOLLOWING A MAJOR EMERGENCY OR DISASTER IN LEWIS COUNTY**

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

WHEREAS, extraordinary demands may be placed on public and private resources for debris management following a disaster event. A coordinated community and county-wide effort will be required to effectively address the clean-up, removal and disposal of debris following a major emergency or disaster in the County, in order to maximize state and/or federal disaster assistance requests and to address proper disposal of large amounts of debris which may have adverse effects on public health and safety; and

WHEREAS, the Director of the Lewis County Fire and Emergency Management has developed a Master Debris Management Plan ("Plan") for the County, which contains guidance in organization, obtaining mutual aid from adjacent jurisdictions, documentation, temporary storage sites, sample agreements and other duties and responsibilities to be followed in the event of a major emergency or disaster requiring debris management; and

WHEREAS, the proposed Debris Management Plan provides for the County to form a County Debris Management Team comprised of representatives from Lewis County Emergency Management Office, Lewis County Public Health, Lewis County Soil and Water Conservation District, Lewis County Solid Waste Management (Transfer and Recycling Center), Cornell Cooperative Extension, NYSDEC, and officials from affected jurisdictions; and with the Director of Lewis County Emergency Management Office and the Director of Lewis County Solid Waste/Transfer & Recycling Center to act as Directors of the Debris Management Team; as more particularly set forth and described in the Plan; and

WHEREAS, the Board of Legislators wishes to authorize and adopt this plan for the County of Lewis.

NOW, THEREFORE, BE IT RESOLVED, as follows:

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Section 1. That the Lewis County Board of Legislators hereby authorizes and adopts the Lewis County Debris Management Plan proffered and proposed by the Lewis County Director of Fire and Emergency Management.

Section 2. That the Lewis County Board of Legislators hereby authorizes the formation of a County Debris Management Team comprised of representatives of various Lewis County Departments and others as set forth in the Plan, together with the addition of such other appropriate representatives that the County Manager and Directors of the Debris Management Team may recommend from time to time.

Section 3. That the Lewis County Board of Legislators directs that the Lewis County Debris Management Plan be distributed to all appropriate Departments and Local Jurisdictions after final review and approval of its contents by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

**RESOLUTION NO. 473 - 2015
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" this Board of Legislators hereby appoints Thomas Beyer of 9607 Bowman Street, P.O. Box 119, Castorland, New York 13620, as a Democrat representative on the Lewis County Ethics Board.

Section 2. That the term of said appointment shall be for the period from January 1, 2016 through December 31, 2018.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 474 - 2015
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
DEPARTMENT OF HIGHWAYS**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

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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 position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Bridge Construction Supervisor	Full-Time	Grade 23 (\$19.05-\$20.59/hr.)

Section 2. That Highway Superintendent David Becker is hereby authorized to fill said position in accordance with Civil Service regulations, effective April 1, 2016.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Pepper, seconded by Legislator Kulzer, and adopted.

This resolution was hereafter rescinded.

**RESOLUTION NO. 475 - 2015
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 position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
MEO (Light)	Temporary Full-Time	Grade C15-1 (\$15.52/hr.)

Section 2. That Highway Superintendent David Becker is hereby authorized to fill said position in accordance with Civil Service regulations, effective December 30, 2015.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Kulzer.

Legislator Pepper made a motion to rescind Resolution No. 474-2015 and table Resolution No. 475-2015, seconded by Legislator Moser.

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Legislator Moser invoked that the process heretofore has been to have the Human Resources Committee, Human Resources Director and Civil Service Administrator review all position requests, prior to presentation for Board consideration. Alternatively, he said, there is no need for having a Human Resource Committee. The jurisdictional committee reviews and makes their recommendation to the Human Resource Committee. This process has worked very well and Legislator Moser submits that consistency is important.

Legislator Brennan took exception because the Board's permission today would merely authorize Department Heads to start the process to fill the positions.

The motion was then carried by a voice vote of 9 to 1. Legislator Brennan was opposed.

**RESOLUTION NO. 476 - 2015
RESOLUTION AUTHORIZING AN INTER-MUNICIPAL AGREEMENT BETWEEN
THE LEWIS COUNTY HIGHWAY DEPARTMENT AND
CERTAIN TOWNS AND VILLAGES FOR CONTROL OF SNOW AND ICE
ON CERTAIN COUNTY ROADS AND PARKING FACILITIES**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

WHEREAS, Article 5-G of the General Municipal Law (GML) provides for municipal corporations and districts to enter into cooperative arrangements or contracts for services required to be provided by the municipality; and

WHEREAS, the Lewis County Highway Department is charged with providing snow removal on the County Road System. The Lewis County Superintendent of Highways acknowledges that it will be beneficial and cost effective to the County for certain Towns and/or Villages to exercise snow control upon certain County roads and parking facilities in their jurisdictions; and

WHEREAS, certain Towns and Villages with whom the Superintendent of Highways has discussed such assistance have the necessary machinery, labor, tools and equipment and perform all necessary work for removal of snow and ice and for sanding and other treatment of certain County roads in their respective jurisdictions; and each jurisdiction is willing to perform such services in consideration of reimbursement at certain rates per mile as set forth in the proposed Agreement; and

WHEREAS, the Agreement with each jurisdiction shall be from January 1, 2016 to December 31, 2019, subject to the annual appropriation set aside by the County Board of Legislators for the County Road Fund as defined in Section 110 of the Highway Law;

NOW, THEREFORE, BE IT RESOLVED, as follows:

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Section 1. That the Lewis County Board of Legislators authorizes an Inter-Municipal Agreement for control of snow and ice on certain County roads and parking facilities with such Towns and Villages as the Lewis County Superintendent of Highways deems appropriate.

Section 2. That each Inter-Municipal Agreement shall contain terms and conditions for such assistance from the local municipality, including but not limited to the County roads to be serviced, the miles of said roads and/or parking facility, and the per mile rate for such service on an annual basis, subject to the County's annual appropriation for snow removal on the County Road System.

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 King, and adopted.

**RESOLUTION NO. 477 - 2015
RESOLUTION AUTHORIZING PLACEMENT OF TWO NEW ROAD SIGNS
ON CERTAIN COUNTY ROUTES IN THE TOWN OF DIANA AND
ELIMINATION OF TWO ROAD SIGNS ON TWO COUNTY ROUTES**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

WHEREAS, the Lewis County Highway Department seeks to be in compliance with NYS DOT road mileage sign requirements, and requests elimination of certain road names on two county routes in the Town of Diana; and

WHEREAS, portions of County Route 1 in the Town of Diana are named "Old State Road" as well as "Henry Road"; and portions of County Route 4 in the Town of Diana are named "McCoy Road" as well as "Factory Road", causing unnecessary confusion and non-compliance with NYS DOT requirements; and

WHEREAS, the Lewis County Highway Department seeks to eliminate any road signs with the name "Old State Road" posted on County Route 1 in the Town of Diana and replace any signage required on said portion of Route 1 to identify the road as "Henry Road"; and to eliminate any road signs with the name "McCoy Road" posted on County Route 4 in the Town of Diana and replace any signage required on said portion of Route 4 to identify the road as "Factory Road"; and

WHEREAS, the Board of Legislators wishes to accept such road name changes.

NOW, THEREFORE, BE IT RESOLVED, as follows:

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Section 1. That the Board of Legislators hereby approves and directs the placement of the following new road sign changes in the Town of Diana as follows:

- County Route 1 in the Town of Diana shall have the elimination of any road signs which reference “Old State Road”, with any required replacement signs on said portion of County Route 1 be posted as “Henry Road”;
- County Route 4 in the Town of Diana shall have the elimination of any road signs which reference “McCoy Road”, with any required replacement signs on said portion of County Road 4 be posted as “Factory Road”.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

**RESOLUTION NO. 478 - 2015
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 appoints Jennifer Jones of 6510 LeFevre Street, Beaver Falls, New York 13305 to the Board of Managers of the Lewis County General Hospital.

Section 2. That the term of said appointment shall commence January 1, 2016 and expire on December 31, 2020.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 479 - 2015
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:

DECEMBER 22, 2015

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby re-appoints Donald Musnicki of 6521 East Shore Road, Glenfield, New York 13343, to the Board of Managers of the Lewis County General Hospital.

Section 2. That the term of said appointment shall commence January 1, 2016 and expire on December 31, 2020.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator King, and adopted.

**RESOLUTION NO. 480 - 2015
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 Gary Turck of 5203 Hillcrest Circle, Lowville, New York 13367, to the Board of Managers of the Lewis County General Hospital.

Section 2. That the term of said appointment shall commence January 1, 2016 and expire on December 31, 2020.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 481 - 2015
RESOLUTION APPOINTING MEMBER TO
OFFICE FOR AGING ADVISORY COUNCIL**

Introduced by Legislator Neil Pepper, Chairman of the Office For Aging Committee.

WHEREAS, the New York State Office For the Aging requires representation of an older minority on the Advisory Council.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Linda P. Hirschey of 9048 Ridge Road, Castorland, New York 13620 to the Lewis County Office For Aging Advisory Council.

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Section 2. The term of said appointment shall commence January 1, 2016 and expire on December 31, 2018.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 482 - 2015
RESOLUTION AUTHORIZING CONTRACT WITH
LEWIS DEFENDERS, PLLC**

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 (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; and

WHEREAS, the County advertised a Request for Proposals ("RFP") for interested attorneys/law firms and legal providers to submit bids for an annual contract to provide public legal defense services to Lewis County persons charged with a crime or who are entitled to counsel pursuant to Family Court Act § 262, and who are financial unable to obtain counsel; and

WHEREAS, the County considered all bids submitted and determined that the "Best Value" for Lewis County is to award the contract to Lewis Defenders, PLLC.

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, 2016 and continue through December 31, 2016.

Section 2. That the all inclusive annual cost of such services shall not exceed \$240,000.00, and that said 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.

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Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 483 - 2015
RESOLUTION AUTHORIZING CONTRACT WITH
MCCLUSKY LAW FIRM, LLC
TO PERFORM CONFLICT DEFENDER 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 (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 is authorized to act, has an actual conflict of interest (herein, "Conflict Defender"). As such, the McClusky Law Firm will provide a licensed attorney, as needed, in Lewis County Family Court, Lewis County Court, and Town and Village Courts throughout Lewis County.

Section 2. The Board of Legislators hereby authorizes the Chairman of the Board and he is hereby authorized to execute and deliver such contract or agreement 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 shall commence effective January 1, 2016 and continue through December 31, 2016.

Section 3. This Resolution shall take effect immediately.

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Moved by Legislator King, seconded by Legislator Moser.

Legislators Brennan, Kulzer and Moser each inquired why a Request For Proposals (RFP) was not issued for Conflict Defender services. County Attorney McNichol stated that an RFP would be issued next year, informing it was too late at this point, because the contractual services are necessary effective 1/1/2016.

Chairman Tabolt said an RFP had previously been issued for these services, resulting in the current vendor contract. Legislator King indicated the challenge to get capable persons to respond.

Legislator Brennan expressed dislike for inconsistency to issue an RFP for only selective services. Atty. McNichol said it was not possible to issue simultaneous RFP's for both services, because the McClusky firm may have selected to submit an RFP for the primary Public Defender services, which would leave the County without a vendor for Conflict Defender services.

In response to Legislator Kulzer, Atty. McNichol stated they are each one-year contracts and an RFP is not typically issued every year.

Legislator Brennan suggested committee review to establish a policy for Request For Proposals. Legislator King urged a Board vote to set the policy for the Public Defender and Conflict Defender contracts right now.

At the request of County Manager Liz Swearingin, the Board instead will await her review of all County contracts and recommendation for an RFP policy.

The resolution was then adopted unanimously.

**RESOLUTION NO. 484 - 2015
RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY
AND FIDELIS CARE NEW YORK**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, the New York State Catholic Health Plan Inc., doing business as Fidelis Care New York ("Plan"), and the Lewis County Public Health Agency ("Public Health") entered into an Agreement dated March 29, 2010 whereby Public Health provided health services; and

WHEREAS, Public Health and Plan entered into an Agreement in 2010 pursuant to which Public Health became obligated to provide health services to Enrollees; said Agreement subsequently amended on December 30, 2011; and

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WHEREAS, Public Health currently participates in the Plan's prepaid health services plan and they wish to amend certain sections of said Agreement; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an amendment to the Agreement between the New York State Catholic Health Plan Inc., doing business as Fidelis Care New York and the Lewis County Public Health Agency for the purpose of adding Public Health Care Reimbursement for the Child Health Plus Early Intervention Program, Medicaid Managed Care, Essential Program, Health Benefit Exchange Program; and to append the NYS DOH Standard Clauses for Managed Care Provider/IPA contracts.

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. 485 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH
AND JACK VENESKY, CPA & ASSOCIATES**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, Jack Venesky, CPA & Associates provide professional accounting and cost reporting services; and

WHEREAS, the Lewis County Public Health Agency ("Agency") wishes to enter into a renewal Agreement with Jack Venesky, CPA & Associates for assistance with the annual requirement to file a Cost Report for the Diagnostic & Treatment Center Facility including the development and licensing to the County, a specific software package to be used in the preparation of the Ambulatory Health Care Facility ("AHCF") Cost Report; 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 Jack Venesky, CPA & Associates to provide professional accounting and cost reporting services to assist with the annual requirement to file a Cost Report for the Diagnostic & Treatment Center

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Facility for the term beginning January 1, 2016 through December 31, 2018 at a cost of \$7,500.00 per year.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Contract.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 486 - 2015
RESOLUTION APPOINTING
LEWIS COUNTY REAL PROPERTY TAX DIRECTOR**

Introduced by Legislator Gregory Kulzer, Chairman of the Taxation Committee.

WHEREAS, Real Property Tax Director Linda D. Hoskins was elected as Lewis County Clerk for a term to begin on January 1, 2016.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Candy C. Akin of 4157 Continental Circle, Lyons Falls, New York 13368 as Lewis County Real Property Tax Director, to fill the un-expired term of Linda D. Hoskins.

Section 2. That the term of said appointment shall be effective from January 1, 2016 and expire on September 30, 2019.

Section 3. That the 2016 salary is hereby set at \$48,000.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

**RESOLUTION NO. 487 – 2015
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 budget appropriation is hereby approved in the office of the Sheriff's Department to pay for the Shop with a Cop program using donated funds.

<u>Increase Revenues</u>	
A27053.4 (Donations Shop w/a Cop)	\$4,271.35
 <u>Increase Expense</u>	
A3110.4909 (Misc.)	\$4,271.35

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 488 - 2015
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:

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, 2016 through December 31, 2016.

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.

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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 Brennan, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 489 - 2015
RESOLUTION APPOINTING MEMBER TO
TRAFFIC SAFETY BOARD**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

WHEREAS, certain individuals have indicated interest to serve on the Traffic Safety Board.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Russ Groff of the Copenhagen Central School Transportation Department, as a member of the Lewis County Traffic Safety Board, to fill the un-expired term of Warren Shaw.

Section 2. That the term of said appointment shall be effective from December 23, 2015 through December 31, 2017.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 490 - 2015
RESOLUTION APPOINTING MEMBER TO
TRAFFIC SAFETY BOARD**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

WHEREAS, certain individuals have expressed interest to serve on the Traffic Safety Board.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Jennifer Maracchion, Lewis County Emergency Medical Services Assistant, as a member of the Lewis County Traffic Safety Board, to serve the un-unexpired term of Mark Tabolt.

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Section 2. That the term of said appointment shall be effective from December 23, 2015 through December 31, 2016.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 491 - 2015
RESOLUTION APPOINTING MEMBER TO
TRAFFIC SAFETY BOARD**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

WHEREAS, Village of Lowville Police Chief Eric Fredenburg has retired from that position; and

WHEREAS, Randy Roggie has been appointed as the new Police Chief.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Village of Lowville Police Chief Randy Roggie as a member of the Lewis County Traffic Safety Board, to fill the unexpired term of Eric Fredenburg.

Section 2. That the term of said appointment shall be effective from December 23, 2015 through December 31, 2017.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 492 - 2015
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 re-appoints the following individuals to the Lewis County Traffic Safety Board:

David L. Becker, Lewis County Superintendent of Highways

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Sheryl Hutton of 3100 Moose River Road, Boonville, New York 13309

Michael Hanno of South Lewis Central School Transportation Department, Turin, New York 13473

Reginald Hoch of Lowville Academy & Central School Transportation Department, State Street, Lowville, New York 13367

Section 2. That the term of said appointments shall be effective from January 1, 2016 through December 31, 2018.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 493 - 2015
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 2016 County Budget.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

**RESOLUTION NO. 494 - 2015
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
VARIOUS CONTRACTS FOR OUTSIDE AGENCIES**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

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NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the following contracts for fiscal year 2016, 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	19,416.00
West Leyden Library	382.00
Brantingham Library	202.00
Lewis County Historical Society	20,000.00
Constable Hall Association	800.00
American Maple Museum	800.00
Railroad Historical Society NNY	800.00
Adirondack Park Local Government Board	800.00
Lewis County Agricultural Society	4,000.00
Lewis County Soil & Water Conservation District	110,000.00
Lewis County Cooperative Extension Service	300,000.00
Town of Diana Museum	800.00

Section 2. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 495 - 2015
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.

NOW, THEREFORE, 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, 2016 through December 31, 2016 at a cost not to exceed \$25,000.00.

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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 King, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 496 - 2015
RESOLUTION AUTHORIZING THE 2016 RESOURCE ALLOCATION PLAN
WITH NYS OFFICE OF CHILDREN AND FAMILY SERVICES**

Introduced by Legislator Neil H. Pepper, Chairman of the Lewis County 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 2016 Resource Allocation Plan between the County of Lewis and the New York State Office of Children and Family Services (OCFS) for the 2016 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 Moser, seconded by Legislator Pepper, and adopted.

**RESOLUTION NO. 497 - 2015
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.

WHEREAS, Lewis County Community Services Department is lawfully required pursuant to Criminal Procedure Law § 730 to ensure that adequate psychiatric examiners are available to conduct psychiatric evaluations to determine whether a criminal defendant, as a

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result of mental illness on defect, lacks the capacity to understand the proceedings and to assist in his/her own defense; and

WHEREAS, Lewis County Community Services Department wishes to enter into an Agreement with Rubenzahl, Knudsen & Associates Psychological Services, P.C. to conduct these evaluations.

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 evaluations and to prepare a report for the Court to render an opinion as to the defendant's capacity to understand the proceeding.

Section 2. That the term of this Agreement shall be from January 1, 2016 through December 31, 2016 for an amount not to exceed \$110.00 per hour for psychological evaluation and report, and \$135.00 per hour for expert court testimony, all said sums not to exceed \$400.00 unless the Director agrees otherwise.

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. 498 - 2015
RESOLUTION TO SCHEDULE
2016 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 2016 Organizational Meeting to be held on Tuesday, January 5, 2016 to begin at 5:00 p.m.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Dolhof, and adopted.

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**RESOLUTION NO. 499 - 2015
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS
(ACTING BY AND THROUGH THE ECONOMIC DEVELOPMENT DEPARTMENT)
AND NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID FOR
ACCEPTANCE OF ECONOMIC DEVELOPMENT GRANT FUNDS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the Lewis County Department of Economic Development applied for a grant from Niagara Mohawk-d/b/a National Grid's "*Cooperative Business Recruitment Program*", for partial funding of the County's Economic Development Marketing Strategy and Program Project contracted with the Paige Group; and

WHEREAS, the County was previously awarded a grant of \$6,000.00 for the Marketing Strategy and Program Project, with further notice that the grant program requires the County to match the award amount 1:1 with funding from other sources; and

WHEREAS, the County accepted this grant award per Resolution No. 176-2015; and

WHEREAS, the County of Lewis received another notice from National Grid that the County was awarded an additional grant of \$10,000.00 for its Project # 4309, *Lewis County Economic Development Marketing Program Implementation Project*, with further notice that the grant program requires the County to match the award amount 1:1 with funding from other sources; and

WHEREAS, the County of Lewis seeks to accept this grant award and to pledge its commitment to match the award amount 1:1 with funding from other sources.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement by and between the County of Lewis, by and through its Economic Development Department and Niagara Mohawk Power Corporation, d/b/a National Grid for grant funding in the amount of \$10,000.00 under Project # 4309, referred to by National Grid as *Lewis County Economic Development Marketing Program Implementation Project*.

Section 2. That the Lewis County Board of Legislators hereby approves that the County match the award amount 1:1, with funding from other sources.

Section 3. That the Lewis County Board of Legislators understands and acknowledges that receipt of payment of the grant funds awarded by National Grid will be released to the County upon successful completion of the project or upon expiration of National Grid's program on March 31, 2016, unless extended by written agreement.

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Section 4. 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 5. That the within resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Dolhof.

At the request of Chairman Tabolt, Legislator Dolhof explained that the Board had previously agreed to split the \$12,000.00 cost 50/50 with the IDA for the economic development marketing campaign. The \$10,000.00 grant reduces the net project cost to \$2,000.

The resolution was then adopted.

**RESOLUTION NO. 500 - 2015
RESOLUTION TO AUTHORIZE ACCESS AGREEMENTS
BETWEEN THE COUNTY OF LEWIS AND PROPERTY OWNERS
IN THE TOWNS OF HARRISBURG AND PINCKNEY
FOR ASSISTANCE WITH KITE SKIING EVENTS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

WHEREAS, the County of Lewis, through its Department of Recreation, Forestry and Parks (“County”) intends to assist sponsor(s) of one or more “Snow Kiting” events from January 1, 2016 to April 30, 2016, wherein the organizers, sponsors, and the general public will be invited to exhibit, perform and participate in the sport commonly referred to as “kite skiing” or “snow kiting” (“Event”); and

WHEREAS, the success of these events can be enhanced by the County’s assistance in obtaining access agreements from private landowners in the Towns of Harrisburg and Pinckney where the events will take place, and by its assistance in staging the properties for vendors, exhibitors, parking and spectator spaces. In order to provide this assistance, the County will need to enter upon the private landowners’ properties, in whole or in part, in order to assist with staging of the event; and

WHEREAS, the private landowners wish to grant the County a temporary license to access the Property for the purpose of assisting in the staging of the events, and providing for terms and conditions to protect each party’s interests therein; and

WHEREAS, the County of Lewis wishes to enter into Access Agreements with private landowners in the Towns of Harrisburg and Pinckney where Snow Kiting events may take place for the period from January 1, 2016 to April 30, 2016.

NOW, THEREFORE BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 private landowners in the Towns of Harrisburg and Pinckney, wherein the County will assist in staging for exhibitors, vendors, spectators, and parking space on the properties wherein the sponsors may hold their kiteboarding, kite skiing and snow kiting events from January 1, 2016 to April 30, 2016.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreements, 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. 501 - 2015
RESOLUTION APPROVING PARTICIPATION IN SHARED SERVICES
NEW YORK STATE ARCHIVES LGRMIF APPLICATION**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the County of Lewis desires to partner with the Village of Lowville and other communities for a shared services grant application, for Geographic Information System (GIS) Implementation, to the New York State Archives Local Government Records Management Fund (LGRMIF); and

WHEREAS, pursuant to the LGRMIF application guidelines, it is necessary that each partner formally appoint a Records Management Officer (RMO); formally adopt the appropriate records retention and disposition schedule; and execute a cooperative agreement; and

WHEREAS, the project requires a permanent commitment from partnering communities to sustain the results of the project.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators authorizes and directs its Board Chair to appoint the Lewis County Clerk as its RMO, adopt the MU-1 Records Retention and Disposition schedule for municipal governments, execute the LGRMIF Grant Cooperative/Shared Services Agreement and Letter of Intent, and asserts a permanent commitment to work with the Village of Lowville and partnering communities to sustain the results of the GIS project.

Section 2. That the within resolution shall take effect immediately.

DECEMBER 22, 2015

Moved by Legislator King, seconded by Legislator Brennan.

**RESOLUTION NO. 502 – 2015
RESOLUTION TO AUTHORIZE AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND
NEW YORK KITE CENTER**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

WHEREAS, the New York Kite Center (Pereira Adventure Sports, LLC), (“NY Kite Center”) is a kite boarding school and equipment retailer offering kite boarding and snow kiting lessons and special events in the Northeast; and

WHEREAS, the County of Lewis, through its Department of Recreation, Forestry and Parks (“County”) desires to enter into an agreement with NY Kite Center to assist with holding these “Snow Kiting” events in Lewis County from January 1, 2016 to April 30, 2016, wherein the organizers, sponsors, and the general public will be invited to exhibit, perform and participate in the sport commonly referred to as “kite skiing” or “snow kiting”; and

WHEREAS, NY Kite Center has agreed to indemnify and hold the County harmless against all claims, losses, damages, liabilities, costs or expenses arising out of the events it holds in Lewis County in consideration of the County assisting in accessing private landowner’s properties conducive to these events; and

WHEREAS, the County of Lewis wishes to enter into an Agreement with NY Kite Center to memorialize this arrangement.

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 Recreation, Forestry and Parks Department, and New York Kite Center, to assist the sponsor in holding “snow kiting” events from January 1, 2016 to April 30, 2016 in the Towns of Harrisburg and Pinckney, on private landowner properties conducive to such events where organizers, sponsors, spectators and participants will be able to gather and participate in this winter sport.

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 Moser, seconded by Legislator Brennan, and adopted.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 503 - 2015
RESOLUTION OPPOSING THE NEW YORK STATE LABOR COMMISSIONER'S
ORDER TO RAISE THE MINIMUM WAGE TO \$15 AN HOUR FOR EMPLOYEES OF
FAST-FOOD CHAIN RESTAURANTS IN NEW YORK**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, New York State's minimum wage currently stands at \$8.75 and is scheduled to reach \$9 an hour on December 31, 2015. At the request of Governor Andrew Cuomo, a Wage Board was empaneled to study the issue of an increase in the minimum wage. As a result of the Board's recommendations, and with the Governor's backing, the State Labor Commissioner issued an order raising the minimum wage to \$15 an hour for employees of fast-food chain restaurants in all of New York State; and

WHEREAS, Governor Cuomo then announced he would propose legislation raising New York's statewide minimum wage to \$15 an hour for all workers, to commence by 2018 in New York City and by 2021 for the rest of the State, as it is the Governor's view that a minimum wage increase is needed to "lift workers out of poverty, improve the standard of living for workers, encourage fair and more efficient business practices, and ensure that the most vulnerable members of the workforce can contribute to the economy"; and

WHEREAS, lawmakers across the nation continue to debate the merits of raising the minimum wage to \$15 per hour. And although we seek to have our citizens improve their standard of living and for those in poverty to be lifted out, there is credible research to suggest that the potential benefits of raising the minimum wage are greatly offset by the negative consequences of same, especially in the North Country; and

WHEREAS, a recent paper published by the Empire Center and the American Action Forum, entitled "*Higher Pay, Fewer Jobs*", authored by Douglas Holtz-Eakin and Ben Gitis, finds that a \$15 minimum wage ultimately would cost the state at least 200,000 jobs, **with proportionately larger employment decreases in the upstate regions**; and

WHEREAS, an "across the board" increase in the minimum wage proposed by the Governor fails to consider the differing economic realities between wages and the cost of living between New York City and upstate, rural, agriculturally driven Counties such as Lewis. What may be a good, viable policy for the city and greater New York metropolitan workforce may well be detrimental to small, family businesses and small, rural, agriculturally driven counties such as Lewis County; and

WHEREAS, the minimum wage increase to \$15 for fast-food workers in Lewis County may result in the inequitable and negative effect of causing employers to hire part-time instead of full-time because of the additional payroll and other benefit costs to Employers with these increased costs; it may cause more reliance upon more automation to operate resulting in fewer new hires, increased work load for remaining staff, and a more selective hiring process. All of these effects may lead to price increases, loss of entry-level jobs for many unskilled workers thereby harming low-income workers for whom the increase is designed to benefit; and

DECEMBER 22, 2015

WHEREAS, the wage increase to \$15 per hour in the fast-food industry will have the effect in our rural, agriculturally driven labor force of having skilled employees earning less than unskilled, entry level workers in the fast food industry. According to the Bureau of Labor statistics from May, 2014, the median hourly wage for “all occupations” in Lewis County (and eight other neighboring Counties in the North Country) is \$15.77. This statistic holds true for many employees of the County as well. The inevitable result will be a heightened pressure on small businesses (and public employers in the County) to increase wages to their skilled employees in order to retain a qualified workforce. This may then lead to higher prices, closed businesses, job losses to the existing labor pool, and/or an increase in property taxes to meet the financial cost to municipalities because of an increase in wages in the public workforce; and

WHEREAS, the Lewis County Board of Legislators is cognizant of the nature of the workforce in Lewis County, the desire to lower the unemployment rate and provide a community in which all residents can prosper and enjoy a decent standard of living. The Board of Legislators believes, however that instead of this proposed increase in wages, the State should be working together with County and other local municipalities to lower unfunded mandates, support job creators, lessen the payroll burdens on employers and businesses in New York State, and create a regional economic environment where businesses can establish themselves and offer good paying, competitive wages to skilled and unskilled workers reflective of the local economy.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators of the County of Lewis calls for the immediate withdrawal of the Order to increase the minimum wage to \$15 for fast-food chain businesses in New York State.

Section 2. The Board of Legislators of the County of Lewis calls on the Governor, his Wage Board, the State Labor Commissioner and the State Legislature to reconsider this misguided recommendation.

Section 3. The Board of Legislators of the County of Lewis calls upon the Governor, his Wage Board, the State Labor Commissioner and the State Legislature to have further analysis and input with and from local governments and private, small business proprietors, including those in rural counties, as to the actual effects and impacts that a large raise in the minimum wage may have on local businesses, the local economy and those in low-income families in the North Country.

Section 4. The Board of Legislators of the County of Lewis hereby records its opposition to an increase in the minimum wage to \$15 as proposed, and directs that a copy of this resolution be forwarded to Governor Andrew Cuomo, State Senate and Assembly Majority Leaders, State Senator Joseph A. Griffo, State Assemblyperson Kenneth Blankenbush, and all Legislative bodies in the 61 other Counties in the State of New York.

Section 5. The within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Pepper expressed his support for the minimum wage increase over time to provide underprivileged residents a “hand up” to enhance their ability to support their families without public assistance.

The resolution was adopted. Legislator Pepper was opposed.

**RESOLUTION NO. 504 - 2015
LEVYING TAXES AND ASSESSMENTS FOR
ANNUAL TOWN BUDGETS AND
CORRECTIONS TO TAX ROLLS**

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, 2016.

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	\$745,152.33	\$497,209.00
Denmark	653,869.00	345,362.00
Diana	358,870.00	188,749.00
Greig	659,982.69	
Harrisburg	130,037.49	
Lewis	496,387.00	
Leyden	255,740.00	175,830.00
Lowville	635,445.00	235,230.00
Lyonsdale	322,743.00	172,179.00
Martinsburg	324,132.00	
Montague	182,859.00	
New Bremen	567,795.00	347,899.00
Osceola	342,101.00	
Pinckney	317,449.00	
Turin	406,926.00	85,980.00
Watson	960,191.00	
West Turin	432,325.00	143,840.00

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.

DECEMBER 22, 2015

Croghan:	
Fire Protection District	\$126,800.00
Beaver Falls Fire District	23,150.93
Beaver Falls Light District	12,000.00
Relevied Sewer	35,209.46
Denmark:	
Fire Protection District	51,500.00
Relevied Sewer	2,098.82
Diana:	
Fire Protection District	103,199.00
Natural Bridge Fire District	3,150.00
Natural Bridge Light District	300.00
Greig:	
Fire Protection District – 3G	71,028.95
Brantingham Water Control	1,800.00
Harrisburg:	
Fire Protection District	53,522.00
Lewis:	
Fire Protection District	38,653.00
Leyden:	
Fire Protection District & Ambulance	27,675.00
Lowville:	
Fire Protection	43,121.00
Fire Protection Flat Rock Phase 1	6,694.83
Fire Protection Flat Rock Phase 2	5,633.94
Water/Sewer Relevy	46,975.00
Lyonsdale:	
Lyons Falls & Port Leyden Fire Protection Districts	35,520.00
Lyonsdale Light District	1,050.00
Martinsburg:	
Fire Protection District	95,746.40
Glenfield Light District	5,300.00

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Martinsburg Light District	4,400.00
Martinsburg Water	6,287.14
Water/Sewer Relevies	14,977.05
Montague:	
Fire Protection	8,164.00
New Bremen:	
New Bremen Fire District	53,821.00
Beaver Falls Fire District	17,726.07
New Bremen Fire Protection Dist	16,275.00
Lighting District	10,800.00
Water Relevy	270.80
Osceola:	
Fire Protection District	44,000.00
Pinckney:	
Fire Protection District & Ambulance	11,900.00
Turin:	
Fire Protection	41,650.00
Watson:	
Fire Protection	40,477.00
Watson Light & Water District	11,638.57
West Turin:	
Turin Fire Protection	12,726.00
Constableville Fire Protection	31,207.00

FURTHER RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the real property tax all corrections to Tax Rolls as authorized by the Board of Legislators by the County Treasurer and Real Property Tax Director.

Croghan	\$ 226.86
Denmark	\$ 190.33
Diana	\$ 71.64
Greig	\$ 498.54
Harrisburg	\$ 24.45
Lewis	\$ 360.85
Leyden	\$ 496.12
Lowville	\$ 367.57
Lyonsdale	\$ 220.37
Martinsburg	\$ 353.32
Montague	(\$.25)

DECEMBER 22, 2015

New Bremen	\$ 653.78
Osceola	(\$.30)
Pinckney	(\$.16)
Turin	(\$.19)
Watson	\$1,365.84
West Turin	\$ 183.65

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 King, seconded by Legislator Brennan, and adopted.

OTHER BUSINESS:

Chairman Tabolt introduced Candy Akin as the newly appointed Real Property Tax Director, while the Board applauded and welcomed her aboard.

Legislator Hathway informed the funding changes for mental health and disabled person services that will begin to be billed directly to Medicaid. Historically, the Federal and State governments have allocated monies to the County for these services. The County is responsible for 14% of every local Medicaid dollar expense. Therefore, he cautioned, every million dollars invokes a County share of \$140,000 or nearly 1% tax levy increase.

The Clerk of the Board read the Chairman's proclamation declaring the week of January 24-30, 2016 as "School Choice Week in Lewis County".

At 11:05 a.m., Legislator Dolhof made a motion to enter executive session for discussion about potential land acquisition, seconded by Legislator Pepper and carried. The Board invited Legislator-Elect Roscoe Fawcett, Jr., Economic Development Director Eric Virkler and Planning Director Frank Pace to join them. The session commenced at 11:12 a.m. after a short recess. At 12:15 p.m., Legislator Dolhof made a motion to re-enter regular session, seconded by Legislator Moser and carried.

There being no other business to come before the Board, Legislator Hathway made a motion to adjourn, seconded by Legislator Moser 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 2015.

Dated at Lowville, New York on December 31, 2015



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, 2015**

GENERAL FUND

Bal on Hand 1/1/15		22,083,548.01	
Cash on Hand	10,814,893.40		
Time Deposits	11,268,654.61		
Plus: Receipts 1/1-12/31/15		<u>78,276,773.30</u>	
Total Receipts+Beg Bal		<u>\$ 100,360,321.31</u>	
Disbursements:1/1-12/31/15		79,217,064.71	85,370,253.14
Bal on Hand 12/31/15		21,143,256.60	6,153,188.43
Cash on Hand	3,721,413.56		
Time Deposits	17,421,843.04		
Total 2015 Disb+Ending Bal		<u>\$ 100,360,321.31</u>	79,217,064.71

Includes Reserved Cash for MH/DSS \$2,040,907+

Trail Fund

Bal on Hand 1/1/15		178,625.93	
Cash on Hand	178,625.93		
Time Deposits	-		
Plus: Receipts 1/1-12/31/15		<u>95,375.93</u>	
Total Receipts+Beg Bal		<u>\$ 274,001.86</u>	
Disbursements:1/1-12/31/15		128,465.45	128,465.45
Bal on Hand 12/31/15		145,536.41	0.00
Cash on Hand	145,536.41		0.00
Time Deposits			128,465.45
Total 2015 Disb+Ending Bal		<u>\$ 274,001.86</u>	

PROCEEDINGS OF THE BOARD OF LEGISLATORS

ANNUAL CASH REPORT

HOSPITAL FUND

Bal on Hand 1/1/15		1,363,485.67	
Cash on Hand	1,048,874.61		
Time Deposits(includes Foundation)	314,611.06		
Plus: Receipts 1/1-12/31/15		<u>68,303,690.17</u>	
Total Receipts+Beg Bal		<u>\$ 69,667,175.84</u>	
Disbursements:1/1-12/31/15		69,119,296.28	69,119,296.28
Bal on Hand 12/31/15		547,879.56	0.00
Cash on Hand	233,268.50		69,119,296.28
Time Deposits(includes Foundation)	314,611.06		
Total 2015 Disb+Ending Bal		<u>\$ 69,667,175.84</u>	

COUNTY ROAD FUND

Bal on Hand 1/1/15		463,866.02	
Cash on Hand	463,862.85		
Time Deposits	3.17		
Plus: Receipts 1/1-12/31/15		<u>6,987,841.66</u>	
Total Receipts+Beg Bal		<u>\$ 7,451,707.68</u>	
Disbursements:1/1-12/31/15		6,697,806.09	6,697,869.15
Bal on Hand 12/31/15		753,901.59	63.06
Cash on Hand	753,835.36		6,697,806.09
Time Deposits	66.23		
Total 2015 Disb+Ending Bal		<u>\$ 7,451,707.68</u>	

MACHINERY FUND

Bal on Hand 1/1/15		201,579.05	
Cash on Hand	114,135.87		
Time Deposits	87,443.18		
Plus: Receipts 1/1-12/31/15		<u>1,890,439.82</u>	
Total Receipts+Beg Bal		<u>\$ 2,092,018.87</u>	
Disbursements:1/1-12/31/15		1,807,511.12	1,727,521.52
Bal on Hand 12/31/15		284,507.75	79,989.60
Cash on Hand	277,054.17		1,807,511.12
Time Deposits	7,453.58		
Total 2015 Disb+Ending Bal		<u>\$ 2,092,018.87</u>	

ANNUAL CASH REPORT

ANNUAL CASH REPORT

SOLID WASTE

Bal on Hand 1/1/15		1,016,385.17	
Cash on Hand	429,537.11		
Time Deposits	586,848.06		
Plus: Receipts 1/1-12/31/15		<u>1,845,660.35</u>	
Total Receipts+Beg Bal		<u>\$ 2,862,045.52</u>	

Disbursements:1/1-12/31/15		1,869,516.35	1,931,276.96
Bal on Hand 12/31/15		992,529.17	(61,760.61)
Cash on Hand	343,920.50		
Time Deposits	648,608.67		
Total 2015 Disb+Ending Bal		<u>\$ 2,862,045.52</u>	1,869,516.35

WIA

Bal on Hand 1/1/15		8,155.13	
Cash on Hand	8,155.13		
Time Deposits	-		
Plus: Receipts 1/1-12/31/15		<u>146,077.63</u>	
Total Receipts+Beg Bal		<u>\$ 154,232.76</u>	

Disbursements:1/1-12/31/15		145,165.59	145165.59
Bal on Hand 12/31/15		9,067.17	
Cash on Hand	9,067.17		
Time Deposits	-		
Total 2015 Disb+Ending Bal		<u>\$ 154,232.76</u>	

SELF INSURANCE FUND

Bal on Hand 1/1/15		1,369,269.23	
Cash on Hand	383,791.93		
Time Deposits	985,477.30		
Plus: Receipts 1/1-12/31/15		<u>1,420,880.74</u>	
Total Receipts+Beg Bal		<u>\$ 2,790,149.97</u>	

Disbursements:1/1-12/31/15		1,400,777.94	1,399,393.94
Bal on Hand 12/31/15		1,389,372.03	1,384.00
Cash on Hand	405,278.73		
Time Deposits	984,093.30		
Total 2015 Disb+Ending Bal		<u>\$ 2,790,149.97</u>	1,400,777.94

PROCEEDINGS OF THE BOARD OF LEGISLATORS

ANNUAL CASH REPORT

INTERNAL SERVICE FUND

Bal on Hand 1/1/15		2,780,898.58	
Cash on Hand-Int Bearing	1,694,429.26		
Time Deposits	1,086,469.32		
Plus: Receipts 1/1-12/31/15		<u>25,160,822.83</u>	
Total Receipts+Beg Bal		<u>\$ 27,941,721.41</u>	
Disbursements:1/1-12/31/15		26,249,087.61	26,402,517.22
Bal on Hand 12/31/15		1,692,633.80	(153,429.61)
Cash on Hand-Int Bearing	452,734.87		
Time Deposits	1,239,898.93		
Total 2015 Disb+Ending Bal		<u>\$ 27,941,721.41</u>	

TRUST & AGENCY FUND

Bal on Hand 1/1/15		341,516.59	
Trust Cash	337,646.09		
Time Deposit Cash	3,870.50		
Plus: Receipts 1/1-12/31/15		<u>15,718,548.50</u>	
Total 2015 Receipts+Beg Bal		<u>\$ 16,060,065.09</u>	
Disbursements:1/1-12/31/15		15,039,418.99	15,039,419.77
Bal on Hand 12/31/15		1,020,646.10	(0.78)
Trust Cash (incl Ct & Trust)	1,016,774.82		
Time Deposit Cash	3,871.28		
Total 2015 Disb+Ending Bal		<u>\$ 16,060,065.09</u>	15,039,418.99

Micro Loan Fund

Bal on Hand 1/1/15		72,819.15	
Time Deposit Cash	72,819.15		
Plus: Receipts 1/1-12/31/15		<u>3,384.60</u>	
Total 2015 Receipts+Beg Bal		<u>\$ 76,203.75</u>	
Disbursements:1/1-12/31/15		7.70	7.70
Bal on Hand 12/31/15		76,196.05	
Trust Cash	76,196.05		
Time Deposit Cash			
Total 2015 Disb+Ending Bal		<u>\$ 76,203.75</u>	

ANNUAL CASH REPORT

ANNUAL CASH REPORT

HOSP SP GIFT EXPENDABLE/NON-EXPENDABLE

Bal on Hand 1/1/15		29,785.43	
Trust Cash	2,330.58		
Time Deposit Cash	27,454.85		
Plus: Receipts 1/1-12/31/15			
Total 2015 Receipts+Beg Bal		<u>\$ 29,785.43</u>	
Disbursements:1/1-12/31/15		2,324.17	2,330.58
Bal on Hand 12/31/15		27,461.26	(6.41)
Trust Cash	-		2,324.17
Time Deposit Cash	27,461.26		
Total 2015 Disb+Ending Bal		<u>\$ 29,785.43</u>	

CAPITAL FUNDS

Bal 1/1/15		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 Invested	-		
Utilites Cash	52.91		
E9ll 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		
DSS Bldg	72,089.84		
DSS Bldg Time Deposit	59,302.77		
Deer River Rd	1.29		
Highway Striping	686.95		
Cap Eco Dev	300,000.00		
Plus: Receipts 1/1-12/31/15		13,714,820.23	
Total 2015 Receipts+Beg Bal		<u>\$ 21,684,166.27</u>	

PROCEEDINGS OF THE BOARD OF LEGISLATORS

ANNUAL CASH REPORT

Disb: 1/1-12/31/15		18,544,080.79	14,670,435.42
Bal on Hand 12/31/15		3,140,085.48	3,873,645.37
Bridges Cash	102,943.68		18,544,080.79
West Main/SRB Deposit	-		
Mad River Br Deposit	-		
West Road Rehab	-		
Em Radio Cash	642,987.41		
Em Radio Time Deposit	162,848.76		
Capital Building Cash	-		
Capital Building Invested	-		
Utilites Cash	52.91		
E911 Cash	55,754.43		
Bld Maint Cash	42,094.61		
Bld Maint Time Deposit	567,476.48		
Capital Equipment	-		
Capital Equipment Deposit	264,269.64		
Data Processing	20,268.56		
Data Proc Deposit	121,173.80		
Hospital Dialysis Project	-		
Hwy Bldg Time Deposit	455,586.03		
Deer River Rd	-		
Deer River Rd time	-		
DSS Bldg	-		
DSS Bldg Time Deposit	0.47		
Highway striping	4,624.75		
Cap Eco Dev	700,003.95		
Disbursements:1/1-12/31/15			
Bal on Hand 12/31/15			
Trust Cash			
Time Deposit Cash			
Total 2015 Disb+Ending Bal		<u>\$ 21,684,166.27</u>	

ANNUAL CASH REPORT

	ANNUAL CASH REPORT			
	BALANCE 12/31/2014	CONSOLIDATED TOTALS		BALANCE 12/31/2015
		RECEIVED 2015	DISBURSED 2015	
Cash on Hand	22,083,548.01	78,276,773.30	79,217,064.71	21,143,256.60
TRAIL FUND	178,625.93	95,375.93	128,465.45	145,536.41
HOSPITAL FUND	1,363,485.67	68,303,690.17	69,119,296.28	547,879.56
COUNTY ROAD FUND	463,866.02	6,987,841.66	6,697,806.09	753,901.59
MACHINERY FUND	201,579.05	1,890,439.82	1,807,511.12	284,507.75
SOLID WASTE	1,016,385.17	1,845,660.35	1,869,516.35	992,529.17
WIA	8,155.13	146,077.63	145,165.59	9,067.17
Total 2015 Disb+Ending Bal	1,369,269.23	1,420,880.74	1,400,777.94	1,389,372.03
INTERNAL SERVICE FUND	2,780,898.58	25,160,822.83	26,249,087.61	1,692,633.80
TRUST & AGENCY FUND	341,516.59	15,718,548.50	15,039,418.99	1,020,646.10
MICRO LOAN PROGRAM	72,819.15	3,384.60	7.70	76,196.05
HOSP SP GIFT EXP/NON-EXP	29,785.43	0.00	2,324.17	27,461.26
CAPITAL FUNDS	7,969,346.04	13,714,820.23	18,544,080.79	3,140,085.48
TOTAL	37,879,280.00	213,564,315.76	220,220,522.79	31,223,072.97

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**ANNUAL CASH REPORT
COUNTY INDEBTEDNESS**


TYPE & PURPOSE	OUTSTANDING 12/31/2015	MATURITY DATE
SERIAL-GENERAL OBLIGATION 2010 RECONSTRUCTION HOSP FACILITES	3,080,000.00	2030
2010 GENERAL OBLIGATION COURT HOUSE PROJECT	8,590,000.00	2037
2015 DIALYSIS AND MEDITECH BOND HOSPITAL	3,480,000.00	2020

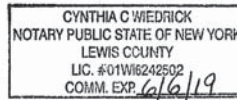
STATE OF NEW YORK}
 ss:
COUNTY OF LEWIS}

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, 2015, as shown by the official records of said County.


PATRICIA O'BRIEN

Subscribed and Sworn to Before Me
this 15th Day of January 2016:


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

TOWN TAX WARRANTS

**TAX WARRANT
TOWN OF CROGHAN**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.8728990
Croghan Fire Protection	0.721671	General Tax Key-Outside Town	2.708922
Beaver Falls Fire Dist	1.518344	Highway Tax Key	
Beaver Falls Light Dist	0.861175	County Tax Key Cty	2.353437
Equalization Rate 67		County Tax Key NY	8.747655

STATE OF NEW YORK)
 ss:
 County of Lewis }

To: Town Tax Collector

Collector of the Town CROGHAN

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 745,152.00	745,152.00
Town Outside Tax Levy General	\$ 2,400.00	2,400.00
Highway Money-Outside Village Item 1 (Donovan Plan)Outside Village Item 1A	\$ 494,809.00	494,809.00

Special District Tax:

Croghan Fire Protection	126,800.00
Beaver Falls Fire District	23,150.93
Beaver Falls Light District	12,000.00
Sewer	35,209.46

TOTAL TO SUPERVISOR \$ 1,439,521.39

TO THE COUNTY TREASURER:

County Tax	\$ 2,063,086.00	
Levy & Assess BR Regulating District	\$ 9,004.15	
Workmen's Compensation Insurance	\$ 0.00	
		\$ 2,072,070.15

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 130,037.69	
Returned Village Tax	\$ 16,571.35	
Amount Spread on Town	\$ 226.86	
		\$ 146,835.90

TOTAL TO COUNTY TREASURER \$ 2,218,906.05

WHOLE AMOUNT OF WARRANT \$ 3,658,427.44

LESS: Balance Due Town \$ _____
 Amount Paid County Treasurer \$ _____ \$ 0.00

NET AMOUNT OF WARRANT \$ 3,658,427.44

Excess/Deficit \$ 0.27
\$ 3,658,427.71

AMOUNT OF TAX LIST(Final Recapitulation)

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand fifteen.

Michael A. Talbot Chairman
Peresa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT
TOWN OF DENMARK**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	4.358854
Denmark Fire Protection	0.437245	General Tax Key-Outside Town	3.080877
Equalization Rate	100.00	Highway Tax Key	
		County Tax Key Cty	1.576673
		County Tax Key NY	5.860477

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>653,869.00</u>	\$	<u>653,869.00</u>
Town Outside Tax Levy General	\$	<u>3,309.00</u>	\$	<u>3,309.00</u>
Highway Money-Outside Village Item 1	\$	<u>342,053.00</u>		
(Donovan Plan)Outside Village Item 1A	\$		\$	<u>342,053.00</u>

Special District Tax:

Denmark Fire Protection		51,500.00
RW231		2,098.82

TOTAL TO SUPERVISOR \$ 1,052,829.82

TO THE COUNTY TREASURER:

County Tax	\$	<u>1,118,705.00</u>		
Levy & Assess BR Regulating District	\$			
Workmen's Compensation Insurance	\$	<u>0.00</u>		
			\$	<u>1,118,705.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$	<u>113,529.24</u>		
Returned Village Tax	\$	<u>43,598.20</u>		
Amount Spread on Town	\$	<u>190.33</u>		
			\$	<u>157,317.77</u>

TOTAL TO COUNTY TREASURER \$ 1,276,022.77

WHOLE AMOUNT OF WARRANT \$ 2,328,852.59

LESS: Balance Due Town \$ _____
 Amount Paid County Treasurer \$ 0.00

NET AMOUNT OF WARRANT \$ 2,328,852.59

AMOUNT OF TAX LIST(Final Recapitulation) EXCESS/DEFICIT \$ 0.40
\$ 2,328,852.99

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand fifteen.

Michael A. Tabolt Chairman
Perissa Clark Clerk

TOWN TAX WARRANTS

TAX WARRANT TOWN OF DIANA

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	2.232036
Diana Fire Protection	0.709734	General Tax Key-Outside Town	1.316339
Natural Bridge Fire District	1.706392	Highway Tax Key	
Natural Bridge Light District	0.508651	County Tax Key Cty	1.576714
Equalization Rate 100		County Tax Key NY	5.860618

STATE OF NEW YORK

County of Lewis }
 } ss:

To: Janet Taylor

Collector of the Town of DIANA

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, viz:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$	<u>358,870.00</u>	\$	358,870.00
Town Outside Tax Levy General	\$	<u>3,000.00</u>	\$	3,000.00
Highway Money-Outside Village Item 1	\$	<u>185,749.00</u>		
(Donovan Plan)Outside Village Item 1A	\$		\$	<u>185,749.00</u>

Special District Tax:

Diana Fire Protection	103,199.00
Natural Bridge Fire District	<u>3,150.00</u>
Natural Bridge Light District	<u>300.00</u>

TOTAL TO SUPERVISOR \$ 654,268.00

TO THE COUNTY TREASURER:

County Tax	\$	<u>1,114,500.00</u>		
Levy & Assess BR Regulating District	\$			
Workmen's Compensation Insurance	\$	<u>0.00</u>		
			\$	<u>1,114,500.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$	<u>210,490.13</u>		
Returned Village Tax	\$	<u>34,835.96</u>		
Amount Spread on Town	\$	<u>71.84</u>		
			\$	<u>245,497.73</u>

TOTAL TO COUNTY TREASURER \$ 1,359,997.73

WHOLE AMOUNT OF WARRANT \$ 2,014,265.73

LESS: Balance Due Town \$
Amount Paid County Treasurer \$ 0.00 \$ 0.00

NET AMOUNT OF WARRANT \$ 2,014,265.73

AMOUNT OF TAX LIST(Final Recapitulation) \$ 2,014,265.84

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand fifteen.

Michael A. Talbot Chairman
Peress Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT
TOWN OF GREIG**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.085954
Greig Fire Protection	0.322711	General Tax Key-Outside Town	
Brantingham Water Control	0.022171	Highway Tax Key	
Equalization Rate 100		County Tax Key Cty	1.567057
		County Tax Key NY	5.860471

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>659,983.00</u>	\$ <u>659,983.00</u>
Town Outside Tax Levy General	\$ _____	\$ _____
Highway Money-Outside Village Item 1 (Donovan Plan)Outside Village Item 1A	\$ _____	\$ _____

Special District Tax:

Greig Fire Protection	71,028.95
Brantingham Water Control	<u>1,800.00</u>

TOTAL TO SUPERVISOR \$ 732,811.95

TO THE COUNTY TREASURER:

County Tax	\$ <u>1,573,590.00</u>	
Workmen's Compensation Insurance	\$ <u>0.00</u>	
		\$ <u>1,573,590.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ <u>250,804.82</u>	
Returned Village Tax	\$ _____	
Amount Spread on Town	\$ <u>498.54</u>	
		\$ <u>251,303.36</u>

TOTAL TO COUNTY TREASURER \$ 1,824,893.36

WHOLE AMOUNT OF WARRANT \$ 2,557,705.31

LESS: Balance Due Town \$ _____
Amount Paid County Treasurer \$ 0.00

NET AMOUNT OF WARRANT \$ 2,557,705.31

AMOUNT OF TAX LIST(Final Recapitulation) Excess/Deficit \$ 0.15
\$ 2,557,705.46

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand fifteen.

Michael A. Talbot Chairman
Peresa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT
TOWN OF LOWVILLE**

SPECIAL DISTRICT TAX KEY	General Tax Key-Town Wide	2.448711
Lowville Fire Protection 0.379999	General Tax Key-Outside Town	2.386255
	Highway Tax Key	
Equalization Rate 100	County Tax Key Cty	1.576639
	County Tax Key NY	5.890340

STATE OF NEW YORK
 ss:
 County of Lewis }

To: Gail Klosner

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	\$ 635,445.00	\$ 635,445.00
Town Outside Tax Levy General	\$ 26,595.00	\$ 26,595.00
Highway Money-Outside Village Item 1	\$ 208,635.00	
(Donovan Plan)Outside Village Item 1A	\$	\$ 208,635.00

Special District Tax:

Lowville Fire Protection	43,121.00
Flat Rock 1 Fire Protection	6,895.00
Flat Rock 2 Fire Protection	5,634.00
Water/Sewer Relevy	6,130.30
Lowville Water	40,845.00

TOTAL TO SUPERVISOR \$ 973,100.30

TO THE COUNTY TREASURER:

County Tax	\$ 1,941,854.00	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ 0.00	
		\$ 1,941,854.00

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 120,193.53	
Returned Village Tax	\$ 73,374.23	
Amount Spread on Town	\$ 367.57	
		\$ 193,935.33

TOTAL TO COUNTY TREASURER \$ 2,135,789.33

WHOLE AMOUNT OF WARRANT \$ _____
 LESS: Balance Due Town \$ _____
 Amount Paid County Treasurer \$ _____ \$ 0.00

NET AMOUNT OF WARRANT \$ 3,108,889.63

AMOUNT OF TAX LIST(Final Recapitulation) Excess/Deficit \$ 0.20
 \$ 3,108,889.83

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand fifteen.

Michael A Talbot Chairman
Teresa Clark Clerk

TOWN TAX WARRANTS

TAX WARRANT TOWN OF LYONSDALE

<u>SPECIAL DISTRICT TAX KEY</u>	<u>General Tax Key-Town Wide</u>	4.049238
Lyonsdale Fire Protection 0.409572	General Tax Key-Outside Town	2.369819
Lyonsdale Light District 0.529021	Highway Tax Key	
<u>Equalization Rate: 100</u>	County Tax Key Cty	1.577192
	County Tax Key NY	5.862414

STATE OF NEW YORK)

County of Lewis) ss:

To: Fred Rucker

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	\$ 322,743.00	\$ 322,743.00
Town Outside Tax Levy General	\$ 7,300.00	\$ 7,300.00
Highway Money-Outside Village Item 1	\$ 164,879.00	
(Donovan Plan)Outside Village Item 1A	\$	\$ 164,879.00

Special District Tax:

Lyonsdale Fire Protection	35,520.00
Lyonsdale Light District	1,050.00

TOTAL TO SUPERVISOR \$ 531,492.00

TO THE COUNTY TREASURER:

County Tax	\$ 571,714.00	
Levy & Assess BR Regulating District	\$ 498.94	
Workmen's Compensation Insurance	\$ 0.00	
		\$ <u>572,212.94</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 75,345.30	
Returned Village Tax	\$ 11,189.83	
Amount Spread on Town	\$ 220.37	
		\$ <u>86,755.50</u>

TOTAL TO COUNTY TREASURER \$ 658,968.44

WHOLE AMOUNT OF WARRANT \$ 1,190,460.44

LESS: Balance Due Town \$ _____

Amount Paid County Treasurer \$ 0.00

NET AMOUNT OF WARRANT \$ 1,190,460.44

AMOUNT OF TAX LIST(Final Recapitulation) Excess/Deficit \$ 0.28

\$ 1,190,460.72

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand fifteen.

Michael A. Tuboly Chairman
Peresa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT
TOWN OF MARTINSBURG**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.711844
Martinsburg Fire Protection	0.500319	General Tax Key-Outside Town	
Glenfield Light District	0.584878	Highway Tax Key	
		County Tax Key Cty	1.576803
Martinsburg Light District	0.727566	County Tax Key NY	5.860598
<u>Equalization Rate 100</u>			

STATE OF NEW YORK)
ss:
County of Lewis }

To: Deanna Doviak

Collector of the Town MARTINSBURG

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 324,132.00	\$ 324,132.00
Town Outside Tax Levy General	\$ _____	\$ _____
Highway Money-Outside Village Item 1	\$ _____	\$ _____
(Donovan Plan)Outside Village Item 1A	\$ _____	\$ _____

Special District Tax:

Martinsburg Fire Protection	47,328.40
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	14,977.05
Martinsburg Water	6,287.14

TOTAL TO SUPERVISOR \$ 450,843.19

TO THE COUNTY TREASURER:

County Tax	\$ 625,118.00	
Levy & Assess BR Regulating District	\$ _____	
Workmen's Compensation Insurance	\$ 0.00	
		\$ 625,118.00

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 62,517.22	
Returned Village Tax	\$ _____	
Amount Spread on Town	\$ 353.32	
		\$ 62,870.54

TOTAL TO COUNTY TREASURER \$ 687,988.54

WHOLE AMOUNT OF WARRANT \$ 1,138,831.73

LESS: Balance Due Town \$ _____
Amount Paid County Treasurer \$ _____ \$ 0.00

NET AMOUNT OF WARRANT \$ 1,138,831.73

AMOUNT OF TAX LIST(Final Recapitulation) \$ 1,138,831.28
Excess/Deficit \$ (0.45)

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand fifteen.

Michael A. Talala Chairman
Terese Clark Clerk

TOWN TAX WARRANTS

TAX WARRANT TOWN OF MONTAGUE

SPECIAL DISTRICT TAX KEY	General Tax Key-Town Wide	5.160742
Montague Fire Protection 0.229535	General Tax Key-Outside Town	
	Highway Tax Key	
	County Tax Key Cty	1.578634
Equalization Rate: 100	County Tax Key NY	5.8602630

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	\$ <u>182,859.00</u>	\$ <u>182,859.00</u>	
Town Outside Tax Levy General	\$ _____	\$ _____	
Highway Money-Outside Village Item 1 (Donovan Plan)Outside Village Item 1A	\$ _____	\$ _____	

Special District Tax:
Montague Fire Protection 8,164.00

TOTAL TO SUPERVISOR \$ 191,023.00

TO THE COUNTY TREASURER:

County Tax	\$ <u>262,333.00</u>		
Levy & Assess BR Regulating District	\$ _____		
Workmen's Compensation Insurance	\$ <u>0.00</u>		
		\$ <u>262,333.00</u>	

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ <u>21,875.45</u>		
Returned Village Tax	\$ _____		
Amount Spread on Town	\$ <u>(0.25)</u>		
		\$ <u>21,875.20</u>	

TOTAL TO COUNTY TREASURER \$ 284,208.20

WHOLE AMOUNT OF WARRANT \$ 475,231.20

LESS: Balance Due Town \$ _____
 Amount Paid County Treasurer \$ 0.00

NET AMOUNT OF WARRANT \$ 475,231.20

Excess/Deficit \$ 0.37

AMOUNT OF TAX LIST(Final Recapitulation) \$ 475,231.57

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand fifteen.

Michael A. Tabolt Chairman
Peresa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT
TOWN OF NEW BREMEN**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.676555
New Bremen Fire District	0.722162	General Tax Key-Outside Town	2.409344
Beaver Falls Fire District	1.305375	Highway Tax Key	
New Bremen Fire Protection	0.308073	County Tax Key Cty	1.608305
		County Tax Key NY	5.980232

Equalization Rate 98.

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	\$ 567,795.00	\$ 567,795.00
Town Outside Tax Levy General	\$ 1,000.00	\$ 1,000.00
Highway Money-Outside Village Item 1 (Donovan Plan)Outside Village Item 1A	\$ 346,899.00	\$ 346,899.00

Special District Tax:

New Bremen Fire District	53,821.00
Beaver Falls Fire District	17,728.07
New Bremen Fire Protection	16,276.00
New Bremen Light District	10,800.00
Water Relevy	270.80

TOTAL TO SUPERVISOR \$ 1,014,586.87

TO THE COUNTY TREASURER:

County Tax	\$ 1,170,580.00	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ 0.00	
		\$ 1,170,580.00

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 138,695.72	
Returned Village Tax	\$ 4,840.36	
Amount Spread on Town	\$ 653.78	
		\$ 144,189.86

TOTAL TO COUNTY TREASURER \$ 1,314,769.86

WHOLE AMOUNT OF WARRANT \$ 2,329,356.73

LESS: Balance Due Town \$
 Amount Paid County Treasurer \$ 0.00

NET AMOUNT OF WARRANT \$ 2,329,356.73

Excess/Deficit \$ (0.68)

AMOUNT OF TAX LIST(Final Recapitulation) \$ 2,329,356.05

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand fifteen.

Michael A Talott Chairman
Peresa Clark Clerk

TOWN TAX WARRANTS

TAX WARRANT TOWN OF OSCEOLA

SPECIAL DISTRICT TAX KEY	General Tax Key-Town Wide	7.736633
Osceola Fire Protection - 0.896176	General Tax Key-Outside Town	
	Highway Tax Key	
	County Tax Key Cty	1.576621
Equalization Rate: 100	County Tax Key NY	5.860279

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, viz:

TO THE SUPERVISOR		
Town Wide Tax Levy General	\$ 342,101.00	\$ 342,101.00
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 \$ 386,101.00

TO THE COUNTY TREASURER:		
County Tax	\$ 307,123.00	
Levy & Assess BR Regulating District	\$ _____	
Workmen's Compensation Insurance	\$ 0.00	
		\$ 307,123.00

Taxes to be Re-Assessed, viz:		
Returned School Tax	\$ 61,740.49	
Returned Village Tax	\$ _____	
Amount Spread on Town	\$ (0.30)	
		\$ 61,740.19

TOTAL TO COUNTY TREASURER \$ 368,863.19

WHOLE AMOUNT OF WARRANT	\$ _____	\$ 754,964.19
LESS: Balance Due Town	\$ _____	
Amount Paid County Treasurer	\$ _____	\$ 0.00

NET AMOUNT OF WARRANT \$ 754,964.19

AMOUNT OF TAX LIST(Final Recapitulation)	Excess/Deficit	\$ (0.02)
		\$ 754,964.17

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand fifteen.

Michael A. Tabolt Chairman
Peresa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT
TOWN OF PINCKNEY**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	9.190965
Pinckney Fire Protection	0.339604	General Tax Key-Outside Town	
		Highway Tax Key	
		County Tax Key Cty	1.610870
Equalization Rate 100		County Tax Key NY	5.826055

STATE OF NEW YORK
 ss:
 County of Lewis }

To: Town Tax Collector

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	\$ 317,449.00	\$ 317,449.00
Town Outside Tax Levy General	\$ _____	\$ _____
Highway Money-Outside Village Item 1	\$ _____	
(Donovan Plan)Outside Village Item 1A	\$ _____	\$ _____

Special District Tax:

Pinckney Fire Protection & Ambulance	11,900.00
--------------------------------------	-----------

TOTAL TO SUPERVISOR \$ 329,349.00

TO THE COUNTY TREASURER:

County Tax	\$ 217,124.00	
Levy & Assess BR Regulating District	\$ _____	
Workmen's Compensation Insurance	\$ 0.00	
		\$ <u>217,124.00</u>

Taxes to be Re-Assessed,viz:

Returned School Tax	\$ 31,659.62	
Returned Village Tax	\$ _____	
Amount Spread on Town	\$ (0.16)	
		\$ <u>31,659.46</u>

TOTAL TO COUNTY TREASURER \$ 248,783.46

WHOLE AMOUNT OF WARRANT \$ 578,132.46

LESS: Balance Due Town	\$ _____	
Amount Paid County Treasurer	\$ _____	\$ <u>0.00</u>

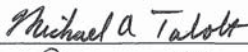

NET AMOUNT OF WARRANT \$ 578,132.46

Excess/Deficit \$ 0.46

AMOUNT OF TAX LIST(Final Recapitulation) \$ 578,132.92

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 22nd day of December, in the year two thousand fifteen.

 Chairman
 Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT
TOWN OF WATSON**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	5.112422
Watson Fire Protection	0.201592	General Tax Key-Outside Town	
		Highway Tax Key	
		County Tax Key Cty	1.576715
Equalization Rate 100.		County Tax Key	5.880815

STATE OF NEW YORK

ss:
County of Lewis }

To: Christina Merry

Collector of the Town WATSON

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 960,191.00	\$ 960,191.00
Town Outside Tax Levy General	\$ _____	\$ _____
Highway Money-Outside Village Item 1	\$ _____	\$ _____
(Donovan Plan)Outside Village Item 1A	\$ _____	\$ _____

Special District Tax:

Watson Fire Protection	40,477.00
Watson Light & Water Districts	11,638.67

TOTAL TO SUPERVISOR \$ 1,012,306.57

TO THE COUNTY TREASURER:

County Tax	\$ 1,409,386.00	
Levy & Assess BR Regulating District	\$ _____	
Workmen's Compensation Insurance	\$ 0.00	
		\$ <u>1,409,386.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 100,382.55	
Returned Village Tax	\$ _____	
Amount Spread on Town	\$ 1,365.84	
		\$ <u>101,748.39</u>

TOTAL TO COUNTY TREASURER \$ 1,511,134.39

WHOLE AMOUNT OF WARRANT

	\$ <u>2,523,440.96</u>
LESS: Balance Due Town	\$ _____
Amount Paid County Treasurer	\$ 0.00

NET AMOUNT OF WARRANT

\$ 2,523,440.96

AMOUNT OF TAX LIST(Final Recapitulation)

Excess/Deficit \$ 0.45
\$ 2,523,441.41

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

BUDGET

**ADOPTED
COUNTY BUDGET**

LEWIS COUNTY

2015

**Ways & Means Committee
Philip Hathway, Chairman
Jerry King
Richard Chartrand**

**Elizabeth Swearingin, Budget Officer
Patricia O'Brien, Deputy Budget Officer**

**PRESENTED TO CLERK OF BOARD
11/4/2014**

(Section 354-County Law)

Public Hearing 12/2/2014

Adopted 12/2/2014

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