

Proceedings
OF THE
BOARD OF LEGISLATORS
OF
LEWIS COUNTY
FOR
2016

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

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 – 2016

	Supreme Court Judge	
CHARLES MERRELL		Lowville, New York
	County/Surrogate & Family Court Judge	
DANIEL KING		Lowville, New York
	Supreme/County Court Clerk	
DEBORAH EARL		Turin, New York
	Family Court/Surrogate's Clerk	
LORI PFENDLER		Lowville, New York
	County Manager/Budget Officer	
ELIZABETH SWEARINGIN		Brantingham, New York
	County Clerk	
LINDA D. HOSKINS		Lyons Falls, New York
	Deputy County Clerk	
KATHLEEN R. 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
	Community Services Director	
PATRICIA FRALICK.....		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

Fire and Emergency Management Director

ROBERT MACKENZIE, III Lyons Falls, New York

Emergency Medical Services Assistant

JENNIFER MARACCHION..... Lyons Falls, New York

Highway Superintendent

DAVID L. BECKER Lowville, New York

Hospital Administrator

ERIC BURCH 1/1/16-9/30/16 Lowville, New York

MICHELE PRINCE Lowville, New York

Human Resources Director

JAMES SWORDS Black River, New York

Junkyard Inspector/Sr. Building Codes Officer

WARD DAILEY Lyons Falls, New York

Nursing Home Administrator

JOSEPH MILLARD..... Watertown, New York

Office For Aging Director

BRENDA BOURGEOIS Lowville, New York

Planning Director

FRANK PACE Lowville, New York

Probation Director

MARYJO BURKHARD Beaver Falls, New York

Public Health Director

PENNY INGHAM Lowville, New York

Real Property Tax Director

CANDY AKIN Boonville, New York

Records Management Officer

LINDA HOSKINS Lyons Falls, New York

Recreation, Forestry & Parks Director

JACQUELINE MAHONEY..... Lowville, New York

Sealer of Weights & Measures

BARBARA COOPER Harrisville, New York

Social Services Commissioner

JENNIFER JONES Beaver Falls, New York

Solid Waste Coordinator

PETER WOODé é é é é é é é é é é é é é é é é é é ... Harrisville, New York

Veterans' Services Director

DEREK DAVEY Lowville, New York

Workers' Compensation Administrator

TERRY CLARKé é é é é é é é é é é é é é é é é é é . Lowville, New York

Chairman, Board of Legislators

MICHAEL A. TABOLT
Croghan, New York

Clerk, Board of Legislators

TERESA K. CLARK
Lowville, New York

JANUARY 5, 2016

ORGANIZATIONAL MEETING
January 5, 2016

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

Roll Call: All Legislators were present.

County Clerk Linda D. Hoskins administered the Oath of Office to each Legislator.

There were 15 persons present.

Mrs. Clark opened the floor for nominations of a Temporary Chairman. Legislator Moser nominated Legislator Richard Chartrand, seconded by Legislator Moroughan. There being no other nominations, Legislator Hathway directed the clerk to close the polls and cast a unanimous ballot for Legislator Chartrand, seconded by Legislator Brennan. Legislators Kulzer and Moroughan escorted Legislator Chartrand to the podium.

Legislator Chartrand thanked his colleagues for the privilege, then called upon Legislator Hathway to offer the Invocation, and led the Pledge of Allegiance to the Flag.

Temporary Chairman Chartrand opened the floor for nominations of a Permanent Chairman. Legislator Fawcett nominated Legislator Michael Tabolt, seconded by Legislator Brennan. There being no other nominations, Legislator Brennan directed the polls be closed and the clerk cast a unanimous ballot for Legislator Tabolt, seconded by Legislator Moser. Legislators Fawcett and Hathway escorted Legislator Tabolt to the Chair.

Chairman Tabolt expressed appreciation for the Board's confidence. A healthy fund balance, potential economic opportunities and a stable tax rate place our County in a desirable position. Our efforts toward renewable energy through wind, hydro and solar projects, as well as an environmentally friendly parking lot and renewed recycling campaign will collectively have a positive effect on our environment in consideration of future generations.

He declared the strides to improve the relationship with State representatives, as well as local town and village officials. All these initiatives, he said, reflect "considerable thought and diligent planning by Legislators and dedicated County employees, creating an atmosphere we can all be proud of".

However, there is much more to accomplish, particularly to assure completion of the Heinz Kraft expansion; and expanding educational opportunities should rank high on the priority list.

Chairman Tabolt plans to continue joint meetings with the Hospital Board of Managers and regular communication and updates with the IDA Board of Directors, asserting that communication and understanding are integral components for success.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

In conclusion, he quoted former U.S. President Ronald Reagan that “great things can be accomplished when it doesn’t matter who gets the credit”.

Chairman Tabolt then called for nominations for Clerk of the Board. Legislator Brennan nominated Teresa Clark, seconded by Legislator Hathway. There being no other nominations, Legislator Hathway directed the polls be closed and the Clerk cast a unanimous ballot, seconded by Legislator Dolhof. County Clerk Linda D. Hoskins administered the Oath of Office to Teresa Clark; and she thanked the Board for their continued confidence.

Chairman Tabolt announced the list of 2016 Legislative Committee assignments had been distributed to each Legislator:

**COUNTY OFFICERS AND EMPLOYEES, VETERANS'
SERVICES, JUNKYARDS, HISTORIAN, HUMAN RESOURCES,**

Bryan Moser, Chairman

Jerry King

Lawrence Dolhof

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

Jerry King, Chairman

Gregory Kulzer

Richard Chartrand

HOSPITAL

Richard Chartrand, Chairman

Roscoe K. Fawcett, Jr.

Andrea Moroughan

PUBLIC HEALTH, COMMUNITY SERVICES

Andrea Moroughan, Chairman

Philip Hathway

Roscoe K. Fawcett, Jr.

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

Lawrence Dolhof, Chairman

Craig Brennan

Bryan Moser

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

Roscoe K. Fawcett, Jr., Chairman

Andrea Moroughan

Gregory Kulzer

**TAXATION, INFORMATION TECHNOLOGY,
ELECTIONS, AGRICULTURE**

Craig Brennan, Chairman

Lawrence Dolhof

Bryan Moser

TRANSPORTATION, SOLID WASTE

Gregory Kulzer, Chairman

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Craig Brennan
Philip Hathway

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

Philip Hathway, Chair
Jerry King
Richard Chartrand

Chairman Tabolt then approved the December 22, 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: January 5, 2016

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

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

The Clerk announced that the following Newspaper Designations had been submitted from each the Republican and Democratic Legislators and placed on file:

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 5, 2016

NAME/SIGNATURE

ADDRESS

Philip Hathway

P.O. Box 82, Harrisville, NY 13648

Michael A. Tabolt

P.O. Box 171, Croghan, NY 13327

Craig P. Brennan

10859 NYS Route 26, Carthage, NY 13619

Bryan D. Moser

8736 Erie Canal Road, Croghan, NY 13327

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Andrea Moroughan	<u>6697 Pine Grove Rd., Glenfield, NY 13343</u>
Gregory Kulzer	<u>7451 Rice Road, Lowville, NY 13367</u>
Lawrence Dolhof	<u>P.O. Box 308, Lyons Falls, NY 13368</u>
Roscoe K. Fawcett, Jr.	<u>P.O. Box 470, Lyons Falls, NY 13368</u>
Jerry H. King	<u>P.O. Box 202, West Leyden, NY 13489</u>

TO THE HONORABLE BOARD OF LEGISLATORS OF LEWIS COUNTY:

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

Dated: January 5, 2016

NAME/SIGNATURE

ADDRESS

Richard Chartrand

7563 Cedar Street, Lowville, NY 13367

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Fire and Emergency Management Director Robert A. MacKenzie, III has informed his appointment of Richard Ross, Gary Ashline, Robert Bellinger, Joseph Shue, Richard Defone and Fr. Chris Cararra as Deputy Fire Coordinators; and EMS Deputies Mark Tuttle, Steve Monnat, David Kuhl and David Penczek for 2016.

All Legislators have received copies of the Treasurer's December 2015 report; the Real Property Tax Director's 2015 annual report; and the 12/22/15 Solid Waste audit report.

The Republican and Democratic Legislators have designated the Watertown Daily Times as their official newspaper for 2016 as delineated below:

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means / Buildings and Grounds Committee Chairman, credited Treasurer Patricia O'Brien's guidance for the County's bond rating being upgraded in 2015 from A to A+.

Legislator Hathway reported the PSB water pressure report indicates above adequate pressure, which paves the way for system upgrades.

He reported the DSS parking lot would be finished in the spring. The County's related cost of \$285,496.00 is below the budgeted appropriation of \$310,000.00; and all except \$1,500 of the approved grant funds will have been utilized for the project.

Legislator Hathway reported the \$125,000 appropriation to assist with the Village of Lowville project will be reallocated to the general fund, because the related CDBG application was unsuccessful.

Legislator Hathway made a motion to authorize Building Maintenance Supervisor Frank Archer to purchase a plow for the new Ford F-250 truck in the amount of \$5,578.20, seconded by Legislator Brennan and carried.

Chairman Tabolt welcomed Legislator Roscoe Fawcett, Jr. who looks forward to working with everyone.

Legislator Bryan Moser, County Officers / Junkyard Inspector / Veterans' Director / Human Resources Committee Chairman, relayed appreciation for the patience of Legislators and Department Heads for allowing the Human Resources process to continue with regard to filling positions.

Legislator Jerry King, Courts and Law Enforcement / Fire & Emergency Management Director / Building Codes Committee Chairman, made a motion to authorize Sheriff Carpinelli to refill one vacant Full-time Dispatcher / Correction Officer, and one vacant Full-time Deputy Sheriff position effective immediately. The motion was seconded by Legislator Kulzer and carried.

Legislator King made a motion to authorize County Attorney Joan McNichol to refill the full-time Secretary to the Assistant County Attorney position, effective January 11, 2016, seconded by Legislator Hathway and carried.

Legislator King reported that remodeling of the dispatcher offices has commenced, to include replacement of the old phone system and computer equipment, which is estimated to take one month.

Legislator King reported that forms have been distributed to all fire departments and County personnel to record any issues with pagers and radios that will assist with coordinating corrective measures.

Legislator Lawrence Dolhof, Economic Development Committee Chairman, made motion to authorize Planning Director Frank Pace to re-fill the full-time Planner position effective immediately, due to a resignation. The motion was seconded by Legislator King and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Dolhof also made a motion to authorize Office For Aging Director Brenda Bourgeois to refill the Full-time Nutrition Services Coordinator position effective immediately, due to a resignation effective January 31, 2016. The motion was seconded by Legislator Moser and carried.

Legislator Gregory Kulzer, Taxation Committee Chairman, made a motion to authorize Real Property Tax Director Candy Akin to temporarily fill the Real Property Systems Specialist and Senior Keyboard Specialist positions, due to promotion of Betsy Boliver to the Temporary Systems Specialist position. The motion was seconded by Legislator Brennan and carried.

Legislator Kulzer thanked Real Property Tax Director Linda Hoskins and Information Technology Director Adam Zehr for their good work and specifically for cost saving technology initiatives.

Legislator Richard Chartrand, Hospital Committee Chairman, announced a joint meeting with the Hospital Board of Managers will be held on 1/8/2016 at 9 a.m. He urged support for the resolution to create a position while abolishing two others, as recommended by management to streamline duties and reduce overhead.

He referenced a new Tele-psychiatry program that will operate from the sleep lab through an affiliated doctor at St. Joseph's Health Center. Legislator Chartrand opined the program may alleviate some traveling concerns. In response to Legislator Hathway, Legislator Chartrand expects telepathy to be expanded to other medical treatments. Dr. Rodriguez is accepting Wednesday morning appointments for Tele-psychiatry that will enhance treatment of soldiers with P.T.S.D. diagnoses.

COUNTY MANAGER REPORT:

Liz Swearingin reported the Tyler Munis representatives will be kicking off the IFM system replacement project, and will occupy the new second floor conference room for the coming year.

In response to a request to re-purpose the old County radios for HAM radio operators, she stated consideration would be deferred until the new system is fully operational and has been officially accepted.

She had forwarded the NYSAC list of State priority policy issues to all Department Heads with a request to review and alert their committees for recommended Legislative actions.

COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien recited the balances of the Special Contingency Fund - \$85,359.00; Contingency Fund-\$291,210.42; Capital Data Processing Fund- \$141,441.16 and Capital Equipment Fund - \$264,266.22, of which \$15,214.19 is the Highway portion. She also reported the sales tax revenues are well above the budgeted level. The Hospital made all agreed debt repayments during 2015.

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The Internal Service Fund continues to be deficient, but was somewhat bolstered by the 15% increased premium receipts in November.

Mrs. O'Brien reported receipt yesterday of a letter from the NYS Dept. of Health to inform the Hospital IGT payment for 2015-2016 will be issued on 1/21/2016 in the amount of \$1,224,000.00, which considers a 2012 adjustment in the amount of \$461,000.00. The County share payment will be issued for \$612,114.00 from budgeted appropriations.

SPECIAL REPORTS:

Chairman Tabolt announced he will attend the Governor's State-of-the-State address in Albany on 1/13/15 at 12:30 p.m. and invited any Legislator to join him.

Lewis County will host the Inter-County Committee of the Adirondacks on 1/28/15 at the Ridge View Inn. He also encouraged Legislators to attend the NYSAC conference to be held in Albany from 2/1-2/3/16.

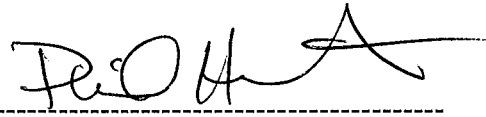
REPORT OF THE WAYS AND MEANS COMMITTEE:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

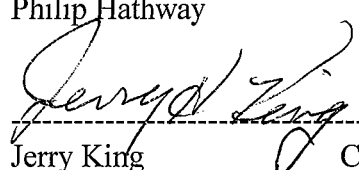
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

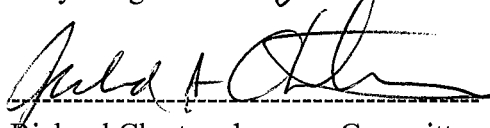
The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 393,807.18 and recommend that they be audited and allowed for the amounts claimed.



Philip Hathway Chair



Jerry King Committee



Richard Chartrand Committee

Dated: January 5, 2016

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

JANUARY 5, 2016

**RESOLUTION NO. 1 – 2016
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 \$393,807.18 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Hathway, seconded by Legislator Dolhof, and adopted by roll call vote:

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 2 - 2016
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 as they be and hereby are adopted as the Standing Rules of the Lewis County Board of Legislators for the year 2016.

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

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

**RESOLUTION NO. 3 - 2016
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:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 LAWRENCE DOLHOF

to perform the duties of Vice-Chairman of the Lewis County Board of Legislators for calendar year 2016.

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

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

**RESOLUTION NO. 4 - 2016
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY AGRICULTURAL SOCIETY BOARD**

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

BE IT RESOLVED as follows:

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

Section 2. That the term of said appointment shall be in effect from January 1, 2016 through December 31, 2017.

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

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

**RESOLUTION NO. 5 - 2016
RESOLUTION APPROVING THE FORM AND THE AMOUNT OF
A BLANKET UNDERTAKING COVERING OFFICERS,
CLERKS AND EMPLOYEES OF LEWIS COUNTY**

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the blanket undertaking in the amount of One Hundred Fifty Thousand Dollars (\$150,000) to be obtained from 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 will pay to the said County and to the People of the State of New York, all damages, costs and expenses resulting from such default, not exceeding the sum specified above.

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

Section 3. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 6 - 2016
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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 King, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 7 - 2016
AUTHORIZING PUBLIC HEARING FOR
LEWIS COUNTY DIRECT HOMEOWNERSHIP ASSISTANCE
PROGRAM, NYS CDBG PROJECT #636CRF-HO118-14**

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

WHEREAS, 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; and

WHEREAS, the Board of Legislators duly held a public hearing on the 3rd day of June, 2014 regarding community development, housing needs and other possible development activities in preparation of a CDBG Application; and

WHEREAS, the County received an award of \$200,000 and the Board of Legislators of Lewis County seeks to hold a second public hearing to provide residents with the opportunity to offer any comments on the accomplishments of the current CDBG Homeownership Grant.

NOW, THEREFORE BE IT RESOLVED, that

Section 1. That the Board of Legislators of Lewis County hereby sets a public hearing to be held on February 9, 2016 at 5:00 p.m. at the Lewis County Courthouse, Board of Legislators Chambers, 7660 North State Street, Lowville, New York 13367 to provide residents of Lewis County with the opportunity to offer any comments on the accomplishments of the current CDBG Homeownership Grant.

Section 2. 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 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 Hathway, and adopted.

RESOLUTION NO. 8 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN COUNTY OF LEWIS
AND NEW YORK STATE HOUSING TRUST FUND CORPORATION

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

WHEREAS, the County of Lewis has applied to the New York State Housing Trust Fund Corporation ("Corporation") for Community Development Block Grant ("CDBG") funds to finance community development activities (NYS CDBG Project # 636HO335-15); and

WHEREAS, the Corporation has awarded the County of Lewis \$324,800.00 in Community Block Grant funds for homeownership activities.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves the Grant Agreement between the County of Lewis and the New York State Housing Trust Fund Corporation, pursuant to which the County of Lewis shall receive \$324,800.00 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 King, seconded by Legislator Moser, and adopted.

RESOLUTION NO. 9 - 2016
RESOLUTION APPOINTING A CERTIFYING OFFICER FOR THE
ENVIRONMENTAL REVIEW FOR THE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the County of Lewis has applied to the New York State Housing Trust Fund Corporation (“Corporation”) for Community Development Block Grant (“CDBG”) funds to finance community development activities (NYS CDBG Project # 636HO335-15); and

WHEREAS, the Corporation has awarded the County of Lewis \$324,800.00 in Community Block Grant funds for homeownership activities; and

WHEREAS, this project is subject to environmental review under the National Environmental Policy Act (NEPA) and State Environmental Quality Review Act (SEQRA); and

WHEREAS, the designation of a Certifying Officer to sign the Environmental Review is required under the terms of the Grant Agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby appoints a Certifying Officer to sign the Environmental Review as required under the terms of 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 \$324,800.00 in Community Development Block Grant funds.

Section 2. Frank Pace, the Lewis County Planning Director, is hereby designated as the Certifying Officer for purposes of the environmental review necessary to release the funds for the stated project.

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

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

**RESOLUTION NO. 10 - 2016
RESOLUTION TO APPOINT MEMBER TO
COMMUNITY MENTAL HEALTH, DEVELOPMENTAL
DISABILITIES AND ALCOHOLISM SERVICES BOARD**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Andrea Moroughan of 6697 Pine Grove Road, Lowville, New York 13367, as their representative 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, 2017.

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 11 - 2016
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY COOPERATIVE EXTENSION
BOARD OF DIRECTORS

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Bryan Moser of 8736 Erie Canal Road, Croghan, New York 13327, as the Board's representative to the Lewis County Cooperative Extension Service Board of Directors.

Section 2. That the term of said appointment shall be effective immediately and terminate on December 31, 2017.

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

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

RESOLUTION NO. 12 - 2016
RESOLUTION RE-APPOINTING LEWIS COUNTY ATTORNEY
AND AUTHORIZING EMPLOYMENT AGREEMENT

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

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby re-appoints Joan McNichol of Lowville, New York 13367, to serve as Lewis County Attorney, pursuant to County Law § 500.

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

Section 3. That the term of said Employment Agreement shall be effective January 1, 2016 through December 31, 2017.

Section 4. That the annualized salary of said position shall be as set forth in the 2016 adopted budget.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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

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

**RESOLUTION NO. 13 - 2016
RESOLUTION RE-APPOINTING LEWIS COUNTY MANAGER
AND AUTHORIZING EMPLOYMENT AGREEMENT**

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED as follows:

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

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

Section 3. The term of said Employment Agreement shall be effective from January 1, 2016 through December 31, 2017.

Section 4. That the annualized salary of said position shall be as set forth in the 2016 adopted budget.

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

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

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

RESOLUTION NO. 14 - 2016
DESIGNATION OF DEPOSITORIES FOR 2016

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 Lewis County monies and for the maximum amount as set opposite the name of each

Community Bank N.A.	20,000,000.
Key Bank of Central NY N.A.	20,000,000.
First Niagara	20,000,000.
Chase Bank	20,000,000.
Adirondack Bank	20,000,000.

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

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

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

RESOLUTION NO. 15 - 2016
RESOLUTION AUTHORIZING FIRE ADVISORY BOARD
AND PROVIDING FOR PAYMENT OF ALLOWABLE EXPENSES

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

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 225-a of the County Law, the Lewis County Fire Advisory Board shall consist of the following members, who are hereby appointed to such Board for the term of one year commencing January 1, 2016 through December 31, 2016 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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That Lewis County Fire and Emergency Management Director Robert MacKenzie, III 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 King, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 16 - 2016
RESOLUTION APPOINTING MEMBER TO
REGION 6 FISH AND WILDLIFE MANAGEMENT BOARD**

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

BE IT RESOLVED as follows:

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

Section 2. That the term of said appointment shall be for the period from January 1, 2016 through December 31, 2017.

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

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

**RESOLUTION NO. 17 - 2016
RESOLUTION APPOINTING MEMBER TO
NEW YORK REGION 6
FOREST PRACTICE BOARD**

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

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Legislator Lawrence Dolhof of Post Office Box 308, Lyons Falls, New York 13368 as the Legislator Representative on the New York Region 6 Forest Practice Board.

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Section 2. That the term of said appointment shall be for the period January 1, 2016 through December 31, 2017.

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

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

**RESOLUTION NO. 18 - 2016
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, 2016 through December 31, 2016.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 19 - 2016
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>
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 immediately.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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

**RESOLUTION NO. 20 - 2016
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 through April 30, 2016.

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

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

**RESOLUTION NO. 21 - 2016
RESOLUTION APPOINTING AUDITOR OF
COUNTY HIGHWAY FUNDS AND
SOLID WASTE ENTERPRISE FUND**

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

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

NOW, THEREFORE, BE IT RESOLVED as follows:

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

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TERESA K. CLARK

Section 2. That said appointment shall be in effect for the period from January 1, 2016 through December 31, 2017.

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

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

**RESOLUTION NO. 22 - 2016
RESOLUTION APPOINTING MEMBER TO
NORTH COUNTRY HOME CONSORTIUM BOARD**

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

BE IT RESOLVED as follows:

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

Section 2. That the term of said appointment shall be for the period January 1, 2016 through December 31, 2017.

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

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

**RESOLUTION NO. 23 - 2016
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY GENERAL HOSPITAL
BOARD OF MANAGERS**

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

BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby appoints Legislator Richard Chartrand of 7563 Cedar Street, Lowville, New York 13367 as their representative on 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, 2017.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 24 - 2016
RESOLUTION APPOINTING MEMBER TO
INTER-COUNTY LEGISLATIVE
COMMITTEE OF THE ADIRONDACKS**

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

BE IT RESOLVED as follows:

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

Section 2. That the term of said appointment shall be effective from January 1, 2016 through December 31, 2017.

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

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

**RESOLUTION NO. 25 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY OFFICE FOR THE AGING AND MELISSA FORNEY**

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

WHEREAS, the Lewis County Office for the Aging operates a Senior Nutrition Program pursuant to which nutritious meals are provided to senior citizens and their guests; and

WHEREAS, the Lewis County Office for the Aging is interested in entering into an Agreement with Melissa Forney for the purpose of providing nutrition services and to develop teaching and operational protocols to address relevant nutritional issues by a Registered Dietician on an interim basis until a full-time Nutrition Services Coordinator/Registered Dietician is hired; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves an Agreement between the County of Lewis, acting by and through the Lewis County Office for the Aging, to enter into an Agreement with Melissa Forney, Registered Dietician, to provide nutrition services and educational services regarding nutritional issues.

Section 2. That the term of this service shall be from February 1, 2016 through December 31, 2016 at a cost not to exceed \$32.50 per hour for ten (10) hours per week and not to exceed the annual amount of \$15,600.00.

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

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

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

RESOLUTION NO. 26 - 2016
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 Nutrition Services Coordinator has submitted her resignation effective January 31, 2016; and

WHEREAS, Office For Aging Director Brenda Bourgeois requests permission to hire a temporary Specialist Services For Aging to assist with interim duties.

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 temporary position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Specialist, Services for the Aging	Temporary Part-time Up to 25 hrs./week	Grade C20 (\$17.56/hr.)

Section 2. That Office For the Aging Director Brenda Bourgeois is hereby authorized to fill said Temporary position effective from February 1, 2016 up to a period of six (6) months.

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

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

RESOLUTION NO. 27 - 2016
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY PLANNING BOARD

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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

NOW, THEREFORE, BE IT RESOLVED as follows:

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

Section 2. That the term of said appointments shall be effective from January 1, 2016 through December 31, 2017.

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

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

**RESOLUTION NO. 28 - 2016
RESOLUTION APPOINTING MEMBER TO
PUBLIC HEALTH PROFESSIONAL ADVISORY-
HEALTH SERVICES COMMITTEE**

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

BE IT RESOLVED as follows:

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

Section 2. That the term of said appointment shall be effective from January 1, 2016 through December 31, 2017.

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

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

**RESOLUTION NO. 29 - 2016
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO DUANE ST. LOUIS)**

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

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WHEREAS, Duane St. Louis was granted a Mortgage to the County of Lewis dated August 27, 1993, and recorded in the Lewis County Clerk's Office on September 15, 1993, in Liber 391 of mortgages at page 162 to secure payment of a loan in the amount of \$5,000.00, 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 afore-described Mortgage.

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

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

**RESOLUTION NO. 30 - 2016
RESOLUTION TO APPROPRIATE
SNOWMOBILE TRAIL PROGRAM
FOR 2015-2016 SEASON**

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

BE IT RESOLVED as follows:

Section 1. That \$307,955.00 be appropriated to Account No.A7141.4999 Snowmobile Trail Program, and be offset by State Aid Account A38202.

Section 2. That the funds shall be passed on to the Snowmobile Association upon receipt by the County.

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

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

**RESOLUTION NO. 31 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND LIFE LINE SYSTEMS, INC.**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with Lifeline Systems, Inc. for personal emergency response services to Medical Assistance 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 Life Line Systems, Inc. for personal emergency response services to Medical Assistance Recipients for the period of January 1, 2016 through December 31, 2016 at no local share cost. This service is billed through Medicaid and rates are set by the State.

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 Fawcett, and adopted.

**RESOLUTION NO. 32 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND LIFE NET (S.T.A.T. COMMUNICATIONS)**

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 Life Net (S.T.A.T. Communications) for personal emergency response services to Medical Assistance 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 Life Net (S.T.A.T. Communications) for personal emergency response services to Medical Assistance Recipients for the period of January 1, 2016 through December 31, 2016 at no local share cost. This service is billed through Medicaid and rates are set by the State.

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 Fawcett, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 33 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE DEPARTMENT OF SOCIAL SERVICES AND
NATASHA'S KIDDIE SHACK DAYCARE

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

WHEREAS, the Lewis County Department of Social Services wishes to purchase day care services through Natasha's Kiddie Shack Daycare for eligible recipients; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with Natasha's Kiddie Shack Daycare for the period of January 1, 2016 through December 31, 2016 at the Day Care market rate established by Natasha's Kiddie Shack Daycare and pursuant to the DSS Fair Market Rates as established by the State. The cost for eligible recipients is approximately 1% for the County and 99% Federal reimbursement.

	Infant Under 1 ½	Toddler 1 ½ - 2	Preschool (3-5)	School Age Child Care (6-12)
Weekly Full Time	\$175.00	\$170.00	\$160.00	\$160.00
Hourly Rate	\$6.00	\$6.00	\$6.00	\$6.00
Fair Market Rate Daily	\$42.00	\$40.00	\$38.00	\$35.00
Fair Market Rate Part-Day	\$28.00	\$27.00	\$25.00	\$23.00

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

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

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

RESOLUTION NO. 34 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
LEWIS COUNTY OPPORTUNITIES, INC.

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and Lewis County Opportunities, Inc. for the purpose of providing non-residential services to victims of domestic violence.

Section 2. That the term of this Agreement shall be from January 1, 2016 through December 31, 2016 for an amount not to exceed \$24,000.00 with no local share cost after (100%) Federal reimbursement.

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

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

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

RESOLUTION NO. 35 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
THE CENTER OF LIFELONG EDUCATION AND RECREATION
OF SUNY POTSDAM

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

WHEREAS, the Lewis County Department of Social Services wishes to enter into an Agreement with the Center of Lifelong Education and Recreation of SUNY Potsdam to provide training projects for the Department of Social Service employees which includes Spring Leadership Institute, Fall Leadership Institute, and Professional Development Workshops; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

Education and Recreation of SUNY Potsdam to provide training projects for the Department of Social Service employees which includes Spring Leadership Institute, Fall Leadership Institute, and Professional Development Workshops.

Section 2. That the term of this Agreement shall be from January 1, 2016 through December 31, 2016 for an amount not to exceed \$7,200.00, with said amount being reimbursed to the Lewis County Department of Social Services through Federal and State funds.

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 Fawcett, and adopted.

**RESOLUTION NO. 36 - 2016
RESOLUTION APPOINTING MEMBER TO
YOUTH BUREAU ADVISORY BOARD**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Roscoe Fawcett, Jr. of P.O. Box 470, Lyons Falls, New York 13368 as their representative on the Lewis County Youth Bureau Advisory Board.

Section 2. That the term of said appointment shall be effective from January 1, 2016 to December 31, 2017.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 37 - 2016
RESOLUTION APPOINTING MEMBERS TO
LEWIS COUNTY COMPREHENSIVE ECONOMIC
DEVELOPMENT STRATEGY COMMITTEE**

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

BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

Section 2. That the term of said appointments shall be effective from January 1, 2016 through December 31, 2017.

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

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

**RESOLUTION NO. 38 - 2016
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 pursuant to Civil Service regulations:

<u>TITLE</u>	<u>STATUS</u>
Manager of Utilization Review and Case Management	Full-time

Section 2. That the following positions shall be hereby ABOLISHED:

Patient Review Coordinator	Full-time
Nurse Manager	Full-time

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

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

**RESOLUTION NO. 39 - 2016
RESOLUTION TO APPOINT MEMBERS TO
SOIL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS**

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

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Legislators Lawrence Dolhof of Post Office Box 308, Lyons Falls, New York 13368, and Legislator Craig Brennan of 10859 NYS Route 26, Carthage, New York 13619, to the Lewis County Soil & Water Conservation District Board of Directors.

Section 2. That the term of said appointments shall be from January 1, 2016 to December 31, 2017.

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

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

RESOLUTION NO. 40 - 2016
RESOLUTION TO APPOINT REPRESENTATIVE
TO NYSDEC OPEN SPACE COMMITTEE

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

WHEREAS, the New York Open Space Conservation Program began in 1990 pursuant to enacting State Legislation, to ensure citizen input into the land acquisition decisions made by the New York State Department of Environmental Conservation and the State Office of Parks, Recreation and Historic Preservation; and

WHEREAS, each County within Region 6 may appoint two representatives.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby appoints Legislator Gregory Kulzer of 7451 Rice Road, Lowville, New York 13367 as their representative on the New York State Department of Environmental Conservation Region 6 Open Space Committee.

Section 2. That said appointment shall be effective for the period January 1, 2016 through December 31, 2017.

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

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

OTHER BUSINESS:

Legislator Hathway posed the Board hold some of their monthly meetings at different venues, suggesting Lyons Falls, West Leyden and Copenhagen. Legislators voiced their support for doing so, while also changing the time to 6 p.m. to accommodate the working public.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

The Clerk announced that Chairman Tabolt has made the following appointments for the term 1/1/16-12/31/17: Legislators Richard Chartrand, Andrea Moroughan and Bryan Moser to the Corporate Compliance Ad Hoc Committee; Legislator Richard Chartrand as the representative to the Adirondack Park Local Government Review Board; Legislator Craig Brennan to the Agriculture and Farmland Protection Board; Legislator Jerry King to the Law Library Trustee Committee; and Legislators Lawrence Dolhof and Craig Brennan to the Comprehensive Economic Development Strategy Committee.

In response to Legislator Hathway, County Attorney Joan McNichol affirmed that annual Corporate Compliance training is required, and she would be coordinating the training, possibly via video.

Chairman Tabolt asked all Legislators to review and inform the Clerk of the Board Teresa Clark of any changes for monthly committee meeting dates and times.

Legislator Brennan made a motion to enter executive session at 6:00 p.m. to discuss contractual issues, seconded by Legislator King and carried. After a short recess, the session began at 6:10 p.m. Following the session, Legislator Hathway made a motion to re-enter regular session at 7:17 p.m., seconded by Legislator Chartrand and carried.

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

FEBRUARY 9, 2016

REGULAR MEETING
February 9, 2016

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

Roll Call: All Legislators were present.

Legislator Bryan Moser offered the Invocation and asked for a moment of silence for all those who have departed since the last meeting. Chairman Tabolt then led the Pledge of Allegiance to the Flag.

There were 16 persons present.

Chairman Tabolt declared the January 5, 2016 meeting minutes were approved.

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 9, 2016

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

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

Chairman Tabolt opened the public hearing at 5:02 p.m. for comments on the effectiveness of the administration of the Lewis County Direct Homeownership Assistance Program, provided by Snow Belt Housing, Inc.

PRIVILEGE OF THE FLOOR:

Cheryl Shenkle-O'Neill, Snow Belt Housing, Inc. Executive Director, reported that in June of 2014 Lewis County applied for \$200,000 in funding through the Community Development Block Grant Program for the Lewis County Direct Homeownership Assistance Program. This application was submitted to the North Country Regional Economic Development Council. A public hearing was held on June 3, 2014 in preparation for the application and a second public hearing is being held today to provide residents with the opportunity to offer any comments on the accomplishments of the grant.

The goal of the program was to assist low- and moderate-income households to purchase their first home 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).

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This application was successful and the County was awarded \$200,000. A Grant Agreement was signed with a program effective date of November 12, 2014. The Agreement stipulated that all funds must be expended within 24 months (by November 11, 2016). The application anticipated that five households would be assisted with estimated program funds of \$108,750 for mortgage buy down and closing costs and \$62,500 for rehabilitation of the purchased homes. The program is nearing completion and seven households were provided assistance, two more than projected. As three of the homes didn't need any repair assistance, a budget modification was necessary to move funds from rehabilitation to down payment assistance. The final budget categories are \$121,450 for down payment and closing costs assistance and \$49,800 for repair assistance. An additional \$28,750 was used for administration and program delivery assistance, bringing the total grant amount to \$200,000.

The last home was closed on December 7, 2015 and the homebuyer received a mortgage from USDA as well as mortgage assistance from the Section 8 program. This home did not need any repair assistance. Rehabilitation of two of the homes that needed repair work is in progress and the program is expected to be completed by the end of May. Cheryl distributed a spreadsheet showing statistics about the program. She stated that the average down payment and closing costs assistance provided was \$17,350 with ranges from \$8,000 to \$25,000. Four of the homes needed repair work for an average of \$12,450 in repairs with ranges from \$9,750 to \$17,350. The average grant provided was \$24,464.00. On the summary spreadsheet the averages of down payment assistance and repair assistance don't add across to the average grant provided since three of the homes didn't need repair. The average purchase price was \$74,200 and the average mortgage was \$57,171.

There was no displacement as the homes that were purchased were either vacant or in one case, purchased by the existing tenant. The program was truly a countywide program in that two homes purchased were in the Village of Lowville, and one each in the Village of Lyons Falls, Village of Constableville, Town of New Bremen, Town of Watson, and Town of Lyonsdale.

Legislator Dolhof asked if this was about the new grant, and Cheryl responded that the county was awarded another homeownership grant in the amount of \$324,800 and we hope to assist 15 households with that grant. We currently have 10 on our waiting list from the last grant that we may be able to assist. The local housing stock, she said, is in much better condition compared to a couple of years ago. In response to Legislator Phil Hathaway, Ms. O'Neill stated the grant funds are used for closing and repair costs. Applicant eligibility is determined through an affordability analysis based on income and debt. Applicants may be required to upfront a down payment, the first year insurance premium, mortgage recording fee or appraisal fee. The USDA mortgages allow higher thresholds and have lower interest rates, but have higher closing costs.

Mr. Jeffrey Christman read his composed letter of complaint about the pistol license policy that requires any new weapon to be entered in the State's database. Although he's held a pistol license for 35 years, he was required to pay a fee to add the new pistol and be issued a laminated license and the paper license was destroyed. He insinuated the County Clerk's policy was discriminatory and has threatened a lawsuit. Mr. Christman asked for a refund of the license

fees and his original paper license. However, the State sets the policy that must be adhered by the County Clerk.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Village of Lyons Falls Mayor Katie Liendecker penned thanks to the Board for the one-time allocation from surplus revenue. To paraphrase, “Our village has been hit hard with several emergency infrastructure expenses”, so the check was certainly timely and extremely appreciated.

The Clerk acknowledged receipt of resolutions from County Legislatures that had been forwarded to Federal and State Representatives: Cayuga County Legislature calling on the State to develop a 100% State funded Indigent Legal Defense System as a way to provide mandate relief and lower property taxes; Erie County in support of ending the outdated blue laws that restrict the sale of alcohol until noon on Sunday; Tompkins County Legislature calling upon Congress to reject the Trans-Pacific Partnership Agreement; Chenango County Legislature calling upon the State to restore funding parity between the Capital Plans of the Metropolitan Transportation Authority and the NYS Department of Transportation; and Orleans County Legislature in support of New York State’s Constitution Home Rule.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the Treasurer’s January report; the 1/21/16 Solid Waste and Highway Audit Reports; Sr. Code Enforcement Officer Ward Dailey’s 2015-4th Quarter Report; and minutes of the 10/20/15 Health Services Advisory Committee, 12/15/15 Soil & Water Conservation District and 1/20/16 Youth Bureau Advisory Board meetings.

The County Sealer of Weights and Measures has submitted her 2015 - 4th Quarter Activities Report to be placed on file.

Legislators have also received copies of 2015 Annual Reports from Sr. Code Enforcement Officer, Civil Service Administrator, Director of Community Services, County Clerk, Economic Development Director, Fire and Emergency Management Director, Superintendent of Highways, Director of Information Technology, Office For Aging Director, Planning Director, Probation Director, Public Health Director, Recreation, Forestry and Parks Director, Sheriff, including his ATV Report, Director of Solid Waste Management, Treasurer’s Cash Report, Veterans’ Service Director and Sealer of Weights and Measures.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, relayed the Committee’s confidence for the proposed second distribution of County 2015 surplus revenue. The committee will propose implementation of their current year goals and objectives to complete the DSS parking lot project, conduct an engineering study of the PSB water system upgrades and energy audit, and implement safety renovations and upgrades to deter issues of workplace violence. The solar system project will also commence.

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Legislator Hathway reports coordinating with Greenskies to offer an opportunity for hands-on solar installation training to Fort Drum soldiers who are attending SUNY Canton, in response to Governor Cuomo's "Soldiers and Solar" initiative.

The Committee continually and diligently reviews the County's financial status, to include forecasting future challenges, to enable knowledgeable recommendations when the Board is requested to consider varying project appropriations.

Legislator Hathway made a motion to commit 25% of resulting savings from the solar array project to the Hospital, seconded by Legislator Chartrand and carried.

The committee is exploring options with the landlord for DMV building improvements proposed by County Clerk Linda Hoskins.

Legislator Hathway referenced a separate meeting with Bernier, Carr & Associates (BC&A) to share concerns about the DSS parking lot project. Subsequently, BC&A has acknowledged a financial reduction for their service costs, which the Committee agrees is reasonable.

The Maintenance Department, led by Frank Archer, completed a record number of 1,127 work orders in 2015.

In reference to the "Soldiers and Solar" initiative, Legislator Chartrand stated his Fort Drum contact is Franz Phillipe who lives in Lowville. There is a coordinated effort to unite soldiers who are registered for related courses, with Greenskies company officials, for an opportunity to work/intern for Greenskies when they commence installation of the County's solar array. The intent is to assist with soldier transition and enhance their civil employment potential.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Employment and Training/Youth Bureau Committee Chairman, referenced Governor Cuomo's executive order 151 directing the Department of Social Services (DSS) to shelter all homeless persons when the temperature falls below 32 degrees with the wind chill factor considered. They are to provide outreach and transportation. On behalf of DSS staff, he thanked the community partners, especially law enforcement personnel, for planning and implementing an action plan to care for our homeless population.

In accordance with a new State requirement, DSS mailed biennial notices to all persons with a temporary assistance lien on their real property, informing them of the outstanding balance and any recovery DSS has received since the lien was imposed. Those with questions are directed to phone the DSS offices.

Legislator Fawcett reported that DSS staff have started Foster Parent training classes with nine potential foster families, and asks anyone interested to call Linda Leonard at 376-5403.

The Youth Bureau will allocate funds for youth development programs and educational opportunities to requesting municipalities for an amount up to \$5,000. The deadline for applications is 3/11/16.

Legislator Fawcett reported and thanked Office For Aging staff for providing an introductory synopsis of their respective program areas to the committee.

Legislator Bryan Moser, County Officers / Junkyards / Veterans' Services / Human Resources Committee Chairman, announced the next meeting of the Junkyard Review Board would be held on 2/11/16. The Committee had also approved a few requests to refill positions.

Legislator Jerry King, Courts and Law Enforcement / Fire & Emergency Management Director/Building Codes Committee Chairman, made a motion to authorize Sheriff Carpinelli to refill one vacant Full-time Dispatcher/Correction Officer effective immediately. The motion was seconded by Legislator Moser and carried.

Legislator King made a motion to authorize Sheriff Carpinelli to refill the Jail Physician position effective immediately, due to a resignation. The motion was seconded by Legislator Moser. In response to Legislator Moser, Hospital CEO Eric Burch informed they are working toward a Jail Physician solution. The motion then carried.

Legislator King reported that installation of the doors at the Public Safety Building should be completed next week; and that a few problems with radio reception had been addressed.

Legislator King relayed completing a FEMA course in Albany, and agreed to forward information on the Constitutional Convention. He also sat in on a training sessions encouraging that un-expired food be sent to pantries to reduce quantities deposited at landfills; how to predict sales tax and the correlation with crude oil pricing; as well as the impact on counties that are in close proximity to Canada due to the low exchange rate of \$.70. The low rate prevents incentive for cross-border shopping.

In response to Legislator Moser, Legislator King stated that the radio reception issues were caused by the wind shifting equipment on the Copenhagen tower. The contractor, he said, will install a reinforcement to avoid future interruptions.

Legislator Lawrence Dolhof, Economic Development Committee Chairman, reported the committee's recommendation to have the County Attorney review and formulate a contract with the Barnes Corners Sno-Pals Snowmobile Club for the SNIRT Run scheduled for 4/16/16.

Legislator Dolhof reported that proposed Health Plan changes will be implemented within 60 days, in response to the approval majority vote of CSEA union employees.

He referenced the new \$324,800 CDBG Direct Homeownership grant to be administered through Snow Belt Housing.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

The Utica bus route had resumed on 1/19 following the winter college recess. The NYS Department of Transportation has authorized public transportation for the upcoming Maple Weekend.

Legislator Dolhof cited NYSDEC's rejection to open the Aspen Hollow Truck Trail or Q-Road, instead suggesting a request to the NYSDOT to open Route 812 for ATV traffic. Director Jackie Mahoney will forward the request to the NYSDOT.

During the period 1/1-1/10/2016 over 6,000 snowmobilers were counted on the trail between Flat Rock and Montague. Snowmobiling was offered without a permit over the 1/16-1/17/2016 weekend, during which several businesses experienced their historical best. Legislator Dolhof reported receipt of the insurance certificates for the Kite Skiing event that is planned from 2/8-2/15/2016.

In conclusion, Legislator Dolhof informed of a signed purchase option for the Matuszczak property located across from Lewis County General Hospital, to be marketed as a business park, while obtaining an infrastructure study.

Legislator Craig Brennan, Taxation/Information Technology Committee Chairman, made a motion to authorize payment of the 2013, 2014 and 2015 property taxes for the seven (7) parcels used for ATV trails located in Lyons Falls, West Turin, Turin and Greig for a total amount of \$933.95 from the Recreation, Forestry and Parks account. The motion was seconded by Legislator Dolhof. Jackie Mahoney stated the taxes had been paid from the ATV Trail Fund, therefore reimbursement would be made to that fund from the County Recreation, Forestry & Parks budget. The motion then carried.

Legislator Brennan reported attending a Fort Drum Regional Liaison Organization (FDRLO) meeting to hear a report from Acting Senior Commander Paul Bontrager. Fort Drum is one of two posts being considered for a highly technical communications site which would require minimal personnel additions. However, if designated for that function and/or a potential missile defense intercept satellite, would advantage Fort Drum during future base realignment and closure procedures. Preliminary discussions for altering traffic routes in the surrounding area are being considered.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman, made a motion to authorize Solid Waste Director Pete Wood to execute the quotation letter from Paradigm Software, LLC to install updated software for transfer station operations at a cost of \$6,300.00. If the County defers installation, there will be an additional cost of \$8,500 for the required update and training. The motion was seconded by Legislator Hathway and carried.

Legislator Kulzer reported an increase of \$65.00/year over the 5-year contract for the new Viking plow truck, attributable to increased interest rate. Also, the sand, stone and concrete bids will be opened on 2/10/16.

He reported the cost to rehabilitate the Jerden Falls Bridge will be \$1.7 million, of which the County share will be 5%. Highway Superintendent David Becker stated that the Blue Street Bridge may be given priority and financed by the Governor's additional budget allocations.

Legislator Kulzer reported the cost of clear draw-string bags at the Lowville or Croghan transfer station are \$18.00 for a box of 120 13-gallon bags or \$.15/single bag; and \$17.50 for 70 39-gallon bags or \$.25/single bag. In response to Legislator King, Legislator Kulzer affirmed that clear bags are available at Walmart. Other Legislators confirmed the bags are available at various locations. Legislator Kulzer reported the Solid Waste Department is on schedule to begin single sort recycling in April; and that yellow recycle bins are available to residents at a cost of \$20.00.

Legislator Richard Chartrand, Hospital Committee Chairman, reported that Timothy Reagan had resigned from the Board of Managers. Liz Swearingin reported receipt of a letter from one interested candidate and has asked to re-advertise for additional applicants.

Legislator Chartrand announced the Hospital Auxiliary plans to sell chocolate covered cherries and pretzels in the lobby on 2/12/2016.

Legislator Chartrand reported the official start of the flu season, and that 92% of Hospital staff have been immunized or have agreed to wear required masks. He encouraged everyone to get immunized.

The Hospital paid vendors with the \$1.2 million IGT revenues in January, effecting 94.3 days for vendor payments. However, they await receipt of nursing home IGT funds. General surgeon Nick Gabriel will work 4 days/week every other week; and orthopedic surgeon Steven Adcock will replace Dr. Gates in the orthopedic office in mid-March.

Legislator Chartrand reported a gain of \$46,800 versus a budgeted gain of \$14,715; and the 2015 annual audit will commence in February. The County debt as of 1/15/16 was \$3.6 million.

He announced the December 2015 employee-of-the-month was Certified Nursing Assistant/Ward Clerk Sally Young. Sally is referred to as "The hardest working employee on the east wing", who assures patients are well cared for. Her professional conduct and being a team player are strong attributes.

In response to Legislator Hathway, CEO Eric Burch stated the Hospital has a 6-month agreement with Dr. Gabriel. He has performed weekend call and the hope is for a long-term relationship to replace Dr. Gates in the orthopedic office with Dr. Swift.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported the 2015 4th Quarter Board of Health report was distributed to each Legislator. The former jail nurse will continue to train the newly appointed nurse, and is paid from the Public Health budget. When necessary, a budget transfer will be considered to cover the un-budgeted

PROCEEDINGS OF THE BOARD OF LEGISLATORS

expense. Also, the CDC and local health department are closely monitoring the Zika Virus outbreak.

Legislator Moroughan reported that Director of Community Services Patricia Fralick will provide in-service training for Social Services caseworkers to identify and respond to persons under the influence of drugs and/or alcohol.

The Lewis County Leadership class will focus on Community Services programs, to include a panel discussion encompassing representatives from various contractual vendor agencies. Tammi McIntyre and Chris Eckerson will also present information on the "Systems of Care" local initiative.

Legislator Moroughan relayed Dr. Tuttle-Malone's comment from this morning's Community Services Board meeting, complimentary and appreciative for the Tele-psychiatry services available through the Hospital facility, if one day per week for two hours.

COUNTY MANAGER REPORT:

Liz Swearingin introduced Nick Altmire, Managing Editor of Linking Lewis County, reporting his on-line site receives up to 10,000 daily hits.

On behalf of Solid Waste Director Pete Wood, she announced he will be meeting with haulers tomorrow to inform and discuss the impending clear bag requirement.

The kick-off meeting with Tyler-Munis was held last week, which evoked appreciation for the mammoth amount of work faced by employees to implement the new system.

Ms. Swearingin reported that labor negotiations will commence at the end of the month with the UPSEU that represents road patrol employees.

COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$250,000.00; Contingency Fund-\$475,000.00; Capital Data Processing Fund-\$141,442.36 and Capital Equipment Fund - \$251,055.45, of which \$15,214.19 is the Highway portion. She also reported 2015 sales tax revenues of \$11,926,732.57, well above the budgeted level of \$10,100,000.00. The current Hospital debt is \$3.5 million.

Ms. O'Brien stated the Internal Service Fund for health insurance expenses, remains deficient. Greater premium receipts since the November increase, coupled with the impending health plan changes, should positively affect the fund's balance.

SPECIAL REPORTS:

Chairman Tabolt had attended the NYSAC conference in Albany. Aware of U.S. Senator Charles Schumer attendance, he sought him out and personally thanked him for his visit to the

Kraft Heinz facility, while relating wastewater issues and the need for funding to accommodate their planned expansion project. During his luncheon speech, Senator Schumer devoted a great deal of focus on the Kraft Heinz facility, and twice acknowledged the Lewis County representatives to the large group gathered from around the State.

Also in attendance was NYS Senator Joseph Griffo, who responded favorably to Chairman Tabolt's funding request, expressing his support of the Kraft Heinz expansion project and offering any available assistance. He also related the financial difficulties for ReEnergy in Lyonsdale, due to the depressed energy prices and the expiration of tax credits. Thereafter, he updated Senator Griffo's Chief of Staff Dwight Evans.

Chairman Tabolt readily accepted a personal invitation to the Governor's mansion, where he apprised Lt. Governor Kathy Hochul of the need for wastewater project funding, subsequently being referred to her Chief of Staff. Thereafter, he seized an opportunity to relate the critical funding need personally to Governor Cuomo, and later to his Director of Regional Affairs. The next morning he received calls from State officials offering funding assistance.

He had also spoken with NYS Senator Patty Ritchie, who continues to await a response from the environmentalist group in response to the proposed concessions by the pro-ATV relative to increasing the allowed weight for UTV registration. She remains optimistic for supporting legislation, citing supposed support from the Governor's administration.

Chairman Tabolt had also spoken with Assemblyman Blankenbush, along with other regional State representatives.

Albany was also the venue for a joint meeting of the Inter-County Legislative Committee of the Adirondacks and the Western Inter-County Committee to discuss issues of mutual concern. Upon hearing Western New York officials expressing similar opposing views related to the \$15.00 minimum wage, he encouraged them to compose and adopt an opposing resolution to inform the Governor, likewise as Lewis County's Legislature had done.

Chairman Tabolt stated that NYSAC Executive Director had reported their priority legislative issue was for State takeover of the expenses related to Indigent Legal Defense.

He announced the next Inter-County Legislative Committee meeting will be hosted by Fulton County in Johnstown on 2/25/2016.

He further announced his plans to attend the Governor's Winter Challenge in Lake Placid on 2/28/2016.

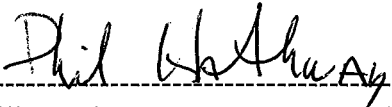
After no one responded to a request for comment on the CDBG grant program, Chairman Tabolt declared the public hearing closed at 6:04 p.m.

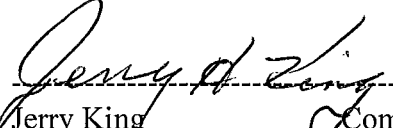
REPORT OF THE WAYS AND MEANS COMMITTEE:

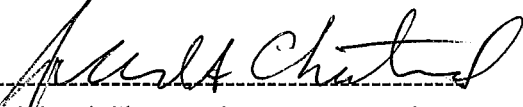
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,599,062.62 and recommend that they be audited and allowed for the amounts claimed.


Philip Hathway Chair


Jerry King Committee


Richard Chartrand Committee

Dated: February 9, 2016

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

**RESOLUTION NO. 41 - 2016
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 \$ 1,599,062.62 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 Fawcett, and adopted by roll call vote:

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 42 - 2016
RESOLUTION TO AMEND RULE XII
POWERS AND DUTIES OF COMMITTEES OF THE STANDING RULES
OF THE BOARD OF LEGISLATORS OF LEWIS COUNTY**

Introduced by Legislator Lawrence Dolhof, Chairman of the Rules and Legislation Committee.

WHEREAS, the Board of Legislators wishes to amend Rule XII of the Standing Rules of the Board of Legislators of Lewis County.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends and supersedes the Standing Rules of the Board of Legislators of Lewis County to amend Rule XII: Powers and Duties of Committees, to remove matters and operations of the Probation Department from the Courts and Law Enforcement Committee and add same to the Social Services, Office For the Aging, Employment & Training and Youth Bureau Committee. The Committee shall be designated as follows:

**Social Services, Office For the Aging, Employment & Training,
Probation and Youth Bureau Committee**

The following paragraph shall be added thereto:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

This Committee shall have general supervision and jurisdiction over all matters and operations offered through and related to the Probation Department.

Section 2. That this Board of Legislators hereby amends and supersedes the Standing Rules of the Board of Legislators of Lewis County to amend Rule XII: Powers and Duties of Committees, to add matters pertaining to the Planning Department to the Rules and Legislation, Workers' Compensation, Economic Development, Planning, Insurance, Recreation, Forestry & Parks Committee. The Committee shall be designated as follows:

Rules and Legislation, Workers' Compensation, Economic Development, Planning, Insurance, Recreation/Forestry & Parks Committee

The second paragraph under said Committee shall be amended to read as follows:

This committee shall also work in cooperation with the Lewis County Chamber of Commerce and with other interested groups and organizations in publicizing the recreations, industrial and agricultural advantages of the County, in promoting the economic prosperity of the County, and in planning generally for the future welfare and growth of the County. This Committee shall have general supervision over all matters performed by the Planning Department and shall work in cooperation with the Lewis County Planning Board.

Section 3. That except as specifically amended herein, the Standing Rules of the Board of Legislators of Lewis County shall remain in full force and effect.

Pursuant to Rule X of the Standing Rules of the Board of Legislators which governs Amendment of Rules, 'the rules shall not be amended except by resolution duly introduced and read for information, at a meeting held at least one day before the meeting at which such resolution is adopted.' Accordingly, action is deferred on this Resolution until the next successive meeting of the Board of Legislators.

RESOLUTION NO. 43 - 2016 RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS AND ADIRONDACK NORTH COUNTRY ASSOCIATION

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves a contract between the County of Lewis and the Adirondack North Country Association to sponsor programs and provide services in the areas of Agriculture, Enterprise Development, Natural Resources, Services and Culture, Tourism and other initiatives to increase the quality of life and the potential value added processing and product development for goods and services sold in and from the region.

Section 2. That said contract shall be for the period beginning January 1, 2016 through December 31, 2016, for an amount of \$1,000.00.

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 Moser, and adopted.

**RESOLUTION NO. 44 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO BUILDING CODES DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Building Codes 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 Building Codes Department, to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Keyboard Specialist	Permanent Full-Time	Grade C9 (\$13.60-\$14.70)

Section 2. That Sr. Building Codes Officer Ward Dailey is hereby authorized to fill said position effective immediately

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

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

**RESOLUTION NO. 45 - 2016
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:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the following Capital Fund appropriation is hereby approved to the Capital Building Maintenance & Repair account, balance of \$66,000, funds transferred from A9950.9923:

HAC50310 (Inter-fund transfer)	\$66,000.00

HAC1621.4 (Stowe St)	\$66,000.00

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

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

**RESOLUTION NO. 46 - 2016
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 Capital Fund appropriation is hereby approved to the Capital County Road Striping account, balance of \$265,100, funds transferred from A9950.9926:

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

HAI5150.4 (Striping)	\$65,100.00

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

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

**RESOLUTION NO. 47 - 2016
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 Capital Fund appropriation is hereby approved to the Capital Equipment account, balance of \$297,000, funds transferred from A9950.9925:

HAD50310 (Inter-fund transfer)	\$297,000.00

HAD9901.9 (Inter-fund transfer) \$297,000.00

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

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

RESOLUTION NO. 48 - 2016
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 Capital Fund appropriation is hereby approved to the Capital Highway Building account, balance of \$265,100, funds transferred from A9950.9926:

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

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

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

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

RESOLUTION NO. 49 - 2016
RESOLUTION TO APPROPRIATE FUNDS
CAPITAL EMERGENCY RADIO SYSTEM

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

BE IT RESOLVED as follows:

Section 1. That the following Capital Fund appropriation is hereby approved to the Capital Emergency Radio System account, balance of \$800,000.00, funds transferred from A9950.9940:

HA50310 (Inter-fund transfer) \$800,000.00

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

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

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

RESOLUTION NO. 50 - 2016
RESOLUTION TO APPROPRIATE FUNDS
CAPITAL EMERGENCY RADIO SYSTEM

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

BE IT RESOLVED as follows:

Section 1. That the following Capital Fund appropriation is hereby approved to the Capital Emergency Radio System account, additional funds transferred from 2015 surplus sales tax revenue from Account No. A9950.9940 , balance of \$800,000:

HA50310 (Inter-fund transfer)	\$800,000.00

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

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

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

RESOLUTION NO. 51 - 2016
RESOLUTION TO APPROPRIATE FUNDS
CDBG HOMEOWNER'S GRANT

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved for the Homeowner's Grant 636H0335-15 through Snowbelt Housing:

Revenue

CL49103 (Snowbelt Project)	\$324,800.00

Expense

CL8688.4901 (First time homeowners)	\$324,800.00

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

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

RESOLUTION NO. 52 - 2016
RESOLUTION APPOINTING MEMBERS TO
ALCOHOLISM & SUBSTANCE ABUSE SUB-COMMITTEE OF 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. Pursuant to Mental Hygiene Law Section 41.11, the Board of Legislators hereby re-appoints the following individuals to the Alcohol and Substance Abuse Sub-Committee of the Community Mental Health, Developmental Disabilities and Alcoholism Services Board, for the term opposite each:

Daniel Pisaniell, M.D.	Term through December 31, 2016
Daniel Chapin	Term through December 31, 2017
Penny Ingham	Term through December 31, 2017
MaryJo Burkhard	Term through December 31, 2018
Dale Roberts	Term through December 31, 2018
Karen Boliver	Term through December 31, 2019

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 53 - 2016
RESOLUTION APPOINTING MEMBERS TO
DEVELOPMENTAL DISABILITIES SUB-COMMITTEE OF
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. Pursuant to Mental Hygiene Law Section 41.11, the Board of Legislators hereby re-appoints the following individuals to the Developmental Disabilities Sub-Committee of the Community Mental Health, Developmental Disabilities and Alcoholism Services Board, for the term opposite each:

Teri Brabant	Term through December 31, 2017
Stephen Virkler	Term through December 31, 2017

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Ruth Loomis	Term through December 31, 2018
Susan Pierce	Term through December 31, 2018
Karmel Der	Term through December 31, 2019
Deborah Blair	Term through December 31, 2019

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 54 - 2016
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS
COUNTY CLERK

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

BE IT RESOLVED as follows:

Section 1. That the following budget change is hereby approved in the County Clerk Department Account for the purchase of office furniture, with funds transferred from Capital Equipment; balance \$266,269.64:

IncreaseRevenue:

A50310 (Inter-fund transfer)	\$2,793.16

IncreaseExpense:

A1410.2211 (Office Equipment)	\$2,793.16

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

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

RESOLUTION NO. 55 - 2016
RESOLUTION APPOINTING MEMBER TO
DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY

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

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints Dennis Mastascusa of 7557 South State Street, Lowville, New York 13367, to the Development Authority of the North Country.

Section 2. That the term of said appointment shall be for a period of four (4) years to be

effective from February 10, 2016 through February 9, 2020.

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

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

Legislator King was opposed.

**RESOLUTION NO. 56 - 2016
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 to appropriate funds received through NY Co Shared Assets-DA (T87.05) to be used for the purchase of an Apple Macbook for the office of the District Attorney.

Increase Revenues

A26260 (Forfeiture Proceeds)	\$1,604.43

Increase Expense

A1165.2217 (Computers)	\$1,604.43

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

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

**RESOLUTION NO. 57 - 2016
RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE AGREEMENT
BETWEEN LEWIS COUNTY AND
DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY
UNDER THE NYS DOS BROWNFIELD OPPORTUNITIES AREA
IMPLEMENTATION STRATEGY GRANT (VILLAGE OF LYONS FALLS)**

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

WHEREAS, Development Authority of the North Country (“DANC”) and the County of Lewis (“COUNTY”) entered into an Agreement dated December 28, 2015 pursuant to Resolution No. 146-2015, adopted May 5, 2015 for DANC to provide project management and technical services for the New York State Department of State Brownfield Opportunities Area

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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 hired a Community Planner who will be working on the Project and whose position and Standard Employee Wage Rate must be added to the Agreement under the terms of the Grant; and

WHEREAS, the addition of the Community Planner position and wage rates for the position will not change the agreed upon total cost of all services set forth in the Agreement payable by the County to DANC, i.e., \$60,000.00; and

WHEREAS, the Board of Legislators wishes to accept this amendment to the Agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes Amendment No. 1 to the Agreement between the County and DANC under the New York State Department of State Brownfield Opportunities Area Implementation Strategy Grant for the Village of Lyons Falls, to provide for the addition of the position of Community Planner and the wage rates associated with that position, to the list of services identified under the agreement, with no change to the total cost payable by the County to DANC for the project management and technical services 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, pending approval by the County Attorney.

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

Moved by Legislator Dolhof, seconded by Legislator Brennan.

In response to Legislator Hathway, Legislator Dolhof clarified the \$60,000 is the BOA grant. The amendment is to allow the Development Authority to hire a Planner for this project to be paid from the BOA grant allocation.

In response to Legislator Kulzer, Legislator Dolhof could not define the exact duties of the Planner, while stating the individual would administer the BOA grant. He reiterated the Planner would be hired by the Development Authority and paid from the \$60,000 BOA grant funds. The Development Authority needs to amend the plan to hire the Planner.

County Attorney Joan McNichol stated it is a service by the Development Authority through the contractual agreement to provide project management and technical services. They are merely adding the Planner to the agreement as part of their services, but there is no change to the County cost.

The resolution was then unanimously adopted.

RESOLUTION NO. 58 - 2016
RESOLUTION AUTHORIZING TRANSFER OF FUNDS
TO THE INDUSTRIAL DEVELOPMENT AGENCY (“IDA”) FOR
ECONOMIC DEVELOPMENT PROJECTS AND A
MEMORANDUM OF UNDERSTANDING

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

WHEREAS, the County of Lewis, through its Economic Development Department, desires to provide funding of \$700,000.00 to the Industrial Development Agency (“IDA”) to support economic development projects within the County; and

WHEREAS, the County of Lewis supports the IDA and intends this funding to assist the IDA in furthering projects to benefit the communities of Lewis County; and

WHEREAS, the County of Lewis will provide this funding upon the execution of a Memorandum of Understanding between the County and IDA, to include provisions that the IDA will not have parameters imposed on what projects may be undertaken, however, the IDA shall agree to keep the Board of Legislators apprised of specific projects and potential projects, on a regular and timely basis, together with such other terms and provisions as the County Attorney may advise.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the payment of \$700,000.00 to the IDA, upon the execution of the Memorandum of Understanding wherein the IDA agrees to advise the Board of Legislators of specific projects and potential projects earmarked for these funds, and to so advise the Board of Legislators on a regular and timely basis.

Section 2. That the Board of Legislators further authorizes a Memorandum of Understanding between the County of Lewis and IDA to incorporate terms and 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 Brennan.

Legislator Kulzer took exception to there being no project parameters imposed. Essentially, the IDA would be using taxpayer money for a project, “But we as County Legislators have no say”, he stated. Legislator Dolhof responded that is technically correct, but

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he doubted whether the IDA Board would move forward with a project that wasn't supported by Legislators.

Legislator Kulzer prefers the past process continue, whereby the IDA identifies a project and requests funding approval from the Legislators. He is unaware of any problem with that procedure. Legislator Dolhof asserted that Legislators appoint IDA board members and this would be an indication of our confidence.

The resolution was then adopted. Legislator Kulzer was opposed.

**RESOLUTION NO. 59 - 2016
RESOLUTION TO TRANSFER FUNDS
ELECTION'S DEPARTMENT**

Introduced by Legislator Craig Brennan, Chairman of the Election's Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Election's accounts for TEAM software:

<u>From:</u>	<u>Amount</u>
A1450.4901 (Inspectors)	\$3,258.00
<u>To:</u>	
A1450.4500 (Gen Primary Reg)	\$3,258.00

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

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

**RESOLUTION NO. 60 - 2016
RESOLUTION AUTHORIZING LEASE-PURCHASE AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND
FIRST NIAGARA LEASING, INC.**

Introduced by Legislator Greg Kulzer, Chairman of the Transportation Committee.

WHEREAS, the Lewis County Highway Department wishes to purchase a 2016 International 7600 SBA 6x4 2010 Cab & Chassis Truck, VIN 1HTGRSNT3GH230312, with Viking Equipment Package, including a Hitch, Spreader Control System, One Way Plow, Wing and all attachments and accessories; and

WHEREAS, the Lewis County Highway Department seeks to enter into a lease/purchase agreement for this equipment with First Niagara Leasing, Inc., with the principal amount of \$231,244.00 to be financed at an annual rate of 2.920%, payable over a five (5) year period in annual installments of \$48,948.61, resulting in total payments of principal and interest of \$244,743.05 over the life of the Agreement; and

WHEREAS, the Board of Legislators of the County of Lewis, as the governing body, is authorized to acquire, dispose of and encumber real and personal property necessary to the functions and operations of the County; and

WHEREAS, the Board of Legislators seeks to enter into this lease/purchase agreement for the aforementioned equipment in order for the Highway Department to properly maintain and service the County roads.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes an agreement between the County of Lewis and First Niagara Leasing, Inc. for the purchase of a 2016 International 7600 SBA 6x4 2010 Cab & Chassis Truck with all attachments and accessories as set forth in the equipment lease agreement, at an amount of \$231,244.00 to be financed at an annual rate of 2.920%, payable over a five (5) year period in annual installments of \$48,948.61, commencing February, 2016.

Section 2. This vehicle is intended for the use of the Highway Department and therefore the Board of Legislators hereby directs that the annual installment payments of principal and interest in the amount of \$48,949.61 due from February, 2016 through February, 2020 be paid from the Highway portion of the Capital Equipment Fund.

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 Moser, seconded by Legislator Fawcett, and adopted.

RESOLUTION NO. 61 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY GENERAL HOSPITAL
OCCUPATIONAL MEDICINE AND
LEWIS COUNTY HIGHWAY DEPARTMENT

Introduced by Legislator Greg Kulzer, Chairman of the Transportation Committee.

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement by and between the Lewis County Highway Department and Lewis County General Hospital Occupational Medicine for the purpose of random employee drug and alcohol testing.

Section 2. That this is for the term beginning January 1, 2016 and ending December 31, 2016 for the Company/Consortium Pricing Package at a rate of \$78.00 per employee. Additional fees will apply for “post-accident”; “reasonable suspicion”; and “follow-up drug and alcohol testing as well as onsite testing” as follows: DOT Drug Screen – \$71.00; Breath Alcohol Test – \$22.00; Breath Alcohol Confirmation Test – \$22.00; and Onsite Testing – \$40.00.

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

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

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

RESOLUTION NO. 62 - 2016
RESOLUTION AUTHORIZING THE IMPLEMENTATION AND
FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE
“MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION
FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS FOR
BRIDGE REPLACEMENT PROJECT (PIN 775360)
KNOWN AS CR 41 (BLUE STREET) OVER WHETSTONE CREEK

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation Committee.

WHEREAS, a Project for the Bridge Replacement on Blue Street over Whetstone Creek (PIN 775360; BIN 3339830) (the “Project”) in the Town of Martinsburg, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering/Design and Right Of Way Incidentals Phases of the Project; and

WHEREAS, pursuant to Highway Law § 10 (34-a) and section 15 of Chapter 329 of the Laws of 1991 as amended by section 9 of Chapter 330 of the Laws of 1991, as further amended by chapter 57 of the Laws of New York of 2014, the State has established the “Marchiselli” Program, which provides certain State-aid for Federal aid highway projects not on the State highway system with project eligibility for Marchiselli Program funds determined by NYS DOT.

NOW, THEREFORE, BE IT RESOLVED by the Lewis County Board of Legislators, duly convened, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the above-subject Project.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Chairman of the Lewis County Board of Legislators, to pay in the first instance 100% of the federal and non-federal share of the cost of the Preliminary Engineering/Design and Right Of Way Incidentals Phases work for the Project or portions thereof.

Section 3. That the sum of \$200,000.00 is hereby appropriated from County general funds, and made available to cover the cost of participation in the above Preliminary Engineering/Design Phase of the Project and the sum of \$27,000.00 for the Right Of Way Incidentals Phase of the Project.

Section 4. That in the event the full federal and non-federal share costs of the project exceed the amount appropriated above, the Lewis County Board of Legislators shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Chairman of the Board of Legislators.

Section 5. That the Chairman of the Lewis County Board of Legislators, be and he hereby is authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Lewis County Board of Legislators, with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality’s first instance funding of the Project costs, and permanent funding of the local share of federal-aid and state-aid eligible Project costs, and all Project costs within appropriations therefore that are not so eligible.

Section 6. That the Lewis County Highway Superintendent, or in his absence the deputy superintendent, be and the same is hereby authorized to execute all necessary consultant agreements, right-of-way certifications, reimbursement requests for Federal Aid on behalf of the Lewis County and any other document, not including the Agreement with NYS DOT, that may be necessary to carry out the terms of this Resolution.

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

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

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

RESOLUTION NO. 63 - 2016
RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND
NEW YORK STATE DEPARTMENT OF TRANSPORTATION
FOR ASSISTANCE WITH ROAD MAINTENANCE

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation Committee.

WHEREAS, the County of Lewis, by and through the Lewis County Highway Department, ("County") and the New York State Department of Transportation ("NYSDOT") wish to share services, exchange or lend materials or equipment which shall promote and assist the maintenance of State and County roads and highways and provide cost savings by maximizing the effective utilization of both parties' resources pursuant to Section 99-r of the General Municipal Law; and

WHEREAS, the description and cost of services, materials or equipment to be shared for undeclared emergency events shall not exceed \$10,000.00, with costs of events to be determined as incurred; and

WHEREAS, the Agreement shall provide for responsibility of repairs to the equipment, supervision of employees, financial responsibility of employees and insurance coverage; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes a shared services agreement between the County of Lewis, by and through the Lewis County Highway Department, and the New York State Department of Transportation to share services, exchange or lend materials or equipment which shall promote and assist the maintenance of State and County roads and highways and provide cost savings by maximizing the effective utilization of both parties' resources pursuant to Section 99-r of the General Municipal Law.

Section 2. That the term of this service shall be from January 1, 2016 through December 31, 2016 at a cost not to exceed \$10,000.00.

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 Moser, seconded by Legislator King, and adopted

RESOLUTION NO. 64 - 2016
RESOLUTION CALLING ON THE STATE OF NEW YORK TO RESTORE FUNDING
PARITY BETWEEN THE CAPITAL PLANS OF THE METROPOLITAN
TRANSPORTATION AUTHORITY (MTA) AND THE NEW YORK STATE
DEPARTMENT OF TRANSPORTATION

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation Committee.

WHEREAS, Governor Andrew Cuomo and Mayor de Blasio recently announced an agreement to jointly subsidize the Metropolitan Transportation Authority's (MTA) nearly \$11 billion funding gap for its 2015-19 five-year capital program; and

WHEREAS, as part of this agreement, the Governor is committing \$ 8.3 billion in State resources to cover the MTA plan's multi-year deficit; and

WHEREAS, while we may agree that this vital investment in downstate transit is needed, the State has yet to develop a new Department of Transportation 5-Year Capital Plan designed to assess current conditions and determine investments needed to provide for future needs of a modern, safe, reliable and efficient multimodal transportation system; and

WHEREAS, the enactment of the FAST Act, a fully funded five-year authorization of federal surface transportation programs that provides long-term federal funding predictability, should now facilitate the State to develop and fund a Transportation 5-Year Capital Plan; and

WHEREAS, locally-owned roads and bridges account for 87 percent of the State's 110,000 miles of roadways and 50 percent of the State's 18,000 bridges and are responsible for a vast system of aging culverts. These locally-owned transportation facilities are deteriorating at a rapid rate as counties continue to struggle to find adequate funding for their maintenance and replacement; and

WHEREAS, three of the last four DOT/MTA five-year capital programs were virtually identical in size; and

WHEREAS, for nearly two decades, through 2009, the parity agreement was honored, and both five-year capital programs were similar in size as well as adopted within a month of each other. It is necessary to once again restore parity between the programs; and

WHEREAS, according to a 2014 Comptroller's report, thirty four percent (34%) of bridges are deficient and forty-eight percent (48%) of road pavements in the State are rated fair or poor and getting worse.

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NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators calls upon Governor Cuomo and our State Legislative Delegation to work with our County and other local governments in order to develop and fully-fund a 5-Year Capital Plan that will provide the necessary and proper funding to New York's counties by substantially increasing CHIPS and Marchiselli funding; and establish a 5-year State Aid to Local Bridge and Culvert Program to give them the ability to adequately maintain their infrastructure.

Section 2. BE IT FURTHER RESOLVED, that restoring parity between the Department of Transportation's (DOT) highway and bridge five-year capital program and the MTA's capital program will assure each program is funded at a \$26.1 billion level, providing enough resources to help fund the local needs as described above.

Section 3. That the Lewis County Board of Legislators directs the Clerk to forward copies of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.

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

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

**RESOLUTION NO. 65 - 2016
RESOLUTION APPOINTING MEMBER 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:

Section 1. That this Board of Legislators hereby appoints Jared Thisse of 6005 Widmeyer Street, Glenfield, New York 13343 to the Lewis County Industrial Development Agency Board of Directors, to serve at the pleasure of the Board of Legislators.

Section 2. That said appointment shall be effective February 10, 2016 for an indefinite term.

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

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

**RESOLUTION NO. 66 - 2016
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS
INFORMATION TECHNOLOGY**

Introduced by Legislator Craig Brennan, Chairman of the Information Technology Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget change is hereby approved in the IT Dept Account for the purchase of 3 ipads with cases for Legislators, utilizing Capital Data Processing funds, balance \$141,442.36:

Increase Revenue:

A50310 (inter-fund transfer)	\$1,393.06

Increase Expense:

A1680.2217 (Computers)	\$1,393.06

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

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

**RESOLUTION NO. 67 - 2016
RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING**

Introduced by Legislator Roscoe Fawcett, 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 various sources for the Senior Nutrition Program.

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Increase Revenues

A27050 (Nutrition C-1)	\$ 375.00
A27050.1 (Nutrition-Home)	\$ 890.00

Increase Expense

A6772.4911 (Prof Svc Nutrition)	\$ 1,265.00

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

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

**RESOLUTION NO. 68 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO OFFICE FOR THE AGING**

Introduced by Legislator Roscoe Fawcett, Jr. Chairman of the Office For Aging Committee.

WHEREAS, Office For Aging Director Brenda Bourgeois requests permission to hire one full-time or two part-time temporary Aging Services Workers to assist with Health Insurance Information Counseling and Assistance Program (HIICAP) during the annual enrollment 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 Office For Aging Department, to create the following temporary position/s:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Aging Services Workers	Temporary (1) Full-time OR (2) Part-time Not to exceed total of 35 hrs/week	\$14.16/hr.

Section 2. That Office For the Aging Director Brenda Bourgeois is hereby authorized to fill said Temporary position/s effective from August 15, 2016 to December 31, 2016 for an amount not to exceed \$8,500.00.

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

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

RESOLUTION NO. 69 - 2016
RESOLUTION WITH REFERENCE TO INCLUSION OF AGRICULTURALLY
VIALE LAND INTO A CERTIFIED AGRICULTURAL DISTRICT AND SETTING A
PUBLIC HEARING TO OBTAIN COMMUNITY INPUT

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

WHEREAS, the Lewis County Board of Legislators, in accordance with Chapter 303b of the Laws of 2003 amended NYS Agricultural and Markets Law, designated a thirty-day review period starting on November 15, 2015 and closing December 15, 2015 in which a landowner may submit requests for inclusion of predominately viable agricultural land within a Certified Agricultural District prior to the County established review period; and

WHEREAS, the Lewis County Agricultural and Farmland Protection Board has conducted a site visit to verify that each parcel proposed is “viable agricultural land,” and meets the eligibility requirements for inclusion into a Certified Agricultural District; and

WHEREAS, the Lewis County Board of Legislators, in accordance with Chapter 303b of the Laws of 2003 amended NYS Agricultural and Markets Law must conduct a public hearing to consider the request and recommendations of the Lewis County Agricultural and Farmland Protection Board.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing to consider the request and recommendations of the Lewis County Agricultural and Farmland Protection Board shall be held on March 1, 2016 at 5:00 PM at the Board of Legislators’ Chambers, Lewis County Court House, 7660 State Street, Lowville, NY.

Section 2. That a notice of such hearing shall be given in accordance with law.

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

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

RESOLUTION NO. 70 - 2016
RESOLUTION TO APPROPRIATE FUNDS
PLANNING DEPARTMENT

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

BE IT RESOLVED as follows:

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Section 1. That the following budget appropriation is hereby approved in the Planning Department account for purchase of a new computer, utilizing Capital Data Processing Funds HAE9901.9, balance \$266,269.64:

Increase Revenue:

A50310 (Inter-fund transfers)	\$1,302.08

Increase Expense:

A8020.2217 (Computers)	\$1,302.08

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

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

**RESOLUTION NO. 71 - 2016
RESOLUTION TO TRANSFER FUNDS
PROBATION**

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

BE IT RESOLVED as follows:

Section 1. That the following 2016 budget transfer is hereby approved from the Capital Equipment account to the Probation Department for the purchase of a Chevy Impala Limited; balance of (HAD9901.9) \$266,269.64:

Increase Revenue:

A50310 (Inter-fund transfers)	\$17,983.50

Increase Expense:

A3140.2233 (Vehicles)	\$17,983.50

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

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

**RESOLUTION NO. 72 - 2016
RESOLUTION AUTHORIZING LEASE AGREEMENT
BETWEEN LEWIS COUNTY GENERAL HOSPITAL
AND LEWIS COUNTY PUBLIC HEALTH AGENCY**

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

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

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

NOW THEREFORE, BE IT RESOLVED, that

Section 1. The Board of Legislators hereby approves the lease renewal by and between the Lewis County General Hospital and the Lewis County Public Health Agency with office space that includes common area space in various areas of the Children’s Clinic Building located at 7785 North State Street, Lowville, New York 13367 for a term commencing on November 1, 2015 through October 31, 2017 at the monthly rental of \$7,384.00.

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

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 73 - 2016
RESOLUTION TO AUTHORIZE A DSRIP PROVIDER PARTICIPATION
AGREEMENT BETWEEN THE COUNTY OF LEWIS AND
NORTH COUNTRY INITIATIVE, LLC AND SAMARITAN MEDICAL CENTER

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

WHEREAS, the County of Lewis (“County”), on behalf of its Public Health Agency, Office For the Aging and Community Services Board, desires to enter into a participation agreement with North Country Initiative, LLC (“NCI”) and Samaritan Medical Center (“SMC” and/or “PPS Lead”) to promote and enhance the quality, accessibility and availability of health care services to Medicaid beneficiaries by enabling its participating providers to create and sustain an integrated high performing health care delivery system for Medicaid beneficiaries through participation in the New York State Delivery System Reform Incentive Payment Program (“DSRIP”) Performing Provider System (“PPS”); and

WHEREAS, the County, SMC and NCI support and encourage the delivery of integrated, quality health care services to Medicaid beneficiaries in the community through participation in the NCI PPS; and

WHEREAS, NCI filed a DSRIP PPS Organizational Application with the New York State Department of Health for approval as a performing provider in the New York State DSRIP

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program on December 22, 2014 and SMC is identified as the PPS Lead, wherein the application was approved; and

WHEREAS, the Master Contract/Participation Agreement with the County involves eleven (11) identified projects which may involve participation at various levels by the Lewis County Public Health Agency, the Lewis County Office For the Aging and the Lewis County Community Services Board; and

WHEREAS, the Board of Legislators wishes to accept such participation agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a Participation Agreement between the County of Lewis, acting on behalf of the local participants, the Lewis County Public Health Agency, the Lewis County Office for the Aging, and the Lewis County Community Services Board, and North Country Initiative, LLC and Samaritan Medical Center to promote and enhance the quality, accessibility and availability of health care services to Medicaid beneficiaries by enabling its participating providers to create and sustain an integrated high performing health care delivery system for Medicaid beneficiaries through participation in the New York State Delivery System Reform Incentive Payment Program Performing Provider System.

Section 2. That this is for the term commencing February 10, 2016 through March 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 and periodic addendums, pending approval by the County Attorney.

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

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

RESOLUTION NO. 74 - 2016
RESOLUTION AUTHORIZING SUB-RECIPIENT AGREEMENT
BY AND BETWEEN LEWIS COUNTY AND
SNOW BELT HOUSING COMPANY, INC.

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

WHEREAS, Lewis County ("County") is a recipient of a Small Cities Community Development Block Grant No. 636HO335-15 in the amount of \$324,800.00 for the purpose of providing direct homeownership assistance to income eligible first time homebuyers in the County; and

WHEREAS, the sum of \$44,800.00 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 and provide administrative and program delivery services and expenses at an amount not to exceed \$44,800.00; 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.

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. 636HO335-15 in the amount \$324,800.00, for the purpose of providing direct homeownership assistance to income eligible first time homebuyers in the County, with the sum of \$44,800.00 to be made available from the Grant payable to Snow Belt, to cover the administration and program delivery expenses of said Grant over the life of the project.

Section 2. That the Sub-Recipient Agreement shall commence as of January 1, 2016 and shall continue through December 31, 2018. 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 Moser, seconded by Legislator Dolhof, and adopted.

RESOLUTION NO. 75 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY GENERAL HOSPITAL
OCCUPATIONAL MEDICINE AND
LEWIS COUNTY SOLID WASTE DEPARTMENT

Introduced by Legislator Gregory Kulzer, Chairman of the Solid Waste Committee.

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement by and between the Lewis County Solid Waste Department and Lewis County General Hospital Occupational Medicine for the purpose of random employee drug and alcohol testing.

Section 2. That this is for the term beginning January 1, 2016 and ending December 31, 2016 for the Company/Consortium Pricing Package at a rate of \$78.00 per employee. Additional fees will apply for “post-accident”; “reasonable suspicion”; and “follow-up drug and alcohol testing as well as onsite testing” as follows: DOT Drug Screen – \$71.00; Breath Alcohol Test – \$22.00; Breath Alcohol Confirmation Test – \$22.00; and Onsite Testing – \$40.00.

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

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

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

RESOLUTION NO. 76 - 2016
RESOLUTION AUTHORIZING WAIVER OF COUNTY SURCHARGE FEES ON
SPECIAL PROJECTS (PROPERTIES) ACCEPTED IN TO THE
COMMUNITY IMPROVEMENT PROGRAM (CIP)

Introduced by Legislator Gregory Kulzer, Chairman of the Solid Waste Committee.

WHEREAS, the Development Authority of the North Country (“DANC”) has requested that the North Country Counties waive the county-added surcharge (“tipping fees”) on projects that have been accepted into the Community Improvement Program (“CIP”) from municipalities and not-for-profit organizations that are dealing with properties slated for demolition and disposal in order to clean up blight and improve the community; and

WHEREAS, these projects are evaluated individually and typically are accepted into the program based upon the best interests of the community. By waiving tipping fees, the applicants are assisted in clearing blighted properties in a cost effective manner; and

WHEREAS, DANC has agreed to reduce its fees for these CIP projects and has requested that each North Country County waive its tipping fee surcharges for direct haul to DANC facilities from these CIP accepted projects; and

WHEREAS, the Board of Legislators wishes to agree to this waiver.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby agrees and authorizes the Director of Lewis County Solid Waste to waive the county-added surcharge (tipping fees) for municipalities and not-for-profit organizations accepted into the Community Improvement Program, who are demolishing and disposing of debris on blighted properties in order to improve the community.

Section 2. That the Lewis County Board of Legislators hereby agrees to this waiver provided that DANC has reduced its fees on said properties for the municipalities and not-for-profit organizations accepted into the CIP.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement as may be required to give effect to this authorization, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect April 1, 2016.

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

RESOLUTION NO. 77 - 2016
RESOLUTION TO APPROPRIATE FUNDS
STOP DWI

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriations are hereby approved in the STOP DWI accounts to correct budget amounts to State budget submission:

<u>Increase Revenue:</u>	
A26150 (DWI fines)	\$400.00
<u>Increase Expense:</u>	
A4252.4909 (Misc)	\$400.00

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Decrease Revenue:

A26151 (VIP)	\$100.00

Decrease Exp:

A3315.4907 (VIP)	\$100.00

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

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

**RESOLUTION NO. 78 - 2016
RESOLUTION TO APPROPRIATE FUNDS
STOP DWI**

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the DWI accounts for additional NYS STOP-DWI 2015-2016 “Crackdown” grant funds:

Increase Revenue:

A33110 (DWI Grant)	\$5,328.91

Increase Expense:

A3315.4906 (DWI Grant)	\$5,328.91

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

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

**RESOLUTION NO. 79 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO TREASURER’S DEPARTMENT**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Treasurer’s Department to create the following temporary position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Account Clerk	Temporary	Grade C13 (\$14.82/hr.)

Section 2. That Treasurer Patricia O'Brien is hereby authorized to fill said position effective February 10, 2016 for a period of up to six (6) months, in accordance with Civil Service rules and regulations.

Section 3. That the within resolution shall take effect immediately

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

RESOLUTION NO. 80 - 2016
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS
TREASURER'S OFFICE

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

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Treasurer's Department Account for the purchase of a computer, with funds transferred from Capital Data Processing; balance \$141,442.36:

<u>Increase Revenue:</u>	
A50310 (Inter-fund transfer)	\$600.00

<u>Increase Expense:</u>	
A1325.2409 (Data Proc)	\$600.00

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

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

RESOLUTION NO. 81 - 2016
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

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purpose of providing cleaning services and minor repairs for the period of April 1, 2015 through March 31, 2016; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the renewal period of the contract between the County of Lewis and the Unified Court System, Fifth Judicial District, for the provision of cleaning services and minor repairs for the period of April 1, 2015 through March 31, 2016 at a cost not to exceed \$109,508.

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

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

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

**RESOLUTION NO. 82 - 2016
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 the Various Accounts from Fund Balance due to surplus in 2015:

<u>Transfer from:</u>	
A599 (fund balance)	\$835,079.80
<u>Transfer to:</u>	
A9950.9940 (Capital Radio)	\$800,000.00
A6772.1999 (OFA Pers Serv)	\$ 8,000.00
A6772.8999 (OFA fringe)	\$ 500.00
A7311.4505 (Misc County Projects Youth)	\$ 2,000.00
A2989.4999 (Dare Program)	<u>\$ 5,000.00</u>
	\$815,500.00
Close DARE Reserve Balance	<u>\$ 19,579.80</u>
	\$835,079.80

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

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

RESOLUTION NO. 83 - 2016
RESOLUTION AUTHORIZING GRANT AGREEMENT WITH
NYS DEPARTMENT OF STATE AND FOR ISSUANCE OF A REQUEST FOR
PROPOSALS FOR LEAD ENGINEERING SERVICES FOR THE
SOUTHERN LEWIS COUNTY REGIONAL WATER PROGRAM

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

WHEREAS, New York State Governor Andrew M. Cuomo, 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 made funding available in 2015 under its “Local Government Efficiency (LGE) Implementation Grant Program” to assist applicants in implementing plans to improve local government efficiency and cost savings; and

WHEREAS, the following communities in the Southern Lewis County Region joined together and created the “Southern Lewis County Regional Water Program” (“SLCRWP”) in applying for a Local Government Efficiency Implementation Grant (LGE) from the Department of State, under the State Consolidated Funding Application (CFA), to wit: County of Lewis, Town of Leyden, Town of Lewis, Town of Lyonsdale, Village of Lyons Falls; with the County of Lewis acting as the lead applicant and the other constituent municipalities acting as co-applicants; and

WHEREAS, the Department of State awarded the SLCRWP \$299,022 in funding from the LGE for the Project, to examine current public water systems and their ability to treat and transmit additional supply in the Southern part of the county so that the participating municipalities may benefit from increased and improved water infrastructure in order to benefit economic development activity, including residential housing construction and other commercial development.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators authorizes a Grant Agreement to be entered between the County of Lewis and the NYS Department of State under the Local Government Efficiency Grant Program for the purposes of the Southern Lewis County Regional Water Program Project.

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Section 2. That the Board of Legislators authorizes the Planning Director to work with the SLCRWP members and DOS under this Grant to implement an open competitive Request for Proposals (RFP) bid procedure, if appropriate, to select and enter into a contract for a Lead Engineering Professional Consultant for the project.

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

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

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

**RESOLUTION NO. 84 - 2016
RESOLUTION APPOINTING MEMBERS TO
MENTAL HEALTH SUB-COMMITTEE OF
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. Pursuant to Mental Hygiene Law Section 41.11, the Board of Legislators hereby re-appoints the following individuals to the Mental Health Sub-Committee of the Community Mental Health, Developmental Disabilities and Alcoholism Services Board, for the term opposite each:

Kimberly Cavanaugh	Term through December 31, 2016
Jennifer Jones	Term through December 31, 2018
Laurie Simmons	Term through December 31, 2019

Section 2. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 85 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY AND BERNIER, CARR & ASSOCIATES, P.C.
FOR PROFESSIONAL ENGINEERING SERVICES FOR DESIGN,
BID AND CONSTRUCTION PHASES OF THE
RECYCLING BUILDING MODIFICATIONS PROJECT**

Introduced by Legislator Gregory Kulzer, Chairman of the Solid Waste Committee.

WHEREAS, the County of Lewis, by and through the Lewis County Solid Waste Department, wishes to make modifications to the recycling building to accommodate the installation of a solid waste conveyor and compactor; and

WHEREAS, the County desires to engage the professional engineering and related services of Bernier, Carr & Associates, P.C. for the design, bid, and construction phases of the Recycling Building Modifications Project for a fully operational system; and

WHEREAS, the Board of Legislators seeks 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 Bernier, Carr & Associates, P.C. for the purpose of providing expert and professional engineering and related services for the Recycling Building Modifications Project, including services in the design, bid and construction phases for a fully operational system.

Section 2. That Bernier, Carr & Associates, P.C. be paid professional fees in the amount of \$15,500.00 for the following services: \$9,500.00 for the Design Phase; \$1,500.00 for the Bid Phase; \$4,500.00 for the Construction Phase. Any Resident Project Representative (RPR) services provided shall be incurred only upon prior written approval and/or direction by the County at an hourly rate of \$95.00, at a cost not to exceed \$7,600.00 (80 hours).

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 Brennan, seconded by Legislator Fawcett, and adopted.

OTHER BUSINESS:

Legislator Hathway proudly announced that Tyler Eddy of Harrisville Central School student and also serves as a Youth Bureau Advisory Board member will be recognized on a televised broadcast on 2/23/16 as an Academic All-Star.

Legislator Hathway gushed with pride while reporting the Harrisville Central School District has commenced a "Tiny House" incubator project, one of only four in the country. There are nine student participants that will construct the building. They endeavor to incorporate solar energy so that the structure is entirely independent from the electric grid. Upon completion, the "Tiny House" will be auctioned, and the proceeds will fund the following year project. Several Legislators were impressed with the project, having heard and viewing a televised report.

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Chairman Tabolt recognized Legislator Brennan for earning a distinguished certificate for completing educational courses offered by the Dennis A. Pelletier County Government Institute, Inc., established in coordination with Cornell University to enhance the knowledge, skills and abilities of county officials.

Chairman Tabolt referenced a previous discussion about holding some meetings at different venues throughout the County, asking Legislators to inform him of proposed dates and places.

Legislator Dolhof made a motion to enter executive session at 6:31 p.m. to discuss specific personnel issues, seconded by Legislator King and carried. After a short recess, the session began at 6:38 p.m. At 7:11 p.m. Legislator Brennan made a motion to re-enter regular session, seconded by Legislator Fawcett and carried.

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

MARCH 1, 2016

**REGULAR MEETING
March 1, 2016**

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

Roll Call: All Legislators were present.

Chairman Tabolt offered the Invocation and asked for a moment of silence for all those departed since the last meeting, especially former Legislator Lewis O. Nicol. He then led the Pledge of Allegiance to the Flag.

There were 15 persons present.

Chairman Tabolt declared the February 9, 2016 meeting minutes were approved.

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 1, 2016

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

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

Chairman Tabolt opened the public hearing at 5:02 p.m. for comments in consideration of the recommendation of the Lewis County Agricultural and Farmland Protection Board for inclusion of land into Agriculture District 6.

PRIVILEGE OF THE FLOOR:

Lewis County Cornell Cooperative Extension Executive Director Michele Ledoux extended an invitation to Maple Weekend events to be held 3/19-3/20 and 4/2-4/3/16. She reported that 300 gallons of syrup have already been produced. There is a Lewis County App that does not require cell service, which may be utilized for self-tours. There are seven (7) sugar houses participating, and a pancake breakfast will be served at the American Maple Museum on each day of the tour.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The New York State Office of Parks, Recreation and Historic Preservation had informed they will consider the Talcottville Common School #2 for nomination to the National and State Registers of Historic Places.

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The Tioga County Legislature forwarded a resolution calling on the State to develop a 100% State funded Indigent Legal Defense System as a way to provide mandate relief and lower property taxes.

The Chenango and Yates County Legislatures each forwarded a resolution opposing the NYS Labor Commissioner's order to raise the minimum wage to \$15 an hour for employees of fast-food chain restaurants in New York.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the 2015 Social Services Annual Report; the 2/11 and 2/23/16 Highway Audit Reports, the 2/23/16 Solid Waste Audit Report; and the 2/24/16 Youth Bureau Advisory Board meeting minutes.

The Treasurer and Real Property Tax Director have reported approval of applications for corrected 2015 tax rolls for Jerome & Mary Arrigo, Bible Community Church, Stephen Collins, Alyssa Cough, Cheryl LaFountain Coyne, Joseph J. Galligan, Frederick L. & Frederick P. Croniser, Gregory Croniser, Scott J. Fuller & Sandy E. Corrice, North Country Properties, Kurt R. Ottmann, Richard J. Pominville, II, Elmer M. & Roseanne M. Poore, Alan R. & Lynette R. Ripp, Roggies' Real Estate, LLC, John Scouten, Josephine Skorupa, Paul K. & Lorraine Sullivan, Wabills Trust c/o William Swartzman, Trustee, Richard & Michelle Wojnar; and corrected 2016 tax rolls for Melinda L. Cook, Frederick L. Croniser, Michael & Joan Glenn, Mill Creek Apartments, LLC, and David & Patricia Vandelinden.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, commended Maintenance Supervisor Frank Archer for his diligence to obtain additional project quotes with resulting savings of \$1,500. In February, maintenance personnel completed 142 work orders. The Committee continues to work with the Workplace Violence Committee to address identified safety issues. An energy audit of the public safety building will be conducted. The engineers are preparing the public safety building water upgrade specifications for Committee review; and bid quotes are being obtained to repair the steps between the Court House and church.

Legislator Hathway reported approving the solar array layout. The project was not eligible for Tier 1, but was approved for Tier 2 funding, resulting \$272,000 less credit over 20 years. Instead of \$124,000, the County is annually earmarked for \$113,000 and the Hospital's portion of \$41,000 was reduced to \$37,000. The County Attorney is preparing a respective Memorandum of Understanding with the Lewis County General Hospital.

Legislator Hathway announced the Ways & Means/Buildings and Grounds Committee will change their meeting date to March 29, 2016 for timely consideration of proposed resolutions.

MARCH 1, 2016

Legislator Hathway made a motion to refund John Karelus the entire amount paid for the 2015-2016 agricultural land lease, on which the solar array will be constructed. Mr. Karelus is requested to till and seed the lot next to the EMS building. The County will pay for the seed. The motion was seconded by Legislator Chartrand and carried.

Legislator Hathway made a motion to authorize advertising for bids to design and construct conversion of the 1st, 2nd and 3rd floor Court House bathrooms to better accommodate the gender ratio of building employees. The motion was seconded by Legislator Fawcett and carried.

Legislator Hathway made a motion to hire Bernier, Carr & Associates (BC&A) for \$1,500.00 to develop a “Green” grant application for the parking lot at the Public Safety Building. The Committee recommends BC&A, due to favorable feedback from the NYS Environmental Facilities Corporation (EFC) on the DSS parking lot “Green” grant application and project. The motion was seconded by Legislator Brennan. Legislator Kulzer inquired whether any other firm could prepare the grant application. Legislator Hathway responded affirmatively, while reiterating the favorable comments from EFC officials. In response to Legislator Kulzer, Legislator Hathway was unsure, but would research whether the Wladis Law Firm could prepare the application, particularly citing required engineering expertise. Legislator Hathway estimates that BC&A has 75% of the required information due to the adjacent DSS parking lot project, which will lessen the cost. The motion was unanimously carried.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Employment and Training/Youth Bureau Committee Chairman, reported that as of 2/26/16 three (3) persons had been sheltered for 17 bed nights as a result of Governor Cuomo’s executive order 151 directing the Department of Social Services (DSS) to shelter homeless persons who are not otherwise eligible, when the temperature falls below 32 degrees. Commissioner Jennifer Jones’ Shelter Plan was approved by the State Office of Temporary Assistance, thereby making the shelter costs eligible for State reimbursement.

Legislator Fawcett announced that Sr. Account Clerk is retiring on 3/30/16, and offered thanks for his 38 years of dedicated service.

Legislator Fawcett reported that Office For Aging staff have processed 353 regular and emergency HEAP applications. Public Health Immunization Coordinator Ellen Scanlon, R.N. will provide an adult vaccination review and recommendations at a senior forum at 11 a.m. on 3/3/16 at the Copenhagen meal site. Those interested should call 376-5313 to register.

The annual “Mayors For Meals” event will be held on 3/24/16. In an effort to increase awareness and enhance support for senior nutrition, mayors and other elected officials are invited to deliver meals to homebound seniors or participate at any of the six dining sites.

Legislator Fawcett relayed thanks from Youth Bureau Director Penny Demo for the additional \$2,000 County allocation to support positive youth activities and programs, while referencing the challenge to fund quality youth programs with dwindling State funding.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Fawcett also reported Youth Bureau student members would assist with marketing the 2016 seasonal bus run to Old Forge with posters, radio and in-school announcements.

Legislator Bryan Moser, County Officers/Junkyards/Veterans' Services/Human Resources, reported the Junkyard Review Board was appreciative that County Attorney Joan McNichol had attended their meeting to field related questions.

Legislator Moser announced the new union representing road patrol employees is the United Public Service Employee Union (UPSEU).

Legislator Jerry King, Courts and Law Enforcement/Fire & Emergency Management Director/Building Codes Committee Chairman, made a motion to authorize Sheriff Carpinelli to order two new patrol vehicles (Ford Explorers). One would be a marked vehicle at a cost of \$39,880.74 and the other un-marked for a cost of \$36,305.74. The motion was seconded by Legislator Hathway and carried.

Legislator King anticipates completion of the dispatch center renovations by mid-March, including an inter-com system for the sally port. Castlerock representatives are providing employee training for the doors and alarms, and as the service provider for EF Johnson, Wells Communications' representatives are participating.

Legislator Lawrence Dolhof, Economic Development Committee Chairman, made a motion to authorize Recreation, Forestry and Parks Director Jackie Mahoney to advertise for bids for a new 24-Ton trailer. The motion was seconded by Legislator Brennan. In response to Legislator Kulzer, Jackie Mahoney said she awaits response from Highway Superintendent David Becker as to whether the equipment is available through a State Bid. The motion carried unanimously.

Legislator Dolhof reported ongoing negotiations with Roaring Brook wind farm owners for a PILOT agreement; as well as review of the existing agreement for the Maple Ridge wind farm. County officials had met twice with ReEnergy owners to gain understanding of the Lyonsdale facility's challenges. He referenced a news article that quoted U.S. Senator Schumer's favorable support for the plant's continued operation. Also, they are very close to finalizing Small Business grant funding for a Tug Hill Vineyard expansion project.

Legislator Dolhof reported continued efforts to develop a space to produce maple products; as well as export of maple syrup and samples to the United Kingdom. Planner Frank Pace and Cornell Cooperative Extension Executive Director Michele Ledoux accompanied FFA students at the "Taste of New York" reception held in Albany, to showcase Lewis County agriculture products.

The SNIRT Run is scheduled for 4/16/16 with the same route and agreement terms. Barnes Corners Sno-Pals Snowmobile Club, as the event sponsor, is required to submit a certificate of insurance to indemnify the County. The Committee recommends approval of that event, as well as opening the West Road for the 5/7/16 Dick Seller Memorial ATV ride.

Legislator Dolhof announced the next ATV roundtable discussion is scheduled for 5:30 p.m. on 4/4/16 at the Chamber of Commerce office.

Legislator Dolhof also relayed the Sheriff's Department recorded 35,187 snowmobiles on the trail from Flat Rock Inn to Montague Inn from 1/1-1/31/16. They attribute the above average traffic to Lewis County being the only place with snow.

In response to Legislator Hathway, Legislator Dolhof explained that "Mud Mafia" refers to a small group ATV event scheduled for 5/1/16 from Tuggers to Montague Inn.

In response to Legislator Kulzer, Atty. McNichol stated if the appropriate indemnifying insurance certificate was not received from the SNIRT Run sponsor within 7-10 days prior to the event, the County could cancel the event. Upon receipt, the certificate will be forwarded to the County's insurance agent for verification. In response to Legislator Chartrand, Atty. McNichol affirmed that each event is separately reviewed to determine what is needed to protect the County, while distinguishing the SNIRT Run is an all-road event.

Legislator Craig Brennan, Taxation/Information Technology Committee Chairman, reported that IT Director Adam Zehr had attended a broadband forum in Albany, relating the County would be prohibited from the Governor's Broadband Phase I funding because our area is served by Time Warner Cable. The test program with St. Regis Mohawk Network will go forward, and thereafter, the County will apply for Phase II funding to provide broadband to non-served and underserved residents.

Legislator Brennan reported working with the Buildings and Grounds Committee to explore options to address safety issues for the Board of Elections' personnel, in response to daily loitering outside their windows. Village Mayor Donna Smith was present and agreed to request the Police Chief conduct more routine patrols around the building.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman, made a motion to award bids based on project location in accordance with bid tabulations prepared by the Highway Superintendent and placed on file with the Clerk of the Board for sand, gravel, crushed stone, crushing of stone and concrete for the period 4/1/2016 to 3/31/2017. The motion was seconded by Legislator Hathway and carried.

On behalf of the Committee, Legislator Kulzer recommends approval of his sponsored resolution for Highway summer personnel. The hot asphalt bids will be opened in March. There was preliminary discussion with Highway Superintendent David Becker proposing 9-10 acres for a new garage building, possibly pre-engineered construction. Legislator Hathway posed a budget of \$5 million. Mr. Becker and Stan Samsa were asked to tour some new municipal garage buildings in the area to determine favored designs and/or features. A bid notice will be advertised for two new pick-up trucks. The new plow truck has been delivered, and Mr. Becker is preparing the specifications for a 2017 tandem plow truck.

Legislator Kulzer reported a notice to bid has been advertised for a Solid Waste 50-yard open top roll-off container. Director Pete Wood is researching options for removal of the

PROCEEDINGS OF THE BOARD OF LEGISLATORS

recycling sorting bins in preparation for building renovation. The Committee recommends approval of the resolution to create an HEO position for an additional truck driver when zero-sort recycling begins in April. As previously approved by the Board, Bernier, Carr & Associates engineers are preparing recycling building renovation specifications. Director Pete Wood held an open forum discussion with all haulers on 2/10/16 in preparation for clear bag use and zero-sort recycling.

Legislator Richard Chartrand, Hospital Committee Chairman, reported proceeds of \$1,900.00 for the "Fund of Hope" from the Hospital Auxiliary's sale of chocolate covered cherries and pretzels. A magic show will be held on 4/30/16 at Lowville Academy & Central School.

Legislator Chartrand stated that general surgeon Nick Gabriel started on 2/26/16 and will provide services 4 days every other week. A physician assistant is being recruited for the South Lewis Health Center for impending retiree replacement.

The nursing home and home health program each received a 4 out of 5 star rating from Medicare and Medicaid regulatory agencies. They anxiously await receipt of nursing home 2014 and 2015 IGT revenues equating \$8 million. Legislator Chartrand relayed reported figures from CFO Jeffrey Hellinger for a January gain of \$16,937; and nursing home occupancy of 94.9% being 2 percent above the budgeted level. The debt and health insurance payments to the County are current.

The 2015 Hospital IGT payment of \$1,225,000 was received in January; as well as Vital Access Provider Assurance Program (VAPAP) funds of \$658,000. The Hospital had also retained \$822,000 that was potentially at risk, as a result of the November 2015 meaningful use regulatory audit. The 340B program revenues have been bolstered with The Falls Pharmacy, Rite Aid and Wegmann pharmacies as new participants.

Legislator Chartrand reported Board of Manager approval of CEO Eric Burch's 2016 goals, and will now renegotiate his employment contract.

He announced the January employee-of-the-month was Respiratory Therapist Adrian Pilliod, who is conscientious, courteous and respectfully treats patients.

In response to Legislator Hathway's inquiry relative to VAPAP funding, Mr. Burch stated his intent to present the transformational plan for Board of Manager approval within 30 days, which could thereafter, be available for distribution to Legislators. In response to Legislator Kulzer, Mr. Burch affirmed that VAPAP funding is scheduled to continue for a couple more years. However, the Hospital has posed weaning off the funding after 2017 to Department of Health officials. Although, he said, funding termination is subject to NYSDOH approval dependent upon the facility's proven non-dependence for the funding.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported the Director Penny Ingham had provided the Quality Assurance Report for review. There were no significant deficiencies noted.

Legislator Moroughan relayed that Public Health staff remain in contact with the NYSDOH and the CDC and are closely monitoring the spread and affects of the Zika Virus. There are no local cases, but a few cases have been diagnosed within the State of New York. All referrals are being screened. There are only a few labs capable of drawing specimens, the closest being in Utica or Syracuse. Penny is hopeful that a lab test will become available within a short time that would relieve the pressure on public health officials. Related information is disseminated through public forums and news releases. Some airlines are refunding tickets costs to susceptible persons. It has been determined the Zika Virus started in Brazil during the 2014 World Cup event. Preventive spraying has commenced in Florida and other high risk areas to prevent the mosquito population from carrying the Zika Virus. Countries are developing a vaccine, and expect to have it available by the end of the year.

Legislator Moroughan reported the flu season is upon us, but the number of diagnosed flu cases is less than 50 percent compared to last year. The State, she said, has rejected the Cancer Services Demonstration Program, thereby negating Lewis County's prospective program. She was pleased to announce that Lewis County's Diabetes Prevention Program has been certified by the CDC.

Legislator Moroughan sadly reported the untimely death of Transitional Living Services (TLS) Psychiatrist Dr. Camillo, offering thoughts and prayers to the family. A psychiatry nurse practitioner will begin work at TLS on 3/7/16. Executive Director Stevie Kiggins anticipates acceptance of an employment offer to a psychiatrist who had previously served as Clinical Medical Director. Also, Watertown professionals will be at the Lowville clinic two days per week. The staff is working diligently to ensure that Dr. Camillo's patients are treated and their medications are filled.

Legislator Hathway made a motion to authorize the County Attorney to compose an agreement with the property owner of the adjacent lot to the prospective solar array site, to allow the County access to cut down designated trees along the hedgerow, and leave the logs for removal by the owner. There would be no attendant cost. The motion was seconded by Legislator Chartrand and carried.

COUNTY MANAGER REPORT:

Liz Swearingin reported the core team of 10 departmental employees have commenced the substantial task of transitioning to the Tyler system, with Patty O'Brien at the forefront.

At a recent Government Efficiency meeting with municipal partners, Larsen Engineer Ben Frevert made a presentation on the solar project; the Tug Hill Commission spoke about opportunities for consolidation of Town Justice Courts; and Adam Zehr provided an update on the broadband initiative.

Ms. Swearingin also reported meeting with St. Regis Mohawk Network Manager Jeff Beekhoo, Adam Zehr and school district officials. She agreed to request all local municipalities to sign a formulated letter of support for inclusion in the County's broadband grant application that is due to the State by 4/15/16.

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COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$250,000.00; Contingency Fund-\$475,000.00; Capital Data Processing Fund-\$138,153.13 and Capital Equipment Fund - \$327,278.79, of which \$215,214.19 is the Highway portion. Although the 2015 sales tax revenue of \$11,557,623.69 was above the budgeted level of \$10,350,000.00, Patty noted the total was less than the previous year receipts. The Hospital debt payments are current with a \$3.4 million balance.

Ms. O'Brien reported the January 2016 Internal Service Fund deficient expense ratio versus receipts. She is concerned with the negative trend, particularly because the 15% premium increase has not made an impact. In response to Legislator Moser, Patty predicts the 6/1/16 health plan changes should equate \$300,000 savings over a year, terming it only incremental improvement. The plan has been impacted by a few very large claims, even though any claim above \$165,000 is covered by Stop Loss insurance.

SPECIAL REPORTS:

Chairman Tabolt reported that he and Terry Clark had attended an Inter-County meeting in Gloversville. The group adopted Lewis County's proposed resolution opposing the \$15 minimum wage increase that was forwarded to the Governor. One person had expressed objection.

Several Inter-County representatives had asserted great dissatisfaction for being blocked out of the Phase I broadband funding, due to availability of area services through Time Warner Cable. Chairman Tabolt had relayed the concerns to Jeff Farrell of the Governor's office, subsequently receiving a call from Empire State Development Director of Broadband Ana Rua. In response to her expressed willingness, he will invite her to attend the April Inter-County meeting in Saratoga, for knowledgeable response to inquiries. The March Inter-County meeting, he said, will be held Franklin County, being a much farther distance from Albany.

As a result of an Inter-County representative's suggestion, NYSAC Executive Director Stephen Acquario is coordinating a 3/14/16 meeting in Albany with representatives from the Inter-County Legislative Committee of the Adirondacks, the NYS Association of Towns and the Adirondack Association of Towns and Villages. The purpose is to identify and prioritize issues of mutual concern, requesting each group to then adopt supporting resolutions to affect optimum influence with State officials. Proposed topics include roads and bridges, broadband, ATV registration and impending changes to the 480A program impacting forest owners. Chairman Tabolt asked his colleagues to inform him of any topic they would like him to put forth and pursue by the collective groups.

Chairman Tabolt had attended the Governor's Winter Challenge in Lake Placid on 2/28/2016, having participated in the bobsled event. While there, he had personal contact with NYS Agriculture & Markets Commissioner Richard Ball; and Kevin Chlad of the Adirondack Council. As a key official for the ATV issue, he updated Mr. Chlad on Lewis County initiatives. He also relayed the challenges of the ReEnergy Lyonsdale plant to Adirondack North Country

MARCH 1, 2016

Association Executive Director Kate Fish and Congresswoman Elise Stefanik. Each of them agreed to make additional contacts to invoke assistance.

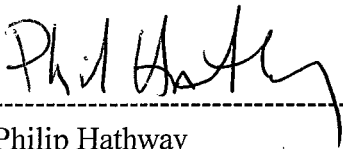
Chairman Tabolt declared the public hearing closed at 6:00 p.m. for consideration of the Agriculture and Farmland Protection Board's recommendation for agriculture land inclusion into Ag District 6.

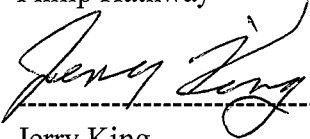
REPORT OF THE WAYS AND MEANS COMMITTEE:

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

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,361,968.25 and recommend that they be audited and allowed for the amounts claimed.


Philip Hathway Chair


Jerry King Committee


Richard Chartrand Committee

Dated: March 1, 2016

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

MARCH 1, 2016

**RESOLUTION NO. 86 - 2016
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 \$ 1,361,968.25 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 Moser, and adopted by roll call vote:

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

NAYS: None.

ABSENT: None.

**RESOLUTION NO. 87 - 2016
RESOLUTION AUTHORIZING INCLUSION OF CERTAIN AGRICULTURALLY
VIALE LAND INTO A CERTIFIED AGRICULTURAL DISTRICT AND NEGATIVE
DECLARATION DETERMINATION**

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

WHEREAS, the Lewis County Board of Legislators, in accordance with Chapter 303b of the Laws of 2003 amended NYS Agricultural and Markets Law, designated a thirty-day review period starting on November 15, 2015 and closing December 15, 2015 in which a landowner may submit requests for inclusion of predominately viable agricultural land within a Certified Agricultural District prior to the County established review period; and

WHEREAS, the Lewis County Agricultural and Farmland Protection Board (LCAFPB) has one application submitted for review, encompassing the following property in the Town of Osceola, proposed to be included in Agricultural District # 6: Tax Map Parcels # 384.00-01-08.100 (200.6 acres); # 384.00-01-09.000 (61.30 acres); #384.00-01-25.000 (123.3 acres), and parcel # 384.00-01-24.000 (64.30 acres); all said parcels owned by the same person and referred to as "The Juanita Yerdon Miller Application and Project"; and

WHEREAS, the LCAFPB reviewed the application and property, discussed part of the property which was issued a five year mining permit by the DEC for a 15-acre portion of the 200.6 acre parcel; said DEC permit to expire April 14, 2019, at which time the acreage will be converted into grasslands for livestock, and concluded that the inclusion of these four (4) parcels

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of land owned by one landowner would serve the public interest by assisting in maintaining a viable agricultural industry within the district; and

WHEREAS, a Short Environmental Assessment Form for an Unlisted Action has been prepared by the Director of Planning on behalf of the County of Lewis Board of Legislators as the lead agent for this "Ag Inclusion Project" with the assistance of the applicant, Juanita Yerdon Miller, for determination of the environmental impact of this property parcels identified above, with a conclusion and determination that the project will not result in any significant adverse environmental impact; and

WHEREAS, the Lewis County Board of Legislators, in accordance with Chapter 303b of the Laws of 2003 amended NYS Agricultural and Markets Law, conducted a public hearing to consider the request and recommendations of the Lewis County Agricultural and Farmland Protection Board on March 1, 2016 at 5:00 PM at the Board of Legislators Chambers; and

WHEREAS, the Lewis County Board of Legislators, having held the public hearing and having heard any statements or comments from the public on the request and recommendations of the Lewis County Agricultural and Farmland Protection Board, seeks to adopt the recommendations of the LCAFPB and place this property into a certified agricultural district and declare and negative environmental impact.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators of the County of Lewis adopts the recommendations of the Lewis County Agricultural and Farmland Protection Board, and places the four (4) parcels of land owned by Juanita Yerdon Miller in the Town of Osceola, and known as Tax Map Parcels: # 384.00-01-08.100; # 384.00-01-09.000; #384.00-01-25.000 and #384.00-01-24.000 into certified Agricultural District # 6.

Section 2. That the Board of Legislators of the County of Lewis hereby authorizes the Chairman of the Board to execute a Short Environmental Assessment Form declaring that this Action and Application will not result in any significant adverse environmental impacts upon review by the County Attorney.

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

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

RESOLUTION NO. 88 - 2016 RESOLUTION AUTHORIZING E-MAIL DELIVERY OF LOCAL LAWS TO LEWIS COUNTY LEGISLATORS

Introduced by Legislator Lawrence Dolhof, Chairman of the Rules and Legislation Committee.

MARCH 1, 2016

WHEREAS, pursuant to Chapter 397 of the Laws of 2015, the New York State Legislature amended Subdivision 4 of Section 20 of the Municipal Home Rule Law to provide that county legislative bodies may elect to receive introduced local laws via e-mail delivery in lieu of regular mail delivery; and

WHEREAS, to reduce mailing costs and expedite the receipt and review of introduced local laws by County Legislators, it would be advantageous for the Lewis County Legislature to authorize e-mail delivery of local laws.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That pursuant to Subdivision 4 of Section 20 of the Municipal Home Rule Law, the Lewis County Board of Legislators hereby authorizes e-mail delivery of introduced Local Laws, with introduced Local Laws to be e-mailed to the e-mail in-box of each County Legislator in the Portable Document Format (PDF) at least ten calendar days, exclusive of Sunday, prior to its final passage.

Section 2. That the Lewis County Clerk and Clerk of the Legislature shall publish e-mail addresses of all County Legislators on the Lewis County website of the offices of Lewis County Clerk and Lewis County Legislature and post all such e-mail addresses on the bulletin board of said offices located in the Court House, Lowville, New York.

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

Moved by Legislator Dolhof, seconded by Legislator Brennan.

In response to Legislator Kulzer, Clerk of the Board Teresa Clark affirmed that hard copies would always be provided upon request. Legislator King referenced the new ipads and electronic technology that allows for written notes on documents, thereby accommodating Legislators who have been accustomed to paper documents.

The resolution was then unanimously adopted.

RESOLUTION NO. 89 - 2016
RESOLUTION TO AMEND RULE XII
POWERS AND DUTIES OF COMMITTEES OF THE STANDING RULES
OF THE BOARD OF LEGISLATORS OF LEWIS COUNTY

Introduced by Legislator Lawrence Dolhof, Chairman of the Rules and Legislation Committee.

WHEREAS, the Board of Legislators wishes to amend Rule XII of the Standing Rules of the Board of Legislators of Lewis County.

NOW, THEREFORE, BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That this Board of Legislators hereby amends and supersedes the Standing Rules of the Board of Legislators of Lewis County to amend Rule XII: Powers and Duties of Committees, to add matters pertaining to the Planning Department to the Rules and Legislation, Workers' Compensation, Economic Development, Planning, Insurance, Recreation, Forestry & Parks Committee. The Committee shall be designated as follows:

Rules and Legislation, Workers' Compensation, Economic Development, Planning, Insurance,
Recreation/Forestry & Parks Committee

The second paragraph under said Committee shall be amended to read as follows:

This committee shall also work in cooperation with the Lewis County Chamber of Commerce and with other interested groups and organizations in publicizing the recreations, industrial and agricultural advantages of the County, in promoting the economic prosperity of the County, and in planning generally for the future welfare and growth of the County. This Committee shall have general supervision over all matters performed by the Planning Department and shall work in cooperation with the Lewis County Planning Board.

Section 2. That except as specifically amended herein, the Standing Rules of the Board of Legislators of Lewis County shall remain in full force and effect.

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

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

RESOLUTION NO. 90 - 2016
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 Recreation, Forestry and Parks 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 7, 2016; 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:

- *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 7, 2016.

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.
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 Dolhof, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 91 - 2016
AUTHORIZING OPENING OF CERTAIN PORTIONS OF
COUNTY ROADS FOR ATV SPECIAL EVENT AND
AUTHORIZING AGREEMENT WITH
BARNES CORNERS SNO-PALS SNOWMOBILE CLUB**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks 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 the following County Roads for a one-day ATV event on April 16, 2016:

- *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;*
- *CR 29 West Road; from intersection with Gardner Road to the intersection of Rector Road.*

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 on April 16, 2016, 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

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.
- 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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 16, 2016. 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 16, 2016:

- *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;*
- *CR 29 West Road; from intersection with Gardner Road to the intersection of Rector 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:

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 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 Moser, seconded by Legislator Dolhof.

In response to Legislator Hathway, Legislator Dolhof affirmed the agreement and trail route were the same as last year. In response to Legislator Kulzer, he also reiterated that if the required insurance certificate was not timely received, the event would not be approved.

The resolution was then adopted.

RESOLUTION NO. 92 - 2016
RESOLUTION APPOINTING MEMBERS TO
ALCOHOLISM & SUBSTANCE ABUSE SUB-COMMITTEE OF
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. Pursuant to Mental Hygiene Law Section 41.11, the Board of Legislators hereby appoints the following individuals to the Alcohol and Substance Abuse Sub-Committee of the Community Mental Health, Developmental Disabilities and Alcoholism Services Board:

Patricia O'Donnell of 6107 Donnattsburg Road, Glenfield, NY 13343

David Williamson of P.O. Box 216, Glenfield, NY 13343

Section 2. That the term of said appointments shall be effective from January 1, 2016 through December 31, 2019.

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 93 - 2016
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 to appropriate funds received through NY Co Shared Assets-DA (T87.05) to reimburse the District Attorney for the purchase of a plaque for the Village of Lowville Chief of Police.

Increase Revenues

A26260 (Forfeiture Proceeds)

\$91.70

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Increase Expense

A1165.4906 (Prosecution Fund) \$91.70

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

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

**RESOLUTION NO. 94 - 2016
RESOLUTION CALLING FOR AN INCREASE IN THE SHARE OF
REVENUE COUNTIES RETAIN FOR PROVIDING
STATE DMV SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the County Clerk Committee.

WHEREAS, 52 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% of all fees collected from the work performed by the county operated DMV's; and

WHEREAS, the remaining 12.7% county share has not been increased since 1999, yet the amount of work required by the local DMV offices has increased in that same time period; and

WHEREAS, the Governor and the State Legislature have repeatedly stated that lowering the property tax burden on local residents is a key priority; and

WHEREAS, increasing the county DMV revenue sharing rate will provide counties with needed revenue to continue to provide necessary local government services and reduce pressure on property taxes without increasing costs or fees to local residents; and

WHEREAS, there is a clear inequity present when a county DMV provides all the services, including overhead and staffing needs, to fulfill these DMV services needed for state residents, yet the State takes 87.3% of the revenue generated from providing these services; and

WHEREAS, the State Senate recognized this inequity placed on counties and attempted to reduce the burden of local property taxpayers by overwhelmingly passing Senator Patty Richie's bill S-4964, which would raise the 12.7% county share up to a 25% share; and

WHEREAS, counties recognize the important function of the state DMV in providing both support to counties and resident services; accordingly, any loss in the state DMV

operational budget that occurs from an increased county revenue should be made whole through the State General Fund.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators calls on Governor Andrew M. Cuomo and members of the state Legislature to require a substantial increase of the county DMV revenue share with the State.

Section 2. That the Clerk is hereby directed to forward a certified copy of this resolution to Governor Andrew M. Cuomo, the New York State Legislature, the New York State Association of Counties, and all Counties within New York encouraging member counties to enact similar resolutions.

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

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

**RESOLUTION NO. 95 - 2016
RESOLUTION APPOINTING MEMBERS TO
E-911 OVERSIGHT BOARD**

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

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints the following members to the Lewis County E-911 Oversight Board for a term effective immediately to terminate on December 31, 2016:

Law Enforcement:

State Police: Sgt. Michael Bice
Sheriff: Michael Carpinelli
Undersheriff James Monnat
LVPD: Randy Roggie
NYSDEC: Joel Nowalk
Leg Chair: Michael A. Tabolt
Cts/Law: Jerry King
Co Manger: Liz Swearingin
Hwy Supt: David L. Becker
Bldg Maint: Frank Archer

Fire Service:

Fire/Emergency Mgmt: Robert MacKenzie, III

MARCH 1, 2016

Haz. Mat. Coordinator: Richard Defone
911 Dispatch: Cheryl Lalonde

Emergency Medical Services:
EM Assistant: Jennifer Maracchion
Search & Rescue: Justin Astafan

Information Technology: Adam Zehr

Lewis County General Hospital: Nick Hanno

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

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

RESOLUTION NO. 96 - 2016
RESOLUTION AUTHORIZING AND ESTABLISHING HEALTH INSURANCE PLAN
CHANGES EFFECTIVE JUNE 1, 2016

Introduced by Legislator Lawrence Dolhof, Chairman of the Insurance Committee

WHEREAS, the County of Lewis (the “County”) has heretofore established and maintained the Lewis County Health Plan (the “Plan”), a self-funded health insurance program for its employees; and

WHEREAS, the Lewis County Treasurer, in her capacity as the Plan Administrator for the Plan makes periodic assessments to ascertain an appropriate premium equivalent for Plan participants in order to sustain the benefits provided in the Plan; and

WHEREAS, the Lewis County Treasurer has reviewed the Health Insurance Fund balance and has determined that the Fund balance is critically below the levels recommended by the health plan administrators; and

WHEREAS, the Lewis County Treasurer reports that the health claims are exceeding premiums, and have been doing so since August 2014, with this trend continuing in the current year; and

WHEREAS, the County of Lewis Health Insurance Committee, having reviewed and analyzed the health insurance plan and fund balance, made proposed changes to the Lewis County Health Plan in order to address the financial losses under the plan. The proposed changes were ratified by CSEA union membership on February 5, 2016; and

WHEREAS, County of Lewis Health Insurance Committee hereby recommends that the Board of Legislators makes the following changes to the Lewis County Health Plan effective June 1, 2016:

Prescription Drug Changes:

- Step Therapy- members to try certain drugs for certain conditions, using generics in the first step before another more costly drug is covered.
- Generic Advantage Program – promote use of generics. If a generic brand of drug is available when a brand-name is chosen, the member will pay the generic co-payment plus the difference between the brand-name and generic costs.
- Tier 4 for special medications. Members will pay 25% co insurance for specialty medications

Medical Plan Changes:

- Specialist Co-Pay - \$30.00 for in-network
- In-Network deductibles: \$250/Ind. / \$750/Fam. (Applies to inpatient and outpatient services.)
- Out-of-Network deductibles: \$750/Ind. / \$2,250/Fam. (Applies to inpatient and outpatient services)
- Out-of-Pocket Maximum (OOP Max): \$2,000/Ind. / \$4,000/Fam. (Applies to Domestic, In-Network, & Out-of-Network)

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves the Plan Administrator's and Health Insurance Committee's health insurance plan changes and recommendations set forth above effective June 1, 2016 until further amended or modified by the Board of Legislators.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such amendment to the plan and agreement with CSEA which may be required, pending approval by the County Attorney.

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

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

**RESOLUTION NO. 97 - 2016
RESOLUTION AUTHORIZING ENGINEERING SERVICES AGREEMENT
BETWEEN LEWIS COUNTY HIGHWAY DEPARTMENT
AND BARTON & LOGUIDICE**

Introduced by Legislator Greg Kulzer, Chairman of the Transportation Committee.

WHEREAS, the Lewis County Board of Legislators adopted Resolution No. 62 - 2016 at the February 9, 2016 Board Meeting authorizing a Project for the Bridge Replacement on Blue Street over Whetstone Creek (PIN 775360; BIN 3339830) in the Town of Martinsburg, County of Lewis for the Preliminary Engineering/Design and Right Of Way Incidentals Phases of the Project; and

MARCH 1, 2016

WHEREAS, the Lewis County Highway Department (hereinafter "Highway Department") desires to enter into an Agreement with BARTON & LOGUIDICE, D.P.C., (hereinafter "B & L"), engineers, planners and landscape architects, with offices located at 290 Elwood Davis Road, Box 3107, Syracuse, New York 13220; and

WHEREAS, in connection with a federal-aid project funded through the New York State Department of Transportation ("NYSDOT") identified as Blue Street over Whetstone Creek, the Lewis County Highway Department desires to have B&L provide engineering services for the Preliminary Engineering/Design and Right Of Way Incidentals Phases regarding the bridge replacement project (PIN 775360; BIN 3339830); and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis by and through the Lewis County Highway Department and Barton & Loguidice to provide engineering services for the Preliminary Engineering/Design and Right Of Way Incidentals Phases regarding the bridge replacement project identified as Blue Street over Whetstone Creek (PIN 775360; BIN 3339830).

Section 2. That the term of this Agreement shall be from February 9, 2016 through February 9, 2021 for an amount not to exceed \$227,000.00 with 80% eligible for Federal funds and 20% non-federal funds.

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.

Legislator Tabolt abstained.

RESOLUTION NO. 98 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
DEPARTMENT OF HIGHWAYS

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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) (8)	Temporary Full-Time	Grade C15-1 (\$15.52/hr.)

Section 2. That Highway Superintendent David Becker is hereby authorized to fill said positions in accordance with Civil Service regulations, effective April 1, 2016.

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

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

**RESOLUTION NO. 99 - 2016
RESOLUTION AUTHORIZING A SHARED SERVICES
SUPPLEMENTAL AGREEMENT BETWEEN THE
NEW YORK STATE DEPARTMENT OF TRANSPORTATION
AND THE COUNTY OF LEWIS**

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation Committee.

WHEREAS, pursuant to Transportation Law Sections 14(14) and 14(15) and Section 99-4 of the General Municipal Law, the New York State Department of Transportation (“NYSDOT”) and the County of Lewis (“County”) wish to join to share certain materials and services; and

WHEREAS, in 2012 NYSDOT and the County entered into a shared services Agreement pursuant to section 14(14) of the Transportation Law and section 99-r of the General Municipal Law identified as Contract D034494 which allows for the term of the Agreement to be extended for up to three (3) additional one year periods; and

WHEREAS, the sharing of such materials and services shall promote and assist the maintenance of NYSDOT and County roads and highways and provide a cost savings by maximizing the effective utilization of both parties resources; and

WHEREAS, the Board of Legislators wishes to continue such relationship and extend the Agreement for an additional year.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an extension of the Shared Services Agreement between the New York State Department of Transportation and the County of Lewis to share certain materials and services whereby the sharing of such materials and services shall promote and assist the maintenance of NYSDOT and

the County of Lewis roads and highways and provide a cost savings by maximizing the effective utilization of both parties resources.

Section 2. That this Supplemental Shared Services Agreement is for the period beginning September 1, 2014 and ending August 31, 2015, with the County amount being \$150,000.00.

Section 3. That the Lewis County Highway Superintendent, or in his absence the deputy superintendent, be and the same is hereby authorized to execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

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

**RESOLUTION NO. 100 - 2016
RESOLUTION TO TRANSFER FUNDS
TRANSPORTATION DEPARTMENT**

Introduced by Legislator Greg Kulzer, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

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

From:

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

To:

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

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

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

**RESOLUTION NO. 101 - 2016
RESOLUTION TO APPROPRIATE FUNDS
TRANSPORTATION DEPARTMENT**

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the following budget appropriation is hereby approved in the Highway Department Accounts for the annual lease payment for the 2016 Dump/Plow, utilizing Capital Equipment funds, balance of \$ 542,492.98:

Increase Revenue:

DM50310	\$48,948.61

Increase Expense:

DM5130.2233	\$48,948.61

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

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

**RESOLUTION NO. 102 - 2016
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS
HUMAN RESOURCES OFFICE**

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget change is hereby approved in the Human Resources Department account for the purchase of an hp laserjet printer, utilizing Capital Data Processing funds; balance \$ 138,153.13:

Increase Revenue:

A50310 (Inter-fund transfer)	\$449.99

Increase Expense:

A1431.2217 (computers)	\$449.99

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

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

**RESOLUTION NO. 103 - 2016
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS
INFORMATION TECHNOLOGY**

Introduced by Legislator Craig Brennan, Chairman of the Information Technology Committee.

BE IT RESOLVED as follows:

MARCH 1, 2016

Section 1. That the following budget changes are hereby approved in the Information Technology Department Account for the purchase of seven (7) ipads with cases for Legislators, utilizing Capital Data Processing funds; balance \$ 138,153.13:

Increase Revenue:

A50310 (Inter-fund transfer) \$3,116.19

Increase Expense:

A1680.2217 (Computers) \$3,116.19

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

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

RESOLUTION NO. 104 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY AND CLARK PATTERSON LEE DESIGN
PROFESSIONALS FOR LEAD ENGINEERING PROFESSIONAL CONSULTANT
SERVICES REQUIRED UNDER THE LOCAL GOVERNMENT EFFICIENCY
IMPLEMENTATION GRANT AWARDED TO THE “SOUTHERN LEWIS COUNTY
REGIONAL WATER PROGRAM”

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

WHEREAS, Lewis County, acting as lead applicant, joined with other local municipalities in the Southern portion of the county to create the “Southern Lewis County Regional Water Program” (“SLCRWP”), in applying for a Local Government Efficiency Implementation Grant from the Department of State under the State Consolidated Funding Application (CFA) process; and

WHEREAS, the SLCRWP was awarded a grant from the Department of State in the amount of \$299,022 to examine current water systems and their ability to treat and transmit additional supply in the southern part of the county so that the participating municipalities may benefit in economic development activity from increased and improved water infrastructure; and

WHEREAS, the Board of Legislators of the County of Lewis authorized the grant agreement to be executed, and authorized the Director of Planning to work with the SLCRWP members and DOS under the terms of the Grant to select a Lead Engineering Professional Consultant for the Project; and

WHEREAS, the municipal partners in the SLCRWP, with the County Director of Planning serving as lead coordinator and with SLCRWP complying with the requirements under the Grant Agreement, seek to enter into an agreement with Clark Patterson Lee Design Professionals to serve as the Lead Engineering Professional Consultant for the project; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, Clark Patterson Lee has previously provided similar professional services on water studies and implementation for other counties in New York State, and has the expertise to assist the County and other municipal stakeholders in this joint project; and

WHEREAS, the County of Lewis, as lead applicant wishes to engage the professional services of Clark Patterson Lee Design Professionals, to serve as a Lead Engineering Professional Consultant for the project and Grant, at a cost not to exceed \$299,000.00.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County of Lewis as lead applicant, through its Director of Planning to enter into an agreement with Clark Patterson Lee Design Professionals for the purpose of serving as Lead Engineering Professional Consultant for the project and in accordance with the terms and conditions of the Grant, and therein providing the following scope of services at a cost not to exceed \$299,000.00:

Information/Educational Outreach	\$10,000
IMA Development	\$40,000
Water Treatment/Distribution Master Plan	\$75,000
Financial Analysis	\$48,000
Geographic Expansion	\$20,000
Operations Plan	\$30,000
Environmental Review	\$70,000
Project Close-Out	<u>\$ 6,000</u>
	\$299,000

Section 3. That these costs are considered part of the overall project and are considered 90 % grant reimbursable.

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 King, and adopted.

**RESOLUTION NO. 105 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH
AND VENESKY & COMPANY**

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

MARCH 1, 2016

WHEREAS, the Lewis County Public Health wishes to enter into an agreement with Venesky & Company, to provide professional accounting and cost reporting services, 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, 2015 through June 30, 2017 costs for calendar years 2016 through 2018; and

WHEREAS part of the services will include Venesky and Company's preparation of a 'Cost Report Reference Manual' that will provide a clear crosswalk between the County's financial and statistical data and the information entered on the Medicaid Cost Report within the Medicaid Cost Reporting and Claiming System ((MCRCS); 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, 2015 through June 30, 2017 (calendar years 2016 through 2018).

Section 2. That the fee for these services shall be at a cost not to exceed \$4,000.00, and will include all travel and out-of-pocket expenses payable upon completion and 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 Hathway, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 106 - 2016
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 appropriate charges for Medical Director:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

From:

A4093.4901	Professional Services	\$ 1,750.00

To:

A4086.4901	Professional Services	\$ 1,750.00

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

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

**RESOLUTION NO. 107 - 2016
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 appropriate charges for Lab Consultant Services:

From:

A4093.4901	Professional Services	\$ 1,500.00

To:

A4071.4901	Professional Services	\$ 500.00
A4086.4901	Professional Services	\$ 1,000.00

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

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

**RESOLUTION NO. 108 - 2016
RESOLUTION TO AMEND THE AUTHORIZATION AGREEMENT BETWEEN
CENTRAL NEW YORK CARE COLLABORATIVE, INC AND LEWIS COUNTY
THROUGH THE PUBLIC HEALTH AGENCY, OFFICE FOR THE AGING AND
COMMUNITY SERVICES BOARD.**

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, the Office for Aging, and the Community Services Board desire to enter into an Agreement with Central New York Care Collaborative, Inc.; and

WHEREAS, the Board of Legislators by Resolution No. 351-2015, authorized an agreement between the County, through the Public Health Agency and Central New York Care Collaborative, Inc. The Resolution and Agreement should have authorized the agreement to include the other partner organizations in Lewis County, i.e., the Office for Aging and Community Services Board; and

WHEREAS, the Board of Legislators wishes to further authorize the addition of the Office for Aging and Community Services Board as other partners to the partnership organization agreement with Central New York Care Collaborative, Inc., and to authorize the Chairman of the Board of Legislators to execute all addenda on behalf of the Lewis County Public Health Agency, Office for the Aging and Community Services Board partners to this Collaborative.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an amendment and any Addenda to an Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency, the Office for the Aging and Community Services Board with 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 and addenda for each Lewis County partner, pending approval by the County Attorney.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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

**RESOLUTION NO. 109 - 2016
RESOLUTION AMENDING COMPENSATION PLAN WITH REFERENCE
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. The Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Recreation, Forestry and Parks Department, to create the following temporary positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Recreation Crew Leader	Temporary Full-time	Grade 18 (\$16.77/hr.)
Recreation Crew Worker (2)	Temporary Full-time	Grade 15 (\$15.52/hr.)

Section 2. That Director Jackie Mahoney is hereby authorized to fill said temporary positions effective April 18, 2016

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

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

**RESOLUTION NO. 110 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY GENERAL HOSPITAL
OCCUPATIONAL MEDICINE AND
LEWIS COUNTY RECREATION, FORESTRY & PARKS DEPARTMENT**

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

MARCH 1, 2016

WHEREAS, the Lewis County Recreation, Forestry and Parks Department wishes to enter into an Agreement with Lewis County General Hospital Occupational Medicine for the purpose of random employee drug testing and post-accident drug screening; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement by and between the Lewis County Recreation, Forestry and Parks Department and Lewis County General Hospital Occupational Medicine for the purpose of random employee drug testing and post-accident drug screening.

Section 2. That this is for the term beginning April 18, 2016 and ending October 18, 2016 for the Company/Consortium Pricing Package at a rate of \$78.00 per employee. Additional fees will apply for “post-accident”; “reasonable suspicion”; and “follow-up drug and alcohol testing as well as onsite testing” as follows: DOT Drug Screen – \$71.00; Breath Alcohol Test – \$22.00; Breath Alcohol Confirmation Test – \$22.00; and Onsite Testing – \$40.00.

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

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

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

RESOLUTION NO. 111 - 2016
RESOLUTION AUTHORIZING GRANT AGREEMENT
BETWEEN NYS 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 \$179,053.00 for a redundant CAD server, annual E911 phone system maintenance and other related upgrades.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Grant Agreement (PS15-1052-D00) between the County of Lewis, by and through the Sheriff’s Department, and the NYS Division of Homeland Security and Emergency Services in the amount of \$179,053.00 for the

purchase of a redundant CAD server, annual E911 phone system maintenance and other related upgrades.

Section 2. That said grant is for the period from 01/01/2016 to 12/31/2016.

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

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

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

RESOLUTION NO. 112 - 2016
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING
BETWEEN THE LEWIS COUNTY SHERIFF AND LEWIS COUNTY GENERAL
HOSPITAL REGARDING PROVISION OF JAIL PHYSICIAN SERVICES TO THE
INMATES OF THE PUBLIC SAFETY BUILDING

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

WHEREAS, pursuant to Correction Law § 500-c, the county sheriff is the custodian of the county jail and must receive and safely keep in the county jail of his county each person lawfully committed to his custody; and

WHEREAS, the Jail Physician is appointed by the Board of Legislators pursuant to Correction Law § 501 and provides certain medical services to the inmates at the county jail (hereinafter referred to as “Public Safety Building” or “PSB”); and

WHEREAS, the Lewis County General Hospital (the “LCGH”) is willing to provide the services of a Jail Physician through its medical staff in the delivery of medical services to such inmates, at an annual compensation of \$35,172.00, payable in equal monthly installments of \$2,931.00; and

WHEREAS, the Board of Legislators wishes to provide for reimbursement to the LCGH through the Sheriff’s Department for the costs associated with providing such medical services; and

WHEREAS, the parties seek to enter into a Memorandum of Understanding (MOU) to set forth their understandings of the responsibilities of the LCGH in providing a Jail Physician through its medical staff in the performance of the duties as Jail Physician, as well as the compensation arrangements and budgeting of the time and expenses associated therewith;

BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby approves a Memorandum of Understanding to be entered into by and between the Lewis County Sheriff and the Lewis County General Hospital to provide for reimbursement to the Hospital through the Sheriff's Department for the costs of furnishing Jail Physician medical services, and to set forth the position duties and responsibilities and reporting requirements of the LCGH's medical staff providing such medical services as Jail Physician, together with such other relevant provisions to give effect to same .

Section 2. The term of this Memorandum of Understanding shall be for one (1) year with annual renewable options, and shall commence effective March 1, 2016 and continue through February 28, 2017, with the LCGH to be compensated at a flat rate annual payment of \$35,172.00, payable in monthly installments of \$2,931.00 upon receipt of monthly invoices from the LCGH, which shall include detail of time and description of services provided.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators along with the Lewis County Sheriff are hereby authorized to make, execute, seal and deliver said 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. 113 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES

Introduced by Legislator Roscoe Fawcett, Jr., 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 temporary position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Assistant to the Fiscal Manager	Temporary Part-time (Up to 15 hrs./week)	\$20.00/hr.

Section 2. That Commissioner of Social Services Jennifer Jones is hereby authorized to fill said temporary position effective immediately for a period of up to one year.

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 114 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND MULTICULTURAL ASSOCIATION OF MEDICAL/LEGAL INTERPRETERS,
INC. (“MAMI”)

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services (“DSS”) wishes to enter into an agreement with Multicultural Association of Medical/Legal Interpreters, Inc. (“MAMI”) to provide interpretation services with trained on-site interpreter services, telephonic and translation services to Lewis County 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 contract with the County of Lewis, by and between Lewis County Department of Social Services and Multicultural Association of Medical/Legal Interpreters, Inc. to provide interpretation services with trained on-site interpreter services, telephonic and translation services to Lewis County Department of Social Services.

Section 2. That is for the period of March 1, 2016 through February 28, 2017 at the following rates: Spoken Language-Pre-booked - \$55.00 per hour; Spoken Language-Same Day Emergency - \$65.00 per hour; American Sign Language - \$65.50 per hour; Cancellations and Client No Show Rates for Spoken Language - \$55.00; Telephonic - \$1.50 per minute; and Telephonic Cancellation \$1.50 per minute.

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 Fawcett, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 115 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

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

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Senior Account Clerk	Full-time	Grade 19

Section 2. That Commissioner of Social Services Jennifer Jones is hereby authorized to fill said position upon the impending retirement of a senior account clerk.

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 116 - 2016
RESOLUTION TO TRANSFER/APPROPRIATE FUNDS
SOCIAL SERVICES

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 in the 2016 Budget for the purchase of two (2) Chevy Impalas, utilizing Capital Equipment funds HAD9901.0, balance \$ 542,492.98:

<u>Revenue</u>	<u>Amount</u>
A50310 (Inter-fund)	\$ 9,107.63
A36100 State DSS Admin	\$ 9,107.63
A46100 Fed DSS Admin	\$18,215.24

<u>Expense</u>	
A6010.2233 (Vehicles)	\$36,430.50

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

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

RESOLUTION NO. 117 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOLID WASTE DEPARTMENT

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Gregory Kulzer, Chairman of the Solid Waste 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 Solid Waste Department, to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Heavy Equipment Operator	Full-Time	Grade 21

Section 2. If this position is filled from within the Department, the promoting employee's position shall be abolished upon appointment.

Section 3. That Director Pete Wood is hereby authorized to fill said position effective immediately.

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

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

**RESOLUTION NO. 118 - 2016
RESOLUTION APPROVING CORRECTION
OF TAX BILL**

Introduced by Legislator Craig Brennan, 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 \$	2,938.33	Charge Town:	783.24
	#538.00-05-06.000	326.54		87.03
	#538.00-08-00.000	155.55		54.27
Denmark	#552.00-03-00.000	314.45		184.29
	#552.00-05-00.000	18.06		10.58
Diana	#552.00-05-08.000	159.55		37.63
	#552.00-05-00.000	101.57		30.48
Greig	#542.02-07-09.000	1,148.51		457.31
Lewis	#550.00-10-11.000	357.41		354.31
Leyden	#550.00-07-12.000	848.90		236.86
	#550.00-10-12.000	418.11		116.66

MARCH 1, 2016

	#550.00-07-00.000	69.01	25.68
Lowville	#550.00-05-00.000	458.64	151.01
	#550.00-05-13.000	614.09	147.38
Lyonsdale	#550.00-07-00.000	68.67	37.37
	#550.00-07-00.000	308.83	168.09
Martinsburg	#542.02-05-15.000	459.80	215.05
New Bremen	#552.00-08-02.000	1,269.68	412.98
	#542.05-08-05.000	90.64	31.09
	#552.00-08-00.000	8.68	4.20
Watson	#542.02-08-21.000	176.27	117.97
	#542.02-07-21.000	267.93	179.32
	#542.02-05-21.000	260.88	174.60
West Turin	#550.00-07-00.000	91.52	41.99
	#550.00-07-00.000	270.37	<u>124.05</u>
			\$4,183.44

Section 2. That the County Treasurer is hereby directed to adjust, apportion, and charge back such amount in the manner prescribed by law. The amount to charge the Towns is \$4,183.44.

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

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

RESOLUTION NO. 119 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO WEIGHTS AND MEASURES 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 Weights and Measures Department to create the following temporary position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Laborer	Temporary Part-time	Grade C4 (\$12.26/hr.)

Section 2. That Sealer of Weights and Measures Barbara Cooper is hereby authorized to fill said position for a period effective March 2, 2016 through October 5, 2016.

Section 3. That the within resolution shall take effect immediately

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

RESOLUTION NO. 120 - 2016
RESOLUTION TO SET PUBLIC HEARING FOR
LEWIS COUNTY HOUSING REHABILITATION
PROGRAM, NYS CDBG PROJECT #636HR51-13

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

WHEREAS, All recipients of NYS Community Development Block Grant (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; and

WHEREAS, the Board of Legislators duly held a public hearing on the 3rd day of December, 2013 regarding community development housing needs and other possible development activities in preparation of a CDBG Application; and

WHEREAS, the County received an award of \$522,500 and the Board of Legislators of Lewis County seeks to hold a second public hearing to provide residents with the opportunity to offer any comments on the accomplishments of the current Lewis County Housing Rehabilitation Program.

NOW, THEREFORE, BE IT RESOLVED, that

Section 1. That the Board of Legislators of Lewis County authorizes a public hearing to be held and set for April 5, 2016 at 5:00 p.m. at the Lewis County Courthouse, Board of Legislators Chambers, 7660 North State Street, Lowville, New York 13367 to provide residents of Lewis County with the opportunity to offer any comments on the accomplishments of the current CDBG Lewis County Housing Rehabilitation Program.

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, and adopted.

MARCH 1, 2016

RESOLUTION NO. 121 - 2016
RESOLUTION IN MEMORIAM OF
LEWIS O. NICOL

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

WHEREAS, **Lewis O. Nicol** of 2970 Humphrey Road, Copenhagen, New York recently departed this life on February 25, 2016; and

WHEREAS, he had served as Town of Denmark Councilman from 1973 through 1980; and as Town of Denmark Supervisor from 1981 through 1987; and

WHEREAS, **Lewis O. Nicol** was elected to serve as Lewis County Legislator to represent his constituents from District No. 3 commencing January 1, 1988, and subsequently re-elected for two-year terms, serving through December 31, 1997; and

WHEREAS, throughout his tenure, **Lewis O. Nicol** had served on several Legislative Committees, knowledgeably representing various factions of County government.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That it is proper for us as friends, acquaintances and members of this Board of Legislators to record our recognition and appreciation for the sincere, generous and valuable services rendered by former Lewis County Legislator **Lewis O. Nicol**.

Section 2. That as an enduring record and mark of respect to the memory of **Lewis O. Nicol**, as an honorable and dedicated public official, this resolution shall be printed in the official record of proceedings of the Lewis County Board of Legislators, and a copy thereof forwarded to the family of **Lewis O. Nicol**.

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

OTHER BUSINESS:

Legislator Hathway proudly announced that Nathaniel Atkinson of Harrisville had been featured on TV Channel 7 as an “Arts All-Star”. His artwork has been displayed at Carnegie Hall and around the Country.

Chairman Tabolt announced the May 3, 2016 Board meeting would be held at the Lyons Falls Library or the Forest Presbyterian Church to begin at 5:00 p.m. District Legislator Rocky Fawcett will coordinate a 4:00 p.m. tour of the Cogeneration Plant prior to that meeting.

Legislator Brennan made a motion to enter executive session at 6:17 p.m. to discuss certain potential contracts, seconded by Legislator Dolhof and carried. Village of Lowville Mayor Donna Smith, Councilman Dan Salmon and Planning Director Frank Pace remained for

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the session. After a short recess, the session began at 6:25 p.m. At 7:35 p.m. Legislator King made a motion to re-enter regular session, seconded by Legislator Fawcett and carried.

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

APRIL 5, 2016

**REGULAR MEETING
April 5, 2016**

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

Roll Call: All Legislators were present.

Legislator Bryan Moser offered the Invocation and asked for a moment of silence for those who have departed since the last meeting. Chairman Tabolt then led the Pledge of Allegiance to the Flag.

There were 30 persons present.

Chairman Tabolt declared the March 1, 2016 meeting minutes were approved.

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 5, 2016

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

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

Chairman Tabolt opened the public hearing for comments on the effectiveness of the administration of the Lewis County Housing Rehabilitation Program, provided by Snow Belt Housing, Inc.

PRIVILEGE OF THE FLOOR:

Cheryl Shenkle-O'Neill, Snow Belt Housing, Inc. Executive Director, reported that in January of 2014 Lewis County applied for \$522,500 in funding through the Community Development Block Grant Program for the Lewis County Housing Rehabilitation Program. A public hearing was held on December 3, 2013 in preparation for the application and a second public hearing is being held today to provide residents with the opportunity to offer any comments on the accomplishments of the grant.

The purpose of the program was to provide low- and moderate-income households with grant funds to improve the health, safety, and energy efficiency of their home and to make accessible modifications as necessary to allow elderly homeowners to remain in their home as long as possible. All projects must meet code as well as HQS (Housing Quality Standards), as developed by the U.S. Department of Housing & Urban Development (HUD).

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This application was successful and the County was awarded \$522,500. A Grant Agreement was signed with a program effective date of April 11, 2014 and the agreement stipulated that all funds must be expended within 24 months (by April 10, 2016). The county did receive an extension until July 31, 2016 in order to complete the program. The application anticipated that fifteen households would be assisted with estimated program funds of \$439,500. The program is nearing completion and 21 households have been or will be provided assistance, six more than projected. Of the 21 households assisted, eight are disabled, six are elderly and one household is an elderly and disabled household. The average CDBG assistance provided was \$20,563 with ranges from \$9,635 to \$40,023. Additional funds of \$104,842 were provided by other grant funds awarded to Snow Belt Housing bringing the total project costs up to \$535,683 with an average total project cost of \$25,556. Energy audits are completed by Lewis County Opportunities and any weatherization related work is included in the scope of work either by Opportunities or by the contractor. Lead based paint risk assessments and clearances are completed for homes that are built prior to 1978 when lead paint was banned. The contractors are required to use lead safe work practices and pass a clearance test ensuring that the home is free of lead hazards. If the rehabilitation cost exceeds \$25,000, lead abatement is required. Radon tests are completed for all assisted homes and if the radon levels are high, a radon mitigation system is installed.

The work completed included two mobile home replacements; two radon mitigation systems were installed; and one lead abatement project was completed. In this case the only lead paint found in the home was on the porch window trim. The windows and trim were removed, the trim was replaced and the aluminum windows were reinstalled. One household was displaced for a short period of time while the accessible modifications were being completed to their kitchen and bathroom. There was no permanent displacement or relocation. The program was truly a countywide program in that the renovated homes were located throughout the county. The majority of the contractors live in Lewis County as well.

Ms. O'Neill provided some before and after renovation pictures to illustrate the dire need and improvements to the selected homes. The Legislators thanked Cheryl for her presentation and were appreciative of the program accomplishments.

Chairman Tabolt introduced Blake Place, DVM with BOCES who turned the floor over to her students Kayla Weakley and Destiny Mooney. They explained the "Sharps Containers" project for the collection of sharp needles and other sharps used on farms. They are working to expand their inventory of farmers who will utilize the containers to remove the items from the waste stream. They had taken the initiative to identify facilities that would accept the full containers for proper disposal; ie. Lewis County Transfer Stations at Lowville and Croghan and the Rome Memorial Hospital. The girls have commenced discussion with the Lewis County General Hospital to accept the collected items for cleansing and incineration. Their hope is to entice other hospital facilities to begin accepting the objects for environmentally friendly disposition. Legislator Brennan applauded their innovative and environmental efforts.

Hospital CEO Eric Burch said he would work with the BOCES' students to determine if their facility was capable of processing the objects. The girls will endeavor to assign the

remaining 20 of their total 60 containers, to agriculture owners. Chairman Tabolt thanked the girls for their conscious efforts to improve the environment.

Lance Evans, Executive Officer of the Jefferson Lewis Board of Realtors recognized the Board's declaration of April as "Fair Housing Month". April 11th is the 48th anniversary of President Johnson's signing of the Fair Housing Act, Title VIII of the Civil Rights Act of 1968. The Act declared it illegal to discriminate based on race, color, religion, sex, familial status, handicap, sexual orientation, gender identity or national origin.

Jefferson Lewis realtors illustrate commitment to the Fair Housing Act by continuing to address discrimination in our communities, to support programs that will educate the public about the right to equal housing opportunities, and by planned partnership efforts with other organizations to help assure everyone of their right to fair housing without discrimination or harassment. Realtors pledge to comply with all the terms of the Civil Rights Act when dealing with home sellers, home seekers, or landlords, to provide equal professional services to everyone.

Mr. Evans thanked the Board for their recognition of the Fair Housing Act and the community's commitment to assure equal housing opportunities for the entire citizenry.

Blair Bullock, Lewis County General Hospital (LCGH) registered nurse, exclaimed "The hospital is severely short-staffed", putting lives at risk, and providing what he termed were unsatisfactory services. He questioned why the LCGH hiring freeze did not apply to administration, citing the proposed hiring of a Chief Operating Officer and Assistant Nursing Home Administrator. As the Legislature's Board of Managers' representative, Legislator Chartrand reported plans to lift the freeze and re-hire medical and nursing staff.

LCGH registered nurse Leah Eaves asked when the hiring freeze would be lifted. LCGH CEO Eric Burch reported he was currently working with union representatives to consider filling positions.

Sue Ross directed an inquiry to Mr. Burch referencing previous written communication relating specific union member concerns. County Attorney Joan McNichol deemed this was not the appropriate forum to discuss union matters. Ms. Ross stated that many employees are appreciative of their jobs, but cited stressful working conditions due to the lack of staff. She cited recent resignation or retirement of a few highly qualified nurses whom have not been replaced. She referred to union letters with close to 300 signatures submitted a year and half ago to the Board of Managers with specific concerns and inquiries, taking extreme exception for the non-response of any kind.

Ms. Ross further expressed frustration that the facility has been reduced from 58 beds to 25 critical-access beds, questioning the need for more administrative hires. She took specific exception to the proposed Assistant Nursing Home Administrator that the Board of Managers purportedly said would be budget neutral, asking if the Director of Nursing position would be abolished. On behalf of nurses, Ms. Ross termed some administrative practices as wasteful, while stating that nursing staff have heightened stress to live up to their expected level of service.

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LCGH registered nurse Tina Bates relayed her heightened stress level for being over-worked, while relating frustration the administration was not responding to nurse's concerns. She reported having to work 4-5 12-hour shifts every other week, concerned for the impact on employee's children and families. Ms. Bates feels that patient treatment has diminished and urged administrative attention.

Chairman Tabolt assured the Hospital employees had garnered the Legislators' attention, while welcoming individual contacts. To clarify, Legislator Chartrand stated that union personnel are represented by CSEA. Management personnel have appropriately discussed issues with CSEA representatives who are charged to pose workers' concerns, and thereafter relate management's responses to their membership. He suggests the breakdown of communication lies with the CSEA representatives.

Legislator Moser deferred to Legislator Chartrand as the Board of Managers representative, and responsible for oversight, setting policies and addressing concerns. Legislator Moser relayed understanding stressful workloads, citing his personal 16-hour days, sometimes 6 days per week, while raising a family, terming it normal rather than the exception for many who are struggling. Legislators, he said, are aware and appropriately involved, while depending on representative appointees to make operational decisions. "Otherwise, he asserted, "We might as well give ourselves full-time jobs!

Legislator Brennan inquired what union representatives had related back to the membership. County Attorney McNichol intervened, cautioning the employees that it would be inappropriate to respond to direct questioning about union representatives or issues.

In conclusion, Mr. Bullock expressed understanding that many people put in long work hours, distinguishing that nurses are putting lives at risk. He takes pride in his work, while concerned the impact of diminished services may be that persons by-pass LCGH for treatment at an alternative facility.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Legislators were cordially invited to a Healthy Happy Hour to be held on April 6, 2016 at 4 p.m. at the Lewis County Public Health offices to commemorate National Public Health Week; and to the Association of Sportsmen's Club's annual dinner meeting on April 8th at the Croghan American Legion.

The Delaware and Sullivan County Legislatures submitted resolutions calling upon the State Legislature to increase the share of revenue Counties retain for providing State DMV services.

Delaware County had also submitted resolutions urging the Governor and Legislature to gradually restore the 50/50 cost sharing for the Safety Net Program, and increase shelter grant reimbursements to County Departments of Social Services; another opposing the NYS Labor Commissioner's order to raise the minimum wage to \$15 an hour for employees of fast-food

chain restaurants; and another calling on the State to develop a 100% State funded Indigent Legal Defense System as a way to provide mandate relief and lower property taxes.

The Delaware and Tompkins County Legislatures had each urged the State to provide technical and financial assistance to Counties in complying with the Federal Child Care Law changes so that local child care slots are not lost due to increased costs to meet the new Federal mandates.

The Tompkins County Legislature called upon the State to restore funding parity between the Capital Plans of the Metropolitan Transportation Authority and the NYS Department of Transportation.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators had received copies of the Treasurer's February and March reports, as well as the 1st Quarterly Bed Tax Report; the 3/22/16 Solid Waste and Highway Audit Reports; and minutes of the 1/12/16 Public Health Corporate Compliance Committee and the 3/16/16 Youth Bureau Advisory Board meetings.

The County Sealer of Weights and Measures has submitted her 1st Quarter Activities Report to be placed on file.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, reported the County Clerk has implemented a "pilot program" to temporarily extend hours at the DMV office from 7:30 a.m. – 4:30 p.m. through 9/30/2016. The union personnel have voluntarily agreed to alternate shifts. Pursuant to amended Federal guidelines for CDL testing, Linda Hoskins is searching for the required 300'x30' blacktop location for CDL tests. Also, it was determined cost prohibitive to establish and operate a satellite DMV office.

Legislator Hathway reported that maintenance personnel have completed 80% of the workplace safety upgrades at the various buildings. Energy audits for the Emergency Management and Public Safety Building are being explored. He reported that Legislator King had met with engineers who provided a proposal to outline upgrades at the Highway garage.

Citing five Tuesdays in May, Legislator Hathway announced the committee meeting would be held at 1 p.m. on 5/31/16.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Employment and Training/Youth Bureau Committee Chairman, reported a new Job Readiness pilot training program for recipients of temporary assistance on Tuesdays and Thursdays. Able-bodied recipients are required to attend all 8 job readiness sessions, some of which will be provided by Cornell Cooperative Extension and Lewis County Opportunities, Inc.

Summer Youth employment applications are available at high school guidance offices.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Fawcett referred to Chairman Tabolt's proclamation of April as "Child Abuse Prevention Month", to be read later in the meeting. Child Protective Service personnel had responded to 420 abuse and neglect cases in 2015, and 113 year-to-date. They depend upon cooperative efforts from individuals, law enforcement and agencies to prevent child abuse and maltreatment.

Legislator Fawcett made a motion to authorize refilling a full-time retiring Social Services Caseworker, seconded by Legislator King and carried.

Legislator Fawcett made a motion to authorize DSS Commissioner Jenny Jones to issue a Request for Proposals for security guard services at the Social Services building, seconded by Legislator Hathway. In response to Legislator Chartrand, Ms. Jones justified the services citing persons that arrive intoxicated or under the influence of drugs, and the associated and unknown risks with investigating persons and/or making sensitive decisions to remove children from families. She reminded the 75% Federal and State reimbursement for associated costs, while distinguishing Lewis County as one of the very few in the State without on-site security. The motion then carried. Legislator Kulzer was opposed.

Legislator Fawcett reported that several local officials had participated in the "Mayors For Meals", some of which accompanied meal home deliveries and others who served at the meal sites. The event enhanced awareness for senior nutrition and support for the senior population.

Office For Aging personnel have completed 365 HEAP applications for the program that will close on 4/8/16. Personnel will participate in the LCGH community health fair on 4/16/16 with a slogan "Spring In To Healthy Living", for outreach to hundreds of attendants.

The Youth Bureau Advisory Board awarded \$1,000.00 to each of the five (5) municipal recreation program applicants in the Towns of Diana and Greig and the Villages of Croghan, Lowville and Port Leyden.

Legislator Fawcett announced that Advisory Board member Tyler Eddy, a Harrisville senior, was recently featured and honored by Channel 7 News as an Academic All-Star.

Legislator Bryan Moser, County Officers / Junkyards / Veterans' Services / Human Resources Committee Chairman, reported estimated first quarter benefit receipts by local veterans of \$148,000. Director Derek Davey and Stephen Kilionski are handling an average of 152 claims. The 2013 Veterans' Administration report indicates 2,283 veterans reside in Lewis County, equal to 10% of the overall population and representing an increase of 95 over the previous year.

Legislator Moser reported review and discussion on several proposed positions that will be considered during tonight's meeting.

Legislator Jerry King, Courts and Law Enforcement / Fire & Emergency Management Director / Building Codes Committee Chairman, made a motion to authorize Sheriff Carpinelli to

refill one vacant part-time Correction Officer and one part-time Dispatcher/Correction Officer due to resignations, seconded by Legislator Chartrand. There was no clear response to Legislator Moser's inquiry as to the length of time the authorization was in effect. Legislator King said he would make an inquiry and report. The motion was carried.

Legislator King made a motion to authorize Sheriff Carpinelli to travel to Washington, D.C. for the National Sheriff's Convention from May 12-15, 2016, seconded by Legislator Chartrand and carried.

Legislator King reported the radio system is working, and the coverage testing will be conducted in June when the tree foliage is in bloom. Dispatchers are operating from the new center at the Public Safety Building, and will return to the Court House back-up center for one shift each quarter to assure equipment efficiency.

Legislator Lawrence Dolhof, Economic Development Committee Chairman, made a motion to authorize renewal of all County general and professional liability insurance policies with NYMIR for the period 4/5/2016 to 4/5/2017 for a premium of \$199,922.16, representing less than one percent increase. The County property values were increased by 4%, and the new towers, equipment and shelters were valued at \$6 million, for an aggregate value of \$42,487,000. The motion was seconded by Legislator King and carried.

Legislator Dolhof made a motion to authorize Recreation, Forestry & Parks Director Jackie Mahoney to submit an ATV access proposal to the New York State Department of Transportation, seconded by Legislator Brennan and carried.

Legislator Dolhof made a motion to rescind Resolution No. 377-2015 in its entirety, which approved entering an Agreement with the Lewis County Industrial Development Agency (IDA) for an amount of \$50,000.00 to support the Small Business Loan Fund Program. County Attorney Joan McNichol had affirmed the County is prohibited from making loans to private businesses, which is the essence of the Agreement. The motion was seconded by Legislator King and carried.

Legislator Dolhof reported the first quarter bed tax revenue was comparatively less than half the amount of last year, reflective of the poor snowmobiling season and lack of tourists.

The committee recommends the ATV trail system be opened on April 11, 2016 due to weather conditions. Legislator Dolhof clarified that persons do not need a trail permit to ride the SNIRT RUN route. However, if riders wish to travel outside the parameters of the SNIRT RUN, they need to purchase a 3-day pass. Legislator Kulzer posed consideration to waive the permit requirement, if the trail system is opened prior to the event next year. Legislator Dolhof reported discussion to consider one free weekend during the upcoming summer. In response to Legislator Chartrand, Atty. McNichol said she does not have the general liability policy yet, but anticipates receipt of the required insurance binders within the next two days. In response to Legislator Kulzer, Atty. McNichol stated that if she does not receive the binders within the agreed upon 10 days prior to the event, she will timely notify all Legislators for a decision

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whether to cancel the event. In response to Legislator Brennan, Deputy Michael Leviker affirmed the Sheriff's Department is well aware of the event.

Legislator Dolhof reported that maple products will be shipped to the United Kingdom this month.

BOCES is advancing a 2-year Career Technical Education program for Production Design and Technology to begin this fall. Their curriculum will be formulated based on a similar program at a West Virginia school. The JCC administration is also considering a similar program.

Legislator Dolhof reported completion of the land survey for the solar array that will be presented to the Village of Lowville Planning Board for approval.

Legislator Craig Brennan, Taxation / Information Technology Committee Chairman, reported that IT Director Adam Zehr is working with Real Property Tax Director Candy Akin to enhance public access to property records.

At Legislator Brennan's request, Adam Zehr reported that Mohawk Networks is compiling their State grant application, inclusive of support letters from several local municipalities for expanding internet services to approximately 5,400 County residents. The accuracy of the census block data released from the State has been questioned, as well as Time Warner Cable's proposal to supply internet services to the under-served or un-served population. The Inter-County Legislative Committee of the Adirondacks has had in-depth broadband discussion. Chairman Tabolt announced that Empire State Development Director of Broadband Ana Rua will present an update to the group at their 4/28/16 meeting in Saratoga.

Mr. Zehr also reported that a new technology program will enable digital display of property maps, otherwise required to be printed and cumbersome for public utilization. Hard copies are available upon request.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman, made a motion to authorize purchases for the Highway Department of a 2016 3/4-Ton Crew Cab truck for \$28,694.54; and a 2016 1/2-Ton Extended Cab truck for \$25,317.85 from Nortz & Virkler, Inc. of Lowville, NY. The motion was seconded by Legislator Brennan. Legislator Kulzer stated that bid notices for all new vehicles will be published in the local newspaper. The motion then carried.

Legislator Kulzer made a Motion to authorize purchase for the Highway Department of a 2016 Tractor w/cab and front-mounted angle broom from Walldroff Farm Equipment, Inc. for \$43,829.00, seconded by Legislator Brennan and carried.

Legislator Kulzer reported the 4,000-gallon gasoline tank at the Highway garage will be reverted to a diesel tank to serve the larger vehicle volume. The County WEX purchases will be discounted at 1.58%/gallon and exempt from taxes, with a single monthly bill to the Treasurer. The process will relieve Highway personnel from labor intensive record keeping and billing to

the various entities that utilize the County gasoline pump. The County Manager is working on the WEX card registration process.

Legislator Kulzer made a motion to award the bid to Custom Container Solutions of Lewisburg, PA in the amount of \$5,998.00 for a 50-yard open top roll-off container, seconded by Legislator Brennan and carried.

Legislator Richard Chartrand, Hospital Committee Chairman, reported general surgeon Dr. Nick Gabriel and Orthopedist Dr. Stephen Adcock began seeing patients in March. County Treasurer Patricia O'Brien expects receipt of Nursing Home 2014 and 2015 IGT funds of \$8 million. The \$6,580,000 Essential Health Care Provider Support Program contract allows wide ranging discretion for allocating those funds, and will enable the facility to relinquish debt.

The first of five nursing home universal settlements of \$74,000 was received, with the balance due for a total of \$370,000. However, these revenues will be deducted from anticipated IGT funds.

The 3/17/16 meeting of the Central NY Delivery Systems Reform Incentive Payment (DSRIP) group was well attended with a good exchange of respective information. Drs. Manoj Vora and Shirley Tuttle-Malone were named co-directors of the clinics.

Legislator Chartrand reported a gain of \$203,309 for a year-to-date surplus of \$220,246. The auditors will present the 2015 financial statements later this month; and the County debt is \$3.3 million. Acute admissions have increased over the past three months being 3% above budget in February. February observation admissions were 30% over the budgeted level; swing-bed admissions were at an all-time high; and occupancy of the Skilled Nursing Facility was 94.9%. Emergency room visits were also over the budget target.

Legislator Chartrand reported although the program ended 3/31/2016, the facility secured an additional Vital Access Provider Assurance Program (VAPAP) allocation of \$650,000 earmarked in the 2016-2017 State budget. The three Rite Aid stores located in Carthage and Boonville are new participants of the 340-b pharmacy reimbursement program.

He announced the employee-of-the-month was custodial worker Kimberly Lyndaker; while congratulating cafeteria worker Judy Widrick as the 2015 employee-of-the-year.

Legislator Chartrand urges approval to create an Assistant Nursing Home Administrator with a salary range of \$97,680-\$100,080, explaining the position would be filled by an existing employee and is in line with the Hospital's succession planning. The Nursing Home Administrator is expected to retire in the near future. Also, to create a Chief Operating Officer position to be filled in-house. The position is budget neutral, due to consolidating job duties of three management personnel. The position will be re-assessed after one year.

The Board of Managers had amended and approved the employment agreement and salary for Chief Executive Officer Eric Burch.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Chartrand reported approval of an agreement with St. Joseph's Hospital for management assistance for Certified Home Health Agency services.

Legislator Chartrand concluded that none of the administrative or management positions would be filled until the hiring freeze is lifted.

In response to Legislator Moser's expressed concern for reduced clinic and physician office revenue by 20% and 11% respectively, Legislator Chartrand referenced appointment of the two medical clinic directors for closer monitoring of those operations.

Legislator Andrea Moroughan, Public Health / Community Services Committee Chair, reported that Public Health Director Penny Ingham was exploring options to replace software used to bill Medicaid for Pre-School services after the State notified the current software will not be compatible after 2017. The dental health registered nurse has been trained in fluoride varnish practice and will be presenting education sessions and tracking for evidence-based outcomes.

She reported that Penny Ingham had chaired the recent Regional Project Advisory Committee meeting encompassing representatives from six regional counties to share their views on the DSRIP process.

Legislator Moroughan reported a psychiatric nurse practitioner started on 3/7/16 at the Behavioral Health Clinic and a new psychiatrist will have office hours two days per week.

Lewis County was mentioned in the NYS Office of Mental Health annual report in the section: North Country Reinvestment and Planning Progress. Additional programs developed by Lewis County Local Government Unit are funded by the State Aid to Localities. The grant funds provide support for an Outreach Peer Advocate for support to community members who are at risk for hospitalization or emergency department utilization. The Advocate will assist access to services and provide support as they engage with treatment providers.

Legislator Moroughan reported the Suicide Prevention Coalition is coordinating with BOCES medical career students to organize a Walk-Run event at the fairgrounds on 5/14/16, with a theme of "Lighting Up the Dark". The purpose is to raise awareness of available resources to prevent suicide.

COUNTY MANAGER REPORT:

Liz Swearingin reported submission of the "chart of accounts" to Tyler-Munis for data entry. The core group will progress to the next phase to determine rules for system use. She anticipates implementing the system in the fourth quarter of 2016 for the general ledger, budgeting, purchasing, accounts payable, accounts receivable, contracts employment reimbursement and cash management. Payroll and Human Resources will be implemented in early 2017.

Liz expounded on Legislator Kulzer's WEX card report, stating that each County vehicle will be issued a WEX card and each employee will be assigned a PIN number that will enable

gasoline purchases at any vendor. The single bill will enable sorting by various categories. The WEX cards will initially be issued to County vehicles only within 2-3 weeks. If deemed efficient, all other existing users will be timely informed to register for WEX cards, or make other arrangements when the County tank is reverted to diesel.

She reported that 25 County personnel had attended supervisory training, and were impressed with the information provided.

Liz reported that she, Legislator Moroughan, CSB Chairman John Waterhouse and Vice-Chairman Douglas Ort had met with TLS Executive Director Stevie Kiggins and TLS Board Chairman Mike Lively. During their frank discussion, Mr. Lively indicated awareness of relayed concerns about mental health services in the County, that were further heightened by the untimely death of Dr. Camillo. Ms. Swearingin believes the open dialogue will enhance communications to assure continuation of expected level of services.

COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$250,000.00; Contingency Fund-\$475,000.00; Capital Data Processing Fund-\$134,594.65 and Capital Equipment Fund - \$484,465.98, of which \$166,265.58 is the Highway portion. She also reported January and February sales tax revenues of \$926,126.88, proportionately lower than budgeted. The current Hospital debt is \$3.3 million.

Ms. O'Brien stated the balance of the Internal Service Fund remains drastically below the recommended \$4 - \$6 million. She cautioned the need to consider raising premiums in the near future. Ms. Swearingin stated the recently approved changes could not be implemented until June, while citing high expenditures in the last two months.

In response to Legislator Dolhof, Ms. Swearingin stated there is no way to determine the exact cause, but historically gas purchases equate 20% of our sales tax revenue. Legislator Dolhof surmised the revenue receipts were partially impact by the poor snowmobile season.

SPECIAL REPORTS:

Chairman Tabolt had met with NYSAC and Adirondack Association of Towns and Villages representatives to discuss mutual interest for ATV Legislation. NYSAC officials had successfully lobbied the Western Inter-County Legislative Committee to adopt a similar resolution enacted by our Board urging State legislation to allow registration of heavier ATV's.

He reported Liz Swearingin had accompanied him at the maple tree tapping event with NYS Agriculture & Markets Commissioner Richard Ball.

The Chairman referenced several meetings he had attended in Albany, Utica and locally to discuss the Kraft Heinz expansion project and the financing thereof. He credited County Manager Liz Swearingin, Economic Development Director Eric Virkler and Planning Director

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Frank Pace for their assistance and coordinating efforts to further the project. The next respective meeting of the Village of Lowville Board will be held on 4/6/16.

Chairman Tabolt and Legislator Chartrand had attended the 3/31/16 seminar sponsored by the Tug Hill Commission. They each attended presentations by Mr. Robert Freeman on the Open Meetings Law. During discussion with Atty. McNichol, Mr. Freeman offered to make an educational presentation to the Board of Legislators, Board of Managers and any other interested municipal officials.

Chairman Tabolt relayed Liz Swearingin and Frank Pace continuing discussion with JCC representatives, who have indicated interest to offer local educational courses.

The Chairman acknowledged and thanked Legislators Dolhof and Chartrand and Clerk of the Board Teresa Clark for attending the 3/24/16 Inter-County Legislative Committee of the Adirondacks on his behalf. The meeting was held at Paul Smith's college, ironically Legislator Dolhof's alma mater.

The Municipal Electric & Gas Alliance (MEGA) has requested a Lewis County representative to serve on their Board. The commitment is to attend an annual meeting, the next to be held in Cooperstown on 4/22/16. The Alliance would assume the costs for any interested Legislator, who would support their mission to achieve the most competitive pricing for electricity and natural gas for its municipal members.

Chairman Tabolt relayed meeting with Habitat for Humanity representatives for assistance to identify a home or parcel of land for their next project.

Chairman Tabolt closed the public hearing at 6:46 p.m. for comments on the CDBG Housing Rehabilitation Grant.

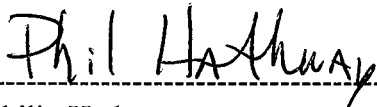
REPORT OF THE WAYS AND MEANS COMMITTEE:

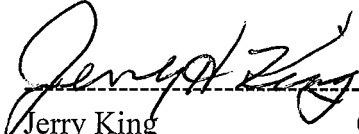
APRIL 5, 2016

**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 \$ 2,079,231.86 and recommend that they be audited and allowed for the amounts claimed.


Philip Hathway Chair


Jerry King Committee


Richard Chartrand Committee

Dated: April 5, 2016

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

**RESOLUTION NO. 122 - 2016
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 \$ 2,079,231.86 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 Chartrand, seconded by Legislator Hathway, and adopted by roll call vote:

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 123 - 2016
RESOLUTION SETTING DATE FOR OPENING OF THE LEWIS COUNTY ATV
TRAIL SYSTEM AND TRAIL PERMITS FOR THE 2016 SEASON**

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

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

WHEREAS, upon completion of its SEQR review, the Board of Legislators formally established the Lewis County Trail System (herein "Trail System") by adopting Local Law No. 2 – 2009, "**A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM**" (herein, "Local Law No. 2"); and

WHEREAS, both Local Law No. 2 and the Statement of Findings contemplated future amendments to the Trail System by Resolution of the Board of Legislators to modify the dates of the ATV season; and

WHEREAS, Local Law No. 5 – 2014 amended Local Law No. 2-2009 regarding the opening and closing of the Lewis County Trail System and the issuance of Trail Permits or Trail Passes during the "ATV Permit Season"; and further providing for the Board of Legislators to establish the dates of the ATV Permit season by resolution; and

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WHEREAS, the Recreation, Forestry and Parks Director has advised the Board of Legislators that because of the mild and relatively dry winter season, the majority of the ATV Trail System can be opened on April 11, 2016 instead of May 1, 2016; and requests that the ATV Season be declared open as of April 11, 2016 and continue through the Tuesday immediately following Columbus Day, 2016; and

WHEREAS, the Board of Legislators seeks to authorize this opening date.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby declares the opening of the 2016 Lewis County ATV Trail System and Season as of April 11, 2016.

Section 2. That the Director of Recreation, Forestry and Parks is further directed to close and/or not open any portions of the trail system she deems appropriate based upon the condition of the trail in any particular area.

Section 3. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 124 - 2016
FIXING DATE OF PUBLIC HEARING ON ADDITIONS
TO THE ATV TRAIL SYSTEM**

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

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on May 3, 2016, proposed additions to the Lewis County ATV Trail System pertaining to the following County parcels and private properties:

North Side of Cronk Road located in the Town of Pinckney;
East side of Fork Road & South side of Factory Road located in the Town of Montague;
East of the Culpepper Road located in the Town of Greig;

Grower Property located at 1888 Fitch Road, Boonville, NY;
Tug Hill Properties, LLC, located at 5226 Carpenter Road, Turin NY;
Great Lot Sportsman's Club Corp., located at 4277 Osceola Road, Town of Lewis

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on May 3, 2016 at 5:00 PM at the Lyons Falls Library, 3918 High Street, Lyons Falls, New York, for the

PROCEEDINGS OF THE BOARD OF LEGISLATORS

purpose of receiving public comment regarding the addition of certain Lewis County roads and privately owned properties to the Lewis County Trail System; and

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

Moved by Legislator Dolhof, seconded by Legislator King.

Legislator Dolhof made a motion to correct the Town for the parcel East of the Culpepper Road which is located in the Town of Montague, not the Town of Greig. The motion was seconded by Legislator Brennan and carried.

The resolution was then adopted.

**RESOLUTION NO. 125 - 2016
RESOLUTION AUTHORIZING AMENDMENT TO
INTERMUNICIPAL AGREEMENT BETWEEN
LEWIS COUNTY CODES DEPARTMENT AND THE TOWN OF LEWIS**

Introduced by Legislator Jerry King, Chairman of the Building Codes Committee.

WHEREAS, the Town of Lewis, hereinafter "Municipality", has enacted a zoning law or ordinance which regulates the use of land within said Municipality; and

WHEREAS, in order to administer these zoning laws or ordinances, applications and site plans need to be reviewed to determine compliance and it is also necessary to inspect the premises throughout construction; and

WHEREAS, General Municipal Law § 119-u [4](d) and in particular, Town Law § 284 [4](d) and Village Law § 7-741[4](d) authorize a Town or Village to enter into an inter-municipal agreement with a county to carry out all or a portion of the ministerial functions related to land use regulation within such Town or Village and to provide for a land use administration and enforcement program which may replace individual land use administration and enforcement programs, if any, the terms and conditions of which shall be set forth in such agreement; and

WHEREAS, by Resolution No. 84-2010, the Lewis County Board of Legislators authorized the Lewis County Codes Department to perform certain ministerial functions related to the permitting and inspection of properties within the Town of Lewis and to provide for the administration and enforcement of the Town's land use and zoning laws; and

WHEREAS, the Town of Lewis wishes to amend the Agreement and add a provision for the Lewis County Codes Department to perform administrative and enforcement functions with

respect to the Town of Lewis's Flood Plan Management duties and regulations as set forth in the National Flood Insurance Program published in part 60 of Chapter I of Title 44 of the code of Federal Regulations.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an amendment to the Inter-Municipal Agreement between the County of Lewis and the Town of Lewis for the Lewis County Codes Department to perform administrative and enforcement functions pertaining to the regulations of the Town of Lewis Flood Plan Management Program and the Federal Flood Regulations.

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

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

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

RESOLUTION NO. 126 - 2016
RESOLUTION TO APPROPRIATE FUNDS
COMMUNITY SERVICES

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the Community Services account for grant funds received from The Suicide Prevention Center of NY:

<u>Revenue</u>	
A16250 (SPC-NY)	\$3,500.00
<u>Expense</u>	
A4337.4999 (SPC-NY)	\$3,500.00

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

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

RESOLUTION NO. 127 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN ONEIDA-LEWIS
CHAPTER, NYSARC AND COMMUNITY SERVICES BOARD

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

WHEREAS, the Lewis County 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 Board of Legislators wishes to contract for Vocational Training services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with Oneida-Lewis Chapter, NYSARC for the purpose of provision of vocational training services for the term beginning January 1, 2016 and ending December 31, 2016, at a cost not to exceed \$ 99,432.00.

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

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

RESOLUTION NO. 128 - 2016
RESOLUTION AUTHORIZING CONTRACT BETWEEN
LEWIS COUNTY CLERK AND INFO QUICK SYSTEMS ("IQS")
FOR INTEGRATED COUNTY CLERK RECORDS MANAGEMENT
PUBLIC WEB SEARCH SYSTEM

Introduced by Legislator Philip Hathway, Chairman of the County Clerk Committee.

WHEREAS, the County of Lewis currently has a contract with Info Quick Systems ("IQS") that provides a computer system and related software to the Lewis County Clerk's Office to perform records management, which includes hardware, software, support and maintenance; and

WHEREAS, the Lewis County Clerk's Office currently utilizes digitized images for many public records; and

WHEREAS, the Lewis County Clerk is desirous of entering into a revenue sharing agreement with IQS for the provision of on-line record access; and

WHEREAS, IQS possesses the necessary skill and expertise to assist in this endeavor in furtherance of its current system; and

APRIL 5, 2016

WHEREAS, upon recommendation of the County Clerk, the Board of Legislators wishes to accept said contract.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the Agreement by and between the County of Lewis acting by and through the County Clerk, to enter into a revenue sharing agreement for the provision of record access on-line.

Section 2. That this is to commence on May 1, 2016 at the two following cost options: \$600.00 for a six (6) month subscription fee or \$15.00 for a thirty (30) minute session. In addition, there shall be a \$.65 per image printing charge. IQS will pay over to the Lewis County Clerk on a periodic basis 40% of all fees received under the new on-line 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, upon such form as may be approved by the County Attorney.

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

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

**RESOLUTION NO. 129 - 2016
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 the FY15 HazMat Grant:

A43052.5	FY15 HazMat CFDA#97.067	\$13,000.00
A3416.2912	FY15 HazMat CFDA#97.067	\$13,000.00

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

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

**RESOLUTION NO. 130 - 2016
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY GENERAL HOSPITAL BOARD OF MANAGERS**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 Marguerite R. Mastascusa of 7646 Collins Street, Lowville, New York 13367 as a member of the Board of Managers of the Lewis County General Hospital.

Section 2. That the term of said appointment shall commence April 6, 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. 131 - 2016
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 positions:

<u>TITLE</u>	<u>STATUS</u>
Chief Operating Officer	Full-time
Assistant Nursing Home Administrator	Full-time

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

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

Legislator Moser opposed and Legislator Hathway abstained.

**RESOLUTION NO. 132 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY HUMAN RESOURCES DEPARTMENT
AND WORKFORCE DEVELOPMENT INSTITUTE**

APRIL 5, 2016

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, the County of Lewis, by and through the Lewis County Human Resources Department entered 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 and education in 2016; and

WHEREAS, the Workforce Development Institute, Inc., (WDI) provides funding of up to \$7,840.00 to Contractors in support of supervisor training programs to assist organizations in retaining employees by providing for personal and professional growth; and

WHEREAS, the Lewis County Director of Human Resources applied for and was approved by WDI for \$7,840.00 in funding for supervisor training in 2016, in accordance with the terms and conditions set forth in WDI's Memorandum of Agreement. The funding covers reimbursement for 64 hours of training fees and expenses through CITEC, the training provider engaged by the County for supervisor training, with reimbursement to be paid by WDI after course completion and submission of documentation required under the terms of the Agreement; and

WHEREAS, the Board of Legislators wishes to accept such funding and enter into a Memorandum of Agreement with WDI.

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, by and through the Lewis County Human Resources Department, and Workforce Development Institute, Inc., (WDI) to accept funding up to \$7,840.00 to the County for its 2016 supervisor training fees and expenses provided through CITEC Business Solutions in 2016.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators and Director of Human Resources are 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 Fawcett, seconded by Legislator King, and adopted.

RESOLUTION NO. 133 - 2016
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS
INFORMATION TECHNOLOGY DEPARTMENT

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Craig Brennan, Chairman of the Information Technology Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget change is hereby approved in the Information Technology Department Account for the purchase of an IP Conference phone and system license, utilizing Capital Data Processing funds; balance \$ 134,594.65:

Increase Revenue:

A50310 (Inter-fund transfer)	\$1,302.94

Increase Expense:

A1680.2217 (Computers)	\$1,302.94

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

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

**RESOLUTION NO. 134 - 2016
RESOLUTION TO TRANSFER FUNDS
WAYS AND MEANS**

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 the Fund Balance to the Judgments & Claims account for court ordered payments:

<u>From:</u>	<u>Amount</u>
A599 (Fund Balance)	\$100,000.00

<u>To:</u>	
A1930.4999 (Judgments & Claims)	\$100,000.00

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

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

**RESOLUTION NO. 135 - 2016
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS
LAW DEPARTMENT**

APRIL 5, 2016

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

BE IT RESOLVED as follows:

Section 1. That the following budget changes are hereby approved to the Law Department account to purchase a new computer, utilizing Capital Data Processing funds HAE9901.9; balance \$ 134,594.65:

Increase Revenue:

A50310 (Inter-fund transfers) \$627.00

Increase Expense:

A1420.2217 (Computers) \$627.00

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

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

**RESOLUTION NO. 136 - 2016
RESOLUTION AUTHORIZING EXTENSION OF AGREEMENT BETWEEN
LEWIS COUNTY AND WLADIS LAW FIRM FOR PROFESSIONAL SERVICES**

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

WHEREAS, Lewis County had 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 had retained 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 may be extended through April 30, 2016, with the further option to extend through December 31, 2016; and

WHEREAS, the Board of Legislators had extended the agreement through April 30, 2016 pursuant to Resolution 171-2015; and now wishes to extend the agreement to August 31, 2016.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators had authorized 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.

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Section 2. That pursuant to Resolution No. 171-2015 said Agreement was 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 thereafter at a monthly fee rate of \$5,000.00; which Agreement had been extended through April 30, 2016 at a monthly fee rate of \$5,000.00.

Section 3. That the Board of Legislators hereby authorizes an extension of said Agreement with Wladis Law Firm through August 31, 2016 at a monthly fee rate of \$5,000.00.

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 King, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 137 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO OFFICE FOR THE AGING**

Introduced by Legislator Roscoe Fawcett, Jr. Chairman of the Office For Aging Committee.

WHEREAS, Office For Aging Director Brenda Bourgeois requests permission to increase the hours of the Principal Account Clerk in the Office For Aging office up to 40 hours per week; and

WHEREAS, the Board of Legislators wishes to approve said request.

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 the Principal Account Clerk to work up to 40 hours per week, as need, and approved by the Office For Aging Director, effective immediately.

Section 2. That the within resolution shall take effect April 6, 2016.

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

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RESOLUTION NO. 138 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE CENTER FOR COMMUNITY STUDIES AT
JEFFERSON COMMUNITY COLLEGE AND
LEWIS COUNTY BOARD OF LEGISLATURE

Introduced by Legislator Lawrence Dolhof, Chairman of Planning Committee.

WHEREAS, the Lewis County Board of Legislature 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 Watson in the year 2016. There were a total of 1,800 valid completed paper copies of surveys from adult taxpayers in the Town of Watson; and

WHEREAS, The Center For Community Studies at Jefferson Community College will compile, cleanse, analyze, and report out the results of the Town of Watson Comprehensive Planning Survey during the spring of 2016; and

WHEREAS, the Board of Legislators wishes to enter into an Agreement with The Center For Community Studies at Jefferson Community College and to provide fifty percent (50%) of the cost of the study, with the County's cost of same not to exceed \$2,000.00.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the Lewis County Legislature and The Center For Community Studies at Jefferson Community College for professional services in analyzing survey data that was collected by the Town of Watson in the year 2016 and to compile, cleanse, analyze, and report out the results.

Section 2. That the fee for these services is \$4,000.00. A deposit of \$2,000.00 has been paid by the Town of Watson, with the remaining \$2,000.00 to be paid by the Lewis County Planning Department payable upon receipt of the Final Report of Study Findings on or around May 31, 2016.

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. 139 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY AS
LEAD AGENCY AND BERGMANN ASSOCIATES TO ACT AS CONSULTANT AND

**PREPARE AND DELIVER THE FINAL IMPLEMENTATION STRATEGY DEFINED
WITHIN THE DEPARTMENT OF STATE'S WORK PLAN REQUIRED UNDER THE
NYSDOS BROWNFIELD OPPORTUNITIES AREA
IMPLEMENTATION STRATEGY GRANT (VILLAGE OF LYONS FALLS) - STEP 3**

Introduced by Lawrence Dolhof, Chairman of the Planning Committee.

WHEREAS, the 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 is the Project Manager under the NYSDOS Brownfield Opportunities Area Implementation Strategy grant for the Village of Lyons Falls, where the County is the lead agency and Grant recipient for the Project; and

WHEREAS, the County of Lewis ("County") is requesting consultant services of Bergmann Associates to provide consulting services and prepare and deliver a final implementation strategy to complete the scope of work required under the NYSDOS BOA Step 3 Grant; and

WHEREAS, Bergmann Associates has completed over two dozen BOA projects across the State and can ensure the deliverables required by NYSDOS and the Grant. Bergmann Associates has provided a detailed scope of work which includes project kick-off, capacity building, community participation, implementation strategy, environmental site assessment, implementation activities, completion, approval and distribution of BOA plan, a final BOA plan, SEQRA technical and administrative services and completion of all required NYSDOS reporting forms and reports, at a cost not to exceed \$420,800.00 from Grant funds; and

WHEREAS, the County seeks to enter into an agreement with Bergmann Associates for such consulting and implementation services to assist in completion of the scope of work required under the NYS DOS BOA Step 3 Grant; and

WHEREAS, the County agrees to advance compensation to Bergmann Associates for such services in accordance with the fee and task schedule attached to the scope of work, at a "not to exceed" cost of \$420,800.00. Bergmann Associates shall provide monthly invoices to both DANC and the County, with DANC validating such invoices with its reports; and

WHEREAS, the County agrees to enter into this agreement with Bergmann Associates and advance the compensation, with the County to be reimbursed for such compensation paid to Bergmann 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:

Section 1. That the Board of Legislators hereby approves an agreement between the County and Bergmann Associates to provide consulting and implementation services to assist in completion of the scope of work required under the NYSDOS BOA Step 3 Grant.

Section 2. That the term of this Agreement shall be from April 1, 2016 to December 31, 2017 at a cost not to exceed \$420,800.00, based upon the fee and task schedule attached to the scope of work.

Section 3. That the Board of Legislators hereby authorizes said agreement and the advance of said compensation to Bergmann Associates, with the County to receive reimbursement for monies advanced and paid to Bergmann Associates 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 Moser, seconded by Legislator Dolhof, and adopted.

RESOLUTION NO. 140 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AND
BIO-DEFENSE NETWORK

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

WHEREAS, the Lewis County Public Health wishes to enter into an Agreement with Bio-Defense Network, a Missouri Corporation with an address at 326 Dinsmoor Drive, Chesterfield, MO 63017; and

WHEREAS, Bio-Defense Network has agreed to provide consultant services for emergency preparedness training to Lewis County; and

WHEREAS, the Board of Legislators wishes to enter into such agreement.

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 Lewis County Public Health with Bio-Defense Network to provide consultant services for emergency preparedness training in Lewis County, at a cost not to exceed \$5,000.00.

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Section 2. That the term of this agreement shall commence on March 1, 2016 through approximately June 30, 2016, unless extended by mutual 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 Fawcett, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 141 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AND
FORT DRUM REGIONAL HEALTH PLANNING ORGANIZATION (FDRHPO)**

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

WHEREAS, the Lewis County Public Health wishes to enter into a Memorandum of Understanding with Fort Drum Regional Health Planning Organization (“FDRHPO”) to develop the 2016 Community Health Assessment and Community Health Improvement Plan to meet the New York State Department of Health and Internal Revenue Service requirements for the 2016 collaborative community health planning cycle in Jefferson, Lewis and St. Lawrence counties in Northern New York; and

WHEREAS, the Board of Legislators wishes to enter into such agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the Memorandum of Understanding with Fort Drum Regional Health Planning to develop the 2016 Community Health Assessment and Community Health Improvement Plan.

Section 2. That this Memorandum of Understanding is based on equality, reciprocity and mutual benefit, with no financial cost to the County.

Section 3. That the term of this agreement shall commence on or around March 31, 2016 and end on or before December 30, 2016.

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.

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

RESOLUTION NO. 142 - 2016
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS
REAL PROPERTY TAX OFFICE

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

BE IT RESOLVED as follows:

Section 1. That the following budget change is hereby approved in the Real Property Tax Department Account for the purchase of a 43” LED TV, Wall Mount, and Dell PC, utilizing Capital Data Processing funds: HAE9901.9 balance \$ 134,594.65:

Increase Revenue:

A50310 (Inter-fund transfer)	\$1,082.24

Increase Expense:

A1355.2217 (Computers)	\$1,082.24

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

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

RESOLUTION NO. 143 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE RECREATION, FORESTRY AND PARKS
DEPARTMENT

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

WHEREAS, Resolution No. 109-2016 adopted on March 1, 2016 authorized Recreation, Forestry & Parks Director Jackie Mahoney to hire Temporary full-time workers starting on April 18, 2016; and

WHEREAS, due to weather conditions that allows the Trail System to be opened at an earlier date this year, Director Jackie Mahoney has requested permission to hire the Temporary workers as soon as possible.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Recreation, Forestry and Parks Department, to allow

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Recreation, Forestry & Parks Director Jackie Mahoney to hire the Temporary seasonal workers effective April 6, 2016.

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

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

**RESOLUTION NO. 144 - 2016
RESOLUTION CREATING LABOR-MANAGEMENT
SAFETY COMMITTEE AND APPOINTING MEMBERS**

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

WHEREAS, a Labor-Management Safety Committee would provide a forum of communication between public officers and employees, to enhance health and safety procedures through regular review of actual occurrences, identifying hazards and promoting safety throughout the collective workplace operations.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby creates the Labor-Management Safety Committee, which shall encompass up to six (6) representatives from each, Management and Labor union employees. The labor representatives shall be recommendations from union Presidents.

Section 2. That the term of the appointments shall be for a period of two (2) years effective from April 6, 2016 through April 30, 2018.

Section 3. That the following individuals are hereby appointed to represent Management: Clerk of the Board/Workers' Compensation Administrator Teresa Clark, Human Resources Director James Swords, Sheriff Michael Carpinelli OR Undersheriff James Monnat, Highway Superintendent David Becker, DSS Commissioner Jennifer Jones and Lewis County Town Superintendent's Association Vice-President Tyler Jones.

Section 4. That the following individuals are hereby appointed to represent Labor: Kip Turck, Brenda Harwood, Tori Mashaw, Joyce Hodkinson and Edward Amelio.

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

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

**RESOLUTION NO. 145 - 2016
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 insurance recovery funds to repair a patrol car:

Increase Revenue:

A26800 (Ins Recovery)	\$4,800.88

Increase Expense:

A3110.4701 (Repairs)	\$4,800.88

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

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

**RESOLUTION NO. 146 - 2016
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 representing additional State Aid E911 funds:

Revenue

A31400 (State Aid E911)	\$179,053.00

Expense

A3020.2909 (E911 Equip)	\$179,053.00

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

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

RESOLUTION NO. 147 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS
AND THE NYS DIVISION OF HOMELAND SECURITY & EMERGENCY SERVICES
FOR A PUBLIC SAFETY ANSWERING POINTS GRANT

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

WHEREAS, the New York State Division of Homeland Security and Emergency Services, Office of Interoperable and Emergency Communications, has informed the Lewis County Emergency Management Office of approval of the grant application for an amount of \$179,053.00 to support the Lewis County Public Safety Answering Points (PSAP) system.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the Agreement between the County of Lewis and the New York State Division of Homeland Security and Emergency Services for a PSAP Grant in the amount of \$179,053.00, to support the operations of the Lewis County Public Safety Answering Point system.

Section 2. That the term of the Agreement is from January 1, 2016 to December 31, 2016.

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

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

RESOLUTION NO. 148 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT
AND FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR
INTEGRATED PUBLIC ALERT AND WARNING SYSTEM (IPAWS)

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

WHEREAS, the Lewis County Sheriff's Department desires to enter into a Memorandum of Agreement with Federal Emergency Management Agency (FEMA) for an Integrated Public Alert and Warning System (IPAWS) which will work in conjunction with the HYPER-Reach program; and

WHEREAS, IPAWS is a comprehensive, coordinated, integrated system that can be used by authorized public officials to deliver effective alert messages to the public. IPAWS uses multiple communication pathways to deliver life-saving messages. IPAWS message pathways

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include Broadcast TV and radio, cable, satellite TV and radio, mobile/cellular and wireless devices, signage and other emerging technology; and

WHEREAS, the Board of Legislators wishes to enter into such agreement.

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 Federal Emergency Management Agency (FEMA) for Integrated Public Alert and Warning System (IPAWS) to establish an agreement with FEMA and Lewis County for the use of the IPAWS program.

Section 2. That this is for the term beginning April 1, 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, upon such form as may be approved by the County Attorney.

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

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

**RESOLUTION NO. 149 - 2016
RESOLUTION AUTHORIZING AGREEMENT WITH
NEW YORK STATE CRIMINAL JUSTICE SERVICES
AND SHERIFF'S DEPARTMENT**

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

WHEREAS, the Sheriff's Department has received notification of grant approval from the NYS Division of Criminal Justice Services for funding in the amount of \$12,000.00 for the purchase of replacement firearms.

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 Criminal Justice Services in the amount of \$12,000.00, for the purchase of replacement firearms, for the grant period from 10/1/2015 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.

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

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

**RESOLUTION NO. 150 - 2016
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 for Reserve State Aid E911 funds:

<u>Revenue</u>	
A31400 (State Aid E911)	\$344,000.00
<u>Expense</u>	
A3020.2909 (E911 Equip)	\$340,000.00
A3020.2201 (Office Furniture)	\$ 4,000.00

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

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

**RESOLUTION NO. 151 - 2016
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS
SHERIFF'S DEPARTMENT**

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

BE IT RESOLVED as follows:

Section 1. That the following budget changes are hereby approved in the Sheriff's Department accounts for the purchase of 2 patrol vehicles, utilizing Capital Equipment Funds HAD9901.9 balance \$ 484,465.98:

<u>Appropriate:</u>	<u>Amount:</u>
A50310 (Inter-fund Transfer)	\$75,366.48

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A3110.2233 (Vehicles)

\$75,366.48

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

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

**RESOLUTION NO. 152 - 2016
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO JACQUELINE M. BEAGLE)**

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

WHEREAS, Jacqueline M. Beagle executed a Mortgage in favor of the County of Lewis dated May 12, 1994, and recorded in the Lewis County Clerk's Office on July 13, 1994, in Liber 409 of mortgages at Page 341 to secure payment of a loan in the amount of \$3,375.47 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 afore-described Mortgage.

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

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

**RESOLUTION NO. 153 - 2016
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO GARY AND JUDY CHRISTMAN)**

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

WHEREAS, Gary and Judy Christman executed a Mortgage in favor of the County of Lewis dated April 24, 1996, and recorded in the Lewis County Clerk's Office on April 24, 1996, in Liber 442 of mortgages at Page 232 to secure payment of a loan in the amount of \$11,800.00 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.

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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 aforementioned Mortgage.

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

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

**RESOLUTION NO. 154 - 2016
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO CHARLES COLONEY, JR.)**

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

WHEREAS, Charles Coloney, Jr. executed a Mortgage in favor of the County of Lewis dated January 30, 1996, and recorded in the Lewis County Clerk's Office on February 2, 1996, in Liber 438 of mortgages at Page 179 to secure payment of a loan in the amount of \$2,975.00 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 aforementioned Mortgage.

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

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

**RESOLUTION NO. 155 - 2016
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO NEIL COLTON)**

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

WHEREAS, Neil Colton executed a Mortgage in favor of the County of Lewis dated June 29, 1995, and recorded in the Lewis County Clerk's Office on July 6, 1995, in Liber 425 of mortgages at Page 112 to secure payment of a loan in the amount of \$14,999.00 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 aforementioned Mortgage.

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

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

**RESOLUTION NO. 156 - 2016
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO DOUGLAS J. AND KELLY J. NAGY)**

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

WHEREAS, Douglas J. and Kelly J. Nagy executed a Mortgage in favor of the County of Lewis dated August 4, 1998, and recorded in the Lewis County Clerk's Office on December 2, 1998, in Liber 513 of mortgages at Page 279 to secure payment of a loan in the amount of \$5,000.00 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 aforementioned Mortgage.

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

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

**RESOLUTION NO. 157 - 2016
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO JAY AND DENISE SEYMOUR)**

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

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WHEREAS, Jay and Denise Seymour executed a Mortgage in favor of the County of Lewis dated August 17, 1995, and recorded in the Lewis County Clerk's Office on August 18, 1995, in Liber 427 of mortgages at Page 267 to secure payment of a loan in the amount of \$13,252.00 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 Chartrand, seconded by Legislator Hathway, and adopted.

**RESOLUTION NO. 158 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, pursuant to Resolution No. 115-2016 adopted on March 1, 2016 the Board approved creation of a Full-time Sr. Account Clerk and authorized Commissioner of Social Services Jenny Jones to fill said position to replace a retiring employee; and

WHEREAS, after further consideration, Commissioner Jones requests creation of a Full-time Principal Account Clerk to replace retiring Sr. Account Clerk Steve Kennison, and thereby abolish one full-time Sr. Account Clerk position.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby abolishes one full-time Sr. Account Clerk position.

Section 2. 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>
Principal Account Clerk	Full-time	Grade 23 (\$19.05-\$20.59/hr.)

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Section 3. That Commissioner of Social Services Jennifer Jones is hereby authorized to fill said position effective immediately.

Section 4. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 159 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES**

Introduced by Legislator Roscoe Fawcett, Jr. Chairman of the Social Services Committee.

WHEREAS, Commissioner of Social Services Jennifer Jones requests permission to increase the hours of the Principal Social Welfare Examiner in the Social Services Department up to 40 hours per week; and

WHEREAS, the Board of Legislators wishes to approve said request.

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 Social Services Department, to allow the Principal Social Welfare Examiner to work up to 40 hours per week, effective immediately.

Section 2. That the within resolution shall take effect April 6, 2016.

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

**RESOLUTION NO. 160 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES
SUMMER YOUTH EMPLOYMENT PROGRAM**

Introduced by Legislator Roscoe Fawcett, Jr., 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:

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<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Summer Youth PINS Counselor (2)	Temporary Full-time June 27, 2016 to Aug. 19, 2016	\$12.50/hr.

Section 2. That Commissioner Jenny Jones is authorized to fill said positions for the period 6/27-8/19/16.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 161 - 2016
RESOLUTION TO TRANSFER/APPROPRIATE FUNDS
SOCIAL SERVICES**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation of revenues is hereby approved for transfer to the Social Services account for the purchase of an IP Conference phone and system license:

<u>Revenue</u>	
A50310 (Inter-fund)	\$ 325.74
A36100 State DSS Admin	\$ 325.74
A46100 Fed DSS Admin	\$ 651.46

<u>Expense:</u>	
A6010.2217 (Computers)	\$ 1,302.94

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

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

**RESOLUTION NO. 162 - 2016
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS
TREASURER'S OFFICE**

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 change is hereby approved in the Treasurer's Department Account for the purchase of monitors, utilizing Capital Data Processing; balance \$134,594.65:

Increase Revenue:

A50310 (Inter-fund transfer) \$1,200.00

Increase Expense:

A1325.2409 (Data Proc) \$1,200.00

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

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

**RESOLUTION NO. 163 - 2016
RESOLUTION RE-APPOINTING MEMBERS TO LEWIS COUNTY YOUTH BUREAU
ADVISORY BOARD**

Introduced by Legislator Roscoe Fawcett Jr., 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:

Ward Dailey
Community Member
2416 River Road
Port Leyden, NY 13433
376-5318

Michele Ledoux
Cooperative Extension of Lewis County
P.O. Box 72
Outer Stowe Street
Lowville, NY 13367
376-527

Chief Randy Roggie
Lowville Village Police Department
5535 Bostwick Street
Lowville, NY 13367
376-6511

Section 2. That the term of said appointments shall be effective May 1, 2016 through

PROCEEDINGS OF THE BOARD OF LEGISLATORS

June 30, 2018.

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

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

OTHER BUSINESS:

Legislator Hathway made a motion to change the location of the May 3, 2016 Board meeting to be held at the Lyons Falls Library, seconded by Legislator King. Chairman Tabolt announced plans to tour the Lyons Falls mill prior to the meeting at 4:00 p.m. and invited anyone interested to join him to tour the Storm Bailey Museum at 3:30 p.m.

Legislator Kulzer relayed concerns from parents of dance students who regularly use the library for lessons and were asked to cancel their May 3rd classes, especially considering their upcoming recital. He suggests a more appropriate location, rather than closing a business. He queried the reason to change the meeting location, invoking that public participation would be enhanced by changing the meeting time. Legislator Dolhof relayed that dance classes are sometimes cancelled due to bad weather, suggesting that two months was ample notice to change their date or time. Legislator Kulzer cited the inconvenience for anyone to change dates and times of events, noting the Board of Legislators is asking for the exception. Legislator Dolhof would respectfully expect that anyone with community spirit would accommodate the one-time change. Chairman Tabolt stated the intention for rotating the meeting location was a good will gesture to accommodate the general public. Legislator Kulzer reiterated his objection, suggesting the firehall as a meeting location rather than closing a business. Chairman Tabolt asked Legislators to inform him if their community would like to host a Board meeting. Legislator Chartrand assumed the library board had approved the meeting date and had informed the involved individuals. Legislator Dolhof stated the building was owned by the Village of Lyons Falls. The motion to change the meeting location was then carried. Legislator Kulzer was opposed.

Chairman Tabolt reported that all State Legislative representatives and officials had phoned to offer assistance in the wake of the April 1, 2016 closing announcement of the Climax Manufacturing plant.

Legislator Hathway commended Legislator Bryan Moser, County Manager Liz Swearingin, County Attorney Joan McNichol and District Attorney Leanne Moser for being recent news media "Cover People"; and/or being featured in a State publication.

Legislator King invited Legislators to a Southern Lewis County Water Study meeting to be held at the Port Leyden Firehall on 5/12/16.

Clerk of the Board Teresa Clark read proclamations whereby Chairman Tabolt had declared the month of April as "Fair Housing Month" and "Child Abuse Prevention Month".

The Chairman had re-appointed Carl S. Golas, Anne Merrill, Michele Ledoux, Glen Gagnier, Stevie Kiggins, Nichelle Billhardt, Douglas Hanno, Jacqueline Mahoney and Dan Salmon to the Comprehensive Economic Development Strategy Committee for a 2-year term from 5/1/2016 to 4/30/2018.

Legislator Brennan made a motion to enter executive session at 7:16 p.m. for an attorney/client privilege update on contractual negotiations; and to discuss the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person, seconded by Legislator Chartrand and carried. After a short recess, the session began at 7:26 p.m.

Legislator Brennan made a motion to authorize Chairman Tabolt to execute an amended Purchase Power Agreement with Greenskies, Inc., seconded by Legislator Dolhof and carried.

Legislator King made a motion to authorize the County Attorney to file an appeal to Supreme Court Judge Charles Merrell's recent decision in the matter of Deputy Sheriff Darrell Ortlieb vs. the County of Lewis. The motion was seconded by Legislator Moser. The motion carried. Legislators Brennan and Moroughan were opposed.

At 8:36 p.m. Legislator Hathway made a motion to re-enter regular session, seconded by Legislator Dolhof and carried.

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

REGULAR MEETING

May 3, 2016

The meeting was called to order at 5:25 p.m. by Chairman Michael A. Tabolt, at the Lyons Falls Library.

Roll Call: All Legislators were present, except Legislator Kulzer whom had been excused.

Father Chris Carrara offered the Invocation. Chairman Tabolt then led the Pledge of Allegiance to the Flag.

Chairman Tabolt expressed gratitude to the residents of Lyons Falls for hosting the meeting at their library, while apologizing to those who were inconvenienced. Historically, it is the first official Board of Legislators' meeting to be held outside of the Court House venue.

There were 25 persons present.

Chairman Tabolt declared the April 5, 2016 meeting minutes were approved.

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 3, 2016

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

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

PRIVILEGE OF THE FLOOR:

Lyons Falls Mayor Catherine Liendecker proudly welcomed the Legislators and County officials. The Village is uniquely located within the two townships of Leyden and Lyonsdale, likewise having two representatives. She thanked Legislators Fawcett and Dolhof for all their supporting efforts. Recognizing that no village is self-sufficient, she gratefully cited the partnerships with the Development Authority of the North Country, the Tug Hill Commission and the County for many accomplished projects, that otherwise would have been financially unattainable. The County assisted with the 2011 replacement of the Center Street Bridge, and grant funding garnered through Rural Development and Brownfield Opportunity Areas to enhance business and employment. She credited County Planning Department personnel for Lyons Falls being the only village in the North Country region to attain the Village Brownfield Designation Award. The award made them eligible for grant funds for an engineering water study project to provide water to the United Cerebral Palsy home to be built on Park Place that

will provide 15-20 additional jobs. On behalf of Lyons Falls, Ms. Liendecker thanked the partners for their collective assistance with the clean-up of the vacant mill site that will potentially become an asset for the Village and the County.

In closing, she recognized the inconvenience and thanked Kelly's Dance Academy for changing their schedule, while apologetic to the affected dance students and families. She also thanked the Library and Lyons Falls Alive groups for hosting the meeting and providing refreshments.

As the spokesperson and member of the site committee for Habitat for Humanity, Father Chris Carrara urged the Board to approve the removal of the proposed residential property from the delinquent tax auction, and convey it to their organization. He credited and termed Herb Swanson an excellent leader who reached out and garnered the support of County officials, local agencies and building contractors who have met several times over recent years. The Habitat for Humanity completed their last project in Lewis County about 15 years ago, and is pleased to return to assist with rehabilitating an existing home. They would ultimately convey the deed to selected occupants whom have been determined capable of sustaining the home.

In response to Chairman Tabolt, Father Carrara estimated the Habitat has about 25 members, and the designated committee will conduct fund raising events to finance the work and materials. Many people, including youth groups, have committed support to the project. The prospective family occupants, he said, are required to work a minimal number of hours on the home renovations.

In response to Legislator King, Father Carrara stated that upon conveyance of the property, the group will go forward with the project, anticipating one year for completion. The Habitat for Humanity Executive Director assured there were no financial concerns, stating they would apply for grants. If they are able to start in early spring, he would expect the family could move into the refurbished home by November. A contractor is used for roofing and structural repairs for safety reasons. The home would be deeded to the selected family with a mortgage just as any new owner would incur. The Habitat group is excited about the local support and are anxious to start the project.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Board acknowledged receipt of resolutions adopted by the following County Legislatures in New York:

Schoharie County calling upon the State Legislature to increase the share of revenue Counties retain for providing State DMV services;

Seneca County opposing the NYS Labor Commissioner's order to raise the minimum wage to \$15 an hour for employees of fast-food chain restaurants;

Livingston and Schoharie Counties calling on the State Legislature to fully reimburse counties for District Attorney salary increases set by the State; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Delaware County to solidify Veterans' rights when seeking non-VA care to provide a no-nonsense and clearly understood authorization system that ensures the veteran will not be billed for emergency services by non-VA care facilities or providers.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the Treasurer's April report; the 4/25/16 Solid Waste and Highway Audit Reports; and minutes of the 1/19/16 Public Health Services Advisory Committee and 4/20/16 Youth Advisory Board meetings.

The Treasurer and Real Property Tax Director have submitted approved reports for a refund of 2013 and 2014 real property taxes for Loren S. Boliver in the Town of Diana in the total amount of \$50.55.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway relayed being on the Board since 2009. He is the Ways and Means/Buildings and Grounds Committee Chairman. The committee has oversight of the County Clerk and Treasurer and makes recommendations to the Board on fiscal affairs, budgeting and borrowing, maintenance of buildings and grounds and County-owned farmland.

Union personnel, he said, have rescinded their voluntary offer to cover the County Clerk's temporarily extended DMV office hours from 7:30 a.m. – 4:30 p.m., that had been offered for the public's convenience. Therefore, effective May 9, 2016 the hours of business at the DMV will revert to 8:30 a.m. to 4:30 p.m.

Legislator Hathway reported meeting with local attorneys and realtors to listen to their objections to recently imposed on-line service fees, taking exception for "being singled out". The services have been provided free of charge for the last 5 years, which allows users on-line access to County Clerk property deeds and mortgage recordings, which formerly required on-site searches and related document copy fees. Linda Hoskins had notified the 27 local users of the impending annual fee of \$1,200.00 plus \$.65/copy. Considering that surrounding counties charge for the on-line service, the Board felt it reasonable to charge those that utilize the service rather than burden all taxpayers. The attorneys plan to propose an alternative plan to the committee. Legislator Hathway concluded that the County Clerk's office operates with a surplus, but the County's ability to recoup related revenues has been diminished in recent years.

The Committee approved the lowest of three bids to Alpine Fence to furnish and install outside hand rails at the road side entrance of the Social Services building.

As a result of an energy audit, the Committee approved energy efficiency lighting upgrades in the Records Storage Building, the cost of which will be recouped by savings over the next five years.

Maintenance personnel continue to mitigate workplace safety issues. The Highway garage abatement has been completed, but access is limited in the second floor break room until the floor has been painted and deemed safe.

Legislator Hathway reported that the Highway garage ceiling beams have tested positive for lead. Legislator Hathway made a motion to authorize a Request for Proposals (RFP) for sandblasting the beams to determine the appropriate corrective action, seconded by Legislator Chartrand and carried.

At the request of Trinity Episcopal Church representatives, the Committee had toured the building behind the church located adjacent to the Court House. Legislator Hathway said the committee plans to discuss the building, but has no recommendation at this time.

Legislator Hathway reported and credited County Attorney Joan McNichol for negotiating an amended favorable Purchase Power Agreement (PPA) with Greenskies for the solar array project. The agreement will equate savings of \$2.674 Million over the 20-year agreement, less the grid connector fees and the 25 percent savings allocated to the Hospital. Additionally, Atty. McNichol has forwarded the easement agreement to the adjacent property owner to allow tree removal. Planning Director Frank Pace has prepared a work plan relative to zoning for approval by the Lowville Village Board.

In response to Legislator queries, Legislator Hathway affirmed the estimated savings were based on the company's conservative and guaranteed pricing, but would likely be higher. The solar project is inclusive of the Block 3 funding. However, the grid connector costs cannot be determined by National Grid until they receive the required \$20,000 payment from Greenskies.

Legislator Hathway stated the committee will meet with the engineers and contractor to address questions about the retention pond at the DSS parking lot.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Employment and Training/Youth Bureau Committee Chairman, announced "May as Foster Parent Recognition Month". He publicly thanked and expressed appreciation to all local foster parents for opening their hearts and homes to children in need, without whom the program could not succeed.

Applications for the seasonal HEAP program will be accepted pursuant to income guidelines and a physician documented medical condition exasperated by extreme heat. Households with an air conditioner less than five years old will not be eligible.

The Workforce Development personnel assisted 462 persons during April, mostly impacted by the closure of the Climax Manufacturing plant. Their office will sponsor upcoming resume, mock interview and job fair preparation workshops; and will conduct a 5/24 job fair at the Lowville Firehall.

Legislator Fawcett made a motion to authorize refilling a full-time retiring Social Services Office Specialist effective 6/18/16, seconded by Legislator Moroughan and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Fawcett announced that Mary Molly Mallette has joined the Office For Aging staff as the Registered Dietician.

Legislator Fawcett reported that several local officials had participated in the annual “Mayors For Meals” event to enhance awareness for senior nutrition and support for the senior population. Legislators, one spouse and Advisory Council members assisted at five of the six meal site locations.

Legislator Fawcett reported that Office For Aging staff will participate in the 5/4/16 emergency preparedness training seminar. He invited everyone to a special Mother’s Day meal at any senior meal site on 5/9/16.

Legislator Fawcett announced that local senior citizen Joanie Davis will be among those honored at the 2016 New York Senior Citizens’ Day recognition event to be held in Albany. She was awarded the “Randy Streeter Senior of the Year Award” for demonstrating the power of making a difference through civic engagement.

Office For Aging and NY Connects staff will provide outreach at the 5/12 Mental Health Walk, and the 5/14 Suicide Prevention Walk/Run events. Also, Public Health staff will provide informational presentations at the senior meal site locations during May.

Legislator Fawcett announced that in recognition of June as Dairy Month, the Office For Aging will sponsor a tour and senior forum at Mercer’s Dairy on 6/1/16; and the Alzheimer’s Association will make a presentation on dementia on 6/8/16 at the Maple Ridge Center.

The Office For Aging and the NY Connects staff will provide outreach at the Lewis County Fair in July. Legislator Fawcett urged Legislators, Advisory Council Members or any interested person to volunteer to assist at their informational table and notify the Office for Aging of your interest by calling 376-5313.

Legislator Fawcett announced the Village of Port Leyden Mayor Heather Collins requested the Youth Bureau Advisory Board to advise of any ideas to promote youth recreation in their area.

In consideration of September 11, 2016 falling on a Sunday, the “National Night Out” event will be held on 9/8/2016 at the Lewis County Fairgrounds.

Legislator Fawcett announced that Advisory Board member Tyler Eddy, a Harrisville senior, was recently featured and honored in the Northern NY Living magazine as an Academic All-Star.

In conclusion, Legislator Fawcett stated the Youth Advisory Board would be considering six applications for available youth program funding.

Legislator Bryan Moser, representing District No. 4 encompassing the Town of New Bremen. As the County Officers/Junkyards/Veterans’ Services/ Human Resources Committee

Chairman, he reiterated first quarter benefit receipts by local veterans of \$148,000. There are 2,283 veterans that reside in Lewis County, equal to 10% of the overall population.

Legislator Moser relayed his committee also has general oversight of the junkyards, while noting the Junkyard Review Board meets bi-monthly to review license renewals and complaints.

Legislator Jerry King represents District No. 10 in the Towns of Leyden and Lewis. As the Courts and Law Enforcement, Probation, District Attorney/Fire & Emergency Management Director/Building Codes Committee Chairman, he reported the Sheriff has taken delivery of two new vehicles. The radio system, he said, continues to be tweaked to improve reception, and the coverage testing will be conducted when the tree foliage is in full bloom. Law enforcement and other personnel will be encouraged to transfer to other channels with dispatch calls, to lessen open conversations, as was experienced during the SNIRT Run.

Legislator Lawrence Dolhof represents the Towns of West Turin, Osceola, Montague, Pinckney and Harrisburg. As the Economic Development/Planning/Recreation, Forestry & Parks/ Insurance and Workers' Compensation Committee Chairman, he informed the EPA has declared the Lewis Dairy property an eligible funding site. The County would ask the Court to approve a "Temporary Incidents of Ownership" that would allow legal access to the property, while relieving the County of any financial responsibility. If deemed a viable property for sale, the NYSDEC would apply to the EPA for funds and would remove the 50-gallon drums. The EPA would conduct an environmental assessment estimated to cost \$100,000.

Legislator Dolhof reported the economic development marketing campaign that was formulated and designed by The Paige Group was publicly released, to be followed up in 2-3 weeks. The "Naturally Lewis" clips have been posted to the website at naturallylewis.com and were released to about 50 local and State-wide news media outlets.

The Sheriff's Department Parks & Recreation Coordinator Mike Leviker had distributed a statistical report on the SNIRT Run indicated there were 4,256 registered participants, while estimating a total of 7,000 people. There will be a follow-up meeting of all stakeholders to discuss the event on 5/5/16 at 10 a.m. at the Chamber of Commerce office, with a goal toward improving overall safety. There were 7 complaints, and 6 accidents, 5 which were caused by the dusty conditions. All police agencies had worked cooperatively. Parking was a problem due to an estimated 2,000 vehicles parked along the road and no available spaces by 8 a.m.

Legislator Dolhof further reported the Barnes Corners Sno-Pals have offered to donate a legal UTV to the Sheriff's Department, but Sheriff Carpinelli is concerned for the appearance of a conflict and would prefer the machine be donated directly to the County and then assigned to his department. County Atty. McNichol will follow up to determine the possibility of registering the donated machine to the Recreation, Forestry & Trails Department. Issues have been cited in the past that prevented the Sheriff's Department from directly accepting a dealer donated UTV.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

The IDA has closed on a Trinity Avenue land purchase within the Village of Lowville to house the expansion of BarkEater Craft Brewery, and has approved a sale leaseback agreement to finance equipment for the company.

Legislator Dolhof also reported outreach to over 15 related businesses to seek potential buyers of the closed Climax Manufacturing plant. The IDA's one-month equipment lease expires on 5/8/16.

On 4/22/16 Planning Director Frank Pace participated with instructor candidate interviews for the BOCES Education classes that will start in the fall. A group of school superintendents and business owners meet each month for continued discussion to define classroom programs that will best fit the regional employer needs.

The ReEnergy Biomass power plant has been placed off-line and is in standby mode due to financial losses caused by record low wholesale electricity prices. Employees were notified on 5/2/16, but layoffs are being avoided at this time through a NYS Department of Labor program that will allow employees to work 16 hours per week effective 5/9/16, while collecting partial unemployment benefits.

Legislator Dolhof reported distribution to Legislators of Director Eric Virkler's Reserved Funding report, highlighting an \$8,000 expense for a consultant analysis of a business park site; and \$50,000 expenditure for the Climax Manufacturing equipment lease.

The County Attorney, concluded Legislator Dolhof, continually receives Freedom of Information Law (FOIL) requests for a complete list of all ATV permit holders, as well as 3-day permit holders; and information that is required to obtain a permit.

Legislator Craig Brennan represents District No. 3 in the Town of Denmark and Northern Lowville. As the Taxation/Information Technology/Agriculture Committee Chairman, reported that IT Director Adam Zehr is working cooperatively with Mohawk Networks and the Development Authority of the North Country to provide internet service (15-50 megabytes) to non-served and under-served County residents.

Legislator Brennan also reported that Real Property Tax Director Candy Akin is working with Systems Development Group (SDG) for an on-line system that would convert and repurpose the RPS data to provide mapping and information searchable by various categories. It would replace the existing limited vendor service. SDG offers a farm sales search engine that would greatly enhance sales information to the assessment community, and particularly appropriate due to our vast proportionate agricultural land.

Legislator Brennan thanked Mayor Liendecker and the Lyons Falls Alive ladies for hosting today's meeting and providing refreshments.

As a member of the Transportation/Solid Waste Committee, Legislator Hathway reported that CHIP's State appropriations remain static at \$1.7 Million, with a one-time \$390,000

MAY 3, 2016

additional payment earmarked for cold mix on 11 miles, hot mix on 6 miles and surface treating 40 miles, which extends the road surface by five years.

Deputy Highway Superintendent Stan Samsa will be performing a quick test on all 90 of the county bridges to identify lead paint surfaces and establish a baseline for potential abatement.

Legislator Hathway reported that signs will be posted at the public land surrounding the Lowville transfer station to prohibit firearms and hunting, to enhance employee safety. Early indications are that residents are using clear bags and recycling volumes have dramatically increased.

Hamilton County hauls to the Rodman Landfill every day and travels back through Lowville with an empty truck. Director Pete Wood awaits a price quote from Hamilton County to haul Lewis County recyclables to the Oneida-Herkimer Solid Waste. Mr. Wood is also exploring the feasibility of an incinerator that would generate electricity from garbage.

Legislator Hathway made a motion to accept all Highway Department asphalt bids opened and recorded on 4/5/15 for the upcoming season, in accordance with the list on file with the Clerk of the Board, seconded by Legislator King and carried.

Legislator Hathway made a motion to authorize advertising for bids for a new tandem snowplow, with anticipated delivery in early 2017, seconded by Legislator Chartrand and carried.

Legislator Hathway made a motion to award the bid of \$69,635.00 to CEJJ, Inc. for a 50-yard Tandem Axle trailer mounted roll-off trailer. It was the only bid for the unique equipment. The motion was seconded by Legislator King. Legislator Hathway said the equipment is needed until the recycling plan is fully implemented. The motion then carried.

Legislator Richard Chartrand represents 98% of the Village of Lowville. As the Hospital Committee Chairman, he announced the Auxiliary is taking geranium orders at \$3.00/plant that will be delivered on 5/26 and 5/27/16 to the Fairgrounds. He relayed reports from Hospital CEO Eric Burch of no known restrictions on the \$6,580,000 Essential Health Care Provider Support Program for debt restructuring. A plan to utilize the approved \$550,000 Vital Access Provider Assurance Program (VAPAP) allocation will be submitted, primarily for operating room equipment and Legionnaires Disease preparedness. They anticipate receipt of 2014 and 2015 Nursing Home IGT funds of \$8 million by the end of the year. Mr. Burch is working with St. Joseph's Hospital on an integrated network that would allow a health code and a patient navigator. Also, Hospital CSEA union employees will be voting on 5/9/16 to consider the proposed agreement that includes retiree health insurance changes.

Legislator Chartrand relayed CFO Jeffrey Hellinger's report of a \$598,943 March gain, for a year-to-date surplus of \$819,189. The Skilled Nursing Home occupancy of 92.7% was slightly below projections and was the first decline in eight months, attributable to three deaths. There were 1,081 emergency room visits during March; 102 acute admissions and an all-time high of 77 observations. Out-patient visits of 7,528 represents equate an all-time high and 11%

PROCEEDINGS OF THE BOARD OF LEGISLATORS

above budget. Those leaving the emergency room without being treated totaled 19 in March, the lowest in three years. Clinic volumes have increased attributable to an enhanced scheduling and management template. Mr. Hellinger has submitted a request to the NYS Department of Health of \$5 Million for 2016-2017 needs; and continues to work on an overall facility transformation plan. Another VAPAP payment of \$405,000 is anticipated.

Legislator Chartrand announced and encouraged everyone to attend a recognition dinner for “Nurses of Distinction” to be held at Ridgeview Inn on 5/12/16.

Legislator Andrea Moroughan represents District No. 6 in the Town of Watson and Southern Lowville. As the Public Health/Community Services Committee Chairwoman, she reported the State had approved the County’s action plan for preparedness for a potential Zika virus outbreak. Public Health personnel are educating the local public, particularly community residents who have or are planning to travel to affected countries so they may make fully-informed travel decisions and plans. They are responsible to monitor anyone who may contract the Zika virus.

Legislator Moroughan announced that Public Health Emergency Preparedness Training would be held on 5/4/16 to include Legislators, County Department Heads, as well as Town and Village officials. Several rabies clinics are also scheduled during May, and everyone is encouraged to have their animals vaccinated.

Legislator Moroughan announced newly hired Public Health Specialist Meagan Kraeger for chronic disease education and planning.

Public Health has received approximately \$20,000 for Delivery Systems Reform Incentive Payment (DSRIP) planning during the first year that will offset chronic disease and County expenses.

Legislator Moroughan made a motion to authorize Penny Ingham to refill the Public Health Program Coordinator position due to the impending retirement of Ellon Grunert effective the end of May, seconded by Legislator Fawcett and carried.

Legislator Moroughan announced that the Northern Center for Independent Living is hosting a walk for wellness on 5/12/16 to recognize “May as Mental Health Month”; and the Suicide Coalition is hosting a “Light Up the Dark” 5K walk/run event on 5/14/16 at the Fairgrounds.

Community Services personnel had assisted Social Services workers in coordination with NYS Department of Labor and NYS Department of Health representatives with the rapid response for displaced Climax Manufacturing employees. Some local mental health providers made themselves available for the event.

Legislator Moroughan announced the Community Coalition and Mountain View Prevention Services are hosting a community forum on how “Addiction Does Not Discriminate”

this evening at the Lowville Town Hall Theater. Also, the Lewis County Suicide Coalition has been awarded a \$3,500 grant that will be used for education and awareness activities.

COUNTY MANAGER REPORT:

Liz Swearingin relayed being charged with oversight of 28 Department Heads and attendant operational budgets and reporting to 10 Legislators. Hospital CSEA union employees will be voting on a full renewal contract, while the general County government and Jail employees will vote on the retiree healthcare amendments only. Changes include the requirement for 20 years of service and to be 65 years of age to be eligible for retiree healthcare. A voluntary opt-out clause is offered for existing pre-65 aged retirees with an annual payment of \$8,000.00 paid to the retiree. Upon those persons reaching 65 years of age, the retiree may opt back into the County health insurance plan, with Medicare as primary coverage.

If the proposed terms are approved by union employees, the Board of Legislators has agreed to hold the health insurance premium at the current level for a period of six months following the date of approval.

Ms. Swearingin explained the County has implemented replacement of the finance, general ledger, payroll and human resource systems to include 21st century efficiencies. A core group of 10 employees are investing a great deal of time for planning, data development and entry to move the project forward, with an October-November “go live” date. To avoid simultaneous cutover of the new system with development of the 2017 County budget, the budget process will begin in June and be completed by September. The Board’s deliberations and votes will occur thereafter.

COUNTY TREASURER REPORT:

Treasurer Patricia O’Brien reported filing the New York State update financial document last week. She and Liz Swearingin had an exit interview with the auditors with no reported findings. The required final audit document will be completed by September.

Ms. O’Brien recited the balances of the Special Legislative Contingency Fund - \$250,000.00; Contingency Fund-\$475,000.00; Capital Data Processing Fund- \$130,064.96 and Capital Equipment Fund - \$242,850.60, of which \$166,265.58 is the Highway portion. She also reported first quarter sales tax revenues of \$2,013,397.38; and the current Hospital debt is \$3.2 million.

Ms. O’Brien stated the balance of the Internal Service Fund remains drastically low, while expressing optimism the approved changes to be implemented in June may have a favorable impact.

SPECIAL REPORT:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Chairman Tabolt acknowledged Legislator King for volunteering as the Board's representative on the Municipal Electric & Gas Association (MEGA) to attend their annual meeting recently held in Cooperstown.

He and Clerk of the Board Terry Clark had attended the Inter-County Legislative Committee of the Adirondacks' meeting in Saratoga County. Chairman Tabolt relayed the issues of mutual concern to this group are appropriately advocated by NYSAC representatives; ie. Urging State takeover of Indigent Defense costs; and to assume the substantial increased cost associated with the imposed District Attorney salary effective 4/1/2016. The individual counties and NYSAC continue to lobby the State to assume these mandated costs.

NYS Director of Outreach and Broadband Ana Rua had presented an informative update to the Inter-County group. Their next meeting will be hosted by Herkimer County on 5/26/16.

Chairman Tabolt informed his intent to participate in the Lobbying Day for Clean Energy on 5/10/16 in Albany. Organized tours to meet with State representatives provides a good opportunity to impress the vital importance and vie for support of our local Roaring Brook and Own Energy windmill projects, the ReEnergy plant, as well as the solar energy project.

He again urged Legislators to provide artifacts representative of their local communities to be placed in the Lewis County "Time Capsule" that will be buried at the Monument for Fort Drum Soldiers and uncovered in 50 years.

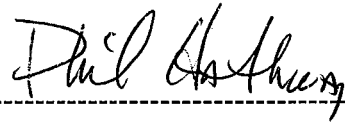
REPORT OF THE WAYS AND MEANS COMMITTEE:

MAY 3, 2016

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

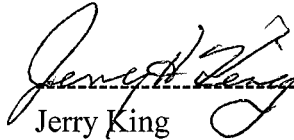
To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 938,175.13 and recommend that they be audited and allowed for the amounts claimed.



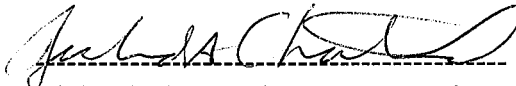
Philip Hathway

Chair



Jerry King

Committee



Richard Chartrand

Committee

Dated: May 3, 2016

Approved on motion by Legislator Moser, seconded by

Legislator Dolhof, and carried.

**RESOLUTION NO. 165 - 2016
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 \$ 938,175.13 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, Moroughan, Moser, Fawcett, and Tabolt.

NAYS: None

ABSENT: Kulzer

**RESOLUTION NO. 166 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND
DOLAN CONSTRUCTION**

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

WHEREAS, the County of Lewis County wishes to enter into an agreement with Dolan Construction with offices at 5053 Golden Road, Boonville, New York 13309 to replace a set of stairs leading up to the new Lewis County Courthouse between the Lewis County employee parking lot and the Episcopal Church on Trinity Avenue; 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 and Dolan Construction to replace a set of stairs leading up to the new Lewis County Courthouse between the Lewis County employee parking lot and the Episcopal Church on Trinity Avenue.

Section 2. That this project is to be completed by June 1, 2016 at a cost not to exceed \$3,000.00.

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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 Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 167 - 2016
RESOLUTION TO REQUEST INCREASED STATE FUNDING FOR AGENCIES
WHO SERVE THE DEVELOPMENTALLY DISABLED

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

WHEREAS private, non-profit agencies provide relatively low-cost services to people with developmental disabilities, both through in-home support and direct care in residential settings.

WHEREAS state leaders are moving forward with plans to increase the minimum wage for upstate New York to \$9.70 by the end of this year, then continue to increase by 70 cents each year after, until \$12.50 per hour is reached by December 31, 2020.

WHEREAS non-profit agencies that service New Yorkers with developmental disabilities will need to significantly increase their payrolls to keep their direct service professionals at or above the minimum wage level and provide higher-salaried employees with commensurate increases. That would likely require such agencies to either increase revenues or make cuts in staff and /or services, which could negatively impact individuals with developmental disabilities and put more of a burden on families. That could also reduce such agencies' ability to accept referrals and provide services to the ever-increasing population of New Yorkers diagnosed with autism spectrum disorder and other developmental disabilities.

WHEREAS such non-profit agencies are primarily dependent on state funding to offset the cost of services and, unlike private businesses or government entities, are unable to raise prices, taxes or surcharges to offset any expected increase in employee-related costs.

NOW, THEREFORE, BE IT RESOLVED that the Lewis County Board of Legislators request ongoing increases in State funding for private, non-profit agencies that provide services to the developmentally disabled to offset the expected increases in salary stemming from impending minimum wage hikes. Services for the developmentally disabled must not be diminished as an unintended consequence of State leaders' desire for all New Yorkers to earn a living wage.

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

RESOLUTION NO. 168 - 2016
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 2016 budget changes are hereby approved in the Non-Departmental account, utilizing 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.

RESOLUTION NO. 169 - 2016
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 budget change is hereby approved in the Community Services Accounts for the Suicide Prevention Walk, utilizing proceeds from T83 MH Memorial Savings:

<u>Appropriate:</u>		<u>Amount:</u>
A4335.4407	Supplies	\$219.93
A16201	Mental Health Fees	\$219.93

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

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

MAY 3, 2016

**RESOLUTION NO. 170 - 2016
RESOLUTION TO SET FEE FOR
PASSPORT OR PISTOL PERMIT PHOTOS
PROVIDED BY THE LEWIS COUNTY CLERK'S OFFICE**

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

WHEREAS, the County recently purchased equipment for the County Clerk's office to enable offering the option and convenience of taking pictures for customers who need photos for their passport and/or pistol license applications, for which the customer would be otherwise required to provide a photo; and

WHEREAS, the Board of Legislators wishes to extend the option and convenience to any customer.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby establishes a fee of \$10.00 for two (2) photos as required for either a passport and/or pistol license applications, and authorizes the Lewis County Clerk to collect said fee.

Section 2. That the established photo fee shall take effect immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator King.

Legislator Brennan relayed a complaint from a business photography owner, who was dismayed with the Board's decision to take trade away from existing businesses. "We should not compete with our local businesses", he stated.

Legislator Hathway reported the County Clerk averages a total of 130 passports and 130 pistol license applications annually, each requiring photographs. The intent is to offer constituents a choice and the convenience of getting the photo taken at the County Clerk's office. He submits the numbers are minimal and would not make a very big impact on any one business. Legislator Chartrand opined the County is not going to advertise the availability of photos, but will be available as a convenience. He suspects that some persons would choose a higher quality photograph, particularly for their passport. He concluded the discretionary convenience outweighs the nominal impact to any one business.

Legislator Brennan reiterated his objection for the County to compete with existing businesses, believing it's only a matter of time that the public becomes aware of the lesser photo cost option. However, there was no support for Legislator Dolhof's suggestion to increase the County photo fee. Legislator Brennan asserted that applicants are aware of the photo requirement and the onus is on them to submit all relative required documents. He termed the

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initiative an “Unfair practice” against existing businesses. Legislator Moroughan expressed support for the convenience and courtesy to constituents at the proposed fee.

Legislator Chartrand called the question, seconded by Legislator Hathway.

The resolution was adopted by a vote of 7 to 2, with Legislators Moser and Brennan opposed; and one absentee.

**RESOLUTION NO. 171 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO COUNTY CLERK**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the County Clerk’s Department, to create the following temporary position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Student Worker	Temporary (Up to 35 hours/week)	\$9.00/hr.

Section 2. That County Clerk Linda Hoskins is hereby authorized to fill said temporary position effective May 1, 2016 through September 30, 2016

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 172 - 2016
RESOLUTION CALLING ON THE STATE LEGISLATURE AND GOVERNOR TO
PASS A CHAPTER AMENDMENT TO THE 2016-17 STATE BUDGET TO REQUIRE
THE STATE TO PAY THE COSTS OF THE STATE MANDATED DISTRICT
ATTORNEY PAY INCREASE**

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

WHEREAS, on December 24, 2015, the New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increases to the salaries of state judges in 2016 and 2018. The recommended increase placed Supreme Court judges’ salaries at \$193,000 in 2016 and \$203,000 in 2018, and placed County Court judges’ salaries at 95% of a

Supreme Court Judge's salary. Without objection by the State, the recommendations became law on April 1, 2016; and

WHEREAS, State Judiciary law 183-a links judicial salaries with county district attorneys' (DA) salaries. For Lewis County, the full time DA salary must be equal to the County Court Judge's salary. Under the April 1, 2016 increase in the County Court Judge's salary to \$183,350, the County is required to pay an increase in salary for the DA from \$152,500 to \$183,350; an increase of \$30,850; and

WHEREAS, for over 50 years, the State has paid for every mandated DA salary increase through the State Budget. On April 1, 2016 the State adopted a budget and failed to include the approximately \$1.6 million cost to counties to fund the DA salary increases, once again shifting another unfunded, mandated cost to the counties; and

WHEREAS, this additional unfunded mandated cost was not allocated by the County in its 2016 budget, and will negatively impact the County's allowable tax cap growth under the state-imposed 2% property tax cap; and

WHEREAS, with this unfunded mandate, together with the expansion of eligible persons for legal services mandated by the State, Lewis County will be forced to spend all of its tax cap on these additional unfunded State costs; and

WHEREAS, this continued habit by the State to pass along *unfunded mandated* costs to the Counties must be rectified. The State should immediately pass a chapter amendment to the 2016-17 State Budget that would require the state to pay the costs of mandated district attorney pay increases.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby records its opposition to the State's 2016-17 State Budget which raised the salary of county elected full-time DAs effective April 1, 2016 and failed to fund the increase, thereby passing another unfunded state mandate onto the local counties and taxpayers for a cost the State has historically funded.

Section 2. The Board of Legislators calls upon the State Legislature and Governor to fix this oversight and error by passing a chapter amendment to the 2016-17 State Budget that requires the State to reimburse the County for the pay increase for full time DAs effective April 1, 2016, and requires the State to pay the costs of this mandated increase in DA salaries going forward.

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, John F. Flanagan, Temporary President of the NYS Senate, and Carl E. Heastie, Speaker of the NYS Assembly.

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

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

**RESOLUTION NO. 173 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
DEPARTMENT OF HIGHWAYS/SOLID WASTE**

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation/Solid Waste Committee.

WHEREAS, the Highway/Solid Waste Part-time Clerk has submitted her intent to retire effective 6/10/2016; and

WHEREAS, the Committee has determined it appropriate and recommends creation of a Temporary Part-time Clerk for a period of up to one year, pending review to determine the need for the position beyond that period; and

WHEREAS, the Committee also recommends that the existing Permanent Part-time Clerk position shall not be abolished.

NOW, THEREFORE, BE IT RESOLVED as follows:

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

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Clerk	Temporary Part-Time (Up to 1 year) (Up to 34 hrs per payroll period)	Grade C7 (\$13.00-\$14.05/hr.)

Section 2. That Highway Superintendent David Becker and Solid Waste Director Pete Wood are hereby authorized to fill said position in accordance with Civil Service regulations, effective June 10, 2016.

Section 3. That the existing Permanent Part-time Clerk position shall not be abolished, but will not be filled, unless or until a need is determined and approved by the Board of Legislators.

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

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

MAY 3, 2016

**RESOLUTION NO. 174 - 2016
RESOLUTION TO APPROPRIATE FUNDS
TRANSPORTATION DEPARTMENT**

Introduced by Legislator Gregory Kulzer, 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 payment for the John Deere Loader, utilizing Capital Equipment funds; balance \$409,116.18:

Increase Revenue:

DM50310 \$29,051.60

Increase Expense:

DM5130.2233 \$29,051.60

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

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

**RESOLUTION NO. 175 - 2016
RESOLUTION AMENDING RESOLUTION NO. 130-2016
APPOINTING MEMBER TO
LEWIS COUNTY GENERAL HOSPITAL
BOARD OF MANAGERS**

Introduced by Legislator Richard Chartrand, Chairman of the Hospital Committee.

WHEREAS, Timothy Reagan had resigned from the Board of Managers of the Lewis County General Hospital with a term to expire on December 31, 2017; and

WHEREAS, Resolution No. 130-2016 appointing Marguerite R. Mastascusa to the Board of Managers of the Lewis County General Hospital was meant to fill the un-expired term of Timothy Reagan; and

WHEREAS, said appointment was incorrectly noted to expire on December 31, 2020.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That Resolution 130-2016 is hereby amended to appoint Marguerite R. Mastascusa of 7646 Collins Street, Lowville, New York 13367 as a member of the Board of Managers of the Lewis County General Hospital, to fill the un-expired term of Timothy Reagan with said term to expire on December 31, 2017.

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Section 2. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 176 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN EVO-GOV, INC. AND
THE COUNTY OF LEWIS**

Introduced by Legislator Craig Brennan, Chairman of the Information Technology Committee.

WHEREAS, EvoGov, Inc. is a technology firm based in Denver, Colorado that specializes in creating websites and online applications for local government agencies, member associations, utility companies, and non-profits; and

WHEREAS, the County of Lewis desires to enter into an Agreement with EvoGov, Inc. to re-design the Lewis County website. EvoGov, Inc. will build and implement a new website design and integrate a Content Management System for a one-time fee of \$14,800.00 plus hosting and maintenance service fees of \$2,000.00 for the first year; and

WHEREAS, the Board of Legislatures wishes to accept such agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis and EvoGov, Inc. to re-design the Lewis County website at a cost not to exceed \$16,800.00, to include hosting and maintenance services for the first year.

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

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

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

**RESOLUTION NO. 177 - 2016
RESOLUTION APPROVING INCREASE IN WEEKLY HOURS OF NUTRITION
SERVICES COORDINATOR / REGISTERED DIETICIAN IN OFFICE FOR AGING
(OFA) AND AUTHORIZING A MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN THE COUNTY OF LEWIS AND
LEWIS COUNTY GENERAL HOSPITAL FOR REGISTERED DIETICIAN'S PER
DIEM HOURLY SERVICES**

MAY 3, 2016

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, the Lewis County Office for the Aging employs the services of a Nutrition Services Coordinator / Registered Dietician as a full time employee for 35 hours per week. The Board of Legislators seeks to increase the hours of the Nutrition Services Coordinator / Registered Dietician for up to 40 hours per week, with no more than 8 hours per day of work; and

WHEREAS, the Lewis County General Hospital seeks to have the assistance of the services of the Registered Dietician from OFA for up to five (5) hours per week, provided that the Registered Dietician does not work more than 8 hours per day for OFA and LCGH combined; and

WHEREAS, the County and LCGH seek to enter into a Memorandum of Understanding (MOU) to reflect their understanding of the Registered Dietician from OFA providing assistance to the LCGH for up to five (5) hours per week, and with the LCGH reimbursing the County the hourly salary and benefit expenses of the Registered Dietician for the per diem time worked at the LCGH;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an increase in weekly hours of the OFA Nutrition Services Coordinator / Registered Dietician from 35 hours up to 40 hours, as needed, with no more than 8 hours per day of work.

Section 2. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Understanding to be entered between the County and LCGH, wherein the County and LCGH agree that the Registered Dietician from OFA will provide the LCGH with up to five (5) hours per week of service at the Hospital, and with the LCGH to provide compensation reimbursement to the County on a monthly basis, including her hourly gross salary and benefits for the number of hours worked at the hospital, together with such other relevant provisions to give effect to same.

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 said Memorandum of Understanding, upon approval of the County Attorney.

Section 4. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 178 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
OFFICE FOR THE AGING AND
CROGHAN ADULT CARE FACILITY, LLC

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Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Office For The Aging Committee.

WHEREAS, the County of Lewis, by and through the Office for the Aging wishes to enter into an Agreement with Croghan Adult Care Facility, LLC, located at 9837 Main Street, Croghan, New York 13327, for the purpose of Social Adult Day Services (“SADS”); and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the Agreement between the County of Lewis, by and through the Lewis County Office For the Aging and Croghan Adult Care Facility, LLC for the purpose of Social Adult Day Services.

Section 2. That this is for the term commencing on May 4, 2016 and terminating on December 31, 2016 at the cost of \$8.50 per hour for all levels of care including a meal when four (4) or more hours of service is provided. 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 Moroughan, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 179 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
NYS DIVISION OF CRIMINAL JUSTICE SERVICES
AND PROBATION DEPARTMENT FOR
PRE-TRIAL RELEASE/ALTERNATIVES TO INCARCERATION**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Probation Department, and the NYS Division of Criminal Justice Services for a Pre-Trial Release Program/Alternatives to Incarceration in the amount of \$1,714.00.

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Section 2. That said Agreement shall be in effect from July 1, 2016 through June 30, 2017.

Section 3. That the Chairman, or Vice-Chairman, is hereby authorized to execute and deliver said Agreement.

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

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

RESOLUTION NO. 180 - 2016
RESOLUTION AUTHORIZING AMENDMENT TO CONTRACT
WITH THE COUNTY OF LEWIS AND NEW YORK STATE
OFFICE OF INDIGENT LEGAL SERVICES
FOR EXTENSION OF GRANT DISTRIBUTION # 3

Introduced by Legislator Jerry King, Chairman of Courts and Law 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 received a grant award from the New York State Office of Indigent Legal Services in the amount of \$56,964 (“Distribution #3”), for the provision of funds to assist the County in improving the quality of indigent legal services provided for the term June 1, 2013 through May 31, 2016 and has received a one year extension of the term for distribution of these grant funds to May 31, 2017; and

WHEREAS, the Board of Legislators wishes to accept such extension agreement.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the amended contract by and between the County of Lewis and New York State Office of Indigent Legal Services that provided grant funds in the amount of \$56,964 to assist the County in improving the quality of indigent legal services provided under Distribution # 3, to extend the term for distribution of said funds under the Grant Work Plan through May 31, 2017.

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

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

Moved by Legislator Moser, seconded by Legislator Fawcett, and adopted

RESOLUTION NO. 181 - 2016
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 Lewis County Public Health Agency is charged with providing Public Health Outreach and Health Promotion Services, including such outreach and services for cancer programs in Lewis and Jefferson County; and

WHEREAS, the goal of the Cancer Services Outreach Program is to conduct outreach to priority populations and public education; and

WHEREAS, the Lewis County Public Health Agency works collaboratively with other agencies to provide such outreach services, and seeks to do so with Jefferson County Public Health Service to provide outreach services for the Cancer Services Program in Jefferson 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 the Cancer Services Program in Jefferson County. All services will be performed in accordance with the New York State Department of Health Cancer Services Program Contract, Work Plan and Cancer Services Program Operations Manual; 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 the Public Health Outreach and Health Promotion Services for the Cancer Services Program in Jefferson County.

Section 2. That this is for the period commencing May 4, 2016 through September 30, 2018 at the following costs with no local share:

May 4, 2016 through March 31, 2017	\$11,545.00
April 1, 2017 through March 31, 2018	\$12,847.00
April 1, 2018 through September 30, 2018	\$ 6,552.00

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.

MAY 3, 2016

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

RESOLUTION NO. 182 - 2016
RESOLUTION TO AUTHORIZE AN AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND
UNITED HEALTHCARE OF NEW YORK, INC.

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

WHEREAS, the County of Lewis (“County”), by and through the Lewis County Public Health Agency, desires to enter into a Medical Group Participation Agreement between United Healthcare of New York, Inc., Oxford Health Plans, Inc. and United Healthcare Insurance Company contracting on behalf of itself and the other entities that are United’s Affiliates (collectively referred to as “United”); and

WHEREAS, United contracts with physicians and other providers and provides health insurance billing for covered health care services, and maintains one or more networks of providers that are available to eligible and enrolled people receiving coverage from a health care service; and

WHEREAS, United wishes to arrange to make Lewis County’s services available to these eligible people; 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 hereby authorizes a Medical Group Participation Agreement between the County of Lewis, acting on behalf of the Lewis County Public Health Agency, and United that contracts with physicians and other providers for health care service and billing. United will arrange to make Lewis County’s services available to eligible and enrolled people receiving coverage from a health care service under United’s Affiliates, effective April 1, 2016.

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

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

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

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RESOLUTION NO. 183 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE 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. The Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Recreation, Forestry and Parks Department, to create the following temporary position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Forestry Crew Worker	Temporary Full-time	Grade 15 (\$15.52/hr.)

Section 2. That Director Jackie Mahoney is hereby authorized to fill said temporary position effective July 18 to August 19, 2016

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

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

RESOLUTION NO. 184 - 2016
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 using DWI Funds.

<u>Increase Revenues</u>	
A15890 (Sheriff-DWI)	\$ 781.70
<u>Increase Expense</u>	
A3111.1103 (OT)	\$ 751.99
A3111.1104 (Shift Diff)	\$ 29.71

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

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

**RESOLUTION NO. 185 - 2016
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 using a refund of a credit balance related to closing out the old credit card:

Increase Revenue

A22640 (Jail Fac - Other Govt's)	\$ 73.47

Increase Expense

A3150.4507 (Travel)	\$ 73.47

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

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

**RESOLUTION NO. 186 - 2016
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>
Deputy Sheriff	Full-time	Grade 22A (\$21.11-\$23.18/hr.)

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said position effective immediately.

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

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

RESOLUTION NO. 187 - 2016
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO SANDRA KROKOWSKI)

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

WHEREAS, Sandra Krokowski executed a Mortgage in favor of the County of Lewis dated February 13, 2004, and recorded in the Lewis County Clerk's Office on June 2, 2004, as Instrument No. 2004-01698, to secure payment of a loan in the amount of \$3,300.00 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 - 2016
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO MICHAEL MARTIN)

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

WHEREAS, Michael Martin executed a Mortgage in favor of the County of Lewis dated December 8, 2006, and recorded in the Lewis County Clerk's Office on October 26, 2007, as Instrument No. 2007-03657, to secure payment of a loan in the amount of \$6,580.00 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.

MAY 3, 2016

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

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

RESOLUTION NO. 189 - 2016
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO BRIAN J. STAIE AND SHERI L. STAIE)

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

WHEREAS, Brian J. Staie and Sheri L. Staie executed a Mortgage in favor of the County of Lewis dated September 6, 2007, and recorded in the Lewis County Clerk's Office on July 28, 2008, as Instrument No. 2008-003812 to secure payment of a loan in the amount of \$2,150.00 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 aforementioned Mortgage.

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

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

RESOLUTION NO. 190 - 2016
RESOLUTION AUTHORIZING AN AMENDED MEMORANDUM OF AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES
AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK, INC.

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services ("DSS") entered into a Memorandum of Agreement with Transitional Living Services of Northern New York, Inc. ("TLS") dated September 1, 2015 for TLS to provide the services of psychiatric and/or psychological evaluations of individuals receiving services from DSS for the term ending December 31, 2016; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, DSS and TLS wish to amend the agreement to address certain language revisions minor rate changes effective January 1, 2016 to December 31, 2016; 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 Amended Memorandum of Agreement with the County of Lewis, by and between Lewis County Department of Social Services and Transitional Living Services of Northern New York, Inc. with the language and rate changes for the purpose of purchasing the services of psychiatric and/or psychological evaluations of individuals receiving services from DSS from January 1, 2016 to December 31, 2016.

Section 2. The following amendments and rates for services provided shall be in effect from January 1, 2016 to December 31, 2016 at a cost not to exceed \$158.00 per psychiatric or psychological assessment; \$101.20 per clinical treatment; a rate of \$25.30 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 \$.54 cents per mile. The County share of said costs is 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, 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. 191 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
DEPARTMENT OF SOCIAL SERVICES AND
CORNELL COOPERATIVE EXTENSION
OF LEWIS COUNTY**

Introduced by Legislator Roscoe Fawcett, Jr., 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 provide 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, at a flat fee of \$500.00 per month, per family. Total payments under the agreement would not exceed \$60,000.00 per calendar year. The local share cost is 25%; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Department of Social Services and Cornell Cooperative Extension of Lewis County for the purpose of providing 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.

Section 2. That the term of this Agreement shall be from June 1, 2016 through May 31, 2017 at a flat fee of \$500.00 per month per family for all clients referred by DSS with an open case, with the total amount not to exceed \$60,000.00, 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 Moroughan, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 192 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
LEWIS COUNTY OPPORTUNITIES, INC. FOR
HOMELESS APARTMENT INITIATIVE**

Introduced by Legislator Roscoe Fawcett, Jr., 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

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 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.

Section 2. That the term of this Agreement shall be from June 1, 2016 through May 31, 2017 for an amount not to exceed \$19,920.00. The local share cost will depend upon Federal and State 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 said Agreement, pending approval by the County Attorney.

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

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

**RESOLUTION NO. 193 - 2016
RESOLUTION APPOINTING MEMBER TO
TRAFFIC SAFETY BOARD**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Jonathan Bush of 8420 State Route 812, Lowville, New York 13367 as a member of the Lewis County Traffic Safety Board.

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Section 2. That the term of said appointment shall be effective from May 4, 2016 through December 31, 2018.

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

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

RESOLUTION NO. 194 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND WWNY 7 NEWS / FOX 28
FOR THE LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM
ADVERTISING CAMPAIGN

Introduced by Legislator Lawrence 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 WWNY 7 News / Fox 28 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 280 commercials on WWNY (CBS) and WNYF (Fox 28) television stations and coming this fall, a third station ME TV, website pre-rolls and banner advertisements on WWNYTV.COM, and a mobile application sponsorship, at a total cost not to exceed \$19,940.00; 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 WWNY 7 News / Fox 28 for an integrated media plan designed to promote and serve the Lewis County Public Transportation System.

Section 2. That the advertising plan and schedule, at a cost not to exceed \$19,940.00, will run from May 2, 2016 through December 11, 2016, and shall include but not be limited to, at least 280 commercials, website pre-rolls and banner advertisements on WWNYTV.COM, and a mobile application sponsorship.

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 Fawcett, and adopted.

RESOLUTION NO. 195 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND THE FLACK BROADCASTING GROUP, LLC
FOR THE LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM
RADIO STATION ADVERTISING CAMPAIGN

Introduced by Legislator Lawrence 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 The Flack Broadcasting Group, LLC for advertisements on the radio stations WBRV, the Moose and WLLG, the Blizzard to serve and promote public transportation services throughout Lewis County; and

WHEREAS, the advertisements will consist of 192 thirty (30) second commercials for one year; 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 The Flack Broadcasting Group, LLC for advertisements on radio stations WBRV, the Moose and WLLG, the Blizzard to serve and promote public transportation services throughout Lewis County.

Section 2. That the commercials, at a cost not to exceed \$1,950.00, shall include 192 thirty (30) second commercials for one year.

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 Moser, and adopted.

MAY 3, 2016

RESOLUTION NO. 196 - 2016
RESOLUTION AUTHORIZING AN AMENDED FINANCIAL TERM SHEET FOR
PAYMENT IN LIEU OF TAX AGREEMENT (PILOT)
BY AND AMONG THE COUNTY OF LEWIS INDUSTRIAL DEVELOPMENT
AGENCY (IDA), PPM ROARING BROOK LLC (COMPANY), AND THE AFFECTED
TAXING JURISDICTIONS (COUNTY OF LEWIS, TOWN OF MARTINSBURG AND
LOWVILLE CENTRAL SCHOOL DISTRICT) FOR THE ROARING BROOK WIND
FARM PROJECT

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

WHEREAS, PPM ROARING BROOK, LLC, an affiliate of Iberdrola (the “Company”) entered into a PAYMENT IN LIEU OF TAX AGREEMENT (PILOT) with the County of Lewis Industrial Development Agency (IDA) and the affected tax jurisdictions, i.e., the County of Lewis, the Town of Martinsburg and the Lowville Central School District, dated November 12, 2012 for the installation and acquisition of up to an 80.0 megawatts (MW) wind turbine project in the Town of Martinsburg known as the ROARING BROOK WIND FARM PROJECT; and

WHEREAS, the Company seeks to renegotiate the financial terms of the Pilot Agreement in order to better position itself for funding so that the Project can move forward; and

WHEREAS, the affected tax jurisdictions and IDA have met with representatives of the Company to discuss and negotiate amendments to the financial terms of the PILOT; said terms including but not limited to a base annual PILOT payment of \$8,000 per MW for thirty (30) year payments; an escalator increase to the base payment of 10% in five-year increments commencing with the sixth PILOT payment; an increase in the base PILOT payment of 2% per year commencing with the 21st year; and an additional incentive payment of \$400 per MW in any calendar year where the average annual real-time locational based marginal price for electricity in Zone E is in excess of \$45 per MWh; all as more fully set forth in the proposed Financial Term Sheet; and

WHEREAS, the Board of Legislators seeks to accept said terms and enter into an Amended PILOT for this Project.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Roaring Brook Wind Farm Project Financial Term Sheet dated April 18, 2018 for inclusion in an amended PILOT Agreement by and among the County of Lewis, Lowville Central School District, Town of Martinsburg, County of Lewis IDA and PPM ROARING BROOK, LLC, or its successor.

Section 2. With the understanding that obtaining the approval of the respective taxing jurisdictions may require that certain terms of the original PILOT Agreement be modified, 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 inclusion of the renegotiated financial terms to the PILOT Agreement, provided that any such

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 3. That the within Resolution shall take effect immediately.

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

RESOLUTION NO. 197 - 2016
RESOLUTION AUTHORIZING APPOINTMENTS TO
JEFFERSON-LEWIS
WORKFORCE DEVELOPMENT BOARD

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Employment and Training Committee.

WHEREAS, the Workforce Investment Act of 1998, Public Law 105-220 requires that there be established a local Workforce Investment Board to oversee local job training services and activities; and

WHEREAS, Chapter 2, Section 117 (a)(b) of the Workforce Investment Act authorizes the establishment, membership and composition of the local Workforce Investment Board; and

WHEREAS, Chapter 2, Section 117 (c) of the Workforce Investment Act authorizes the appointment and certification for local Workforce Investment Board membership; and

WHEREAS, Article V of the Workforce Development Board By-Laws indicates the procedures for membership on the Board; and

WHEREAS, the Counties of Jefferson and Lewis seek to appoint individuals to the local Workforce Development Board who have interest and experience in the delivery of local workforce development services.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the appointment of the following individuals to serve as members of the Jefferson-Lewis Workforce Development Board:

Jefferson County

Robert Hageman, Jefferson County Administrator

Lynn Murray, Owner, Murcrest Farms

Carole McCoy, President, SUNY Jefferson

Stephen Todd, District Superintendent, BOCES

MAY 3, 2016

Section 2. That the term of said appointments shall be effective through June 30, 2016 to June 30, 2019.

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

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

**RESOLUTION NO. 198 - 2016
RESOLUTION TO APPROPRIATE FUNDS
COUNTY CLERK**

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 the County Clerk's Accounts to allow for the purchase of a camera and printer for passport and pistol license application photos. The equipment will be purchased through the revenue received for these services:

<u>Increase Revenue</u>	
A12550 (County Clerk Fees)	\$260.71
<u>Increase Expense</u>	
A1410.2211 (Office Equipment)	\$260.71

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

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

**RESOLUTION NO. 199 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN COUNTY OF LEWIS AND
THOUSAND ISLANDS AREA HABITAT FOR HUMANITY, INC. AND TRANSFER OF
DELINQUENT TAX FORECLOSED PARCEL FOR REHABILITATION UNDER
HABITAT FOR HUMANITY'S PROGRAM**

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

WHEREAS, Real Property Tax Law Section 1166 (RPTL §1166) authorizes the County, as a tax district, to sell and convey real property it acquires by virtue of a foreclosure proceeding brought pursuant to Article 11 of the RPTL upon approval by a majority of the governing body; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the County became vested with the title to real property known as 5877 High Street, Village of Constableville, Town of West Turin, New York (tax map parcel # 366.05-03-08.000) by judgement dated April 13, 2016, as a result of the County's tax foreclosure proceeding for delinquent taxes owing in 2013, 2014 and 2015; and

WHEREAS, the Thousand Islands Area Habitat for Humanity, Inc. ("HFH) is part of a global organization whose mission is to bring people together to build, renovate and repair homes through volunteers and supporters, in its vision to recognize that decent shelter is of importance to everyone and to every community; and

WHEREAS, the site committee of HFH seeks to have the County transfer the above parcel to HFH for one dollar (\$1.00), in order for HFH to rehabilitate and preserve the home, and provide the renovated home to a deserving family who will live in it and maintain it, and therein improve their shelter conditions as well as the local community's; and

WHEREAS, the Board of Legislators of the County of Lewis seeks to approve this transfer to HFH.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves and authorizes the transfer by Quitclaim Deed, of tax map parcel # 366.05-03-08.000, Town of West Turin, County of Lewis, to Thousand Islands Area Habitat for Humanity, Inc., for one dollar (\$1.00) and other valuable consideration to be set forth in a Contract for Sale hereby authorized to be drawn by the County Attorney.

Section 2. That the terms of said contract of sale and transfer shall include the obligation of the Thousand Islands Area Habitat for Humanity, Inc. to pay any and all real property taxes (General, School and Village) which become due on or after May 15, 2016.

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 and Deed upon the terms as may be approved by the Lewis County Attorney.

Section 4. That this Resolution shall take effect immediately.

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

In response to Legislator Dolhof, County Attorney Joan McNichol reported the relative back taxes for the three years, plus interest and penalties totaled \$6,430.67.

Chairman Tabolt reminded that Habitat's goal is to place viable occupants into the refurbished home, who are capable of sustaining the property.

The resolution was then adopted.

MAY 3, 2016

**RESOLUTION NO. 200 - 2016
FIXING DATE OF PUBLIC HEARING ON
ADDITIONS TO THE OF ATV TRAIL SYSTEM**

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

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on June 7, 2016, proposed additions to the Lewis County ATV Trail System pertaining to the following County parcels and private properties:

North Side of Cronk Road located in the Town of Pinckney;
East side of Fork Road & South side of Factory Road located in the Town of Montague;
East of the Culpepper Road located in the Town of Greig;

Grower Property located at 1888 Fitch Road, Boonville, NY;
Great Lot Sportsman's Club Corp., located at 4277 Osceola Road, Town of Lewis

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on June 7, 2016 at 5:00 PM at the County Courthouse, Second Floor Board of Legislators Chambers, 7660 N. State Street, Lowville, New York, for the purpose of receiving public comment regarding the addition of certain Lewis County roads and privately-owned properties to the Lewis County Trail System.

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

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

OTHER BUSINESS:

If the 5/9/16 union employee vote results in a majority approval of the health insurance changes, the Board will need to ratify the results as soon as possible. Accordingly, Legislator Dolhof made a motion to schedule a Special Meeting of the Board on Monday, May 16, 2016 at 11:00 a.m. in the Legislative chambers. The motion was seconded by Legislator Hathway and carried.

Legislator Brennan was pleased to report that the owner of Gambles had told him he had sold more ATV's in the two weeks prior to the SNIRT Run, than he typically sells in a six-month period. The regional dealer had also relayed the same was true for two other local dealers.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Clerk of the Board Teresa Clark read proclamations, whereby Chairman Tabolt had declared the month of May as “Mental Health Month” and “Foster Parent Recognition Month”, and the week of May 9-12, 2016 as “National Nursing Home Week”.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Brennan at 7:28 p.m., seconded by Legislator Dolhof and carried.

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**SPECIAL MEETING
May 16, 2016**

The meeting was called to order at 11:00a.m. by Chairman Michael A. Tabolt.

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

Chairman Tabolt offered the Invocation and then led the Pledge of Allegiance to the Flag.

There were 4 persons present.

Legislator Dolhof made a motion to waive the rules to allow action on late resolutions this morning, seconded by Legislator Fawcett and carried

REPORTS OF STANDING COMMITTEES:

Legislator Jerry King, Chairman of the Courts and Law Enforcement/Fire & Emergency Management Committee, reported that radio system upgrades are ongoing to improve interoperability between our neighboring counties that operate at the VHF level. Jefferson County plans to complete their radio upgrade project within the next two years. The VHF voice channel will be permanently patched to a new UHF frequency to enhance communications for Towns within Lewis County that continue to utilize VHF equipment. It will also offer a layer of redundancy in the event of catastrophic failure. The additional upgrades are within budgetary appropriations.

SPECIAL REPORT:

Chairman Tabolt informed that a representative of the Hudson-Black River Regulating District would meet locally with officials on May 18, 2016 at 12:30 p.m. to discuss the reapportionment of properties along the Black River. National Grid, he said, was granted an assessment reduction and, therefore, agreed to terminate their assessment challenge. However, the resulting impact for taxing jurisdictions must be considered.

RESOLUTIONS:

**RESOLUTION NO. 201 - 2016
FIXING DATE OF PUBLIC HEARING ON AN ADDITION
TO THE ATV TRAIL SYSTEM**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on May 16, 2016, another proposed addition to the Lewis County ATV Trail System pertaining to the following private property:

Tug Hill Properties, LLC, located at 5226 Carpenter Hill Road, Turin, New York.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on June 7, 2016 at 5:00 PM at the County Courthouse, Second Floor Board of Legislators Chambers, 7660 N. State Street, Lowville, New York, for the purpose of receiving public comment regarding the addition of certain Lewis County roads and Privately owned properties to the Lewis County Trail System; and

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

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

**RESOLUTION NO. 202 - 2016
RESOLUTION AUTHORIZING A LEASE AGREEMENT BETWEEN
NORTH COUNTRY TRANSITIONAL LIVING SERVICES, INC. AND
THE COUNTY OF LEWIS**

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

WHEREAS, the County of Lewis ("Tenant") desires to enter into a Lease Agreement with North Country Transitional Living Services, Inc. ("Landlord") for the purpose of leasing approximately 551 square feet of the building space known as Second Floor space, Suite E to be occupied at The Lowville Commons located at 7550 South State Street, Lowville, New York 13367; and

WHEREAS, such office space is intended to house the County Department of Community Services; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby approves a Lease Agreement between North Country Transitional Living Services, Inc. and the County of Lewis for the purpose of leasing approximately 551 square feet of the building space known as Second Floor space, Suite E to be

occupied at The Lowville Commons located at 7550 South State Street, Lowville, New York 13367 to house the County Department of Community Services, at a rental cost of \$550.00 per month including utilities, and such other provisions as may be 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, upon approval by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Moroughan.

In response to Legislator Kulzer, County Attorney Joan McNichol explained the lease was negotiated through 2019 with a six-month termination clause by either party.

The resolution was then adopted.

**RESOLUTION NO. 203 - 2016
RESOLUTION AUTHORIZING AND RATIFYING
AMENDMENTS TO CONTRACTS BETWEEN THE COUNTY OF LEWIS AND
LOCAL 825 OF THE CIVIL SERVICE
EMPLOYEES ASSOCIATION, INC.**

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

WHEREAS, the existing contracts between the County of Lewis ("County") and Local 825, Unit 7250-01 (Lewis County Unit) and Local 825 Unit 7250-03 (Lewis County Sheriff's Employee Unit) of the Civil Service Employee's Association ("CSEA") expire on December 31, 2017 and December 31, 2016, respectively; and

WHEREAS, the County and CSEA discussed proposed changes to the Health Plan provisions of each of the Collective Bargaining Agreements ("CBA"), to create a new tier of retiree health plan benefits and contributions for employees hired on or after the date of ratification of the proposed changes; and

WHEREAS, the County and CSEA executed a tentative agreement with respect to the proposed changes to the CBAs dated April 20, 2016, with CSEA having its members vote on the proposed changes to the CBAs on May 9, 2016; and

WHEREAS, the CSEA membership voted in favor of the proposed changes and the Lewis County Board of Legislators hereby seeks to ratify and approve the amendments to the CBAs as accepted by CSEA Local 825.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby ratifies and approves the changes to the Health Plan provisions of the current Collective Bargaining Agreements for the Lewis County Unit and the Lewis County Sheriff's Employees Unit, as memorialized in the Tentative Agreement dated April 20, 2016 and accepted by the CSEA Local 825 Unit 7250-01 and Unit 7250-03.

Section 2. That the Chairman, the Vice-Chairman, of the Board of Legislators be and the same is hereby authorized to make, execute, seal and deliver an amendment to the respective contracts between the County of Lewis and the Civil Service Employee's Association for each bargaining unit upon such form as may be approved by the County Attorney.

Section 3. That a copy of the final executed agreement be filed in the Office of the Clerk of the Board of Legislators; and that the County shall produce copies of such amendment to the contract for distribution to employees of the CSEA Local 825.

Section 4. That this resolution shall take effect immediately.

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

RESOLUTION NO. 204 - 2016
RESOLUTION PROVIDING COMMENT TO THE DEPARTMENT OF
CONSERVATION (DEC) ON THE PROPOSED AMENDMENTS TO THE EAST
BRANCH OF FISH CREEK RECREATION MANAGEMENT PLAN (RMP) IN LEWIS
COUNTY

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

WHEREAS, the New York State Department of Environmental Conservation (DEC) is accepting comments on proposed amendments to the Recreation Management Plan (RMP) for the East Branch of Fish Creek Conservation Easement and Adjoining State Lands in the Towns of Lewis, Martinsburg, Montague, Osceola and West Turin, Lewis County. Under the conservation easement, the DEC is charged with managing public access and recreation on the properties, and encourages comment in order to "build a solid foundation to support specific goals, objections and management actions"; and

WHEREAS, the proposed amendments to the 2013 RMP allow for establishment of a foot/ski trail, cross-country skiing, horseback riding, snowshoeing, and trail bicycling, and other recreational activities subject to applicable laws and regulations in specific areas, on certain named roads, and in certain corridors providing connectors to other areas; and

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WHEREAS, the proposed amendments fail to address and/or to consider All Terrain Vehicle (ATV) access for corridor connectors in Lewis County; a critical recreational activity for Lewis County residents, clubs, businesses and visitors to the region; and

WHEREAS, ATV trail riding is a popular and important recreational activity for Lewis County residents and visitors, and to the Lewis County economy; and

WHEREAS, the Lewis County Board of Legislators, through its Department of Recreation, Forestry and Parks and Department of Economic Development and Planning, seeks to provide comment to the DEC by the May 19, 2016 deadline, to suggest that the DEC include, address and provide ATV access for recreational corridor connectors it intends to establish in the RMP for the East Branch of Fish Creek Lands and Adjoining State Lands in the Towns of Lewis, Martinsburg, Montague, Osceola and West Turin, Lewis County, and to work with the ATV clubs and businesses in Lewis County to establish access corridors so that Lewis County ATV users can also enjoy the beauty and unique recreational trails and corridors afforded by this Recreation Management Plan.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby states its support of the above comments and recommendations for communication to the DEC.

Section 2. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to deliver copies of this Resolution to Michael Giocondo, Forester 1, NYS DEC, 7327 State Route 812, Lowville, NY 13367, to Basil Seggos, Acting Commissioner of the Department of Environmental Conservation, and to any other appropriate State and Local agencies, representatives and officials as he may deem appropriate.

Section 3. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 205 – 2016
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:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Deputy Sheriff (4)	Temporary Part-time	Grade 22A

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said positions effective May 22, 2016, 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 Kulzer, and adopted.

**RESOLUTION NO. 206 - 2016
RESOLUTION APPROVING AND RATIFYING
THE TENTATIVE AGREEMENT BETWEEN LEWIS COUNTY GENERAL
HOSPITAL AND LOCAL 825 OF THE CIVIL SERVICE
EMPLOYEES ASSOCIATION, INC.
[HOSPITAL EMPLOYEES]**

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

WHEREAS, pursuant to General Municipal Law § 128, the Board of Managers (“BOM”) for the Lewis County General Hospital (“Hospital”) is responsible for “the general superintendence, management and control of the said hospital and . . . of all matters relating to the government, discipline, contracts and fiscal concerns thereof, . . .”; and

WHEREAS, the existing collective bargaining agreement (“CBA”) between Lewis County General Hospital and Local 825 of the Civil Service Employee’s Association, Hospital Employees Unit (“CSEA”) expired on December 31, 2015; and

WHEREAS, the negotiating teams representing LCGH and CSEA, developed a Tentative Agreement dated April 20, 2016 that sets forth the changes to terms and provisions of the collective bargaining agreement to be effective for the period beginning January 1, 2016 and expiring on December 31, 2017; and

WHEREAS, the LCGH BOM approved and authorized the tentative agreement, subject to acceptance by the unit members of CSEA by its members’ vote on the tentative agreement on May 9, 2016; and

WHEREAS, the CSEA membership voted in favor of the tentative agreement; and

WHEREAS, the LCGH Board of Managers has heretofore approved the tentative agreement and the Lewis County Board of Legislators hereby seeks to ratify and approve the tentative agreement as accepted by CSEA Local 825 and the LCGH BOM.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby ratifies and approves the Tentative Agreement approved and authorized by the LCGH BOM and the Hospital Unit CSEA and its membership, as memorialized in the Tentative Agreement dated April 20, 2016.

Section 2. That the Collective Bargaining Agreement in its final form shall be made available for review by the Chairman of the Board of Legislators and the County Manager prior to its signature by the Lewis County General Hospital Administrator.

Section 3. That a copy of the resolution of the Hospital Board of Managers authorizing and approving the Tentative Agreement shall be filed in the Office of the Clerk of the Board of Legislators.

Section 4. That this resolution shall take effect immediately.

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

OTHER BUSINESS:

Legislator Hathway made a motion to enter executive session at 11:16 a.m. to discuss further negotiations for the solar purchasing power agreement, seconded by Legislator Fawcett and carried. At 11:34 a.m. Legislator Hathway made a motion to return to regular session, seconded by Legislator Dolhof and carried.

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

REGULAR MEETING

June 7, 2016

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

Roll Call: All Legislators were present.

Chairman Tabolt offered the Invocation, and led the Pledge of Allegiance to the Flag.

There were 22 persons present.

Chairman Tabolt declared the May 3 and May 16, 2016 meeting minutes were approved.

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 7, 2016

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

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

Chairman Tabolt opened the public hearing for comments on proposed addition of County-Owned Reforested Lands and private off-road properties to the Lewis County ATV Trail System.

PRIVILEGE OF THE FLOOR:

Mr. Thomas Beyer asked if there had been any State legislative activity to increase the registration weight limit for ATV's/UTV's. Chairman Tabolt reported a lot of discussion, but that the State has not yet enacted the legislation. Recreation, Forestry and Parks Director Jackie Mahoney relayed the ongoing expansion of the ATV system through the permit system.

Mr. Rick Bush of Lowville expressed his disappointment with the new radio communications system while citing the immense cost. He illustrated his point by playing a non-audible recent pager call due to substantial static. He and other firefighters were unable to respond to the call until receiving a phone text message alerting the location of the event.

Legislator Brennan inquired if the static affected all radios? Mr. Bush said the truck radios are not quite as bad, but are sub-standard. Legislator King was apologetic for the terrible reception, while reporting ongoing contractor tweaking and adjustments for improvements. Mr. Beyer relayed speaking with several responders from various areas, terming the system

“worthless” if the message cannot be interpreted for proper response. Legislator King relayed confidence the issues would be resolved. In response to Mr. Beyer’s inquiry for contractor payments, Legislator King reported retention of approximately one-quarter million dollars. He asked that all responders inform County personnel of their issues so they can be addressed, even if another tower is ultimately needed, clarifying it would be done at the contractor’s expense.

Mr. Bush asserted the interference is constant, invoking “There should be quality reception regardless of location within the County”. Liz Swearingin reiterated the importance of firefighters and EMS responders to inform County personnel of any identified issues.

Chairman Tabolt prefaced that “June is Dairy Month”, and proudly introduced two Beaver River Central School students who have been selected as NYS Future Farmers of America (FFA) leaders; Camille Ledoux as President and Lesley Aucter as Regional District 6 President. Ms. Ledoux cited our thriving dairy industry illustrated by the typical site of dairy barns and cows throughout the county, declaring that “Milk is the lifeblood of Lewis County”, ranked sixth Statewide for milk production. The 383 dairy farms enhance the availability of local healthy food products. The FFA adamantly supports dairy as one of New York’s top agricultural commodities. Ms. Ledoux relayed appreciation for the support from Legislators, agricultural organizations and agri-business, and, as an FFA leader vowed to continue advocating for agriculture. Legislator Hathway expressed thanks and pride for their efforts.

Village of Lowville Mayor Donna Smith provided a brief update on their water treatment project that has changed scope and size several times. The village board continues to wrestle with how to finance the project currently estimated at \$4 million. She reported expending about \$1 million to-date for project engineering services.

Mr. Thomas Beyer suggested that County officials consider the Climax Manufacturing plant as a potential Highway Department or other re-use location.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Board acknowledged receipt of resolutions adopted by the following County Legislatures:

Cattaraugus and Herkimer Counties urging adoption of Defense Mandate Relief Act and endorsing the State’s responsibility to fully fund all County Public Defense Programs; and Endorsing the NYS Office of Indigent Legal Services criteria and procedures for determining assigned counsel eligibility; and

Delaware County urging the Governor and State Legislature to commit to their promise and address unfunded mandates; and

Broome and Herkimer Counties calling upon the State Legislature to increase the share of revenue Counties retain for providing State DMV services; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Broome, Chenango, Essex, Herkimer, Seneca and Tioga Counties calling on the State Legislature to fully reimburse counties for District Attorney salary increases set by the State; and

Delaware County opposing proposed State legislation requiring the payment of prevailing wages and supplements for all projects financed in whole or in part with funds, subsidies or tax exemptions provided by State or local public authority.

Senators Joseph Griffo and John Flanagan acknowledged receipt of this Board's resolution urging a State budget amendment to assume the additional District Attorney salary cost.

The NYS Parks, Recreation and Historic Preservation had informed they will consider the Old Lowville Cemetery on Jackson Street for nomination to the National and State Registers of Historic Places; and that the Talcottville Common School #2 has been placed on the National and State Registers of Historic Places.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

The Clerk reported distributing to Legislators copies of the 2015 Lewis County General Hospital Annual Report; the Treasurer's May report; the 5/23/16 Solid Waste and 5/25/16 Highway Audit Reports; and the minutes of the 4/12/16 and 5/10/16 Soil and Water Conservation District Board of Directors' meetings.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, reported departmental budgets were within budgetary appropriations. The committee continues to consider relocation of the DMV office. A responsive letter was forwarded to the attorneys and professionals who had informed their objections to the newly imposed County Clerk on-line record access charges, informing the intent to review the fees after six months. They are also researching a viable solution to the State's new requirement for a paved lot for CDL applicant testing.

Legislator Hathway reported the beams in the Highway sign shop will be encapsulated by plywood as a temporary feasible solution to prevent falling particles. Also, contractor efforts are ongoing to address the problems with the retention pond at the DSS parking lot.

He reported that County Manager/Budget Officer Liz Swearingin has provided an outline of the 2017 budget preparation process.

Legislator Hathway made a motion to retain Clark Patterson & Lee for a cost of \$2,500.00 for a study to assure proper water pressure and volume at the public safety building, seconded by Legislator Chartrand and carried.

Legislator Hathway then broached the subject of the Hudson River-Black River Regulating District's (HRBRRD) recent meeting with County officials. The District had lost a

lawsuit with National Grid that resulted in lower assessments for their undeveloped properties, essentially lowering their revenue. Responsively, the HRBRRD is assessing Lewis, Jefferson and Oneida Counties to offset their lost revenue. Lewis County's share is estimated at \$40,000.00 equating an amount in excess of the entire 2017 Tax Cap allowance.

Legislator Hathway took grave exception to having no knowledge or input of the lawsuit or forewarning of the substantial expense and, moreover, no understanding of the provided services. The HRBRRD's annual budget is \$6.3 million, of which 42% or \$2.7 million is for administrative salaries for 23 employees; which inflates to 55% when inclusive of other administrative expenses. A substantial portion of their revenues are generated from property assessments, with the balance generated from the dams. Notwithstanding their State Authority status, Legislator Hathway deems it unconstitutional, or at the very least an "unfunded mandate" emphatically urging the County's resistance to paying the assessment.

In response to Legislator Dolhof, Planning Director Frank Pace stated the HRBRRD regulates the water flow through the Black River and Beaver River and, thereby, the hydro dams. Mr. Pace explained that National Grid had several delayed capital projects that now require completion and supporting revenue. The HRBRRD has assessing ability pursuant to State Authority regulations.

Legislator Moser suggested that any HRBRRD County assessment be offset by the dollar value determined for their utilization of the County's flood mitigation equipment installed along the Black and Beaver Rivers. Chairman Tabolt relayed speaking with the Jefferson County Legislative Chairman Scott Gray, who suggests that our County attorneys investigate potential assessment mitigation.

In conclusion, Legislator Hathway strongly recommends our Legislative Chairman be appointed to the HRBRRD Board of Directors, as a representing voice to mitigate or avoid future assessments.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Employment and Training/Youth Bureau Committee Chairman, reported release of the Point-In-Time report by the Points North Housing Coalition. A study was conducted on 1/26/16 as required by the Housing and Urban Development to account for homeless persons. All 35 homeless persons were sheltered on that date. Of the total, 18 are chronically homeless and 4 were reportedly unsheltered on occasion during the week of the study.

The PINS Diversion summer youth program and the interns financed through the Pratt-Northam Foundation will start on 6/20/16, inclusive of 15 youths to participate in community service, recreation and educational programs. The Department of Social Services (DSS) partnered with the Hospital and other agencies for a group focus on care coordination relative to the Delivery System Reform Incentive Payment (DSRIP) initiative to reduce in-patient and re-admission rates.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Fawcett made a motion to authorize refilling a Temporary full-time Social Welfare Examiner position due to a promotion, effective immediately, seconded by Legislator Moroughan and carried.

Legislator Fawcett reported availability of Senior Farmer's Market Nutrition Program coupons for each income-eligible person 60 or older through 9/30/2016. Senior Day is scheduled for 7/21 at the Lewis County Fair, including musical entertainment events.

The Youth Bureau Advisory Board had received ten applications vying for County project funding. Following their personal interviewing process, the Advisory Board awarded \$5,000 proportionately to the Harrisville Free Library, Lewis County 4-H Team Council, the Village of Port Leyden, Pop Warner Cheerleading Program, Constableville Volunteer Fire Department, Harrisville Central School and Village of Croghan for direct-youth programs. Legislator Fawcett relayed appreciation to Legislators for their support and respective County allocations.

Legislator Bryan Moser, County Officers/Junkyards/Veterans' Services/Human Resources Committee Chairman, reported a total of 49 personnel vacancies year-to-date, of which 34 have been approved to fill and 15 remain vacant, exclusive of the Hospital. Currently, applicants are being screened to fill two part-time and two full-time permanent positions; and six full-time and one part-time temporary position.

Legislator Moser reported that Atty. Joan McNichol is diligently working to finalize the outstanding legal issue with Kaflin's junkyard; as well as two West Leyden junkyard owners. There are no issues with all other licensed junkyards within the county.

Legislator Jerry King, Courts and Law Enforcement/Emergency Services/Fire Coordinator/Building Codes Committee Chair, urged approval of his sponsored late resolutions. He stated that E.F. Johnson personnel would be conducting changes to the radio system during the week of June 20th.

Legislator Lawrence Dolhof, Economic Development/Planning/Recreation, Forestry & Parks Committee Chairman, asked Economic Development Director Eric Virkler to update the Board on commerce park development and inform on recent awards. Mr. Virkler referenced the distributed Reserved Funding Report that reflects related project expenditures. He asked Legislators to view the conceptual map and preliminary design layout, developed by consulting engineers of the LaBerge Group, for a business park on the vacant Climax Manufacturing site. There is ongoing outreach to company representatives; plan revisions, environmental review considerations, and search for funding resources to move the project toward a "shovel ready" status.

Mr. Virkler reported that as a result of The Paige Group efforts and development of the "Naturally Lewis" campaign, three items had been submitted for consideration by the NYS Economic Development Council for marketing awards. Two of the three items submitted were awarded "Best of Class" and the third received honorable mention. Legislator Brennan mentioned that Kraft Hines had utilized the "Naturally Lewis" logo in their advertising. As one

of the smallest counties in the State, Legislator Fawcett was proud of the awards received from all State-wide submissions.

Legislator Dolhof announced that the Regional Economic Development Council would hold a public forum at the Maple Museum in Croghan on 6/20/2016 at 5:30 p.m.

Legislator Dolhof made a motion to award the bid and authorize the purchase of a 12-Ton Tag Trailer in the amount of \$15,534.00 from Tracey Road Equipment, Inc. of Adams, New York for the Recreation, Forestry & Parks Department. The motion was seconded by Legislator Brennan and carried.

Legislator Craig Brennan, Taxation/Information Technology Committee Chairman, reported that IT Director Adam Zehr had attended a State seminar with focused discussion on cyber security threats. The committee had reviewed a cyber insurance policy proposal. Although other counties had purchased insurance coverage, Mr. Zehr had relayed reported incidents whereby the companies had denied county claims, citing inadequate coverage. In consideration of these reports, and more importantly Mr. Zehr's persistent implementation and installation of computer and electronic protective measures, the committee does not recommend purchasing the proposed policy at this time. Mr. Zehr is also working with a consultant for website redevelopment and expects implementation by 9/1/16.

Legislator Brennan further reported that Mr. Zehr and Real Property Tax Director Candy Akin are working with Systems Development Group (SDG) for a web-based two-tiered management site to enhance access and distribution of tax maps. The public may access the lower tier maps free of charge, or pay for the enhanced tier service that is regularly updated. The fees will offset related county cost. Legislator Brennan additionally commended Ms. Akin for aggressively pursuing required certifications.

Legislator Greg Kulzer, Transportation/Solid Waste Committee, made a motion to award the bid for a 2017 International Tandem Truck with Viking Plow to Viking Cives, Inc. in the amount of \$226,580, seconded by Legislator King.

Legislator Brennan reported the bid was about \$10,000 above the lowest bid. The low bidder did not meet all the specifications, but had proposed adjustments for the steel box and pumps. Legislator Kulzer explained the low bidder did not meet the requested standards. At the request of Legislator Brennan, Highway Superintendent David Becker stated the low bidder proposed a lesser height steel box and one pump instead of the specified two. County Attorney Joan McNichol reported that apart from differentiating from the specifications, the evaluation and best value consideration was that all existing Highway plows are Viking, having known and proven quality from a local company. Legislator Kulzer cited unknown timing for parts replacement and shipping costs of the other bidder, while citing the advantage for interchangeability for all Viking plows. Legislator Brennan asserted his support of local businesses, but wanted full disclosure about the bids due to the substantial differential. Legislator Hathway commented that the equipment is part of the multi-year replacement plan with anticipated delivery and payment in 2017. The motion was then unanimously carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Kulzer reported impending replacement of two retiring Highway equipment operators. The department has used 155,618 gallons of oil for blacktopping at a savings of \$96,000. He commended Mr. Becker for completing the work within budgetary appropriations.

Legislator Kulzer reported that recycling has increased by almost 50 percent, reflecting an increase of 25-30% since imposition of clear bags. The Development Authority points to Lewis County's results to incite the other County partners and the City of Watertown to increase recycling efforts. The engineering consultant has presented building alteration plans that will allow one-route traffic through the recycling building for single-sort efficiency.

Legislator Kulzer suggested posting a "No Firearms" sign at the County property surrounding the Route 26 transfer station. Legislator Brennan expressed opposition, cautious about posting any county property without a public hearing. A NYSDEC official, he said, had declared the property appropriate for hunting. Legislator Chartrand informed the property had already been posted, inquiring who gave the authority. Atty. McNichol advised against a "No Firearms" posting citing that persons utilizing the transfer station may be in possession of legal firearms.

Legislator Kulzer urged a Board decision on whether to post the property in response to Director Pete Wood's concern for employee safety. He cited property boundaries where the closest edge of the wooded property is 470' from working employees. Pursuant to the 500' regulation, Legislator Kulzer opined that weapons should not be allowed. Legislator Hathway also expressed concern for employee safety. Chairman Tabolt cautioned for unknown ramifications for singling one county parcel out for restrictions just to appease specific persons. Legislator Brennan submits that law enforcement should respond if persons are unlawfully discharging firearms, regardless of the location.

The Board was in agreement that no county property should be posted; and that any unauthorized posting should be removed.

In response to Legislator Moser, Legislator Kulzer affirmed that recyclables continue to be compacted and trucked to Herkimer. Legislator Moser inquired the engineer's reason for delaying building alterations, which, in turn, has delayed implementation of single-sort recycling for the public. County Manager Liz Swearingin relayed the most recent updated implementation date of September-October.

Legislator Richard Chartrand, Hospital Committee Chairman, reported that Drs. Shareen Palmer, Stephen Lyndaker and Howard Meny had appeared at the last Board of Manager's meeting to assert their dismay with the imposed deductible changes for the County health insurance plan that would negatively impact their private practices. Liz Swearingin reported that after subsequent meetings with Hospital and County administration, the plan would revert back to previous co-pay amounts.

Legislator Chartrand relayed Director of Nursing Nancy Kovach's appreciation for support and attendance at the "Nurses of Distinction" event to recognize the worthy performance of our nurses.

Legislator Chartrand reported the 2014 and 2015 nursing home IGT monies equating \$8 million remains outstanding. Recruitment continues for a mid-level physician to assist Dr. Leuenberger at the South Lewis Health Center. The \$6.58 million Essential Health Provider grant is targeted to pay two outstanding bonds over time.

Legislator Chartrand relayed CFO Jeffrey Hellinger's report of a \$311,712 April gain, for a year-to-date surplus of \$1,130,900; and the balance of County debt is \$3.1 million. The value-based and quality improvement program will provide \$5.5 million over 5 years starting in July 2017. The Skilled Nursing Home April occupancy was 90.1%, a little lower than the budget rate of 93%. The 992 emergency room visits were an all-time high for the month of April; and the 111 acute admissions reflects a fifth consecutive monthly increase. There were 64 observation visits. The 6,608 out-patient visits reflect above-targeted levels, and clinic volumes continue to increase, being enhanced by scheduling and management software. The Director of Facilities has submitted an energy retrofit project to replace all lights in the main facility and satellite clinics. If approved, National Grid would assume 50% of the cost.

Legislator Chartrand announced that Social Worker Margaret Grant was selected as the April Employee-of-the-Month.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chairwoman, urged approval of her sponsored resolutions. Public Health will employ a student intern through the "Careers Here" program sponsored by the Workforce Development Program. The first quarter Board of Health, Corporate Compliance and Quarterly Assurance reports were reviewed by the committee and forwarded to the full Board. Director Penny Ingham had introduced new Public Health Specialist Meagan Kraeger for the chronic disease program and implementation of the community health improvement plan.

Legislator Moroughan announced relocation of the Community Services office and staff to the Lowville Commons. Mountain View Prevention Services will host a speaker on heroin abuse at the South Lewis Central School on 6/8/16 and another at the Beaver River Central School on 6/16/16.

The NYS Office of Mental Health and the Suicide Prevention Center will host a suicide coalition strategic planning session on 6/14/16 at the Copenhagen Firehall to include the Jefferson County Coalition. The Lewis County Suicide Prevention Coalition and BOCES students held a successful "Lighting Up the Dark" walk-run event at the fairgrounds

COUNTY MANAGER REPORT:

Ms. Swearingin reported progress of the Tyler-Munis software program is on schedule for implementation in October-November, except a delay for the payroll program.

The 2017 budget preparation has begun with a preliminary budget submission planned by early September. However, the regular schedule for adoption will remain with presentation of the Tentative Budget in early November and the public hearing and vote thereafter. Ms.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Swearingin estimates the Tax Cap in the \$35,000 range, presenting a real challenge considering the contractual union wage increases, unknown results of negotiations with the new road patrol union, the State imposed unfunded District Attorney increased salary, increases for insurance, senior meals, highway salt and snowplowing, as well as a health insurance premium increase.

Ms. Swearingin recommends an informational meeting to relate preliminary information on some prospective larger multi-year projects that she and the Ways and Means Committee have reviewed, ie. relocation of the DMV offices, an education facility, highway garage or new office building.

Participating Department Heads and supervisory personnel have expressed appreciation for the quality of the Sci-Tech Center instructors for the supervisory training sessions.

COUNTY TREASURER REPORT:

Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$250,000.00; Contingency Fund-\$475,000.00; Capital Data Processing Fund- \$130,072.93 and Capital Equipment Fund - \$242,866.75, of which \$137,213.98 is the Highway portion. She also reported year-to-date sales tax revenue of \$2,837,998.84 being 3% lower comparatively; and the current Hospital debt is \$3.1 million.

Ms. O'Brien reiterated the balance of the Internal Service Fund remains drastically low, while expressing optimism the implemented changes may have a favorable impact.

SPECIAL REPORT:

Chairman Tabolt reported that he and Legislator Brennan had lobbied State representatives in Albany for the Alliance of Clean Energy, impressing the substantial economical impact in Lewis County for alternative energy projects.

He and Clerk of the Board Terry Clark had attended the Inter-County Legislative Committee of the Adirondacks' meeting in Herkimer County, including a tour of the family-owned Feldmeier Plant employing about 200. It was interesting to learn that Kraft-Hines has an order for six of their customized stainless steel tanks. Chairman Tabolt stated that meeting minutes are available upon request.

Chairman Tabolt asked Legislators to propose a replacement for Bart Pleskach, whom had submitted his letter of resignation from the Ethics Board effective 5/31/16.

Earlier today he had attended a ceremony to entomb the time capsules at the site of the "Monument for Fort Drum Soldiers" in Thompson Park. Chairman Tabolt encouraged everyone to attend the official unveiling of the monument to be held on 7/1/2016 as part of the annual "Concert In the Park" event.

JUNE 7, 2016

Chairman Tabolt plans to attend the upcoming Energy Expo to be hosted by the Adirondack North Country Association at SUNY Polytechnic Institute in Utica; as well as the Regional Economic Development Council meeting in Potsdam.

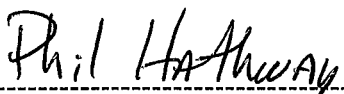
At 6:36 p.m. Chairman Tabolt closed the public hearing.

REPORT OF THE WAYS AND MEANS COMMITTEE:

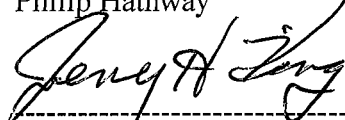
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

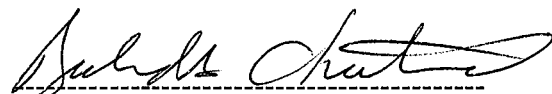
The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,112,925.80 and recommend that they be audited and allowed for the amounts claimed.



Philip Hathway Chair



Jerry King Committee



Richard Chartrand Committee

Dated: June 7, 2016

Approved on motion by Legislator Moser, seconded by

Legislator Hathway, and carried.

RESOLUTIONS:

**RESOLUTION NO. 207 - 2016
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 \$ 1,112,925.80 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: Brennan, Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, Fawcett, and Tabolt

NAYS: None

ABSENT: None

**RESOLUTION NO. 208 - 2016
RESOLUTION REGARDING SEQRA REVIEW TO ADD A
NEW TRAIL TO THE LEWIS COUNTY ATV TRAIL SYSTEM
AND DECLARING NO SIGNIFICANT IMPACT
(LEE GULF TRAIL PROPERTIES)**

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

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

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

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement ("DGEIS") and a Final GEIS (collectively the "GEIS") and on December 18, 2008, the Board of

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislators accepted the GEIS as complete and on January 29, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board's conclusions and determinations, based upon the facts and analysis contained in the GEIS; and

WHEREAS, upon completion of its SEQRA review, the Board of Legislators formally established the Lewis County Trail System (herein "Trail System") by adopting Local Law No. 2 – 2009, **"A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM"** (herein, "Local Law No. 2"); and

WHEREAS, both Local Law No. 2 and the Statement of Findings contemplate future amendments to the Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments, and in particular, the procedures for amending the GEIS in compliance with SEQRA prior to amending the Trail System; and

WHEREAS, the Director of Recreation, Forestry and Parks has presented the Board of Legislators with a request to add off-road trails on properties known as the Lee Gulf Trail in the Town of Turin, to the ATV Trail System; most of the trail is on an abandoned town road in the Town of Turin, with various private landowners owning part of same. The SEQRA identifies these property owners on the abandoned Lee Gulf Trail, along with the addition of the Richard Barniak property, (parcel number 304.00-01-05.110) and the Jeff Stoffle property, (parcel number 304.00-01-07.000). The Lee Gulf Trail Properties owners and parcel numbers as herein described:

Village of Turin -----	304.00-01-5.0, 8.0 & 9.0
Phase 4 Estates Inc. -----	305.00-01-9.20
Sharon Stewart -----	289.00-01-24.1
Jeff Stoffle -----	304.00-01-07.000
Ronald White -----	305.00-01-3.12
Dale Brown -----	305.00-01-4.1
Weona LLC-----	305.00-01-10.1
Richard & Janet Barniak -----	304.00-01-05.110
Paul & Mary Gothe-----	304.00-01-05.110
Weona Ski Resort Inc.-----	305.00-01-9.11;7.0;6.0;9.130
Bradley Horn -----	305.00-01-8.0
Keith Horn -----	305.00-01-8.0
Leo Moshier -----	304.00-01-5.130
Christopher & Patricia Skovira-	304.00-01-5.120

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed trails and property, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators received a report from the Soil and Water Conservation District detailing their investigations and findings with respect to the proposed new

trail and properties identified above, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and Statement of Findings.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators has reviewed the Report from Soil and Water Conservation District as to their investigations and findings with respect to the proposed new trail identified above as the Lee Gulf Trail, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and the Statement of Findings.

Section 2. Based upon its review and analysis of the data contained in the Report and the Specific Environmental Review and Assessment Statement on the trail identified, the Board of Legislators hereby finds and determines that:

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

Section 3. As a consequence of these determinations, the Board of Legislators hereby finds and declares that the addition of the Lee Gulf Trail Properties described above and in the Soil and Water District Report, to the Lewis County Trail System will not result in a significant environmental impact.

Section 4. The Board of Legislators further finds and declares that pursuant to 6 NYCRR Part 617.10(d), a Supplemental Findings Statement need not be filed, and no further action need be taken with regard to the County's environmental review of the sites identified in the Report, and therefore, the Board has completed its lead agency responsibilities under SEQRA with regard to these sites.

Section 5. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 209 - 2016
FIXING DATE OF PUBLIC HEARING ON AN ADDITION
TO THE ATV TRAIL SYSTEM
LEE GULF TRAIL PROPERTIES**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on June 7, 2016, a proposed addition to the Lewis County ATV Trail System pertaining to the property located in Turin, New York and known as the Lee Gulf Trail Property, which is described as an abandoned road section adjacent to the Town of Turin's old water supply area, which begins at the base of the hill at Snow Ridge Ski Resort and ends at the top of the hill and eventually connects to the Seymour Road and Carpenter Road; said "Lee Gulf Trail Property" includes the following land owners: Village of Turin, Phase 4 Estates Inc., Sharon Stewart, Jeff Stoffle, Ronald White, Dale Brown, Weona LLC, Weona Ski Resort Inc., Janet Barniak, Bradley Horn, Keith Horn, Leo Moshier, and Christopher & Patricia Skovira.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on July 5, 2016 at 5:00 PM at the Lewis County Courthouse, Legislative Chambers, 7660 N. State Street, Lowville, NY 13367, Second Floor, for the purpose of receiving public comment regarding the addition of the Lee Gulf Trail Property, Turin, New York, said property owned by the persons, entities and municipality set forth above, to the Lewis County Trail System.

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

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

**RESOLUTION NO. 210 - 2016
RESOLUTION REGARDING SEQRA REVIEW TO ADD A
NEW TRAIL TO THE LEWIS COUNTY ATV TRAIL SYSTEM
AND DECLARING NO SIGNIFICANT IMPACT
(GREAT LOT SPORTSMAN'S CLUB PROPERTY)**

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

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

WHEREAS, the Board of Legislators has heretofore conducted an extensive evaluation of the potential environmental impacts associated with the development of a county-wide ATV trail system pursuant to Article 8 of the Environmental Conservation Law of the State of

New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations (“NYCRR”) implementing Article 8 (collectively referred to hereinafter as “SEQRA”); and

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement (“DGEIS”) and a Final GEIS (collectively the “GEIS”) and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 29, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board’s conclusions and determinations, based upon the facts and analysis contained in the GEIS; and

WHEREAS, upon completion of its SEQRA review, the Board of Legislators formally established the Lewis County Trail System (herein “Trail System”) by adopting Local Law No. 2 – 2009, **“A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM”** (herein, “Local Law No. 2”); and

WHEREAS, both Local Law No. 2 and the Statement of Findings contemplate future amendments to the Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments, and in particular, the procedures for amending the GEIS in compliance with SEQRA prior to amending the Trail System; and

WHEREAS, the Director of Recreation, Forestry and Parks has presented the Board of Legislators with a request to add certain off-road trails along and off of Osceola Road after Mowers Road on properties owned by Great Lot Sportman’s Club Corp. and Charles Case, Dean Case and Guy Case in the Town of Lewis under parcel numbers 417.00-01-03.000 and 417.00-01-20.112 to the ATV Trail System; and

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed trails and property, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators received a report from the Soil and Water Conservation District detailing their investigations and findings with respect to trails on the Great Lot Sportsman’s Club and Charles Case properties, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and Statement of Findings.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators has reviewed the Report from Soil and Water Conservation District as to their investigations and findings with respect to the proposed new trails on the Great Lot Sportsman’s Club and Charles Case properties in the Town of Lewis on two parcels: 417.00-01-03.000 and 417.00-01-20.112, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and the Statement of Findings.

Section 2. Based upon its review and analysis of the data contained in the Report and the Specific Environmental Review and Assessment Statement on the trails identified, the Board of Legislators hereby finds and determines that:

- e. The Report adequately sets forth the relevant and material facts necessary for the Board of Legislators to make a decision;
- f. The Report adequately describes the consultant's investigations and analysis as to any significant adverse impacts and necessary mitigations for the specific sites;
- g. The Report's findings are consistent with the criteria identified and set forth in the GEIS and the Statement of Findings;
- h. The investigation and analysis of the site described and known as the Great Lot Sportsman's Club and Charles Case Properties does not reveal any environmental impacts that were either not addressed or were not adequately addressed in the GEIS and the Statement of Findings.

Section 3. As a consequence of these determinations, the Board of Legislators hereby finds and declares that the addition of the Great Lot Sportsman's Club and Charles Case Properties identified as tax map parcels 417.00-01-03.000 and 417.00-01-20.112 in the Town of Lewis, to the Lewis County Trail System will not result in a significant environmental impact.

Section 4. The Board of Legislators further finds and declares that pursuant to 6 NYCRR Part 617.10(d), a Supplemental Findings Statement need not be filed, and no further action need be taken with regard to the County's environmental review of the sites identified as the Great Lot Sportsman's Club Property, and therefore, the Board has completed its lead agency responsibilities under SEQRA with regard to these sites.

Section 5. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 211 - 2016
RESOLUTION REGARDING SEQRA REVIEW TO ADD A
NEW TRAIL TO THE LEWIS COUNTY ATV TRAIL SYSTEM
AND DECLARING NO SIGNIFICANT IMPACT
(GROWER PROPERTY)**

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

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

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

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement (“DGEIS”) and a Final GEIS (collectively the “GEIS”) and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 29, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board’s conclusions and determinations, based upon the facts and analysis contained in the GEIS; and

WHEREAS, upon completion of its SEQRA review, the Board of Legislators formally established the Lewis County Trail System (herein “Trail System”) by adopting Local Law No. 2 – 2009, **“A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM”** (herein, “Local Law No. 2”); and

WHEREAS, both Local Law No. 2 and the Statement of Findings contemplate future amendments to the Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments, and in particular, the procedures for amending the GEIS in compliance with SEQRA prior to amending the Trail System; and

WHEREAS, the Director of Recreation, Forestry and Parks has presented the Board of Legislators with a request to add off-road trails on property owned by Greg Grower, Sharon Grower and Martha Kowalik in the Town of Leyden, known as parcel number 402.00-01-9.100 to the ATV Trail System; and

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed property, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators received a report from the Soil and Water Conservation District detailing their investigations and findings with respect to trails on the Grower Property, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and Statement of Findings.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators has reviewed the Report from Soil and Water Conservation District as to their investigations and findings with respect to proposed trails on the Grower Property in the Town of Leyden, known as parcel number 402.00-01-9.100, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and the Statement of Findings.

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Section 2. Based upon its review and analysis of the data contained in the Report and the Specific Environmental Review and Assessment Statement pertaining to trails on the property, the Board of Legislators hereby finds and determines that:

- i. The Report adequately sets forth the relevant and material facts necessary for the Board of Legislators to make a decision;
- j. The Report adequately describes the consultant's investigations and analysis as to any significant adverse impacts and necessary mitigations for the specific sites;
- k. The Report's findings are consistent with the criteria identified and set forth in the GEIS and the Statement of Findings;
- l. The investigation and analysis of the site described as the Grower Property does not reveal any environmental impact that were either not addressed or were not adequately addressed in the GEIS and the Statement of Findings.

Section 3. As a consequence of these determinations, the Board of Legislators hereby finds and declares that the addition of the Grower Property in the Town of Leyden, tax map parcel number 402.00-01-9.100, to the Lewis County Trail System will not result in a significant environmental impact.

Section 4. The Board of Legislators further finds and declares that pursuant to 6 NYCRR Part 617.10(d), a Supplemental Findings Statement need not be filed, and no further action need be taken with regard to the County's environmental review of the site identified as the Grower Property, and therefore, the Board has completed its lead agency responsibilities under SEQRA with regard to this site.

Section 5. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 212 - 2016
RESOLUTION REGARDING SEQRA REVIEW TO ADD A
NEW TRAIL TO THE LEWIS COUNTY ATV TRAIL SYSTEM
AND DECLARING NO SIGNIFICANT IMPACT
(LEWIS COUNTY PROPERTIES)
(Cronk Road, Forks & Factory Road and Culpepper Road)**

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

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

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

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement (“DGEIS”) and a Final GEIS (collectively the “GEIS”) and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 29, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board’s conclusions and determinations, based upon the facts and analysis contained in the GEIS; and

WHEREAS, upon completion of its SEQRA review, the Board of Legislators formally established the Lewis County Trail System (herein “Trail System”) by adopting Local Law No. 2 – 2009, **“A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM”** (herein, “Local Law No. 2”); and

WHEREAS, both Local Law No. 2 and the Statement of Findings contemplate future amendments to the Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments, and in particular, the procedures for amending the GEIS in compliance with SEQRA prior to amending the Trail System; and

WHEREAS, the Director of Recreation, Forestry and Parks has presented the Board of Legislators with a request to add off-road trails on County Owned Reforested Land, described as: Trail 1- North Side of the Cronk Road, Town of Pinckney; Trail 2- South side of Factory Road and East side of Fork Road in the Town of Montague; Trail 3 – East of the Culpepper road in the Town of Montague, to the ATV Trail System; and

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed trails, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators received a report from the Soil and Water Conservation District detailing their investigations and findings with respect to trails on the County Owned Reforested Land on the Cronk Road, Fork and Factory Roads, and Culpepper Road, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and Statement of Findings.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators has reviewed the Report from Soil and Water Conservation District as to their investigations and findings with respect to trails on the County Owned Reforested Lands known as Cronk Road in the Town of Pinckney, Fork and Factory Roads in the Town of Montague, and Culpepper Road in the Town of Montague, and with the

assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and the Statement of Findings.

Section 2. Based upon its review and analysis of the data contained in the Report and the Specific Environmental Review and Assessment Statement on the properties identified, the Board of Legislators hereby finds and determines that:

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

Section 3. As a consequence of these determinations, the Board of Legislators hereby finds and declares that the addition of the County Owned Reforested Land on the Cronk Road, Fork and Factory Roads, and Culpepper Road, to the Lewis County Trail System will not result in a significant environmental impact.

Section 4. The Board of Legislators further finds and declares that pursuant to 6 NYCRR Part 617.10(d), a Supplemental Findings Statement need not be filed, and no further action need be taken with regard to the County's environmental review of the sites identified on the County Owned Reforested Lands described herein, and therefore, the Board has completed its lead agency responsibilities under SEQRA with regard to these sites.

Section 5. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 213 - 2016
RESOLUTION REGARDING SEQRA REVIEW TO ADD A
NEW TRAIL TO THE LEWIS COUNTY ATV TRAIL SYSTEM
AND DECLARING NO SIGNIFICANT IMPACT
(TUG HILL PROPERTIES, LLC)

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

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

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

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement (“DGEIS”) and a Final GEIS (collectively the “GEIS”) and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 29, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board’s conclusions and determinations, based upon the facts and analysis contained in the GEIS; and

WHEREAS, upon completion of its SEQRA review, the Board of Legislators formally established the Lewis County Trail System (herein “Trail System”) by adopting Local Law No. 2 – 2009, **“A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM”** (herein, “Local Law No. 2”); and

WHEREAS, both Local Law No. 2 and the Statement of Findings contemplate future amendments to the Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments, and in particular, the procedures for amending the GEIS in compliance with SEQRA prior to amending the Trail System; and

WHEREAS, the Director of Recreation, Forestry and Parks has presented the Board of Legislators with a request to add off-road trails on property owned by Tug Hill Properties, LLC, on Carpenter Road, Town of Turin, under parcel number 304.00-01-02.100, to the ATV Trail System; and

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed trails and property, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators received a report from the Soil and Water Conservation District detailing their investigations and findings with respect trails on Tug Hill Properties, LLC, in the Town of Turin, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and Statement of Findings.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators has reviewed the Report from Soil and Water Conservation District as to their investigations and findings with respect to proposed trails on Tug Hill Properties, LLC property in the Town of Turin, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and the Statement of Findings.

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Section 2. Based upon its review and analysis of the data contained in the Report and the Specific Environmental Review and Assessment Statement on the trails identified, the Board of Legislators hereby finds and determines that:

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

Section 3. As a consequence of these determinations, the Board of Legislators hereby finds and declares that the addition of the Tug Hill Properties, LLC Property in the Town of Turin known as tax map parcel 304.00-01-02.100, to the Lewis County Trail System will not result in a significant environmental impact.

Section 4. The Board of Legislators further finds and declares that pursuant to 6 NYCRR Part 617.10(d), a Supplemental Findings Statement need not be filed, and no further action need be taken with regard to the County's environmental review of the sites identified in Exhibit "A," and therefore, the Board has completed its lead agency responsibilities under SEQRA with regard to these sites.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Hathway.

Legislator Kulzer opined that County monies would be used to add this property to the County trail system that would positively affect a business in close proximity that persistently does not pay bed tax. Legislator Dolhof stated that the Tug Hill Properties' landowner does not own the referenced business. Recreation, Forestry and Parks Director Jackie Mahoney said that ATV permit monies would be used to develop and maintain the trail.

County Atty. Joan McNichol stated she would follow up with the business owner for the delinquent bed taxes.

Legislator Dolhof submits that the additional trail section would benefit the overall trail system.

The resolution was then unanimously adopted.

RESOLUTION NO. 214 - 2016
RESOLUTION AUTHORIZING OPENING OF CERTAIN PORTIONS OF
COUNTY ROADS FOR ATV SPECIAL EVENTS

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry & Parks 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 two (2) separate one (1) day all terrain vehicle (ATV) events to be held on August 13, 2016 and September 24, 2016; 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 ATVs; 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) 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 sponsor of the event, has agreed to indemnify and hold the County of Lewis, its officers, agents and employees harmless from any claim, liability, damage or cost of any nature whatsoever, including reasonable attorney fees incurred by reason of the conduct 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 ATVs on:

- *CR 51 West Road, from State Route 26 to the Gomer Hill Road in the Town of Turin*

for two (2) separate one (1) day all terrain vehicle (ATV) events to be held on August 13, 2016 and September 24, 2016.

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

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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.
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 Brennan, seconded by Legislator King, and adopted.

**RESOLUTION NO. 215 - 2016
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 \$650,848.45, funds transferred from A9950.9923:

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

Part One:

From:

A1990.4999 Contingency	\$44,000.00

To:

A9950.9923 To Capital Bldg Maint & Repair	\$44,000.00

Part Two:

HAC50310 Interfund transfer	\$44,000.00

JUNE 7, 2016

HAC5130.4 Highway \$44,000.00

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

RESOLUTION NO. 216 - 2016
RESOLUTION TO APPROPRIATE/UNAPPROPRIATE FUNDS
COMMUNITY SERVICES

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriations are hereby approved due to the changes in funding from the New York State Office of Mental Health:

Decrease Revenue
A34910 MH ARC \$6,162.00

Decrease Expense
A4322.4999 MH Services ARC \$6,162.00

Increase Revenue
A34917 MH ARC Int Supp Emp \$ 752.00

Increase Expense
A4326.4999 MH ARC Int Supp Emp \$ 752.00

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

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

RESOLUTION NO. 217 - 2016
RESOLUTION AUTHORIZING AMENDED AGREEMENT
BETWEEN ONEIDA-LEWIS CHAPTER, NYSARC AND
LEWIS COUNTY COMMUNITY SERVICES

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

WHEREAS, the Lewis County Community Services Board is responsible to provide local or unified mental health services and facilities directly, and/or contract for the provision of

PROCEEDINGS OF THE BOARD OF LEGISLATORS

those services by other units of local or state government, by voluntary agencies, or by professionally qualified individuals; and

WHEREAS, the County of Lewis acting by and through the Lewis County Community Services Department (“LCCSD”) and Oneida-Lewis Chapter, NYSARC (“NYSARC”) entered into an Agreement dated December 31, 2015 for NYSARC to provide vocational training services within the Sheltered Workshop program, transportation to sheltered workshop, and employment support services for program participants for the term beginning January 1, 2016 and ending December 31, 2016 pursuant to Resolution No. 405-2015, in the amount not to exceed \$104,842.00, representing the amount to be received by State Aid; and

WHEREAS, LCCSD subsequently received notice that the 2016 State Aid funding to the County through the LCCSD for these services was revised downward to \$99,432.00; and

WHEREAS, the County passed Resolution No.127-2016, authorizing an Agreement between LCCSD and NYSARC to provide these same services for 2016 at a cost not to exceed \$99,432.00; and

WHEREAS, the County seeks to clarify that there is one Agreement between LCCSD and NYSARC to provide vocational training services in 2016, with said agreement to be amended to reflect that the amount of the payment for such services shall not exceed \$99,432.00, i.e., the amount of actual 2016 State Aid funding received for same.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves an amended Agreement between Oneida-Lewis Chapter, NYSARC and the County of Lewis acting by and through the Lewis County Community Services Department for vocational training services commencing January 1, 2016 through December 31, 2016 at a cost not to exceed \$99,432.00.

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

Section 3. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 218 - 2016
RESOLUTION TO TRANSFER FUNDS
COUNTY CLERK**

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

BE IT RESOLVED as follows:

JUNE 7, 2016

Section 1. That the following budget transfer is hereby approved in the County Clerk accounts to cover line item expenses:

From:

A1410.1999 Prof Serv \$3,000.00

To:

A1410.4407 Supplies \$1,500.00

A1410.4408 Pistol Supplies \$1,500.00

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

Moved by Legislator Chartrand, seconded by Legislator King.

In response to Legislator Brennan, Legislator Hathway explained additional supply funds were needed to purchase ribbons for the camera used for pistol permit photos. The County Clerk learned that the special ribbons may no longer be manufactured or available and recommended a one-year supply to assure continuity of the service.

The resolution was then adopted.

**RESOLUTION NO. 219 - 2016
RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING**

Introduced by Legislator Rocky Fawcett, 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 for additional Federal funding.

Increase Revenues

A47720 OFA-OAA IIIB \$873.00

Increase Expense

A6772.4409 Data Proc \$873.00

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

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

**RESOLUTION NO. 220 - 2016
RESOLUTION TO TRANSFER FUNDS
OFFICE FOR AGING**

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 Legislative Contingency to Office for the Aging account for additional expense for five (5) months of Peer Place contractual maintenance:

<u>From:</u>	<u>Amount</u>
A1010.4199 Sp Contingency	\$832.00

<u>To:</u>	
A6772.4409 Data Proc	\$832.00

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

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

**RESOLUTION NO. 221 - 2016
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 adjustments to the 2016 Public Health County Budget due to a line item error in posting:

<u>From:</u>		
A16104	D & TC (Medicaid)	\$ 35,000.00

<u>To:</u>		
A16190	Rabies Post Exposure	\$ 35,000.00

<u>From:</u>		
A16190	Rabies Post Exposure	\$ 7,000.00

<u>To:</u>		
A16200	Early Intervention	\$ 7,000.00

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<u>From:</u>		
A16200	Early Intervention	\$ 6,000.00
<u>To:</u>		
A16890	Rabies Pet Clinics	\$ 6,000.00

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

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

RESOLUTION NO. 222 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
JEFFERSON-LEWIS WORKFORCE DEVELOPMENT AREA,
PRATT NORTHAM/CAREERS HERE PROGRAM AND
LEWIS COUNTY PUBLIC HEALTH DEPARTMENT

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

WHEREAS, the Pratt Northam Foundation (“PN”) applied for and was awarded funds under a grant for student summer employment known as “Careers Here”. PN requested that Jefferson-Lewis Workforce Development Board (“JLWDB”) be the grant recipient of this program and administer the program, and JLWDB accepted, as it is within its mission to “provide career opportunities to young persons within the Jefferson- Lewis areas”; and

WHEREAS, the Lewis County Public Health Department wishes to enter into an Agreement with Jefferson-Lewis Workforce Development Area, as grant recipient and administrator of the Pratt Northam “Careers Here” Program, for a summer youth intern position; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement by and between the Lewis County Public Health Department and Jefferson-Lewis Workforce Development Area as the grant recipient and administrator of the Pratt Northam “Careers Here” Program, for a summer youth intern position.

Section 2. That this is for the term beginning and retroactive to June 1, 2016 and ending August 31, 2016 for a four-hundred (400) hour temporary youth position with reimbursed wages at \$9.00 per hour.

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

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

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

RESOLUTION NO. 223 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY
AND OSWEGO COUNTY OPPORTUNITIES, INC.

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

WHEREAS, Oswego County Opportunities, Inc. provides a range of Health and Human Service Programs to individuals and families and they provide bi-lingual interpretation services to the Limited English Proficient (“LEP”) consumers and/or translation of written documents/materials services to agencies; and

WHEREAS, Lewis County Public Health Agency provides health and/or human services to the LEP consumer and is in need of interpretation services and/or translation of written documents/materials services; and

WHEREAS, the County of Lewis, acting by and through the Lewis County Public Health Agency wishes to enter into an Agreement with Oswego County Opportunities, Inc. for the provision of bi-lingual interpretation services; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency, to enter into an Agreement with Oswego County Opportunities, Inc. for the provision of bi-lingual interpretation services.

Section 2. That this is for the period commencing April 1, 2016 through March 31, 2017 at a cost of \$48.00 per hour with \$.54 cents per mile for mileage reimbursement and/or translation of written documents/materials to agencies at a rate of \$.11 cents per target word with a minimum charge of \$27.50 applied to translation projects containing fewer than 250 words in the target language.

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.

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

RESOLUTION NO. 224 - 2016
RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND E. F. JOHNSON TECHNOLOGIES, INC.
TO ADD A MUTUAL AID VHF VOICE CHANNEL
FOR THE EMERGENCY 911 EMERGENCY RADIO SYSTEM

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 that meet New York State and local government requirements; 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 original design and plan from E. F. Johnson Technologies, Inc. provided for a two (2) channel paging system. The County now seeks to have the nine (9) site system changed from two (2) paging channels to one (1) paging channel and one (1) mutual aid VHF voice channel system; and

WHEREAS, this change order will provide for interoperability with emergency services in neighboring counties which operate on a VHF system level. The VHF voice channel system will provide for a patch to our new UHF Talk groups, allowing current VHF users to communicate with our system. In addition, this VHF Voice channel will offer a layer of redundancy to our new UHF system in the event of repair to the UHF Radio System; and

WHEREAS, the cost of the VHF voice channel system, including all equipment, software, installation, system updates and reconfiguration of the County’s current equipment, is at a cost not to exceed \$219,806.33; and

WHEREAS, it is anticipated that the cost of this change order will be budget neutral to the project, as there are other cost-saving adjustments that were made to the system from the original cost projection; and

WHEREAS, the Board of Legislators wishes to amend the contract with E. F. Johnson Technologies, Inc. and add this mutual aid VHF voice channel change order feature.

NOW, THEREFORE, BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. The Board of Legislators hereby authorizes an amendment to the contract with E. F. Johnson Technologies, Inc. dated March 21, 2014, to revise the nine (9) site system change from two (2) paging channels to one (1) paging channel and one (1) mutual aid VHF voice channel at a cost not to exceed \$219,806.33.

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 Hathway, seconded by Legislator Dolhof.

Legislator Dolhof asked whether it would be prudent to address the serious known radio reception issues before installing additional equipment.

Liz Swearingin stated the equipment would solve existing interoperability issues with neighboring Counties. Legislator King cited the adjacent counties were behind their planned schedule for a new system. Instead of purchasing more expensive radios, the VHF frequency would allow communication with all users.

In response to Legislator Brennan, Legislator King clarified that the State Police wanted the County to accommodate/enhance their communications, but were unable to commit the estimated quarter million dollars for the system, with an additional yearly maintenance cost. Legislator King reported the VHF frequency will allow communication between all radios, but would not help with the pager reception issue. The coverage testing will occur in July and E.F. Johnson will be held accountable to address all issues, he concluded.

The resolution was then adopted.

RESOLUTION NO. 225 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY REAL PROPERTY TAX OFFICE AND
SYSTEMS DEVELOPMENT GROUP, INC. (“SDG”)
FOR IMAGE MATE ONLINE (“IMO”) REAL PROPERTY
AND ASSESSMENT WEB PORTAL

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

WHEREAS, the County of Lewis (“County”) wishes to enter into an Agreement with Systems Development Group, Inc. (“SDG”) to implement an Image Mate Online (“IMO”) Real Property and Assessment web portal. The system will be configured and hosted at SDG headquarters located at 441 Trenton Avenue, Utica, New York using Microsoft web and SQL database servers; and

WHEREAS, the County IMO service will provide high speed property searches of the complete Lewis County Assessment Roll and comprehensive Real Property Services (“RPS”) derived assessment data, photos, tax billing and tax map images maintained by the County and the Town Assessors; and

WHEREAS, SDG will also provide Lewis County server side Outpost Sentry RPS communications services, affording the towns the use of this service system without the need to individually invest in the same services; and

WHEREAS, the County currently tracks and reports valuable farm sale details to the towns and with the IMO system, additional farm sales from around the state will be available. SDG will coordinate a sales merge procedure with the County for this project; and

WHEREAS, the IMO will provide a valuable service to the Lewis County property owners and the professional real property community. IMO will also serve as an efficient and cost effective resource for the County, Town and Village Departments that rely on accurate and thorough assessment and valuable supplemental real property information in the daily exercise of good governance practices; and

WHEREAS, the Board of Legislators wishes to accept said agreement.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the Agreement by and between the County of Lewis acting by and through the Lewis County Real Property Tax Office and Systems Development Group, Inc. to implement an Image Mate Online Real Property and Assessment web portal.

Section 2. That the term of this agreement is to commence June 27, 2016 and continue through June 26, 2021 at a cost of \$3,500.00 for the first year and \$2,800.00 for each subsequent year, at a total cost not to exceed \$14,700.00.

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

RESOLUTION NO. 226 - 2016
RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY AND NATIONAL GRID / SMARTWATT ENERGY INC.

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

WHEREAS, National Grid is offering an energy conservation program to certain commercial and industrial customers, with installation of certain energy efficiency measures at the facilities of eligible customers; and

WHEREAS, the Lewis County Records Storage Building located at 5252 Outer Stowe Street, Lowville, New York 13367 is eligible for this program, and the County desires to enter into an Agreement with National Grid/Smartwatt Energy, Inc., to upgrade lighting equipment at this location; 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 and National Grid/SmartWatt Energy, Inc., to participate in the energy conservation program and to upgrade lighting equipment in the Lewis County Records Storage Building located at 5252 Outer Stowe Street, Lowville, New York 13367, at a cost not to exceed \$2,086.68.

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 Fawcett, and adopted.

RESOLUTION NO. 227 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
BARK EATER EVENTS, LLC AND
LEWIS COUNTY RECREATION, FORESTRY & PARKS DEPARTMENT

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

WHEREAS, Bark Eater Events, LLC is a local Central New York owned and operated company specializing in unique outdoor athletic running events. The Peak to Brew Relay Race will be the staple event in the planned Bark Eater Race Series; and

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WHEREAS, the goal of Bark Eater Events, LLC is to have a positive impact on the local health of New York State. The events will also be marketed and operated in a way to bring positive economic and tourism exposure to the local areas where the events are hosted; and

WHEREAS, the County of Lewis, by and through the Lewis County Recreation, Forestry and Parks Department wishes to enter into an Agreement with Bark Eater Events, LLC and allow the use of Lewis County reforestation property known as tax parcel number 355.00-02-27.110 located on the corner of the North South Road and the Moose River Road in the Town of Lyonsdale as a relay location/station; and

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

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, by and through the Lewis County Recreation, Forestry and Parks Department and Bark Eater Events, LLC for the Peak to Brew Relay Race to be held on August 12, 2016 through August 14, 2016 and allow the use of Lewis County reforestation property known as tax parcel number 355.00-02-27.110 located on the corner of the North South Road and the Moose River Road in the Town of Lyonsdale as a relay location/station.

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 Fawcett, and adopted.

RESOLUTION NO. 228 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
JEFFERSON-LEWIS WORKFORCE DEVELOPMENT AREA,
PRATT NORTHAM/CAREERS HERE PROGRAM AND
LEWIS COUNTY RECREATION, FORESTRY & PARKS DEPARTMENT

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

WHEREAS, the Lewis County Recreation, Forestry and Parks Department wishes to enter into an Agreement with Jefferson-Lewis Workforce Development Area and Pratt Northam's "Careers Here" Program for a summer youth intern position; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement by and between the Lewis County Recreation, Forestry and Parks Department and Jefferson-Lewis Workforce Development Area and Pratt Northam's "Careers Here" Program for a summer youth intern position.

Section 2. That this is for the term beginning June 15, 2016 and ending August 31, 2016 for a four-hundred (400) hour temporary youth position with reimbursed wages at \$9.00 per hour.

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

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

Moved by Legislator Brennan, seconded by Legislator King.

Legislator Dolhof made a motion to amend Section 1, to authorize a second intern; and to amend Section 2, for the term to begin on June 13, 2016. The motion was seconded by Legislator Fawcett and carried.

The resolution was then adopted.

**RESOLUTION NO. 229 - 2016
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 to appropriate insurance recovery funds to repair a patrol car involved in a deer collision:

<u>Increase Revenue:</u>	
A26800 (Ins. Recovery)	\$5,076.03
<u>Increase Expense:</u>	
A3110.4701(Repairs)	\$5,076.03

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. 230 - 2016
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 insurance recovery funds to repair a patrol car.

Increase Revenue:

A26800 (Ins Recovery)	\$1,228.21

Increase Expense:

A3110.4701 (Repairs)	\$1,228.21

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

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

**RESOLUTION NO. 231 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND
SIEMENS INDUSTRIES, INC.
FOR THE 911 CENTER**

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

WHEREAS, Siemens Industry, Inc. Building Technologies Division offers fire safety, security, building automation, heating, ventilation and air conditioning (HVAC) as well as energy management products and services; and

WHEREAS, the County of Lewis wishes to enter into an Agreement with Siemens Industry, Inc. to furnish and install a new 24,000 BTU wall mounted air conditioning unit in the 911 Center area and a condensing unit at the exterior of the building located at the Lewis County Public Safety Building, 5252 Outer Stowe Street, Lowville, New York, together with all labor, equipment and materials; and

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves an Agreement between the County of Lewis and Siemens Industry, Inc. to install and furnish a new 24,000 BTU wall mounted air conditioning unit and exterior condensing unit in the 911 Center at the Lewis County Public Safety Building.

Section 2. That the cost of the materials, equipment and labor for installation shall not exceed \$5,440.00.

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 Fawcett, seconded by Legislator Hathway, and adopted.

**RESOLUTION NO. 232 – 2016
RESOLUTION TO ADJUST FUNDS
SOCIAL SERVICES SFY15-16**

Introduced by Legislator Roscoe Fawcett Jr., 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, for additional funding for Lewis County Opportunities.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the additional sum of \$4,500.00 be appropriated to Account No. A6109.4609 Non-Rev DV.

Section 2. That this be financed by Federal Aid in the amount of \$4,500.00 to be distributed to Revenue Account No. A46090.

Section 3. That within resolution shall take effect immediately.

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

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**RESOLUTION NO. 233 - 2016
RESOLUTION TO APPROPRIATE FUNDS
SOCIAL SERVICES**

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

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Social Services account for insurance recovery funds to repair vehicle.

Increase Revenue:

A26800 (Ins Recovery)	\$950.63

Increase Expense:

A6010.4701 (Vehicle Repair)	\$950.63

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

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

**RESOLUTION NO. 234 - 2016
RESOLUTION WAIVING FEE CHARGED TO
DEPARTMENT OF SOCIAL SERVICES FOR INSPECTION OF
FOSTER HOMES IN THE COUNTY OF LEWIS**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, in accordance with Section 15 of Lewis County Local Law No. 9-2006, thereby "Providing for Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code", the Board of Legislators established a fee schedule pursuant to Resolution 107-2007 effective January 1, 2007; and

WHEREAS, the County of Lewis desires to waive the \$75.00 fee for the inspection of Department of Social Services foster homes in Lewis County; and

WHEREAS, the Board of Legislators wishes to accept this waiver.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby directs that the fee charged (currently \$75.00) to the Department of Social Services for fire and building code inspections of foster homes in Lewis County be waived.

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

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

RESOLUTION NO. 235 - 2016
RESOLUTION AUTHORIZING AMENDMENT TO 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 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, with the assistance of Larsen Engineers the County sent out Requests for Proposals for a Solar Developer to design and install a PV System for the County; 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”) and a Power Purchase Agreement (PPA) was negotiated and executed by between the County and Greenskies on January 20, 2016, providing for solar pricing payments to Greenskies at \$0.063/kWh with no escalator and with an 85% production guarantee by Greenskies; and

WHEREAS, due to the closing of a number of NYSERDA Incentive Grant Blocks between January, 2016 and May, 2016, request was made to renegotiate the rate to \$0.079/kWh, with no escalator and with a 90% production guarantee by Greenskies; said amendments will provide the County with savings of over \$2,856,000. (minimum savings at 90% guarantee) over the twenty year term; and

WHEREAS, the Board of Legislators seek to accept the terms of the amendment.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an amendment to the Power Purchase Agreement entered between the County of Lewis and Greenskies Renewable Energy LLC (“Greenskies”) for the purpose of amending the rate amount payable by

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the County to \$0.079/kWh, with a 90 % production guarantee by Greenskies for 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 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 Dolhof, seconded by Legislator King.

Legislator Hathway recapped the process heretofore stating the original gross estimated savings of \$3.3 million have been reduced to \$2.8 million, reflecting a 14% loss over the 20-year agreement. However, if production goals are met, the savings could inflate to \$3.173 million or \$135,000 less than originally estimated. The connection costs would be deducted from those figures.

He referenced a State Comptroller audit report of a neighboring county and town that did not competitively bid for the separate services that resulted in power purchasing agreements (PPA) at \$.09/Kwh and \$.095/Kwh respectively. These figures are the average among counties that have finalized agreements. Comparatively, Lewis County has attained a better deal through the competitive bid process and diligent negotiations.

In response to Legislator Chartrand, Atty. McNichol stated that project construction is dependent upon National Grid's schedule for solar array connectivity.

The resolution was then unanimously adopted.

RESOLUTION NO. 236 - 2016
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 2016 at an hourly rate of \$9.00, 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:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That upon approval by the Pratt-Northam Foundation, the following amounts will be appropriated to expense account #'s. A6380.1999 \$14,400.00 and A6380.8999 \$1,104.00 and revenue account No. A27052 \$15,504.00.

Section 2. That the students employed shall be distributed to the County Departments as approved by the Foundation.

Section 3. That in conjunction with this program the title of Student Worker is hereby created and the number of positions with this title will be dependent on the amount of the grant awarded by the Foundation.

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

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

RESOLUTION NO. 237 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND EFPR GROUP, CPA, PLLC
REGARDING THE NYS DEPARTMENT OF TRANSPORTATION SINGLE AUDIT

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

WHEREAS, the County of Lewis, by and through the Lewis County Treasurer's Department, desires to enter into an Agreement with EFPR Group, CPA, PLLC (formerly Toski & Company, P.C.) for auditing and related services regarding the NYS Department of Transportation single audit; 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 auditing plan as outlined in the letter dated April 20, 2016 from EFPR Group, CPA, PLLC for County audit and related services regarding the NYS Department of Transportation single audit.

Section 2. That the auditing services shall be at a cost of \$4,300.00 for the year ending December 31, 2016; \$4,400.00 for the year ending December 31, 2017; and \$4,500.00 for the year ending December 31, 2018.

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.

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

RESOLUTION NO. 238 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND EFPR GROUP, CPA, PLLC
FOR AUDITING SERVICES FOR THE COUNTY OF LEWIS

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

WHEREAS, the County of Lewis, by and through the Lewis County Treasurer's Department, desires to enter into an Agreement with EFPR Group, CPA, PLLC, (formerly Toski & Company, P.C.) for auditing and related services for the County of Lewis; and

WHEREAS, the audit will consist of the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of the County for years ending December 31, 2016, 2017 and 2018; 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 auditing plan as outlined in the letter dated April 20, 2016 from EFPR Group, CPA, PLLC for County audit and related services.

Section 2. That the auditing services shall be at a cost of \$45,000 for the year ending December 31, 2016; \$46,000 for the year ending December 31, 2017; and \$47,000 for the year ending December 31, 2018.

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

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

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

RESOLUTION NO. 239 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO WEIGHTS AND MEASURES DEPARTMENT

Introduced by Legislator Jerry King, Chairman of the Sealer of Weights and Measures Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, Director of Weights and Measures Barbara Cooper has informed her intent to retire within the next few months; and

WHEREAS, the Committee has determined it prudent to authorize hiring a Temporary Director of Weights and Measures for an appropriate training period dependent upon the experience of the selected candidate.

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 Temporary Director of Weights and Measures for the purpose of training. The period of training will be dependent upon the qualifications and experience of the selected candidate.

Section 2. The salary of the Temporary Director of Weights and Measures will be commensurate with the selected candidate's qualifications and experience.

Section 3. That the within resolution shall take effect immediately

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

RESOLUTION NO. 240 - 2016
URGING GOVERNOR CUOMO AND STATE LEGISLATURE TO FULLY
REIMBURSE MUNICIPAL SELF-INSURED WORKERS' COMPENSATION PLANS

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

WHEREAS, Senate Bill S03891 and Assembly Bill A05518 propose to amend the Volunteer Firefighters' Benefit Law, in relation to the expansion of coverage to include cancer of the digestive, hematological, lymphatic, urinary, prostate, neurological, breast and reproductive systems, and

WHEREAS, the New York State Association of Self-Insured Counties (NYSASIC), as the professional organization representing the majority of self-insured counties and many other municipalities in the State of New York, strongly opposes this legislation, and

WHEREAS, the proposed legislation provides that in the event that an individual passes his or her physical examination on entry into firefighter service that any melanoma or other cancer condition that is subsequently diagnosed is presumed to arise in the performance and discharge of that individual's duties as a volunteer firefighter, and

WHEREAS, this legislation is problematic for several reasons, including the following:

- most physical examinations required for entry into a volunteer fire department are quite limited in scope and do not include the detail or the diagnostic testing typically associated with diagnosing cancer or ruling out the presence of cancer,
- many of the conditions may be present and remain undiagnosed even though an individual may still pass the physical examination associated for entry into firefighter service,
- many of the conditions identified often develop with age and/or are either genetic or hereditary in nature, and
- even if a comprehensive physical examination with diagnostic testing is performed when an individual first enters firefighter service, it would be both disingenuous and unwise to presume that in the event that such an individual eventually is diagnosed with cancer, such as prostate cancer or breast cancer many years later, that the development or cause of that cancer is in any way connected to the individual's firefighter service, and

WHEREAS, such legislation would essentially place counties in the position of insuring that, in the event that a volunteer firefighter contracts cancer of any kind, they will need to provide indemnity, medical and, potentially, death benefits, unless they can prove that such cancer condition is unrelated with competent evidence, and

WHEREAS, providing such a presumption and placing the cost of rebutting such a presumption on county taxpayers would pose an undue financial burden and hardship, and

WHEREAS, such a presumption would also likely force counties and volunteer fire departments to change their procedures relating to physical examinations for volunteer firefighters in order to ensure that applicants are cancer free resulting in comprehensive physical examinations that would prove costly and could have a chilling effect on recruitment and the membership of volunteer fire departments, and

WHEREAS, the legislation proposed by Senate Bill S03891 and Assembly Bill A05518 is unnecessary as the Volunteer Firefighters' Benefits Law already provides such benefits in the event that a volunteer firefighter (or his or her dependents in connection with a death claim) can prove that the cancer condition arose in the line of duty, and

WHEREAS, shifting the burden of proof based upon a flawed presumption that has no medical basis would be ill advised.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Legislature strongly urges the State of New York not to pass Senate Bill S03891 and Assembly Bill A05518 in its current language.

Section 2. That the Lewis County Legislature hereby urges modification of Senate

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Bill S03891 and Assembly Bill A05518, prior to enactment, to provide that municipal self-insured workers' compensation plans be reimbursed by the State of New York, the costs of all claims associated with such legislation.

Section 3. That the Clerk of the Legislature is hereby directed to forward copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John J. Flanagan, Assembly Speaker Carl E. Heastie, Senator Joseph Griffo, Assemblyman Kenneth Blankenbush, the New York State Association of Counties, and the New York State Association of Self-Insured Counties.

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

**RESOLUTION NO. 241 – 2016
RESOLUTION APPOINTING MEMBERS TO
YOUTH BUREAU ADVISORY BOARD**

Introduced by Legislator Roscoe Fawcett Jr., 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:

Dustin Snyder-Copenhagen Central School
7935 Cobb Road
Copenhagen, NY 13626

Noah Ramer-Copenhagen Central School
711B Phalen Drive
Copenhagen, NY 13626

Camille Ledoux -Beaver River Central School
7141 Old State Road
Croghan, NY 13327

Shaun Shaw-Beaver River Central School
10456 State Rte. 126
Carthage, NY 13619

Jurnee Allen-Harrisville Central School
747 Edwards Road
Harrisville, NY 13648

Reegan Domagala-South Lewis School
3123 East Road
Boonville, NY 13309

Madeline Lehman-Lowville Academy & Central School
7087 Snell Road
Lowville, NY 13367

Section 2. That the term of said appointments shall be effective from June 7, 2016, and shall terminate either on the date of their high school graduation, or when they cease to be full-time high School students.

Section 3. That this resolution shall take effect immediately.

JUNE 7, 2016

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

RESOLUTION NO. 242 - 2016
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 \$30,292.00, requiring 50% local matching funds or \$15,146.00, to sustain a full-time planner who will update the Lewis County Comprehensive Emergency Management Plan (CEMP) during fiscal year 2016 [EM16-1025-D00].

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 \$30,292.00, hereby committing the 50% local matching funds of \$15,146.00 for the grant period from 10/1/2015 to 9/30/2017 for the above stated purpose.

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 King, seconded by Legislator Moser, and adopted.

RESOLUTION NO. 243 - 2016
RESOLUTION AUTHORIZING AN AGREEMENT
WITH NYS DIVISION OF HOMELAND SECURITY
AND LEWIS COUNTY EMERGENCY MANAGEMENT AND
SHERIFF'S DEPARTMENT

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

WHEREAS, the Lewis County Emergency Management and Sheriff's Departments have received notification of grant approval from the NYS Division of Homeland Security and Emergency Services for funding in the amount of \$55,000.00 to be utilized for night vision optic equipment, maintenance of the Live Scan equipment for fingerprinting, a laptop and storage

PROCEEDINGS OF THE BOARD OF LEGISLATORS

cargo box for patrol a vehicle; and EMS stretcher skid, portable water pump and portable radios for the Emergency Management Department.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Grant Agreement between the County of Lewis, by and through the Emergency Management and Sheriff's Departments, and the NYS Division of Homeland Security and Emergency Services from the State Law Homeland Security Program in the amount of \$55,000.00 to be shared 75% for Emergency Management (\$41,250) and 25% for the Sheriff's Department (\$13,750) for the above captioned items [SH16-1013-D00].

Section 2. That said grant is for the period from 09/01/2016 to 08/31/2019.

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 King, seconded by Legislator Dolhof, and adopted.

OTHER BUSINESS:

Legislator Hathway requested the Board to consider appropriating a percentage of wind PILOT revenue to Towns that are not party to the agreements, and the balance to economic development.

Chairman Tabolt relayed an invitation and announced tentative plans to hold the September board meeting at Constable Hall. In response to Legislator Chartrand's expressed concern, Legislator Fawcett assured the room could accommodate 50 people.

At 7:05 p.m. Legislator Kulzer made a motion to enter executive session to discuss potential sale or exchange of real properties, seconded by Legislator Chartrand and carried. The session began at 7:10 p.m. after a short recess. At 7:25 p.m. 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 on motion by Legislator Chartrand, seconded by Legislator Moser and carried.

JULY 5, 2016

**REGULAR MEETING
July 5, 2016**

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

Roll Call: All Legislators were present.

Chairman Tabolt offered the Invocation, and led the Pledge of Allegiance to the Flag.

There were 12 persons present.

Chairman Tabolt declared the June 7, 2016 meeting minutes were approved.

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 5, 2016

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

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

Chairman Tabolt opened the public hearing for comments on the proposed addition of the Lee Gulf Trail in Turin to the Lewis County ATV Trail System.

PRIVILEGE OF THE FLOOR:

Mr. Dan Salmon, Lowville Village Councilman clarified later in the meeting that he was not speaking on behalf of the Council. He reported a special Council meeting was held on 6/30/2016 with Kraft Heinz (KH) representatives to discuss the water treatment project. They continue efforts for funding and easements for sewer lines to the plant. An Environmental Finance Corporation (EFC) grant application has been submitted; and equipment will be ordered upon funding guarantee. To-date the Village has expended several hundred thousand dollars on this project.

Pursuant to figures provided by County Planning Director Frank Pace, Mr. Salmon reported 192 dairy farms in Lewis County, of which 152 draw their milk to KH, with only one of those farms located within the Village of Lowville. The plant currently employs 343, of which 280 reside in the County. The plant intends to add 12 employees to their cream cheese production, as well as 120-150 employees for their string cheese line next fall, as their only string cheese production within the United States.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

During the past 6 months KH used 62% of Lowville's metered water. Of the Village's total \$142,973 property tax on the filtration plant and the Number Three Road property, \$54,718 is for County apportioned tax. Based on Mr. Salmon's calculations that KH pays 48% of the total water bill, he submits that KH pays \$68,627 extra per year due to taxation on the water treatment system.

"For the betterment of KH and the regional community", Mr. Salmon requests that the Board consider exempting County taxation on the water filtration plant and the small portion located outside the village, in the spirit of economic development, citing the many KH employees that reside outside of Lowville. Mr. Salmon referenced an agreement/statement he had signed on 3/2/1998 as then Village Mayor and County Board Chairman Ralph Farney. As a result of the Village's subsequent lawsuit, the court deemed the document was not legally binding. He strongly believes that "Municipalities should not tax other municipalities".

In response to Legislator Dolhof, Mr. Salmon reiterated that KH uses 62% of the metered water. However, based on the methodology for industrial users, their bill equates 48% of the total. Legislator Dolhof asserted the aforementioned amounts are for the water budget to be borne by all water users inside and outside of the Village. Liz Swearingin recalled discussion for renegotiating the water and sewer agreement that has been in effect since the 1960's to reflect current usage, which for KH is estimated to inflate to 70-75% when their building addition is operational.

Legislator Brennan asserted that if the County exempted the Village's water system, it would essentially create an additional tax burden for all County property owners to offset the lost revenue/tax deficit.

Mr. Salmon reported an approximate 50% of property within the Village is tax exempt, compounded by the sale of the Lowville Commons building to the non-profit North Country Transitional Living Services, equating an additional \$8,000 Village tax deficit. He reiterated that many people residing outside come to work at Village locations, especially at KH, illustrating the regional impact.

Legislator Moser said he would consider exempting the Village water system, however, would want assurance the Village would utilize the tax savings to regularly upgrade and maintain the infrastructure that has had nominal investment since the 1950's. He was not placing blame, but wants clarification to justify consideration of an exemption.

Mr. Salmon expressed his conviction that the lower water rates are a primary reason for KH remaining in Lowville.

Legislator Dolhof affirmed the County taxes all water facilities located within the County, likewise as the Village of Lowville. Therefore, the Board's consideration must include all of the water systems. All taxation amounts are relevant to the respective municipality, he said. Legislator Moser invoked that any County tax deficit would have to be spread upon all taxpayers.

Repeating Mr. Salmon's comment that "Municipalities should not tax other municipalities", Chairman Tabolt referred the issue to the Taxation Committee for review and a recommendation for full Board consideration.

Legislator King indicated he could consider an exemption only if all municipalities are included, otherwise he would not.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Mr. Kenneth Bibbins submitted a letter of resignation from the Lewis County Traffic Safety Board, as the NYS Department of Transportation local representative, due to a promotion to the Watertown regional office.

The Board acknowledges receipt of a resolution adopted by the Cattaraugus County Legislature urging the Governor to sign the Public Defense Mandate Relief Act for the State's phased in takeover of County Indigent Defense expense.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Sealer of Weights and Measures Barbara Cooper has submitted her 2nd quarterly report to be placed on file.

County Treasurer Patricia O'Brien and Real Property Tax Director Candy Akin submitted an approved application for a refund of real property taxes for the year 2015 in the amount of \$132.24 for Kevin Farr for property in the Town of Leyden.

Legislators have received copies of the Treasurer's June report and the 2nd Qtr. Bed Tax Report; the 6/24/16 Solid Waste and 6/28/16 Highway Audit Reports; and the following Apportionment of Mortgage Tax for the period 10/1/2015 to 3/31/2016:

**APPORTIONMENT OF MORTGAGE TAX
October 1, 2015 through March 31, 2016**

	<u>KEY</u>	<u>VALUATION</u>	<u>AMOUNT</u>
Town of Croghan		314,797,666	\$15,128.91
Village of Croghan	.025713783	16,189,278	<u>399.29</u>
			\$15,528.20
Town of Denmark		181,327,970	\$17,379.39
Village of Castorland	.044003942	15,958,291	905.76
Village of Copenhagen	.111664858	40,495,924	<u>2,298.47</u>
			\$20,583.62
Town of Diana		172,574,973	\$ 9,745.30

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Village of Harrisville	.065388885	22,568,970	<u>681.82</u> \$10,427.12
Town of Greig		227,217,263	\$10,452.43
Town of Harrisburg		263,075,304	\$ 1,890.04
Town of Lewis		73,296,112	\$ 6,324.81
Town of Leyden		101,443,543	\$ 5,099.26
Village of Port Leyden	.079665854	16,163,173	<u>441.40</u> \$ 5,540.66
Town of Lowville		445,612,744	\$20,246.77
Village of Lowville	.281786159	251,135,007	<u>7,943.68</u> \$28,190.45
Town of Lyonsdale		100,487,319	\$ 2,918.91
Village of Lyons Falls	.036812720	7,398,423	114.77
Village of Port Leyden	.026913759	5,408,983	<u>83.91</u> \$ 3,117.59
Town of Martinsburg		401,107,085	\$ 1,946.99
Town of Montague		40,129,213	\$ 1,659.32
Town of New Bremen		173,656,584	\$10,716.72
Village of Croghan	.035625139	12,373,080	<u>395.89</u> \$11,112.61
Town of Osceola		50,932,462	\$ 892.71
Town of Pinckney		37,075,815	\$2,682.47
Town of Turin		74,746,977	\$ 3,360.87
Village of Turin	.080469462	12,029,698	<u>294.12</u> \$ 3,654.99
Town of Watson		205,348,969	\$11,082.21
Town of West Turin		148,366,967	\$10,041.51
Village of Constableville	.046158044	13,696,658	565.35
Village of Lyons Falls	.133996080	39,761,184	<u>1,641.19</u> \$12,248.05

GRAND TOTAL **\$147,334.27**

JULY 5, 2016

To County of Lewis

\$73,667.20

Gregory Kulzer, Chairman
Craig Brennan
Lawrence Dolhof
Taxation Committee

WARRANT

TO: The Treasurer of the County of Lewis

You are hereby notified by the Board of Legislators of Lewis County that the sum of \$73,667.20 from the tax on mortgages from October 1, 2015 through March 31, 2016 has been apportioned to the Tax Districts entitled to same and, you are hereby directed to pay the respective Supervisors the amount due to the Towns, to their Village Treasurers the amount due the Villages, and to the County of Lewis the amount stated, according to the foregoing schedule, pursuant to the provisions of Section 261 of the Tax Law.

Given under the hands of the Chairman and the Clerk of the Board of Legislators of Lewis County, and the seal of the Board of Legislators being hereto affixed on the 8th day of June 2016.

Michael A. Tabolt, Chairman
Teresa K. Clark, Clerk of the Board

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, reported that the Greenskies' company had done core drillings to test the soils for the solar project; the steps between the Court House and the church would be poured on 7/6/16; the fence at the Outer Stowe Street building would be installed during the next week; and the issues with the DSS parking lot pond and "punch list" items will be discussed with Bernier, Carr & Associates.

In response to an inmate's complaint, the water at the jail was tested and reported negative for bacteria.

Legislator Hathway requested an "Attorney-Client Privilege" update on contractual negotiations from County Atty. McNichol later today.

Legislator Hathway made a motion to authorize issuance of a Request For Proposals for snow plowing at all County-owned tower sites, seconded by Legislator Dolhof. In response to Legislator Dolhof, Legislator Hathway affirmed that separate bids would be accepted for one or some of the sites, but the preference is for one sole bidder for all sites. Highway Superintendent David Becker will formulate a quote for comparison purposes. The motion was then carried.

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Legislator Hathway reported attending the presentation for the proposed Fort Drum missile defense site. Cognizant that the proposed closing of Route 3A would add five miles for Harrisville resident employees, military officials are working to mitigate that inconvenience. During construction 400-600 workers would be employed over a 5-year schedule or a greater number for a 3-year schedule. The construction would increase sales tax by one million dollars annually. The value added to the region is estimated at \$190,000,000 per year, and 1,836 indirect jobs are estimated during construction. Upon implementation, the site would employ 650-800, however, the General rejected giving a civilian versus military employee ratio. The site would annually impact \$1.6 million of sales tax revenue, added value of \$27 million, and 340 indirect jobs.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Employment and Training/Youth Bureau Committee Chairman, reported the summer youth program started today, as well as 16 PINS Diversion summer youths and two counselors financed through the Pratt-Northam Foundation, that will participate in community service, recreation and educational programs.

Legislator Fawcett also reported, the cited issues with the local apartment used for a homeless shelter were remedied in a timely manner. The Department of Social Services partners with Lewis County Opportunities, Inc. to provide safe shelters for those in need.

Legislator Fawcett reported that Senior Farmer's Market Nutrition Program coupons are available through 9/30/2016. NY Connects in conjunction with the Office For Aging will distribute informational materials at a vendor booth at the Lewis County Fair from 7/19-7/22/16. The annual Senior Day is scheduled for 7/21, including musical entertainment events. A six-week course "Staying Healthy in Lewis County" through the Chronic Disease Self-Management Program "will be held on Tuesdays beginning 7/26 at the Maple Ridge Center. The Alzheimer's Caregivers Support Group meets on the third Thursday of each month at the Maple Ridge Center focused on caring for those with dementia.

Legislator Fawcett relayed the Youth Bureau Advisory Board welcomed new student representatives Dustin Snyder and Noah Ramer of Copenhagen Central School; Camille Ledoux and Shawn Shaw of Beaver River Central School; Jurnee Allen of Harrisville Central School; Reegan Domagala of South Lewis School; and Madeline Lehman of Lowville Academy & Central School.

Legislator Bryan Moser, County Officers/Junkyards/Veterans' Services/Human Resources Committee Chairman, reported six junkyard complaints, four of which are being addressed by the County Attorney. Ward Dailey has reached out to junkyard owners and follows the outlined process to address issues. Three license renewals and one annual inspection were completed.

Legislator Moser reported that Cooperative Extension Executive Director Michele Ledoux had submitted the 2017 County budget request. Agriculture Program Coordinator Peggy

JULY 5, 2016

Murray assists beginner farmers. The Family Farm Visit is scheduled for 10/1/2016 at the Peter and Sandy Jones farm in Copenhagen.

Legislator Moser reported that at his request, Human Resource Director James Swords had forwarded departmental organizational charts to all Legislators as a reference when considering creation or filling of positions.

Legislator Jerry King, Courts and Law Enforcement/Emergency Services/Fire Coordinator/Building Codes Committee Chairman, reported weekly phone conferences with E.F. Johnson personnel to relate and discuss identified radio and pager problems. They are working to improve pager reception.

Legislator King reported attending a meeting in Stillwater with the Hudson River-Black River Regulating District and NYSDEC representatives.

Legislator King announced that Sheriff Carpinelli is searching for candidates to fill two deputy sheriff and one or two dispatcher positions.

In response to Chairman Tabolt, Legislator King stated that the new radio communication system was designed for on-road coverage. They have reached out to all first responders and instructed and reminded that all interior firefighters switch to an off-air channel. This is not a new procedure. Interior firefighters have historically used this protocol.

Legislator Lawrence Dolhof, Economic Development/Planning/Recreation, Forestry & Parks Committee Chairman, made a motion to retain engineering services from Terry Thisse for an amount not to exceed \$2,000 for engineering a septic system for the Singing Waters Park. The motion was seconded by Legislator Brennan and carried. Legislator Dolhof offered to address questions during presentation of his sponsored resolutions.

Legislator Craig Brennan, Taxation/Information Technology Committee Chairman, reported that Mohawk Networks is known locally as North Country Broadband. Company manager Jeff Beekhoo is looking to employ qualified persons/contractors to install wiring in selected homes for broadband service connection.

Legislator Brennan reported budgetary savings for the Board of Elections attributable to having no Federal primary elections. The Croghan Village Board has officially acted to move their future elections to the November cycle, which eliminates the administration chargeback from the County Board of Elections. In contrast, the Lowville Village Board has indicated their intent to continue March elections.

Legislator Hathway recommended Northern Pioneer Contractors, Inc. for the broadband project, commending their electrical work for the DSS parking lot project.

Legislator Greg Kulzer, Transportation/Solid Waste Committee, made a motion to authorize Highway Superintendent David Becker to re-fill one Full-time Heavy Equipment

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Operator and one Full-time MEO (Medium), upon impending vacancies due to retirement and/or promotion of existing employees, seconded by Legislator Moser and carried.

Legislator Kulzer reported the 8-10 Tons of recyclables received daily represents a 40% increase since implementing clear bags. Director Pete Wood has researched the initiative of burning trash to create power and determined our 50-Ton daily trash volume is well below feasible amounts.

County personnel are removing the bins from the recycle building. The notice for bids will be advertised for the recycling building construction, to be opened on 7/21/2016. The Development Authority of the North Country has agreed to allocate \$100,000 toward the estimated building cost of \$350,000.

Legislator Kulzer reported the current \$1.71 per gallon oil market price is well below the \$2.293 bid and budgeted price, effecting nearly \$100,000 savings. Also, the State has informed approval of Pave NY CHIP's funding of \$395,903.33 for the next five years.

Legislator Kulzer said he would request David Becker to research information relayed by Legislator Moser of available USDA grant funds for municipal snow plow purchases.

Legislator Richard Chartrand, Hospital Committee Chairman, reported NYSDOH approval of the 2014 IGT funds and expects the \$4 million within 30 days. Delivery Services Reform Incentive Payment (DSRIP) funds totaling \$180,000 have been received. Vital Access Provider (VAP) 2015-2017 funding of \$1,040,000 has been awarded. The Insurance Committee will meet on 7/7/16 to review quotes for worker's compensation coverage.

Legislator Chartrand relayed CFO Jeffrey Hellinger reported a May surplus of \$451,934 versus a budgeted gain of \$229,694, for a year-to-date surplus of \$1,582,835; and a County debt balance of \$3.0 million. Administrative staff continues discussion for expenditure plans of the \$6.58 million Essential Health Provider grant. A value-based payment and quality improvement program for \$5.5 million is in effect from 4/1/2016 through 3/31/2017, with the initial payment due in August. The Hospital recovered \$1.7 million for re-submitted 2015 Medicare and Medicaid cost reports. The average monthly accounts payable period was 82.5 days, the lowest in three years, although greater than the target of 77.1 days. May accounts receivable collections were an all-time high of \$4.5 million.

The Lewis County Hospital Foundation donated eight battery operated "companion cats" for dementia patients of the Rainbow Community First Floor Nursing Home.

An ADHC grant application will be submitted that would finance 75% of the purchase of two new buses to transport nursing home patients to community events.

In response to Legislator Hathway, Legislator Chartrand realized the deadline had passed to withdraw from the County's worker's compensation plan at the end of this year, but exploration for alternative options continues.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chairwoman, reported receipt of a COLA increase for Public Health. Director Penny Ingham will attend the next CNY Delivery Services Reform Incentive Payment (DSRIP) regional project advisory committee meeting. The Medical Reserve Corp. will be volunteering with Public Health staff at the fair booth to distribute mosquito and tick bite prevention materials. The Pre-School year ended having served the annual average of 120 children. Ninety children are receiving summer services; and currently 59 are enrolled for the fall.

Legislator Moroughan reported submission to the State of the 2017 Community Services Plan with stated goals to ensure continuity of care and timely access to services; improve awareness of suicide risk; advance the understanding of State initiatives and how these will impact access and County needs; work with local agencies to improve access, choice and utilization of transportation options; increase community knowledge of the opioid and heroin crisis and available resources and treatment options; and work with local stakeholders to develop a plan to attract and retain qualified clinical staff needed to serve our population.

The Lewis County Suicide Coalition is working jointly with the Fort Drum Regional Health Planning Organization to develop a tri-county strategic plan to increase awareness and suicide prevention.

COUNTY MANAGER REPORT:

Liz Swearingin reported the Tyler-Munis financial software program is on schedule for implementation in October-November, which will require an intense schedule for staff during August. The payroll programming work will start in September with implementation scheduled for March-April 2017.

Department Heads have been requested to enter their preliminary 2017 personnel and contractual budget requests in the IFM system by 7/8/2016, and full budgets are expected by 9/7/2016.

COUNTY TREASURER REPORT:

Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$249,168.00; Contingency Fund-\$431,000.00; Capital Data Processing Fund- \$130,081.17 and Capital Equipment Fund - \$242,883.43, of which \$137,213.98 is the Highway portion. She also reported budgeted level year-to-date sales tax revenue of \$4,282,796.88; and the current Hospital debt of \$3 million.

Ms. O'Brien reported a slight increase in the Internal Service Fund, while cautioning that payment of some June claims had been delayed.

In response to Legislator Chartrand, she clarified that the bed tax delinquencies are 10 days past due and the amount is inclusive of a large sum for one business. She notifies the County Attorney of businesses that are over 30 days delinquent.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

SPECIAL REPORT:

Chairman Tabolt reported attending the Clean Energy Expo hosted by the Adirondack North Country Association at SUNY Polytechnic Institute in Utica on 6/14/2016. He had a private meeting with representatives from the Governor's office and State Energy Department to speak about efforts to assist the ReEnergy plant in Lyonsdale, with a follow-up phone conference planned in the near future.

He and Clerk of the Board Terry Clark had attended the Inter-County Legislative Committee of the Adirondacks' meeting in Hamilton County on 6/23/2016. The group adopted resolutions urging the Governor to sign legislation for the State phased-in takeover of Indigent Legal Defense expenses; to enact legislation for the State to assume the additional District Attorney salary expense; and urging legislation to more equitably and efficiently impose 9-1-1 surcharges on all wireless communication devices and designate the revenue to finance County operations. The next meeting will be hosted by St. Lawrence County on 7/28/2016.

Chairman Tabolt reported attending the 7/1/2016 unveiling ceremony of the Monument for Fort Drum Soldiers at Thompson Park. He was very impressed by the speech of former Fort Drum Commander Lieutenant General James Campbell.

Chairman Tabolt relayed being informed by a Habitat for Humanity representative of their rejection to take ownership of the Village of Constableville property that the Board had removed from the delinquent tax sale. They had determined the foundation was irreparable and the structure would require a financial investment well beyond its worth. The deed for the property had not been transferred. The property will be included in the next delinquent auction.

In response to Legislator Chartrand, Chairman Tabolt reported the State Senate had passed legislation for the State to assume the additional District Attorney salary, but the Assembly had not. However, NYSAC remains diligent to repeat the request during the next State Legislative session.

At 6:03 p.m. Chairman Tabolt closed the public hearing.

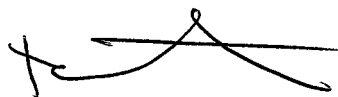
REPORT OF THE WAYS AND MEANS COMMITTEE:

JULY 5, 2016

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

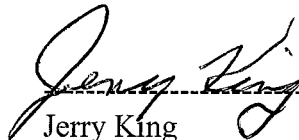
To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 853,276.80 and recommend that they be audited and allowed for the amounts claimed.



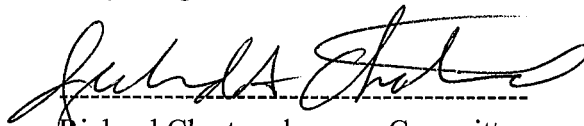
Philip Hathway

Chair



Jerry King

Committee



Richard Chartrand

Committee

Dated: July 5, 2016

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

RESOLUTIONS:

**RESOLUTION NO. 244 - 2016
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 \$ 853,276.80 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Hathway, seconded by Legislator King, and adopted by roll call vote:

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 245 - 2016
RESOLUTION TO INCORPORATE GREAT LOT SPORTSMAN'S CLUB PROPERTY
INTO THE LEWIS COUNTY ATV TRAIL SYSTEM**

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

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

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

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement ("DGEIS") and a Final GEIS (collectively the "GEIS") and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 29, 2009, the Board of Legislators

issued a written Statement of Findings setting forth the Board's conclusions and determinations, based upon the facts and analyses contained in the GEIS; and

WHEREAS, upon completion of its environmental review under SEQRA, the Board of Legislators formally established the Lewis County Trail System (herein "Trail System") by adopting Local Law No. 2 – 2009, "**A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM**" (herein, "Local Law No. 2"); and

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

WHEREAS, the Recreation, Forestry and Parks Director has presented the Board of Legislators with a request to add the property known as the Great Lot Sportsman's Club and Charles Case Properties in the Town of Lewis, parcel numbers 417.00-01-03.000 and 417.00-01-20.112 (properties off of Osceola Road after Mowers Road) to the ATV Trail System; and

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed trails and properties pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators has contemporaneously herewith completed its review under SEQRA with respect to the properties and trails identified above, and based upon an investigation and analysis conducted by the Soil and Water Conservation District, has found and determined that adding these properties and trails to the Lewis County Trail ATV System will not result in a significant environmental impact; and

WHEREAS, the owners of the property, Guy Case, Dean Case and Charles Case, have executed access agreements with the County of Lewis by and through the Director of Recreation, Forestry and Parks, that permits the County to enter upon their properties for the purpose of constructing and maintaining the ATV trails that will be open to the public and part of the County's ATV trail system.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The trails located on the above referenced property, known as the Great Lot Sportsman's Club and Charles Case Properties in the Town of Lewis, parcel numbers 417.00-01-03.000 and 417.00-01-20.112, and more fully described in the Supplemental Statement prepared by the Soil and Water Conservation District, are hereby deemed incorporated into and made a part of the Lewis County Trail System.

Section 2. The Board of Legislators hereby authorizes the addition of the Great Lot Sportsman's Club and Charles Case trails to the Lewis County ATV Trail System, and authorizes amendment of the maps of the Lewis County Trail System as the same are published on the Lewis County website and elsewhere to include the trails described herein, together with such other and further actions as may be necessary to administer and maintain such trail

consistent with the Lewis County ATV Trail Plan, the GEIS and Statement of Findings, and Local Law No. 2-2009.

Section 3. That the Director of Recreation, Parks and Forestry is authorized to make, execute and deliver such additional Access Agreements for the aforesaid properties, upon approval by the County Attorney as to form.

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

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

RESOLUTION NO. 246 - 2016
RESOLUTION TO INCORPORATE GROWER PROPERTY
INTO THE LEWIS COUNTY ATV TRAIL SYSTEM

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

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, “ATVs”) is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

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

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement (“DGEIS”) and a Final GEIS (collectively the “GEIS”) and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 29, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board’s conclusions and determinations, based upon the facts and analyses contained in the GEIS; and

WHEREAS, upon completion of its environmental review under SEQRA, the Board of Legislators formally established the Lewis County Trail System (herein “Trail System”) by adopting Local Law No. 2 – 2009, “**A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM**” (herein, “Local Law No. 2”); and

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

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WHEREAS, the Recreation, Forestry and Parks Director has presented the Board of Legislators with a request to add property owned by Sharon E. Grower, Martha G. Kowalik, and Gregory E. Grower, known as the Grower Property, approximately 158 acres in the Town of Leyden just off of the Fitch Road, identified as parcel number 402.00-01-91.100, to the ATV Trail System; and

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed property and trail, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators has contemporaneously herewith completed its review under SEQRA with respect to the property and trails identified above, and based upon an investigation and analysis conducted by the Soil and Water Conservation District, has found and determined that adding this property and trail to the Lewis County Trail ATV System will not result in a significant environmental impact; and

WHEREAS, the owners of the property, Greg Grower, Sharon Grower and Martha Kowalik, have executed Access Agreements with the County of Lewis by and through the Director of Recreation, Forestry and Parks, that permit the County to enter upon their property for the purpose of constructing and maintaining ATV trails that will be open to the public and part of the County's ATV trail system.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The trails located on the above referenced property, known as the Grower Property in the Town of Leyden, parcel number 402.00-01-9.100, and more fully described in the Supplemental Statement prepared by the Soil and Water Conservation District, are hereby deemed incorporated into and made a part of the Lewis County Trail System.

Section 2. The Board of Legislators hereby authorizes the addition of the Grower Property trails to the Lewis County ATV Trail System, and authorizes amendment to the maps of the Lewis County Trail System as the same are published on the Lewis County website and elsewhere to include the trail described herein, together with such other and further actions as may be necessary to administer and maintain such trail consistent with the Lewis County ATV Trail Plan, the GEIS and Statement of Findings, and Local Law No. 2-2009.

Section 3. That the Director of Recreation, Parks and Forestry is authorized to make, execute and deliver such additional Access Agreements for the aforesaid property, upon approval of the County Attorney as to form.

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

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

RESOLUTION NO. 247 - 2016
RESOLUTION TO INCORPORATE LEE GULF TRAIL PROPERTIES
INTO THE LEWIS COUNTY ATV TRAIL SYSTEM

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

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

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

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement ("DGEIS") and a Final GEIS (collectively the "GEIS") and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 29, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board's conclusions and determinations, based upon the facts and analyses contained in the GEIS; and

WHEREAS, upon completion of its environmental review under SEQRA, the Board of Legislators formally established the Lewis County Trail System (herein "Trail System") by adopting Local Law No. 2 – 2009, "**A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM**" (herein, "Local Law No. 2"); and

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

WHEREAS, the Recreation, Forestry and Parks Director has presented the Board of Legislators with a request to add off-road trails on properties known as the Lee Gulf Trail in the Town of Turin, to the ATV Trail System. The Lee Gulf Trail Properties owners and parcel numbers as herein described:

Village of Turin -----	304.00-01-5.0, 8.0 & 9.0
Phase 4 Estates Inc. -----	305.00-01-9.20
Sharon Stewart -----	289.00-01-24.1
Jeff Stoffle -----	304.00-01-07.000
Ronald White -----	305.00-01-3.12
Dale Brown -----	305.00-01-4.1
Weona LLC-----	305.00-01-10.1

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Richard & Janet Barniak -----	304.00-01-05.110
Paul & Mary Gothe-----	304.00-01-05.110
Weona Ski Resort Inc.-----	305.00-01-9.11;7.0;6.0;9.130
Bradley Horn -----	305.00-01-8.0
Keith Horn -----	305.00-01-8.0
Leo Moshier -----	304.00-01-5.130
Christopher & Patricia Skovira-	304.00-01-5.120; and

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed property and trail, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators has contemporaneously herewith completed its review under SEQRA with respect to the property and trails identified above, and based upon an investigation and analysis conducted by the Soil and Water Conservation District, has found and determined that adding this property and trail to the Lewis County Trail ATV System will not result in a significant environmental impact; and

WHEREAS, the owners of the properties, have executed Access Agreements with the County of Lewis by and through the Director of Recreation, Forestry and Parks, that permits the County to enter upon his property for the purpose of constructing and maintaining ATV trails that will be open to the public and part of the County's ATV trail system.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The trails located on the above referenced property, known as the Lee Gulf Trail, and more fully described in the Supplemental Statement prepared by the Soil and Water Conservation District, is hereby deemed incorporated into and made a part of the Lewis County Trail System.

Section 2. The Board of Legislators hereby authorizes the addition of the Lee Gulf Trail to the Lewis County ATV Trail System, and authorizes amendment to the maps of the Lewis County Trail System as the same are published on the Lewis County website and elsewhere to include the trail described herein, together with such other and further actions as may be necessary to administer and maintain such trail consistent with the Lewis County ATV Trail Plan, the GEIS and Statement of Findings, and Local Law No. 2-2009.

Section 3. That the Director of Recreation, Parks and Forestry is authorized to make, execute and deliver such additional Access Agreements for the aforesaid property, upon approval of the County Attorney as to form.

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

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

RESOLUTION NO. 248 - 2016
RESOLUTION TO INCORPORATE CERTAIN LEWIS COUNTY
REFORESTED LANDS
INTO THE LEWIS COUNTY ATV TRAIL SYSTEM

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

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

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

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement ("DGEIS") and a Final GEIS (collectively the "GEIS") and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 29, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board's conclusions and determinations, based upon the facts and analyses contained in the GEIS; and

WHEREAS, upon completion of its environmental review under SEQRA, the Board of Legislators formally established the Lewis County Trail System (herein "Trail System") by adopting Local Law No. 2 – 2009, "**A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM**" (herein, "Local Law No. 2"); and

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

WHEREAS, the Recreation, Forestry and Parks Director has presented the Board of Legislators with a request to add the following Lewis County Reforested Land to the ATV Trail System: Trail 1- Cronk Road Trail- located on the North side of the Cronk Road in the Town of Pinckney; Trail 2- Fork and Factory Road Trail – begins at the two-road intersection on the South side of Factory Road and East side of the Forks Road and terminates at the Forks Road approximately 250 feet before the Deer River Bridge in the Town of Montague; Trail 3- Culpepper Road Trail – located on the East side of Culpepper Road in the Town of Montague; and

WHEREAS, as a consequence, the Board of Legislators has caused a site-specific environmental review of the proposed trail and properties pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

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WHEREAS, the Board of Legislators has contemporaneously herewith completed its review under SEQRA with respect to the properties and trails identified above, and based upon an investigation and analysis conducted by the Soil and Water Conservation District, has found and determined that adding these properties and trails to the Lewis County Trail ATV System will not result in a significant environmental impact.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The trails located on the above referenced property and more fully described in the Supplemental Statement prepared by the Soil and Water Conservation District are hereby deemed incorporated into and made a part of the Lewis County Trail System.

Section 2. The Board of Legislators hereby authorizes the addition of the Cronk Road, Fork & Factory Road and the Culpepper Road trails to the Lewis County ATV Trail System, and authorizes amendment of the maps of the Lewis County Trail System as the same are published on the Lewis County website and elsewhere to include the trails described herein together with such other and further actions as may be necessary to administer and maintain such trail consistent with the Lewis County ATV Trail Plan, the GEIS and Statement of Findings, and Local Law No. 2-2009.

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

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

RESOLUTION NO. 249 - 2016
RESOLUTION TO INCORPORATE TUG HILL PROPERTIES LLC PROPERTY
INTO THE LEWIS COUNTY ATV TRAIL SYSTEM

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

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

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

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement

PROCEEDINGS OF THE BOARD OF LEGISLATORS

(“DGEIS”) and a Final GEIS (collectively the “GEIS”) and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 29, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board’s conclusions and determinations, based upon the facts and analyses contained in the GEIS; and

WHEREAS, upon completion of its environmental review under SEQRA, the Board of Legislators formally established the Lewis County Trail System (herein “Trail System”) by adopting Local Law No. 2 – 2009, **“A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM”** (herein, “Local Law No. 2”); and

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

WHEREAS, the Recreation, Forestry and Parks Director has presented the Board of Legislators with a request to add property owned by Tug Hill Properties LLC (Keith Brewer), approximately 144 acres adjacent to the Carpenter Road in the Town of Turin, identified as parcel number 304.00-01-02.100, to the ATV Trail System; and

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed property and trail, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators has contemporaneously herewith completed its review under SEQRA with respect to the property and trails identified above, and based upon an investigation and analysis conducted by the Soil and Water Conservation District, has found and determined that adding this property and trail to the Lewis County Trail ATV System will not result in a significant environmental impact; and

WHEREAS, the owner of the property, Tug Hill Properties LLC (Keith Brewer), has executed an Access Agreement with the County of Lewis by and through the Director of Recreation, Forestry and Parks, that permits the County to enter upon his property for the purpose of constructing and maintaining ATV trails that will be open to the public and part of the County’s ATV trail system.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The trails located on the above referenced property, known as the Tug Hill Properties LLC Property adjacent to the Carpenter Road in the Town of Turin, parcel number 304.00-01-02.100, and more fully described in the Supplemental Statement prepared by the Soil and Water Conservation District, is hereby deemed incorporated into and made a part of the Lewis County Trail System.

Section 2. The Board of Legislators hereby authorizes the addition of the Tug Hill Properties LLC Property trails to the Lewis County ATV Trail System, and authorizes amendment to the maps of the Lewis County Trail System as the same are published on the

Lewis County website and elsewhere to include the trail described herein, together with such other and further actions as may be necessary to administer and maintain such trail consistent with the Lewis County ATV Trail Plan, the GEIS and Statement of Findings, and Local Law No. 2-2009.

Section 3. That the Director of Recreation, Parks and Forestry is authorized to make, execute and deliver such additional Access Agreements for the aforesaid property, upon approval of the County Attorney as to form.

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

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

RESOLUTION NO. 250 - 2016
RESOLUTION CALLING ON ALL STATE AND COUNTY OFFICIALS, RESIDENTS
AND BUSINESS OWNERS TO ADOPT THE “THINK DIFFERENTLY” INITIATIVE
TO ASSIST INDIVIDUALS WITH SPECIAL NEEDS AND THEIR FAMILIES

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

WHEREAS, the “Think Differently” initiative is about promoting awareness and acceptance of all people, and advocating for the inclusion of all individuals living on the Autism Spectrum and with special needs; and

WHEREAS, our state and communities are stronger because of our diversity and differences; and

WHEREAS, according to the Center for Disease Control (CDC) over 55 million people, or approximately 19% of Americans, have a type of disability or special need; and

WHEREAS, for some people with special needs, the very things that make them unique can also keep them on the sidelines, separate from those who might not understand their differences or uniqueness; and

WHEREAS, it is important to promote and provide guidance to those with special needs on how to access publicly supported services available to them in the community; and

WHEREAS, it is important to encourage and educate the community and businesses on ways they could make facilities and services more accessible and how to train staff to welcome and support special needs customers and co-workers; and

WHEREAS, the goal of this initiative is to provide a supportive and inclusive environment for individuals of all abilities by supporting community events that expand family friendly opportunities for people with special needs and their families; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, adopting the “Think Differently” initiative is an important statement that our State and County officials, business owners and residents can make to show their support for the differently-abled children and adults with special needs and their families.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators calls on all State and County officials, residents and business owners to adopt the “Think Differently” initiative so that all are better prepared to communicate with, provide for, and support those living on the Autism Spectrum and having special needs.

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

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

**RESOLUTION NO. 251 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY AND NCC SYSTEMS, INC.**

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

WHEREAS, NCC Systems, Inc. is an electronics integration company in Northern NY and licensed by New York State Department of State with the main office located at 6738 State Highway 56, Potsdam, New York 13676; and

WHEREAS, the County of Lewis wishes to enter into an Agreement with NCC Systems, Inc. for the purpose of providing monitoring services for the following county locations: Emergency Management Building, DSS Record Storage Building, Board of Elections, Lewis County Court, Office for the Aging and the Department of Motor Vehicles; 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 with NCC Systems, Inc. to provide monitoring services for the following county locations: Emergency Management Building, DSS Record Storage Building, Board of Elections, Lewis County Court, Office for the Aging and the Department of Motor Vehicles for the term commencing January 1, 2017 through December 31, 2019 at a cost not to exceed \$1,152.00, payable in advance in annual amounts of \$384.00 per year.

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

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

Moved by Legislator Fawcett, seconded by Legislator King.

In response to Chairman Tabolt, Legislator Hathway explained the service is for remote fire and safety monitoring at the various buildings. As an example, the power went out at a building on 7/4/2016 and NCC contacted Frank Archer to alert him. They will immediately notify 911 dispatch of any fire alarm. The contact phone list of Maintenance personnel will be used for all non-emergency alerts.

The resolution was then adopted.

**RESOLUTION NO. 252 - 2016
RESOLUTION TO APROPRIATE FUNDS
COMMUNITY SERVICES**

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

BE IT RESOLVED as follows:

Section 1. That the following budget changes are hereby approved in the Community Services Accounts for the Suicide Prevention Walk with proceeds from T83 MH Memorial Savings:

<u>Appropriate funds:</u>		Amount:
A4335.4407	Supplies	\$384.69
A16201	Mental Health Fees	\$384.69

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

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

**RESOLUTION NO. 253 - 2016
RESOLUTION TO APPROPRIATE FUNDS
COMMUNITY SERVICES**

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

BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the following appropriation is hereby approved in the Community Services accounts for the changes in funding from OASAS:

Increase Revenue:

A34914 OASAS Mtn. View SA	\$3,371.00

Increase Expense:

A4325.4999 Mtn. View Expense	\$3,371.00

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

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

**RESOLUTION NO. 254 - 2016
RESOLUTION TO APPROPRIATE FUNDS
BLUE STREET OVER WHETSTONE CREEK**

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

BE IT RESOLVED as follows:

Section 1. That \$226,000 shall be appropriated in the Capital Bridge Program to facilitate the PE/Design Phase and Row Incidentals and Construction Phases of the Bridge on Blue Street over Whetstone Creek.

Section 2. The following accounts shall be recognized to facilitate the funding of this project:

Revenue:

HAM45910	FEDERAL	\$180,800.00
HAM50310	LOCAL	\$ 45,200.00

Expense:

HAM5197.4	\$226,000.00

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

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

**RESOLUTION NO. 255 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
DEPARTMENT OF HIGHWAYS**

JULY 5, 2016

Introduced by Legislator Gregory Kulzer, 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>
Motor Equipment Operator (Medium)	Full-Time	Grade 18 (\$16.77-\$18.13/hr.)

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

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

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

RESOLUTION NO. 256 - 2016
RESOLUTION AUTHORIZING AMENDED AND RE-STATED AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND THE COUNTY OF LEWIS INDUSTRIAL
DEVELOPMENT AGENCY (LCIDA) TO FULLY ADMINISTER AND SERVICE THE
MICRO-ENTERPRISE REVOLVING LOAN FUND

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

WHEREAS, in the late 1990's, the County of Lewis received a Small Cities Community Development Block Grants from the US Department of Housing and Urban Development (HUD), which was used for economic development revolving loans known as the Lewis County Micro-Enterprise Revolving Loan Fund (Micro-Enterprise Loan Fund); and

WHEREAS, the original Grant funds have been fully drawn down, with the County Treasurer maintaining a separate account with a present balance of \$76,192.40 remaining from interest realized from prior loans advanced and repaid; and

WHEREAS, on February 27, 2015, the County entered into a contract with the LCIDA to administer and service the Micro-Enterprise Loan Fund in accordance with all HUD regulations and grant conditions; and

WHEREAS, the County seeks to amend said agreement to provide for the remaining micro-enterprise revolving loan account balance to be transferred and turned over to the LCIDA to administer, re-loan and service as the agent of the County; and

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WHEREAS, it is the County's position that the transfer of this account balance to the LCIDA for direct administration and servicing in accordance with the original Grant guidelines is a more efficient and appropriate administration of the remaining funds under this program.

NOW, THEREFORE, BE IT RESOLVED, that

Section 1. That this Board of Legislators hereby authorizes an amended and re-stated Agreement between the County and the LCIDA for the LCIDA to act as the County's agent to fully administer and service the remaining micro-enterprise revolving loan fund and account balance, including authorization to transfer the balance of the account from the County Treasurer to the LCIDA, provided that the LCIDA deposits said balance in a separate, interest bearing account, consistent with the Micro-Enterprise Revolving Loan Fund Program goals and objectives, and to provide the County with quarterly reports and records of any and all activity pertaining to this account and distribution of its funds.

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

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

Moved by Legislator Dolhof, seconded by Legislator Brennan.

In response to Legislator Hathway, Legislator Fawcett stated that the Micro-Enterprise Loan fund balance is approximately \$30,000.

The resolution was then adopted.

RESOLUTION NO. 257 - 2016
RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING
BETWEEN LEWIS COUNTY OFFICE FOR THE AGING
AND ALZHEIMER'S ASSOCIATION, CENTRAL NEW YORK CHAPTER

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Office For The Aging Committee.

WHEREAS, the New York State Department of Health awarded the Alzheimer's Association, Central New York Chapter a five (5) year, 15 county Caregiver Support Grant. Alzheimer's Association seeks to subcontract with Lewis County Office for the Aging (OFA) to provide Caregiver Support Services under the Grant; and

WHEREAS, the Alzheimer's Association, Central New York Chapter, seeks to have OFA provide facility based (Social Adult Day Services-SADS) or home based (in-home respite) services to persons in Lewis County, and to have OFA be reimbursed with Grant proceeds of

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\$40,000.00 over the five-year period. OFA will submit and be reimbursed a total of 5,300 in services and administration cos expended in 2016, and then annual Grant sums of \$8,675 per year commencing 2017 through 2020; and

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

BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the Lewis County Office for the Aging subcontracting with the Alzheimer's Association, Central New York Chapter, to provide Caregiver Support Services and receive Grant fund reimbursement for such services over a five year period as set forth in the Grant terms.

Section 2. That the Memorandum of Understanding shall be for the term commencing July 1, 2016 through December 31, 2020, with reimbursement totals of \$5,300 in 2016 and \$8,675 per year from 2017 through 2020, to the Lewis County Office for the Aging.

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 terms as may be approved by the Lewis County Attorney.

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

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

RESOLUTION NO. 258 - 2016
RESOLUTION TO APPROPRIATE FUNDS
PLANNING DEPARTMENT

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation of the LGE Grant C1000627 funds into the Planning Department account is hereby approved for the Southern Lewis County Regional Water Program:

Increase Revenue

A39014 LGE South LC Water	\$299,022.00

Increase Expense

A8020.4957 LGE South LC Water	\$299,022.00

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

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

RESOLUTION NO. 259 - 2016
URGING GOVERNOR CUOMO TO SIGN INTO LAW
PUBLIC DEFENSE MANDATE RELIEF ACT (S.8114/A.10706)

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, 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 undertake its best efforts to pay in full for these long-needed measures; and

WHEREAS, the settlement of the *Hurrell-Harring* matter 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 only the five named counties' indigent legal defense plans; and

WHEREAS, New York State Senate and Assembly have passed historic legislation entitled "Public Defense Mandate Relief Act" (S.8114/A.10706) which will require New York State to reimburse counties for expenditures made fulfilling the state's obligation to provide representation for those financially unable to afford counsel commencing incrementally in 2017 and reaching 100% in 2023 and thereafter, and

WHEREAS, the Public Defense Mandate Relief Act (S.8114/A.10706) will give the Indigent Legal Service Office the authority "to adopt, promulgate, amend or rescind rules and regulations to carry out the provisions of [Executive Law 832], including to (i) ensure the presence of counsel at the first appearance of any eligible defendant charged with a crime, (ii)

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establish caseload/ workload regulations for attorneys providing mandated representation, and (iii) improve the quality of mandated representation”, and

WHEREAS, requiring counties to finance the State's obligation to provide public defense services imposes a significant uncontrollable financial burden on counties dependent on real property taxes to fund needed services and subject to a State-imposed tax cap that would be remedied under the Public Defense Mandate Relief Act (S.8114/A.10706) as passed by the New York State Senate and Assembly; and

WHEREAS, the Board of Legislators seeks to support the Public Defense Mandate Relief Act (S.8114/A.10706) passed by the State legislative bodies and to urge its signing by the Governor.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. 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 2. That the Board of Legislators of Lewis County strongly urges Governor Cuomo to sign the Public Defense Mandate Relief Act (S.8114/A.10706) when it is delivered to him, fulfilling the State’s obligation under Gideon vs. Wainwright, 372 U.S. 335, relieving the taxpayers of Lewis County and the other counties of the State to fund this State mandate.

Section 3. That copies of this resolution shall be sent to Governor Cuomo, Members of the State Senate and Assembly, the New York State Office of Indigent Legal Services (ILS), the New York State Defenders Association (NYSDA), the New York Civil Liberties Union (NYCLU), the Chief Defenders Association of New York (CDANY), the New York State Association of Counties (NYSAC), and the InterCounty Legislative Committee of the Adirondacks, and all others deemed necessary and proper.

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

RESOLUTION NO. 260 - 2016
RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY
ON BEHALF OF THE COUNTY OF LEWIS AND NYS DOH FOR
LEAD POISONING PREVENTION

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

WHEREAS, the County of Lewis, through the Lewis County Public Health Agency has been awarded a grant from the New York State Department of Health in the amount of

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\$110,995.00 for the purpose of a Lead Poisoning Prevention Program under Contract Number DOH01-C30898GG-3450000; and

WHEREAS, the multi-year contract provides for an annual award of \$22,199.00 for a total five year award of \$110,995.00 commencing and retroactive to October 1, 2015 through September 30, 2020; and

WHEREAS, Lewis County Public Health Department is an eligible provider of these services and submitted the contract through the Grants Gateway electronic process by having the Lewis County Public Health Fiscal Manager execute same.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a multi-year grant agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency and the New York State Department of Health to provide a Lead Poisoning Prevention Program for the period of October 1, 2015 through September 30, 2020 in the total amount of \$110,995.00.

Section 2. That the Lewis County Board of Legislators hereby approves the execution of this contract by the Lewis County Public Health Fiscal manger, Paula Kaufmann, pending approval by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 261 - 2016
RESOLUTION TO APPROPRIATE FUNDS
PUBLIC HEALTH**

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

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved for the increased 2016-2017 COLA (Cost of Living) Funds:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
A34461	COLA-PH	\$20,468.00
A4020.4909	COLA-Misc.	\$20,468.00

Programs providing COLA funds are as follows:

Rabies Program -	\$ 799.00
CSHCN -	\$ 1,360.00

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Lead Poisoning Prevention -	\$ 1,829.00
Immunization Action Program -	\$ 2,472.00
Cancer Services Program -	\$14,008.00

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

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

RESOLUTION NO. 262 - 2016
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 balance the Cancer Services Grant Line Items with the recently approved Grant Budget:

From:

A4035.1999	Professional Services	\$ 7,500.00
A4035.4301	Telephone	\$ 320.00
A4035.4409	Data Processing	\$ 40.00
A4035.4501	Education/Training	\$ 500.00
A4035.4502	Public Education/Promotional	<u>\$ 1,084.00</u>
	Total	\$ 9,444.00

To:

A4035.4401	Postage	\$ 500.00
A4035.4407	Office Supplies	\$ 360.00
A4035.4507	Travel	\$ 84.00
A4035.4701	Vehicle Repairs	\$ 750.00
A4035.4703	Vehicle Exp	\$ 250.00
A4035.4900	Outside Contractor	<u>\$ 7,500.00</u>
	Total	\$ 9,444.00

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

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

RESOLUTION NO. 263 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**NEW YORK STATE DEPARTMENT OF HEALTH
FOR CANCER SCREENING PROGRAM RENEWAL AND EXTENSION**

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 \$425,000.00 under contract number C028819 for Integrated Breast, Cervical and Colorectal Cancer Screening Program; and

WHEREAS, Lewis County Public Health Department is an eligible provider of these services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a grant agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency and the New York State Department of Health Division of Chronic Disease Prevention to provide cancer screening services for the period of April 1, 2016 through September 30, 2018 in the amount of \$425,000.00, with no local share cost.

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

Section 3. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 264 - 2016
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 balance the Lead Poisoning Prevention Program Grant Line Items with the recently approved Grant Budget:

<u>From:</u>		
A4071.1999	Professional Services	\$ 1,450.00
A4071.4907	Adv for Lead Program	<u>\$ 1,660.00</u>
	Total	\$ 3,110.00

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To:

A4071.4301	Telephone	\$ 50.00
A4071.4401	Postage	\$ 150.00
A4071.4407	Office Supplies	\$ 326.00
A4071.4503	Educational Material	\$ 1,859.00
A4071.4901	Professional Services	\$ 350.00
A4071.4909	Miscellaneous	\$ 375.00
	Total	\$ 3,110.00

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

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

RESOLUTION NO. 265 - 2016
RESOLUTION AUTHORIZING RENEWAL OF
MEMORANDUM OF UNDERSTANDING BETWEEN
LEWIS COUNTY DEPARTMENT OF RECREATION, FORESTRY & PARKS
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 renew its partnership 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 its 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 support this program by providing its authorization to renew this Memorandum of Understanding ("MOU").

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NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby authorizes a renewal of the 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 and 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 Renewal Agreement shall be from September 1, 2016 and continue through August 31, 2017.

Section 3. That the LCRFP Department is authorized to continue participation in the Internship Program, under the original terms and conditions of the MOU, provided there is no cost to the County.

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 Dolhof , seconded by Legislator Brennan , and adopted.

RESOLUTION NO. 266 - 2016
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 re-submit a grant application under Round 2016 of the 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 Moser.

In response to Legislator Hathway, Recreation, Trail and Parks Director Jacqueline Mahoney stated the grant application requests \$54,000, representing project engineering and design cost.

The resolution was then adopted.

**RESOLUTION NO. 267 - 2016
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 a portion of the purchase of an equipment trailer, funds transferred from Capital Equipment HAD9901.9, balance \$380,094.41:

Increase Revenue:

A50310 (Inter-fund transfers)	\$3,883.50

Increase Expense:

A7989.2233 (Vehicles& Related Equip)	\$3,883.50

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

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

**RESOLUTION NO. 268 - 2016
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT**

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

BE IT RESOLVED as follows:

Section 1. That the following budget changes are hereby approved in the Sheriff's Department account for the appropriation of funds for a K-9 insert for the Ford Taurus sedan, funds from the T87-04 Fed Monies-Sheriff's Dept account.

Increase Revenue:

A27063 Contrib Canine	\$2,204.99

Increase Expense:

A3110.4911 K9 Unit Exp	\$2,204.99

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

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

**RESOLUTION NO. 269 - 2016
RESOLUTION TO AUTHORIZE 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 Courts and Law Enforcement 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 was unable to meet the Agreement deadline of 4/30/2016; 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

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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, 2017.

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 Fawcett, seconded by Legislator Dolhof, and adopted.

RESOLUTION NO. 270 - 2016
RESOLUTION TO APPROPRIATE FUNDS
SOCIAL SERVICES

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Social Services account representing an insurance recovery for vehicle damage.

Increase Revenue:

A26800 (Ins Recovery)	\$165.57

Increase Expense:

A6010.4701 (Vehicle Repair)	\$165.57

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

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

RESOLUTION NO. 271 - 2016
RESOLUTION TO APPROPRIATE FUNDS
SOCIAL SERVICES

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget changes are hereby approved in the Social Services accounts for appropriations in the Professional Services line for the Bonadio Group expense.

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Increase Revenue:

A36010 State	\$5,000.00
A46010 Federal	\$5,000.00

Increase Expense:

A6010.4901 Prof Serv	\$10,000.00

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

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

**RESOLUTION NO. 272 - 2016
RESOLUTION TO APPROPRIATE FUNDS FOR
SOCIAL SERVICES**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee

WHEREAS, Social Services has received an allocation in the amount of \$51,771.00 to support 2016 Summer Youth Employment (SYEP):

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the following appropriations are hereby approved for 2016 TANF Summer Youth Employment Program (SYEP):

Increase Revenues:

A46090	Fed TANF	\$51,771.00

Increase Expenses:

A6109.1999	Pay – TANF SYEP	\$47,936.00
A6109.8999	Fringes – TANF SYEP	\$ 3,835.00

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

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

**RESOLUTION NO. 273 - 2016
RESOLUTION ESTABLISHING COUNTY POLICY
FOR FOSTER CARE RATES BASED ON THE OFFICE OF CHILDREN AND FAMILY
SERVICES-STATEWIDE STANDARDS OF PAYMENT 2015-2016 RATE YEAR
EFFECTIVE 4/1/2016-6/30/2016**

Introduced by Legislator Roscoe Fawcett Jr, Chairman of the Social Services Committee.

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WHEREAS, the Office of Children and Family Services (OCFS) Statewide Standards of Payment (SSOP) 2015-2016 Rate Year (effective 4/1/2016 - 6/30/2016), MSAR Payment Certification for Local Department of Social Services Pursuant to the Legislative Cost-of-Living Adjustment COLA Initiative, be retroactive effective April 1, 2016.

WHEREAS, the level of payments for foster parents, adoptive subsidies, and KinGAP assistance payments for congregate care programs operated by voluntary agencies and the for administrative/services rates for regular, therapeutic, special needs, or emergency foster home programs operated by voluntary agencies, for the period of April 1, 2016, through June 30, 2016, as authorized in the State Fiscal Year 2016-16 Enacted State Budget.

WHEREAS, The Lewis County Department of Social Services, will pay no less than 100 percent of the MSAR established, for the period specified above, for each congregate care program and for each administrative/services rate for a therapeutic, special needs, or emergency foster home program; and

WHEREAS, the Statewide Standards of Payment, as established by OCFS, will increase the LCDSS payment schedules in effect for the period of July 1, 2015, through March 31, 2016, by at least 0.2 percent, for the period April 1, 2016, through June 30, 2016, for each administrative/services rate for a regular foster boarding home program, for payments to foster parents and adoption subsidies, and KinGAP assistance payments including payments for clothing and diaper allowances; and

WHEREAS, the rates established by OCFS, will be on-going until another directive is received from OCFS.

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 April 1, 2016.

Effective April 1, 2016 through June 30, 2016 - 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	\$16.91	\$5.50
Age 6 to 11	\$18.14	\$11.00
Age 12 and Over	\$19.30	\$22.00
Level of Difficulty 2 = Special Rate		
Age birth to 5	\$30.21	\$5.50
Age 6 to 11	All Ages	\$11.00

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Age 12 and Over		\$22.00
Level Of Difficulty 3 = Exceptional		
Age birth to 5	\$45.74	\$5.50
Age 6 to 11	All Ages	\$11.00
Age 12 and Over		\$22.00
Person In Need of Supervision (PINS) RESPITE	\$42.45	No child allowance.
Emergency Placement (Up to 14 Days)	\$21.23	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, 2016				
AGE	APRIL	AUGUST	DECEMBER	Per Day
0-5	124.15	124.15	124.15	1.04
6-11	173.40	173.40	173.40	1.46
12-15	275.94	275.94	275.94	2.31
16 +	284.81	284.81	284.81	2.39

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

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

RESOLUTION NO. 274 - 2016
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	Days/Month
Elected Officials					
County Clerk	Linda Hoskins	4246625-0	8	01/01/2016 – 12/31/2019	22.52
County Treasurer	Patricia O'Brien	3440925-0	8	01/01/2016 – 12/31/2019	22.23
District Attorney	Leanne Moser	3806518-1	8	01/01/2016 – 12/31/2019	21.97
Legislator Chairman	Michael A. Tabolt	3973974-3	6	01/01/2016 – 12/31/2017	16.33
Legislator	Gregory Kulzer	3370528-6	6	01/01/2016 – 12/31/2017	2.61
Appointed Officials					
Elections Specialist	Nicole Demo	6026839-8	7	01/01/2015 – 12/31/2016	21.88
Elections Specialist	Angela Peters	6043303-4	7	01/01/2015 – 12/31/2016	20.02

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

RESOLUTION NO. 275 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES
SUMMER YOUTH EMPLOYMENT PROGRAM

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, pursuant to Resolution 160-2016 the Board of Legislators authorized two (2) Summer Youth PINS Counselors to start work on 6/27/16; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, Commissioner of Social Services, having oversight of the Workforce Development Program, recommends the two counselors be retroactively approved to begin work on 6/20/2016.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends Resolution No. 160-2016 to authorize the two (2) Summer Youth PINS Counselors to commence work as of June 20, 2016 at the rate of \$12.50/hr.

Section 2. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 276 - 2016
APPROVAL OF YOUTH SERVICES PROVIDERS
FOR PROGRAM YEAR 2016**

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

WHEREAS, the provisions of the Workforce Innovation & Opportunity Act of 2014 (Public Law 113-128) require certain program elements for the delivery of youth services under Title 1B of the Act to be competitively procured; and

WHEREAS, the local workforce area complied with the provisions of the Workforce Innovation & Opportunity Act by establishing a clear firewall, the Jefferson County Purchasing Department issued and distributed the RFP; and

WHEREAS, the Jefferson County Purchasing Department held a Q&A session on Tuesday, March 8, 2015 at the Old County Courthouse conference room, 195 Arsenal St, Watertown, NY; and

WHEREAS, the Jefferson County Purchasing Department received two proposals by the April 15, 2016 deadline, and under their direction held a proposal grading session with members of the Executive Board and members of the youth committee; and

WHEREAS, the Jefferson County Purchasing Department recorded the tabulation and, sought the recommendation of the graders (tabulation documents are on file for review); and

WHEREAS, it is was recommended to Workforce Development Board on June 22, 2016 and voted to recommend to the Lewis County Board of Legislators to sign the contract awarding the Jefferson County Department Employment & Training and the Lewis County Department of Employment & Training the contract to provide program elements in the delivery of comprehensive youth services that are appropriate for funding under Title 1B of WIOA.

JULY 5, 2016

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the Lewis County Board of Legislators does hereby approve the youth service providers listed below for Program year 2016 (July 1, 2016 – June 30, 2017) at the indicated funding levels:

Jefferson County Department of Employment & Training - \$96,000

Lewis County Department of Employment & Training - \$24,000

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

**RESOLUTION NO. 277 - 2016
RESOLUTION AUTHORIZING AN INCREASE FOR THE
2016 RESOURCE ALLOCATION PLAN
WITH NYS OFFICE OF CHILDREN AND FAMILY SERVICES**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Lewis County Youth Bureau Committee.

WHEREAS, execution of the Resource Allocation Plan qualifies 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; and

WHEREAS, the NYS Office of Children and Family Services has informed their approval of an increased allocation for the 2016 Resource Allocation Plan

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 an increased allocation of \$2,585.00 for the 2016 program year for a total amount of \$23,700.00.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute, seal and deliver said amended Resource Allocation Plan.

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

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

**RESOLUTION NO. 278 - 2016
RESOLUTION TO APPROPRIATE FUNDS
YOUTH BUREAU**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Youth Bureau Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved for an increase in State Aid funding:

<u>Revenue</u>	
A38201(Youth Bureau)	\$2,585.00

<u>Expense</u>	
A7311.4906 (National Night Out)	\$2,585.00

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

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

**RESOLUTION NO. 279 - 2016
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:

<u>TITLE</u>	<u>STATUS</u>
Central Sterile Technician	Full-time

Section 2. That one full-time Nursing Assistant (Central Sterile) position shall be hereby abolished.

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

Moved by Legislator Moser, seconded by Legislator Chartrand.

JULY 5, 2016

In response to Legislator Brennan, Legislator Chartrand explained the position title replaces a “grandfathered” title for a long-tenured employee who has retired.

The resolution was then adopted.

RESOLUTION NO. 280 - 2016
RESOLUTION AUTHORIZING AND SETTING PUBLIC COMMENT PERIOD FOR
LEWIS COUNTY AGRICULTURAL DISTRICT NO. 6 EIGHT-YEAR REVIEW, WITH
INCORPORATION OF THE 2016 ANNUAL INCLUSION REVIEW

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

WHEREAS, the County of Lewis has approximately 246,368 acres in its NYS certified agricultural district designated as “Lewis County Agricultural District No. 6”. In accordance with Chapter 303a of the NYS Agricultural and Markets Law, Lewis County Agricultural District No. 6 is required to undergo review and modification as part of the eight-year review process; and

WHEREAS, as part of the eight year review process, the Lewis County Agricultural Farmland Protection Board (“LCAFPB”) members seek public comment, *inter alia*, on the nature and status of farming and farm resources within the District, objectives of the District, the degree of coordination between local laws, ordinances, rules and regulations that apply to farm operations in such district, and review of lands to be removed and added to the District as a result of this review and landowner written requests for same; and

WHEREAS, the County of Lewis seeks to conduct its 2016 annual thirty day inclusion process (Ag & Markets Law § 303b) during and simultaneously with the eight-year review process, and will provide information and notice to landowners wishing to add land to the agricultural district to submit the request during the eight-year review period; and

WHEREAS, the LCAFPB, through the Lewis County Director of Planning, seeks to have the Lewis County Board of Legislators set the public comment period for Lewis County Agricultural District No. 6 and incorporate proper notice of the 2016 annual inclusion process therein.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators of the County of Lewis authorizes and sets the Public Comment Period for the “Lewis County Agricultural District No. 6” eight-year review process for August 1, 2016 through August 31, 2016.

Section 2. That the Board of Legislators of the County of Lewis hereby further authorizes the incorporation of the 2016 annual thirty day inclusion process to coincide with the eight-year review process, and directs that all public notices for the eight-year review contain notice of incorporation of the 2016 annual inclusion process.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 3. That the Board of Legislators of the County of Lewis authorize the Lewis County Director of Planning to receive and answer any questions pertaining to the Agricultural District No. 6 Review and Modification process and timelines, and to post all public notices in a timely fashion required to give effect to this Resolution.

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

Moved by Legislator Dolhof, seconded by Legislator Brennan.

In response to Legislator Chartrand, Planning Director Frank Pace explained that 8 years ago the several Ag Districts were combined into one for the County, being designated as Ag District No. 6. The State requires an annual review, as well as an 8-year more extensive review when property owners may apply for inclusion or opt out of the Ag District. The 30-day comment period is the first step in the 300-day process. Subsequently, a public hearing must be held and all property owners within the Ag District must be notified by mail of their rights in accordance with the 8-year review.

The resolution was then adopted.

OTHER BUSINESS:

Legislator Moser made a motion to change the time of the August 2, 2016 board meeting to begin at 9:00 a.m. to accommodate the annual golf outing and dinner to be held at Cedar's Golf Course. The motion was seconded by Legislator Brennan and carried.

Legislator Dolhof made a motion to hold the September 6, 2016 board meeting to begin at 5:00 p.m. at Constable Hall, seconded by Legislator King and carried. Legislator Fawcett offered a 4:00 p.m. tour of the site to anyone interested.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Brennan at 6:22 p.m., seconded by Legislator Moser and carried.

AUGUST 2, 2016

**REGULAR MEETING
August 2, 2016**

The meeting was called to order at 9:00 a.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

Chairman Tabolt offered the Invocation, and led the Pledge of Allegiance to the Flag.

There were 12 persons present.

Chairman Tabolt declared the July 5, 2016 meeting minutes were approved.

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 2, 2016

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

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

PRIVILEGE OF THE FLOOR:

Anne Merrill, Chamber of Commerce Executive Director, made a plea for Legislators or anyone interested to sit at the County booth at the State Fair from 8/25–9/5/16. There are 20 shifts open from 10a.m. to 4p.m. or 4p.m. to 10p.m. to distribute informational tourism materials.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Board acknowledges receipt of a resolution adopted by the Onondaga County Legislature memorializing the State to enact legislation to stop unfunded mandates, returning control to local governments on behalf of their residents; and a resolution adopted by the Cattaraugus County Legislature supporting proposed legislation regarding an increase in vendor fees at certain gaming facilities.

The NYS Parks, Recreation and Historic Preservation Office informed that following a detailed review the State Review Board has recommended to the Commissioner that the Old Lowville Cemetery be listed on the NYS Register of Historic Places and be nominated to the National Register of Historic Places.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

The NYS Preservation Office also informed that the Talcottville Common School #2 has been listed on the National Register of Historic Places.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

County Treasurer Patricia O'Brien and Real Property Tax Director Candy Akin submitted an approved application for a refund of real property taxes for years 2013 and 2014 for amounts of \$84.98 and \$85.27 respectively to Donald Dragon for property in the Town of West Turin; and for year 2016 in the amount of \$139.47 to William J. & Lynn M. Kelly for property in the Town of West Turin.

Legislators have received copies of the 7/18/16 Solid Waste and Highway Audit Reports; and the 7/13/16 minutes of the Youth Bureau Advisory Board.

Public Health Director Penny Ingham submitted minutes of the 4/19/16 meeting of the Health Services Advisory Committee, to be placed on file.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, reported that Greenskies will submit additional information requested by National Grid for the solar project. County officials remain optimistic the solar array will be built this year, but connectivity is dependent upon National Grid's schedule.

The Committee had reached out to the Workplace Violence Committee to assure all of their recommended safety measures had been properly addressed.

Legislator Hathway deferred to County Atty. McNichol, who referenced the agreement with the developer of the Copenhagen Wind Farm project and all jurisdictions. The final PILOT term sheet for the turbines located in the Copenhagen School District indicates the County, Town of Denmark and school district are to receive 31%, 38% and 31% respectively. For the turbines located in the Lowville Academy & Central School District, the County, Town and school district will receive 32.5%, 32.5% and 35% respectively. She recommends the County execute the agreement terms. Based on the worst case scenario, Legislator Hathway estimates the \$207,000 County portion in the first year would inflate to \$331,000 in the 20th year. He advocates sharing the County funds with all the Towns that do not have wind turbines within their border and do not receive direct proceeds.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Employment and Training/Youth Bureau Committee Chairman, reported that applications are available at DSS for the HEAP Clean and Tune Program to cover the cost of furnace cleaning for eligible persons. Pursuant to NYS Public Health Law, effective 7/22/16 Medicaid beneficiaries will be limited to a 7-day supply of opioid prescriptions for acute pain.

Legislator Fawcett reported that Senior Farmer's Market Nutrition Program coupons remain available; a NYS Office for the Aging representative will conduct the annual evaluation

site review of the local agency on 8/3 and 8/4/16; and the Advisory Council will meet on 8/9/16. The Alzheimer's Caregivers Support Group meets on the third Thursday of each month at the Maple Ridge Center focused on caring for those with dementia.

The Office for the Aging will accept nominations of persons over 60 years of age for the Randy Streeter Senior Citizen of the Year Award through 9/2/16. Randy Streeter was the founding OFA Director serving as a strong and vocal advocate for seniors from 1974 to 1991. The chosen recipient will be recognized at the 9/30/16 Oktoberfest/Annual Public Hearing event and at the NYSOFA Annual Senior Day in Albany.

Legislator Fawcett announced the Youth Bureau Advisory Board, in conjunction with the Lewis County Sheriff's Department, Northern Regional Center for Independent Living and Lewis County Opportunities, Inc. will sponsor the "National Night Out" event to be held at the fairgrounds on 9/8/16 with activities to heighten crime and drug prevention.

Legislator Bryan Moser, County Officers/Junkyards/Veterans' Services/Human Resources Committee Chairman, reported the need to reach out to Town Justices to encourage adjudication of the several junkyard complaints being held up in Town courts.

Legislator Moser reported proposed changes for re-filling County positions, deferring to County Manager Liz Swearingin for further explanation later in the meeting. Also, he would be distributing the County Manager evaluation review sheets for Legislators to complete.

Legislator Jerry King, Courts and Law Enforcement/Emergency Services/Fire Coordinator/Building Codes Committee Chairman, reported continued, yet slow progress to optimize radio/pager reception throughout the county. He had traveled with EF Johnson for pager tests in the Lowville area, after which data was analyzed and corrective adjustments were made that improved reception. The process will be repeated in each area to correct documented problems. When all adjustments are completed, coverage testing will occur later this month to assure at least 95% coverage for portable radios in all areas accessible by vehicle. It is acknowledged that 5% of the County will not be covered, but those exact areas are unknown.

Legislator King urged his fellow Legislators to direct anyone with stated radio/pager issues to the jurisdictional Fire Department so that problems are documented, which greatly assists the contractors to identify solutions. Legislator Chartrand relayed the consensus from the membership at last night's Lowville Fire Department meeting, that reception is not at 100%, but has greatly improved.

Legislator Lawrence Dolhof, Economic Development/Planning/Recreation, Forestry & Parks Committee Chairman, made a motion to authorize Planning Director Frank Pace to travel to Washington, D.C. to participate in the Farm Days from September 13-15, 2016. He will be meeting with Federal representatives to impress the importance of agriculture related issues. The motion was seconded by Legislator King and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Dolhof reported that seven businesses had submitted Consolidated Funding Applications, as well as the County sole application for the business park. There were also two applications submitted for Restore NY Program funding.

Legislator Craig Brennan, Taxation/Information Technology Committee Chairman, reported speaking with NYSAC Attorney Patrick Cummings at last week's Inter-County meeting, who gleaned the regional importance of ATV trails and trail openings on State lands and assured he would advocate more diligently with Albany representatives and officials.

Legislator Brennan clarified that the proposed Local Law imposing an additional mortgage tax of twenty-five cents for every one hundred dollars, is not a new tax, but a 3-year extension of the previously imposed tax.

Legislator Brennan relayed I.T. Director Adam Zehr's opinion that the quality of North Country Broadband's internet service equals that of any competitor at the two test locations. In response to Legislator Hathway, Mr. Zehr reported planned testing within a couple months at ten selected resident locations, after which the contractor will determine the next step. He is very optimistic for approval of the company's State grant application that will largely finance necessary equipment for expanded reception from other tower sites and facilitate the business model service plan. The funds will also offset the costs for necessary equipment and installation for eligible residents who are currently without internet service. Legislator Brennan added the Company manager is interviewing to hire five employees, while also looking for equipment storage space.

In response to Chairman Tabolt, Legislator Brennan reported the Committee's deferral of a decision on the municipal water system property tax issue until the pending litigation with the City of Rome has been adjudicated. Chairman Tabolt imparted strong conviction that municipalities should not impose property tax upon other municipalities. A NYSAC representative termed the practice of municipalities taxing other municipalities as very unusual.

In response to Legislator Kulzer, Atty. McNichol stated the City of Rome case is set for oral arguments before the Appellate Court in November 2016, anticipating a decision within 60 days thereafter. Notwithstanding the outcome of the litigation, she urged awareness of the substantial revenue implications for exempting all municipal water systems. At the request of Legislator Chartrand, Chairman Tabolt agreed a respective Attorney-Client privilege discussion would be held at the end of this meeting.

Legislator Greg Kulzer, Transportation/Solid Waste Committee, made a motion to award the low bid for Recycling Building Improvements in accordance with the bid specifications, to Jordstat Construction of Alexandria Bay, NY in the amount of \$293,348.00. Bernier Carr & Associates had analyzed and validated the low bid. The motion was seconded by Legislator Brennan and carried.

Legislator Kulzer reported that Highway Superintendent David Becker had valued two used County trucks that would have been auctioned, and instead negotiated an agreement with

the Town of Pinckney to transfer 1995 and 1997 tandem trucks in exchange for a \$20,000.00 credit for plowing County roads within their jurisdiction.

Legislator Kulzer reported the Cemetery Road Bridge is being rehabilitated; and the bridge grant funds are being received. The Blue Street Bridge in Glenfield and the East Road Bridge in the Town of Leyden will most likely be approved for State funding for coming years. The Department has completed 14.6 miles of cold mix paving and shoulders, and 39.2 miles of surface treatment with 11 miles remaining. They have started hot mix paving on 9.5 miles. The Department also assisted the Village of Copenhagen with milling and hot mix on Cataract Street.

Legislator Kulzer also reported that Solid Waste Director Pete Wood plans to budget and request bids for a loader in 2017.

Legislator Richard Chartrand, Hospital Committee Chairman, reported anticipated receipt of the 2014 IGT funds of \$4 million within 120 days, but receipt of the 2015 IGT funds is unknown. Dr. Parshall has accepted the Medical Directorship of the Emergency Room.

Legislator Chartrand relayed CFO Jeffrey Hellinger reported a June gain of \$438,114 versus a budgeted gain of \$273,995, for a year-to-date surplus of \$2,030,949 versus a budgeted surplus of \$1,810,693. The monthly apportionment of the \$5.5 million Value Based Quality Improvement Program funds will be received in August. The 991 emergency room visits were below the June budgeted number; and acute admissions were about 20 below the target, while observation and outpatient visits were above the targeted levels.

Legislator Chartrand reported substantial collections from patient billings and that account receivable days at 45 is the lowest in recent memory. Women's health services and the South Lewis Center visits were below targeted levels, largely due to each having one less treatment provider.

He then announced the employee of the month for May was CT Technologist Josh Froehlich and for June was Certified Nursing Assistant Brenda Alfano.

Legislator Brennan commented on a news article that ranked our Hospital relatively high against all facilities in upstate New York, deserving commendation.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chairwoman, reported there would be an aerial rabies bait drop on August 9th along the Black River Valley.

Legislator Moroughan reported that Mountain View Prevention Services has scheduled five informational programs for the public; and had hosted training for NARCAN medication given to people experiencing an overdose. The agency will focus on reducing both prescription drugs and heroin use as their goals in 2017 through educational programs in the schools and community forums.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

The Credo Community Center will soon open an opioid treatment clinic in Watertown under the direction of Dr. Daniel Pisaniello for treatment of recovering addicts. Currently, persons must travel to Syracuse or Plattsburgh for treatment. The Prevention Services of Jefferson County was awarded funds to open a recovery center and plans a satellite office in Lewis County to provide a safe peer supported location for people in recovery and their families.

Legislator Moroughan announced that Mountain View Prevention Services, Lewis County Community Services, Behavioral Health and Wellness Center of Transitional Living Services, Credo Community Center, Lewis County Public Health and the Northern Regional Center for Independent Living are planning a coordinated event to recognize International Overdoes Awareness Day on 8/31/16. The event will heighten awareness of heroin use and resources available.

Legislator Fawcett made a motion to authorize filling an existing full-time DSS Caseworker position, seconded by Legislator Dolhof. Legislator Kulzer inquired the need to replace a retiring part-time position with a full-time employee. Liz Swearingin explained the position had been full-time until the tenured employee requested, and thereby granted a reduction in hours by the previous Commissioner. Commissioner Jones requests a full-time replacement because a new employee will lack the experience to perform efficiently at part-time, compounded by other tenured employees who have left the unit. In response to Legislator Hathway, Patty O'Brien clarified the differential is one day from part-time to full-time.

Legislators Kulzer and Moser, as well as Ms. Swearingin expressed confusion on the logistics of why the position was not abolished by Civil Service in accordance with the policy established by the Board in 2010.

Ms. Swearingin responded to Legislator Kulzer to distinguish the phased State takeover of the Medicaid program would consistently result in lesser employees, but does not impact this unit. However, she could not speak to the respective caseload and could not recite the exact two State programs that were to be imposed upon the department, thereby increasing employee duties. Chairman Tabolt stated the retiring employee was also receiving benefits, which lessens the financial impact. In response to Legislator Chartrand, Ms. Swearingin clarified there would be a small budget increase, because appropriations covered a part-time employee.

The motion was then approved by a vote of 8 to 2, with Legislators Kulzer and Moser opposed.

Legislator Fawcett made a motion to authorize temporarily filling a full-time Community Services Worker to replace an existing employee who has been temporarily promoted, effective immediately. The motion was seconded by Legislator Moser and carried.

COUNTY MANAGER REPORT:

Liz Swearingin reported a legislative update at a recent NYS County Administrators/Managers meeting that the Senate had passed 752 bills, the Assembly passed 1,041, but only 718 bills were passed by both, of which 613 were passed during the last two weeks of session.

NYSAC is not optimistic for State reimbursement to Counties for the increased D.A. salary for this year. The Governor has not yet signed the Indigent Defense bill that both houses had passed. The bill is a 7-year phased in takeover for criminal court representation only. The affect of the increased income eligibility guidelines are unknown. She cautioned that the expanded guidelines may initially impact increased cost, because a greater portion of the cases in Lewis County are in family court.

State PSAP grant funding is expected to increase substantially. Ms. Swearingin questions the accuracy of the latest County sales tax figures released by the State Department of Budget because of the volatility created by their new calculation methodology. Lower tax revenues are largely attributable to the 17% lower average price of gasoline, which equates approximately 20% of the sales tax revenue.

The State passed bills requiring a 90-day notice to retirees for any health insurance changes; new health insurance buy-in options for honorably discharged veterans; and requiring caseload caps for Child Protective Service workers of no more than 15 cases per month per worker.

NYSAC reported 16 nursing homes State-wide, of which 5 are in New York City. They have initiated a study of County-owned nursing homes to promote discussion with the NYS Department of Health about financing options as the IGT funding mechanism disappears. Ms. Swearingin recommends the Board have representation on the State committee.

The Capital/Northern NY region was identified as one of the potentially disruptive areas for severe job loss by 2022 when the \$15.00/hr. minimum wage is effective. In response to Legislator Moser, Patty O'Brien stated the minimum wage would not impact County personnel at this time and only nominally within the next two years. Ms. Swearingin said the priority concern is the impact for farmers, 501c-3 agencies, and home health care workers whom we greatly depend on in our area. Legislator Dolhof noted the biggest incremental wage increase imposing the largest impact for private industry becomes effective 1/1/2017.

Ms. Swearingin requested the Board's review of the distributed proposed policy for re-filling of County positions to allow the Civil Service process to begin simultaneously with Human Resources. It is not uncommon for the process to take 2-3 months, which can be very disruptive for several departments. A job will not be offered without the Board's approval, she said. Also, a monthly comprehensive report will be provided to clearly outline personnel requests and vacancies.

COUNTY TREASURER REPORT:

Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$249,168.00; Contingency Fund-\$431,000.00; Capital Data Processing Fund- \$130,081.17 and Capital Equipment Fund - \$238,999.93, of which \$137,213.98 is the Highway portion. She also reported budgeted level year-to-date sales tax revenue of \$5,057,023.50; and the current Hospital debt of \$2.9 million. The Internal Service Fund remains well below the recommended level.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

SPECIAL REPORT:

Chairman Tabolt reported attending the Governor's 7/17/16 Adirondack Challenge at Indian Lake along with Cooperative Extension Executive Director Michele Ledoux. He was pleased that Lt. Governor Kathy Hochul accepted his invitation and appeared at the Lewis County Fair.

On 7/18/16 he, Planning Director Frank Pace and Michele Ledoux were at Jefferson Community College for U.S. Senator Kirsten Gillibrand's public forum on agriculture issues. The Senator intently noted Chairman Tabolt's presented views for consideration of the next Farm Bill.

He attended a ceremony sponsored by the Northern Regional Center for Independent Living to accept a "Barrier Buster Award" on behalf of the Lewis County Buildings and Grounds Legislative Committee for enhancing their operations with 11 van-accessible parking spaces at the new DSS parking lot. Legislator Hathway accepted the award, while commending Frank Pace and Frank Archer for their yeoman's work to complete that project. Those present applauded the Committee.

He, Legislator Brennan and Clerk of the Board Terry Clark had attended the Inter-County Legislative Committee of the Adirondacks' meeting in St. Lawrence County on 7/28/2016. The tour of Benson Mines, the J&L Plant and Newton Falls was very informative. The 2.5 mile X .5 mile pit of water left from the mining is estimated between 300-500 feet deep. The water was tested by the Pepsi Company and determined too pure for their use. The mine employed 1,200, used 7,000 gallons of fuel daily and had the largest State-wide electricity usage during peak operations. Today, the EPA is assisting to clean up the balance of a million gallon oil spill on the property.

St. Lawrence County is rehabilitating the railroad that runs through that property with a \$9.9 million REDC grant. The railroad will facilitate export of enormous amounts of by-product materials currently being milled at the site; and greatly enhances industrial opportunities. Lewis County may ultimately benefit by way of the railroad that runs through our borders.

Chairman Tabolt relayed that St. Lawrence County Chairman John Burke extends a tour invitation to interested Legislators and IDA Board members. Legislator Brennan reported there is also an active quarry on the site. The Benson family, he said, are environmentalists and prohibit any development on the property.

Chairman Tabolt announced an invitation from Brian Stratton of Albany to Legislators and officials for a tug boat tour of the Barge Canal on a chosen date between August and mid-October.

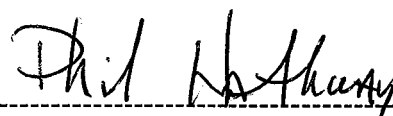
REPORT OF THE WAYS AND MEANS COMMITTEE:

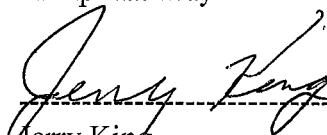
AUGUST 2, 2016

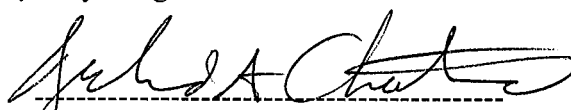
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

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 \$ 686,407.38 and recommend that they be audited and allowed for the amounts claimed.


Philip Hathway Chair


Jerry King Committee


Richard Chartrand Committee

Dated: August 2, 2016

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

RESOLUTIONS:

**RESOLUTION NO. 281 - 2016
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 \$686,407.38 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, Fawcett, and Tabolt.

NAYS: None

ABSENT: None

**LOCAL LAW (INTRODUCTORY NO. 1 -
2016) COUNTY OF LEWIS
A LOCAL LAW KNOWN AS "A LOCAL LAW CONTINUING AN
ADDITIONAL MORTGAGE TAX FOR MORTGAGES ON REAL
PROPERTY SITUATED IN LEWIS COUNTY"**

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

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

Section 1. PURPOSE. The purpose of this local law is to impose a tax of twenty-five cents for each one hundred dollars of principal debt or obligation which is secured by a mortgage on real property situated in Lewis County and to provide for the administration of the same.

Section 2. AUTHORITY. The Board of Legislators is authorized to adopt and/or amend the within local law pursuant to Tax Law § 253-h and by Municipal Home Rule Law §10.

Section 3. ADDITIONAL MORTGAGE TAX. In addition, to any other tax, surcharge or fee as may be required, imposed, collected or received pursuant to any other general, special or local law upon the recording of a mortgage on real property

situated in Lewis County, the Lewis County Clerk is hereby authorized and empowered to impose and receive for the benefit of Lewis County, the following tax:

A. A tax of twenty-five cents for each one hundred dollars and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within Lewis County and recorded on or after the 1st day of November, 2016.

B. In the event that the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars a tax of twenty-five cents on such mortgage shall be imposed.

Section 4. ADMINISTRATION. The taxes imposed under the authority of this local law shall be administered and collected in the same manner as the taxes imposed under subdivision one of section two hundred fifty-three (b) of subdivision one of section two hundred fifty-five of the Tax Law. Furthermore, the provisions of subdivisions two, three and five of section two hundred fifty-three-h of the Tax Law are hereby incorporated herein and shall apply with the same force and effect as if those provisions had been set forth in full in this section.

Section 5. EXPIRATION. This local law shall expire and be of no further force and effect on October 31, 2019, provided that the Board of Legislators may adopt and enact one or more subsequent local laws to continue or extend the taxes imposed by this local law provided that each such subsequent local law may continue the within tax for a period not to exceed three years each.

Section 6. EFFECTIVE DATE. This local law shall take effect upon filing with the Secretary of State and upon compliance with all other requirements of law.

RESOLUTION NO. 282 - 2016
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY NO. 1 - 2016), COUNTY OF LEWIS

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

WHEREAS, pursuant to the authority granted by Tax Law Section 253-h and by Municipal Home Rule Law Section 10, the Board of Legislators of the County of Lewis wishes to adopt a local law that provides for an additional tax of twenty-five cents per one hundred dollars of principal debt secured by a mortgage on real property situated in the County of Lewis; and

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators held on August 2, 2016, a proposed Local Law known as A LOCAL LAW

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CONTINUING AN ADDITIONAL MORTGAGE TAX FOR MORTGAGES ON REAL PROPERTY SITUATED IN LEWIS COUNTY.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a Public Hearing will be held on September 6, 2016, from 5:00 p.m. to 5:30 p.m., at the Constable Hall located at 5909 John Street, Constableville, New York 13325.

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

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

**RESOLUTION NO. 283 - 2016
RESOLUTION REGARDING SEQRA REVIEW TO ADD A
NEW TRAIL TO THE LEWIS COUNTY ATV TRAIL SYSTEM
AND DECLARING NO SIGNIFICANT IMPACT
(PECKMAN CHARITABLE REMAINDER PROPERTY)**

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

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

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

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement ("DGEIS") and a Final GEIS (collectively the "GEIS") and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 29, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board's conclusions and determinations, based upon the facts and analysis contained in the GEIS; and

WHEREAS, upon completion of its SEQRA review, the Board of Legislators formally established the Lewis County Trail System (herein "Trail System") by adopting Local Law No. 2

– 2009, “**A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM**” (herein, “Local Law No. 2”); and

WHEREAS, both Local Law No. 2 and the Statement of Findings contemplate future amendments to the Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments, and in particular, the procedures for amending the GEIS in compliance with SEQRA prior to amending the Trail System; and

WHEREAS, the Director of Recreation, Forestry and Parks has presented the Board of Legislators with a request to add off-road trails on property owned by Peckman Charitable Remainder, Mervin E. & Lois K. Peckman in the Town of Turin, known as parcel number 321.00-01-23.000 to the ATV Trail System; and

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed property, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators received a report from the Soil and Water Conservation District detailing their investigations and findings with respect to trails on the Peckman Charitable Remainder Property, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and Statement of Findings.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators has reviewed the Report from Soil and Water Conservation District as to their investigations and findings with respect to proposed trails on the Peckman Charitable Remainder Property in the Town of Turin, known as parcel number 321.00-01-23.000, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and the Statement of Findings.

Section 2. Based upon its review and analysis of the data contained in the Report and the Specific Environmental Review and Assessment Statement pertaining to trails on the property, the Board of Legislators hereby finds and determines that:

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

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Section 3. As a consequence of these determinations, the Board of Legislators hereby finds and declares that the addition of the Peckman Charitable Remainder Property in the Town of Turin, tax map parcel number 321.00-01-23.000, to the Lewis County Trail System will not result in a significant environmental impact.

Section 4. The Board of Legislators further finds and declares that pursuant to 6 NYCRR Part 617.10(d), a Supplemental Findings Statement need not be filed, and no further action need be taken with regard to the County's environmental review of the site identified as the Peckman Charitable Remainder Property, and therefore, the Board has completed its lead agency responsibilities under SEQRA with regard to this site.

Section 5. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 284 - 2016
FIXING DATE OF PUBLIC HEARING ON ADDITIONS
TO THE ATV TRAIL SYSTEM**

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

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on September 6, 2016, proposed additions to the Lewis County ATV Trail System pertaining to the following private property:

Peckman Charitable Remainder, Mervin E. and Lois K. Peckman
Corner of Gomer Hill Road and West Road, Turin, NY;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on September 6, 2016 at 5:00 PM at its regular monthly meeting to be held at Constable Hall, which is located at 5909 John Street, Constableville, NY 13325, for the purpose of receiving public comment regarding the addition of certain privately owned properties to the Lewis County Trail System.

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 Moser, seconded by Legislator Dolhof, and adopted.

**LOCAL LAW (INTRODUCTORY NO. 2 - 2016)
COUNTY OF LEWIS**

**A LOCAL LAW AMENDING LOCAL LAW NO. 2 - 2009 REGARDING
THE OPENING AND CLOSING OF THE
LEWIS COUNTY TRAIL SYSTEM AND THE FEES CHARGED FOR ATV PERMITS
IN THE LEWIS COUNTY TRAIL SYSTEM**

Introduced by Legislator Lawrence Dolhof, Chairman Economic Development Committee.

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

SECTION 1. TITLE

This Local Law shall be known as **“A LOCAL LAW AMENDING LOCAL LAW NO. 2 -- 2009 REGARDING THE OPENING AND CLOSING OF THE LEWIS COUNTY TRAIL SYSTEM AND THE FEES CHARGED FOR ATV PERMITS IN THE LEWIS COUNTY TRAIL SYSTEM.”**

SECTION 2. STATUTORY AUTHORITY

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

SECTION 3. LEGISLATIVE FINDINGS

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

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

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5. Local Law No. 2 - 2009 was further amended by Local Law No. 3 - 2014 which clarified that any and all references contained in Local Law No. 2 - 2009, as amended, to the Trails Coordinator or to the Conservation Foreman are deemed amended to refer to the Director of Recreation, Forestry and Parks by virtue of the enactment of Local Law No. 10 - 2013.
6. Local Law No. 2 - 2009 was further amended by Local Law No. 4 - 2014 which provided for a three (3) day Trail Pass as an alternative to purchasing a Trail Permit to use the Trail System.
7. Local Law No. 2 - 2009 was further amended by Local Law No. 5 - 2014 which provided for a fixed time period (May 1 through Tuesday after Columbus Day each year - designated as the "ATV PERMIT SEASON") when Permits could be purchased, and authorized the Board of Legislators to establish the dates of the ATV Permit Season by resolution to be adopted on or before the Board's regular February Board meeting.
8. That in order to improve both the management of the Trail System as well as the administration of the permit fees, the Board of Legislators finds that it is in the public interest to modify the opening and closing of the Lewis County Trail System; to provide discretion to the Director of Parks, Forestry and Recreation to modify the opening and closing dates of the Trail System based upon weather and environmental conditions; to provide discretion to the Director of Parks, Forestry and Recreation to provide for a free 3-day weekend pass; and to modify the permit fees for applicants who are registered members of a qualified ATV club as more fully set forth herein.

SECTION 4. ATV TRAIL SEASON AND PERMITS

A. Section "11", Paragraph "2" of Local Law No. 2 - 2009, as amended by Local Law No. 5 - 2014 is hereby amended by deleting the following language:

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

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

Season as set forth above.

and substituting the following language:

“2. The Director of Recreation, Forestry and Parks or its designee, is hereby authorized to issue a Lewis County Trail Permit or a Trail Pass and assign a Lewis County Trail Permit or Trail Pass number to each such ATV, upon receipt of a completed application and appropriate permit fee as hereinafter provided.

- a. The ATV Permit Season shall run from April 1st through the Tuesday after Columbus Day in each year, unless otherwise established by the Board of Legislators on or before its March Board meeting. Notwithstanding the aforementioned, the Director, after consultation with the County Recreation, Forestry and Parks Committee, is authorized to delay the opening date of any or all of the trails within the ATV Trail System based upon weather and environmental conditions. In such event, the Director shall post the trails accordingly, provide notice of the date of opening on the County website, Chamber of Commerce website, publish in the local paper, and provide other means of notification as deemed reasonable and appropriate.
- b. A Trail Permit shall be valid from the date of issuance through and including the last day of the ATV Permit Season for which it was issued, except that a trail permit purchased on or after the Tuesday after Labor Day shall be valid for the following ATV Permit Season.
- c. A Trail Pass shall be valid for a period not to exceed three (3) consecutive days, provided that in no event shall a Trail Pass allow use of the Trail System beyond the closing date of the ATV Permit Season as set forth above.
- d. The Director is authorized to provide for and post a free Three (3) - Day Pass weekend the first full weekend of August (Friday, Saturday, Sunday), in the sole discretion of the Director.
- e. The Board of Legislators authorizes the Director to provide for the receipt of permit applications and permit fees through a secure internet site administered by the Director or her designee.”

B. Section “11”, Paragraph “4” of Local Law No. 2 - 2009, as amended by Local Law No. 6 - 2013 and Local Law No. 4 - 2014 is hereby amended by deleting the language in Paragraph “4” thereof in its entirety and inserting the following language in substitution therefore:

“4. Fees. Fees for the issuance of a Lewis County Trail Permit to be collected by Lewis County under this Local Law are as follows:

- a. A fee of sixty- five (\$65) dollars for each individual ATV registrant who

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is not a current, registered member of an ATV Club with an active ATV Trail Agreement with the County.

- b. A fee of forty - five (\$45) dollars for each individual ATV for which a Trail Permit is requested, provided the applicant presents proof of current, registered membership in an ATV Club with an active ATV Trail Agreement with the County.
- c. In the event that an applicant wishes to obtain permits for more than one ATV (provided that all ATVs are registered to the same mailing address) the permit fee for each additional ATV shall be \$20 per machine.
- d. Fees shall not be pro-rated for the ATV Permit Season, and such fees shall be applicable to the year in which the permit is issued, except that permits purchased on or after the Tuesday after Labor Day shall be valid the following ATV Permit Season.
- e. The provisions of paragraphs a. and b. of this subdivision shall not apply to any landowner who has entered into and has an active access agreement with the County to permit the development of one or more ATV trails on his or her property.
- f. As an alternative to obtaining a Trail Permit, an ATV operator may purchase a three (3) day Trail Pass. The fee for purchasing the Trail Pass shall be twenty (\$20) dollars each. The Trail Pass shall allow the holder thereof use of the Trail System for a period of no longer than three (3) consecutive days.
 - i. The Trail Pass shall be of such design and material as determined by the Director of Recreation, Forestry and Parks.
 - ii. To obtain a Trail Pass, an ATV operator must complete an application and provide the same information and proof of insurance as is required to obtain a Trail Permit.
 - iii. The Director of Recreation, Forestry and Parks may establish such other rules and regulations for administering the purchase and sale of Trail Passes as deemed necessary and consistent with the regulations provided in these local laws. All other rules and regulations that apply to Trail Permits shall equally apply to Trail Passes.

SECTION 5. SAVINGS CLAUSE

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

effect.

SECTION 6. EFFECTIVE DATE

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

**RESOLUTION NO. 285 - 2016
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 2 - 2016), COUNTY OF LEWIS**

Introduced by Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on August 2, 2016 a proposed Local Law entitled **“A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 REGARDING THE OPENING AND CLOSING OF THE LEWIS COUNTY TRAIL SYSTEM AND THE FEES CHARGED FOR ATV PERMITS IN THE LEWIS COUNTY TRAIL SYSTEM.”**

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on September 6, 2016, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators at its regular monthly meeting to be held at Constable Hall, which is located at 5909 John Street, Constableville, New York 13325.

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

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

**RESOLUTION NO. 286 - 2016
RESOLUTION AUTHORIZING ADDENDUM TO AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND
THYSSENKRUPP ELEVATOR CORPORATION**

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

WHEREAS, the County of Lewis and ThyssenKrupp Elevator Corporation entered into an agreement on January 1, 2011, contract number US72728 for the purpose of providing elevator maintenance/equipment services for three (3) years, with automatic three (3) year renewals commencing January 1, 2014; and

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WHEREAS, ThyssenKrupp Elevator Corporation has offered a renewal rate of \$12,067.80 per year for the services under the original agreement for the renewal period commencing January 1, 2017 through December 31, 2019; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the Addendum to the Agreement with ThyssenKrupp Elevator Corporation to provide elevator maintenance/equipment services for the period of January 1, 2017 through December 31, 2019, at a cost not to exceed \$12,067.80 per year.

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

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

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

**RESOLUTION NO. 287 - 2016
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 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, September 6, 2016 at 5:00 p.m. at its regular monthly meeting to be held at Constable Hall, which is located at 5909 John Street, Constableville, New York 13325.

Section 2. That public notice of the hearing shall be advertised in accordance with law at least 10 days prior to the hearing date.

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

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

RESOLUTION NO. 288 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO COMMUNITY SERVICES DEPARTMENT

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

WHEREAS, the Controller in the Community Services Department has recently resigned; and

WHEREAS, following review by Civil Service, the position has been re-classified to a Principal Account Clerk.

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 create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Principal Account Clerk	Full-time	Grade C23 (\$19.05/hr.)

Section 2. That Director of Community Services Patricia Fralick is hereby authorized to fill said position effective immediately in accordance with Civil Service regulations.

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 289 - 2016
RESOLUTION APPROVING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND
US THREE, LLC FOR ACCESS TO COUNTY ROADS AND BRIDGE IN LYONS
FALLS FOR MOTION PICTURE FILMING

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development and Planning Department Committees.

WHEREAS, Us Three, LLC (“Company”) has contacted the Village of Lyons Falls and the County of Lewis to request access rights to film portions of a low budget feature film entitled “We the Animals”, in a number of locations in Lyons Falls on August 2nd and 3rd, 2016; and

WHEREAS, this film is sponsored by the Sundance Lab Institute and is described as a “coming of age” story of children in a family, and is based upon the same titled book which appeared on the New York Times Best Seller list; and

WHEREAS, the production company has advised that they were in touch with the Governor’s office about the film and intention to film in Lewis County, and have contacted Village, Town and County officials to secure proper authorization. One of the scenes to be filmed at the location will involve one of the actor’s jump off of the County’s bridge in Lyons Falls, spanning the Moose River; and

WHEREAS, the Company will have their own medical, scuba and stunt coordinators on the set and at the site during all filming, and will be responsible for any damage to any property pursuant to Agreement; and

WHEREAS, this filming activity will benefit the County, Town and Village and add to its economic development. The County of Lewis desires to enter into an Agreement with Us Three, LLC to authorize this access to its County roads and bridge, upon proper indemnification, insurance and waiver agreements by Us Three, LLC; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes access to County roads and the County bridge over the Moose River, located in Lyons Falls, New York to the film and production company known as Us Three, LLC, for filming of its feature film on August 2, 2016 and August 3, 2016, including the authority for an actor or stunt person to jump from the County’s bridge.

Section 2. That the aforesaid authority and approval is granted by the Board of Legislators conditioned upon the Company providing appropriate liability insurance with the County named as a primary insured, with the Company executing appropriate indemnity, liability and assumption of the risk terms and conditions as the County Attorney may advise and approve.

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

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

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

**RESOLUTION NO. 290 - 2016
RESOLUTION TO APPROPRIATE FUNDS
DISTRICT ATTORNEY 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 District Attorney using money from T87.03 (DA-Federal Money) to reimburse the District Attorney for the summer conference.

Increase Revenue

A26260 (Forfeiture Proceeds)	\$ 488.56

Increase Expense

A1165.4906 (Prosecution Fund)	\$ 488.56

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

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

**RESOLUTION NO. 291 - 2016
RESOLUTION INCREASING DISTRICT ATTORNEY SALARY PURSUANT TO 2016
NEW YORK STATE BUDGET MANDATE AND JUDICIARY LAW**

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

WHEREAS, on December 24, 2015, the New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increases to the salaries of state judges in 2016 and 2018. The recommended increase placed Supreme Court judges' salaries at \$193,000 in 2016 and \$203,000 in 2018, and placed County Court judges' salaries at 95% of a Supreme Court Judge's salary (\$183,350 in 2016 and \$192,850 in 2018); and

WHEREAS, State Judiciary Law 183-a links judicial salaries with full time county district attorneys' (DA) salaries. In Lewis County, the full time DA salary must be equal to the County Court Judge's salary; and

WHEREAS, on April 1, 2016, the State adopted a budget to include judicial salary

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increases recommended by the NYS Commission without addressing the effect of said increase for DA's upon the counties. This means the County is required to pay an increase in salary for the DA from \$152,500 to \$183,350 - an increase of \$30,850; and

WHEREAS, for over 50 years the State paid for every mandated DA salary increase through the State Budget. On April 1, 2016 the State adopted a budget and failed to include the approximately \$1.6 million cost to counties to fund the DA salary increases, once again shifting another unfunded, mandated cost to the counties; and

WHEREAS, this additional unfunded mandated cost was not allocated by the County in its 2016 budget, and will negatively impact the County's allowable tax cap growth under the state-imposed 2% property tax cap; and

WHEREAS, with this unfunded mandate, together with the expansion of eligible persons for legal services mandated by the State, Lewis County will be forced to spend all of its tax cap on these additional unfunded State costs; and

WHEREAS, the Board of Legislators recorded its opposition to the State's 2016 budget which included this unfunded mandate of a raise in the salary of the full-time DA, without success; and

WHEREAS, the Board of Legislators seeks to comply with the obligation under State Judiciary Law §183-a to increase the DA's salary to equal that of the County Court Judge's increased salary.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby records its disappointment with the State Legislature and Governor in failing to include the funds in its 2016 budget for the increased salary of county elected full-time DA's effective April 1, 2016, thereby passing another unfunded State mandate onto the local counties and taxpayers for a cost the State has historically funded.

Section 2. That the Lewis County Board of Legislators hereby approves and authorizes the State mandated increase in the Lewis County District Attorney's annual salary, retroactive to April 1, 2016, from \$152,500.00 to \$183,350.00; an increase of \$30,850.00.

Section 3. That the Lewis County Board of Legislators directs the Treasurer to adjust the payroll and pay said increase from the contingency fund.

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

Moved by Legislator Chartrand, seconded by Legislator King.

Legislator Dolhof opposed the action, not due to lack of confidence with the District Attorney, but due to the State's lack of fiscal responsibility.

Chairman Tabolt stated the issue had been discussed at the last Inter-County meeting, and NYSAC urges Counties to continue lobbying the State to fund the imposed additional salary. The State Senate had passed the relative bill to assume the cost, but the Assembly had not. He would pose another resolution for consideration by the Board at the October meeting to urge State legislation to assume the respective cost.

The resolution was defeated by the following roll call vote:

YEAS: Chartrand, Hathway

NAYS: Brennan, Dolhof, King, Kulzer, Moroughan, Moser, Fawcett, Tabolt

**RESOLUTION NO. 292 - 2016
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY ETHICS BOARD**

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

WHEREAS, Bart Pleskach submitted his resignation from the Lewis County Ethics Board effective May 31, 2016.

NOW, THEREFORE, 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 Dr. James Coffman, Esq. of 6116 Fox Path, Lowville, New York 13367, as an Independent, to fill the un-expired term of Bart Pleskach on the Lewis County Ethics Board.

Section 2. That the term of said appointment shall be effective August 3, 2016 through December 31, 2017.

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

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

**RESOLUTION NO. 293 - 2016
RESOLUTION RESCINDING RESOLUTION NO. 199-2016 REGARDING
TRANSFER OF DELINQUENT TAX FORECLOSED PARCEL TO
THOUSAND ISLANDS AREA HABITAT FOR HUMANITY, INC.**

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

WHEREAS, the County became vested with the title to real property known as 5877 High Street, Village of Constableville, Town of West Turin, New York (tax map parcel #366.05-03-08.000) by judgment dated April 13, 2016, as a result of the County's tax foreclosure

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proceeding for delinquent taxes owing in 2013, 2014 and 2015; and

WHEREAS, the Board of Legislators adopted Resolution No. 199-2016 on May 3, 2016 for the purpose of transferring the above parcel to the Thousand Islands Area Habitat for Humanity, Inc. ("HFH") for one dollar (\$1.00), in order for HFH to rehabilitate and preserve the home, and provide the renovated home to a deserving family who will live in it and maintain it, and therein improve their shelter conditions as well as the local community's; and

WHEREAS, HFH no longer desires to rehabilitate and preserve this home and the Board of Legislators wish to rescind Resolution No. 199-2016.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby rescinds Resolution No. 199-2016 and the same shall be deemed null and void and no longer in effect.

Section 2. That the County intends to sell the real property known as 5877 High Street, Village of Constableville, Town of West Turin, New York (tax map parcel # 366.05-03-08.000) in the 2017 tax auction.

Section 3. This Resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Kulzer.

In response to Legislator Hathway, Liz Swearingin said she would contact Sr. Building Codes Inspector Ward Dailey to inspect the structure and advise necessary security measures.

Legislator Dolhof asked if the building could be sold at any time, or must wait for the next delinquent property tax auction. Atty. Joan McNichol would research the law.

Chairman Tabolt reported the Habitat representatives thereafter determined that structure repairs would be cost prohibitive. They had done only a drive-by view instead of an inside inspection. However, they expressed appreciation for the Board's efforts.

The resolution was then adopted.

Legislator Moser made a motion to authorize advertising to sell the property at 5877 High Street in the Village of Constableville being tax map parcel # 366.05-03-08.000, as is, dependent upon Attorney McNichol's research. The motion was seconded by Legislator Dolhof and carried.

**RESOLUTION NO. 294 - 2016
RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY HIGHWAY DEPARTMENT ON BEHALF OF
THE COUNTY OF LEWIS AND
FOIT-ALBERT ARCHITECTURE, ENGINEERING AND SURVEYING, P.C.**

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation Committee.

WHEREAS, the Lewis County Highway Department (“Highway”) desires to enter an agreement with Foit-Albert Architecture, Engineering and Surveying, P.C. (“Foit-Albert”), and architecture, engineering and surveying company, related to the rehabilitation of Bridge #368 on the Cobb Road in Harrisburg, New York; and

WHEREAS, Highway will perform all construction services related to this project and Foit-Albert will provide engineering services necessary to perform this construction work; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis by and through the Lewis County Highway Department and Foit-Albert Architecture, Engineering and Surveying, P.C. to provide engineering services necessary to perform construction work related to the rehabilitation of Bridge # 368 on the Cobb Road in Harrisburg, New York.

Section 2. That the total cost of the services to be provided is not to exceed \$12,500.00, and is to be completed within thirty-five (35) days of notice to proceed.

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. 295 - 2016
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS
TRANSPORTATION DEPARTMENT

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget change is hereby approved in the Highway Department accounts to transfer funds from County Road to Machinery to pay off John Deere and International leases:

Part One:

Increase Revenue

DM50310 Interfund Transfers

\$183,137.58

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<u>Increase Expense</u>	
DM5130.2233 Equipment	\$183,137.58

Part Two:

<u>From:</u>	
D5150.4995150 Paving	\$183,137.58

<u>To:</u>	
D9901.9 Transfer to Machinery	\$183,137.58

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

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

RESOLUTION NO. 296 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
LEWIS COUNTY GENERAL HOSPITAL

Introduced by Legislator Richard Chartrand, Chairman of the Hospital Committee.

WHEREAS, the request by Hospital Administration to create the title of Central Sterile Technician was in error, but was approved by Resolution No. 279-2016 adopted on July 5, 2016.

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 Lewis County General Hospital, to abolish the title of Central Sterile Technician, and hereby creates the following position:

<u>TITLE</u>	<u>STATUS</u>
Central Service Technician	Full-time

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

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

RESOLUTION NO. 297 - 2016
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS
LAW DEPARTMENT

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

BE IT RESOLVED as follows:

Section 1. That the following budget changes are hereby approved in the Law Department account for a new desktop scanner, utilizing Capital Data Processing funds HAE9901.9, balance \$130,081.17:

Increase Revenue:

A50310 (Inter-fund transfers)	\$464.43

Increase Expense:

A1420.2217 (Computers)	\$464.43

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

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

**RESOLUTION NO. 298 - 2016
RESOLUTION TO APPROPRIATE FUNDS
LEGISLATIVE OFFICE**

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

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Legislative Office account for the purchase of three new computer monitors, from Capital Data Processing Account HAE9901.9; balance \$130,081.17:

Increase Revenue:

A50310 (Inter-fund transfers)	\$428.97

Increase Expense:

A1010.2909 (Misc Equip)	\$428.97

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

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

**RESOLUTION NO. 299 - 2016
RESOLUTION APPROVING BUSINESS ASSOCIATE AGREEMENT BETWEEN
LEWIS COUNTY OFFICE FOR THE AGING AND NYS OFFICE FOR THE AGING
UNDER THE NEW YORK CONNECTS PROGRAM GRANT**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Office for the Aging Committee.

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WHEREAS, the Lewis County Office for the Aging (OFA) is an eligible provider of various services outlined under the NY Connects programs, such as providing consistent information and assistance across populations in need of physical and mental health services and support, and providing education support to the Lewis County population to improve access to services and delivery systems; and

WHEREAS, the Department Head of OFA, upon approval of her Committee, submitted a Grant contract application to the New York State Office for the Aging (NYSOFA) in 2015 under the NY Connects Expansion and Enhancement of Existing NY Connects Program electronic process; and

WHEREAS, the Lewis County Office for the Aging (OFA) was awarded a grant from NYSOFA in 2015, under the “NY Connects Expansion and Enhancement of Existing NY Connects Programs” for the period 4/1/14 – 12/31/16, under Program Number 15-PI-07; and

WHEREAS, the Department Head of the OFA is deemed the local Director of Area Agencies on Aging (AAA) by NYSOFA under the NY Connects Program Grant, and as such, is now required to execute a Business Associate Agreement (BAA) with NYSOFA and NYS Department of Health (NYSDOH) as a result of NYSOFA and NYSDOH partnering in the development and administration of the NY Connects Programs.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves Department Head (Director) of the Lewis County Office for the Aging (OFA) Brenda Bourgeois to execute the Business Associate Agreement (BAA) and any other related Agreements and documents pertaining and required under the NY Connects Grant, pending approval by the County Attorney.

Section 2. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 300 - 2016
RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Office for the Aging Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the Office for the Aging accounts to appropriate additional funding that will be received for providing Nutrition services for the Lewis County General Hospital (5 hours/week).

Increase Revenues

A27004 OFA RD Svc	\$5,802.00

Increase Expense

A6772.1999 Personal Svc-OFA Prog	\$3,974.00
A6772.8999 Fringe Benefits	\$1,828.00

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

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

**RESOLUTION NO. 301 - 2016
RESOLUTION TO TRANSFER FUNDS
PLANNING DEPARTMENT**

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

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Planning Department accounts to cover Ag District review expenses:

<u>From:</u>	Amount
A8020.4914 Planning Projects	\$3,000.00

<u>To:</u>	
A8020.4915 Ag Dist 8 yr Review	\$3,000.00

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

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

**RESOLUTION NO. 302 - 2016
RESOLUTION APPROVING ADDENDUM TO AGREEMENT BETWEEN LEWIS
COUNTY PUBLIC HEALTH AGENCY
AND BIRNIE BUS SERVICE, INC.
FOR TRANSPORTATION OF PRESCHOOL SPECIAL EDUCATION PUPILS**

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

WHEREAS, the Lewis County 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 for the period of January 1, 2016 through June 30, 2016; and

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WHEREAS, the Lewis County Board of Legislators adopted Resolution No. 349-2015 on November 3, 2015 which provided for one year extension periods, at the same rates except for Consumer Price Index increases; and

WHEREAS, the Lewis County Public Health Agency wishes to amend the agreement with Birnie Bus Service, Inc. to add a cost of living rate increase of 0.9%; 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 Addendum 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 to include a cost of living rate increase of 0.9%.

Section 2. That the new rates shall be effective July 1, 2016 through June 30, 2017 at the following increase:

Stand Alone Rate/Lewis County being the sole payer:

- \$325.40 per day for first child (round trip and this rate includes bus aide)
 - \$46.41 per day for additional children (round trip and this rate includes bus aide)
- Co-mingle with Oneida County Rate:
- \$98.38 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 Moser, seconded by Legislator King, and adopted.

RESOLUTION NO. 303 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND
BUILDING BLOCKS FOR
PRESCHOOL SPECIAL EDUCATION PROGRAM

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

WHEREAS, Building Blocks is a multi - service developmental and educational organization with a united focus on helping people reach their individual goals. Building Blocks aids clients of all ages and provides services at homes, schools, facilities, designated community or at their facility located in Clinton, New York; and

WHEREAS, the Lewis County Public Health Agency desires to enter into an agreement with Building Blocks for the Preschool Special Education Program for the provision of Related Services, Special Education Itinerant Teacher (SEIT) and Evaluations to preschool children with disabling conditions pursuant to section 4410 of the New York State Education Law and Part 200 of the Regulations of the Commissioner of Education.; and

WHEREAS, Lewis County Public Health Department is an eligible provider of these services;

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 Building Blocks for the Preschool Special Education Program for the provision of Related Services, Special Education Itinerant Teacher (SEIT) and Evaluations to preschool children with disabling conditions.

Section 2. That this is for the period of July 1, 2016 through June 30, 2018 at a cost in accordance with the rates set forth by the State Education Department. The cost to the County will be 40.5% of cost after State Education Department (SED) payment.

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

Section 4. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 304 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY ON BEHALF OF
THE COUNTY OF LEWIS AND EPOCH HEALTH SOLUTIONS, LLC

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

WHEREAS, the Lewis County Public Health Department ("Public Health") wishes to enter into an Agreement with Epoch Health Solutions, LLC ("Consultant") to provide generalized medical record consulting services to include the review of medical record management, auditing, storage and provision of annual updates. Additionally, the consultant will, at a minimum, conduct annual medical record audits and provide a report to the Public Health Quality Assurance Committee; and

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

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 Lewis County Public Health Department and Epoch Health Solutions, LLC Agreement to provide generalized medical record consulting services to include the review of medical record management, auditing, storage and provision of annual updates and conduct medical record audits and provide a report to the Public Health Quality Assurance Committee.

Section 2. That the term of this service shall be from January 1, 2017 through December 31, 2018 at a cost not to exceed \$4,600.00 per year. Professional fees will be hourly at the rate of \$150.00 per hour, billed in fifteen (15) minute increments, and shall include travel time. Notwithstanding the aforementioned, when working less than an eight (8) hour day on site, billing time (inclusive of travel) shall not exceed an eight (8) hour day.

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

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

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

RESOLUTION NO. 305 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH DEPARTMENT AND
LEWIS COUNTY GENERAL HOSPITAL FOR
MEDICAL CONSULTANT/DIRECTOR

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

WHEREAS, Lewis County acting by and through the Lewis County Public Health Department desires to enter into an Agreement with Lewis County General Hospital ("LCGH") to provide the services of a physician as Medical Consultant and Medical Director to the Public Health Director for the Physically Handicapped Children's Program and for the Diagnostic and Treatment Center Programs; and

WHEREAS, LCGH has a physician employee, Daniel T. Root, MD, who is licensed to practice in New York State and meets the New York State Department of Health requirements to function as Medical Consultant to the Public Health Director and as Medical Director for the Public Health Department's programs; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Public Health Department, and Lewis County General Hospital to provide the services of Daniel T. Root, MD as Medical Consultant

and Medical Director for the Public Health Director and the Department's Physical Handicapped Children's Program and Diagnostic and Treatment Center Programs.

Section 2. That this is for the term commencing January 1, 2017 and terminating on December 31, 2018 at a cost not to exceed \$6,000.00 per year, payable at the rate of \$500.00 per month.

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

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

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

RESOLUTION NO. 306 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY
ON BEHALF OF THE COUNTY OF LEWIS AND
LEWIS COUNTY GENERAL HOSPITAL
FOR ADMINISTRATION OF OCCUPATIONAL MEDICINE PROGRAM

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

WHEREAS, Lewis County General Hospital ("LCGH") is a municipal corporation organized and existing under the laws of the State of New York and wishes to administer an occupational medicine program for Lewis County Public Health Agency ("Public Health") through their qualified employees, subcontractors and/or agents by providing a range of occupational medicine services ("Services") consistent with applicable state and federal law, including, the federal Employee Testing Act of 1991 and the Drug-Free Workplace Act of 1988; and

WHEREAS, Public Health desires to contract with LCGH to provide the Services covering Public Health and its employees; and

WHEREAS, the Services provided pursuant to the Agreement may include (as appropriate to Public Health business and/or regulatory compliance obligations), the performance of Employee Annual Health Assessment, Employee Initial and Annual FIT Test; Employee Initial and Annual PFT, and other services as set forth in Appendix A of the Agreement;

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 Lewis County General Hospital to administer an occupational medicine program for Lewis

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County Public Health Agency by providing a range of occupational medicine services.

Section 2. That this is for the term commencing January 1, 2017 through December 31, 2017, with automatic renewals for one year terms, at the fee rates set forth in Appendix A of the Agreement

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

Section 4. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 307 - 2016
RESOLUTION APPOINTING MEMBER TO
PUBLIC HEALTH SERVICES ADVISORY BOARD**

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

WHEREAS, Stacy Alvord has submitted her resignation from the Lewis County Public Health Services Advisory Board.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Tammy Suiter, Director of Patient Services for Lewis County Home Health and Hospice programs, as a member of the Health Services Advisory Board, to fill the un-expired term of Stacy Alvord.

Section 2. That the term of said appointment shall be in effect from August 3, 2016 through December 31, 2018.

Section 3. That the within resolution shall take effect immediately

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

**RESOLUTION NO. 308 - 2016
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, 2017.

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 Moser, seconded by Legislator Dolhof, and adopted.

RESOLUTION NO. 309 - 2016
RESOLUTION TO APPROPRIATE and TRANSFER FUNDS
INTER-FUND TRANSFERS

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 To Capital Radio System Account due to repayment of Hospital loan, utilizing Fund Balance:

Part One:

<u>Transfer from:</u>	
A599 (Fund balance)	\$600,000.00
<u>Transfer to:</u>	
A9950.9940 (To Cap Radio Project)	\$600,000.00

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Part Two:

Increase Revenue:

HA50310 (Inter-fund Trans)	\$600,000.00

Increase Expense:

HA9901.9 (Inter-fund Trans)	\$600,000.00

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

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

**RESOLUTION NO. 310 - 2016
RESOLUTION ESTABLISHING USER FEES IN THE
LEWIS COUNTY REAL PROPERTY TAX OFFICE FOR
IMAGE MATE ONLINE REAL PROPERTY AND ASSESSMENT WEB PORTAL**

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

WHEREAS, the County of Lewis has contracted with Systems Development Group, Inc. to provide an Image Mate Online Real Property and Assessment web portal for high speed property searches of the complete Lewis County Assessment Roll and comprehensive Real Property Services derived assessment data, photos, tax billing and tax map images maintained by the County and the Town Assessors; and

WHEREAS, the County of Lewis through the Lewis County Real Property Tax Office makes data available to users, and seeks to establish the user fee rates for this service.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby establishes the fee rates for users to subscribe to these services through the Lewis County Real Property Tax Office at the two following cost options: A) \$250.00, for one (1) year paid in full, plus \$40.00 for each additional subscriber of the primary subscriber; or B) \$25.00 per month.

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

Moved by Legislator King, seconded by Legislator Moser.

In response to Legislator Hathway, Legislator Brennan affirmed that the system would not allow subscribers to copy documents, but the option will be further explored.

The resolution was then adopted.

AUGUST 2, 2016

RESOLUTION NO. 311 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN ZEHR.NET AND
THE COUNTY OF LEWIS DEPARTMENT OF RECREATION FORESTRY & PARKS

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

WHEREAS, Bradley Zehr, doing business as Zehr.net, is a website developer and hosting company with experience in creating websites with online applications; and

WHEREAS, the County of Lewis through its Department of Recreation Forestry and Parks, desires to enter into an Agreement with Zehr.net to build, design and host the Department's ATV Permit System website which is administered by the Chamber of Commerce on behalf of the Director of Recreation Forestry and Parks. Zehr.net will build and implement a new website design and integrate required content for Lewis County ATV permits for a fee not to exceed \$2,000.00, which will include hosting/editing, maintenance and report generating capacity for the first year. Zehr.net agrees to provide hosting services, including editing and ability to generate reports on an annual basis thereafter at a flat rate of \$500.00 per year; and

WHEREAS, the Board of Legislatures wishes to accept such agreement.

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 Director of Recreation Forestry and Parks, and Zehr.net to build, design and host the Departments ATV Permit System website, with administration by the Lewis County Chamber of Commerce, at a cost not to exceed \$2,000.00, to include hosting, maintenance and report generating services for the first year. Thereafter, Zehr.net agrees to provide hosting and maintenance services for the site at a flat rate of \$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 Agreement, pending approval by the County Attorney.

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

Moved by Legislator Dolhof, seconded by Legislator Moser .

In response to Legislator Hathway, Legislator Dolhof explained that Zehr previously administered the website for the ATV permits, but the current provider was selected through The Paige Group's process. However, the Committee recommends reverting back to Zehr, because every time a website change is made there are resulting problems with permit fee collections.

The resolution was then adopted.

**RESOLUTION NO. 312 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SHERIFF'S DEPARTMENT**

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

WHEREAS, the Dispatch Supervisor in the Sheriff's Department has been re-classified by Civil Service as a 9-1-1 Operations Coordinator.

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 Sheriff's Department, to approve and ratify the re-classification of the Dispatch Supervisor (Grade 20-Step 7 at \$24.57/hr.) to the title of 9-1-1 Operations Coordinator at (Grade 25-Step 3 at \$25.11/hr.). This change equates an approximate \$500.00 increase in base salary for the remainder of 2016.

Section 2. That said re-classification shall take effect immediately.

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

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

**RESOLUTION NO. 313 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT
AND THOMSON REUTERS FOR SUBSCRIPTION SERVICES TO
WEST PUBLISHING CORPORATION FOR THE
WEST COMPLETE LIBRARY FOR THE JAIL**

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 Thomson Reuters for subscription services for mandated legal materials for the jail; and

WHEREAS, the subscription would be for required books known as the "West Complete Library", and will provide those books with automatic updates and supplements during the three - year subscription term; and

WHEREAS, this subscription program is for three (3) years, at a monthly cost of \$795.50 for the first year and an increase of 5% in years two and three. This program will result in cost savings of over \$6,900.00 from the prior program; and

WHEREAS, the Board of Legislators wishes to enter into such agreement.

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 Thomson Reuters for subscription services for the West Complete Library for the jail.

Section 2. That this is for the term beginning September 1, 2016 for three years at a cost of \$795.50 per month in the first year. The term increases 5% in year two and increases 5% in year three.

Section 3. That the Lewis County Sheriff 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 Dolhof.

In response to Legislator Moser as to whether inmates could be allowed internet searches, Legislator King reported a determination after previous research it would not be prudent.

The resolution was then adopted.

**RESOLUTION NO. 314 - 2016
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 using St. Patrick Patrol Grant for overtime expense:

Increase Revenues

A15890 (Sheriff-DWI)	\$ 305.42

Increase Expense

A3111.1103 (OT)	\$ 300.32
A3111.1104 (Shift Diff)	\$ 5.10

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

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

RESOLUTION NO. 315 - 2016
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO EFFIE M. POORE)

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

WHEREAS, Effie M. Poore executed a Mortgage in favor of the County of Lewis dated August 4, 2010, and recorded in the Lewis County Clerk's Office on November 30, 2011, as Instrument No. 2011-005840, to secure payment of a loan in the amount of \$24,100.00 pursuant to a program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforescribed Mortgage.

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

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

RESOLUTION NO. 316 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES

Introduced by Legislator Roscoe Fawcett, Jr., 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 (\$13.60/hr.)

Section 2. That the Commissioner of Social Services is hereby authorized to fill said positions effective for the period September 12, 2016 through March 17, 2017.

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 317 - 2016
RESOLUTION AUTHORIZING CONTRACT AWARD FOR
ARMED SECURITY GUARD SERVICES AT THE DEPARTMENT OF SOCIAL
SERVICES BUILDING

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the Board of Legislators authorized the Commissioner of Lewis County Department of Social Services (LCDSS) to advertise and publish a Request for Bid Proposals (RFP) from all who may be interested in providing armed security guard services for the DSS building located on Outer Stowe Street; and

WHEREAS, the County received five (5) sealed bid proposals in response to the RFP, which included a request for providing armed security guard services Monday through Friday, excluding 10 holidays per year, from 8:00 am to 5:00 pm, and with overtime estimated at no more than 50 hrs per year; and

WHEREAS, the LCDSS will receive 75% reimbursement of this expense through Federal and State funding sources, with the local County share being 25%; and

WHEREAS, the County Attorney and Commissioner of LCDSS opened the proposals and reviewed same both together and independently to confirm the bids, examine each with the criteria set forth in the RFP; and determine best value to the interests of the County in relation to the bid prices; and

WHEREAS, after review and examination of each bid and required criteria, including consideration of bid price together with the best value factors to the County, the Commissioner and County Attorney recommend that the Board of Legislators authorize and award the contract to Denog Protective Security Services, Inc. (Denog), to provide such services for \$61,050.00 per year; and if said bidder fails to execute a contract, to award Securitas Security Services USA, Inc. said contract for \$74,971.15 per year.

NOW, THEREFORE, BE IT RESOLVED, that

Section 1. The Board of Legislators hereby authorizes and approves a contract with Denog Protective Security Services, Inc., to provide armed security guard services for the Department of Social Services building on Outer Stowe Street, Lowville, NY, in the amount of \$61,050.00 for a twelve month period, with four (4) one year renewal periods. The local share cost is \$15,262.50.

Section 2. In the event Denog fails to execute a contract, the Board of Legislators authorizes and approves a contract with Securitas Security Services USA, Inc., in the amount of \$74,971.15 for a twelve month period, with four (4) one year renewal periods. The local

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share cost is \$18,742.79.

Section 3. That the above contract is being awarded based upon the bid proposals received and opened on June 10, 2016, with consideration of criteria including low bid and best value to the County.

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 such terms and provisions as approved by the County Attorney.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Fawcett, seconded by Legislator Dolhof.

While citing support for employee safety, Legislator Kulzer expressed his opposition to the expenditure because there would be two unsecured entrances that would essentially give a false sense of security; and the lack of metal detection at the main entrance leaves opportunity for weapons to enter the building. Alternatively, he suggests the close proximity of the Sheriff's Department would allow timely response if panic buttons were utilized; and installation of bullet-proof glass for the receptionist window. Otherwise, he feels the Board is illustrating a lack of confidence in law enforcement personnel.

While supportive of a metal detector, Legislator King inferred an untoward incident could happen well before a panic button could be pushed.

Pursuant to the Request For Proposals (RFP) Atty. McNichol stated the company would provide a trained security guard to monitor cameras installed in a room adjacent to the waiting room at the front entrance, and all persons entering the building will be subject to a wand search.

Legislator Kulzer inquired "How a guard could monitor the cameras while also wand searching people?" Atty. McNichol submits it would be quicker than a panic button and relying on arrival of law enforcement.

Legislator Dolhof posed assigning a Sheriff Deputy full-time to the building, unsure of the financial impact? Ms. Swearingin cited a union issue to create new titles because deputies do not have security guard duties, as well as additional personnel retirement and benefit expenses. However, there would be a 75% State charge back through DSS. She recited the County's responsibility to assure a safe work environment for employees, particularly citing the horrible events that have been reported around the country. DSS is one of the more volatile environments, especially recognizing the types of services and the expanded affects of social media.

Ms. Swearingin reported that Lewis has the only DSS building in the State without armed security. However, we have responded to install parking lot lights and security cameras at the facility as requested by DSS Commissioner Jennifer Jones, her predecessor, and the Workplace Violence Committee. She also noted the two unsecured outside doors require secured access to

the DSS areas.

The Workplace Violence Committee continues their efforts to promote a safety culture through reasonable accommodations, most recently recommending “Active Shooter Training”, which is currently being explored and planned.

Legislator Moser concurred with Legislator Kulzer’s stated views, insistent the entire building be locked down for the safety of non-County occupants as well.

Legislator Brennan invoked that a secured area be established at the entrance prohibiting persons from entering secured areas with bags or articles of clothing.

Ms. Swearingin suggested the Commissioner be directed to relay and address the Legislators’ concerns with the DSS Safety Committee and the Workplace Violence Committee to determine and recommend safety enhancements; while encouraging adoption of the resolution.

Legislator King favors a security guard stationed at the front entrance to screen and prohibit weapons from entering the building. He stated that most reported incidents are done within 60-80 seconds, justifying a full-time on-site security guard.

Legislator Kulzer reiterated his concerns, while promoting installation of panic buttons and bullet-proof glass, and affirmed his confidence in law enforcement for timely response.

On behalf of the Ways and Means Committee, Legislator Hathway reiterated agreement to secure the building and supports financing appropriate security measures.

Legislator Kulzer submits the DSS building could be secured likewise as done for the Election Commissioners, by installing panic buttons and secure access entry, which now requires an employee to “buzz” people in. He reiterated confidence in law enforcement response, purporting the close proximity of the Sheriff’s Department provides a natural deterrent.

Sheriff Michael Carpinelli concurred with Legislator King, “It’s a matter of split seconds. It’s a timing issue”, he said; while agreeing with Legislator Kulzer that bullet-proof glass and panic buttons may curtail activity. Atty. McNichol invoked it would not be enough for persons in the waiting room who may be harmed, or their families and loved ones.

Commissioner Jennifer Jones stated the recommendation was for a “deterred-based response” at the front entrance. Several of the companies that conducted an on-site review recommended more than one security guard/officer, but the proposal for one guard was chosen for financial reasons. She recognized the many security measures that had been implemented during the past year, including the operational security cameras having mobile technology that the guard may remotely access and monitor. In response to Legislator Brennan’s idea to prohibit persons with bags and/or excess clothing, she cited the homeless people that carry their entire belongings for which there is no alternative storage space. The design of the building, she said, prohibits lockdown of the other two entrances because access is required through secured DSS areas from those entrances. In consideration for law enforcement response, Ms. Jones noted that deputies may be anywhere in the County. However, the RFP requires the chosen security

company to build a working relationship with local law enforcement to enhance safety.

Legislator Moser reiterated his support dependent upon the entire building being secured. The resolution was then adopted by a vote of 9 to 1, with Legislator Kulzer opposed.

Legislator Dolhof made a motion to authorize the County Attorney, County Manager and the Ways and Means Committee to review further enhancements such as bullet-proof glass and secured access for all entrances at the DSS building, seconded by Legislator King.

Sheriff Carpinelli posed the need for the guard to have appropriate equipment for radio communication with the Sheriff's Department to impact an efficient response. The communication reception at the building would need to be tested.

The motion was unanimously carried.

RESOLUTION NO. 318 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
PRATT NORTHAM FOUNDATION AND
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, Lewis County Department of Social Services wishes to enter into an Agreement with the Pratt Northam Foundation for an intern position under the Year-In-Service Program for a four (4) month period for thirty-five (35) hours per week; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Understanding ("MOU") by and between the Lewis County Department of Social Services and the Pratt Northam Foundation for an intern position with Macalla Artis for 35 hours per week for a four (4) month period, under the Year-In-Service Program.

Section 2. That this is for the term beginning November 1, 2016 and ending February 28, 2017 with no local share cost. The Pratt Northam Foundation agrees to pay the prevailing minimum wage rate in New York State, times the number of hours of work completed minus required withholdings at thirty-five (35) hours per week.

Section 3. That the Commissioner of Lewis County Department of Social Services 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.

AUGUST 2, 2016

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

**RESOLUTION NO. 319 - 2016
RESOLUTION TO APPROPRIATE FUNDS
SOCIAL SERVICES**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Social Services account of insurance recovery funds for vehicle repairs:

Increase Revenue:

A26800 (Ins Recovery)	\$1,000.00

Increase Expense:

A6010.4701 (Vehicle Repair)	\$1,000.00

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

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

**RESOLUTION NO. 320 - 2016
RESOLUTION AUTHORIZING AN AMENDED
STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) FORM
FOR THE COUNTY OF LEWIS SOLAR PHOTOVOLTAIC (PV) PROJECT AS AN
UNLISTED ACTION AND NEGATIVE DECLARATION**

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

WHEREAS, under current NYSERDA funding opportunities, the County of Lewis entered into a Power Purchase Agreement with Greenskies Renewable Energy, LLC to deploy a solar PV system ("Solar Project") on its property located at 5252 Outer Stowe Street, Lowville, New York; and

WHEREAS, by Resolution No. 290-2015, the County was named as lead agency for the SEQRA review process on the Solar Project and all actions related thereto, and authorized the Director of Planning with the assistance of Larsen Engineers to prepare the appropriate forms and applications; and

WHEREAS, a SEQRA negative impact assessment on the aforesaid property was

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declared in February, 2015 as part of the County's DSS Parking Lot Project. In March, 2016, the County as lead agency, updated the SEQRA to reflect the addition of the 2MW solar array to the original activities on this property by providing the project information on the Short Environmental Assessment Form – Part 1 (*ESA Part 1*); and

WHEREAS, Larsen Engineers has provided further environmental review of the project and recommends that the Solar Project SEQRA be amended and be classified as an Unlisted Action, with no significant adverse environmental impacts as a result of this project, and therefore, be declared a Negative Declaration; and

WHEREAS, the County of Lewis has reviewed the recommendations of Larsen Engineers and as lead agent of the State Environmental Quality Review Act (SEQRA) Process for the County of Lewis Solar Photovoltaic (PV) Project, seeks to adopt said recommendations and amend the SEQRA accordingly; and

WHEREAS, Larsen Engineers, with the assistance of the Director of Planning and County Attorney, is preparing necessary zoning and site plan documents for the appropriate department of the Village of Lowville to advance the Project. The Director seeks to have the Board of Legislators authorize him to submit any zoning and site plan documents to the Village of Lowville and to appear on behalf of the County at any meeting or hearing with respect to same.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby declares that it is continuing to act as lead agency for the purpose of SEQRA review and amendments concerning the Solar PV Project and all actions related thereto, and amends the Short Environmental Assessment Form – Parts 2 and 3, to classify this Project as an Unlisted Action with no significant adverse environmental impacts, and a Negative Declaration.

Section 2. That the Director of Planning is authorized to submit any necessary zoning and site plan documents to the Village of Lowville, and to appear at any meeting or hearing requested, to advance the Solar Project.

Section 3. That the Chairman or Vice-Chairman is authorized to execute any and all amendments to the SEQRA to declare the project as an unlisted action and issue a negative declaration.

Section 4. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 321 - 2016
RESOLUTION APPOINTING MEMBER TO
TRAFFIC SAFETY BOARD**

AUGUST 2, 2016

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

WHEREAS, Reginald Hoch, representing the Lowville Academy & Central School Transportation Department, has submitted his resignation from the Lewis County Traffic Safety Board, due to his retirement effective June 29, 2016.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints Amy Green, Lowville Academy & Central School Transportation Supervisor, to fill the un-expired term of Reginald Hoch, as a member of the Lewis County Traffic Safety Board.

Section 2. That the term of said appointment shall be effective from August 3, 2016 through December 31, 2018.

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

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

RESOLUTION NO. 322 - 2016
RESOLUTION APPOINTING MEMBER TO
TRAFFIC SAFETY BOARD

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

WHEREAS, Kenneth Bibbins, representing the Lowville office of the NYS Department of Transportation, has submitted his resignation from the Lewis County Traffic Safety Board, because he no longer works at the Lowville office.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints Donald Mattimore, NYS Department of Transportation Resident Engineer, Lowville, New York 13367 to fill the un-expired term of Kenneth Bibbins, as a member of the Lewis County Traffic Safety Board.

Section 2. That the term of said appointment shall be effective from August 3, 2016 through December 31, 2016.

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

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

RESOLUTION NO. 323 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO TREASURER'S DEPARTMENT

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

BE IT RESOLVED as follows:

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

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Sr. Account Clerk	Full-time	Grade C19 (\$17.11/hr.)

Section 2. That Treasurer Patricia O'Brien 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 Hathway, seconded by Legislator Moser, and adopted.

RESOLUTION NO. 324 - 2016
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING &
AGREEMENT BETWEEN THE COUNTY OF LEWIS AND JEFFERSON
COMMUNITY COLLEGE FOR BUILDING AN EDUCATIONAL EXTENSION
CENTER IN LEWIS COUNTY WITH EDUCATIONAL CURRICULUM AND
PROGRAMS PROVIDED AND SERVICED BY JCC

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means, Buildings and Grounds Committees.

WHEREAS, Lewis County and the North Country as a whole, face a shortage of trained individuals to fill positions in the manufacturing, energy and agriculture sectors – the natural resources found in the County. Area employers and manufacturers are cognizant of their aging workforce and are concerned about meeting their resource needs with a skilled and educated workforce from the County and its neighbors in the North Country; and

WHEREAS, the County of Lewis seeks to partner with Jefferson Community College ("JCC") to increase the number of employable and skilled people from the County, at all levels, by providing an educational curriculum and a skilled instructional atmosphere, based upon the needs of the County's workplaces and employers, at a location within the County; and

WHEREAS, continuing discussions between the County's Director of Planning and County Manager with JCC, through its Continuing Education Division, has placed strategic importance on a well- structured Career Technical Education ("CTE") system and program for

the citizens of Lewis County. CTE programs are built on the philosophy that students on all levels can enrich their lives through education with instruction and training that is career and skill based; and

WHEREAS, JCC is uniquely positioned to partner with Lewis County and provide CTE in the County. JCC is the only educational institution in the North Country chartered to serve Lewis County with existing academic programs in agribusiness and energy- two employment sectors viable in the County. Lewis County is uniquely positioned to partner with JCC by providing a suitable building and structure for this Educational Extension Center (“EEC”); and

WHEREAS, County of Lewis seeks to partner with JCC in building a suitable, 20,000 square foot, cost efficient and effective educational structure and facility, with classrooms and laboratories on an appropriate site in Lewis County, in consideration with JCC providing at least a ten (10) year commitment to provide the educational curriculum, programs, instructors, marketing and full operation of the facility; with all terms and conditions to be set forth in a Memorandum of Understanding and Agreement; and

WHEREAS, the County of Lewis Board of Legislators seeks to partner with JCC by entering into this Memorandum of Understanding and Agreement for an Educational Extension Center, with the County’s commitment to obtain the appropriate property and build the structure at a cost not to exceed \$4,000,000.00; and

WHEREAS, the Board of Legislators wishes to accept such partnership and provide such authorization;

NOW THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Understanding Agreement between the County of Lewis and Jefferson Community College, for the building of an Educational Extension Center in Lewis County to service the Lewis County population, with the County’s commitment to build the 20,000 sq. ft. building and obtain the property for same at a cost not to exceed \$4,000,000.00; and with the agreement of JCC to provide the educational curriculum, programs, and equipment; to market the programs and EEC; and to operate and maintain the EEC at its own expense and cost.

Section 2. That the Board of Legislators authorize the Lewis County Director of Planning to work with appropriate members of the JCC administration to develop a Request for Proposal for a building, parking lot and premises design - turn-key construction - of a 20,000 sq. ft. educational building.

Section 3. That the Lewis County Director of Planning and County Attorney are authorized to negotiate the specific terms and provisions of a Memorandum of Understanding Agreement with JCC to effectuate this partnership.

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 Brennan, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 325 - 2016
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 positions:

<u>TITLE</u>	<u>STATUS</u>
Certified Nursing Assistant (2)	Part-time

Section 2. That the Board hereby **abolishes** one Full-time Registered Nurse position.

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

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

RESOLUTION NO. 326 - 2016
RESOLUTION SUPPORTING FORT DRUM AS THE PREFERRED SITE FOR AN
EAST COAST MISSILE DEFENSE AGENCY GROUND-BASED INTERCEPTOR

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

WHEREAS, the Missile Defense Agency (MDA) is preparing a congressionally-mandated Continental United States Interceptor Site (CIS) Environmental Impact Statement (EIS) to evaluate sites for a potential additional ground-based interceptor site, and

WHEREAS, there are currently three locations under consideration including Fort Drum, New York, Camp Ravenna, Ohio and Fort Custer, Michigan, and

WHEREAS, in August 2014 the MDA held a scoping session to discuss with citizens, and local, state and federal government officials the scope of the project and timeline for completion of the EIS for the project, and

WHEREAS, on May 9, 2016 the Draft EIS was approved for public release, and

WHEREAS, after reviewing the EIS we recognize that the project will provide significant economic benefits to NYS and the surrounding communities including estimated short-term job creation of 600-800 jobs, estimated long-term job creation of 650-850 jobs, increase annual sales tax of \$1.65 million, and overall \$27 million annual long-term economic value to NY State and the region, and

WHEREAS, we also recognize that locating the project at Fort Drum will further distinguish Fort Drum as a strategic federal installation to the nation, as well as a vibrant part of the North Country economy.

NOW, THEREFORE, BE IT RESOLVED that the Lewis County Board of Legislators supports Fort Drum New York being the preferred location for an east coast missile defense ground-based interceptor site.

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

OTHER BUSINESS:

Legislator Chartrand encouraged everyone to access the Fort Drum Regional Liaison Organization website to sign on to support the east coast missile defense site.

Legislator Hathway stated that while researching for the public safety building water upgrade project, the State Commission of Corrections provided Frank Pace the original engineered drawings of the “Old Jail” building on South State Street. The Board approved the recommendation to give the documents to the Historical Society to preserve.

Legislator Chartrand made a motion to enter executive session for an Attorney-Client privilege discussion at 11:09 a.m., seconded by Legislator Brennan and carried. The session began at 11:15 a.m. following a brief recess. At 11:48 a.m. Legislator Moser made a motion to return to regular session, seconded by Legislator Fawcett and carried.

Chairman Tabolt announced that a tour of Constable Hall was scheduled for September 6, 2016 at 4:00 p.m., just prior to the 5:00 p.m. Board meeting.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Moser at 11:49 a.m., seconded by Legislator Fawcett and carried.

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SPECIAL MEETING

August 30, 2016

The meeting was called to order at 4:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Craig Brennan. Legislator Andrea Moroughan entered the meeting at 4:20 p.m.

Legislator Lawrence Dolhof made a motion to enter executive session to discuss the performance of specific personnel, seconded by Legislator Bryan Moser and carried.

At 5:40 p.m. Legislator Jerry King made a motion to re-enter the regular meeting, seconded by Legislator Lawrence Dolhof and carried.

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

SEPTEMBER 6, 2016

**REGULAR MEETING
September 6, 2016**

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

Roll Call: All Legislators were present.

Chairman Tabolt offered the Invocation, and led the Pledge of Allegiance to the Flag.

There were 24 persons present.

Chairman Tabolt thanked the Constable Hall Association for hosting the Board. On behalf of the Association, Edward Bullis welcomed everyone and expressed appreciation for the Board's willingness to hold their meeting at this location. He thanked the dedicated volunteers and staff who maintain the grounds and facilities.

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 6, 2016

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

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

Chairman Tabolt opened the public hearing for comments on Local Law Introductory No. 1-2016 "Continuing an Additional Mortgage Tax for Mortgages on Real Property Situated in Lewis County"; Local Law Introductory No. 2-2016 "Amending Local Law No. 2-2009 Regarding Opening and Closing of Lewis County Trail System and the Fees Charged for ATV Permits in the Lewis County Trail System"; Community development and housing needs and to discuss the possible submission of one or more Community Development Block Grant applications for the 2016 program year; and the addition to the Lewis County Trail System of the Peckman Charitable Remainder, Mervin E. and Lois K. Peckman privately owned property at the corner of Gomer Hill Road and West Road in Turin, NY.

PRIVILEGE OF THE FLOOR:

Planning Director Frank Pace read a prepared statement that the Community Development Block Grant Program is a federally funded program administered by the New York State Office of Community Renewal. Approximately \$15 million is available for Program Year 2016 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

September 28, 2016. A county may apply for up to \$850,000 for housing activities with the principal purpose of benefitting low and moderate income persons.

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.

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 provide further information about the CDBG Program, solicit citizen comments on any proposed applications and/or to provide technical assistance to develop alternate proposals. A second public hearing would be held after the application is awarded to discuss the amount awarded and the program administration and activities.

Snow Belt Housing Executive Director Cheryl Shenkle-O'Neill had circulated a sign-in sheet to document attendance. She requested the County to submit a housing rehabilitation application that would benefit both owner-occupied as well as renter-occupied housing for an undetermined amount not to exceed \$850,000. The assistance available to income-eligible homeowners would be one hundred percent deferred payment loans for an amount not to exceed \$45,000 per housing unit. The loan would become a grant as long as the owner remained in the home for a period of five years. For renter-occupied housing units seventy-five percent grants/twenty-five percent loans are available. The loan would be repaid over a 3-5 year period and repayments would be used to assist other applicants. The types of rehabilitation authorized include plumbing, electrical, roof, windows, insulation, any work that would reduce health or safety hazards, or exterior or interior accessible modifications. Mobile home replacements may also be considered, if the home is deemed un-repairable. Previous grant programs have averaged one or two mobile home replacements.

Snow Belt Housing would administer the grant as a sub-recipient to the County, as a continuation of the program that was awarded in 2013. Ms. O'Neill reported their agency is currently soliciting applications from income-eligible households to determine the need for this program. She asked anyone interested to call their office at 315-376-2639, stating she had applications with her today, including pre-applications for landlords.

The County is asked to include landlords to improve the housing stock. Landlords could avail one-hundred percent loans, but be expected to repay twenty-five percent and commit to rent the rehabilitated units to low income eligible tenants for a period of no less than five years. The applications are available on Snow Belt Housing's website.

Jeffrey Parker spoke on behalf of Tug Hill Adirondack Association President Joseph Onyon in reference to Local Law Introductory No. 2-2016. He referenced Section 4. B. that refers to Section “11” Paragraph “4” of Local Law No. 2-2009 as last amended by Local Law No. 4-2014, requesting to add the word “Association” to respective sections (a) and (b).

County Attorney Joan McNichol had explained to Mr. Onyon that the word “Club” is deemed to include association, clarifying that his association is covered by the law. Moreover, she indicated general agreement to consider clarifying language at a later date when the entire Local Law would be restated.

Former Legislative District No. 9 representative Neil Pepper said that previously the ATV clubs were a part of the Association, asking for clarification whether their Association is representing clubs in Lewis County. Mr. Parker stated that although their association offers membership to all clubs, regardless of location, none of the clubs in Lewis County have opted to join.

At this time, Chairman Tabolt declared the August 2nd and August 30th, 2016 meeting minutes were approved.

Director of Economic Development and the Industrial Development Agency Eric Virkler distributed an outline of County economic development expenditures and a 5-year projection. A preliminary assessment and basic design for a business park is proposed on a 30-40 acre parcel just north of Lowville. The next step will be to issue a request for proposals for professional services to obtain State certification of a shovel ready location. A Consolidated Funding Application (CFA) was submitted to build one site pad, an entrance road and install basic infrastructure into the park to one site.

Other activities include ongoing outreach to Climax Mfg. owners to assist with lease or sale of the building. There is consistent review to enhance the redesigned website, augmented by the Naturally Lewis marketing brand that received multiple award recognition. The recently hired IDA part-time marketing specialist will expand those efforts. Review continues for potential use of an incubator building. Staff had assisted seven small businesses and agencies to submit grant applications, as well as the Village of Lyons Falls to provide water to the United Cerebral Palsy residential facility. Formulation of an economic development strategic plan continues with a focus on specific strategies.

In response to Legislator Hathway, Mr. Virkler said the conceptual design of the business park includes six site pads, but does not define infrastructure. A \$50,000 grant application will be submitted to augment the \$130,000 CFA submission. Dependent upon grant approval, the balance of the estimated \$680,000 project cost would fall to the County. The State will announce grant awards in December and allow 2-3 years for project completion. CFA amounts are limited to 20% of project cost.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

A “Shovel Ready” designation is a positive indication to developers the site is properly zoned, transportation routes and infrastructure have been analyzed along with other critical aspects.

In response to Legislator Kulzer, Mr. Virkler assured the prospective land had not been purchased, explaining the \$12,000 engineering expense was for preliminary analysis and site cost estimate. The estimated infrastructure cost of \$2.7 million was later confirmed by Legislator Moser, as was the ultimate total engineering cost of \$64,000, if the consultant was selected for the next phase.

Mr. Virkler stated the municipal infrastructure is at the curb, but has not been certified to meet potential business park needs. There has been no decision whether to move forward with the project if grant funding is not secured. The IDA holds an option to buy the prospective property. The owner prefers to sell the entire parcel with 50% of the sale price, or \$350,000, up front and the balance paid in equal installments over 20 years. The Town and Village of Lowville each provide water and/or sewer services to the prospective property, but the volumes are dependent upon unknown ultimate users.

In response to Legislator Kulzer, Mr. Virkler reported that as a result of analysis and discussions over the last two years, the prospective site is recommended as the best option and least cost for infrastructure. Legislator Kulzer took exception, purporting a less costly option.

Mr. Virkler reported commitment of \$750,000 for the business park, \$25,000 to the United Cerebral Palsy project and \$100,000 for the Lyons Falls mill clean-up project. In response to Legislator Hathway, he estimated IDA cash reserves of \$550,000. IDA funds cannot be used for loans or other direct finance to a business, but may be used to acquire land and/or buildings. The County funds may not be used for IDA salaries and operating expenses. The collective funds must be augmented by \$190,000 to complete aforementioned projects.

The IDA endeavors to develop annual revenue streams, meanwhile, requests an annual \$50,000 County operating allocation to augment interest and investment revenue of \$20,000 and occasional fees received for executed PILOT agreements. The business park, incubator building and ownership of other buildings would provide revenue generating opportunities.

In response to Legislator Moser, Mr. Virkler reported IDA expenditure of \$400,000 - \$500,000 in the past 3-4 years to purchase buildings and equipment. One building was to assist a business with a mortgage through a lease agreement. Another building is leased inclusive of equipment for potential business expansion. The lease agreements include a 3-4% interest rate with a goal to create or retain jobs.

Mr. Virkler affirmed the 2017 County allocation request of \$550,000. County Manager Liz Swearingin clarified the IDA is not a budgetary line-item. The \$700,000 for economic development projects was a one-time allocation attributable to surplus sales tax receipts, which are not keeping pace with prior years. She requested estimates of potential IDA revenues be appended to proposed projects that may offset County appropriations.

Legislator Brennan suggests that County revenues from windmill projects be dedicated for economic development. Legislator King referenced eventual business repayments of IDA investments that are available for other business initiatives, specifically citing the Lyons Falls Pulp & Paper property. Mr. Virkler distinguished that project from customary business proposals, hopeful for returns on the substantial investment. Legislator Dolhof projects creation of jobs, citing Krueger's pending proposal to site a small manufacturing facility. However, in response to Legislator Kulzer, he reported Krueger's projected \$30 - \$40 million expansion is on hold awaiting increased power prices. Their proposed expansion was further impacted by failed attempts to obtain a power purchase agreement with the State of New York. However, Legislator Dolhof responded the company has not yet agreed to lower power rates for potential users at the old mill location.

Mr. Virkler introduced Tina Schneider, current IDA Board member, former Lewis County IDA Executive Director, and a lifelong resident. Ms. Schneider recognized the transition at the IDA Board and administration, as well as the invested community dynamics. She works for Purcell Construction based in Watertown, but referenced many of her co-workers are also Lewis County residents. Her work includes development of projects throughout the State in conjunction with several IDA's and communities. She inferred Lewis as having a very good economic development vision and team, which breeds success.

Ms. Schneider delightfully shared a reference from an un-named regional prominent individual whom had referred to Lewis County as "having their act together, doing a lot of progressive things". Referencing that very few counties do not support economic development initiatives, Ms. Schneider expressed her appreciation for the Board's commitment and budgetary appropriations for local projects as the precursor for continued prosperity.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Lewis County Planning Board Chairman Dennis Lee has tendered his resignation effective August 2016, citing personal reasons.

The Board acknowledges receipt of a resolution adopted by the Seneca County Legislature calling on State and County officials, residents and business owners to adopt the "think differently" initiative to assist individuals with special needs and their families.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the Treasurer's July and August reports; the 8/22/16 Solid Waste and 8/25/16 Highway Audit Reports; the 2017 Lewis County Self-Insurance Estimate and Apportionment of Expenses; meeting minutes of the 8/17/16 Youth Bureau Advisory Board and the 6/14 and 8/9/16 meetings of the Soil & Water Conservation District Board of Directors; as well as the Resolution adopted by the Agricultural and Farmland Protection Board recommending to conduct the 8-year review process of Agricultural District Number 6 as required by Agriculture and Markets Law.

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REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, reported that Frank Archer is negotiating for snowplowing at the tower sites. Greenskies is reviewing National Grid's proposal for the solar array and the Village of Lowville is reviewing the site plan. The memorandum of agreement for the educational facility with Jefferson Community College is progressing.

Legislator Hathway reported that County Atty. McNichol will meet with respective taxing jurisdictions of the Maple Wind projects for preliminary discussion for PILOT extension.

The signage cost for the DSS parking lot will be allocated from the \$1,900 balance of the "green" grant portion. The total to-date project cost is \$919,816, of which the County cost is \$281,728, well under the \$320,000 budget.

Legislator Hathway reported receipt of a fleet management proposal from Enterprise, Inc. following Legislator Brennan's recommendation. The company estimates initial savings of \$291,000 over the next ten years for Hospital and County vehicle expenditures, during the same period projecting \$315,000 savings for sale of existing vehicles. Enterprise will refine their proposal in response to Committee inquiries, including segregation of Hospital vehicles, for further consideration.

Legislator Hathway made a motion to authorize County Treasurer Patricia O'Brien to re-fill the Full-time Deputy County Treasurer, Benefits Specialist and Sr. Account Clerk positions, due to anticipated promotions, effective upon the date of retirement of Deputy County Treasurer Cindy Wiedrick. The motion was seconded by Legislator Chartrand and carried.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Employment and Training/Youth Bureau Committee Chairman, reported that DSS has launched a Facebook page dedicated to foster parenting for recruiting foster parents. Foster parent training classes will begin on 12/14/16. DSS will use the reverse 911 option on 11/14/16 to phone and inform persons their HEAP eligibility has been pre-determined, in an effort to reduce the number of calls to the office. Emergency HEAP applications will be accepted after 1/4/17 and the program continues through 3/15/17.

Local department officials and agencies are partnering with the Jefferson County Child Advocacy Center to establish a Lowville satellite office to provide appropriate space for forensic interviews of abused children.

Legislator Fawcett reported that all Senior Farmer's Market Nutrition Program coupons have been distributed. Office For Aging (OFA) and NY Connects will sponsor a table to distribute information at the 9/8/16 "Night Out" event. The 25th senior golf tournament at the Brantingham Golf Club and the senior prom at the Ridgeview Inn will both be held on 9/9/16.

The Alzheimer's Caregivers Support Group meets on the third Thursday of each month at the Maple Ridge Center focused on caring for those with dementia or Alzheimer's. OFA and

Public Health staff will provide six weekly classes beginning on 9/19 for Chronic Disease self-management at the Cooperative Extension conference room. Also, a dedicated specialist has been hired to assist individuals with health information and policies.

The annual Oktoberfest and public hearing is scheduled for 9/30/16 at the 3-G Firehall featuring a 50's and 60's sock hop.

Legislator Fawcett announced the Youth Bureau Advisory Board, in conjunction with the Lewis County Sheriff's Department, Northern Regional Center for Independent Living and Lewis County Opportunities, Inc. will sponsor the "National Night Out" event to be held at the fairgrounds on 9/8/16 with activities to heighten crime and drug prevention.

Orientation was provided at the August Youth Advisory Board for revised By-laws and amended allocation procedures adopted by the Office of Children and Family Services. Student representatives Madeline Lehman and Reagan Domagala were commended for recording media advertisements for the "Night Out" event.

Legislator Fawcett made a motion to authorize re-filling a Part-time (up to 17 hrs. per week) Title V Aging Services Aide, effective October 18, 2016. The program has a durational limit of 4 years set by the NYS Office for the Aging, and the current person will be terminating. The motion was seconded by Legislator Moroughan and carried.

Legislator Fawcett made a motion to authorize OFA Registered Dietician Molly Mallette to travel to Boston, MA for a Food and Nutrition Conference & Expo on 10/18/16. 75% of the cost is covered by budgeted Federal and State grant funds. The motion was seconded by Legislator Brennan and carried.

Legislator Bryan Moser, County Officers/Junkyards/Veterans' Services/Human Resources Committee Chairman, urged support of his sponsored resolution to amend the County policy for re-filling vacancies.

Legislator Moser reported that at his request, Lewis County Magistrates Association President and Town of Lyonsdale Justice Keith Todd, informed the Junkyard Review Board that Town justices were unfamiliar with the County Junkyard Law. In response, Sr. Building Codes Officer Ward Dailey had forwarded a copy of the law to each justice to enhance accountability of non-compliant offenders. The Committee had also directed that Code Officers consistently report non-compliance issues they personally view throughout the county, for consideration by the Junkyard Review Board.

Legislator Moser reported that the Veteran Services Director's budget is within budgetary appropriations.

Legislator Jerry King, Courts and Law Enforcement/Emergency Services/Fire Coordinator/Building Codes Committee Chairman, made a motion to award the bid for the water upgrade project and removal of the existing tank and pump system at the Public Safety Building

PROCEEDINGS OF THE BOARD OF LEGISLATORS

to McCabe's Mechanicals, Inc. in the amount of \$28,700.00, seconded by Legislator Hathway and carried.

Legislator King reported participating in radio system coverage testing of 2,500 of the total 3,670 test points at half-mile grids throughout the County, with 97.3% coverage. The remaining spots were not accessible by vehicle. During a live call, the system was overloaded by several responders. The situation was thereafter recreated when it was determined that one ambulance was out of reception range, which was to be re-checked.

Legislator King had also accompanied the contractor for pager testing last week in Lowville, Croghan Harrisville and Castorland to document issues. The contractor will provide a responding plan within the next few weeks to County officials. Liz Swearingin reported the County Attorney had forwarded correspondence to E.F. Johnson informing awareness of reaching 97% coverage, while insisting response to a dozen listed issues, before processing their final payment.

Legislator Lawrence Dolhof, Economic Development/Planning/Recreation, Forestry & Parks Committee Chairman, reported submission of the Phase II annual Snowmobile grant application. The State has reduced the Countywide high snow trail miles by 86 effecting a \$25,000 funding reduction.

Legislator Dolhof reported 576 participants in the Peak-to-Brew relay race from Whiteface through a portion of Lewis County to the Utica Brewery; and 106 participants in 98 boats for the Riverfest.

Legislator Craig Brennan, Taxation/Information Technology Committee Chairman, reported that Mohawk Networks is moving forward to expand broadband service to County residents.

Legislator Kulzer reported a few used Highway and Solid Waste vehicles would be auctioned on-line. Paving was completed in August, and the Sears Pond Road was resurfaced. They are working to replace pipes on the Snell, Cutt-Off and Redfield Roads. The Cemetery Road Bridge project was completed. Barton & Loguidice engineers corresponded with the NYSDOT to request assistance on behalf of the County, for repair of the yellow-flagged Liberty Road Bridge.

Legislator Kulzer anticipates renovations of the recycling building will be done by November. Year-to-date transfer station revenue is comparatively low. The annual Hazardous Household Waste Day to be held at the Lowville Transfer Station on 9/10/16 has been well advertised and to inform items that would not be accepted, including latex paint. Also, Director Pete Wood recently guided facility tours to two separate groups.

Legislator Richard Chartrand, Hospital Committee Chairman, reported a \$398,900 gain versus a budgeted loss of \$205,000 in July. The year-to-date surplus is \$2,429,000 versus a budgeted surplus of \$1,604,000. The facility anticipates receipt of almost \$15 million from multiple revenue sources by the end of December, acknowledging the \$4 million IGT funding

may not be forthcoming. Pending revenue receipts, the plan is to pay off capital project debt, accounts payable and possible accelerated debt payments to the County.

Legislator Chartrand reported the 2017 budget is being formulated based on global assumptions, project volumes, physician practice visits and the capital budget. Hospital administration is working in conjunction with County officials on the enterprise lease program.

In response to Legislator Moser, Legislator Chartrand stated that not all of the revenue sources would be continued annually.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chairwoman, made a motion to authorize Penny Ingham to refill a full-time Account Clerk position effective immediately, due to a transfer to another County department, seconded by Legislator Fawcett and carried.

Legislator Moroughan reported that Public Health Planner Ashley Waite had presented the second quarter Board of Health report documenting customary health operations. The Quality Assurance and Corporate Compliance reports document that all indicators had been satisfactorily met. The quality improvement plan and data for the community health assessment will be presented to stakeholders on 9/15/16.

Legislator Moroughan reported that herself, along with Community Services Board members Jon Waterhouse and Douglas Ort, County Manager Liz Swearingin and Director of Community Services Patricia Fralick have been meeting with Transitional Living Services/ Behavioral Health and Wellness Center (TLS) Executive Director and Board Chair Stevie Kiggins to monitor local outpatient mental health services. TLS has increased the number of active clients by 40% and referrals by 75% since 2015, while reporting a 52% reduction in operating losses. The results have been accomplished by participating in programs to enhance reimbursements, increased number of patients being served, and staff restructuring.

Legislator Moroughan relayed appreciation from the planning committee for those who participated in the 8/31/16 International Overdose Awareness Day that heightened awareness of heroin use and resources available.

She announced the second annual candlelight vigil for worldwide suicide prevention will be held on 9/10/16 at the Lowville Memorial Park sponsored by the American Legion Post 162.

COUNTY MANAGER REPORT:

Liz Swearingin reported compilation of the preliminary 2017 budget by next week. Tyler/Munis payroll and finance system training continues.

A vacancy on the Lewis County General Hospital Board of Managers has been advertised.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Considerable time is being spent to prepare for the health care opt out option for pre-65 aged retirees effective 1/1/2017.

Legislator Richard Chartrand announced the resignation of Rae Rice from the Board of Managers to assume a new job opportunity.

COUNTY TREASURER REPORT:

Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$249,168.00; Contingency Fund-\$431,000.00; Capital Data Processing Fund-\$129,203.98 and Capital Equipment Fund - \$239,032.77, of which \$137,213.98 is the Highway portion. She also reported year-to-date sales tax revenue of \$5,935,182.31; and the current Hospital debt of \$2.8 million. The balance of the Internal Service Fund of \$837,814.06 remains well below the recommended level of \$3.5 - \$4 million.

SPECIAL REPORT:

Chairman Tabolt recognized and commended County Attorney Joan McNichol for recently being installed to serve as President of the Mid-York Women's Bar Association. Atty. McNichol said it was her second year and proudly announced that Court of Appeals Judge Leslie Stein of Albany would be making a presentation to their group of 150 attorneys on 9/28/16. They are hopeful the Court of Appeals will sit in at a court session in one of the surrounding counties.

Chairman Tabolt had attended a ceremony at SUNY Potsdam when Governor Cuomo announced the broadband initiative.

He had participated in a phone conference set up by Adirondack North Country Association Executive Director Kate Fish, with the NYS Energy Commission to discuss the possibility for Lewis County residents to opt for Re-Energy Holdings, LLC Lyonsdale as their energy supplier. At the Chairman's request, NYSAC Executive Director Stephen Acquario is researching whether this would be feasible, and Ms. Fish is reviewing the Governor's 157-page renewable energy incentives.

Hudson River Black River Regulating District representatives presented their fee schedule for the upcoming year. They will hold their 9/13/16 regular meeting in Lowville and Legislators are encouraged to attend.

Chairman Tabolt also reported meeting with Village of Lowville Council members and Kraft-Heinz representatives to offer assistance to progress the expansion project.

At 6:36 p.m. the Chairman closed the public hearing.

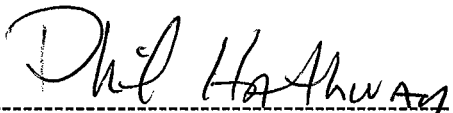
REPORT OF THE WAYS AND MEANS COMMITTEE:

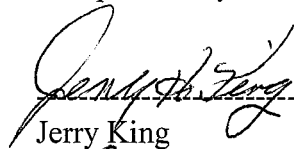
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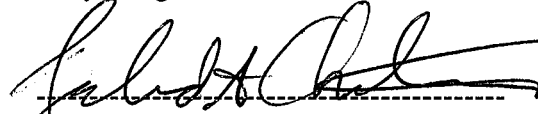
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

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 \$ 779,834.15 and recommend that they be audited and allowed for the amounts claimed.


Philip Hathway Chair


Jerry King Committee


Richard Chartrand Committee

Dated: September 6, 2016

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

RESOLUTIONS:

**RESOLUTION NO. 327 - 2016
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 \$ 779,834.15 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 King, and adopted by roll call vote:

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

NAYS: None

ABSENT: None

**LOCAL LAW (INTRODUCTORY NO. 3 - 2016)
COUNTY OF LEWIS**

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

**A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE
OPERATION ON 1.3 MILES OF WEST ROAD (CR 51)**

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

SECTION I. TITLE

This Local Law shall be known as “A Local Law Permitting All-Terrain Vehicle Operation on 1.3 miles of West Road (CR 51)”.

SECTION II. PURPOSE

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

SECTION III. DEFINITIONS

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

- (a) The term “County” shall refer to the County of Lewis.
- (b) The term “ATV” shall refer to an “all-terrain vehicle” as defined in Section 2281(1) of the Vehicle and Traffic Law of the State of New York.
- (c) The term “Trail System” shall refer to the Lewis County Trail System, as adopted and administered pursuant to Local Law No. 2 – 2009, entitled, “A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM,” and as the same may be amended from time to time.
- (d) The term “ATV Code” shall refer to the Lewis County ATV Code which sets forth the local rules and regulations pertaining to the operation of ATV’s on public property pursuant to Local Law No. 3 – 2009, entitled “A LOCAL LAW ESTABLISHING THE LEWIS COUNTY ATV CODE,” and as the same may be amended from time to time.
- (e) The term “CR” shall mean County Route, and is used to describe or designate the highway as owned by the County of Lewis and maintained by the Lewis County Highway Department.

SECTION IV. LEGISLATIVE FINDINGS

The Board of Legislators hereby makes the following findings:

1. That Board of Legislators has carefully reviewed a Memorandum from the County Attorney detailing the legal obligations of the Board when considering opening a County highway or portion thereof to ATV use.
2. The Board of Legislators has also reviewed a report from the Director of Recreation, Parks and Forestry which Described the Amended Designation of ATV Trails and Interconnecting County Roads for Use by ATV’s dated August 19, 2016, which has been submitted to the Board of Legislators identifying the segment of CR 51 that is proposed to be opened to ATV traffic and providing a description of the trail or area that is adjacent to such road and the justification for same as required by Vehicle & Traffic Law § 2405.
3. The Board of Legislators has conducted a review of the potential adverse impacts the opening of the proposed interconnecting County Road, consistent with Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations (“NYCRR”)

implementing Article 8 (collectively referred to hereinafter as “SEQRA”) and after an investigation and analysis conducted by the Director of Soil & Water, has found and determined that adding this portion of CR 51 to the Lewis County Trail ATV System will not result in a significant environmental impact.

4. The Board of Legislators has also reviewed the most recent annual ATV Activity Report as compiled by the Lewis County Sheriff’s Department.
5. The County Highway Superintendent has reviewed the portion of CR 51 that is proposed to be opened to ATV traffic, and has provided the Board with his written opinion that such road or portion thereof is presently opened to all classes of motor vehicle traffic and that opening said road or portion thereof to ATV traffic will not significantly impact traffic safety at this locality.
6. In light of all the information submitted, reviewed and/or received during the public hearing, the Board of Legislators hereby determines and finds that it is otherwise impossible for ATV’s to gain access from the off-road ATV Trail on Weona Ski Resort Property to the northerly end of the off-road ATV Trail on the Peckman Charitable Remainder Property, absent the opening of that portion of West Road (CR51) a distance of 1.3 miles as described in this Local Law.

SECTION V. AMENDED DESIGNATION OF HIGHWAYS

The following County highway, or portion thereof, is hereby designated as OPEN to travel by ATV’s, IN ADDITION to the County highways or portions thereof that were designated as open under Local Law No. 5 – 2009, and/or as subsequently amended thereto:

- That certain portion of **West Road (CR 51): 1.3 miles**, beginning from a certain ATV trail located on the Weona Ski Resort Property (a/k/a Snow Ridge Ski Resort) on the westerly side of West Road and then southerly a distance of 1.3 miles to the ATV off-road trail located on the westerly side of the Peckman Charitable Remainder property incorporated into the Lewis County Trail System in 2016.

SECTION VI. CONDITIONS AND RESTRICTIONS

- A. All of the conditions, restrictions, rules and regulations contained in or adopted pursuant to Article 48-C of the Vehicle and Traffic Law of the State of New York shall apply with respect to the operation of ATV’s within the areas designated in the preceding Section IV.
- B. The road segment set forth above shall be deemed incorporated into the Lewis County ATV Trail System and subject to the conditions, restrictions, rules and regulations set forth in Local Law No. 2 – 2009, entitled, “**A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM**” as well as Local

Law No. 3 – 2009, entitled, “**THE LEWIS COUNTY ATV CODE**” as the same may be amended from time to time.

- C. The road segment set forth above shall have signage posted to direct ATV riders to ride on the paved road and not on the stone shoulder of the road.

SECTION VII. SAVINGS CLAUSE

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

SECTION VIII. SEPARABILITY

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

SECTION IX. EFFECTIVE DATE

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

RESOLUTION NO. 328 - 2016 FIXING DATE OF PUBLIC HEARING ON LOCAL LAW (INTRODUCTORY NO. 3 - 2016), COUNTY OF LEWIS

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on September 6, 2016, Local Law (Introductory No. 3-2016) entitled “A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON 1.3 MILES OF WEST ROAD (CR 51)”.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on October 4, 2016, 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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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

LOCAL LAW (INTRODUCTORY NO. 4 - 2016) 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 2017 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 2017 BUDGET.**”

SECTION 2. LEGISLATIVE FINDINGS

The Board of Legislators for the County of Lewis hereby finds and determines that the anticipated budgetary needs for fiscal 2017 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 2017 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. 329 - 2016
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY NO. 4 - 2016), 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 6, 2016 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 2017 BUDGET."

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on October 4, 2016, 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 Hathway, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 330 - 2016
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 2 – 2016, COUNTY OF LEWIS**

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on August 2, 2016, directing that a public hearing be held by said Board on September 6, 2016, from 5:00 p.m. to 5:30 p.m. at Constable Hall located at 5909 John Street, Constableville, New York 13325, to hear all interested parties on Local Law (Introductory No. 1-2016) entitled "A LOCAL LAW CONTINUING AN ADDITIONAL MORTGAGE TAX FOR MORTGAGES ON REAL PROPERTY SITUATED 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 August 31, 2016, and posted on the

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 1 – 2016), County of Lewis, being “A LOCAL LAW CONTINUING AN ADDITIONAL MORTGAGE TAX FOR MORTGAGES ON REAL PROPERTY SITUATED IN LEWIS COUNTY”, be and the same hereby is designated as Local Law No. 2–2016, County of Lewis.

Section 2. That Local Law No. 2–2016, 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 Brennan, seconded by Legislator King, and adopted pursuant to the following roll call vote:

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 331 - 2016
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 3 – 2016, COUNTY OF LEWIS**

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on August 2, 2016, directing that a public hearing be held by said Board on September 6, 2016, from 5:00 p.m. to 5:30 p.m. at Constable Hall, which is located at 5909 John Street, Constableville, New York 13325, to hear all interested parties on Local Law (Introductory No. 2-2016) entitled “A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 REGARDING THE OPENING AND CLOSING OF THE LEWIS COUNTY TRAIL SYSTEM AND THE FEES CHARGED FOR ATV PERMITS IN THE LEWIS COUNTY TRAIL SYSTEM”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on August 31, 2016, 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 RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 2 – 2016), County of Lewis, being “A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 REGARDING THE OPENING AND CLOSING OF THE LEWIS COUNTY TRAIL SYSTEM AND THE FEES CHARGED FOR ATV PERMITS IN THE LEWIS COUNTY TRAIL SYSTEM”, be and the same hereby is designated as Local Law No. 3–2016, County of Lewis.

Section 2. That Local Law No. 3–2016, 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 Fawcett, seconded by Legislator Brennan, and adopted pursuant to the following roll call vote:

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 332 - 2016
FIXING DATE OF PUBLIC HEARING WITH REFERENCE TO THE
EIGHT YEAR REVIEW OF AGRICULTURAL DISTRICT NO. 6**

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

WHEREAS, pursuant to Section 303 (a) of the Agriculture and Markets Law, the County Legislative Body is required to review a district eight years after its creation and every eight years thereafter; and

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WHEREAS, the Lewis County Board of Legislators authorized and set the Public Comment Period for the Lewis County Agricultural District No. 6 eight-year review process for August 1, 2016 through August 31, 2016, and authorized incorporation of the 2016 annual inclusion process and thirty day open enrollment period during and simultaneously with the eight year review process, and directed that public notices for the eight-year review contain notice of incorporation of the 2016 annual inclusion process pursuant to Resolution No. 280-2016; and

WHEREAS, Lewis County Director of Planning provided the appropriate notices and surveys to the property owners in Agricultural District No. 6, and is accepting and answering any questions pertaining to this Agricultural District's timelines, review and modification process; and

WHEREAS, municipalities and landowners within the district may propose a modification of the District by filing such proposal with Frank Pace of the Lewis County Planning Department or Clerk of the Lewis County Board of Legislators, Teresa Clark at 7660 North State Street, Lowville, NY 13367 from October 1, 2016 through October 31, 2016; and

WHEREAS, the Director of Planning will gather the information and comments received during the review process, together with requests for inclusion and/or removal after the comment period ends, and provide a Report to the Lewis County Board of Legislators during the public comment period at the public meeting of this Board of Legislators to be held on December 6, 2016; and

WHEREAS, the Director of Planning seeks to have the Lewis County Board of Legislators now set the public hearing for this Agricultural District No. 6 eight-year review.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes and sets the public hearing for Agricultural District No. 6 eight-year review to be held on December 6, 2016 at 5:00 PM at the County Courthouse, Second Floor Board of Legislators Chambers, 7660 North State Street, Lowville, New York 13367, for the purpose of receiving public comment regarding the eight-year review of Agricultural District No. 6.

Section 2. That the Lewis County Planning Department is hereby directed to publish an appropriate notice in the *Watertown Daily Times* and that such notice shall contain the information required by law.

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

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

RESOLUTION NO. 333 - 2016
RESOLUTION TO INCORPORATE PECKMAN CHARITABLE REMAINDER
PROPERTY INTO THE LEWIS COUNTY ATV TRAIL SYSTEM

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

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, "ATVs") is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

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

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement ("DGEIS") and a Final GEIS (collectively the "GEIS") and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 29, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board's conclusions and determinations, based upon the facts and analyses contained in the GEIS; and

WHEREAS, upon completion of its environmental review under SEQRA, the Board of Legislators formally established the Lewis County Trail System (herein "Trail System") by adopting Local Law No. 2 – 2009, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM" (herein, "Local Law No. 2"); and

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

WHEREAS, the Recreation, Forestry and Parks Director has presented the Board of Legislators with a request to add property owned by Peckman Charitable Remainder, (Mervin E. and Lois K. Peckman) in the Town of Turin, known as parcel number 321.00-01-23.000 to the ATV Trail System; and

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed property and trail, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators has contemporaneously herewith completed its review under SEQRA with respect to the property and trails identified above, and based upon an investigation and analysis conducted by the Soil and Water Conservation District, has found and

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determined that adding this property and trail to the Lewis County Trail ATV System will not result in a significant environmental impact; and

WHEREAS, the owner of the property, Peckman Charitable Remainder, (Mervin E. and Lois K. Peckman), has executed an Access Agreement with the County of Lewis by and through the Director of Recreation, Forestry and Parks, that permits the County to enter upon their property for the purpose of constructing and maintaining ATV trails that will be open to the public and part of the County's ATV trail system.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The trail located on the above referenced property, known as the Peckman Charitable Remainder Property located at the Corner of Gomer Hill Road and West Road, Turin, NY, parcel number 321.00-01-23.000, and more fully described in the Supplemental Statement prepared by the Soil and Water Conservation District, is hereby deemed incorporated into and made a part of the Lewis County Trail System.

Section 2. The Board of Legislators hereby authorizes the addition of the Peckman Charitable Remainder Property trail to the Lewis County ATV Trail System, and authorizes amendment to the maps of the Lewis County Trail System as the same are published on the Lewis County website and elsewhere to include the trail described herein, together with such other and further actions as may be necessary to administer and maintain such trail consistent with the Lewis County ATV Trail Plan, the GEIS and Statement of Findings, and Local Law No. 2-2009.

Section 3. That the Director of Recreation, Parks and Forestry is authorized to make, execute and deliver such additional Access Agreements for the aforesaid property, upon approval of the County Attorney as to form.

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

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

**RESOLUTION NO. 334 - 2016
RESOLUTION TO TRANSFER FUNDS
CIVIL SERVICE OFFICE**

Introduced by Legislator Bryan Moser, Chairman of the Civil Service Committee:

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Civil Service Department accounts for the purchase of furniture:

From:

A1430.4507 Travel \$191.00

To:

A1430.2211 Office Equipment \$191.00

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

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

**RESOLUTION NO. 335 - 2016
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 a State Aid increase for Mountain View Prevention Services:

Revenue

A34914 Mtn View \$350.00

Expense

A4325.4999 Mtn View \$350.00

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

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

**RESOLUTION NO. 336 - 2016
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 appropriations are hereby approved in the Community Services accounts to reconcile with State Aid funds (NRCIL):

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Decrease Revenue

A34903.1 NRCIL	\$7,048.00

Decrease Expense

A4324.4700	\$11,044.00

Increase Expense

A4324.4701	\$2,792.00

A4324.4702	\$1,204.00

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

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

**RESOLUTION NO. 337 - 2016
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 a State Aid increase for Transitional Living Services:

Increase Revenue

A34915 TLS	\$33,974.00

Increase Expense

A4318.4212 TLS	\$32.00

A4318.4213 TLS	20.00

A4318.4214 TLS	88.00

A4318.4215 TLS	15,062.00

A4318.4216 TLS	15,800.00

A4318.4219 TLS	22.00

A4318.4220 TLS	131.00

A4318.4224 TLS	2,768.00

A4318.4225 TLS	51.00

	<u>\$33,974.00</u>

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

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

RESOLUTION NO. 338 - 2016
RESOLUTION AUTHORIZING AMENDED 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 Board is responsible to provide to the residents of the County of Lewis with alcohol and substance abuse prevention services 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 County of Lewis acting by and through the Lewis County Community Services Department ("LCCSD") and Mountain View Prevention Services, Inc. ("MVPS") entered into an Agreement dated December 30, 2015 for MVPS to provide community prevention education and training services for the term beginning January 1, 2016 and ending December 31, 2016 pursuant to Resolution No. 405-2015, in the amount not to exceed \$229,586.00, representing the amount to be received by State Aid; and

WHEREAS, LCCSD subsequently received notice that the 2016 New York State Office of Alcoholism and Substance Abuse Service ("OASAS") State Aid funding to the County through the LCCSD for these services was revised upward to \$233,307.00; and

WHEREAS, the County seeks to amend the amount of the payment for such services to the amount of \$233,307.00, which is the actual 2016 OASAS State Aid funding.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves an amended Agreement between Mountain View Prevention Services, Inc. and the County of Lewis acting by and through the Lewis County Community Services Department for prevention education and training services commencing January 1, 2016 through December 31, 2016 at a cost not to exceed \$233,307.00.

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

Section 3. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 339 - 2016
RESOLUTION TO TRANSFER 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 transfer is hereby approved from the Contingency Fund into the District Attorney account to cover the cost of Appellate legal services:

<u>From:</u>	Amount
A1990.4999 Contingency	\$12,000.00

<u>To:</u>	
A1165.4901 Prof Serv	\$12,000.00

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

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

**RESOLUTION NO. 340 - 2016
RESOLUTION TO APPROPRIATE FUNDS
HIGHWAY DEPARTMENT**

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget changes is hereby approved in the County Road account to appropriate additional Pave NY funds.

<u>Increase Revenue:</u>	
D35011 CHIPS	\$395,903.33

<u>Increase Expense:</u>	
D5150.499 Paving Material	\$395,903.33

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

Moved by Legislator Moser, seconded by Legislator King, and adopted.

RESOLUTION NO. 341 - 2016
RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY HIGHWAY DEPARTMENT AND
ROY TEITSWORTH, INC., dba RTI INTERNET AUCTIONS

Introduced by Legislator Greg Kulzer, 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 vehicles and items by participation in the online auction services provided by Roy Teitsworth, Inc., at no cost to the County; and

WHEREAS, the Board of Legislators wishes to accept such services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, through the Lewis County Highway Department and Roy Teitsworth, Inc, dba RTI Internet Auctions, to participate in the on line auction services to sell County used vehicles and items beginning October 4, 2016 through October 11, 2016.

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 Fawcett, and adopted.

RESOLUTION NO. 342 - 2016
RESOLUTION TO APPROPRIATE FUNDS
TRANSPORTATION DEPARTMENT

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget change is hereby approved in the Highway Department Accounts for the purchase of a computer for the mapping program at the shop, utilizing Capital Data Processing funds, balance \$129,203.98:

Increase Revenue:

D50310 \$1,047.41

Increase Expense:

D5010.2211 \$1,047.41

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Moser, and adopted.

RESOLUTION NO. 343 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY HUMAN RESOURCES DEPARTMENT AND
MESA OF NY, INC. D/B/A/ YOST EMPLOYEE ASSISTANCE PROGRAM

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, the County of Lewis, by and through the Lewis County Human Resources Department desires to enter into an Employee Assistance Program Agreement with Mesa of NY, Inc. d/b/a Yost EAP, ("EAP"), a New York State company, with office located at 1045 James Street, Syracuse, New York 13203; and

WHEREAS, the purpose of this Agreement is for EAP to provide an Employee Assistance Program for Lewis County employees and their dependents; 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, by and through the Lewis County Human Resources Department, and Mesa of NY, Inc. d/b/a Yost EAP for the purpose of having EAP provide an Employee Assistance Program.

Section 2. That this is for the term commencing July 1, 2016 through June 30, 2017 at a cost of \$20.80 per employee per year. This pricing is based on an employee count of 300 employees and will be paid in quarterly installments during the first month of each service quarter at a rate of \$5.20 per employee per quarter.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators are 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 Dolhof, and adopted.

RESOLUTION NO. 344 - 2016
RESOLUTION TO AMEND THE LEWIS COUNTY POLICY AND PROCESS FOR
REFILLING VACANT POSITIONS

Introduced by Legislator Bryan Moser, Chairman of the County Officers & Employees Committee and the Human Resources Committee.

WHEREAS, by Resolution No. 10 - 2010, the Lewis County Board of Legislators (BOL) determined to abolish all positions that become vacant during any fiscal year by reason of resignation, retirement or termination. This policy was approved out of concern that positions were automatically being filled without review of the need; and

WHEREAS, as a result of the 2010 policy, the process to refill a position entails a motion if the departing individual is still employed at the date of the BOL meeting, or a resolution is made if the person has left employment of the county. The resolution process involves the Department Head bringing the request through the committee, and if approved by the committee, a Resolution is crafted for consideration by the entire BOL at the next meeting. These competing processes are confusing, somewhat awkward, and causes a great deal more time, paperwork and bureaucracy by abolishing a position and then having to create a new one; and

WHEREAS, it is proposed that a new process be put in place which will provide the BOL visibility to all vacancies and the ability to reject or approve a request for refill of a position, but a process that will shorten the cycle time and reduce paperwork in filling a vacant position; and

WHEREAS, it is proposed that the new process provide: 1.) For a Department Head to notify the County Manager and Civil Service when there is a known or pending position vacancy or change. No position shall be automatically abolished until the Board of Legislators action on same. 2.) Upon approval by the County Manager, Civil Service and HR Director may immediately commence the recruitment process in filling a position, but no offer of a position shall be made until and unless the Board of Legislators approves refilling the position. 3.) The Human Resources ("HR") committee shall review all requests for presentation to the BOL. The HR Director will present to the BOL at each monthly meeting, a written report for review of all requests for new, backfilling and/or changes to positions. Any questions can be addressed with the BOL having the right to approve or disapprove any of the requests by majority vote of the BOL. 4.) If a position issue arises after the HR committee meeting and before the monthly BOL meeting, the County Manager shall have the authority to bring forward additional appropriate resolutions(s) for the BOL consideration at the monthly meeting without having been vetted by the HR committee; and

WHEREAS, the Board of Legislators wishes to amend and herein re-state the policy and process for abolishing vacant positions during any fiscal year by reason of resignation, retirement or termination.

NOW, THEREFORE BE IT RESOLVED, that

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Section 1. The Board of Legislators hereby amends and re-states the policy and process for abolishing and refilling of vacant positions during any fiscal year by reason of resignation, retirement or termination as follows:

- A. No position shall be deemed automatically abolished without the approval of the Board of Legislators.
- B. The Department Head is to notify the County Manager and Civil Service of any known/pending vacancy in the Department; and the Department Head's intention to request to refill the position.
- C. Upon approval of the County Manager, Civil Service and the HR Director may immediately commence the recruitment process in filling a position, but no offer of a position shall be made until and unless the Board of Legislators approves refilling the position.
- D. The HR Committee shall review all requests for presentation to the Board of Legislators. The HR Director will present to the BOL at each monthly meeting, a written report for its review of all requests for new, backfilling and/or changes to positions. By motion, the BOL shall have the right to approve or disapprove any of the requests by majority vote of the Board of Legislators.
- E. If a position issue (vacancy and possible refill) arises after the HR committee monthly meeting and before the monthly BOL meeting, the County Manager shall have the authority to bring forward additional appropriate resolutions(s) for the BOL's consideration at the monthly meeting without having been previously vetted by and through the HR committee;

Section 2. Upon the Board of Legislator's abolishing such position(s) pursuant to this Resolution, the Lewis County Treasurer is hereby directed to transfer all funds that have been or shall be allocated to such position(s) to "A1010.4199 Board of Legislators Contingent Account", to be held in such account until such time as a position may be re-established by the Board of Legislators.

Section 3. This Resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Fawcett, and adopted.

RESOLUTION NO. 345 - 2016 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 2016-2017.

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 \$50,000.00 in support of the said application.

Section 3. That the Chairman, or Vice-Chairman, of the Lewis County Board of Legislators is hereby authorized to sign any and all necessary papers and documents in connection with said application.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Fawcett, and adopted.

Following adoption of the resolution, County Manager Liz Swearingin informed the commitment of funds represents a \$10,000 increase. Legislator Dolhof said the funds are used to print the tourism booklets every other year that are distributed at trade shows and designated locations. Legislator King asked if resulting tourism revenues were being tracked to justify the expenditure. Recreation, Forestry and Parks Director Jackie Mahoney stated that one ATV coupon was put in each booklet. She would obtain and report the number of returned coupons later, as also requested by Legislator Kulzer. She further clarified the tourism booklet encompasses advertisements for the various tourism factions.

RESOLUTION NO. 346 - 2016
RESOLUTION AUTHORIZING EXTENSION AND MODIFICATION TO
MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY AND MOHAWK
NETWORKS, INC. TO EXPAND BROADBAND SERVICE TO BENEFIT
RURAL COMMUNITIES IN THE NORTH COUNTRY

Introduced by Legislator Craig Brennan, 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.

WHEREAS, Mohawk Networks, LLC (“Mohawk”) submitted a grant proposal under the New York State Broadband Initiative, to expand wireless internet service in the North Country,

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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, the County authorized a Memorandum of Understanding to be entered into with Mohawk, which allowed Mohawk to lease tower and equipment space on the County’s Public Safety Building tower, and its shelter space at the WWTI tower in Copenhagen, at no cost for this initial pilot through December, 2016. The MOU also provided for the parties to extend the term of the agreement upon mutual consent; and

WHEREAS, the Mohawk was not awarded any grant funds in the first round, but continues its application for funding in the next round, and seeks to extend the MOU with the County for another year or until Mohawk has 500 customers, whichever event first occurs; and

WHEREAS, the County of Lewis seeks to continue support of Mohawk in this pilot program and request for grant funding to expand wireless broadband to the underserved and rural areas in Lewis County by extending the MOU for another year.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County to continue its participation and support of this broadband initiative pilot project provided same does not interfere in any way with the County’s Emergency 911 upgrade project and development.

Section 2. That the Lewis County Board of Legislators hereby authorizes an amendment to the Memorandum of Understanding between the County and Mohawk, to extend the terms and conditions therein stated to December 31, 2017 or upon Mohawk having 500 customers, whichever event first occurs.

Section 3. That the Chairman or Vice-Chairman is hereby authorized to execute, seal and deliver said Modification/Extension 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 Brennan, and adopted.

RESOLUTION NO. 347 - 2016
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY AND MOHAWK NETWORKS, INC.
TO EXPAND BROADBAND SERVICE TO BENEFIT
RURAL COMMUNITIES IN THE TOWN OF DIANA AREA

Introduced by Legislator Craig Brennan, 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.

WHEREAS, Mohawk Networks, LLC (“Mohawk”) submitted 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, the County authorized a Memorandum of Understanding to be entered into with Mohawk, which allowed Mohawk to lease tower and equipment space on the County’s Public Safety Building tower, and its shelter space at the WWTI tower in Copenhagen, at no cost for this pilot project, which has been extended through December 31, 2017 or upon Mohawk obtaining 500 customers, whichever event first occurs; and

WHEREAS, Mohawk was not awarded any grant funds in the first round, but continues its application for funding in the next round with the Pilot agreement. Regardless of the grant consideration, Mohawk seeks to move forward and offer service to homes in the Town of Diana area, with Mohawk investing the costs of the necessary equipment and apparatus on the County’s tower in the Town of Diana without any grant funding, to provide wireless broadband service to this underserved area; and

WHEREAS, Mohawk seeks to have the County allow for its lease of tower space and of the equipment building at the Town of Diana tower pursuant to an MOU, at no cost for one year or until Mohawk has 250 customers from this wireless service area, whichever event first occurs; and

WHEREAS, the County of Lewis seeks to continue its support of Mohawk to expand wireless broadband to the underserved and rural areas in Lewis County by granting the lease of this tower space for a year at no cost or until Mohawk has 250 customers, whichever event first occurs.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County to enter into a Memorandum of Understanding with Mohawk Networks, LLC in support of its wireless broadband expansion initiative, provided same does not interfere in any way with the County’s Emergency 911 upgrade project and development.

Section 2. That the Lewis County Board of Legislators hereby authorizes an MOU between the County and Mohawk, to allow for Mohawk to lease space on the County’s tower in the Town of Diana at no initial cost for a year or upon Mohawk having 250 customers in this wireless service area, whichever event first occurs.

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 King, and adopted.

RESOLUTION NO. 348 - 2016
RESOLUTION TO EXPAND BROADBAND SERVICE
TO BENEFIT RURAL COMMUNITIES
IN LEWIS COUNTY AND OTHER NORTH COUNTRY COMMUNITIES

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

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”) submitted a grant proposal under the New York State Broadband Initiative, to expand wireless internet service in the North Country, including Lewis County, in an effort to deliver internet service to rural areas not currently served, by a “last mile broadband” pilot project utilizing a wireless point to multipoint delivery; and

WHEREAS, the County of Lewis, recognizing the need for broadband expansion to its underserved residents and businesses, supported Mohawk’s application for funding and entered into an agreement with Mohawk as a pilot project for wireless internet service, by providing tower and equipment space at no cost to Mohawk during the pilot to provide wireless broadband internet access. Mohawk was not awarded any grant funds in the first round, but continues its application for funding in the next round, with the County continuing its support of Mohawk’s application and this pilot program; and

WHEREAS, the initial results provided to Lewis County under the pilot project reveal that the test businesses and residences in Lewis County under the pilot are experiencing exceptional internet reception; and

WHEREAS, Broadband is crucial to lifting a County like Lewis to a viable level so that its residents and businesses can compete on a level playing field. Broadband expansion helps the County’s students, businesses and farms; it extends the opportunity to improve workforce training and sets a foundation for expanding healthcare to rural areas efficiently and cost effectively; and

WHEREAS, the Board of Legislators of the County of Lewis hereby calls upon the Governor to support Broadband expansion in Lewis County by awarding Mohawk Networks grant funding in the second round. Lewis County is one of the most rural and underserved broadband counties in the State, and precisely one of the areas described by the Governor to whom this million-dollar initiative and investment was designed to reach.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators of the County of Lewis strongly urge Governor Cuomo and his Broadband initiative team to support Broadband in Lewis County by awarding grant funds to Mohawk Networks. In so doing, the Governor will recognize that Lewis County, one of the most rural and underserved broadband serviced counties in the State, will greatly benefit economically and educationally with expanded wireless internet service proffered by Mohawk Networks' program and project to provide "the last mile of broadband" to areas with little or no broadband internet service.

Section 2. That the Board of Legislators of the County of Lewis calls upon their local representatives NYS Senator Joseph A. Griffo and NYS Assemblyman Ken Blankenbush, to advocate for a grant award to Mohawk Networks, Inc. in order to provide expansion of internet Broadband service to the underserved in Lewis County and other North Country communities.

Section 3. That copies of this resolution shall be sent to Governor Andrew M. Cuomo, NYS Senator Joseph A. Griffo, NYS Assemblyman Ken Blankenbush, the New York State Association of Counties, the Inter-County Legislative Committee of the Adirondacks, and all others deemed necessary and proper by the Chairman of the Board of Legislators.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Brennan, and adopted.

RESOLUTION NO. 349 - 2016
RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND
THE LOWVILLE VOLUNTEER FIRE DEPARTMENT

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, the Lowville Volunteer Fire Department wishes to enter into a Training and Services Agreement with the County of Lewis for the purpose of providing annual training services for county staff and county buildings which will include semi-annual inspection of all fire systems, access points, and system entry maps to verify conditions and revise and/or update as necessary; conduct active training exercises for various scenarios involving possible emergencies; appoint a member to the safety committee and meet quarterly; and participate in annual meetings to review and update the Training and Services Agreement; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with the Lowville Volunteer Fire Department to provide annual training services at a cost of \$2,000.00, for the

period of January 1, 2016 through December 31, 2016.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as approved by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator King, and adopted. Legislator Chartrand abstained.

RESOLUTION NO. 350 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS,
BY AND THROUGH THE LEWIS COUNTY OFFICE FOR THE AGING
AND LEWIS COUNTY COMMUNITY SERVICES,
FOR THE RENTAL OF SUITE D IN THE LOWVILLE COMMONS
FOR SHARED CONFERENCE AND TRAINING ROOM

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Office For the Aging Committee.

WHEREAS, the Lewis County Office for the Aging (“OFA”) and Lewis County Community Services (“CS”) Departments are located in the Lowville Commons Building owned by Transitional Living Services of Northern New York (“TLS”) located at 7550 South State Street, Lowville, New York 13367; and

WHEREAS, OFA and CS desire to enter into an agreement with TLS to rent Suite D in the Lowville Commons for a shared conference and training room at a cost of \$550.00 per month which includes heat and utilities.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the agreement between the County of Lewis, by and through the Lewis County Office for the Aging and Lewis County Community Services, and property owner Transitional Living Services of Northern New York for the rental of Suite D in the Lowville Commons for a shared conference and training room.

Section 2. That this is for the period beginning September 1, 2016 through December 31, 2017 at a cost of \$550.00 per month with heat and utilities included, and the cost per month is shared equally between Lewis County Office for the Aging and Lewis County Community Services.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 351 - 2016
RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING**

Introduced by Legislator Roscoe Fawcett, Jr., 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 new funding from Central NY Alzheimer's Association Caregiver Support Initiative.

Increase Revenues

A27003 AlzCSI	\$5,300.00

Increase Expense

A6772.1999 Personal Svs-OFA Prog	\$ 530.00
A6772.4913 Prof Svc Respite	\$4,770.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Fawcett, seconded by Legislator King, and adopted.

**RESOLUTION NO. 352 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PLANNING DEPARTMENT**

Introduced by Legislator Lawrence Dolhof, Chairman of the Planning 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 increase the hours of the Planner position from 35 to 40 hours per week, effective immediately.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Moser, and adopted.

RESOLUTION NO. 353 - 2016
RESOLUTION AUTHORIZING ADDENDUM TO THE
PARTNERSHIP MEMORANDUM OF UNDERSTANDING BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND
NYS QUALITY & TECHNICAL ASSISTANCE CENTER

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 (“Public Health”), and NYS Quality & Technical Assistance Center (“QTAC”) entered into an Agreement dated October 1, 2013 pursuant to Resolution No. 441-2013 for the Diabetes Prevention Program for the term beginning October 1, 2013 through December 31, 2014 and to remain in effect until dissolved by either party with thirty (30) days written notice; and

WHEREAS, Public Health desires to add Exhibit “H” to the original and existing MOU to include Tai Chi for Arthritis workshop each year utilizing trained and certified Tai Chi for Arthritis program instructors; and

WHEREAS, Lewis County Office for the Aging will be functioning under this MOU and are independently organizing the Tai Chi for Arthritis workshops and will be reporting to QTAC through Public Health; and

WHEREAS, the County seeks to amend the original and existing MOU to include Exhibit “H” to add the program for Tai Chi for Arthritis, with no County share; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Addendum, inclusive of Exhibit “H” to the Partnership Memorandum of Understanding between the County of Lewis, by and through the Lewis County Public Health Agency, and NYS Quality and Technical Assistance Center which is for Tai Chi for Arthritis workshop each year utilizing trained and certified Tai Chi for Arthritis program instructors, with no County share.

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 Board of Legislators authorizes Brenda J. Bourgeois, Director of Lewis County Office for the Aging, to execute such Exhibit “H”.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Fawcett, seconded by Legislator Moser, and adopted.

SEPTEMBER 6, 2016

**RESOLUTION NO. 354 - 2016
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 cover Rabies Post Exposure Treatment:

<u>From:</u>		
A4042.4367	Vaccines/Pharmaceutic	\$ 3,000.00

<u>To:</u>		
A4042.4901	Professional Services	\$ 3,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator King, and adopted.

**RESOLUTION NO. 355 - 2016
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. This will be an additional employee, but is adequately covered by the Sheriff's budget appropriations:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Deputy Sheriff	Part-time	Grade 22A

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said position in compliance with Civil Service rules and regulations, effective immediately.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 356 - 2016
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 to cover the Jail Physician expense:

<u>From:</u>	Amount
A3150.1101 Pers Serv	\$31,882.00
<u>To:</u>	
A3150.4901 Prof Serv	\$31,882.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 357 - 2016
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 to cover telephone expenses:

<u>From:</u>	Amount
A3110.4703 Vehicle Expenses	\$8,530.00
<u>To:</u>	
A3110.4301 Telephone	\$8,530.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Kulzer, and adopted.

SEPTEMBER 6, 2016

**RESOLUTION NO. 358 - 2016
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 to appropriate Youth Program donations into the Education Material account for the McGruff Costume.

Increase Revenue:

A27058 (Contributions) \$2,410.00

Increase Expense:

A7310.4503 (Education Material) \$2,410.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 359 - 2016
RESOLUTION AUTHORIZING PARTIAL RELEASE OF
MORTGAGED PREMISES BETWEEN THE COUNTY OF LEWIS AND
TERRANCE MILLER, SR. AND DOREEN A. MILLER**

Introduced by Michael A. Tabolt, Chairman of the Lewis County Board of Legislators.

WHEREAS, Terrance Miller, Sr. and Doreen A. Miller ("Mortgagors") executed a Grant and Mortgage in favor of the County of Lewis ("County") dated December 17, 2014, and recorded in the Lewis County Clerk's Office September 14, 2015, as Instrument No. 2015-004390 to secure payment of a loan in the amount of \$19,600.00; and

WHEREAS, these funds were provided under the Community Development Block Grant ("CDBG") Program of the United States Department of Housing and Urban Development / Office of Community Renewal in connection with the improvement of the property administered by Snow Belt Housing Company, Inc., which covered approximately 169 acres; and

WHEREAS, the County, at the request of the Mortgagors, have agreed to give up and release eighty-six (86) acres of vacant land to the Mortgagors, and have agreed to hold and retain the residue of the mortgage lands, including the improvements therein, as security for the money remaining due on said mortgage.

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 Release of Part of Mortgaged Premises for the aforescribed Grant and Mortgage.

Section 2. That the within Resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator King, and adopted.

RESOLUTION NO. 360 - 2016
RESOLUTION CALLING ON GOVERNOR ANDREW M. CUOMO AND THE STATE
LEGISLATURE TO WORK WITH NEW YORK'S CONGRESSIONAL DELEGATION
TO AMEND AND IMPROVE THE FAMILY FIRST PREVENTION SERVICES ACT
OF 2016 TO ENSURE ESSENTIAL FISCAL RESOURCES ARE MAINTAINED TO
SUPPORT FAMILIES IN NEED

Introduced by Michael A. Tabolt, Chairman of the Board of Legislators

WHEREAS, the Family First Prevention Services Act of 2016, H.R. 5456, is moving rapidly through Congress with no public hearings and little debate; and

WHEREAS, the legislation is well intentioned in that it would for the first time allow federal Title IV-E reimbursement for some preventive services to help children at risk of neglect or abuse; and

WHEREAS, the federal legislation also requires extensive new reporting and information system requirements, eliminates federal funding for currently authorized services, imposes restrictive administrative and implementation barriers, puts in place punitive maintenance-of-effort funding requirements, among other shortcomings and oversights; and

WHEREAS, New York's Office of Children and Family Services estimates that New York State and its counties could lose up to \$250 million annually in currently available federal funds for child welfare; and

WHEREAS, the counties of New York fund a large percentage of these child welfare services with locally raised property taxes and other revenues; and

WHEREAS, New York State and its counties have provided prevention services for this population without any federal matching funds for decades, and this bill would provide no credit to states like New York that were proactive and early adopters in providing prevention services for children and families at risk; and

WHEREAS, Governor Cuomo, on behalf of the New York State Office of Children and Family Services (OCFS) sent a recent letter to United States Senators' Charles E. Schumer and

Kirsten E. Gillibrand notifying them of the harmful impact this legislation would have on New York, and also provided suggested amendments; and

WHEREAS, some of the specific amendments requested related to expanding the 12-month time limit for Mental Health and Substance Abuse Prevention funding to not exceed 24 months when certified by a qualified mental health or substance abuse clinician; Aid to Families with Dependent Children (AFDC) delinking; and placement settings for 16-17 year olds; and

WHEREAS, the loss of federal funding and the restrictions within the current bill will jeopardize child welfare services in New York State.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators calls upon Governor Andrew M. Cuomo and the State Legislature to work closely with New York's Congressional Delegation to amend and improve the Family First Prevention Services Act of 2016 so that early adopter states like New York (and its counties) are not penalized by strict maintenance-of-effort provisions; that current federal reimbursement streams be maintained; and that sufficient flexibility be provided to meet the unique circumstances in different states.

Section 2. That certified copies of this resolution be forwarded to Governor Andrew M. Cuomo, New York State Senator Joseph Griffo, New York State Assemblyman Kenneth Blankenbush, Congresswoman Elise Stefanik, U.S. Senator Charles Schumer and U.S. Senator Kirsten Gillibrand, the New York State Association of Counties and all others deemed necessary and proper.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Fawcett, seconded by Legislator Dolhof.

Chairman Tabolt credited NYSAC for alerting that State representatives should coordinate their efforts with the Congressional Delegation to avoid duplicating expense upon Counties.

Commissioner of Social Services Jennifer Jones informed the Board, that if approved, the legislation could significantly decrease the funding for youths placed in residential foster care, while increasing requirements for multiple court reviews to determine appropriateness for placement of children in residential foster care; limiting the provision of preventive services to children to try to stop them from entering foster care to a one year maximum. "It could be incredibly financially detrimental for the county to have to pick up the cost for providing services", she said.

The resolution was then unanimously adopted.

RESOLUTION NO. 361 - 2016
RESOLUTION AUTHORIZING AFFILIATION AGREEMENT BETWEEN
STATE UNIVERSITY OF NEW YORK COLLEGE AT BROCKPORT AND
NAZARETH COLLEGE OF ROCHESTER WITH LEWIS COUNTY DEPARTMENT
OF SOCIAL SERVICES FOR FIELD WORK CREDIT TO EMPLOYEES IN THE
GREATER ROCHESTER COLLABORATIVE MSW PROGRAM AND
UNDERGRADUATE PROGRAMS

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, employees of the Lewis County Department of Social Services ("LCDSS") are pursuing advanced Masters of Social Work ("MSW") degrees through the Greater Rochester Collaborative program offered through the State University New York College at Brockport ("SUNY Brockport") and Nazareth College of Rochester ("Nazareth"); and

WHEREAS, the Commissioner of the LCDSS has received proposed contracts of affiliation from SUNY Brockport and Nazareth, through the Greater Rochester Collaborative program administrator, advising that the employees attending these programs may receive up to one semester's credits toward his/her degree for field work experience because of their caseworker employment positions at LCDSS, provided that the Commissioner and the Supervisory Staff at LCDSS provide assignments, field work and evaluations to the colleges' program administrators; and

WHEREAS, the Commissioner seeks to provide this field work evaluation so that the employees can obtain credits toward the degree program, and to enter into the Affiliation Agreements with SUNY Brockport and Nazareth upon the Lewis County Board of Legislators authorization and approval; and

WHEREAS, the Board of Legislators commends the employees for advancing their education and degrees, and wishes to approve said Agreements and authorize the Commissioner to execute same.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Commissioner of Lewis County Department of Social Services to execute Affiliation Agreements with SUNY Brockport and Nazareth College to enable the Commissioner and her Supervisors to accept supervision and evaluation of the student-employees in the program so that they may receive up to one semester's worth of credits of field work toward the degree under the Greater Rochester Collaborative Program.

Section 2. That the Commissioner of Lewis County Department of Social Services is 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 Fawcett, seconded by Legislator Brennan, and adopted.

RESOLUTION NO. 362 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE DEPARTMENT OF SOCIAL SERVICES AND
BINNACLE TECHNOLOGY SOLUTIONS, LLC

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an Agreement with Binnacle Technology Solutions, LLC, with its principal place of business located at 762 Boston Post Road, Madison, Connecticut 06443 for the purchase of support, maintenance, and enhancements for AccuFund Representative Payee accounting software; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with Binnacle Technology Solutions, LLC for the purchase of support, maintenance, and enhancements for AccuFund Representative Payee accounting software for the period of October 1, 2016 through September 30, 2018 at a cost not to exceed \$2,497.50 for a two (2) year period.

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 Fawcett, and adopted.

RESOLUTION NO. 363 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND CAYUGA HOME FOR CHILDREN

Introduced by Legislator Roscoe Fawcett, Jr., 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

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 between the County of Lewis, by and through the Department of Social Services, and Cayuga Home For Children for the provision of foster care services.

Section 2. That this is for the period of January 1, 2017 through December 31, 2017 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 and is based on the eligibility of the client.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 364 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
CHILDREN'S HOME OF JEFFERSON COUNTY**

Introduced by Legislator Roscoe Fawcett, Jr., 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, 2017 through December 31, 2017 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% for residential/foster care and is based 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.

Moved by Legislator Fawcett, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 365 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
ELMCREST CHILDREN'S CENTER

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

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 term of this agreement shall be from January 1, 2017 through December 31, 2017 and 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 and is based 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 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 Fawcett, and adopted.

RESOLUTION NO. 366 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND LIFELINE SYSTEMS, INC.

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with Lifeline Systems, Inc. for personal emergency response services to Medical Assistance 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 Lifeline Systems, Inc. for personal emergency response services to Medical Assistance Recipients for the period of January 1, 2017 through December 31, 2017 at no local share cost. This service is billed through Medicaid and rates are set by the State.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fawcett, and adopted.

RESOLUTION NO. 367 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND LIFE NET (S.T.A.T. COMMUNICATIONS)

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with Life Net (S.T.A.T. Communications) for personal emergency response services to Medical Assistance 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 Life Net (S.T.A.T. Communications) for personal emergency response services to Medical Assistance Recipients for the period of January 1, 2017 through December 31, 2017 at no local share cost. This service is billed through Medicaid and rates are set by the State.

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 Dolhof, and adopted.

RESOLUTION NO. 368 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
LEWIS COUNTY OFFICE FOR THE AGING

Introduced by Legislator Roscoe Fawcett, Jr., 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, 2016 through September 30, 2017 at a cost not to exceed \$11,000.00, with no local share cost due to the HEAP program being 100% federally funded.

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 Fawcett, seconded by Legislator Moroughan, and adopted.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 369 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES
SUMMER YOUTH EMPLOYMENT PROGRAM**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, pursuant to Resolution No. 160-2016 the Board had authorized hiring two Summer Youth PINS Counselors through August 19, 2016; and

WHEREAS, the Committee recommends approving DSS Commissioner Jennifer Jones' request for one of the counselors to work through August 24, 2016.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Department of Social Services, to authorize payment to one Summer Youth PINS Counselor at \$12.50/hour (County portion is \$3.50/hour) through and including August 24, 2016.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 370 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND
VICTIM ASSISTANCE CENTER OF JEFFERSON COUNTY**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the Victim Assistance Center of Jefferson County ("Center") provides crisis intervention, shelter admission, emotional support, advocacy, information and referrals; and

WHEREAS, the Lewis County Department of Social Services ("DSS") wishes to enter into an Agreement with the Center to utilize this facility for women and their dependent children from Lewis County that are in crisis and in need of emergency safe housing; and

WHEREAS, the Board of Legislators wishes to accept such services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the Agreement between the Lewis County Department of Social Services and Victim Assistance Center of Jefferson County to provide crisis intervention, shelter admission, emotional support, advocacy, information and referrals for women and their dependent children from Lewis County that are in crisis and in need of emergency safe housing.

Section 2. That this is for the period beginning January 1, 2017 and ending December 31, 2017 at a cost of \$108.70 per person per night; the local share is 25% to 100% depending on the eligibility of the client.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator King, and adopted.

RESOLUTION NO. 371 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
THE WILLIAM GEORGE AGENCY FOR CHILDREN'S SERVICES

Introduced by Legislator Roscoe Fawcett, Jr., 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; 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 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, 2017 through December 31, 2017 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

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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 Fawcett, seconded by Legislator King, and adopted.

RESOLUTION NO. 372 - 2016
RESOLUTION TO AUTHORIZE A TEMPORARY EASEMENT TO DAVID SZALACH
FOR THE PURPOSE OF UNDERGROUND PIPE ACCESS TO THE MOOSE RIVER

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, David Szalach owns property on Laura Street, Lyons Falls, NY and for 20 years installed and operated an in-ground sprinkler system for the purpose of watering his lawn in the summer months. With the permission of Lyons Falls Pulp & Paper (the prior property owner directly behind him), Mr. Szalach gained access to run a line to the Moose River to withdraw water in order to water his lawn. Lyons Falls Pulp & Paper subsequently sold that parcel and Mr. Szalach was denied access to the River by the new owner; and

WHEREAS, Lewis County owns property adjacent to Mr. Szalach on Lyons Falls Road to the Moose River. Mr. Szalach has requested access via an easement over the County's property to the Moose River for the purpose of pumping water for his underground sprinkler system in the summer months in the event of lack of rain. He intends to install and bury a 3" stainless steel pipe 2 to 3 feet deep, from the back of his garage onto the County's property and then to the River, with a pump placed on the riverbank, and with said pump removed for storage during the winter, all at his own cost and expense pursuant to a map and proposed pipe location provided to the County; and

WHEREAS, the Department of Environmental Conservation advised Mr. Szalach that his intermittent, limited withdrawal of water as proposed would not require a permit. The Lewis County Superintendent of Highways has advised that there is no road/highway issue with this proposed access so long as the pipe is not within 30 feet of the road; and

WHEREAS, the Board of Legislators seeks to authorize a temporary/provisional easement be granted to Mr. Szalach specifically for the intended use of a buried pipe across the County's property at said location to the Moose River 1) provided that Mr. Szalach have the land disturbed be returned to its reasonable original condition after installation and subsequent removal, 2) provided that the pipe not be laid within 30 feet of Lyons Falls Road (CR 76), 3) provided that the County retain the right to demand removal of the pipe and pump and to terminate the temporary easement at any time, and 4) that the County be compensated in the amount of \$200.00 for its consideration of this grant of a temporary easement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes a temporary easement from the County of Lewis to David Szalach for the placement, maintenance and repair of an underground 3" pipe to the Moose River, to be located under certain property of the County located on Lyons Falls Road, Lyons Falls, NY (CR76), the location of such easement not to be within 30 feet of Lyons Falls Road, with such grant of access to be terminated at any time by the County for any reason, and with such additional and further terms and provisions of such temporary easement deemed appropriate 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 temporary easement upon approval of the terms and conditions by the County Attorney, and for consideration of Two Hundred (\$200.00) Dollars payable by Mr. Szalach.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Dolhof.

Legislator Brennan was concerned this sets precedence for other property owners to request easement access to water on County property not only at this location, but any others. Legislator Dolhof stated that the easement may be revoked at any time.

The resolution was adopted. Legislator Brennan was opposed.

RESOLUTION NO. 373 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO TREASURER'S DEPARTMENT

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Treasurer's office to authorize retaining Lewis County Deputy Treasurer Cindy Wiedrick on the County payroll following the date of her retirement, for the purpose of training replacement staff. She is authorized to work up to three (3) days per week through June 30, 2017

Section 2. That the annualized compensation rate shall be \$53,500.

Section 3. That the within resolution shall take effect immediately

Moved by Legislator Hathway, seconded by Legislator Dolhof, and adopted.

RESOLUTION NO. 374 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY TREASURER'S OFFICE
AND SYSTEMS EAST, INC.

Introduced by Legislator Craig Brennan, Chairman of the Information Technology 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.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Dolhof, and adopted.

RESOLUTION NO. 375 - 2016
RESOLUTION AUTHORIZING A ROAD AGREEMENT
BY AND BETWEEN THE COUNTY OF LEWIS, TOWN OF DENMARK AND
COPENHAGEN WIND FARM, LLC

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

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, Lewis County and the other jurisdictions affected by this Project, i.e., Copenhagen Central School District, Lowville Academy & Central School District, and the Town of Denmark (collectively referred to herein as the "Taxing Jurisdictions") have agreed 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

WHEREAS, in connection with the Company's development, construction, operation and maintenance of the Project, it will be necessary for the Company and its contractors and sub-contractors and/or designees to transport heavy equipment and materials over certain roads and highways located in the Town and County ("Designated Roads"); and

WHEREAS, the County and Town, through their respective attorneys and highway department superintendent, have been negotiating the appropriate terms and conditions of a Road Agreement with the Company, and have been presented with a final proposed Agreement for final review and execution, with any additional changes requested by the County and/or Town; and

WHEREAS, the Lewis County Board of Legislators seeks to finalize and execute the Road Agreement upon final terms and conditions proposed by the Lewis County Superintendent of Highways and County Attorney.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves a ROAD AGREEMENT between the County of Lewis, Town of Denmark, and COPENHAGEN WIND FARM, LLC, or its successor.

Section 2. That the Road Agreement shall reflect any additional terms and conditions proposed by the Lewis County Superintendent of Highways and County Attorney.

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 Road 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 King, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 376 - 2016
RESOLUTION SETTING 2017 CHARGE-BACK
APPORTIONMENT FOR WORKERS'
COMPENSATION PLAN PARTICIPANTS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Workers' Compensation Committee.

WHEREAS, the Board of Legislators imposes a proportionate assessment of the Lewis County Self-Insurance Plan based on participant expenses; and

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WHEREAS, as a standard industry 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 for the 2017 workers' compensation assessment for participants of the Lewis County Self-Insurance Plan, to assess a 50% experience rating based on actual respective expenses in 2013, 2014 and 2015 that shall be capped at \$40,000 for any one claim per annum; 20% shall be computed on proportionate property valuation; and the remaining 30% based on respective 2016 gross payroll figures.

Section 2. That the within resolution shall take effect immediately

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

OTHER BUSINESS:

Clerk of the Board Teresa Clark read a proclamation executed by Chairman Tabolt to recognize "Lewis County Night Out" to be held on 9/8/16 at the Lewis County Fairgrounds as an annual event to promote police-community partnerships and cooperation in crime prevention efforts.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Brennan at 7:06 p.m., seconded by Legislator Hathway and carried.

SEPTEMBER 27, 2016

SPECIAL MEETING
September 27, 2016

The meeting was called to order at 12:30 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Craig Brennan, Andrea Moroughan and Bryan Moser.

Chairman Tabolt offered the Invocation, and led the Pledge of Allegiance to the Flag.

There were 4 persons present.

In the absence of a majority of the Rules and Legislation Committee, Legislator Dolhof made a motion to waive the rules to allow action on late resolutions, seconded by Legislator King and carried.

PRIVILEGE OF THE FLOOR:

Cooperative Extension Executive Director Michele Ledoux briefed the Board on the Copenhagen water issues. She is one member of a locally formed committee representing various agencies that has met weekly since June to monitor water/drought conditions.

During a recent event held in Washington, D.C. she and Frank Pace provided an information sheet “Working through the Drought of 2016” to Congressional and Senator representatives. Ms. Ledoux and Mr. Pace also had an opportunity to brief a Farm Service Agency official in charge of disaster.

Currently, there are two declared Lewis County emergencies. One for the Town of Denmark No. 1 water district that is directly affecting the Village of Copenhagen, including the school district. The water issues were enhanced upon the beginning of school, but officials have been conscientiously responding to use paper plates for meals and conserving water in any way possible.

She stated that Emergency Management Director Robert MacKenzie had identified three farms on Village water, two of which are dairy farms and one heifer farm encompassing just under 1,000 animals. An average heifer consumes an average of 50 gallons of water per day. Agency officials are providing direction on possible actions. The FSA may assist with costs associated with drilling a well or buying trucked water. One farm has always been on village water and is not equipped to accept tankers of water, but another farm is aptly receiving trucked in water.

Ms. Ledoux reported that 135,000 gallons were pumped into the water tower to shut down the wells. Well one refilled to 20', but wells two and three remain dry. Time is of the essence with the impending winter. The Committee is coordinating their efforts with Village officials and the NYS Department of Health hydrologist to identify informed solutions.

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In response to Chairman Tabolt, Ms. Ledoux stated that farms located outside the village have sufficient well water levels and no reported issue, but attributes the drought for insufficient Village well water. Mr. Pace stated that the Department of Health has been monitoring the wells and are convinced the drought is the leading cause. Ms. Ledoux cited the mounting costs for water at \$200 per tanker.

In response to Legislator King, Ms. Ledoux stated that one farmer has a well that has not been utilized, but plans to deepen it. Another farmer awaits the outcome with the Village's well No. 1. Also, the school is considering redirecting a water source that is currently pumped into the river.

County agency officials have also been testing corn silage and are encouraging farmers to be aware of their forage inventories. Ms. Ledoux predicts that milk prices may increase slightly by mid-2017.

Farmers are informed and encouraged to avail Farmnet counseling services. Ms. Ledoux assured the various agency officials are reaching out to farmers to discuss their issues and provide assistance.

In closing, she extended an invitation for the local Legislative farm tour on 10/5/16 and/or 10/8/16 encompassing diverse farming operations, and distributed a packet of agricultural information.

REPORTS OF STANDING COMMITTEES:

Legislator Richard Chartrand, Hospital Committee Chairman, reported receipt of IGT monies, of which the County must match 50% of the higher than expected amount.

RESOLUTION:

RESOLUTION NO. 377 - 2016 AUTHORIZING APPLICATION FOR 2016 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 6th day of September 2016 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 2016 Small Cities Community Development Block Grant (CDBG) Applications to secure funding to assist low and moderate income households with the rehabilitation of owner occupied and renter

occupied homes within Lewis County in an amount not to exceed \$850,000 and other such related activities as may be determined; and

Section 2. That the Chairman, or the Vice-Chairman, of the Board of Legislators, be and the same is hereby is authorized to make, execute, seal and deliver such applications, documents or writing as may be necessary to carry out the terms of this Resolution.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator King, and adopted.

OTHER BUSINESS:

Snow Belt Housing Executive Director Cheryl Shenkle-O'Neill apologized for the oversight and thanked the Board for meeting and their approval of the \$847,500 CDBG application, to meet the submission deadline. The grant has an administrative limit of five percent.

Legislator Chartrand, upon Legislator Kulzer's approval as Solid Waste Committee Chairman, asked for discussion on the Village of Lowville's request to waive the tipping fee for de-sludge materials and to consider the Village's response to the Board's posed questions, a copy of which had recently been distributed.

Legislator Chartrand stated the entire project cost is \$1.4 million. Legislator Dolhof referenced a newspaper article that reported the Village's share of de-sludging at \$560,000 and having a \$850,000 reserve fund. He asked for clarification on who would benefit if the fees are waived.

Legislator Chartrand explained that waiving the \$15/Ton tipping fee would reduce project cost. Legislator Kulzer quoted estimated tipping fees of up to \$220,000 dependent upon sludge quantity. The sludge is reportedly drier than expected, thereby reducing the weight.

Legislator Chartrand opined if this was an economic development project the County would most surely waive the tipping fees for any business adding or retaining jobs. Certainly, the Kraft Heinz expansion impacts the economy and is worthy of County assistance. He surmised that if any business made a plea for help with a proposed venture with resulting new or retention of jobs, it would be favorably considered. Indeed, he said, the County has expended millions of dollars to support new or expanded businesses.

Legislator Dolhof asserted that if the Village is to retain the savings to bolster their reserve fund, he is not in favor of waiving the fees. However, if Kraft Heinz benefits by lower than anticipated project costs then he supports the measure. In response, Legislator Kulzer cited the Villages' written response as No. 2. within their letter, which indicates that Kraft will be the direct beneficiary.

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Legislator Hathway relayed that Legislator Brennan had learned from Executive Director James Wright that DANC reduces their \$46/Ton fee to \$36 for municipal waste of this type. Accordingly, the Committee recommendation was to offer a 25% tip fee reduction to the Village, creating a precedent to offer a likewise reduction to municipalities in the future.

Legislator Kulzer asserted unknown facts at the time of the Solid Waste Committee meeting that have now been answered by the Village. By waiving the tip fees, the County would illustrate their support to Kraft Heinz of this project and for retention of the current and impending jobs.

Legislator Chartrand reported the Village is reviewing their water and sewer rates, the second lowest in the country, which are typically based on costs for operations, maintenance, repairs and capital projects. Referencing statistics from 2010, he said that rates for a household of four in rural Upstate New York communities averaged \$600/year. The Village has assigned a committee to review and recommend rate restructuring effective 1/1/2017.

Legislator King expressed his support to waive the tipping fees, wanted assurance that all municipalities are treated likewise for future projects.

Liz Swearingin asked the Board to be cognizant of the impact on Solid Waste revenue when setting a precedent to waive tipping fees, and whether they would want to consider replenishing that budget in 2016 or subsequently. She reminded that trash volumes are decreasing, while recycling has increased. In relation to his budget, Legislator Hathway relayed Director Pete Wood's statement that he could handle a 25% tip fee reduction. Legislator Chartrand took exception, asserting the respective revenue was unknown during budget preparation

Legislator Kulzer also cited DANC's additional financial commitment to offset Lewis County's expenditures for advertising and community outreach efforts to increase recycling, and building renovations.

Legislator Kulzer agreed to sponsor a resolution to waive the tipping fees for the Village of Lowville sludge, for consideration by the Board at the next meeting.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Dolhof at 1:03 p.m., seconded by Legislator Fawcett and carried.

OCTOBER 4, 2016

**REGULAR MEETING
October 4, 2016**

The meeting was called to order at 5:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislator Dolhof whom had been excused.

Chairman Tabolt offered the Invocation, and led the Pledge of Allegiance to the Flag.

The Chairman announced approval of the September 6, 2016 meeting minutes.

There were 24 persons present.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on late resolutions.

Dated: October 4, 2016

Bryan Moser
Craig Brennan

Legislator Moser made a motion to waive the rules, seconded by Legislator Fawcett and carried.

Chairman Tabolt opened the hearing for comments on Local Law Introductory No. 3-2016 "Local Law Introductory No. 3-2016 "Permitting ATV Operation on 1.3 Miles of West Road (CR 51)" and Local Law Introductory No. 4-2016 "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 2017 Budget".

PRIVILEGE OF THE FLOOR:

There were no persons who wished to speak at this time. However, several business owners in the Turin area spoke later in the meeting.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Dr. Peter Ostrum submitted his resignation from the Lewis County Agriculture & Farmland Protection Board effective September 6, 2016, citing his work load as an owner and practicing veterinarian at Countryside Veterinary Clinic.

U. S. Senator Charles Schumer and NYS Senator Joseph Griffo acknowledged receipt of the Board's resolution calling upon State representatives to work with Congressional delegates to amend and improve the Family First Prevention Services Act of 2016, to avoid imposition of

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duplicative expense upon counties for residential foster care services. Senator Schumer relayed being deeply engaged on this issue and has been hearing from NYS and its counties.

The representatives also acknowledged receipt of the Board's resolution to support expansion of broadband services in Lewis County. In that a substantial portion of the Governor's \$500 million broadband funding comes from the federal level, Senator Schumer will continue to fight for those funds.

The Board acknowledged receipt of resolutions adopted by the Dutchess County Legislature calling on State and County officials, residents and business owners to adopt the "think differently" initiative to assist individuals with special needs and their families; by the Cattaraugus and Erie County Legislatures to condemn the actions of Mylan and request the NYS Attorney General to thoroughly investigate the clear price gouging of the life-saving EpiPen; and by the Schuyler County Legislature calling upon the Governor and State Legislature to work with New York's Congressional delegation to amend and improve the Family First Prevention Services Act of 2016, to ensure essential fiscal resources are maintained to support families in need.

The NYS Parks, Recreation and Historic Preservation office has notified that the Old Lowville Cemetery has been listed on the National Register of Historic Places.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the Treasurer's September report, the 3rd quarterly Bed Tax Report, the 9/20/16 Solid Waste and 9/22/16 Highway Audit Reports.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, reported the Buildings and Grounds budget is within budgetary appropriations. An air conditioner will be installed for the 911 back-up center to attain proper temperature for the equipment. The DSS parking lot has been completed except for signage and some remediation; and the County paid the required 50% match for the greater than anticipated nursing home IGT receipt.

Legislator Hathway reported response to inquiries about the initial proposal from Enterprise, Inc. that projects lesser savings estimated at \$20,000 annually, including the sale of existing vehicles and DSS reimbursements.

Legislator Hathway reported the Committee's ongoing 2017 County budget deliberations with Budget Officer Liz Swearingin, deferring to her report.

Legislator Hathway reported National Grid's forecasted figure to connect the solar array was extremely high with a possible variance of up to 25 percent and could take up to 16 months to complete. Greenskies' representatives continue to consult Lewis County officials through the process.

Legislator Hathway reported the public safety building water upgrade project will begin next week estimating one week to complete.

Chairman Tabolt informed the Public Service Commission's awareness and offered assistance with municipal solar projects.

In response to Legislator Chartrand, Legislator Hathway confirmed that local businesses will continue to be utilized for County vehicle maintenance, subject to Enterprise's negotiated pricing.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Employment and Training/Youth Bureau Committee Chairman, reported that HEAP applications are being accepted and processed by DSS and Office For the Aging personnel for the season that will begin on 11/14/16.

A job fair will be held on 10/21/16 at the Lewis County Workplace. Kelly Services are recruiting applicants to fill temporary packaging jobs with a 35-40 lb. lifting requirement at Kraft Heinz.

Legislator Fawcett made a ~~motion~~ to authorize re-filling a Full-time Office Specialist in the Social Services Department due to a resignation, seconded by Legislator Brennan and carried.

Legislator Fawcett had attended the 9/30/16 Office For Aging event where Lyons Falls Mayor Catherine "Katie" Liendecker was recognized as the "Randy Streeter Senior Citizen of the Year".

Legislator Bryan Moser, County Officers/Junkyards/Veterans' Services/Human Resources Committee Chairman, referenced the new monthly Human Services report listing personnel requests and vacancies. He encouraged Legislators to email him any relative questions for Committee consideration.

Legislator Moser recited the definition of "junkyard" as any two or more unregistered vehicles that sit for more than six months. As recommended by the Committee in response to voiced concerns, he will pose amending the process of reporting violations and subsequent inspections for discussion at the Junkyard Review Board on 10/13/16.

Legislator Jerry King, Courts and Law Enforcement/Emergency Services/Fire Coordinator/Building Codes Committee Chairman, made a motion to authorize Sheriff Carpinelli to refill one (1) Full-time Correction Officer; and three (3) Part-time Correction Officer positions due to resignations and a promotion, seconded by Legislator Moser and carried.

Legislator King reported the Sheriff successfully applied for a snowmobile through a dealership for use by the department during the upcoming season. EF Johnson continues to work to resolve pager/radio issues.

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In the absence of Committee Chairman Dolhof, Legislator Craig Brennan made a motion to authorize Recreation, Forestry and Parks Director Jackie Mahoney to travel to Springfield, MA for the Springfield RV & Camping Show from 2/16 to 2/21/2017. The motion was seconded by Legislator Moser and carried.

He also reported that IDA/Economic Development Director Eric Virkler diligently continues to promote development of a commercial park and has spoken with two prospective business owners. The IDA has retained engineers Bernier, Carr & Associates, Inc. to progress toward a "Shovel Ready" site. There are plans to expand the business breakfast meetings.

Legislator Brennan relayed Planning Director Frank Pace's efforts to finalize the agreement with Jefferson Community College for a local educational facility.

Legislator Craig Brennan, Taxation/Information Technology Committee Chairman, commended Real Property Tax Director Candy Akin for accelerating her certification courses. Ms. Akin has implemented a revised Tax parcel Combination Request Form that requires an owner's parcels be mortgage free or be encumbered by a common mortgage. This will avoid litigation situations when the property is deeded to a new owner.

Legislator Gregory Kulzer, Solid Waste/Transportation Committee Chairman, reported completion of paving and surface treating, work on the Sears Pond Road has begun, and a number of culvert pipes are being replaced. The Lewis County General Hospital drainage project will commence next spring.

Legislator Kulzer expressed appreciation that the Development Authority of the North Country has agreed to finance up to \$600,000 or 50% of the cost to promote recycling and related construction and equipment. Compared to one year ago, recycling volume has increased by 300 Tons.

Legislator Richard Chartrand, Hospital Committee Chairman, reported that if successfully awarded, a \$4.4 million Statewide Healthcare Transformation Program Grant would be allocated toward debt reduction. Seminars on how to deliver exceptional customer service are being conducted for focused employee groups. Community information meetings will be held at various locations throughout the County on 10/6, 10/11 and 10/13/16. On 10/1/16 Dr. Mark Parshall assumed leadership of the emergency room department. Hospital CEO Michele Prince and CFO Jeff Hellinger met with orthopedic surgeon David Swift and local school superintendents to discuss advantages of having an athletic trainer at their facilities.

Legislator Chartrand reported an August gain of \$238,503 equating a year-to-date gain of \$2,668,395 versus a budgeted gain of \$1,607,683. Receipt of 2014 IGT revenue is anticipated by 10/7/2016. Also, recently received settlement funds of \$1.7 million were forwarded to the County Treasurer for pension and health insurance expense. The 2016 employee pension cost of \$3.7 million is well below the budgeted \$4.2 million.

October being “Breast Cancer Awareness Month”, Legislator Chartrand encouraged everyone to attend the recognition dinner to be held at the Elks Lodge on 10/18/16.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chairwoman, reported the St. Lawrence Psychiatric Center has opened a six-bedroom respite house at their Ogdensburg location for children and adolescents aged 10-17. The home provides a short-term safe and stable environment for those struggling in the community despite treatment efforts. The services are free of charge and anyone may make a referral.

Legislator Moroughan reported the NYS Delivery System Reform Incentive Program (DSRIP) Central NY Care Collaborative encompasses representatives from many County departments and agencies that meet quarterly to identify ways to improve access to care while reducing Medicaid costs. At the 9/15 meeting, Lewis County Directors presented an overview of respective Social Services, Office For the Aging, Public Health and Community Services programs to augment their coordinated efforts.

COUNTY MANAGER REPORT:

Liz Swearingin impressed the challenge to meet the 2017 County Budget tax cap of \$244,000 citing increases totaling \$850,000, \$600,000 of which is attributable to health insurance expense and \$250,000 to wage increases. The Ways and Means Committee, Treasurer and she continue a line-by-line review to determine feasible reductions. Department Heads have been asked to identify proposed budget amounts that are essentially for contingency. Those funds will be deleted from individual expense lines, with a determined amount appropriated to a central “risk pool” to be utilized for collective operations as needed.

The Tyler/Munis financial system is calendared to go live by the first week of December. All processing will cease in the existing IFM system as of 11/21/16. Ms. Swearingin cited the enormous amount of hours invested by the core team to accomplish the transition while also maintaining their regular workload.

COUNTY TREASURER REPORT:

Patricia O’Brien recited the balances of the Special Legislative Contingency Fund - \$249,168.00; Contingency Fund-\$419,000.00; Capital Data Processing Fund-\$128,163.68 and Capital Equipment Fund - \$239,032.77, of which \$137,213.98 is the Highway portion. She also reported year-to-date sales tax revenue of \$6,779,790.37; and the current Hospital debt of \$2.7 million. The balance of the Internal Service Fund of \$903,908.04 represents a small increase during August, but remains well below the recommended level.

SPECIAL REPORT:

Chairman Tabolt announced cancellation of the 10/12/16 meeting with Hudson River Black River Regulating District representatives due to the lack of a quorum, but rescheduled for 11/9/16 at the Lowville Town meeting room.

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The Chairman reported that he, Legislators Brennan and Chartrand and Clerk of the Board Teresa Clark had attended the NYSAC fall seminar in Niagara Falls. They attended informative sessions and conferred with several County officials from throughout the State on mutual issues.

Legislators Chartrand, King, Brennan and Moser have expressed interest to attend the upcoming North Country Sustainability conference in Lake Placid sponsored by the Governor's staff.

PRIVILEGE OF THE FLOOR (Cont'd):

Snow Ridge Ski Resort owner Nicholas D. Mir expressed gratitude for previous County assistance when they opened their business last year, while urging approval to open the portion of West Road to ATV traffic. Their business has suffered lost campground business throughout the spring and summer. Opening the road would boost business during the non-winter season to allow persons to lawfully travel to connecting trails without fear of legal ramifications.

Pixie Bobella, representing the West Wind Hotel in Turin relayed having to alert prospective customers they are unable to ride their machines from the premise, which detracts many patrons. "It would be great for all of us", she said, if the road could be opened, citing increased County bed tax as well.

Towpath Restaurant owner Greg Meyer reiterated earlier sentiments, reporting substantial negative impact compared with two years ago when there was access to an adjacent trail. The losses compound those of last winter due to diminished snow levels. He submits that opening the West Road to ATV travel would be extremely advantageous to local restaurants and lodging businesses, because persons would not have to trailer their machines. Enhancing their riding experience would attract more enthusiasts and patrons. The primary deterrent is for unlawful travel and associated risk that most people are unwilling to take. Mr. Meyer also cited the impact for increased sales tax revenue.

Steak-N-Brew owner Paul Virkler concurred with all previous comments. He commended County officials for their ongoing efforts to enhance and maintain the trail system. He relayed a previous event when ten patrons were removed from his restaurant by police officers because of illegal travel to that location, he admirably commended Sheriff Carpinelli for his quick personal on-site apology for his deputies' unwarranted actions.

At 5:37 p.m. the public hearing was declared closed by Chairman Tabolt.

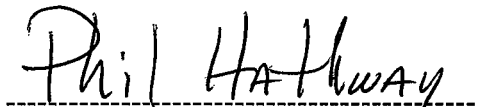
REPORT OF THE WAYS AND MEANS COMMITTEE:

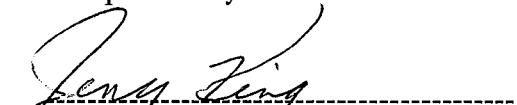
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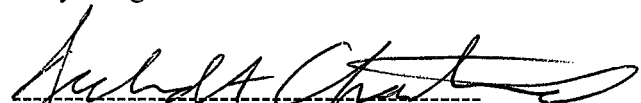
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

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 \$ 706,163.88 and recommend that they be audited and allowed for the amounts claimed.


Philip Hathway Chair


Jerry King Committee


Richard Chartrand Committee

Dated: October 4, 2016

Approved on motion by Legislator Moser, seconded by

Legislator Brennan, and carried.

RESOLUTIONS:

**RESOLUTION NO. 378 - 2016
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 \$ 706,163.88 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Hathway, seconded by Legislator King, and adopted by roll call vote:

YEAS: Brennan, Chartrand, Hathway, King, Kulzer, Moroughan, Moser, Fawcett and Tabolt.

NAYS: None.

ABSENT: Dolhof.

**RESOLUTION NO. 379 - 2016
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 4 – 2016, COUNTY OF LEWIS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on September 6, 2016, directing that a public hearing be held by said Board on October 4, 2016 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 PERMITTING ALL-TERRAIN VEHICLE OPERATION ON 1.3 MILES OF WEST ROAD (CR 51)”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on September 28, 2016, 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

OCTOBER 4, 2016

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. 3 – 2016), County of Lewis, being “A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON 1.3 MILES OF WEST ROAD (CR 51)”; be and the same hereby is designated as Local Law No. 4–2016, County of Lewis.

Section 2. That Local Law No. 4–2016, 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 King, seconded by Legislator Moser, and adopted pursuant to the following roll call vote: Legislator Hathway abstained.

YEAS: Brennan, Chartrand, King, Kulzer, Moroughan, Moser, Fawcett and Tabolt.

NAYS: None.

ABSENT: Dolhof.

RESOLUTION NO. 380 - 2016
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 5 – 2016, 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 6, 2016, directing that a public hearing be held by said Board on October 4, 2016, 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 2017 BUDGET”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on September 28, 2016, 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 RESOLVED as follows:

Section 1. This Local Law (Introductory No. 4 – 2016), 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 2017 BUDGET”; be and the same hereby is designated as Local Law No. 5 –2016, County of Lewis.

Section 2. That Local Law No. 5 – 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 Hathway, seconded by Legislator Chartrand, and adopted pursuant to the following roll call vote:

YEAS: Brennan, Chartrand, Hathway, King, Kulzer, Moroughan, Moser, Fawcett and Tabolt.

NAYS: None.

ABSENT: Dolhof.

RESOLUTION NO. 381 - 2016
RESOLUTION INCREASING DISTRICT ATTORNEY SALARY PURSUANT TO 2016
NEW YORK STATE BUDGET MANDATE AND JUDICIARY LAW

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, on December 24, 2015, the New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increases to the salaries of state judges in 2016 and 2018. The recommended increase placed Supreme Court judges’ salaries at \$193,000 in 2016 and \$203,000 in 2018, and placed County Court judges’ salaries at 95% of a Supreme Court Judge’s salary (\$183,350 in 2016 and \$192,850 in 2018); and

WHEREAS, State Judiciary Law 183-a links judicial salaries with full time county district attorneys’ (DA) salaries. In Lewis County, the full time DA salary must be equal to the County Court Judge’s salary; and

WHEREAS, on April 1, 2016, the State adopted a budget to include judicial salary increases recommended by the NYS Commission without addressing the effect of said increase

for DA's upon the counties. This means the County is required to pay an increase in salary for the DA from \$152,500 to \$183,350 - an increase of \$30,850; and

WHEREAS, for over 50 years the State paid for every mandated DA salary increase through the State Budget. On April 1, 2016 the State adopted a budget and failed to include the approximately \$1.6 million cost to counties to fund the DA salary increases, once again shifting another unfunded mandated cost to the counties; and

WHEREAS, this additional unfunded mandated cost was not allocated by the County in its 2016 budget, and will negatively impact the County's allowable tax cap growth under the state-imposed 2% property tax cap in 2017 and the years to follow; and

WHEREAS, with this unfunded mandate, together with the expansion of eligible persons for legal services mandated by the State, Lewis County will be forced to spend all of its tax cap on these additional unfunded State costs; and

WHEREAS, the Board of Legislators recorded its opposition to the State's 2016 budget which included this unfunded mandate of a raise in the salary of the full-time DA, and renews its opposition to this mandatory salary increase burden upon the County. The Governor has been presented with a chapter amendment to the 2016-17 State Budget that would rectify this unfair directive and burden on the county; the amendment requires the State to reimburse the counties for the pay increase for full time DAs effective April 1, 2016, and further requires the State to pay the costs of any mandated increases in DA salaries in the future. The Governor can act upon his promise not to subject the counties to any unfunded mandates by signing this chapter amendment and thereby follow what the State has done in the prior 50 years – to pay for any increase to DA salaries; and

WHEREAS, the Board of Legislators opposes this unfunded mandate, and by the Governor's failure to properly act to rectify this matter, the Board is faced with an untenable situation to abide by the current obligations under State Judiciary Law §183-a until amended by the Governor and State Legislature.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby again records its disappointment with the Governor in passing another unfunded state mandate onto the local counties and taxpayers for the costs of the full time DA salary increases effective April 1, 2016; a cost the State has always paid and funded for over fifty (50) years. The Governor can rectify this matter by signing the chapter amendment (which has been forwarded to his office for action), which sets forth an amendment to the 2016-17 State Budget to require the State to pay the costs of mandated District Attorney pay increases as set forth in Judiciary Law § 183-a and which requires the State to reimburse the counties for any amounts it pays under the law effective and retroactive to April 1, 2016.

Section 2. That the Lewis County Board of Legislators hereby authorizes the State mandated increase in the Lewis County District Attorney's annual salary, retroactive to April 1,

2016, from \$152,500.00 to \$183,350.00; an increase of \$30,850.00, and directs that the Chairman of the Board of Legislators take any and all continued action for reimbursement from the State for this unfunded, mandated increase payment.

Section 3. That the Lewis County Board of Legislators directs the Treasurer to adjust the payroll and pay said increase from the contingency fund.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Brennan.

Legislator Brennan made a motion to amend the resolution to direct the Clerk to forward certified copies of this resolution to NYS Governor Andrew M. Cuomo, NYS Senator Joseph Griffo and NYS Assemblyman Kenneth Blankenbush. The motion was seconded by Legislator Chartrand and carried.

The resolution was then unanimously adopted.

RESOLUTION NO. 382 - 2016
RESOLUTION CALLING ON THE STATE LEGISLATURE AND GOVERNOR TO
PASS A CHAPTER AMENDMENT TO THE 2016-17 STATE BUDGET TO REQUIRE
THE STATE TO PAY THE COSTS OF THE STATE MANDATED DISTRICT
ATTORNEY PAY INCREASE

Introduced by Legislator Michael A. Tabolt, Chairman of the Lewis County Board of Legislators.

WHEREAS, on December 24, 2015, the New York State Commission on Legislative, Judicial, and Executive Compensation voted to recommend increases to the salaries of state judges in 2016 and 2018. The recommended increase placed Supreme Court judges' salaries at \$193,000 in 2016 and \$203,000 in 2018, and placed County Court judges' salaries at 95% of a Supreme Court Judge's salary. Without objection by the State, the recommendations became law on April 1, 2016; and

WHEREAS, State Judiciary law 183-a links judicial salaries with county district attorneys' (DA) salaries. For Lewis County, the full time DA salary must be equal to the County Court Judge's salary. Under the April 1, 2016 increase in the County Court Judge's salary to \$183,350, the County is required to pay an increase in salary for the DA from \$152,500 to \$183,350; an increase of \$30,850; and

WHEREAS, for over 50 years, the State has paid for every mandated DA salary increase through the State Budget. On April 1, 2016 the State adopted a budget and failed to include the approximately \$1.6 million cost to counties to fund the DA salary increases, once again shifting another unfunded, mandated cost to the counties; and

WHEREAS, this additional unfunded mandate cost was not allocated by the County in its 2016 budget, and will negatively impact the County's allowable tax cap growth under the state-imposed 2% property tax cap in its 2017 budget and the years thereafter, if not addressed by the Governor; and

WHEREAS, with this unfunded mandate, together with the expansion of eligible persons for legal services mandated by the State, Lewis County is already over its imposed tax cap which may cause additional taxes payable by the residents of the County; and

WHEREAS, this continued habit by the State to pass along *unfunded mandated* costs to the Counties, and in particular, its refusal to pay for DA raises as it has for over 50 years, is unconscionable. The Governor must immediately sign a chapter amendment to the 2016-17 State Budget that would require the state to pay the costs of mandated district attorney pay increases.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators again records its opposition to the State's 2016-17 State Budget which raised the salary of county elected full-time DAs effective April 1, 2016 and failed to fund the increase, thereby passing another unfunded state mandate onto the local counties and taxpayers for a cost the State has historically and always funded.

Section 2. The Lewis County Board of Legislators calls upon the Governor to act on the chapter amendment before him and abide by his promise not to pass along unfunded mandates to the counties; a chapter amendment to the 2016-17 State Budget that requires the State to reimburse the County for the pay increase for full time DAs effective April 1, 2016, and requires the State to pay the costs of this mandated increase in DA salaries going forward.

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, John F. Flanagan, Temporary President of the NYS Senate, and Carl E. Heastie, Speaker of the NYS Assembly.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator King, and adopted.

RESOLUTION NO. 383 - 2016
RESOLUTION TO TRANSFER FUNDS
DISTRICT ATTORNEY SALARY

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 transfer is hereby approved from Contingency to the District Attorney account for the increase in the District Attorney Salary:

<u>From:</u>	Amount
A1990.4999 Contingency	\$23,138.00
<u>To:</u>	
A1165.1999 Pers Serv	\$23,138.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator King, and adopted.

RESOLUTION NO. 384 - 2016
RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT BETWEEN
LEWIS COUNTY AND BERGMANN ASSOCIATES UNDER THE DEPARTMENT OF
STATE'S WORK PLAN REQUIRED UNDER THE BROWNFIELD OPPORTUNITIES
AREA IMPLEMENTATION STRATEGY GRANT (VILLAGE OF LYONS FALLS)-
STEP 3

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the County of Lewis ("County") is the lead agency and Grant Recipient under the NYSDOS Brownfield Opportunities Area ("BOA") Implementation Strategy Grant for the Village of Lyons Falls Project; and

WHEREAS, pursuant to Resolution No. 139-2016, the County authorized an agreement with Bergmann Associates to provide environmental site assessment and professional engineering and plan services, and to deliver a final implementation strategy to complete the scope of work required under the NYSDOS BOA Step 3 Grant; and

WHEREAS, Bergmann Associates provided a scope of work which included environmental site assessment at the Marino's Pizza Site, preparation of a final BOA plan and completion of all required DOS reporting forms and reports, at a cost not to exceed \$420,800.00 from Grant funds; and

WHEREAS, the County entered into an agreement with Bergmann Associates for such environmental, consulting and implementation services, and the County agreed to advance compensation to Bergmann Associates for such grant-eligible services in accordance with the fee and task schedule attached to the scope of work, at a "not to exceed" cost of \$420,800.00, payable upon monthly itemized and supported invoices; and

WHEREAS, the NYSDOS has approved a modification to the Grant Agreement and funds to allow for additional environmental site assessment in the form of soil borings at the Lyons Falls Mill Site as BOA eligible items, and as a transfer of grant funds among program activities or budget cost categories, but with said modification not affecting amount of the net Grant funds, i.e., \$553,761.00 award for combined Environmental Site Assessment and Professional Engineering and Plan Services; and

WHEREAS, Bergmann Associates has agreed to provide the additional soil boring tests and analysis at the Lyons Falls Mill Site (in addition to the Marino's Pizza site as set forth in the original agreement), at a cost not to exceed \$72,561.00, for a total amended contract amount from \$420,800.00 to \$493,761.00; and with said Grant fund costs categorized as \$133,761.00 in Environmental Site Assessment fees and \$360,000.00 in Professional Engineering/Planning Services Fees; and

WHEREAS, the Board of Legislators wishes to accept such Amendment to the Bergmann Associates Contract and any required Amendment to the NYSDOS BOA Step 3 Grant Agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves an amendment to the agreement between the County and Bergmann Associates to provide soil borings at the Lyons Falls Mill Site, for a total amended contract amount not to exceed \$493,761.00 (an increase of \$72,561.00 from the original contract amount of \$420,800.00), provided that said soil borings are eligible environmental site assessment items under the BOA Grant.

Section 2. That the Board of Legislators hereby approves an amendment to the NYSDOS BOA Step 3 Grant Agreement, if required, to reflect this modification to the Bergmann Associates scope of services and compensation under the eligible Grant items.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Amendments to the Agreements, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Fawcett.

In response to Legislators Hathway and Kulzer, Legislator Brennan confirmed there was no County share increase and explained the increase represents the balance of the original grant to include a water study at greater depth on the Marino Pizzeria property and the mill site in this project phase. The pizzeria property owner would be responsible for any necessary clean-up mitigation.

Planning Director Frank Pace explained the NYS Department of State and NYSDEC had originally over-estimated the amount of work and attendant cost at the pizzeria site.

Subsequently, State officials approved realignment of the grant funds for the additional assessment.

The resolution was then adopted.

RESOLUTION NO. 385 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE DIRECTORATE OF EMERGENCY MANAGEMENT SERVICES
AT FORT DRUM, NEW YORK AND
LEWIS COUNTY OFFICE OF FIRE & EMERGENCY MANAGEMENT

Introduced by Legislator Jerry King, Chairman of the Emergency Management Committee.

WHEREAS, the Directorate of Emergency Services at Fort Drum, New York and the Lewis County Office of Fire and Emergency Management wish to enter into a Mutual Aid Agreement, to offer each other mutual aid in fire protection and hazardous materials incident responses; and

WHEREAS, this secures mutual aid benefits of fire prevention, the protection of life and property from fire, and firefighting including emergency services, basic medical support, basic and advanced life support, hazardous material containment and confinement, special rescue events involving vehicular and water mishaps, trench building and confined space extrications.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Mutual Aid Agreement by and between the Directorate of Emergency Management Services at Fort Drum, New York and the Lewis County Office of Fire and Emergency Management, to offer each other mutual aid in fire protection and hazardous materials incident responses.

Section 2. That said Agreement shall be updated at least triennially.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Mutual Aid Agreement, pending the approval of the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Chartrand, and adopted.

RESOLUTION NO. 386 - 2016
RESOLUTION OF THE BOARD OF LEGISLATORS OF COUNTY OF LEWIS, NEW YORK (THE “COUNTY”), AUTHORIZING THE APPLICATION OF GRANT MONEYS TO BE RECEIVED BY LEWIS COUNTY GENERAL HOSPITAL FROM THE NEW YORK STATE DEPARTMENT OF HEALTH TO THE DEFEASANCE OF OUTSTANDING BONDS OF THE COUNTY ISSUED TO FINANCE HOSPITAL FACILITIES; APPROPRIATING SAID MONEYS THEREFOR AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO

Introduced by Legislator Michael A. Tabolt, Chairman of the Lewis County Board of Legislators.

WHEREAS, the County of Lewis (the “County”) has previously issued its \$4,795,000 (original principal amount) General Obligation (Serial) Bonds, 2013, dated August 8, 2013 (the “Series 2013 Bonds”) and its \$3,100,000 (original principal amount) Public Improvement Refunding (Serial) Bonds, 2014, dated November 25, 2014 (the “Series 2014 Bonds” and collectively with the Series 2013 Bonds, the “Bonds”) for the purpose of financing or refinancing certain capital improvements to the facilities of the Lewis County General Hospital (the “Hospital”); and

WHEREAS, the County has previously made a loan to the Hospital for the purposes of assisting the Hospital to meet its shortfalls in cash revenues and operational accounts over several years, including but not limited to the Hospital meeting its obligations to the NYS Retirement System (the “County Loan”); and

WHEREAS, pursuant to grant agreement, dated August 18, 2016, between the New York State Department of Health (“DOH”) and the Hospital (the “Grant Agreement”), the Hospital has obtained a commitment from DOH to fund a grant to the Hospital in the amount of up to \$6,580,000 (the “Grant”) under DOH’s Essential Health Care Provider Program for the purposes of debt retirement, with the proceeds of the Grant to be applied, subject to satisfaction of the conditions set forth in the Grant Agreement, to defease the outstanding Bonds, to pay costs incurred by the County and/or the Hospital in connection therewith and, to the extent of any remaining Grant funds, to reimburse the Hospital for principal payments previously made on the County Loan since June 1, 2016 and/or to partially pay down the outstanding principal amount of the County Loan; and

WHEREAS, the Hospital Board of Managers, by resolution adopted on September 28, 2016, authorized the Hospital to apply the Grant funds to the defeasance of the Bonds and repayment of the County Loan, as described above, subject to the adoption by the County Board of Legislators of a resolution authorizing the defeasance of the Bonds with the Grant funds and all necessary steps in connection therewith; and

WHEREAS, the application of the Grant to the defeasance of the Bonds is in the best interest of the County as it will reduce the overall debt burden of the County.

NOW, THEREFORE, BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

1. The Lewis County Board of Legislators hereby authorizes the retirement of the outstanding Bonds hereinabove described, through the establishment of a defeasance escrow with the proceeds of the Grant from the NYS Department of Health to the Lewis County General Hospital to be received by or on behalf of the County in accordance with the terms of the Grant Agreement, with such Grant moneys are to be deposited with an escrow agent appointed by the County Treasurer in accordance with the delegation of authority set forth in Section 2 below, provided that the full cost of establishing and funding such defeasance escrow, and all costs incurred by the County in connection therewith shall be funded out of such Grant. The County Treasurer is hereby authorized to accept the Grant in the amount of up to \$6,580,000 for such purpose, or so much thereof as is necessary in accordance with this resolution and such amount is hereby appropriated for such purpose.

2. 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 the State as the County Treasurer shall designate (the "Escrow Agent").

3. The amount deposited with the Escrow Agent for the defeasance of the Bonds (the "Escrow Deposit Amount") shall be deposited into an escrow account (the "Escrow Account") and shall be 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, together with any remaining uninvested cash held in the Escrow Account, will be sufficient to pay, and will mature and be available to pay in a timely manner, the principal of, interest on, and redemption premium, if any, payable with respect to, the Bonds as the same shall become due and payable. The sufficiency of such Escrow Deposit Amount, as so invested shall be established by a verification or accountant's report certifying that such amount, as so invested, will be sufficient to pay principal, redemption premium, if any, and interest on the Bonds when due.

4. After depositing the Escrow Deposit Amount into the Escrow Account in accordance with Section 3 above, the remaining balance so deposited with the Escrow Agent shall immediately upon receipt thereof be deposited into a separate account (the "Expense Account") held by the Escrow Agent to be applied as the County Treasurer may direct to pay the costs incurred by or behalf of the County in connection with the defeasance, including the fees expenses of the County's financial advisor, bond counsel, verification agent, and the Escrow Agent.

5. The Board of Legislators of the County hereby authorizes and directs the County Treasurer, upon establishment and funding of the Escrow Account in accordance with Section 3 above, to elect in accordance with the provisions of Section 53.00 of the Local Finance Law and provisions of the Bonds, to call in and redeem on the earliest permissible date(s) thereafter, or such later date or dates as is hereafter determined by the County Treasurer, all the Bonds of each issue maturing on or after such date that is subject to redemption prior to maturity at the option of the County. 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 Agent 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 Bonds being redeemed or in the certificates or documentation of the County pursuant to which they were issued.

6. The County Treasurer, the Clerk of the Legislature, the County Clerk and all other officers, employees and agents of the County are hereby authorized and directed for and on behalf of the County to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

7. All other matters pertaining to the defeasance of the Bonds shall be determined by the County Treasurer and all powers in connection therewith are hereby delegated to the County Treasurer. The County Treasurer is hereby authorized to retain the services of the County Financial Adviser and Bond Counsel to assist the County in connection with such defeasance, to retain an accounting firm to service as verification agent with respect to the defeasance so as to provide the verification report required by Section 3 hereof.

8.. 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 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").

9. This resolution shall take effect immediately upon its adoption.

Moved by Legislator Hathway, seconded by Legislator King, and adopted by roll call vote:

<u>Legislator Brennan</u>	VOTING	<u>Yes</u>
<u>Legislator Chartrand</u>	VOTING	<u>Yes</u>
<u>Legislator Dolhof</u>	VOTING	<u>Absent</u>
<u>Legislator Fawcett</u>	VOTING	<u>Yes</u>
<u>Legislator Hathway</u>	VOTING	<u>Yes</u>
<u>Legislator King</u>	VOTING	<u>Yes</u>
<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 Tabolt</u>	VOTING	<u>Yes</u>

The foregoing resolution was thereupon declared duly adopted.

RESOLUTION NO. 387 - 2016
RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Office for the Aging

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 ticket money for the Ocktoberfest.

Increase Revenues

A27051 Contr OFA	\$800.00

Increase Expense

A6772.4919 Senior Events	\$800.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator King, and adopted.

**RESOLUTION NO. 388 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
OFFICE FOR THE AGING AND
CROGHAN ADULT CARE FACILITY, LLC**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Office For The Aging Committee.

WHEREAS, the County of Lewis, by and through the Office for the Aging wishes to enter into an Agreement with Croghan Adult Care Facility, LLC, located at 9837 Main Street, Croghan, New York 13327, for the purpose of Social Adult Day Services ("SADS"); and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the Agreement between the County of Lewis, by and through the Lewis County Office For the Aging and Croghan Adult Care Facility, LLC for the purpose of Social Adult Day Services.

Section 2. That this is for the term commencing on January 1, 2017 through December 31, 2017 at the cost of \$8.50 per hour for all levels of care including a meal when four (4) or more hours of service is provided. 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 Fawcett, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 389 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
OFFICE FOR THE AGING AND FOUR MEAL SITE FACILITIES

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Office For the Aging Committee.

WHEREAS, the County of Lewis, by and through the Office for the Aging wishes to enter into lease agreements with four (4) meal site owners set forth below, for the purpose of providing sites in the County where the adult population can receive meals; 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 following four (4) meal site lease agreements for the term of one year commencing on January 1, 2017 and terminating on December 31, 2017 at the rates below. The County share amount is 25% and the State/Federal share amount is 75%.

<u>MEAL SITE RENTAL FACILITY</u>	<u>AMOUNT</u>
Croghan Housing Development Fund Company, Inc.	\$0.00 per month
Harris Courts, Inc.	\$100.00 per month
Maple Ridge Center, Inc.	\$1,100.00 per month
United Church of Copenhagen	\$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 Brennan, seconded by Legislator Fawcett, and adopted.

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RESOLUTION NO. 390 - 2016
RESOLUTION AUTHORIZING CONTRACTUAL AGREEMENTS
BETWEEN OFFICE FOR THE AGING AND
VARIOUS PROVIDERS FOR PROGRAM SERVICES

Introduced by Legislator Roscoe Fawcett, Jr., 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)	Respite	\$21.00 per hr. for Level II (Increase of \$2.25/hr)
U.S. Care Systems, Inc. (EISEP/CSEM Program)	Housekeeping	\$21.00 per/hr. for Level I (Increase of \$3.00/hr)
	(In-Home Personal Care)	\$21.00 per hr. for Level II (Increase of \$2.25/hr)

Section 2. That the term of said Agreements shall be for the period from January 1, 2017 through December 31, 2017. 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 said Agreements, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Fawcett , seconded by Legislator Moroughan , and adopted.

RESOLUTION NO. 391 - 2016
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 be approved in the Bus Operations accounts to appropriate the reserve funds to send new Planner to 2016 Conference & Expo “Transit, Technology & Smarter Communities”.

Increase Revenue:

A35940 STOA Funds	\$2,000.00

Increase Expense:

A5630.4903 Pub Trans Admin	\$2,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 392 - 2016
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	Temporary Full-time	Grade C27 \$21.14/Hr.

Section 2. That Director MaryJo Burkhard is hereby authorized to fill the position effective immediately through June 30, 2017.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 393 - 2016
RESOLUTION TO TRANSFER 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 transfer is hereby approved in the Probation Department to purchase four vests, hand held radios and cuffs & cases:

<u>From:</u>	<u>Amount</u>
A3140.1999 Pers Serv	\$ 4,103.80
A1990.4999 Contingency	\$10,000.00
<u>To:</u>	
A3140.4407 Supplies	\$14,103.80

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 394 - 2016
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 \$113,928.00 ("Distribution #5"), Contract Number C000722, for the provision of funds to assist the County in improving the quality of indigent legal services according to the Budget and Work Plan schedules set forth in the Grant 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 New York State Office of Indigent Legal Services to provide grant

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funds in the amount of \$113,928.00 to assist the County in improving the quality of indigent legal services provided.

Section 2. That this is for the term commencing effective January 1, 2015 and ending December 31, 2017.

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 Fawcett, and adopted.

**RESOLUTION NO. 395 - 2016
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 #6"), Contract Number C600022, for the provision of funds to assist the County in improving the quality of indigent legal services according to the Budget and Work Plan schedules set forth in Grant 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 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 is for the term commencing effective January 1, 2016 and ending December 31, 2018.

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 Chartrand, and adopted.

**RESOLUTION NO. 396 - 2016
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 \$20,000.00 with a maximum reimbursable amount of \$10,000.00 available from June 30, 2016 through June 29, 2017 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 seeks to enter into an agreement with HRI to coordinate and administer the program to eligible persons in the community; 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 Health Research, Inc. ("HRI") for the purpose of an integrated breast, cervical and colorectal cancer screening program for the period beginning June 30, 2016 and ending June 29, 2017 for a maximum reimbursable amount to Public Health of \$10,000.00 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 Fawcett, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 397 - 2016
RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND
LEWIS COUNTY GENERAL HOSPITAL
FOR RABIES POST EXPOSURE TREATMENT**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, Public Health desires to enter into a Memorandum of Agreement (“MOA”) with Lewis County General Hospital to ensure best practice for Rabies Post Exposure Treatment (“RPEP”), as set forth by the New York State Department of Health Bureau of Communicable Disease Rabies Unit; and

WHEREAS, the purpose of this MOA is to identify the roles and responsibilities of each party as they relate to RPEP; and

WHEREAS, the Board of Legislators wishes to accept such agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Agreement between the Lewis County Public Health Agency and Lewis County General Hospital to ensure best practice for Rabies Post Exposure Treatment (“RPEP”), as set forth by the New York State Department of Health Bureau of Communicable Disease Rabies Unit, for the purpose of identifying the roles and responsibilities of each party as they relate to RPEP.

Section 2. That this is an ongoing agreement to be terminated by either party by written notice to the other party.

Section 3. That the Chairman of the Board of Legislators or the Vice-Chairman be and the same is hereby authorized to execute and deliver such Agreement, pending approval by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Moser, and adopted.

RESOLUTION NO. 398 - 2016
RESOLUTION APPOINTING MEMBERS TO
HEALTH SERVICES ADVISORY BOARD

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints the following individuals as members of the Health Services Advisory Committee to serve a term through December 31, 2020:

Daniel Root, MD
Shereen Palmer, MD

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Section 2. That Steven Fuller of 5227 Sunset Drive, Lowville, New York 13367 is hereby appointed to fill the un-expired term of Jennifer Nightingale, DMV through December 31, 2019.

Section 3. That the within resolution shall take effect immediately

Moved by Legislator Moroughan, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 399 - 2016
RESOLUTION WITH REFERENCE TO
CANCELLATION OF TAX ON PARCEL ASSESSED IN ERROR**

Introduced by Legislator Craig Brennan, Chairman of the Taxation Committee.

BE IT RESOLVED, as follows:

Section 1. That the County Treasurer is hereby directed to cancel the 2014 taxes due and payable in 2015, and any penalties on same, for parcel #276.00-01-31.116, as a result of an error in assessment:

<u>Town of:</u>	<u>Parcel No.</u>	<u>Tax Amount</u>
Greig	276.00-01-31.116	\$451.32

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 400 - 2016
RESOLUTION TO TRANSFER FUNDS
WAYS AND MEANS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfers be approved from Contingency to the Shared Services Copier account to cover additional expenditures:

<u>From:</u>	<u>Amount</u>
A1990.4999 Contingency	\$9,000.00
<u>To:</u>	
A1650.4405 Copier	\$9,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 401 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE
COUNTY OF LEWIS AND BONADIO & CO., LLP FOR
CONSULTING AND ASSESSMENT SERVICES FOR THE
LEWIS COUNTY SHERIFF'S DEPARTMENT AND ITS PUBLIC SAFETY
RESPONSIBILITIES AND OPERATIONS

Introduced by Legislator Jerry King, Chairman of the Courts and Law Committee and Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, the County of Lewis desires to enter into an Agreement with Bonadio & Co., LLP (hereinafter "Bonadio") to provide professional consulting and assessment services associated with the analysis of Lewis County Sheriff's Department Operations and Public Safety Services, including a study of Public Safety Building staffing and efficiencies. The goal of the study and assessment is to analyze current Department organization and responsibilities, current staffing models and their efficiencies in relation to the County's needs, budget and budget projections; to evaluate the Department's overall organizational efficiency in relation to the requirements of the Department and offer insight on areas where more efficiency may be achieved; to evaluate and analyze historical, current and projected overtime costs in relation to the needs of the units and whether the current staffing model is efficient and appropriate for the circumstances; and to provide a comprehensive report with observations and recommendations of initiatives and efficiencies to be considered; and

WHEREAS, the compensation for such services shall be paid from the Contingency Fund and shall not exceed Fourteen Thousand Eight Hundred and Seventy-Five (\$14,875.00) Dollars; and

WHEREAS, the Board wishes to accept said 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 assessment services to the County associated with the analysis of the Lewis County Sheriff's Department Operations and Public Safety Services, including a study of Public Safety Building staffing and efficiencies, with a comprehensive report with observations and recommendations of initiatives and efficiencies to be considered in relation to the Department's needs and the County's budget and budget projections; and for these professional services to be provided at a cost not to exceed \$14,875.00 and payable from the Contingency Fund, in accordance with the proposal outlined by Bonadio dated August 26, 2016.

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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 Chartrand.

In response to Legislator Brennan, Legislator King stated the need to fill vacancies to reduce overtime, while engaging the study to determine if staffing adjustments are needed to maximize efficiencies. Liz Swearingin estimates the study will take two months.

Legislator Moser reported three deputy vacancies. Two candidates will begin their six-month academy training in January. He also reported correction officer vacancies, citing inflated over-time expense due to part-time employees' inability to cover all required shifts.

The resolution was then adopted.

**RESOLUTION NO. 402 - 2016
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 positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Deputy Sheriff (3)	Full-time	Grade 22A

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said positions effective immediately, in compliance with Civil Service rules and regulations.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Kulzer, and adopted.

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**RESOLUTION NO. 403 - 2016
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 from Contingency to the Sheriff's account to cover the cost of a staffing analysis by The Bonadio Group:

<u>From:</u>	<u>Amount</u>
A1990.4999 Contingency	\$14,875.00

<u>To:</u> A3150.4901 Prof Serv	\$14,875.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted.

**RESOLUTION NO. 404 - 2016
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO SHARON SHUMAC)**

Introduced by Legislator Michael A. Tabolt, Chairman of the Lewis County Board of Legislators.

WHEREAS, Sharon Shumac executed a Mortgage in favor of the County of Lewis dated October 15, 2010, and recorded in the Lewis County Clerk's Office on October 6, 2011, in Liber 2011 of mortgages at Page 004774, to secure payment of a loan in the amount of \$47,008.04 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.

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Moved by Legislator Hathway, seconded by Legislator Brennan, and adopted.

RESOLUTION NO. 405 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE DEPARTMENT OF SOCIAL SERVICES AND
HAND IN HAND EARLY CHILDHOOD CENTER

Introduced by Legislator Roscoe Fawcett, Jr., 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, 2016 through August 31, 2017 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.

Childcare Center Rates 2016-2017

Age	5 Days	4 Days	3 Days	2 Days	1 Day
Infant-Pre-K	\$185.00	\$160.00	\$120.00	\$80.00	\$40.00
AM SACC	\$30.00	\$24.00	\$18.00	\$12.00	\$6.00
Afterschool	\$20.00	\$16.00	\$12.00	\$8.00	\$4.00

- AM SACC - In the event of a school closure, rates are \$20.00 if picked up by 11:00 a.m. or \$40.00 for a full day rate.
- Children who are enrolled for five (5) days per week will receive a reduction in their weekly tuition fees.

Universal Pre-K Wrap-around Care 2016-2017

Class	Tuition
AM/PM Class	\$125.00
Daily Rate	\$28.00
Full Day Care	\$40.00
½ day rate for snow day, ½ day of school	\$12.00

Family Discount

Days Enrolled	Discount
5 full days per week	\$25.00 for second child
4 full days per week	\$20.00 for second child

- Annual registration fee is \$55.00 per child
- A key fob fee of \$7.50 for each fob needed to enter the building

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 Fawcett, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 406 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND HILLSIDE CHILDREN'S CENTER

Introduced by Legislator Roscoe Fawcett, Jr., 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, local share costs are 37.5% after costs exceed the foster care block grant. The local share cost in 2016 through August was \$25,319.00; 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 Hillside Children's Center for the provision of foster care services.

Section 2. That this is for the period beginning January 1, 2017 through December 31, 2017 with no local share cost until costs exceed the foster care block grant and then the local share is 37.5% for residential/foster care and is based on the eligibility of the client.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 407 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
INSIGHTS FORENSIC COUNSELING**

Introduced by Legislator Roscoe Fawcett, Jr., 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, 2017 through December 31, 2017 at a cost not to exceed \$75.00 per session, including counselor present at monthly clinical treatment team meetings; \$45.00 for group therapy sessions; and \$500.00 for assessments. The local share is approximately 38% and State share is approximately 62%.

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 Fawcett, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 408 - 2016
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND LEWIS COUNTY GENERAL HOSPITAL
FOR REHABILITATION SERVICES**

Introduced by Legislator Roscoe Fawcett, Jr., 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, 2017 through December 31, 2017 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. The local share is 25%, State share is 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 Fawcett, seconded by Legislator Hathway, and adopted.

RESOLUTION NO. 409 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
LEWIS COUNTY OPPORTUNITIES, INC.

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with Lewis County Opportunities, Inc. for the provision of Temporary Assistance for

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Needy Families (“TANF”) for Non-Residential Domestic Violence Services, Response and Prevention 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 Lewis County Opportunities, Inc. for the purpose of providing TANF for Non-Residential Domestic Violence Services, Response, and Prevention Services.

Section 2. That the term of this Agreement shall be from October 1, 2016 through June 30, 2017 for an amount not to exceed \$24,999 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 Fawcett, seconded by Legislator King, and adopted.

**RESOLUTION NO. 410 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES**

Introduced by Legislator Roscoe Fawcett, Jr., 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 temporary position to cover a leave and multiple vacancies:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Social Welfare Examiner	Temporary Part-time (Up to 14 hrs./week)	Grade 20

Section 2. That Commissioner of Social Services Jennifer Jones is hereby authorized to fill said temporary position effective from November 1, 2016 through February 28, 2017.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Fawcett, seconded by Legislator King, and adopted.

RESOLUTION NO. 411 - 2016
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 Roscoe Fawcett, Jr., 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 for vulnerable adults and families; and

WHEREAS, DSS wishes to enter into a Memorandum of Agreement with TLS for the purpose of supporting the TLS Gateway Project with their case management and supportive housing services to vulnerable adults and families; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the Memorandum of Agreement with Transitional Living Services of Northern New York, Inc. (“TLS”) for the purpose of supporting the TLS Gateway Project with their case management and supportive housing services to vulnerable adults and families in Lewis County.

Section 2. That this is for the period of January 1, 2017 through December 31, 2017 at a cost not to exceed \$23,000 payable in monthly installments of \$1,916.67. 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 Moroughan, seconded by Legislator Fawcett, and adopted.

RESOLUTION NO. 412 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY AND ATLANTIC TESTING LABORATORIES FOR THE
RECYCLING BUILDING MODIFICATIONS PROJECT

Introduced by Legislator Gregory Kulzer, Chairman of the Solid Waste Committee.

WHEREAS, the County of Lewis, by and through the Lewis County Solid Waste Department, entered into an agreement with Bernier, Carr & Associates, P.C. for the design, bid, and construction phases of the Recycling Building Modifications Project (Project No. 2015-131), effective March 10, 2016; and

WHEREAS, Bernier, Carr & Associates, P.C. sent out a request for proposal for a special inspection and construction materials engineering and testing service for the Project; and

WHEREAS, Atlantic Testing Laboratories' proposal was accepted to perform these services at a cost not to exceed \$3,050.00 pursuant to a fee schedule provided to the County, and a rate schedule for any additional time required to complete the testing; and

WHEREAS, the Board of Legislators seeks to accept such service.

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, by and through the Lewis County Solid Waste Department, and Atlantic Testing Laboratories located in Canton, New York, for the purpose of performing special inspection and construction materials engineering and testing services for the Recycling Building Modifications Project.

Section 2. That this Agreement shall be valid through December 31, 2016 at a cost not to exceed \$3,050.00, with any additional fee to be upon mutual agreement and further approval of the Board.

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 King, and adopted.

OCTOBER 4, 2016

**RESOLUTION NO. 413 - 2016
RESOLUTION AUTHORIZING LICENSE AGREEMENT
BETWEEN LEWIS COUNTY SOLID WASTE AND
ST. PAULY TEXTILE, INC.**

Introduced by Legislator Gregory Kulzer, Chairman of the Solid Waste Committee.

WHEREAS, Lewis County Solid Waste, hereinafter referred to as (“LCSW”) maintains “sheds” at its transfer station located on Route 26 in Lowville and Route 812 in Croghan for clothing collection. The textiles collected at these locations are then removed by the St. Pauly Textile, Inc. company, hereinafter referred to as (“St. Pauly”); and

WHEREAS, LCSW received notice from St. Pauly that New York State recently enacted legislation regulating textile collection companies like St. Pauly, and now requires certain language on signage and a formalized “license” agreement with the property owner where the clothing “sheds” are located to have lawful access (ingress and egress) to place clothing in the shed; and

WHEREAS, the Lewis County Board of Legislators seeks to approve the license agreement and to authorize Pete Wood, Director of Lewis County Solid Waste Department to execute the agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a License Agreement between Lewis County Solid Waste Department and St. Pauly Textile, Inc. as required by New York State legislation in order to provide lawful access to clothing sheds located on the LCSW properties.

Section 2. That Pete Wood, Director of Lewis County Solid Waste Department is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 414 - 2016
RESOLUTION AUTHORIZING WAIVER OF COUNTY SURCHARGE FEES ON THE
DE-SLUDGING OF THE VILLAGE OF LOWVILLE’S WASTE WATER TREATMENT
FACILITY TO BENEFIT THE KRAFT HEINZ EXPANSION AND ITS POSITIVE
EFFECT ON ECONOMIC DEVELOPMENT FOR THE LEWIS COUNTY
COMMUNITY**

Introduced by Legislator Gregory Kulzer, Chairman of the Solid Waste Committee.

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WHEREAS, Kraft Heinz, one of the largest employers in Lewis County, seeks to expand its manufacturing facility located in the Village of Lowville (hereinafter “Village”). The planned expansion will benefit economic development in and for the communities of Lewis County, as there are between 120 to 150 new jobs anticipated to result from the expansion, and approximately 192 dairy farms and farmers in the County who will have a continued business resource for their milk product; and

WHEREAS, the Village of Lowville’s Waste Water Treatment Facility will require significant upgrades for this expansion, including but not limited to separate waste water piping from Kraft Heinz to the waste water treatment facility, and a complete desludging and aeration process to the waste treatment facility in order to increase capacity of the facility to accommodate the expected increase in waste water from the Kraft Heinz expansion; and

WHEREAS, the County has been advised by Village officials that the County’s surcharge fees (hereinafter “tipping fees”) of \$15.00 per ton were not included in the bids accepted by the Village for desludging. Pursuant to an arrangement made between the Village and Kraft Heinz, the tipping fees will be paid jointly, with Kraft Heinz paying 60% and the Village paying 40%; and

WHEREAS, the Development Authority of the North Country (“DANC”), which is accepting the desludged material, has agreed to reduce its customary fees per ton by \$10.00. The Village has requested that the County waive its tipping fee surcharge for direct haul to DANC for this project upon the best interests of the entire Lewis County community and the significant economic development this expansion project will bring; and

WHEREAS, the tipping fee surcharge revenue the County’s Department of Solid Waste would realize from this project is estimated to be between \$50,000 and \$120,000; and

WHEREAS, the Board of Legislators wishes to agree to this waiver of its tipping fee surcharge in order to assure the viability of this expansion project and the significant economic development it will bring to the County, provided that Kraft Heinz receives its proportionate share of the reduction of desludging costs by this tipping fee surcharge waiver;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby agrees and authorizes the Director of Lewis County Solid Waste to waive the county-added surcharge (tipping fees) for the Village of Lowville and Kraft Heinz, solely for the desludging of the Village of Lowville Waste Treatment facility for the Kraft Heinz manufacturing expansion.

Section 2. That the Lewis County Board of Legislators hereby agrees to and authorizes this waiver in order to assist in the economic development benefit to the Lewis County community at large by the Kraft Heinz expansion, which will provide more jobs to the County and a continued source for our Lewis County dairy farmers milk.

Section 3. That the Lewis County Board of Legislators hereby agrees to and authorizes this waiver provided that Kraft Heinz receives a reduction in its proportionate share of said tipping fees associated with the desludging of the waste treatment facility for the planned expansion.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such document as may be required to give effect to this authorization, pending approval by the County Attorney.

Section 5. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Moroughan.

Legislator Brennan stated the Committee's recommendation to reduce the fee by 25%, likewise as DANC, concerned for the impact if the County were to waive the entire fee for all future similar municipal waste.

Legislator Kulzer noted the Solid Waste Committee had not voted, awaiting answers that were thereafter received from the Village on 9/26. Kraft Heinz, he said, pays 60% of the sludge cost equating \$9/Ton of the total \$15 fee. He urges the Board to support waiving the fee to illustrate support for the company creating 150 new jobs. A waiver request from any municipality for desludging that was related to job creation or retention should be favorably considered, he added. The Village desludging occurs once every 20 years.

In response to Legislator Hathway as to whether the County would waive the fee for all subsequent desludging, Legislator Kulzer expressed his support to retain or create jobs. Legislator Chartrand affirmed Legislator King's understanding the Village plans to review and adjust user fees to cover future desludging costs.

Legislator Chartrand referenced a 1978 agreement, whereby Kraft pays 60% of incurred costs to operate the waste treatment plant, which includes desludging. However, he distinguished Kraft Heinz's expanded employment numbers resulting historical County-wide economic development impact. He took exception to the diminutive amount of fees compared to the County's willingness to assist in much greater ways for any business proposing to create jobs. Additionally, he cited construction employees that have enhanced the local economy during the expansion project.

While happy for the new jobs, Legislator Hathway cited the offsetting losses when Climax Mfg. closed earlier this year. Recognizing the non-budgeted desludging revenue, he questioned whether the Solid Waste enterprise fund should assume the loss. Legislator Kulzer contrarily cited the additional DANC funding of up to \$300,000 for 50 percent reimbursement of the recycling project, an amount much greater than anticipated. Legislators King and Moser each cited the negligible budget impact, citing allocated tipping fees for projects and equipment.

Legislator Hathway reiterated understanding that hereafter consideration to waive tipping fees would be based on economic/job creation impact. Legislator King concurred.

The resolution was then adopted.

**RESOLUTION NO. 415 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY TREASURER'S OFFICE
AND BURKE GROUP, INC.**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, the Burke Group, Inc. wishes to enter into an agreement with the Lewis County Treasurer's Office for the purpose of providing actuarial services; and

WHEREAS, these services are for full valuation and report for Lewis County post-retirement healthcare plans for the fiscal year ending December 31, 2016 and interim valuation and report for the fiscal year ending December 31, 2017 under Governmental Accounting Standards Board ("GASB") 45; 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 Burke Group, Inc. to provide actuarial services of post-retirement healthcare benefits for fiscal year ending December 31, 2016, and interim valuation and report for the fiscal year ending December 31, 2017 under Governmental Accounting Standards Board ("GASB") 45.

Section 2. That this is for the term beginning January 1, 2016 through December 31, 2017 at a cost not to exceed \$10,000.00. (\$7,000.00 for GASB 45 full valuation and report for fiscal year ending 12/31/16, and \$3,000.00 for the interim report for fiscal year ending 12/31/17). Any additional services that are beyond the scope of the GASB 45 project will be at the following hourly rates: Vince Cassano, Principal and Consulting Actuary - \$275.00 per hour; Actuarial Analyst - \$175.00 per hour; and Support Staff - \$75.00 per hour.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Hathway, and adopted.

**RESOLUTION NO. 416 - 2016
RESOLUTION RESCINDING RESOLUTION NO. 374-2016 AND
AUTHORIZING AGREEMENT BETWEEN**

OCTOBER 4, 2016

**LEWIS COUNTY TREASURER'S OFFICE
AND SYSTEMS EAST, INC.**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, the Lewis County Board of Legislators desires to rescind Resolution No. 374-2016 as it was erroneously adopted; and

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 for its tax collection system, including tax collection web hosting; 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 rescinds Resolution No. 374-2016 and the same shall be deemed null and void and no longer in effect; and the Board of Legislators hereby approves the contract with Systems East, Inc. to provide software support and maintenance services and web hosting services for the Treasurer's tax collection system for the period of January 1, 2017 through December 31, 2017, at a cost not to exceed \$7,788.00.

Section 2. That Patricia O'Brien, Lewis County Treasurer, is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 417 - 2016
RESOLUTION AUTHORIZING NEGOTIATIONS OF A LEASE AGREEMENT WITH
ENTERPRISE FLEET MANAGEMENT, INC. FOR THE COUNTY'S FLEET OF
VEHICLES**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee

WHEREAS, the majority of County vehicles (including the Lewis County General Hospital) are kept in service over such long periods of time and miles that maintenance and repair costs are considerable and grow exponentially over time. Having newer cars, with increasingly better fuel efficiency and lower maintenance costs is desirable to the County; and

WHEREAS, while the County can purchase vehicles at low entry amounts as a result of NYS bids, the on-going costs of ownership and the inconsistent market value knowledge for resale values is of additional concern to the County in owning the fleet of vehicles necessary for its operations; and

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WHEREAS, the County has investigated lease options for its fleet, inclusive of the Lewis County General Hospital's vehicles, and compared the benefits of same to the costs and expenses of vehicle ownership. With a plan to convert all of the county owned vehicles to an open ended lease agreement with Enterprise Fleet Management, Inc. (hereinafter "Enterprise"), no mileage caps, and a fixed price maintenance component built into the monthly lease amount for a full maintenance program, it is estimated that the County will save \$17,250 over ten years; and

WHEREAS, the Enterprise team assigned to the account will monitor the vehicles and the resale market to advise the County of optimum times to either switch vehicles internally or sell and buy new ones under state bid. Lease rates will be set by vehicle. Enterprise will have local dealers provide repairs and maintenance services so that our local businesses benefit from this lease arrangement; and

WHEREAS, the County of Lewis seeks to authorize the County Manager and County Attorney to negotiate the terms of a lease agreement with Enterprise for all of the County's vehicles currently owned, inclusive of the Lewis County General Hospital, but exclusive of the Sheriff's vehicles, EMS and heavy duty truck and trailers;

FORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes the County Manager and County Attorney to negotiate favorable terms of a lease agreement with Enterprise Fleet Management, Inc., to incorporate the County's vehicle fleet, inclusive of the Lewis County General Hospital's vehicles, but exclusive of Sheriff's vehicles, EMS, and heavy duty trucks and trailers.

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 this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Brennan.

After the company assumes management, Legislator Chartrand surmised substantial savings attributable to employee time no longer required to coordinate and maintain the County's fleet.

Legislator Brennan was pleased that the new vehicles would be delivered to the respective local dealership for preparation. Also, local dealerships would be utilized for ongoing maintenance payable at Enterprise negotiated pricing.

In response to Legislator Moser, Liz Swearingin confirmed the vehicles would be purchased at State contract prices, and eligible reimbursement would continue through the Department of Social Services.

The resolution was then adopted.

RESOLUTION NO. 418 - 2016
RESOLUTION TO AUTHORIZE AN INTER-MUNICIPAL AGREEMENT WITH
JEFFERSON COUNTY TO SHARE SERVICES AND THE POSITION OF
DIRECTOR OF WEIGHTS AND MEASURES

Introduced by Legislator Jerry King, Chairman of the Sealer of Weights & Measures Committee.

WHEREAS, Article 16 of the NYS Agriculture and Markets Law, § 180 and 181 set forth the county's obligations for a county director of weights and measures and the powers and duties of said municipal directors. Section 180 of the law provides for two or more counties to enter into an intermunicipal agreement, and pursuant to Article 5-G of the General Municipal Law, to share the functions, powers, and duties of one director of weights and measures to serve both counties; and

WHEREAS, the Lewis County Director of Weights and Measures, Barbara Cooper, who provided the County with outstanding service, is retiring from said position effective October 15, 2016; and

WHEREAS, the County of Lewis (hereinafter "LEWIS") seeks to enter into an inter-municipal agreement with Jefferson County (hereinafter "JEFFERSON"), to share the services, powers and functions of Director of Weights and Measures, and provide the services of the Jefferson County Director (and Assistant Director) to the functions and services of Sealer of Weights and Measures in and for Lewis County. By combining and sharing the functions, powers and duties of one Director for both counties, government efficiencies and savings will be realized by both counties; and

WHEREAS, in analyzing the costs in salaries, benefits, training, office supplies, seals, device reports, equipment, and the revenues generated by each county through its weights and measures fees and state aid, Jefferson represents 62% of the revenues and Lewis represents 38%. In assigning these percentages to the anticipated budget costs and expenses, it is anticipated that Lewis County will experience savings in its 2017 budget for this position of approximately \$24,000, with Jefferson County experiencing savings of approximately \$40,000; and

WHEREAS, the Board of Legislators of the County of Lewis seeks to enter into this inter-municipal agreement with Jefferson County to share the functions and services of a Director of Weights and Measures.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators of the County of Lewis hereby approves and authorizes an Inter-municipal Agreement by and between Lewis County and Jefferson County to share the services of Director of Weights and Measures.

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Section 2. That the Board of Legislators of the County of Lewis hereby designates JAMES RICHMIRE as the County's shared Director of Weights and Measures with Jefferson County; and hereby authorizes said Agreement to set forth a provision that the Director of Weights and Measures for the County of Lewis shall be deemed to be JAMES RICHMIRE, the Director of Weights and Measures of Jefferson County and that the Director and his staff shall provide the services and functions of Sealer of Weights and Measures to and for Lewis County.

Section 3. That the Board of Legislators of the County of Lewis authorizes the County Attorney to draft an Inter-Municipal Agreement with Jefferson County to share the functions and services of Director of Weights and Measures for a period of five (5) years with renewal options, effective October 7, 2016, together with and upon such terms and conditions 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 Agreement upon such form as may be approved by the County Attorney.

Section 5. That the within resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Fawcett.

While recognizing the cost savings, Legislator Kulzer expressed concern for appropriate and timely service for County businesses, especially for prompt calibration of farmers' bulk tanks that take an average 8-hour day. He commended Barbara Cooper for the high level and prompt service that business owners have become accustomed, that he feels will be lost with a Bi-County shared employee.

Chairman Tabolt cited agreement terms that allow the County to terminate for unsatisfactory services.

Liz Swearingin introduced Jefferson County Assistant Director of Weights and Measures Brian Mooney, who is a Lewis County resident and will perform under the supervision of Director James Richmire. The level of work and expectations were thoroughly discussed with Jefferson County officials who are familiar with the customer base and affirmed their ability to meet the workload.

The resolution was then adopted. Legislator Kulzer was opposed.

RESOLUTION NO. 419 - 2016 RESOLUTION APPOINTING MEMBERS TO YOUTH BUREAU ADVISORY BOARD

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Youth Bureau Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following Student Representative of her respective School District, as a members of the Lewis County Youth Bureau Advisory Board:

Allyson Rae Hall
Harrisville Central School
238 State Highway 812
Harrisville, New York 13648

Marsella Ventura
South Lewis Central School
3155 East Road
Boonville, New York 13309

Section 2. That the term of said appointments shall be effective from October 4, 2016 and shall terminate either on the date of their high school graduation, or when either ceases to be a full-time High School student.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fawcett, and adopted.

RESOLUTION NO. 420 - 2016
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the Sheriff's Department account for Division of Criminal Justice Services grant for the purchase of two (2) radar units and a gun rack for a patrol car:

<u>Increase Revenue:</u>	
A30887(DCJS-Sheriff)	\$6,600.00
<u>Increase Expense:</u>	
A3110.2909(Misc Equip)	\$6,600.00

Section 2. That the within resolution shall take effect immediately.

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Moved by Legislator Brennan, seconded by Legislator King, and adopted.

RESOLUTION NO. 421 - 2016
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 positions:

<u>TITLE</u>	<u>STATUS</u>
Speech Pathologist	Part-time
CT Technologist	Full-time
LPN (CHHA)	Full-time
Physical Therapist	Full-time

Section 2. That the Board hereby **abolishes** one Full-time Radiologic Technologist position.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 422 - 2016
RESOLUTION AUTHORIZING OFFICE FOR THE AGING
TO RETAIN OUTSIDE COUNSEL

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Office For the Aging Committee.

WHEREAS, the Office for the Aging receives funds through the federal government pursuant to the Older Americans Act of 1965 to perform certain services for the elderly, including providing legal services [see, 42 U.S.C.A. § 3026(a)(2)(c)]; and

WHEREAS, Brenda J. Bourgeois, Director of Office for the Aging, has requested permission to retain outside counsel to assist in providing legal services on behalf of elderly individuals.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That Brenda J. Bourgeois, Director of Office for the Aging is hereby authorized to retain Campany, McArdle & Randall, 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, 2017 through December 31, 2017. 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, 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 Chartrand, and adopted.

**RESOLUTION NO. 423 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO TREASURER'S DEPARTMENT**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, pursuant to Resolution No. 79-2016 the Board approved creation of a Temporary Account Clerk for the Treasurer's Department through August 10, 2016; and

WHEREAS, Treasurer Patricia O'Brien has requested permission to extend the Temporary 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 Treasurer's Department, to authorize extending the temporary Account Clerk position for a period up to January 31, 2017.

Section 2. That the within resolution shall take effect immediately

Moved by Legislator Brennan, seconded by Legislator Chartrand, and adopted.

RESOLUTION NO. 424 - 2016
RESOLUTION IN RECOGNITION OF
BARBARA J. COOPER

Introduced by Legislator Michael A. Tabolt, Chairman of the Lewis County Board of Legislators.

WHEREAS, Barbara J. Cooper commenced employment with the County of Lewis on June 10, 1996, being appointed as the Director of Weights and Measures, performing in that position until her retirement effective October 15, 2016; and

WHEREAS, she conscientiously performed her assigned duties, promoting a cooperative attitude while gaining the respect from the diverse populace and business owners she served; and

WHEREAS, it seems proper for us as friends, acquaintances and members of this Board of Legislators to record our recognition and appreciation for the dedicated and valuable services rendered by Barbara J. Cooper.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That as an enduring mark of respect for the honorable public service rendered by Barbara J. Cooper, this resolution shall be printed in the official record of proceedings of the Lewis County Board of Legislators.

Section 2. That the Clerk is hereby directed to forward a certified copy of this resolution to Barbara J. Cooper.

Moved by Legislator Hathway, seconded by Legislator King.

Chairman Tabolt recognized Barb as a distinguished employee who was present tonight, deferring to Legislator Hathway for further comment. Legislator Hathway relayed being acquainted with Barb her whole life. “She is a very special person”, he said, and “Comes from a very special family”. She is a pleasure to be around, crediting her for using her time wisely throughout her 20 year tenure with the County. He testified to her integrity, relating use of her calibrating services as a prior business owner. Not wanting to parrot accolades bestowed heretofore, Legislator Hathway expressed appreciation for all Barb had done on behalf of the County, consumers and businesses alike, who were the benefactors of her pleasant demeanor.

The audience gave her a standing ovation, after which Barb offered thanks and appreciation for the Board’s continued support, declaring “I still love it!” “It’s easy to come in and smile and have a good attitude when you have good people to work with” she said, extended to Legislators, co-workers, customers and her counterparts throughout the State.

The resolution was then unanimously adopted.

OTHER BUSINESS:

Clerk of the Board Teresa Clark announced a planned ceremony on 10/28/16 to mark progress at the Lyons Falls mill site. There is intent to drop an on-site 40' water tower that day. Economic Development officials are working on a new name for the 9-acre property and may potentially unveil the name at the ceremony.

Ms. Clark read a proclamation executed by Chairman Tabolt declaring the week of October 23-29, 2016 as "Lead Poisoning Prevention Week".

Chairman Tabolt informed a movie entitled "Safe Haven" will be shown at the Lowville Town Theatre for awareness of domestic violence on 10/26/16.

Legislator Brennan reminded of the Village of Copenhagen's lack of water and the three affected farms. Many leaks have been found and repaired, but efforts continue for a long-term solution, especially with the impending colder weather. "Primary concern", he said, "is for mounting expense for a Village with little resources". Congresswoman Elise Stefanik, Senator Joseph Griffo and Assemblyman Ken Blankenbush have each been apprised.

Legislator Brennan clarified that the recent emergency declaration covers the impact of drought conditions for agricultural crops, not personal water sources. He impressed the severity of the problem, appreciative for any assistance. Cooperative Extension Executive Director Michele Ledoux reported discussion with USDA representatives yesterday, and Chairman Tabolt, Planning Director Frank Pace and Michele would reach out to them again to alert the dire situation and the essence of time.

Legislator Hathway informed the need to review management salaries, inquiring the Board's pleasure for deliberations at a special meeting. After a short discussion, Chairman Tabolt announced a special meeting would be held on 10/13/16 at 3 p.m. for an executive session discussion.

Liz Swearingin introduced South Lewis Central School Superintendent Douglas Premo, who has requested the County assign a full-time deputy as a School Resource Officer at their facility to be financed by a \$58,000 grant. She explained that one of the three (3) sheriff deputy positions the Board approved earlier is implicitly earmarked for that position, pursuant to a contractual agreement requiring Board approval. The deputy would be assigned to recreational law enforcement duty when school was not in session. The County share is estimated at \$10,000-\$15,000.

Mr. Premo informed garnering a 5-year grant commencing 7/1/2016 in the amount of \$58,000 annually. The presence of a School Resource Officer would enhance safety of the 1,030 students on the three campuses located in Turin, Port Leyden and Glenfield. The officer would provide preventive education and efforts on anti-bullying, internet safety, drug prevention or abuse and be available for timely response for any of various untoward situations. The relationship between school officials, law enforcement, parents and students would be enhanced

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through the officer's visibility on campus, as well as sporting and community events. Additionally, grant funds would be allocated to offset expense for required training.

Ms. Swearingin stated that authorization would be required by the union for the non-customary work schedule, and a replacement officer would not be required for the resource officer's school absences.

The Board indicated general support to consider contract approval at the next meeting.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Brennan at 6:55 p.m., seconded by Legislator Chartrand and carried.

OCTOBER 13, 2016

**SPECIAL MEETING
October 13, 2016**

The meeting was called to order at 3:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

Chairman Tabolt offered the Invocation, and led the Pledge of Allegiance to the Flag.

Legislator Dolhof made a motion to enter executive session for a brief update on legal issues by County Attorney Joan McNichol, and deliberations on specific managerial personnel salaries, seconded by Legislator Hathway and carried.

At 4:37 p.m. Legislator Kulzer made a motion to re-enter regular session, seconded by Legislator Chartrand, and carried.

The meeting then adjourned by motion of Legislator Chartrand, seconded by Legislator Kulzer, and carried.

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**FIRST DAY
ANNUAL SESSION
November 1, 2016**

The meeting was called to order at 5:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

Chairman Tabolt offered the Invocation, and led the Pledge of Allegiance to the Flag.

The Chairman announced approval of the September 27 and October 4, 2016 meeting minutes.

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.

Dated: November 1, 2016

Lawrence Dolhof

Bryan Moser

Craig Brennan

Legislator Moser made a motion to waive the rules, seconded by Legislator Dolhof and carried.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

NYS Senator Joseph Griffo acknowledged receipt of the Board's resolutions increasing the District Attorney salary and directing the County Treasurer to pay according to law; and urging State Budget amendment to requiring the State to reimburse counties for the increased DA salary.

The Board acknowledges receipt of resolutions adopted by the Delaware County Legislature urging State Legislation to fully reimburse counties for District Attorney salary increases; and urging Governor Cuomo to sign the Public Defense Mandate Relief Act authorizing the Indigent Legal Service Office to adopt, promulgate, amend or rescind rules and regulations that would require the State to reimburse counties for public defender services.

Resolutions adopted by the Essex County Legislature supports the Memorandum of Understanding among public and private organizations regarding recreational access to Adirondack State lands; by the Washington County Legislature calling on the Governor and State Legislature to more equitably and efficiently impose the 9-1-1 surcharge on all wireless communication devices and use revenues to finance life saving County services; and also plan for next generation 9-1-1 by creating a department that supports County public safety answering

NOVEMBER 1, 2016

points and enhances local emergency dispatch services; and by the Seneca County Legislature calling upon the Governor and State Legislature to work with New York's Congressional delegation to amend and improve the Family First Prevention Services Act of 2016, to ensure essential fiscal resources are maintained to support families in need.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Lewis County Budget Officer Liz Swearingin has submitted the 2017 Tentative County Budget, copies of which have been distributed to each Legislator attendant to the following budget message:

BUDGET MESSAGE

November 1, 2016

To: Chairman, Michael Tabolt and County Legislators
Re: 2017 Tentative Budget

Dear Legislators:

Enclosed for your review and consideration is the proposed 2017 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 discussion we have had over the past several months regarding the 2017 budget. I am very confident that our department heads fully appreciate the important role they play, not only representing their individual disciplines, but also their role as guardians of our taxpayers' hard earned money. I would also like to personally thank County Treasurer Patty O'Brien, whose professionalism and tireless work ethic make this budget manageable and also keep this County in strong financial condition. As the tentative budget stands right now we have:

A decrease in the tax rate per \$1000 from \$7.44 to \$7.32

A decrease in the fund balance from \$920,000 to \$820,000

In 2008 the tax rate per \$1000 was \$7.74 today it is at \$7.32. Use of fund balance to balance the budget was at \$2.6M in 2012 the current proposed budget is at \$820,000 a 68% decrease.

Three years ago we set some financial goals / guidelines to ensure sound long term fiscal management:

- Continue to target a general fund balance of \$11M or 10% of our combined hospital and county operating budget
- Maintain our A+ Credit rating
- Maintain County Service levels
- Lower the use of fund balance to \$500,000 or less by 2021 to account for the loss of windmill money

PROCEEDINGS OF THE BOARD OF LEGISLATORS

We are conservative with our spending and continue to fund all major projects without increasing the tax levy. The \$11M radio project is paid for and the JCC extension college will be paid for with the remaining \$4M from the windmills.

2017 Budget

Currently, we are not under the tax cap, we still have a \$156,000 gap to close. The initial budget came in about \$1.2M over the tax cap. We've done 3 things to drive that number down:

1. We have reviewed every single department line by line and eliminated many year over year increases
2. We removed \$391,500 of "what if" items; should they occur; they will be covered by contingency funds.
3. We initially planned for a 20% increase in healthcare premiums which would have been a \$600,000 increase to the budget. After much deliberation with the Ways and Means and with the Chair of the Insurance Committee, the current recommendation, which you will see as a resolution in your packet, is to increase healthcare premiums by 10% starting January 1, 2017 and a 10% increase every 6 months until the self-funded insurance fund reaches the required \$4M.

In the next 3 weeks we will find the additional tax cap money. Don't miss the bigger picture, the long-term story. The taxpayers of Lewis County cannot continue to bear the rising costs of healthcare. In the last 3 years we have been able to find offsets to wage and healthcare premium increases, but the ability to keep finding another \$700,000 to \$800,000 year after year to cover these increases is getting smaller and smaller. This is no one's 'fault'...it is what it is, we just have to solve it.

As you know we have a union / management healthcare committee which is working hard on this issue.

Financial Summary

Revenues increase \$865,000 year over year, but expense grew by \$1.1M. Covering the difference plus the reduced use of fund balance leads to a tax levy of \$15,523,677. Given the \$87M increase in taxable land value, that equates to a 7.32 rate per \$1000.

	2016 Adopted Budget	2017 Tentative Budget	Year over year differences
Total Revenues	27,921,646	28,787,605	Revenues are higher by \$865,000
Total Appropriations	43,964,478	45,131,282	Expenses are also higher by \$1,166,804
Balance to Be Raised by Taxes	16,042,832	16,343,677	\$300,845 must be raised by taxes
Less: Applied Fund Balance	920,000	820,000	Continue to decrease fund balance by \$100,000
Real Property Tax	15,122,832	15,523,677	Net real property tax increase of \$400,845
Taxable Value as of 11/1/2016	2,033,493,706	2,120,899,953	\$87M increase in taxable land value
County Tax Rate	7.44	7.32	

While State and Federal Aid are up slightly year over year, there is a discretionary increase of just under \$200,000 in projected sales tax. Over the last 2 years, Lewis County's actual sales tax revenues have exceeded the budget by over \$2.5M in 2015 and will likely exceed the budget in

2016 by just over \$1M. Recognizing that a quick turn in the economy can lead to rapid loss of sales tax, but recognizing that we have been very conservative, the recommendation is to increase the sales tax projection.

60% of the increase in expenses is driven primarily by healthcare and wage increases.

Summary

The 2017 Lewis County budget is a fiscally responsible budget. The final budget will be under the tax cap.

On a home with a taxable value of \$100,000 the county tax bill would reduce from \$743 to \$732.

The 2017 Lewis County budget is respectfully submitted for public comment and approval.

Liz Swearingin
Budget Officer

Legislators have received copies of the Treasurer's October report, the 10/25/16 Solid Waste and 10/5 and 10/27/16 Highway Audit Reports.

The 7/19/16 meeting minutes of the Health Services Advisory Committee have been received and placed on file.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, reported the State has rejected the proposed New Bremen two-way roadway for CDL testing because it is too far from Lowville where the balance of the test would be conducted. Instead, the State will direct applicants to Verona, Rome or Tupper Lake. Chairman Tabolt has talked with Jefferson County officials who are also having issues with this requirement. They will explore use of a site on Fort Drum.

Legislator Hathway reported the public safety building water upgrade project is complete; the records storage building lighting upgrades have been done; and the sign has been erected at the Court House parking lot entrance.

Legislator Hathway credited Chairman Tabolt and Legislators King and Chartrand for facilitating teleconferences with the Public Service Commission on the solar array connectivity project. National Grid's initial \$729,000 quote for facility upgrades has been reduced to as low as \$200,000. Concurrently, the County's estimated cost has been reduced from \$633,000 to a maximum of \$163,000, substantially less than the Board's approved amount of up to \$500,000. He also thanked County Attorney Joan McNichol for spearheading the communication and negotiations. Construction is on schedule to begin next spring. National Grid has affirmed they can do their preparation work this fall.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Hathway reported proposals from SmartWatt (a/k/a National Grid) at no charge and Larsen Engineers at \$2,000 for a comprehensive energy study and long-term plan of County buildings. SmartWatt has previously completed County lighting upgrades, but resulting study upgrade projects would be at County expense. Larsen Engineers' proposal includes NYSERDA grant application preparation and submission between \$50,000-\$250,000 for the actual upgrades. Legislator Hathway made a motion to approve the Larsen Engineer proposal, seconded by Legislator Chartrand and carried.

Legislator Hathway made a motion to authorize County Treasurer Patricia O'Brien to re-fill a Full-time Account Clerk, due to promotions, effective upon the date of retirement of Deputy County Treasurer Cindy Wiedrick, seconded by Legislator Brennan and carried.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Employment and Training/Youth Bureau Committee Chairman, reported that on-line HEAP applications are being accepted and processed by DSS and Office For the Aging, but paper applications may not be sent out prior to the start of the season on 11/14/16. A robotic phone message will be sent to every person who has been pre-approved, alerting they do not need to submit an application.

Legislator Fawcett reported that everyone is subject to a wand search by a security officer prior to entering the Social Services building.

Legislator Bryan Moser, County Officers/Junkyards/Veterans' Services/Human Resources Committee Chairman, reported the Junkyard Review Board is reviewing their By-laws, the County Junkyard Law and considering information provided by Sr. Building Codes Officer Ward Dailey related to inspections, violations and the compliance process.

Legislator Moser deferred discussion on the CITEC agreement until the authorizing resolution is introduced.

Legislator Moser informed that Veterans' Services Counselor Stephen Kilionski is out for an undetermined length of time to care for a family member with stage 4 cancer, requesting everyone's thoughts and prayers.

Legislator Jerry King, Courts and Law Enforcement/Emergency Services/Fire Coordinator/ Building Codes Committee Chairman, reported that EF Johnson personnel are making software upgrades to resolve radio reception issues. They are swapping out 35 radios at a time for fire, law enforcement and emergency personnel, to assure that all devices have the latest technology.

He also reported the Sheriff's continued efforts to recruit and fill vacant positions.

Legislator Lawrence Dolhof, Economic Development/Planning/Recreation, Forestry & Parks Committee Chairman, reported that Bernier, Carr & Associates (BC&A) are progressing the business park project toward "Shovel Ready" status. County officials continue to pursue the Harrisville HDK property owner for desired use of that property.

The next business breakfast will be held on 11/15 at Ridgeview Inn. The informal meetings have had good attendance and information exchange, providing the setting for initiation of the Cuisine Trail and Coordinated Finance Applications (CFA's).

Legislator Dolhof reported 16 attendees at the 10/17 Small Business Seminar providing access to representatives from several administrative and funding institutions to assist with their business initiatives.

The Manufacturing Day was coordinated with Jefferson County IDA and Economic Development officials to provide high school students an opportunity for on-site tours at Viking Cives, Onmiafiltra, Interface, Grand Slam and Qubica/AMF. The students relayed appreciation for the educating experience, otherwise not provided through textbooks.

Legislator Dolhof reported receipt of a revolving loan fund application to be reviewed by the designated committee on 10/27/16.

Legislator Dolhof proudly reported the Lyons Falls Pulp & Paper demolition project was on-time and within budget. There was a ceremonial opening last week at the site, and the planned water tower collapse occurred thereafter without incident.

Legislator Craig Brennan, Taxation/Information Technology Committee Chairman, reported the Committee would make their recommendation next month after reviewing the Town of New Bremen's request for the County to clean up an abandoned and blighted property.

Legislator Brennan relayed a plea from Sheriff Deputy Mike Leviker for property owners to visibly display their 9-1-1 address on their residence or mailbox to enhance law enforcement or emergency personnel response and residents' safety.

Exemption questionnaires were sent out to all schools and municipalities requesting any changes be submitted to the Real Property Tax office by 11/18/2016.

Legislator Brennan reported that Mohawk Networks has nearly completed the fiber connection on the Harrisville tower for internet services to area residents. Verizon allowed use of their lines to reduce the length of fiber installation required. Harrisville and Lake Bonaparte residents anxiously await the services that should be active within three weeks.

Legislator Gregory Kulzer, Solid Waste/Transportation Committee Chairman, made a motion to award the low bid in the amount of \$114,175.00 to Vantage Equipment of Syracuse, NY for purchase of a 2017 Volvo front-end wheel loader for the Solid Waste Department. The motion was seconded by Legislator Brennan and carried.

Legislator Kulzer reported the solid waste building renovations to accommodate zero sort recycling are on schedule, again, expressing appreciation that the Development Authority of the North Country has agreed to finance up to \$600,000. The volume of recyclables received during the month of September exceeded the entire 2015 volume collected.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Kulzer announced an upcoming Highway Department bid opening for bulk oil; and that Deputy Highway Superintendent Stanley Samsa has announced his intent to retire in March 2017.

Legislator Richard Chartrand, Hospital Committee Chairman, is part of the Committee of four assigned to search for a Chief Executive Officer expected to take up to six weeks. A Committee has also been assigned to develop a management team organizational chart for reference into the future.

The Hospital August employee-of-the-month was food service helper Lisa Widrick. As an enthusiastic, always smiling, considerate, kind and upbeat employee, Lisa, said Legislator Chartrand, "Is a reflection of what makes Lewis County General Hospital so special".

In response to Legislator Hathway, Legislator Chartrand reported review and consideration of applicants and a letter of request for re-appointment to the Hospital Board of Managers, and will propose appointments at the next meeting.

He deferred to Legislator Andrea Moroughan who reported on the recent "Breast Cancer Awareness" dinner. She thanked Denise Hirsch and Joanne Dicob for the well attended fund raising event for the "Fund for Hope" that helps cancer patients with hotel, gas and other costs not covered by insurance. Since its 2008 inception, the fund has assisted 421 patients with \$79,383, 55 of which were assisted this year with \$9,205. Cancer survivor Kathy McIntosh was the guest speaker who shared her tumultuous 18-year journey. She urged more men to attend, while citing the highest number yet at the recent event.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chairwoman, reported that Public Health has partnered with Fort Drum Regional Health Planning Organization and Jefferson and St. Lawrence County Public Health Departments to complete the community health assessment and the community health improvement plan. The Lewis County Health and Human Services Council has identified reduction of adult and child obesity as priorities.

The Public Health Quality Improvement Committee has completed three of eight planned meetings and have identified that 31% of the programs reviewed to-date are evidence-based. Director Penny Ingham is confident they will meet the 75% goal for evidence-based programs upon completion of all reviews.

Director of Community Services Patricia Fralick is co-chair of the Regional Planning Consortium charged with monitoring the implementation of Medicare Managed Care for people with mental health or substance abuse in the tri-county area. A recent meeting was organized with respective service providers to make sure that problems are properly identified as they arise and responded with appropriate solutions.

Legislator Moroughan reported the Watertown CREDO Community Center has opened its new opioid treatment program offering medication assisted treatment and counseling services. They are currently treating 30 persons from Jefferson and Lewis Counties.

Mountain View Prevention Services is partnering with The Edge Hotel to feature the educational documentary film “Chasing the Dragon” on 11/5/16. The film depicts the opioid and prescription medication abuse epidemic that is plaguing the country.

Legislator Moroughan reported attending the “Walk in My Shoes” event sponsored by Northern Regional Center for Independent Living that simulated the harsh realities of a life lived in poverty and related stress, and how communities may collectively address the issue.

COUNTY MANAGER REPORT:

Liz Swearingin commended the Sheriff’s Department for not having any workers’ compensation claims filed within the last four quarters.

She awaits the executed agreement from Jefferson Community College (JCC) to implement the educational facility, and Planning Director Frank Pace reported working on curriculum development. Ms. Swearingin stated that two steering committees would separately focus on building construction, and the other on curriculum development. An individual will be hired by JCC to act as the lead project advocate.

Liz Swearingin reported the last date for processing invoices in the current financial system will be 11/17/16, after which the core team will forward files to Tyler representatives to be converted into the new database and sent back to the County on 11/28/16. Every general ledger account will be checked by the core team for balance accuracy before the system goes live later that week.

The Blue4U wellness program through Excellus Blue Cross/Blue Shield offers a free blood draw for selected tests and confidential report to any interested employee. Ms. Swearingin strongly urges approval for the \$10 gas or Walmart gift card incentive to greatly increase participation from the 87 employees last year. The blood draws will be offered during work hours on three days in December.

Ms. Swearingin then read her 2017 Tentative County Budget Message as printed above. She especially thanked Treasurer Patricia O’Brien for her tireless efforts.

She referenced requests from three outside agencies, as well as the additional IDA request, that were not included in the budget, but indicated further consideration dependent upon the level of sales tax revenues.

On behalf of the entire Board, Chairman Tabolt thanked Liz for all her efforts and commitment to formulate the budget.

COUNTY TREASURER REPORT:

Patricia O’Brien recited the balances of the Special Legislative Contingency Fund - \$249,168.00; Contingency Fund-\$361,987.00; Capital Data Processing Fund-\$128,169.66 and Capital Equipment Fund - \$239,059.28, of which \$137,213.98 is the Highway portion. She also

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reported year-to-date sales tax revenue of \$8,221,729.18; and the on-target Hospital debt of \$2.6 million. There was a \$77,000 September deficiency for Internal Service Fund expenditures, with a balance of \$900,206.85.

Ms. O'Brien also reported the Hospital has pre-paid their December pension payment.

SPECIAL REPORT:

Chairman Tabolt reported that he and Legislator Chartrand had attended the 10/14/16 Fort Drum fall event.

He presented a proclamation for domestic violence awareness on 10/26/16 at the Lowville Theater prior to the free public movie showing of Safe Haven.

Chairman Tabolt reported that he and Terry Clark had attended the 10/27/16 Inter-County meeting in Plattsburgh that included a historical downtown tour. The group adopted a resolution to support and apprise State representatives of various desired recreational activities within the Adirondack Park. He intends to introduce the resolution for this Board's consideration. The final Inter-County meeting will be held in Warren County on 11/17/16.

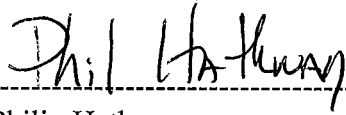
REPORT OF THE WAYS AND MEANS COMMITTEE:

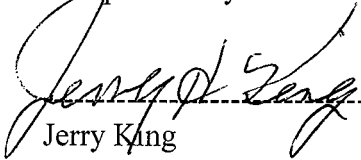
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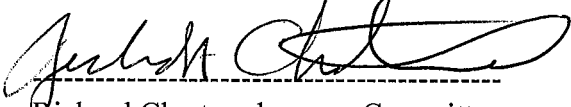
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

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 \$ 1,130,838.34 and recommend that they be audited and allowed for the amounts claimed.


Philip Hathway Chair


Jerry King Committee


Richard Chartrand Committee

Dated: November 1, 2016

Approved on motion by Legislator King, seconded by
Legislator Dolhof, and carried.

RESOLUTIONS:

**RESOLUTION NO. 425 - 2016
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 \$ 1,130,838.34 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, Fawcett, and Tabolt.

NAYS: None.

ABSENT: None.

**RESOLUTION NO. 426 - 2016
FIXING DATE OF PUBLIC HEARING ON AN ADDITION
TO THE ATV TRAIL SYSTEM
(JD REALTY OF LOWVILLE, LLC PROPERTY)**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on November 1, 2016, a proposed addition to the Lewis County ATV Trail System pertaining to the property located in Turin, New York and known as the Lee Gulf Trail Properties. Said addition described as the JD Realty of Lowville, LLC Property, which runs off of the Lee Gulf Road (South of Carpenter Road) to the existing Lee Gulf Trail.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on December 6, 2016 at 5:00 PM at the Lewis County Courthouse, Legislative Chambers, 7660 N. State Street, Lowville, NY 13367, Second Floor, for the purpose of receiving public comment regarding the addition to the Lee Gulf Trail Properties, said property owned by JD Realty of Lowville, LLC; and

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. 427 - 2016
RESOLUTION TO SET PUBLIC HEARING ON
2017 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 for comments on the 2017 Tentative Lewis County Budget to be held in the second floor board room of the County Court House, State Street, Lowville, New York on the 15th day of November, 2016 to begin at 5:00 p.m.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

**RESOLUTION NO. 428 - 2016
RESOLUTION FOR PUBLIC SERVICE COMMISSION (PSC) TO RECONSIDER THE
CLEAN ENERGY STANDARD (CES) ORDER ADOPTED AUGUST 1, 2016 AND ITS
EFFECTS UPON THE WOOD INDUSTRY IN LEWIS COUNTY**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, on August 1, 2016, the NYS Public Service Commission (PSC) issued an order creating the CLEAN ENERGY STANDARD (CES), therein replacing the state's Renewable Portfolio Standard. The CES adopts a goal of having 50% of New York's electricity generated by renewable resources by the year 2030. The CES provides for NEW renewable energy projects, including NEW biomass power plants to participate in a Program to sell renewable energy credits (RECs) under contracts with NYSERDA. This new Clean Energy Standard created and ordered by the PSC, however, did not address the fate of existing renewable projects, including existing biomass power plants, other than to state that the PSC would monitor the activities of existing projects and have them participate in a "maintenance program" in which the project would have to petition the PSC for REC contract consideration. And under this "maintenance program" for existing projects, the RECs have not been sufficiently priced to allow for the long term viability of existing biomass power facilities; and

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WHEREAS, the forest and wood industry is vital to the economic health of the woodland residents and businesses in Lewis County, where logging, paper mills, sawmills and biomass energy processing has long been in practice; and

WHEREAS, existing renewable biomass energy projects, such as the ReEnergy-Lyonsdale biomass processing and energy facility are at risk of shut down because of this oversight in excluding existing energy projects from the RECs program under the CES order; and

WHEREAS, ReEnergy spends approximately \$6.6 million dollars in purchasing low grade wood from local loggers and landowners for its Lyonsdale plant. The economic impact upon Lewis County (as well as its neighboring Counties) upon the closure of a local existing biomass processing and energy facility will be felt by many- loggers, truckers, landowners, equipment suppliers and other small businesses down the line; and

WHEREAS, the wood and forest products industries are a major contributor to rural economies, including Lewis County. Lewis County has abundant renewable resources and takes pride in its long-standing efforts to assist in the development of renewable energy projects and businesses such as biomass processing and energy producing facilities; and

WHEREAS, the Board of Legislators of the County of Lewis hereby calls upon the PSC to reconsider its August 1, 2016 Clean Energy Standard Order to include existing renewable projects in its Renewable Energy Credits (RECs) program.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators of the County of Lewis calls upon the PSC to reconsider its August 1, 2016 Clean Energy Standard (CES) Order to include existing renewable projects in its Renewable Energy Credits (RECs) program.

Section 2. That the Board of Legislators of the County of Lewis authorizes the Chairman or the Vice-Chairman to forward a letter to Kathleen Burgess, Secretary of the NYSPSC urging reconsideration of the August 1, 2016 Order, and to forward the letter during the comment period set to expire on November 14, 2016.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 429 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
BARBARA J. LINDSEY D/B/A BARB'S BUDGETING AND
LEWIS COUNTY COMMUNITY SERVICES DEPARTMENT**

Introduced by Legislator Andrea Moroughan, Chair of the Community Services Committee.

WHEREAS, the Lewis County Community Services Department (“LCCSD”) desires to enter into an agreement with Barbara J. Lindsey, d/b/a Barb’s Budgeting, located at 333 South Meadow Street, Watertown, New York 13601 for accounting and state program controller services training; and

WHEREAS, Barbara J. Lindsey will conduct training to LCCSD employees regarding state systems and programs and required reports for Alcohol and Substance Abuse Services (“OASAS”), Office of Mental Health (“OMH”), and Office of People with Developmental Disabilities (“OPWDD”); and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes an Agreement between Barbara J. Lindsey, d/b/a Barb’s Budgeting, and the County of Lewis acting by and through the Lewis County Community Services Department to train Lewis County employees regarding state systems, programs and required reports for OASAS/OMH/OPWDD.

Section 2. That the rate is \$25.00 per hour for approximately forty (40) hours, in addition to round trip travel time to and from Watertown, and reimbursement of mileage at the IRS rate, all at a cost not to exceed \$2,000.00.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Amended Agreement, upon approval by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fawcett, and adopted.

RESOLUTION NO. 430 - 2016
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 accounts for adjustments to TLS accounts:

From:	Amount
A4318.4218 Supported Housing -services fund A	\$30,000.00

PROCEEDINGS OF THE BOARD OF LEGISLATORS

To:

A4318.4216	Supported Housing-rental assistance fund A	\$30,000.00

From:

A4318.4219	Supported Housing -services fund B	\$3821.00

To:

A4318.4217	Supported Housing-rental assistance fund B	\$3821.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 431 - 2016
RESOLUTION TO TRANSFER FUNDS
COUNTY CLERK**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers are hereby approved in the County Clerk accounts to cover line item expenses:

From:

A1410.4910 Rec Storage	\$750.00
A1410.4505 Dues	\$243.12
A1410.4408 Pistol	\$100.00
A1410.4909 Misc	\$500.00

To:

A1410.4901 Prof Serv	\$500.00
A1410.4507 Travel	\$1,093.12

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Moser, and adopted.

NOVEMBER 1, 2016

**RESOLUTION NO. 432 - 2016
RESOLUTION TO TRANSFER 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 transfer from Contingency funds is hereby approved into the District Attorney account to cover the cost of Appellate legal services:

<u>From:</u>	<u>Amount</u>
A1990.4999 Contingency	\$12,031.84
<u>To:</u>	
A1165.4901 Prof Serv	\$12,031.84

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 433 - 2016
RESOLUTION AUTHORIZING CONTRACT WITH
LEWIS DEFENDERS, PLLC**

Introduced by Legislator Jerry King, Chairman of Courts and Law Committee.

WHEREAS, County Law §722 directs each county to adopt a plan to provide legal counsel to persons charged with a crime or who are entitled to counsel pursuant to Family Court Act §262 and who are financially unable to obtain counsel (herein “public defense legal services”); and

WHEREAS, County Law §722(2) authorizes a county to provide representation through a corporation, voluntary association, or organization permitted to practice law under the authority of § 495 of the Judiciary Law, which includes organizations which have as their primary purpose the furnishing of legal services to indigent persons.

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 re-appoint Lewis Defenders, PLLC to provide public defense legal services;

NOW, THEREFORE, BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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, 2017 and continue through December 31, 2017.

Section 2. That the all-inclusive annual cost of such services shall not exceed \$240,000.00, and that such services shall not include the prosecution or defense of any appeals except to file the appropriate notice of appeal to preserve the rights of the indigent defendant.

Section 3. That the Chairman or the Vice-Chairman of the Board of Legislators be and the same are hereby authorized to execute and deliver such agreement to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 434 - 2016
RESOLUTION AUTHORIZING CONTRACT WITH
MCCLUSKY LAW FIRM, LLC
TO PERFORM CONFLICT DEFENDER SERVICES**

Introduced by Legislator Jerry King, Chairman of Courts and Law Committee.

WHEREAS, County Law §722 directs each county to adopt a plan to provide legal counsel to persons charged with a crime or who are entitled to counsel pursuant to Family Court Act §262 and who are financially unable to obtain counsel (herein “public defense legal services”); and

WHEREAS, contemporaneously herewith, the Board of Legislators is authorizing an agreement to provide indigent legal defense services with Lewis Defenders, PLLC; and

WHEREAS, it is necessary to appoint an attorney/firm 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/firm 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 the plan to provide conflict defender services through a conflict with 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, but has an actual conflict of interest (herein, “Conflict Defender”), to commence January 1, 2017 and continue through December 31, 2017.

Section 2. That the all inclusive cost of such services to be provided by the McClusky Law Firm as the “conflict defender”, shall not exceed \$70,000.00; and such services shall include but not be limited to, providing a licensed attorney, as needed, in Lewis County Family Court, Lewis County Court, and Town and Village Courts throughout Lewis County, and maintaining an office in Lewis County suitable to meet with indigent defendants assigned. That such services shall not include the prosecution or defense of any appeals except to file the appropriate notice of appeal to preserve the rights of the indigent defendant.

Section 3. 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.

Section 4. This Resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator King, and adopted.

RESOLUTION NO. 435 - 2016
RESOLUTION ESTABLISHING HEALTH INSURANCE PREMIUMS EFFECTIVE
JANUARY 1, 2017

Introduced by Legislator Lawrence Dolhof, Chairman of the Insurance Committee.

WHEREAS, the County of Lewis (the “County”) has heretofore established and maintained the Lewis County Health Plan (the “Plan”), a self-funded health insurance program for its employees; and

WHEREAS, the Lewis County Treasurer, in her capacity as the Plan Administrator for the Plan makes periodic assessments to ascertain an appropriate premium equivalent for Plan participants in order to sustain the benefits provided in the Plan, and follows recommendations of state health plan administrators who call for a health insurance fund balance to be maintained at a level to cover four to six months of claims; 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 despite the Board of Legislators’ approval and adoption of a 15 % increase to the health insurance premium equivalents effective October 1, 2015 by Resolution No. 308-2015; and

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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 by 10% effective January 1, 2017, and at a **minimum** of 10% every six (6) months thereafter until the Health Insurance Fund balance reaches at least \$ 4 million dollars; a sum level sufficient to cover an estimate of four to six months of claims; and

WHEREAS, the County of Lewis Board of Legislators seeks to approve and adopt the Treasurer's recommendations.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves the Plan Administrator's recommendations to increase the health insurance premium equivalents by 10% effective January 1, 2017, and with a minimum of additional 10% increases every six (6) months thereafter until the Health Insurance Fund balance reaches at least \$4 million dollars.

Section 2. The Board of Legislators approves the aforementioned increases until further amended or modified by the Board of Legislators.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 436 - 2016
RESOLUTION TO APPROPRIATE FUNDS
TRANSPORTATION DEPARTMENT**

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Highway Machinery Accounts for the purchase of a 2016 Ford half-Ton Extension Cab Truck and a 2016 Kubota Tractor/Sweeper utilizing Capital Equipment funds, balance \$239,059.28:

Increase Revenue:

DM50310	\$69,146.85

Increase Expense:

DM5130.2233	\$69,146.85

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 437 - 2016
RESOLUTION TO TRANSFER FUNDS
HUMAN RESOURCES**

Introduced by Chairman Bryan Moser, Chairman of the Human Resources Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfers take place from Contingency to Human Resources accounts to cover legal and prior year employee reconciliation costs:

<u>From:</u>	<u>Amount</u>
A1990.4999 Contingency	\$13,300.00
<u>To:</u>	
A1431.4902 Legal	\$ 9,000.00
A1431.4999 Human Resources	\$ 4,300.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 438 - 2016
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 company that works with the small to mid-sized businesses located in New York's North Country region to help them create and retain jobs, increase profits, and save time and money; 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 assistance in creating a compensation structure for exempt civil service employees; 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, by and through the Lewis County Human Resources Department,

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and CITEC Business Solutions for the purpose of assistance in creating a compensation structure for exempt civil service employees.

Section 2. That this is for the period commencing January 1, 2017 through December 31, 2017 at a cost not to exceed \$15,000.00.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Dolhof.

Legislator Moser explained CITEC is currently providing supervisory and management staff training and this comprehensive study would be an extension of those services. Their proposal was one of two presented at a considerably lesser price quote. They will evaluate current non-union and exempt employees, and develop a structure and baseline as a reference for future replacement employee salaries. Their analysis will consider required skills, as well as local per capita statistics.

The resolution was then adopted.

**RESOLUTION NO. 439 - 2016
RESOLUTION TO APPROPRIATE FUNDS
INFORMATION TECHNOLOGY**

Introduced by Legislator Craig Brennan, 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 to purchase a laptop for Economic Development, funds appropriated from HAE9901.9, balance \$128,169.66:

Increase Revenue:

A50310 (Inter-fund transfers)	\$579.32

Increase Expense:

A1680.2217 (Computers)	\$579.32

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 440 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY
AND LEWIS COUNTY OFFICE FOR THE AGING**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, Lewis County Office for the Aging (“OFA”) and Lewis County Public Health Agency (“Public Health”) desire to enter into a Memorandum of Agreement to provide NYS Center for Excellence in Aging and Community Wellness Quality and Technical Center (“QTAC”) Evidence Based Programs in Lewis County; and

WHEREAS, the Board of Legislators wishes to accept such agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency, to enter into a Memorandum of Agreement with Lewis County Office for the Aging for the provision of NYS Center for Excellence in Aging and Community Wellness Quality and Technical Center Evidence Based Programs in Lewis County.

Section 2. That this is to commence on November 1, 2016, at no cost to the County.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Fawcett, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 441 - 2016
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 transfer funds within the Public Health PreSchool Program for increased Transportation Services in the year:

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<u>From:</u>		
A4016.4900	Professional Services	\$ 70,000.00

<u>To:</u>		
A4016.4506	Contracted Transport	\$ 70,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 442 - 2016
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 transfer funds within Public Health Programs due to mid-year review of accounts:

<u>From:</u>		
A4016.4900	Professional Services	\$ 40,000.00
A4042.4367	Vaccines/Pharmaceutic	\$ 750.00
A4085.1999	Pers Svs-Family Health	\$ 4,150.00
A4086.1999	Pers Svs-Disease Control	\$ 15,218.00
A4086.4408	Nursing Supplies	\$ 100.00
A4086.4409	Data Processing	\$ 500.00
	TOTAL	\$ 60,718.00

<u>To:</u>		
A4016.4501	Educational Svc	\$ 40,000.00
A4042.1999	Personal Svs-Rabies	\$ 15,218.00
A4042.4507	Travel	\$ 250.00
A4042.4900	Outside Contracting	\$ 500.00
A4072.1999	Pers Svs-Injury & Prevention	\$ 4,150.00
A4086.4902	Sexually Trans. Disease	\$ 500.00
A4086.4904	TB-Outpatient	\$ 100.00
	TOTAL	\$ 60,718.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fawcett, and adopted.

RESOLUTION NO. 443 - 2016
RESOLUTION AUTHORIZING EXECUTION OF A CORRECTION DEED

Introduced by Legislator Craig Brennan, Chairman of Taxation Committee.

WHEREAS, a tax deed from Chas. T. Taylor, as County Treasurer, to the Town of Harrisburg, dated May 5, 1955, and recorded in the Lewis County Clerk's Office May 24, 1956 in Book 237 of Deeds at page 225, described 28 acres of land owned by Leslie Hart, located in Black River Tract, Township 10, Lot No. 40, Bd. N. by Highway, E. by State, S. by Marriott W. by Marriot; and

WHEREAS, the correct Lot Number for the above referenced Deed should be 44, not 40; and

WHEREAS, the correct description that should have been utilized in the prior Tax Deed is as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Harrisburg, County of Lewis, and State of New York, bounded and described as follows: Black River Tract, Township 10, Lot 44, Hart, Leslie. Bd. N. by Highway, E. by State, S. by Marriot, W. by Marriot, containing twenty-eight (28) acres of land more or less.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a Deed to be executed to correct the Lot Number pertaining to the subject premises conveyed by Chas. T. Taylor, as County Treasurer for the County of Lewis, to the Town of Harrisburg by Deed dated May 5, 1955 and recorded in the Lewis County Clerk's office on May 24, 1956, Book 237 of Deeds at page 225.

Section 2. That the Board of Legislators authorizes the Lewis County Treasurer 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 King, seconded by Legislator Brennan, and adopted.

RESOLUTION NO. 444 - 2016
**RESOLUTION AUTHORIZING RETAINER AGREEMENT WITH BOWITCH &
COFFEE LLC FOR LEGAL AND CONSULTING SERVICES
WITH RESPECT TO ENVIRONMENTAL CONDITIONS ON A CERTAIN
TAX DELINQUENT PROPERTY IN THE TOWN OF WEST TURIN**

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Introduced by Legislator Craig Brennan, Chairman of the Taxation Committee and Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, Gary S. Bowitch, Esq., partner of Bowitch & Coffey, LLC, has expertise in providing legal advice and guidance in remediating environmental conditions on tax delinquent properties, and enabling the municipality to assess the potential environmental condition of a delinquent parcel before taking title in the tax foreclosure proceeding; and

WHEREAS, the Taxation and Economic Development Committees find that a parcel in the Town of West Turin has outstanding taxes owing which the County seeks to add to its tax foreclosure proceeding, but without the County being exposed to liability for environmental conditions thereon. The building was previously inspected by the Lewis County Codes Department and found to have multiple code violations; and

WHEREAS, the Board of Legislators seeks to secure the legal services of Gary Bowitch to assist in the County obtaining access to the property to assess its environmental and remediation conditions without the County taking title to the property and being exposed to liability for the property's environmental conditions, if any; and

WHEREAS, the Board of Legislators seek to secure said legal services; and

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 a cost not to exceed \$5,000.00 and at an hourly rate of \$185.00 plus reasonable expenses, for the legal consultation and advice pertaining to a tax parcel in the Town of West Turin and steps to be taken in the tax foreclosure process to protect the County from environmental liability while gaining access to the property for environmental conditions and assessment.

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 are hereby authorized to execute and deliver such retainer agreement to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Fawcett, and adopted.

RESOLUTION NO. 445 - 2016
RESOLUTION AUTHORIZING LEWIS COUNTY
RECREATION, FORESTRY & PARKS DEPARTMENT
TO TRANSFER A 1970 SEA KING ROW BOAT AND TRAILER TO
LEWIS COUNTY SOIL AND WATER CONSERVATION DISTRICT

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

WHEREAS, the Lewis County Recreation, Forestry and Parks Department desires to transfer a 1970 Sea King row boat (VIN: 6511484 and Registration No.: NY9905GN) and a 2000 trailer (VIN: NYA507482 and Plate No.: K64019) to the Lewis County Soil and Water Conservation District in consideration of \$10.00, as these items are no longer of use to Lewis County Recreation, Forestry and Parks Department and will benefit Lewis County Soil and Water Conservation District in its responsibilities to monitor river gauges in the County; and

WHEREAS, the Board of Legislators wishes to approve said transfer.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the transfer of a 1970 Sea King row boat and a 2000 trailer from the Lewis County Recreation, Forestry and Parks Department to the Lewis County Soil and Water Conservation District in consideration of \$10.00.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute any and all transfer documents required, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator King, and adopted.

RESOLUTION NO. 446 - 2016
RESOLUTION AUTHORIZING AN ADDENDUM TO THE 2016 AGREEMENT WITH
THE LEWIS COUNTY CHAMBER OF COMMERCE FOR ATV PERMIT SERVICES
TO HAVE CHAMBER OF COMMERCE PROVIDE ADDITIONAL ADMINISTRATIVE
SERVICES FOR THE ATV PERMIT SYSTEM

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee and Recreation, Forestry and Parks Committee

WHEREAS, the County of Lewis ("County") entered into an Agreement on March 10, 2016 with the Lewis County Chamber of Commerce ("COC") to administer and market the Lewis County ATV permit system; and

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WHEREAS, pursuant to the Agreement, the Chamber of Commerce administers and markets the Lewis County ATV permits under the direction and guidance of the Director of Recreation, Forestry and Parks, with such services including printing of ATV permit applications, mailing of permits, purchase of ATV permit stickers, communications with website host for updates to the ATV website page, and other marketing services on behalf of the County pertaining to its ATV Trail permits; and

WHEREAS, the Chamber of Commerce has agreed to provide additional administrative services under the contract by directly contracting and working with a website designer who will re-design the ATV website page in 2016 and provide website hosting services, to provide for easier on-line payment of permit fees and generation of reports. The County agrees to reimburse the COC up to \$2,000.00 for the expenses of re-design and hosting of the ATV permit website page in 2016. In addition, the COC and County agree that the Chamber will deliver any ATV permit system mailings it generates to the Director of Recreation, Forestry and Parks so that the cost of same is paid by the Lewis County Department of Recreation, Forestry and Parks under the ATV trail system fund account; and

WHEREAS, the Board of Legislators adopted Resolution No. 311-2016 on August 2, 2016 authorizing an Agreement between the County of Lewis by and through the Director of Recreation Forestry and Parks, and Zehr.net to build, design and host the Departments ATV Permit System website. With this amendment to the Agreement with the Chamber of Commerce, Resolution No. 311-2016 should be rescinded; and

WHEREAS, the Board of Legislators wishes to approve the addendum to the 2016 Agreement;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an addendum to the 2016 Agreement between the County of Lewis and Lewis County Chamber of Commerce, to provide additional administrative services for the Lewis County ATV Permit System by directly contracting and working with a website designer who will re-design the ATV website page in 2016 and provide website hosting services to provide for easier on-line payment of permit fees and generation of reports, and with the County agreeing to reimburse the Chamber up to \$2,000.00 for the costs of the website hosting and re-design in 2016, and with the County agreeing to process any ATV permit mailings generated by the Chamber through the Lewis County Recreation, Forestry and Parks Department (payable through the Department's ATV permit fund account).

Section 2. That the Board of Legislators hereby rescinds Resolution No. 311-2016 and the same shall be deemed null and void and no longer in effect.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal and deliver said Addendum to the 2016 Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Fawcett, and adopted.

RESOLUTION NO. 447 - 2016
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>
Jail Nurse	Full-time (35 hrs/week)	\$23.70 - \$25.61/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 Moser, seconded by Legislator Chartrand.

Liz Swearingin reported unsuccessful recruitment efforts, primarily attributable to the offered wage. Human Resources Director James Swords' recommendation is to offer one step for every two years of experience up to the maximum Grade 31 Step 7 at \$25.61/hr. However, that is well below the Hospital union wage schedule for a Registered Nurse of \$27.85 - \$35.12/hr.

After a discussion, Legislator Dolhof made a motion to re-allocate the Jail Nurse position to Grade 34 with a salary range of \$25.97 - \$28.06/hr., which is the same as a Public Health Registered Nurse. The motion was seconded by Legislator King and carried.

The resolution was then adopted.

**RESOLUTION NO. 448 - 2016
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 to cover additional electric bills at the tower sites:

<u>From:</u>	Amount
A3020.2909 Equipment	\$6,600.00
<u>To:</u>	
A3020.4501 Education	\$ 600.00
A3020.4303 Electric	\$6,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 449 - 2016
RESOLUTION TO APPROPRIATE FUNDS
SOCIAL SERVICES**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Social Services account representing insurance recovery funds for vehicle damage.

<u>Increase Revenue:</u>	
A26800 (Ins Recovery)	\$494.47
<u>Increase Expense:</u>	
A6010.4701 (Vehicle Repair)	\$494.47

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Fawcett, and adopted.

RESOLUTION NO. 450 - 2016
RESOLUTION TO TRANSFER/APPROPRIATE FUNDS
SOCIAL SERVICES

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriations are hereby approved for the purchase of a laptop for the Social Services Department with Capital Data Processing funds HAE9901.9, balance \$128,169.66:

<u>Revenue</u>	<u>Amount</u>
A50310 (Inter-fund)	\$ 173.80
A36100 State DSS Admin	\$ 173.80
A46100 Fed DSS Admin	\$ 347.61
 <u>Expense:</u>	
A6010.2217(Computers)	\$ 695.21

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 451 - 2016
RESOLUTION AUTHORIZING COOPERATIVE AGREEMENT
BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND THE COUNTY LAW DEPARTMENT FOR CHILD SUPPORT ENFORCEMENT
PROCEEDINGS

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, under Section 454 of the Federal Social Security Act, Section 111 (h), 352, and 352 (a) of the Social Services Law of the State of New York, and the rules and regulations promulgated by the State Department of Social Services, the Lewis County Department of Social Services (the "Department") is responsible through its Child Support Enforcement Unit for the establishment of paternity, locating of absent parents, and the enforcement and collection of support from legally responsible relatives for persons applying for or receiving Aid to Dependent Children (hereinafter collectively referred to as "support enforcement proceedings"); and

WHEREAS, pursuant to County Law § 501, the County Attorney is responsible for prosecuting and defending all civil actions and proceedings brought by or against the County, and in that capacity, shall be responsible for representing the Department in such support enforcement proceedings; and

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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, 2017 through December 31, 2017 for an amount not to exceed \$55,377.00.

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 Fawcett, seconded by Legislator King, and adopted.

**RESOLUTION NO. 452 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND THE COUNTY LAW DEPARTMENT
FOR PURCHASE OF SERVICES (COLLECTIONS & RECOVERIES)**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the Department of Social Services ("DSS") is responsible for the collection of overpayments or recovery of assets in certain programs that provide financial support to Lewis County citizens; and

WHEREAS, the County Attorney has the expertise to provide collection services for the

County and to represent the Department in collection and recovery matters; and

WHEREAS, the parties hereto desire to enter into a written agreement setting forth their respective duties; and

WHEREAS, it is economically and organizationally feasible for the Department to contract with the County Attorney for the performance of these services.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves a Purchase Of Services Agreement by and between the Department of Social Services and the County Attorney whereby the County Attorney shall be responsible for the collection of overpayments or recovery of assets in certain programs that provide financial support to Lewis County citizens.

Section 2. That the Purchase Of Services Agreement shall further provide for reimbursement to the County Attorney's Office for the cost of providing such collection services. The parties understand that reimbursement is premised on Federal and State statutes, law, rules and regulations. The Department agrees to keep the County Attorney 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, 2017 through December 31, 2017 for an amount not to exceed \$41,444.00.

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 Fawcett, seconded by Legislator Dolhof, and adopted.

RESOLUTION NO. 453 - 2016
RESOLUTION AUTHORIZING COOPERATIVE AGREEMENT
BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND THE COUNTY LAW DEPARTMENT FOR
PURCHASE OF SERVICES

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, pursuant to § 397 of the Social Services Law, the Department is responsible to bring such cases as deemed necessary before the family court for adjudication with regard to children considered to be neglected or abused and to institute proceedings in a court of competent jurisdiction against a parent or adult for neglect or abuse of a child and is also responsible for voluntary placements, foster care review, extensions of placements, including

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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, 2017 through December 31, 2017 for an amount not to exceed \$190,295.00.

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 Fawcett, and adopted.

**RESOLUTION NO. 454 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES**

Introduced by Legislator Roscoe Fawcett, Jr., 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 to replace one Support Examiner who resigned 8/3/2016 and one Social Welfare Examiner who resigned on 9/6/2016:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Social Services Program Examiner (2)	Full-time	\$17.56/hr.

Section 2. That Commissioner of Social Services Jennifer Jones is hereby authorized to fill said positions effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 455 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
RUBENZAHL, KNUDSEN & ASSOCIATES
PSYCHOLOGICAL SERVICES, P.C.**

Introduced by Legislator Roscoe Fawcett, Jr., 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 who have been assessed at risk of foster care placement, or whose placements could be shortened through the provision of such services; and

WHEREAS, the Board of Legislators wishes to accept such services.

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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 Department of Social Services, and Rubenzahl, Knudsen & Associates Psychological Services, P.C. for the purpose of providing psychological services for rehabilitation and supportive services to families whose children have been named in an indicated child abuse and/or maltreatment report; those who have been assessed at risk of foster care placement; or whose placements could be shortened through the provision of such services.

Section 2. That the term of this Agreement shall be from January 1, 2017 through December 31, 2017 for an amount not to exceed \$70.00 per hour for therapy; \$110.00 per hour for psychological evaluations; \$65.00 per hour for clients receiving group treatment; and \$135.00 per hour for expert court testimony.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement, pending approval by the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 456 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
THE RESOLUTION CENTER OF JEFFERSON AND LEWIS COUNTIES, INC.**

Introduced by Legislator Roscoe Fawcett, Jr., 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, 2017 through December 31, 2017 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. The approximate local share is 15% for open cases. From January 1, 2016 through October 15, 2016, there was no local cost associated with this 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 Dolhof, seconded by Legislator Moser, and adopted.

RESOLUTION NO. 457 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND
VOLUNTEER TRANSPORTATION CENTER, INC.

Introduced by Legislator Roscoe Fawcett, Jr., 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, 2017 and ending December 31, 2017 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

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specific program. Mileage reimbursement is equal to federal IRS rates (.54 cents), dispatch and administration costs compensation is \$4.50 per unit (one-way trip) and any parking or toll fees.

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 Fawcett, and adopted.

**RESOLUTION NO. 458 - 2016
RESOLUTION TO APPROPRIATE FUNDS
STOP DWI**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation take place in the DWI accounts for additional NYS STOP-DWI 2015-2016 "Crackdown" grant funds:

Increase Revenue:

A33110 (DWI Grant)	\$455.08

Increase Expense:

A3315.4906 (DWI Grant)	\$455.08

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator King, and adopted.

**RESOLUTION NO. 459 - 2016
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 be approved in the Bus Operations accounts to appropriate additional "cleanup" monies.

Increase Revenue:

A35940 STOA Funds \$7,000.00

Increase Expense:

A5630.4904 Marketing \$7,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 460 - 2016
RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INVESTMENT ACT**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

NOA#PY16-2

Section 1. That the following funds be appropriated for the Program Year 2016, 7/1/16-6/30/18, Adult and Dislocated Worker, per the Notice of Obligational Authority (NOA), #16-2, dated August 15, 2016 through the New York State Department of Labor, as indicated below.

Adult

CD6292.1999 \$ 4,700.00

CD6292.8999 \$ 3,694.23

Total \$ 8,394.23

WIA Revenue

CD47910 \$ 8,394.23

Dislocated Worker

CD6291.1999 \$ 9,000.00

CD6291.8999 \$ 3,328.46

12,328.46

WIA Revenue

CD47910 \$ 12,328.46

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Fawcett, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 461 - 2016
RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Employment & Training Committee.

BE IT RESOLVED as follows:

NOA#PY16-01

Section 1. That the following funds be appropriated for Program Year 2016 for the period April 1, 2016 – June 30, 2018 for Youth per the Notice of Obligation Authority (NOA), #PY16-01, dated May 17, 2016 through the New York State Department of Labor, in the amount of \$56,084.22.

YOUTH

CD6290.1999	\$39,000.00
CD6290.4909	\$ 5,000.00
CD6290.8999	<u>\$12,084.22</u>
	\$56,084.22

WIA REVENUE

CD47910	\$56,084.22

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 462 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN FRONTIER COMMUNICATIONS
AND THE COUNTY OF LEWIS FOR
911 PHONE SYSTEM MAINTENANCE SERVICES**

Introduced by Legislator Jerry King, Chairman of the Emergency Services Committee.

WHEREAS, under the upgrade to the 911 system, the 911 phone system in different call centers was brought on line at different times, with maintenance contracts expiring at different times, causing unnecessary confusion and cost; and

WHEREAS, the Lewis County 911 Operations Coordinator, with the assistance of the Information Technology Director sent out requests for quotes for 911 phone maintenance service

contract for an 18 month period so that all maintenance would expire at the same time. Four (4) local companies responded with quotes; and

WHEREAS, Lewis County currently has a contract with Frontier Communications (“Frontier”) for the installation and maintenance of internet connection and phone system which replaced the County’s Voice Over Internet Protocol (VOIP) phone system Primary Rate Interface (PRI) and can provide these additional maintenance services; and

WHEREAS, Frontier provided the lowest quote and the specific 911 phone maintenance service specifications and solutions the County seeks in its upgraded 911 system, at a cost not to exceed \$61,030.98, through May 31, 2018; and

WHEREAS, the cost of this 911 phone maintenance service contract will be payable through the Public Safety Answering Point (“PSAP”) Grant funds; \$42,000.00 payable from 2016 Grant funds in November, 2016, and \$19,030.98 payable from 2017 Grant funds in January, 2017; and

WHEREAS, the Board of Legislators wishes to accept such a service agreement with Frontier Communications.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators agrees to enter into a contract with Frontier Communications for maintenance services specifically for the 911 phone system through May 21, 2018, at a cost not to exceed \$61,030.98.

Section 2. That this Agreement will provide phone maintenance services through May 31, 2018, and be payable from the PSAP Grant funds. A payment of \$42,000.00 shall be made from the 2016 PSAP Grant funds upon execution of this Agreement and receipt of an invoice from Frontier in November, 2016, and a payment of \$19,030.98 will be paid from the 2017 PSAP Grant funds upon receipt of a final invoice from Frontier after January 3, 2017.

Section 3. That the Chairman, or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator King, and adopted.

RESOLUTION NO. 463 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
LEWIS COUNTY GENERAL HOSPITAL

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Introduced by Legislator Richard Chartrand, Chairman of the Hospital Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Lewis County General Hospital, to create the following positions:

<u>TITLE</u>	<u>STATUS</u>
Clinic LPN	Full-time
Physician Office Assistant	Full-time
Nurse Case Manager (3)	Full-time

Section 2. That one position of Part-Time Admissions/Outpatient Coordinator position shall be converted to Full-Time.

Section 3. That the Board hereby **abolishes** one Full-time Registration Supervisor position.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Moroughan.

Legislator Chartrand explained the positions would improve patient care, discharge planning and conduct post-discharge calls to reduce re-admissions. There will be increased staff training for level of care determinations, disease management and behavioral care. Patients will be tracked to promote and document healthier choices and lifestyles. The goal is to reduce emergency room utilization and more importantly re-admissions. Implemented patient reviews and follow-up processes are screening tools. Pursuant to Delivery System Reform Incentive Program (DSRIP) regulatory requirements, Hospital reimbursements will be negatively impacted for patient re-admissions within a certain time period.

In response to Legislator Brennan, Hospital CEO Michele Prince stated the Hospital would not be penalized for re-admissions if the prior admission was at another facility. All the developed plans, reviews and tracking are meant to keep people healthy.

The resolution was then adopted.

OTHER BUSINESS:

Clerk of the Board Teresa Clark read proclamations executed by Chairman Tabolt declaring the month of October as “Domestic Violence Awareness Month”; and the month of November as “Epilepsy Awareness Month”.

On behalf of Village of Lowville Councilman Dan Salmon, Legislator Chartrand relayed thanks to the Board for waiving the tipping fees for the water treatment facility sludge; and that

the water upgrade project was in progress.

In response to Legislator Hathway, Frank Pace explained the purpose of the 11/3/16 meeting is for the consultant to report about land use activities, some of which may be related to Fort Drum. Various County Department Heads and agency representatives have been invited to participate, but no Fort Drum officials are expected to attend.

At 6:48 p.m. Legislator Moser made a motion to enter executive session for County Attorney Joan McNichol to discuss terms of a professional services agreement and a specific personnel issue. The motion was seconded by Legislator Dolhof and carried. There was a 5-minute recess. Following the session, Legislator Moser made a motion to re-enter regular session at 7:45 p.m., seconded by Legislator Dolhof and carried.

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Chartrand, seconded by Legislator Kulzer and carried.

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**SECOND DAY
ANNUAL SESSION
November 15, 2016**

The meeting was called to order at 5:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislator Dolhof whom had been excused.

Chairman Tabolt offered the Invocation, and led the Pledge of Allegiance to the Flag.

The Chairman announced approval of the November 1, 2016 meeting minutes.

There were 18 persons present.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

The Rules and Legislation Committee had met and recommended to waive the rules to allow action on late resolutions.

Dated: November 15, 2016

Bryan Moser
Craig Brennan

Legislator Moser made a motion to waive the rules, seconded by Legislator King and carried.

Chairman Tabolt asked Clerk of the Board Teresa Clark to read the proclamation, which he then presented to Joshua Genter, commending him for receiving the NYS EMS Council- 2016 Basic Life Support Provider of the Year Award for exemplary service.

Chairman Tabolt then opened the public hearing for comments on the 2017 Tentative Lewis County Budget.

PRIVILEGE OF THE FLOOR:

Speaking on behalf of all local libraries, Mary Hunyadi thanked the Board for their past and current support. Libraries struggle to keep up with new technology that is necessary to assist community residents. Libraries have experienced a six percent increase in visits and have conducted 82 more children sessions during the past year. They have increased their inventories by 8,000 items and are proud of their efficiencies. Six of the twelve libraries will be markedly improved in 2017 including Internet service. Schools continue to integrate with libraries and are integral to operations.

Ms. Hunyadi made a plea for an appropriation to augment their fund raising receipts, estimating \$20/person or \$40,000 as the determined amount to keep pace with new technology and properly serve the communities.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Mr. Glen Gagnier has submitted a letter of resignation from the Lewis County Planning Board effective October 27, 2016.

The Clerk read a letter from Village of Lowville Mayor Donna Smith thanking the Board for waiving the tipping fees for the wastewater treatment plant sludge removal project.

The Board acknowledges receipt of a resolution adopted by the Sullivan County Legislature encouraging the State-wide electorate to vote in favor of a Constitutional Convention referendum that will appear on the November 2017 ballot. The goal is to achieve widespread reform of New York State government and to permanently end unfunded State mandates on Counties and other local governments. It is further urged that each revision or amendment emerging from the Convention shall be, so far as practical, set forth as a distinct resolution to enable a vote on each proposal on its own merits, and not as part of a package.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the 11/10 /16 Solid Waste and 11/10/16 Highway Audit Reports; and a copy of the following Apportionment of Mortgage Tax Report:

APPORTIONMENT OF MORTGAGE TAX
April 1, 2016 through September 30, 2016

	<u>KEY</u>	<u>VALUATION</u>	<u>AMOUNT</u>
Town of Croghan		371,326,082	\$19,174.17
Village of Croghan	.025409882	18,870,704	499.92
			<u>\$19,674.09</u>
Town of Denmark		182,246,471	\$18,242.40
Village of Castorland	.043434073	15,831,413	937.37
Village of Copenhagen	.111287269	40,563,424	<u>2,401.75</u>
			<u>\$21,581.52</u>
Town of Diana		180,304,532	\$ 6,282.69
Village of Harrisville	.062849441	22,664,078	<u>421.35</u>
			<u>\$ 6,704.04</u>
Town of Greig		223,849,003	\$ 8,058.89
Town of Harrisburg		265,551,164	\$ 7,914.36
Town of Lewis		73,507,390	\$ 5,718.58
Town of Leyden		103,495,059	\$ 7,564.74
Village of Port Leyden	.078276732	16,202,510	<u>642.43</u>

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			\$ 8,207.17
Town of Lowville		453,980,665	\$19,710.10
Village of Lowville	.282500218	256,499,274	<u>7,760.43</u>
			\$27,470.53
Town of Lyonsdale		102,580,755	\$ 3,977.35
Village of Lyons Falls	.038066794	7,809,841	161.91
Village of Port Leyden	.026819641	5,502,358	<u>114.07</u>
			\$ 4,253.33
Town of Martinsburg		400,250,942	\$ 3,820.68
Town of Montague		38,612,437	\$ 1,332.58
Town of New Bremen		176,748,851	\$12,563.21
Village of Croghan	.035948559	12,707,733	<u>468.47</u>
			\$13,031.68
Town of Osceola		51,380,831	\$1,341.36
Town of Pinckney		40,018,561	\$2,953.94
Town of Turin		76,649,931	\$8,230.31
Village of Turin	.079061735	12,120,153	<u>706.56</u>
			\$ 8,936.87
Town of Watson		208,198,527	\$14,089.65
Town of West Turin		140,205,752	\$ 6,277.19
Village of Constableville	.049223758	13,802,908	365.72
Village of Lyons Falls	.105894108	29,693,926	<u>786.76</u>
			\$ 7,429.67
GRAND TOTAL			<u>\$162,518.94</u>
To County of Lewis			<u>\$81,763.09</u>

Gregory Kulzer, Chairman
Craig Brennan
Lawrence Dolhof
Taxation Committee

WARRANT

TO: The Treasurer of the County of Lewis

You are hereby notified by the Board of Legislators of Lewis County that the sum of \$162,518.94 from the tax on mortgages from April 1, 2016 through September 30, 2016 has been apportioned to the Tax Districts entitled to same and, you are hereby directed to pay the respective Supervisors the amount due to the Towns, to their Village Treasurers the amount due the Villages, and to the County of Lewis the amount stated, according to the foregoing schedule, pursuant to the provisions of Section 261 of the Tax Law.

Given under the hands of the Chairman and the Clerk of the Board of Legislators of Lewis County, and the seal of the Board of Legislators being hereto affixed on the 15th day of November 2016.

Michael A. Tabolt, Chairman
Teresa K. Clark, Clerk of the Board

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, commended County Attorney Joan McNichol for representing the Board in the grievance to the Hudson River/Black River Regulating District (HRBRRD) for their overzealous assessment. He recognized her knowledgeable and distinctly delivered testimony stood out among the other regional county representatives. Legislator Hathway further acknowledged and thanked Legislators Moser and King for actively participating in the process and urging the grievance.

Legislator Hathway cited National Grid's initial estimate of \$729,000 to connect the solar array with a County share of \$633,000. He acknowledged and thanked Chairman Tabolt and Legislators King and Chartrand for reaching out to Public Service Commission officials, whom have facilitated cost reduction down to \$213,317 equating an ultimate County share of \$196,317. The project is on schedule for construction in the spring of 2017.

Legislator Hathway made a motion to authorize payment to National Grid of \$213,317, \$18,000 of which will be reimbursed to the County by Greenskies, to implement the solar connectivity process. The motion was seconded by Legislator Chartrand. In response to Legislator Moser, Legislator Hathway reported the cost is well below the original projection of \$500,000. The motion was then carried.

The Board had previously approved an agreement with Larsen Engineers to conduct an energy survey of County buildings. SmartWatt had subsequently reached out and renewed their offer for an energy survey at no cost. Recognizing the parallel study may identify things not otherwise discovered, while also providing a more thorough analysis and may enable additional grant options, Legislator Hathway made a motion to authorize SmartWatt to conduct a simultaneous energy study of County buildings, seconded by Legislator Brennan and carried.

COUNTY MANAGER REPORT:

Liz Swearingin reiterated the last date for processing invoices in the current financial system will be 11/17/16, after which the core team will forward files to Tyler representatives to be converted into the new database and sent back to the County on 11/28/16. Every general ledger account will be checked by the core team for balance accuracy before the system goes live later that week.

SPECIAL REPORT:

Pursuant to State regulations, Chairman Tabolt solicited interested County residents, irregardless whether they are supportive or in opposition to the proposed Number Three Wind, LLC project to be constructed in the Towns of Lowville and Harrisburg. Ms. Swearingin clarified that each of the towns and the county may nominate four persons. Atty. McNichol stated that if mutually agreed by all parties, the Chairman may nominate two persons, which would otherwise be selected by the State Secretary of Energy. The nominees cannot be elected officials. Planning Director Frank Pace reminded the 15-day deadline for nominee submissions started on November 9, 2016.

RESOLUTIONS:

**RESOLUTION NO. 464 - 2016
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY NO. 5 - 2016), 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 15, 2016 a proposed Local Law entitled "LOCAL LAW RESCINDING LOCAL LAW NO. 5-2016 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2017 BUDGET."

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on December 6, 2016, 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 Moser, and adopted.

**LOCAL LAW (INTRODUCTORY NO. 5 - 2016)
COUNTY OF LEWIS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

**A LOCAL LAW RESCINDING LOCAL LAW NO. 5 - 2016 TO OVERRIDE THE TAX
LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2%
TAX CAP) FOR THE LEWIS COUNTY 2017 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. 5-2016 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2017 BUDGET.**”

SECTION 2. LEGISLATIVE FINDINGS

The Board of Legislators for the County of Lewis hereby finds and determines that the anticipated budgetary needs for fiscal 2017 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 2017 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. 5-2016.

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

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**RESOLUTION NO. 465 - 2016
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY NO. 6 - 2016) 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 15, 2016 a proposed Local Law entitled "A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS."

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on December 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 the 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 Fawcett, seconded by Legislator King, and adopted.

**LOCAL LAW (INTRODUCTORY NO. 6 - 2016)
COUNTY OF LEWIS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

**A LOCAL LAW PROVIDING FOR INCREASES
TO 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, 2017, the Compensation Plan of the County of Lewis shall be amended to provide the following salaries to the following elected or appointed County employees with a fixed term of office, to-wit:

DSS Commissioner	\$75,000.00
Superintendent of Highways	\$72,420.00
Director of Real Property Tax Service	\$52,085.00
Sheriff	\$73,575.00

County Clerk	\$58,640.00
County Treasurer	\$74,800.00
County Attorney	\$104,040.00

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. 466 - 2016
RESOLUTION IN SUPPORT OF THE ADIRONDACKS MEMORANDUM OF
UNDERSTANDING AMONG PUBLIC AND PRIVATE ORGANIZATIONS
REGARDING RECREATIONAL ACCESS TO ADIRONDACK STATE LANDS

Introduced by Legislator Michael A. Tabolt, Chairman of the Lewis County Board of Legislators.

WHEREAS, the Towns of Newcomb, North Hudson, Minerva, Indian Lake and Long Lake have put together a Memorandum of Understanding (MOU) regarding recreational access to Adirondack State Lands; and

WHEREAS, the MOU is a statement so that the parties work together to increase access and recreational opportunities on Adirondack state lands by public and private entities which will improve the economies of the municipalities and Counties within the region; and

WHEREAS, the Inter-County Legislative Committee of the Adirondacks hereby supports the Access Adirondacks Memorandum of Understanding between the Towns of Newcomb, North Hudson, Minerva, Indian Lake and Long Lake to increase the access and recreational opportunities on Adirondack state lands which will improve the economic health of these municipalities, Hamilton and Essex County.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Clerk shall forward a certified copy of this resolution to Governor Andrew M. Cuomo, Senator Joseph Griffo, Senator Elizabeth O'C Little, Senator Hugh Farley, Assemblyman Kenneth Blankenbush, Assemblyman Marc Butler, Assemblyman Dan Stec; Adirondack Park Agency Chairman Sherman Craig; NYDEC Division of Lands and Forests Director Robert Davies; Forest Preserve Coordinator/Special Assistant Karyn Richards; Regional Director Robert Stegemann; Adirondack Local Government Review Board Executive Director Frederick Monroe; Adirondack Association of Towns and Villages President Brian Towers; and New York State Association of Counties.

Moved by Legislator Kulzer, seconded by Legislator Hathway.

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Chairman Tabolt expressed concern that the 20,000 acre tract of land may not be accessible to the general public. We are lobbying to have the property open to everyone for recreational uses on existing roads and trails. The land is wholly within the Adirondack Park and was purchased from Finch Paper who had managed the land for timber and recreational use.

The resolution was then unanimously adopted.

**RESOLUTION NO. 467 - 2016
RESOLUTION AMENDING THE 2017 TENTATIVE COUNTY BUDGET
TO AMEND THE COMPENSATION PLAN
WITH REFERENCE TO CIVIL SERVICE OFFICE**

Introduced by Legislator Gregory Kulzer, Member of the Board of Legislators.

WHEREAS, the Board wishes to amend the salary of the Civil Service Administrator, due to an inadvertent error of the figure in the Tentative Budget.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the 2017 Tentative County Budget to amend the Compensation Plan (Schedule 5) of the County of Lewis with reference to the Civil Service Office to set the 2017 base salary of the Civil Service Administrator at \$47,274.00 equating a total salary of \$49,224.00 including the longevity allocation.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 468 - 2016
RESOLUTION TO AMEND 2017 TENTATIVE COUNTY BUDGET
VARIOUS ACCOUNTS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following changes are hereby approved to the 2017 Tentative Lewis County Budget to attain a levy that is within the 2% Tax Cap as imposed by General Municipal Law Section 3-C:

Increase Expense:

A3150.1101	Jail Personal Serv	\$21,469
A1420.4902	Law Legal	<u>14,000</u>
		\$35,469

Increase Revenue:

A12600	Civil Service Fees	\$500

Decrease Expense:

A9060.8999	Health	\$90,000
A3150.4509	Inmate Medical	8,000
A6102.4999	MMIS	5,000
A4016.4900	Pre K Outside Therapy	5,000
A3140.4901	Probation Prof Serv	1,000
A6420.4908	Eco Dev Marketing	3,000
A1620.4604	Bldg & Gr Rep & Maint	500
A1620.4606	Bldg & Gr Rep & Maint	5,000
A3410.4401	EMS Postage	350
A3410.4403	EMS Printing	300
A3410.4409	EMS Data Processing	1,000
A1010.4401	Legislative Postage	1,000
A1431.1999	Civil Service Personal Serv	926
A1355.4507	Assess Travel	500
A6772.4401	OFA Postage	500
A6772.4801	OFA Rent	500
A8020.4914	Planning Comm Dev	1,000
A1355.8999	Assess Fringe	1,247
A1620.8999	Bldgs Fringe	1,449
A1622.8999	Bldgs Fringe	416
A1621.8999	Bldgs Fringe	717
A1430.8999	Civil Service Fringe	617
A1040.8999	Clerk of Bd Fringe	679
A4335.8999	LGU Fringe	242
A1410.8999	Co Clerk Fringe	2,069
A1020.8999	Co Manager Fringe	757
A1165.8999	DA Fringe	1,951
A6413.8999	Eco Dev Fringe	493
A1450.8999	Election Fringe	882
A3410.8999	Fire & EMS Fringe	389
A3620.8999	Bldg Codes Fringe	1,030
A4541.8999	EMS Fringe	279
A1680.8999	IT Fringe	1,246
A3150.8999	Jail Fringe	1,662
A1420.8999	Law Fringe	1,335
A6772.8999	OFA Fringe	2,675
A8020.8999	Planning Fringe	853
A3140.8999	Probation Fringe	1,703
A4099.8999	PH Fringe	3,153
A3110.8999	Sheriff Fringe	5,974

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A3115.8999	Dispatch Fringe	2,206
A6010.8999	DSS Fringe	16,591
A1325.8999	Treasurer Fringe	1,537
A6510.8999	Veteran Fringe	326
A7310.8999	Youth Fringe	403
A9060.8901	Health Retiree Fringe	<u>44,000</u>
		\$220,457

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 469 - 2016
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 re-appoints Timothy O’Connor of 5336 Waters Terrace, Lowville, New York 13367, as a Republican representative on the Lewis County Ethics Board.

Section 2. That the term of said appointment shall be effective from January 1, 2017 through December 31, 2019.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 470 - 2016
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 Michael E. Dolhof of 7371 Brantingham Road, Greig, New York 13345, as a member of the Region 6 Fish and Wildlife Management Board, as the Lewis County Landowner’s Representative.

Section 2. That the term of said appointment shall be for the two-year period from January 1, 2017 through December 31, 2018.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 471 - 2016
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 Michael F. Young, Esq. of 7659 North State Street, Lowville, New York 13367 as a member of the Board of Managers of the Lewis County General Hospital.

Section 2. That the term of said appointment shall commence January 1, 2017 and expire on December 31, 2021.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 472 - 2016
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY GENERAL HOSPITAL
BOARD OF MANAGERS**

Introduced by Legislator Richard Chartrand, Chairman of the Hospital Committee.

WHEREAS, Rae Rice has submitted her resignation as a member of the Lewis County General Hospital Board of Managers.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby appoints Philip E. McDowell of 7743 North State Street, Lowville, New York 13367 to fill the un-expired term of Rae Rice as a member of the Board of Managers of the Lewis County General Hospital.

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Section 2. That the term of said appointment shall commence November 16, 2016 and expire on December 31, 2017.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Chartrand, and adopted.

**RESOLUTION NO. 473 - 2016
RESOLUTION AUTHORIZING TRANSFER OF FUNDS
TO THE LEWIS COUNTY INDUSTRIAL DEVELOPMENT AGENCY (“IDA”) FOR
ECONOMIC DEVELOPMENT PROJECTS AND FOR AN EXTENSION/
MODIFICATION AGREEMENT TO THE MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY AND IDA**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, the County of Lewis (“County”) provided \$700,000.00 in funding to the Industrial Development Agency (“IDA”) by Resolution No. 58-2016 to support economic development projects within Lewis County upon execution of a Memorandum of Understanding (MOU) between the County and IDA, the terms of which include, but are not limited to the IDA keeping the Board of Legislators apprised of specific projects and potential projects on a regular and timely basis; and

WHEREAS, as a result of its responsible fiscal management and budgeting, the County exceeded its revenue projections in 2016 and seeks to continue its support of economic development by providing \$400,000.00 in funding to the IDA to further projects which benefit the communities of Lewis County; and

WHEREAS, the County of Lewis will provide this funding upon the execution of an extension and modification agreement to the Memorandum of Understanding between the County and IDA, to include this additional funding for projects which benefit the communities of Lewis County, together with such other terms and provisions as the County Attorney may advise.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the payment of \$400,000.00 to the IDA, upon the execution of an Extension/Modification Agreement to the Memorandum of Understanding between the IDA and County.

Section 2. That the Board of Legislators further authorizes an Extension/Modification Agreement to the MOU between the County of Lewis and IDA, wherein the IDA agrees to advise the Board of Legislators of specific projects and potential projects earmarked for these additional funds, and to so advise the Board of Legislators on a regular and timely basis, and for incorporation of such other terms and 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 Extension/Modification Agreement to the MOU, pending approval by the County Attorney.

Section 4. That the Treasurer is directed to make the aforesaid payment from the Lewis County fund balance.

Section 5. That the within resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Fawcett.

Legislator Kulzer inquired why more monies were being requested in addition to the previous \$700,000 appropriation that has not been expended. Economic Development Director/Industrial Development Agency (IDA) Executive Director Eric Virkler reminded the Board of his September presentation where he proposed a \$550,000 budget request for business park development, estimating a \$200,000 deficit. The remaining monies would be available for future projects, ie. incubator building and potentially more for the Lyons Falls mill project for which \$100,000 had recently been allocated. There has been \$20,000 expended to-date for the business park.

Legislator King took exception and expressed concern there was no memorandum of understanding (MOU) for the \$100,000 allocated to the Lyons Falls mill project by the IDA, asserting prior agreement that any County appropriations be refunded upon sale of the property.

Accordingly, Legislator King made a motion to amend the resolution to declare it a loan and demand reimbursement of County funds invested in the clean-up project upon sale of the Lyons Falls mill property, or that the Board of Legislators would have the right to refuse the reimbursement. The motion was seconded by Legislator Chartrand.

Liz Swearingin stated the intent for economic development appropriations are to attract businesses and jobs and there is no mechanism for repayments.

Legislator Moser supposed that someone would benefit from the sale of the property, concurring that respective County appropriations should be reimbursed. He further relayed speaking with Legislator Dolhof who agrees there should be an MOU for the expenditure, dependent upon legalities.

County Attorney Joan McNichol referenced the MOU with the IDA for the \$700,000 appropriation, whereby Legislators agreed to allow the IDA Board to approve projects and allocations, with an obligation to periodically report to the Board of Legislators. Legislator King took exception, relating his understanding the monies were earmarked solely for business park development. Legislator Kulzer reiterated his opposition to surrendering decisions to the IDA, and took issue that the September initial report was the sole report, purporting that nothing had been done.

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Ms. Swearingin referred to IDA Board member Tina Purcell's explanation and commendation to this Board for their economic development investment through the IDA, which is common throughout the State. She queried the fundamental question of whether this Board supports economic development? If so, this is a mechanism to support it; further citing this board had approved all IDA Board appointments. Having attended several meetings, she proclaimed her confidence in their decision making abilities.

Legislator Moser said that IDA's most generally invest in property or buildings and receive returns on their investment. Contrarily, the Lyons Falls mill site is being cleaned up for sale to an ultimate benefactor, with no expectation for reimbursement to the County.

Mr. Virkler estimates that through the end of 2016 the Lewis County Development Corporation (LCDC), as the property owner, has expended \$3 million from various sources to clean up the property, which will require \$1.5 million to complete the project. The \$300,000 local government contributions have been largely County funds, which leveraged \$2.7 million from other sources. There is no guarantee, he said, of how much money could be recouped upon sale of the property, while suggesting a property lease could create an ongoing revenue source.

Legislator Hathway affirmed his support for an MOU to require reimbursement to be used for future projects. Legislator King reiterated his support for the property clean-up project, while supportive of reimbursement of County funds to be reinvested.

Legislator Brennan cautioned the goal is to develop the property to attract an ultimate business that would have access to cheaper power and add to the County economy through jobs.

Atty. McNichol clarified that an MOU with the IDA was moot, because they do not own the property.

On behalf of Economic Development Committee Chairman Dolhof, Legislator Brennan stated that Mr. Virkler reports each month on projects administered by the IDA. He declared the Board has been very open about IDA projects and use of funds, including the \$100,000 to be used as leverage to obtain greater investments for project completion, as reported by Mr. Virkler at the September Board meeting.

Chairman Tabolt called for a voice vote on the motion to amend the resolution. The motion was carried, with Legislators Tabolt, Brennan and Fawcett opposed.

Legislator Hathway declared his support for the clean-up, citing a previous similar situation with the old school in the Town of Diana that could have been greatly enhanced if County assistance had been available at that time. He termed Legislator King's initiative as "good fiscal sense".

At the request of Legislator Chartrand, Atty. McNichol paraphrased the general terms of the MOU with the IDA, that the funds are allocated to the IDA, whereby they agree to apprise

the Legislators of specific projects and potential projects earmarked for the additional funds and to advise them on a regular and timely basis.

Legislator Kulzer would like to invoke required monthly updates to the full Board from Mr. Virkler; and reiterated his opposition to additional appropriations to the IDA.

The resolution was then adopted by a voice vote. Legislator Kulzer was opposed.

RESOLUTION NO. 474 - 2016
RESOLUTION AUTHORIZING ONE-TIME DISTRIBUTION
TO TOWNS AND VILLAGES

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, the County implemented various cost saving measures in 2016 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	\$18,375.59
Town of Denmark	6,689.51
Town of Diana	8,191.45
Town of Greig	12,479.48
Town of Harrisburg	2,068.61
Town of Lewis	3,696.95
Town of Leyden	4,956.11
Town of Lowville	6,130.61
Town of Lyonsdale	4,208.14
Town of Martinsburg	5,022.49
Town of Montague	2,061.89
Town of New Bremen	8,726.00
Town of Osceola	2,449.31
Town of Pinckney	1,860.25
Town of Turin	3,193.52
Town of Watson	11,314.68
Town of West Turin	5,063.46
Village of Castorland	656.03
Village of Constableville	686.35

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Village of Copenhagen	1,594.54
Village of Croghan	1,552.41
Village of Harrisville	1,040.55
Village of Lowville	9,811.05
Village of Lyons Falls	1,688.19
Village of Port Leyden	912.77
Village of Turin	<u>570.06</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.

Moved by Legislator Brennan, seconded by Legislator Hathway.

Legislator King said he was not against the municipalities, while distinguishing they are also taxing jurisdictions. He voiced favor, instead, to appropriate the surplus to the fund balance and issue refunds directly to taxpayers.

Legislator King made a motion to reduce the 2017 tax levy by \$125,000 with an offsetting Fund Balance appropriation and process refunds directly to taxpayers. He cited the recurring surplus of sales tax revenues. There was no second to the motion.

Legislator Hathway opposed the action, because it would impose a need to find a like amount for subsequent annual budgets.

Liz Swearingin referenced the Board's agreement of two years ago to establish a plan to reduce fund balance use to below \$500,000 by 2021. In the past, the amount has been as high as \$2 million to balance the budget. Through a phased in reduction, the 2017 level is \$820,000 with plans to reduce the amount annually by \$100,000.

Referencing the unknown of future revenue collections, Ms. Swearingin does not recommend increasing fund balance use to balance the budget.

In essence, Legislator King submits the taxpayers were overtaxed in 2016; while stating that decisions should be made separately each year based on revenue levels. "To levy taxes and then transfer surplus revenues to other taxing jurisdictions is totally wrong", he declared.

Legislator Moser inquired why the \$125,000 could not be applied to lower the 2017 fund balance appropriation of \$820,000, citing the nearly one million revenue surplus. Legislator Hathway projects an end of year sales tax surplus of \$803,755, which aggregate amount continues to lessen, and rejects using those funds to reduce the fund balance appropriation. Legislator Moser insisted he would rather give the instant taxpayer benefit, and address next year, if or when necessary.

Ms. Swearingin strongly recommends the highly variable sales tax revenue not be used for affixed County obligations. She recognized the above budgeted level sales tax receipts of the past two years, differentiating the one-time surplus allocations, while strongly cautioning against dependency as a revenue source that would be fiscally irresponsible.

Logistically, Legislator Hathway indicated the challenge and expense to issue checks for 24,328 separate land parcels in the County, while not against doing so.

In response to Legislator Chartrand, Ms. Swearingin said there was no proposal to allocate the balance of the \$800,000 surplus revenues beyond the \$400,000 to the IDA and \$125,000 to the municipalities.

Legislator Hathway referenced 2016 IGT receipts that were substantially above budget appropriations, could occur again next year. There was also consideration for the solar project allocations, which has been decreased from initial projections. He cautioned the surplus would be completely exhausted if the lower of two IGT projections of \$658,000 is considered, coupled with the IDA and municipal allocations.

In essence, Legislator Brennan opined the monies are being returned to the taxpayer through the local governments to enhance their communities.

The resolution was then adopted by a voice vote. Legislators King, Moser and Kulzer were opposed.

Legislator Hathway thereafter suggested researching for future years, the possibility of issuing tax refunds to property owners and including them in their tax bills.

RESOLUTION NO. 475 - 2016
RESOLUTION TO APPROPRIATE AND TRANSFER FUNDS
IDA AND MUNICIPALITIES

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED, as follows:

Section 1. That the following 2016 budget changes are hereby approved in the various accounts due to an increase in sales tax revenue, funds from Fund Balance:

Transfer from:

A599 (Fund balance)	\$525,000.00

Transfer to:

A6412.4999 (LCIDA)	\$400,000.00
A8692.4999 (To Other Municipalities)	\$125,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Brennan, and adopted.

Legislator's King, Moroughan, and Kulzer were opposed.

RESOLUTION NO. 476 - 2016
RESOLUTION AUTHORIZING RETAINER AGREEMENT WITH ROEMER
WALLENS GOLD & MINEAUX, LLP FOR LABOR RELATIONS LEGAL
CONSULTING SERVICES AND LABOR NEGOTIATION REPRESENTATION AND
CONSULTATION SERVICES

Introduced by Legislator Michael A. Tabolt, Chairman Board of Legislators.

WHEREAS, the Board of Legislators, through the Human Resources Director and County Attorney has heretofore retained the Law Firm of Frank W. Miller for the provision of labor contract negotiations and consulting services with regard to the collective bargaining agreement between the County of Lewis and United Public Service Employees Union ("UPSEU"), the local bargaining unit for the Lewis County Sheriff's Department Road Patrol Unit. The negotiations are at a Declaration of Impasse stage; and

WHEREAS, the Board of Legislators has received a proposal from Roemer Wallens Gold & Mineaux, LLP (hereinafter "Roemer") for the provision of comprehensive labor contract negotiations and consulting services on behalf of the County with regard to all three (3) collective bargaining units (Sheriff's Road Patrol Unit, Sheriff's Employees and General County Employees (not Lewis County General Hospital Employees) at a flat monthly fee rate of \$3,000.00; and

WHEREAS, the Roemer proposal and flat rate fee also provides for legal consultation, advice and representation in connection with initial steps of contract grievance procedures, pre-hearing matters before PERB, preparation of pleadings, attendance at all pre-hearing conferences and other matters specifically set forth in the proposed agreement. In addition, the aforesaid fee includes consultation and advice to the County on all rights and liabilities in connection with various State and Federal Labor Laws and Regulations, two (2) management and supervisory training sessions in connection with employee corrective action, contract administration and policies, plus delivery of periodic reports on public sector labor law changes and decisions and attendance at relevant labor/management meetings and meetings of the Legislative body as requested; and

WHEREAS, the Board of Legislators wishes to accept the proposal of Roemer Wallens Gold & Mineaux, LLP.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes a retainer agreement with Roemer Wallens Gold & Mineaux, LLP for the provision of labor contract negotiation and consulting services for the negotiation of the collective bargaining agreement between the County of Lewis and CSEA Local 1000, AFSCME, AFL-CIO, Lewis County Local 825 of the Civil Service Employees – Unit 7250-03 (Sheriff’s Employee Unit), Unit 7250-01 (General County Employee Unit), and for the same services with regard to the stage of contract negotiations between the County and UPSEU – Sheriff’s Road Patrol Unit; said negotiations to continue through binding arbitration or interest arbitration (Road Patrol Unit) for a flat monthly rate of \$3,000.00. The flat monthly rate shall also include legal advice and consultation on County rights and liabilities in connection with various labor laws and regulations, advice and representation in initial contract grievance proceedings, pre-hearing matters, attendance at pre-hearing conferences, attendance at relevant labor/management meetings and legislative body meetings, management and supervisory training and periodic updates on relevant changes in the law and cases. Any services not specifically covered under the flat retainer will be billed at the rate of \$230.00 per hour for partners and senior associates and \$190.00 per hour for associate attorneys in year 2017 with small increases in 2018 and 2019 as set forth in the agreement, plus reasonable disbursements.

Section 2. That the term of this agreement shall be from November 16, 2016 through December 31, 2019, subject to the right of the County to terminate the agreement upon thirty days prior written notice. Any time expended by the firm in 2016 shall not be subject to compensation if the services are described under the monthly retainer description of services.

Section 3. That the Board of Legislators hereby authorizes the firm of Roemer Wallens Gold & Mineaux, LLP to substitute as the attorneys of record for the County in the pending labor negotiations with UPSEU for the Sheriff’s Road Patrol Unit in place and instead of the Law Firm of Frank W. Miller.

Section 4. 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 5. That the within Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator King, and adopted.

RESOLUTION NO. 477 - 2016
RESOLUTION TO AMEND RESOLUTION NO. 454-2016
COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

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WHEREAS, Resolution No. 454-201 created and set the salary for the position of Social Services Program Examiner at \$17.56/hr; and

WHEREAS, the union schedule Grade level should have been noted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends Resolution No. 454-2016 to set the Grade level for the following title:

<u>TITLE</u>	<u>SALARY</u>
Social Services Program Examiner	Grade 20

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Fawcett, seconded by Legislator Moser.

In response to Legislator Kulzer, Ms. Swearingin cited the many unique titles within the department. She, along with the Human Resources Director and Civil Service Administrator have been working for months with New York State Civil Service officials to accomplish title changes that would affect work performance flexibility and create efficiencies. The goal is for title changes, not additional positions.

Commissioner Jennifer Jones stated this title change would allow her to assign employees to multiple departments and functions. A Social Welfare Examiner position has been abolished in each 2015 and 2016 through attrition. Although, she said, one examiner continues to work 14 hours per week, due to the loss of six examiners to retirement and/or resignation.

Ms. Jones reported thus far, contrary to their commitment, the State has taken over only 21 percent of the Medicaid cases, leaving the more complex cases for local staff to administer, at least through May 2017. Concurrently, the State has imposed additional programs without attendant appropriations. Moreover, Ms. Swearingin cited the compounding affect of the staggering number of long-term employees that have retired or resigned over the past eight months.

The resolution was then adopted.

**RESOLUTION NO. 478 - 2016
RESOLUTION TO CREATE AND APPROPRIATE FUNDS
FOR STUDENT WORKER PROGRAM
ONE YEAR COLLEGE STUDENT IN-SERVICE - PRATT NORTHAM**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the Pratt-Northam Foundation is providing funds to establish a one year In-Service for a college student during the Fall/Winter of 2016-2017 at the hourly rate of \$9.00/\$9.70, minimum wage and;

WHEREAS, the cost to the County of Lewis would only be for respective fringe benefits other than Social Security.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That as approved by the Pratt-Northam Foundation, the following amounts will be appropriated to expense account Nos. A6380.1999- \$5,526.50 and A.6380.8999 - \$422.77 and revenue account No. A27052- \$5,949.27.

Section 2. That as approved by the Foundation, said student shall be employed at the Lewis County Department of Social Services.

Section 3. That in conjunction with this program the title of Student Worker is hereby created.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

RESOLUTION NO. 479 - 2016
RESOLUTION APPOINTING MEMBERS TO
TRAFFIC SAFETY BOARD

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby re-appoints the following individuals as members of the Lewis County Traffic Safety Board:

Donald Mattimore of NYSDOT, Bostwick Street, Lowville, NY
Robert MacKenzie, III as Fire and Emergency Management Director
Jennifer Maracchion as Emergency Management Assistant

Section 2. That the term of said appointments shall be for three years, effective from January 1, 2017 through December 31, 2019.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 480 - 2016
RESOLUTION TO AUTHORIZE BANK WIRES

Introduced by Legislator Michael Tabolt, Chairman of the Lewis County Board of Legislators.

BE IT RESOLVED as follows:

That the municipality authorize and designate, and the Lewis County Board of Legislators hereby does authorize and designate the following named individuals to direct and effect wire transfers of funds from the municipality's account with Community Bank, N.A. (hereinafter identified as "Bank") by instructions to the Bank in the form indicated for each:

<u>Individual</u>	<u>Title</u>	<u>Instruction Form</u>	<u>Dollar Limit</u>
Joyce Hodkinson	Benefits Specialist	Telephonic	\$20,000

And the Bank is hereby authorized to honor and to implement wire transfer requests from the municipality's accounts so issued without inquiry to CanaRx Group Inc.

RESOLVED, that the Chairman of the Board of Legislators of the County of Lewis, be and he is authorized to certify to the above bank, the foregoing resolutions and that the provisions thereof are in conformity with the laws and policies of Lewis County.

No law, ordinance, statute or other binding stipulation contains any special requirements as to the number of members required to pass such resolutions, or any requirement or prior approval or consent to such resolutions, or otherwise conflict with or prohibit the action of the resolutions as herein before stated.

FURTHER RESOLVED, that the authority conferred herein shall continue in full force until written notice of its revocation shall be received by the Bank.

The following are the genuine signatures of each and every individual granted authority under the foregoing resolutions:

<u>Individual</u>	<u>Title</u>
Patricia L. O'Brien	Lewis County Treasurer
Cynthia C. Wiedrick	Deputy Lewis County Treasurer (temporary)
Taszden S. Newton	Deputy Lewis County Treasurer

That the within shall take effect November 15, 2016.

Moved by Legislator Moser, seconded by Legislator Fawcett, and adopted.

NOVEMBER 15, 2016

**RESOLUTION NO. 481 - 2016
RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR
COMMENCING JANUARY 1, 2017 MAKING APPROPRIATIONS
FOR THE CONDUCT OF COUNTY GOVERNMENT AND
ESTABLISHING RATES OF COMPENSATION FOR OFFICERS
AND EMPLOYEES FOR FISCAL YEAR 2017**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, the governing body has met and considered the 2017 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, 2017.

Moved by Legislator King, seconded by Legislator Fawcett.

Legislator Kulzer inquired whether to consider additional appropriations to the libraries. Legislator Hathway recommended reconsideration after the final 2016 sales tax revenue receipts are known. At that time, the Board could consider a one-time allocation.

The resolution was then adopted by the following roll call vote:

YEAS: Brennan, Chartrand, Hathway, King, Kulzer, Moroughan, Moser, Fawcett, Tabolt

NAYS: None

ABSENT: Dolhof

**RESOLUTION NO. 482 - 2016
ASSESSING AND LEVYING AMOUNT OF TAX CALLED FOR
UNDER THE COUNTY BUDGET AS ADOPTED BY THE BOARD OF
LEGISLATORS ON THE 15th DAY OF NOVEMBER 2016
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. 481 - 2016 adopted on the 15th day of November 2016, has adopted a County Budget for fiscal year 2017; and

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WHEREAS, the said Board of Legislators by Resolution No. 481- 2016 adopted on the 15th day of November 2016, has made appropriations for the conduct of Lewis County Government for fiscal year 2017.

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 \$15,338,189.

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted by the following roll call vote:

YEAS: Brennan, Chartrand, Hathway, King, Kulzer, Moroughan, Moser, Fawcett, Tabolt

NAYS: None

ABSENT: Dolhof

RESOLUTION NO. 483 - 2016
RESOLUTION AUTHORIZING AND ADOPTING AN ENERGY BENCHMARKING
POLICY FOR CERTAIN MUNICIPAL BUILDINGS IN THE COUNTY OF LEWIS

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, buildings are the single largest user of energy in the State of New York, and the poorest performing buildings typically use several times the energy of the highest performing buildings, for the exact same building use; and

WHEREAS, the County of Lewis desires to formulate a Building Energy Benchmarking Policy to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in and by the County of Lewis; and

WHEREAS, collecting, reporting, and sharing Building Energy Benchmarking data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide; and

WHEREAS, equipped with this information, the County of Lewis will be able to analyze relevant data to make smarter, more cost-effective operational and capital investment decisions, reduce expenses, promote continuous improvement, and build on the County's interest in development of renewable energy resources and a smaller carbon footprint; and

WHEREAS, the Board of Legislators wishes to promulgate the following terms and provisions as the Lewis County Building Energy Benchmarking Policy:

Definitions:

(A) “Benchmarking Information” shall mean information generated by the Coordinator, as herein defined, including descriptive information about the physical building(s) and its operational characteristics.

(B) “Building Energy Benchmarking” shall mean the process of measuring a building’s energy use, tracking that use over time, and comparing performance to similar buildings.

(C) “Coordinator” shall mean the Director of Planning and/or such other Department Head the County Manager may designate.

(D) “Covered Municipal Building” shall mean a building or facility that is owned or occupied by the County of Lewis that is 1,000 square feet or larger in size.

(E) “Department” shall mean the Planning Department or other authorized Body assigned the responsibility of administering the Energy Benchmarking program.

(F) “Energy” shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in utility bills or other documentation of actual energy use.

(G) “Energy Performance Score” shall mean the numeric rating generated by the Portfolio Manager that compares the energy usage of the building to that of similar buildings.

(H) “Energy Use Intensity (EUI)” shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.

(I) “Gross Floor Area” shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(J) “Portfolio Manager” shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(K) “Utility” shall mean an entity that distributes and sells energy to the covered municipal buildings.

(L) “Weather Normalized Site EUI” shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

Application:

This Policy is applicable to all Covered Municipal Buildings as defined in item (D) above, except that the Coordinator may exempt a particular Covered Municipal Building from the benchmarking requirement if the Coordinator determines that it has characteristics that make benchmarking impractical.

Steps and Time Frames:

(A) No later than June 1st of each year, the Coordinator or his or her designee shall enter into the Portfolio Manager Program the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year;

(B) For new Covered Municipal Buildings that have not accumulated 12 months of energy use data by the first applicable date following input of energy use into the Portfolio Manager, the Coordinator or his or her designee shall begin inputting data in the following year;

(C) No later than September 1st of each year, the Department shall make available to

PROCEEDINGS OF THE BOARD OF LEGISLATORS

the public on the County's website, the Benchmarking Information for Covered Municipal Buildings for the previous calendar year;

(D) The Department shall make available to the public on the County's website and update at least annually, the following Benchmarking Information:

(1) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information;

(2) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Policy; and

(ii) The building address, primary use type, and gross floor area; and

(iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available;

(E) The Buildings and Grounds Department shall maintain energy bills and other documents received from tenants and/or utilities and provide such documents to the Coordinator in order to calculate and input data to provide the Benchmark Information described herein.

Administration and other procedures:

(A) The Coordinator or his or her designee shall be the Administrator of this Policy unless or until modified by the Board of Legislators of the County of Lewis;

(B) The Coordinator of this Policy may propose additional procedures necessary for the administration of the requirements of this Policy to the Lewis County Board of Legislators for their action and authority on same;

(C) At the August Board of Legislators' public meeting, the Coordinator of the Benchmarking Policy shall submit a report to the Board of Legislators and County Manager, including but not limited to summary statistics on energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Coordinator determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby adopts the aforesaid terms and provisions as the Lewis County Building Energy Benchmarking Policy.

Section 2. The Lewis County Board of Legislators hereby assigns and names the Lewis County Director of Planning as the Coordinator and Administrator of the Policy.

Section 3. That the within Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Brennan.

Atty. McNichol explained this is a policy recognized by the State to establish and monitor energy efficiencies to meet their established goals, implementation of which may enhance approval of the County's Clean Energy Communities Program grant application.

The resolution was then adopted.

RESOLUTION NO. 484 - 2016
RESOLUTION AUTHORIZING APPLICATION FOR GRANT FUNDING UNDER THE
NYS CLEAN ENERGY COMMUNITIES PROGRAM AND TO AUTHORIZE
IMPLEMENTATION OF SPECIFIC ACTIONS BY THE COUNTY TO BE
DESIGNATED A CLEAN ENERGY COMMUNITY

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, Lewis County authorized an agreement with Larsen Engineers to undertake engineering research and services and budget cost analysis to support a NYSERDA Funding application by the County of Lewis for a Clean Energy Community (CEC) grant; and

WHEREAS, local governments in New York State can use the Clean Energy Communities program to implement clean energy actions, save energy costs, create jobs and improve the environment. Local governments who complete four out of ten “high impact actions” outlined under the CEC program can be designated by New York State as a “Clean Energy Community” and be eligible for grants to fund additional clean energy projects; and

WHEREAS, the ten (10) “high impact actions” recognized by the CEC are:

1. Benchmarking: Adopt a policy to report the energy use of buildings.
2. Clean Energy Upgrades: Achieve 10% reduction in greenhouse gas emissions from building.
3. LED Street Lights: Convert street lights to energy efficient LED technology.
4. Clean Fleets: Install electric vehicle charging stations or deploy alternative fuel vehicles.
5. Solarize: Undertake a local solarize campaign to increase the number of solar rooftops. (Local efforts to bring together potential solar customers through outreach and education.)
6. Unified Solar Permit: Streamline the approvals process for solar.
7. Energy Code Enforcement Training: Train compliance officers in energy code best practices.
8. Climate Smart Communities Certification: Get certified by NYS DEC.
9. Community Choice Aggregation: Put energy supply choices in community hands.
10. Energize New York Finance: Offer energy upgrade financing to businesses and non-profits (Property Assessed Clean Energy Financing); and

WHEREAS, the County of Lewis can or will meet at least six (6) of the above identified high impacts by: 1.) Draft of a Building Energy Benchmarking Policy for adoption by the Board of Legislators; 2.) Replacement of lighting in buildings with LED efficient fixtures and LED lighting of parking lots to achieve 10% reductions in emissions and electric use; 3.) Contracting with vehicle leasing company for electric vehicle or alternative fuel vehicles for part of the County’s vehicle fleet; 4.) Development and implementation of outreach and education of county residents about solar availability through the County’s community outreach program; 5.) Draft and implement a Local Law to encompass a Unified Solar Permit system and process modeled after the NY-Sun Initiative in order to expedite the solar permitting process and make

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solar technology more affordable to residents and businesses; 6.) Provide training opportunities for code compliance officers to maintain knowledge on building codes and energy code best practices; and

WHEREAS, the Board of Legislators seeks to undertake to be designated a Clean Energy Community by New York State and be eligible to apply for grants to fund additional clean energy projects by taking as many appropriate steps and actions to meet as many of the ten criteria as possible.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County of Lewis, through the Lewis County Planning Department, to apply for a Clean Energy Community (CEC) grant under NYSERDA Funding.

Section 2. That the Lewis County Board of Legislators hereby authorizes the County Attorney to draft a proposed Local Law providing for a standardized, unified solar permit and application process for municipalities in Lewis County.

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 Grant Application 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.

It being 6:13 p.m. and no further public comments on the 2017 Tentative County Budget, Chairman Tabolt declared the hearing was closed, and the following resolutions were enacted.

OTHER BUSINESS:

There being no other business to come before the Board, the meeting adjourned on motion by Legislator Chartrand at 6:20 p.m., seconded by Legislator Brennan and carried.

DECEMBER 6, 2016

**ANNUAL SESSION
THIRD DAY
December 6, 2016**

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.

Chairman Tabolt offered the Invocation and then led the Pledge of Allegiance to the Flag.

There were 24 persons present.

Chairman Tabolt declared the November 15, 2016 meeting minutes were approved.

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 6, 2016

Lawrence Dolhof, Chairman
Bryan Moser

Legislator King made a motion to waive the rules, seconded by Legislator Hathway and carried.

Clerk of the Board Teresa Clark read the proclamation commending Jerome LaBarge for his many years of County service. Chairman Tabolt then presented the document to Mr. LaBarge to a standing ovation.

Chairman Tabolt opened the public hearing at 5:03 p.m. for comments on Local Law Introductory No. 5-2016 "Rescinding Local Law No. 5-2016 to Override the Tax Levy Limit Established by General Municipal Law Section 3-C (A/K/A 2% Tax Cap) for the 2017 Lewis County Budget"; Local Law Introductory No. 6-2016 "Providing for Increases to Salaries of Certain Local Officials"; proposed addition to the Lewis County ATV Trail System pertaining to the property located in Turin known as the Lee Gulf Trail Properties. Said addition described as the JD Realty of Lowville, LLC Property, which runs off of the Lee Gulf Road (South of Carpenter Road) to the existing Lee Gulf Trail; and the Lewis County Agricultural and Farmland Protection Board report recommending inclusion of two parcels into Ag District #6 being property in the Town of Leyden owned by Robert and Nancy Domagala; and property in the Town of West Turin owned by Thomas D. Edwards.

PRIVILEGE OF THE FLOOR:

Planning Director Frank Pace referenced the report of the Lewis County Agricultural and Farmland Protection Board relative to Agriculture District No. 6 that had been previously

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forwarded to each Legislator. Frank explained it has been a 360-day process thus far, and there were no comments received during the review period.

Mr. Pace reported that letters were mailed to all of the 5,900 agriculture and non-agriculture landowners located within Ag District No. 6. Of that number, 285 voluntary survey responses were received, equal to 5% of the total. There were two landowner inclusion applications received that are before the Board for consideration. If both are approved, it would add 325 acres to the agricultural district.

Upon Board approval, the inclusion requests would be forwarded to NYS Agriculture and Markets for approval, and thereafter be mapped into Ag District No. 6 with a peer review completed by Cornell Cooperative Extension. The final report would be forwarded to NYS Agriculture and Markets by April 2017.

Mr. Eric Griffin referred to the law requiring persons to move over for police, fire and emergency vehicles, while citing incidents where persons did not abide. He would like to simulate a media campaign he viewed on-line and create a public awareness commercial “Pull to the Right”, and engage local media for public awareness. Mr. Griffin has reached out to TV 7 representatives who estimate commercial development cost of \$2,000 - \$2,500. In addition to the Legislators, he plans to ask fire departments and other local groups to support the educational initiative.

Mr. Chris Skorvira and his wife Patricia had recently purchased property on the Lee Gulf Trail. He expressed concern where the trail comes off from private property onto the Lee Gulf Trail where there is a severe knoll that poses a site-distance hazard. In response to Mr. Skorvira’s inquiry about signage, Recreation, Forestry & Parks Director Jackie Mahoney stated the first part of Carpenter Road down to the turn-around spot is legally opened to ATV’s. However, the Lee Gulf Trail section will not be officially opened until the Board approves it following tonight’s hearing for opening next spring. She relayed that Mr. Skoriva’s cited concern was identified during the SEQRA process. Upon Board approval, Ms. Mahoney would forward the landowners a map to include the new section, and assured that appropriate signs would be erected, as well as kiosks to direct ATV operators. She further reported the snowmobile clubs are searching for a better intersection onto the Lee Gulf Trail. That section will have limited grooming, but is not a funded trail this year.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

NYS Senators Joseph Griffo and Dan Stec; NYSDEC Regional 5 Director Robert S. Stegemann and Adirondack Park Agency Executive Director Terry Martino each acknowledged receipt of this Board’s resolution in support of the Adirondack Memorandum of Understanding among public and private organizations regarding recreational access to Adirondack State Lands.

The Board acknowledges receipt of a resolution adopted by the Greene County Legislator urging the Governor to sign the Public Defense Mandate Relief Act into Law.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the County Treasurer's November report; the 3rd Quarter Board of Health report, the 10/18/16 Quality Assurance report; and meeting minutes of the 11/10/16 Soil and Water Conservation District meetings, as well as the 11/16/16 Youth Bureau Advisory Board Meeting.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, reported that all departments are within budgetary appropriations and will oversee eleven projects next year.

The Committee heard a presentation from Clean Energy Communities (CEC) Coordinator Jamie Rogers and Larsen Engineers who will assist to maximize the County's NYSERDA grant application process and development of an energy efficiency policy for County buildings. There is consideration to purchase a hybrid car through the CEC grant that would require installation of a charging station estimated at \$1,800.00.

Legislator Hathway stated that weekly updates on the solar system will be relayed to the Board as the system progresses.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Employment and Training/Youth Bureau Committee Chairman, reported that youths had raised and contributed \$369.00 to purchase child friendly items for the waiting room of the newly established Youth Child Advocacy Center.

The Youth Bureau announced availability of \$13,000 for Youth Development programs targeted toward early intervention and prevention services to deter high priority problems for youths most likely to become involved in the juvenile justice system.

Office For the Aging staff continue to process 276 HEAP applications and had mailed out applications to 61 new applicants for the season opened from 11/14/16 to 3/15/17. They will accept emergency HEAP applications starting on 1/3/17.

Legislator Fawcett reported assistance to 286 persons during the open enrollment period for the Health Information Counseling and Assistant Program (HICAP) from 10/15/16 through 12/7/16.

Legislator Fawcett announced the senior holiday meal will be served on 12/15/16 at all meal sites; and urged support for his sponsored resolutions. He also relayed gratitude from Nutritionist Molly Mallette for authorizing her travel to Boston for a nutrition conference.

Legislator Fawcett made a motion to authorize DSS Commissioner Jennifer Jones to re-fill the following positions upon the impending resignation, retirement or promotion of existing employees: one Part-time Social Services Investigator up to 14 hours/week; one Full-time Social Services Program Examiner; one Full-time Caseworker; one Full-time Homemaker;

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and one Full-time Employment and Training Assistant. The motion was seconded by Legislator Moroughan. DSS Commissioner Jenny Jones affirmed the requests were to fill vacant positions only. The motion then carried.

Legislator Bryan Moser, County Officers/Junkyards/Veterans' Services/Human Resources Committee Chairman, reported the County Attorney had requested appearance tickets be issued for the Junkyard Review Board on 12/8/16 to a couple of West Leyden junkyard owners for persistent non-compliance issues.

Legislator Jerry King, Courts and Law Enforcement/Fire & Emergency Management Director/Building Codes Committee Chairman, reported that radios continue to be upgraded; and that the equipment inventory would be completed by January. He also urged support of his sponsored resolutions.

Legislator Lawrence Dolhof, Economic Development Committee Chairman, reported a new commercial has been launched for the Transportation Program to inform the public of Utica destinations.

The stream gauge flood monitoring system was activated on 12/2/16 for access by local Emergency Management personnel, the Buffalo Storm Center and USGS, and will be made available to the Regulating District within one week.

The engineering and design of the hospital drainage project will be done this winter to enable project completion in the spring.

Legislator Dolhof requested support of his sponsored resolution to partner with BOCES for the Manufacturing Academy of Science and Technology (MAST) program. Applications have been forwarded to the five local school districts, and six students from each school will be selected to participate in the camp next summer.

Legislator Dolhof said he would divulge more details in the near future for the demonstration garden project through Cornell Cooperative Extension.

He reported early-stage discussions for PILOT agreements for two proposed wind projects; and that 40 persons had attended the 11/15/16 business leader's breakfast forum.

The IDA approved a sales tax exemption to Lowville Producers Dairy Cooperative for \$240,000 laboratory equipment purchase. Legislator Dolhof referenced a newspaper article indicating the Burrough's Paper Company in Lyonsdale had been sold to the Twin Rivers Paper Company of Maine.

The Singing Waters Park restroom facility has been cited for non-compliance with the Americans with Disabilities Act (ADA) regulations and the septic system does not properly operate. Legislator Dolhof made a motion to retain the engineering services of Terry Thisse for an amount not to exceed \$2,500.00, to address the restroom and septic system issues at the Singing Waters Park. The motion was seconded by Legislator Fawcett and carried.

In consideration of the \$70,000.00 comparative reduction for the Snowmobile Club grant, Legislator Dolhof expects clubs will be challenged with grooming this season, due to the lack of revenue.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman, reported the recycling baler would be auctioned on-line with a suggested low price of \$15,000.00. The recycling building renovations are nearing completion. The compactor will be delivered within two weeks, but the delivery date of the trailer is yet unknown.

Legislator Kulzer reported opening of Highway Department oil bids that are being analyzed by the Superintendent. The CHIP's paperwork has been completed and filed with the State. There may be a need for an additional account clerk in their department next year.

Legislator Richard Chartrand, Hospital Committee Chairman, reported October outpatient and adult day care visits above budgeted levels; and that 43% of providers saw a greater number of patients than anticipated. The nursing home occupancy rate was 90.4%; and the current month balance was \$918,460.

The Hospital is assisting the South Lewis Central School district to create a school-based health center and hire a Physician's Assistant and LPN to compliment school staff, separate from the South Lewis Health Clinic.

Rachel Zehr, M.D. visited the extended-hours clinic and is seriously considering the Hospital's offer and will advise her decision by the end of December.

Dr. Michael Corbin, OBGYN has given a verbal commitment to join the Hospital staff within the next 90 days.

Eric Schell of Stroudwater Associates recommends merging the East Wing with the Intensive Care Unit and creating a "Progressive Care Unit" to keep up with health care changes to enhance quality of care and positively impact reimbursement rates.

Legislator Chartrand confirmed receipt of \$6.1 million 2014 IGT monies. The year-to-date surplus is \$2,869,112; the County debt is current at \$2.5 million, and the pension December payment has been paid.

The Hospital has responded to attorney inquiries for the Department of Justice in regard to self-disclosure for Medicare billing issues.

Legislator Chartrand reported that during the past month Hospital CEO Michele Prince had attended the Hospice staff and volunteer recognition dinner, community meetings in Harrisville, Lyons Falls and Lowville, the Priorities Council meeting, community health improvement plan meeting, the HANY's and Department of Health Listening session in Syracuse, as well as the Excellus BCBS Health System event in Syracuse.

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As recommended for physician contracts, Ms. Prince has facilitated conversion of Dr. Leuenberger's contract to a 100% RVU model beginning in January 2017. Other physician contracts will be similarly converted as they expire.

Legislator Chartrand announced the September employee-of-the-month as Clinic LPN Jami Lyndaker, a very energetic personable nurse who treats the patients like family, and willingly adjusts to ever changing health care requirements. She is truly an inspiration and role model for nursing staff.

In response to Legislator Kulzer, Legislator Chartrand affirmed the physician's assistant and nurse for the South Lewis School district would be financed through grant funding garnered by the school district.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported Public Health Director Penny Ingham updated year end estimates with emphasis on the Pre-School program, and provided the quarterly Board of Health report and the quality assurance and compliance report. The community health assessment/community health improvement plan will be completed in December.

Legislator Moroughan relayed the community efforts to cope with recent overdoses from opiate use. County and provider agencies, law enforcement and the community at-large are working together to educate the public about drug use, treatment and support. Everyone is welcome to a 6:30 p.m. meeting tonight at the Port Leyden community hall. Future events will be advertised on linkinglewiscounty.com. Credo has professionals to treat for substance abuse and can be reached at 376-5958; as well as Mountain View Prevention Services at 376-2321.

Legislator Moroughan reported that Director of Community Services Patricia Fralick hosted a summit with County Department Heads, Hospital, Mental Health and Substance Abuse providers, and other community - based organizations. They brainstormed community needs with a focus on Federal and State initiatives and a goal toward improving health care of our population, while keeping costs down.

COUNTY MANAGER REPORT:

Liz Swearingin reported receipt of 14 lease bids from Enterprise Fleet Management, Inc. for various departments, plus several for the Highway Department. She will create a summary sheet for the Ways and Means Committee, however, does not envision they will all be replaced in the first year.

The Tyler Munis is up and running, and about 300 requisitions have been processed. Consultant support staff will be on-site for troubleshooting to resolve issues as they arise, but she expects system transactions will be running smoothly by year end. Implementation of the payroll system is on schedule for the end of March 2017.

COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$249,168.00; Contingency Fund - \$336,655.16; Capital Data Processing Fund - \$127,422.72 and Capital Equipment Fund-\$260,778.80, of which \$68,067.13 is the Highway portion. She also reported year-to-date sales tax revenues of \$9,000,256.95; and the current Hospital debt is \$2.5 million.

The balance of the Internal Service Fund had increased incrementally to \$1,166,739.54, but remains well below the recommended level. Legislator Chartrand noted the marginal increase was attributable to a combination of increased premiums and lesser claim expenditures.

SPECIAL REPORTS:

Chairman Tabolt commended County Attorney Joan McNichol for her knowledgeable representation of the Board at the grievance proceedings of the Hudson River/Black River Regulating District (HRBRRD). The HRBRRD has informed they have deferred their decision another month to consider the County's installation of stream gauges along the river that are utilized by HRBRRD to monitor and control water levels. Mr. Robert Smullen, HRBRRD Chairman has asked for a follow-up meeting.

Chairman Tabolt reported that he and Clerk of the Board Teresa Clark had attended the 11/17/16 meeting of the Inter-County Legislative Committee of the Adirondacks hosted by Warren County in Queensbury, N.Y. They participated in a tour of the Angio Dynamics plant where various types of catheters are manufactured for use in medical procedures.

At that meeting, NYSAC representative Dave Lucas had informed of the 12/31/16 deadline for the Governor to call up and sign the Indigent Defense bill into law. In response to NYSAC's urging, Legislators agreed to Chairman Tabolt's intent to forward a letter urging the Governor's signature on the important legislation.

On 12/2/16, Chairman Tabolt had a focused discussion with U.S. Senator Charles Schumer while he was visiting the Lewis County General Hospital, to advocate for projects of importance to Lewis County.

He had attended the 11/26/16 ribbon-cutting ceremony for the local Dollar Tree store; and plans to attend the Regional Economic Development Council (REDC) grant award announcements in Albany on 12/8/16.

On behalf of Information Technology Committee Chairman Legislator Brennan, Legislator Hathway was pleased to report that Mohawk Networks was actively conducting broadband testing in the Diana/Harrisville area.

Chairman Tabolt closed the public hearing at 6:56 p.m.

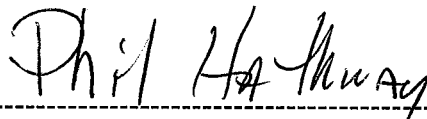
REPORT OF THE WAYS AND MEANS COMMITTEE:

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**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

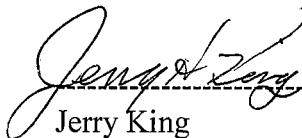
To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 950,152.36 and recommend that they be audited and allowed for the amounts claimed.



Philip Hathway

Chair



Jerry King

Committee



Richard Chartrand

Committee

Dated: December 6, 2016

Approved on motion by Legislator Moser, seconded by

Legislator Dolhof, and carried.

RESOLUTIONS:

**RESOLUTION NO. 485 - 2016
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 \$ 950,152.36 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 Hathway, and adopted by roll call vote:

YEAS: Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, Fawcett, Tabolt

NAYS: None

ABSENT: Brennan

**RESOLUTION NO. 486 - 2016
RESOLUTION RESCINDING RESOLUTION No. 324 - 2016 and AUTHORIZING
MEMORANDUM OF UNDERSTANDING AND LEASE AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND JEFFERSON COMMUNITY COLLEGE FOR
BUILDING AN EDUCATIONAL EXTENSION CENTER IN LEWIS COUNTY WITH
EDUCATIONAL CURRICULUM AND PROGRAMS PROVIDED AND SERVICED BY
JCC**

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means, Buildings and Grounds Committees.

WHEREAS, Lewis County and the North Country as a whole, face a shortage of trained individuals to fill positions in the manufacturing, energy and agriculture sectors – the natural resources found in the County. Area employers and manufacturers are cognizant of their aging workforce and are concerned about meeting their resource needs with a skilled and educated workforce from the County and its neighbors in the North Country; and

WHEREAS, the County of Lewis seeks to partner with Jefferson Community College (“JCC”) to increase the number of employable and skilled people from the County, at all levels, by providing an educational curriculum and a skilled instructional atmosphere, based upon the needs of the County’s workplaces and employers, at a location within the County; and

WHEREAS, continuing discussions between the County’s Director of Planning and County Manager with JCC, through its Continuing Education Division, has placed strategic

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importance on a well- structured Career Technical Education (“CTE”) system and program for the citizens of Lewis County. CTE programs are built on the philosophy that students on all levels can enrich their lives through education with instruction and training that is career and skill based; and

WHEREAS, JCC is uniquely positioned to partner with Lewis County and provide CTE in the County. JCC is the only educational institution in the North Country chartered to serve Lewis County with existing academic programs in agribusiness and energy- two employment sectors viable in the County. Lewis County is uniquely positioned to partner with JCC by providing a suitable building and structure for this Educational Extension Center (“EEC”); and

WHEREAS, County of Lewis seeks to partner with JCC in building a suitable, 20,000 square foot, cost efficient and effective educational structure and facility, with classrooms and laboratories on an appropriate site in Lewis County, in consideration with JCC providing at least a ten (10) year commitment (5 year commitment with a 5 year renewal) to provide the educational curriculum, programs, instructors, and marketing of the facility; payment of an annual lease amount and an operational agreement with the terms and conditions to be set forth in an Operational Memorandum of Understanding and a Lease Agreement; and

WHEREAS, the County of Lewis Board of Legislators seeks to partner with JCC by entering into the Operational Memorandum of Understanding and separate Lease Agreement for the Educational Extension Center, with the County’s commitment to obtain the appropriate property and build the structure at a cost not to exceed \$4,000,000.00; and

WHEREAS, the Board of Legislators, by Resolution No. 324- 2016, authorized the building of a 20,000 sq. ft. building on property to be provided by the The Lewis County Agricultural Society, at a cost not to exceed \$4,000,000.00; and with JCC to provide the curriculum, program, equipment, marketing and to operate and maintain the EEC at its own cost and expense; and

WHEREAS, the Board of Legislators seeks to rescind Resolution No. 324- 2016 and wishes to accept the partnership with JCC in accordance with the terms and conditions set forth below; and

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. That the Board of Legislators hereby authorizes an Operational Memorandum of Understanding and a Lease Agreement between the County of Lewis and Jefferson Community College, for the building of an Educational Extension Center in Lewis County to service the Lewis County population, with the County’s commitment to build the 20,000 sq. ft. building and obtain the property for same at a cost not to exceed \$4,000,000.00; and with JCC agreeing to execute a lease Agreement to pay the County \$250,000.00 per year subject to an annual adjustment by the County. JCC and the County shall also enter into an Operational Agreement to provide, *inter alia*, that in the event JCC’s state aid reimbursement together with expected revenue from the classes offered at the EEC are insufficient to pay the entire annual lease obligation, the County agrees to defer payment of the balance owing (up to a

maximum of \$100,000/yr for the first 3 years), provided that JCC makes periodic payments to the County from any future revenue profits and/or any grant proceeds received pertaining to the EEC and its programs/curricula. The operational agreement shall, therefore, set forth that JCC is to provide the educational curriculum, programs and equipment, the marketing costs of the programs and the EEC itself; and for JCC to pay over periodically to the County any profit from revenues received and/or any grant proceeds received for the difference in the actual annual lease payment made and the total amount owed under the annual lease obligation until the County has been fully reimbursed for the annual lease amount obligation.

Section 2. That the Board of Legislators authorize the Lewis County Director of Planning to work with appropriate members of the JCC administration to develop a Request for Proposal for a building, parking lot and premises design - turn-key construction - of a 20,000 sq. ft. educational building.

Section 3. That the Lewis County Director of Planning and County Attorney are authorized to negotiate the specific terms and provisions of the Operational Memorandum of Understanding and Lease Agreement with JCC to effectuate this partnership.

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 King, seconded by Legislator Hathway.

Legislator Hathway credited Legislator Brennan for his optimism three years ago to suggest construction of a local college, while most Legislators never thought it could happen. He thanked Chairman Tabolt, Liz Swearingin and Frank Pace for their diligence to reach out to the appropriate people to make it a reality, citing the benefit for our citizens.

Atty. Joan McNichol explained the reason for rescinding the original JCC agreement with the County committing up to \$4 million for construction and JCC providing the curriculum, educational personnel and paying all operating expenses. Alternatively, it has been determined more beneficial for JCC to commit to a flat fee lease agreement to enable full advantage of State Aid equal to 40 percent of the lease amount of \$100,000. The Board recognizes that student enrollment during the first three years may not be adequate to cover the balance of the \$250,000 annual lease. Therefore, JCC will be required to pay the amount equal to respective student revenue plus relative State Aid and respective grant funds received by JCC as a result of this agreement, and the County will defer any remaining balance. An annual analysis and review will be conducted to audit the amount paid by JCC.

The resolution was then adopted.

RESOLUTION NO. 487 - 2016
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 6 – 2016, 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 15, 2016, directing that a public hearing be held by said Board on December 6, 2016, 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. 5-2016 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

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on November 30, 2016, 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. 5 – 2016), County of Lewis, being “A LOCAL LAW RESCINDING LOCAL LAW NO. 5-2016 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. 6 –2016, County of Lewis.

Section 2. That Local Law No. 6 – 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 King, seconded by Legislator Dolhof, and adopted pursuant to the following roll call vote:

YEAS: Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, Fawcett, Tabolt

NAYS: None

ABSENT: Brennan

RESOLUTION NO. 488 - 2016
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 1- 2017, 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 15, 2016, directing that a public hearing be held by said Board on December 6, 2016, 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 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 30, 2016, 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. 6 – 2016), 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. 1-2017, County of Lewis.

Section 2. That Local Law No. 1-2017, 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 Fawcett, and adopted by the following roll call vote:

YEAS: Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, Fawcett, Tabolt

NAYS: None

ABSENT: Brennan

RESOLUTION NO. 489 - 2016
RESOLUTION AUTHORIZING AND ADOPTING THE REPORT AND
RECOMMENDATIONS OF THE LEWIS COUNTY AGRICULTURAL AND
FARMLAND PROTECTION BOARD ON LEWIS COUNTY AGRICULTURAL
DISTRICT NO. 6 EIGHT-YEAR REVIEW AND INCLUSION REQUESTS RECEIVED
DURING THE INCORPORATED 2016 ANNUAL REVIEW PERIOD

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the County of Lewis has approximately 246,368 acres in its NYS certified agricultural district designated as “Lewis County Agricultural District No. 6”. In accordance with Chapter 303a and 303b of the NYS Agricultural and Markets Law (“NYSAML”), Lewis County Agricultural District No. 6 is required to undergo review and modification as part of the eight-year review process and an annual thirty-day inclusion period. The County established the 2016 annual thirty-day inclusion period as required under Chapter 303b during and simultaneously with the eight-year review period, and accepted landowner applications for inclusion of new parcels of viable agricultural land into its existing Agricultural District No. 6 from October 1, 2016 through October 31, 2016; and

WHEREAS, as part of the eight year review process, the Lewis County Agricultural Farmland Protection Board (“LCAFPB”) members sought public comment, *inter alia*, on the nature and status of farming and farm resources within the District, objectives of the District, the degree of coordination between local laws, ordinances, rules and regulations that apply to farm operations in such district, and review of lands to be removed and added to the District as a result of this review and landowner written requests for same; and

WHEREAS, the Lewis County Board of Legislators set the public comment period for Lewis County Agricultural District No. 6 eight-year review and incorporated proper notice of the 2016 annual inclusion process therein; and

WHEREAS, the LCAFPB, through the Lewis County Director of Planning, has submitted a report to the Lewis County Board of Legislators on Agricultural District No. 6 which, *inter alia*, opines that inclusion of two (2) identified separate parcels of land owned by different landowners will serve the public interest by assisting in maintaining a viable agricultural industry within the district, and recommends that the land be placed into certified Agricultural District No. 6; and

WHEREAS, the LCAFPB’s report, submitted through the Lewis County Director of Planning, indicates that the total number of acres added and removed from Agricultural District No. 6 during this eight-year review shows a net increase of 325± acres of land, and the LCAFPB recommends that Agricultural District No. 6 be modified based upon the written requests detailed in the Report, that the Report be adopted, and that Agricultural District No. 6 be continued; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators of the County of Lewis hereby declares the Lewis County Agricultural District No. 6 eight-year review and incorporated 2016 annual thirty-day inclusion process to be closed.

Section 2. That the Board of Legislators of the County of Lewis hereby adopts the Report and Recommendations of the Lewis County Agricultural Farmland Protection Board and declares that Agricultural District No. 6 be modified based upon the written requests detailed in the report and place the two identified separate parcels in certified Agricultural District No. 6, and that said certified District be continued.

Section 3. That the Board of Legislators of the County of Lewis hereby directs that the Lewis County Director of Planning take such action to submit an appropriate report to the NYS Department of Agriculture and Markets on Lewis County Agricultural District No. 6 for their review and final approval, and make any approved, revised mapping of the District after receipt of correspondence from the Commissioner of Agriculture and Markets, and comply with any additional requirements for final filing with NYS Department of Agriculture and Markets in April, 2017.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Dolhof, and adopted.

RESOLUTION NO. 490 - 2016
RESOLUTION AUTHORIZING INCLUSION OF CERTAIN AGRICULTURALLY
VIALE LAND INTO AGRICULTURAL DISTRICT NO. 6 AND NEGATIVE
DECLARATION DETERMINATION

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the Lewis County Board of Legislators, in accordance with Chapter 303a and 303b of the Laws of 2003 amended NYS Agricultural and Markets Law, designated the eight year review process of Lewis County Agricultural District No. 6 for August 1, 2016 through August 31, 2016, and further authorized incorporation of Agricultural District No. 6 - 2016 annual inclusion process and open enrollment period to occur simultaneously with the eight year review process; and provided for municipalities and landowners within the District to propose modification to the District by notification to the Lewis County Director of Planning in the thirty-day period starting on October 1, 2016 through October 31, 2016, in which a landowner could submit requests for inclusion of predominately viable agricultural land within this Certified Agricultural District prior to the County-established review period; and

WHEREAS, the Lewis County Agricultural and Farmland Protection Board (LCAFPB) had an application submitted for review, encompassing the following property in the Town of Leyden, proposed to be included in Agricultural District # 6: Tax Map Parcel # 353.00-01-

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11.100 (98 acres); said parcel owned by the same persons and referred to as “The Robert and Nancy Domagala Application and Project”; and

WHEREAS, the LCAFPB reviewed the application and property, and concluded that the inclusion of this parcel of land owned by the aforesaid landowners would serve the public interest by assisting in maintaining a viable agricultural industry within the district; and

WHEREAS, a Short Environmental Assessment Form for an Unlisted Action has been prepared by the Director of Planning on behalf of the County of Lewis Board of Legislators as the lead agent for this “Ag Inclusion Project” with the assistance of the applicants, Robert and Nancy Domagala, for determination of the environmental impact of this property parcel identified above, with a conclusion and determination that the project will not result in any significant adverse environmental impact; and

WHEREAS, the Lewis County Board of Legislators, in accordance with Chapter 303b of the Laws of 2003 amended NYS Agricultural and Markets Law, conducted a public hearing to consider the request and recommendations of the Lewis County Agricultural and Farmland Protection Board on December 6, 2016 at 5:00 PM at the Board of Legislators’ Chambers; and

WHEREAS, the Lewis County Board of Legislators, having held the public hearing and having heard any statements or comments from the public on the request and recommendations of the Lewis County Agricultural and Farmland Protection Board, seeks to adopt the recommendations of the LCAFPB and place this property into a certified agricultural district, i.e., Lewis County Agricultural District No. 6 and declare a negative environmental impact.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators of the County of Lewis adopts the recommendations of the Lewis County Agricultural and Farmland Protection Board, and places the parcel of land owned by Robert and Nancy Domagala in the Town of Leyden, and known as Tax Map Parcel: # 353.00-01-11.100 into certified Agricultural District # 6.

Section 2. That the Board of Legislators of the County of Lewis hereby authorizes the Chairman of the Board to execute a Short Environmental Assessment Form declaring that this Action and Application will not result in any significant adverse environmental impacts, upon review by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 491 - 2016
RESOLUTION AUTHORIZING INCLUSION OF CERTAIN AGRICULTURALLY
VIALE LAND INTO AGRICULTURAL DISTRICT NO. 6 AND NEGATIVE
DECLARATION DETERMINATION**

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the Lewis County Board of Legislators, in accordance with Chapter 303a and 303b of the Laws of 2003 amended NYS Agricultural and Markets Law, designated the eight year review process of Lewis County Agricultural District No. 6 for August 1, 2016 through August 31, 2016, and further authorized incorporation of Agricultural District No. 6 - 2016 annual inclusion process and open enrollment period to occur simultaneously with the eight year review process; and provided for municipalities and landowners within the District to propose modification to the District by notification to the Lewis County Director of Planning in the thirty-day period starting on October 1, 2016 through October 31, 2016, in which a landowner could submit requests for inclusion of predominately viable agricultural land within this Certified Agricultural District prior to the County-established review period; and

WHEREAS, the Lewis County Agricultural and Farmland Protection Board (LCAFPB) had an application submitted for review, encompassing the following property in the Town of West Turin, proposed to be included in Agricultural District # 6: Tax Map Parcel # 376.00-03-06.110 (19.35 acres); said parcel owned by the same person and referred to as “The Thomas D. Edwards Application and Project”; and

WHEREAS, the LCAFPB reviewed the application and property, and concluded that the inclusion of this parcel of land owned by said person would serve the public interest by assisting in maintaining a viable agricultural industry within the district; and

WHEREAS, a Short Environmental Assessment Form for an Unlisted Action has been prepared by the Director of Planning on behalf of the County of Lewis Board of Legislators as the lead agent for this “Ag Inclusion Project” with the assistance of the applicant, Thomas D. Edwards, for determination of the environmental impact of this property parcel identified above, with a conclusion and determination that the project will not result in any significant adverse environmental impact; and

WHEREAS, the Lewis County Board of Legislators, in accordance with Chapter 303b of the Laws of 2003 amended NYS Agricultural and Markets Law, conducted a public hearing to consider the request and recommendations of the Lewis County Agricultural and Farmland Protection Board on December 6, 2016 at 5:00 PM at the Board of Legislators’ Chambers; and

WHEREAS, the Lewis County Board of Legislators, having held the public hearing and having heard any statements or comments from the public on the request and recommendations of the Lewis County Agricultural and Farmland Protection Board, seeks to adopt the recommendations of the LCAFPB and place this property into a certified agricultural district, i.e., Lewis County Agricultural District No. 6 and declare a negative environmental impact.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators of the County of Lewis adopts the recommendations of the Lewis County Agricultural and Farmland Protection Board, and places

the parcel of land owned by Thomas D. Edwards in the Town of West Turin, and known as Tax Map Parcel: # 376.00-03-06.110 into certified Agricultural District # 6.

Section 2. That the Board of Legislators of the County of Lewis hereby authorizes the Chairman of the Board to execute a Short Environmental Assessment Form declaring that this Action and Application will not result in any significant adverse environmental impacts upon review by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Dolhof, and adopted.

RESOLUTION NO. 492 - 2016
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 trail permits under the direction and guidance of the Director of Recreation, Forestry and Parks; and

WHEREAS, the services include printing of ATV permit applications, mailing of permits, purchase of ATV permit stickers, communications with website host for updates to the ATV website page, and other marketing services on behalf of the County pertaining to its ATV Trail permits and continue to work with the website designer who provides website hosting services to provide for easier on-line payment of permit fees and generation of reports.

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.

Section 2. That the term of said Agreement shall be for the period from January 1, 2017 through December 31, 2017 and for which services, the Chamber of Commerce shall receive an administration fee equal to 10% of the permit fees collected and reimbursed up to \$500.00 for the fees charged by the website host company for the ATV permit website hosting, updates and reports. The Director of Lewis County Recreation, Forestry and Parks will process ATV mailings generated by the Chamber through the Lewis County Recreation, Forestry and Parks Department.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 493 - 2016
RESOLUTION REGARDING SEQRA REVIEW OF A
NEW TRAIL TO BE ADDED TO THE LEWIS COUNTY ATV
TRAIL SYSTEM AND DECLARING NO SIGNIFICANT IMPACT
(JD REALTY OF LOWVILLE, LLC)**

Introduced by Legislator Lawrence Dolhof, Chairman, Economic Development Committee.

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, “ATVs”) is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

WHEREAS, the Board of Legislators has heretofore conducted an extensive evaluation of the potential environmental impacts associated with the development of a county-wide ATV trail system pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations (“NYCRR”) implementing Article 8 (collectively referred to hereinafter as “SEQRA”); and

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement (“DGEIS”) and a Final GEIS (collectively the “GEIS”) and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 29, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board’s conclusions and determinations, based upon the facts and analysis contained in the GEIS; and

WHEREAS, upon completion of its SEQRA review, the Board of Legislators formally established the Lewis County Trail System (herein “Trail System”) by adopting Local Law No. 2 – 2009, “A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM” (herein, “Local Law No. 2”); and

WHEREAS, both Local Law No. 2-2009 and the Statement of Findings contemplate future amendments to the Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments, and in particular, the procedures for amending the GEIS in compliance with SEQRA prior to amending the Trail System; and

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WHEREAS, the Director of Recreation, Forestry and Parks has presented the Board of Legislators with a request to add off-road trails on property owned by JD Realty of Lowville, LLC (Jerome Demko), which runs off the Lee Gulf Road (South of Carpenter Road), Town of Turin, under parcel number 304.00-01-4.4, to the ATV Trail System; and

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed trails and property, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators received a report from the Soil and Water Conservation District detailing their investigations and findings with respect TO THE PROPOSED trails on JD Realty of Lowville, LLC, in the Town of Turin, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and Statement of Findings.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. Based upon its review and analysis of the data contained in the Report and the Specific Environmental Review and Assessment Statement on the trails identified, the Board of Legislators hereby finds and determines that:

- a. The Report adequately sets forth the relevant and material facts necessary for the Board of Legislators to make a decision;
- b. The Report adequately describes the consultant's investigations and analysis as to any significant adverse impacts and necessary mitigations for the specific sites;
- c. The Report's findings are consistent with the criteria identified and set forth in the GEIS and the Statement of Findings;
- d. The investigation and analysis of the site described does not reveal any environmental impacts that were either not addressed or were not adequately addressed in the GEIS and the Statement of Findings.

Section 2. As a consequence of these determinations, the Board of Legislators hereby finds and declares that the addition of the JD Realty of Lowville, LLC Property, in the Town of Turin, known as tax map parcel 304.00-01-4.4, to the Lewis County Trail System will not result in a significant environmental impact.

Section 3. The Board of Legislators further finds and declares that pursuant to 6 NYCRR Part 617.10(d), a Supplemental Findings Statement need not be filed, and no further action need be taken with regard to the County's environmental review of the sites identified and therefore, the Board has completed its lead agency responsibilities under SEQRA with regard to these sites.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Fawcett, and adopted.

RESOLUTION NO. 494 - 2016
RESOLUTION TO INCORPORATE
JD REALTY OF LOWVILLE, LLC PROPERTY
INTO THE LEWIS COUNTY ATV TRAIL SYSTEM

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the Board of Legislators has heretofore determined that the development of a county-wide trail system that can effectively and safely accommodate All Terrain Vehicles (hereafter, “ATVs”) is in the public interest and will enhance the recreational use of the natural resources available in the County, as well as encourage tourism; and

WHEREAS, the Board of Legislators has heretofore conducted an extensive evaluation of the potential environmental impacts associated with the development of a county-wide ATV trail system pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations (“NYCRR”) implementing Article 8 (collectively referred to hereinafter as “SEQRA”); and

WHEREAS, in accordance with the procedures outlined in 6 NYCRR § 617.9, the Board of Legislators caused to be prepared a Draft Generic Environmental Impact Statement (“DGEIS”) and a Final GEIS (collectively the “GEIS”) and on December 18, 2008, the Board of Legislators accepted the GEIS as complete and on January 29, 2009, the Board of Legislators issued a written Statement of Findings setting forth the Board’s conclusions and determinations, based upon the facts and analyses contained in the GEIS; and

WHEREAS, upon completion of its environmental review under SEQRA, the Board of Legislators formally established the Lewis County Trail System (herein “Trail System”) by adopting Local Law No. 2 – 2009, “A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM” (herein, “Local Law No. 2”); and

WHEREAS, Local Law No. 2-2009 and the Statement of Findings contemplate future amendments to BOTH ATV Trail System through the addition of trails and/or the opening of interconnecting roads and set forth procedures for making such amendments and additions; and

WHEREAS, the Recreation, Forestry and Parks Director has presented the Board of Legislators with a request to add property owned by JD Realty of Lowville, LLC, (Jerome Demko) which runs off the Lee Gulf Road (South of Carpenter Hill Road), identified as parcel number 304.00-01-404 to the existing Lee Gulf Trail; and

WHEREAS, as a consequence, the Board of Legislators caused a site-specific environmental review of the proposed property and trail, pursuant to Section 8.2 of the Statement of Findings issued by the Board of Legislators on January 29, 2009; and

WHEREAS, the Board of Legislators contemporaneously herewith completed its review under SEQRA with respect to the property and trails identified above, and based upon an

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investigation and analysis conducted by the Soil and Water Conservation District, has found and determined that adding this property and trail to the Lewis County Trail ATV System will not result in a significant environmental impact; and

WHEREAS, the owner of the property, JD Realty of Lowville, LLC (Jerome Demko), has executed an Access Agreement with the County of Lewis by and through the Director of Recreation, Forestry and Parks, that permits the County to enter upon his property for the purpose of constructing and maintaining ATV trails that will be open to the public and part of the County's ATV trail system.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The trails located on the above referenced property, known as the JD Realty of Lowville, LLC property, which runs off the Lee Gulf Road in the Town of Turin, (South of Carpenter Hill Road), identified as parcel number 304.00-01-4.4 and more fully described in the Supplemental Statement prepared by the Soil and Water Conservation District, is hereby deemed incorporated into and made a part of the Lewis County Trail System.

Section 2. The Board of Legislators hereby authorizes the addition of the JD Realty of Lowville, LLC property trails to the Lewis County ATV Trail System, and authorizes amendment to the maps of the Lewis County Trail System as the same are published on the Lewis County website and elsewhere to include the trail described herein, together with such other and further actions as may be necessary to administer and maintain such trail consistent with the Lewis County ATV Trail Plan, the GEIS and Statement of Findings, and Local Law No. 2-2009.

Section 3. That the Director of Recreation, Parks and Forestry is authorized to make, execute and deliver such additional Access Agreements for the aforesaid property, upon approval of the County Attorney as to form.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator King, and adopted.

**RESOLUTION NO. 495 - 2016
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, 2016 through March 31, 2017; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the 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, 2016 through March 31, 2017 at a cost not to exceed \$112,353.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

**RESOLUTION NO. 496 - 2016
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 appropriations are hereby approved for the increase in Cost of Living Adjustment (COLA) State Aid:

<u>Revenue</u>	
A34903.1 NRCIL	\$1,076.00
A34915 TLS	\$1,004.00
A34910 MH ARC	<u>\$ 42.00</u>
Total:	\$2,122.00
<u>Expense</u>	
A4326.4999 MH ARC	\$ 42.00
A4318.4212 TLS Trans	\$ 9.00
A4318.4213 TLS MICA	\$ 90.00
A4318.4214 TLS Crisis	\$ 56.00
A4318.4215 TLS Client Trans	\$ 56.00
A4318.4216 TLS Supp Housing A	\$ 259.00
A4318.4217 TLS Supp Housing B	\$ 11.50

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A4318.4218 TLS Supp Housing Serv A	\$ 259.00
A4318.4219 TLS Supp Housing Serv B	\$ 11.50
A4318.4220 TLS Case Mnt	\$ 90.00
A4318.4221 TLS Hlth Home	\$ 69.00
A4318.4223 TLS Case Mnt Child	\$ 36.00
A4318.4225 TLS Supp Housing Beds	\$ 57.00
A4324.4700 NRCil Advocacy	\$ 380.00
A4324.4701 NRCIL Family Supp	\$ 255.00
A4324.4703 NRCIL Peer Rehab	\$ 441.00
Total:	\$2,122.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 497 - 2016
RESOLUTION RE-APPOINTING 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. Pursuant to Mental Hygiene Law Section 41.11, the Board of Legislators hereby re-appoints the following individual to the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board:

Shirley Tuttle-Malone, M.D. of 9559 Main Street, Beaver Falls, NY 13305

Section 2. That the term of said appointment shall be effective from January 1, 2017 through December 31, 2020.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Fawcett, and adopted.

RESOLUTION NO. 498 - 2016
RESOLUTION RE-APPOINTING MEMBER TO
ALCOHOLISM & SUBSTANCE ABUSE SUB-COMMITTEE OF
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. Pursuant to Mental Hygiene Law Section 41.11, the Board of Legislators hereby appoints the following individual to the Alcohol and Substance Abuse Sub-Committee of the Community Mental Health, Developmental Disabilities and Alcoholism Services Board:

Daniel Pisaniello, M.D. of 5493 Elm Street, Lowville, NY 13367

Section 2. That the term of said appointment shall be effective from January 1, 2017 through December 31, 2020.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 499 - 2016
RESOLUTION RE-APPOINTING MEMBER TO
MENTAL HEALTH SUB-COMMITTEE OF
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. Pursuant to Mental Hygiene Law Section 41.11, the Board of Legislators hereby appoints the following individual to the Mental Health Sub-Committee of the Community Mental Health, Developmental Disabilities and Alcoholism Services Board:

Kim Cavanagh of 5481 Elm Street, Apt. 2, Lowville, NY 13367

Section 2. That the term of said appointment shall be effective from January 1, 2017 through December 31, 2020.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 500 - 2016
RESOLUTION AUTHORIZING A LETTER OF AGREEMENT
BY THE LEWIS COUNTY COMMUNITY SERVICES BOARD WITH JEFFERSON-
LEWIS BOCES & ST. LAWRENCE COUNTY PSYCHIATRIC CENTER FOR THE
COLLABORATIVE DAY TREATMENT PROGRAM

Introduced by Legislator Andrea Moroughan, Chairperson of the Community Services Committee.

WHEREAS, the Lewis County Community Services Board (“CSB”) wishes to assist in providing services to seriously and persistent mentally ill individuals under the age of 18; and

WHEREAS, the CSB wishes to enter into a letter of agreement with Jefferson-Lewis BOCES and St. Lawrence County Psychiatric Center’s (“CENTER”) under the Jefferson-Lewis Collaborative Day Treatment Program (“CDTP”) for the purpose of: enhancing accessibility of intensive community based services for all children and adolescents of the county; to enhance continuity of care for those persons who are being discharged from the CENTER; to avoid unnecessary duplication of services; and to minimize the need for acute inpatient psychiatric hospitalization for the period commencing September 14, 2016 to September 14, 2017.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a letter of Agreement by Lewis County Community Services Board with Jefferson - Lewis BOCES, and St. Lawrence Psychiatric Center for participation in the Jefferson - Lewis Collaborative Day Treatment Program.

Section 2. That the Board of Legislators hereby authorizes the Director of the Lewis County Community Services Board to execute the Letter of Agreement, upon approval of the terms and conditions 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. 501 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO COUNTY CLERK

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the County Clerk's Department, to create the following temporary position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Student Worker	Temporary (Up to 35 hours/week)	\$9.00/hr.

Section 2. That County Clerk Linda Hoskins is hereby authorized to fill said temporary position effective from December 19, 2016 through January 13, 2017

Section 3. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Hathway, and adopted.

**RESOLUTION NO. 502 - 2016
DESIGNATION OF DEPOSITORIES FOR 2017**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

WHEREAS, County Law § 212 and General Municipal Law § 10 provide that the Board of Legislators shall designate one or more depositories for deposit of all monies received by the County Treasurer, and specify the maximum amount which may be kept on deposit in each depository; and

WHEREAS, the aforementioned statutes also provide for the County governing board to authorize the County Treasurer to designate deposit of moneys not required for immediate expenditure in special time deposit accounts issued by a bank or trust company located and authorized to do business in the State, provided same is payable within such time as the proceeds will be needed to meet expenditures, and provided further that such account(s) is secured in the same manner as set forth under the statutes; and

WHEREAS, the Lewis County Treasurer, the delegated officer to receive and have custody of all moneys of the County, requests the authority to deposit a portion of the fund balance, up to Two Million Dollars (\$2,000,000.00), in an interest-bearing trust account known as the "NYCLASS" portfolio offered by Public Trust Advisors, LLC. The NYCLASS account is approved by the NYS Comptroller's office, and provides for participants to confirm that all investments held within the pool are fully collateralized in compliance with NYS General Municipal Law.

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:

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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 following trust account, “NYCLASS” investment portfolio offered by Public Trust Advisors, LLC, is designated as an authorized special time deposit trust account for deposit by the County Treasurer of a portion of the County Fund Balance, up to a maximum of \$2,000,000.00, and provided said moneys are not required for immediate expenditure.

Section 3. 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 4. That the within resolution shall take effect January 1, 2017.

Moved by Legislator Hathway, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 503 - 2016
RESOLUTION TO AMEND THE COMPENSATION PLAN AND
AUTHORIZE AN EMPLOYMENT AGREEMENT WITH
SAMUEL A. LIVINGSTONE, M.D.**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County District Attorney’s Office wishes to enter into an agreement with 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.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby amends the Compensation Plan of the County of Lewis to create the position of Pathologist in the District Attorney’s office.

Section 2. That the Board of Legislators hereby authorizes an Employment Agreement between the County of Lewis, through the Lewis County District Attorney and Samuel A. Livingstone, M.D. to provide forensic pathologist services.

Section 3. The term of said Agreement shall be effective January 1, 2017 through December 31, 2017 at the salary of \$28,500.

Section 4. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute said Agreement.

Section 5. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Moser.

Legislator King made a motion to amend the position title in Section 1 to Forensic Pathologist, seconded by Fawcett and carried.

The resolution was then adopted.

**RESOLUTION NO. 504 - 2016
RESOLUTION AND ORDER WITH REFERENCE
TO DOG QUARANTINE**

Introduced by Legislator Craig Brennan, 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, 2016 to May 15, 2017.

- a. Pursuant to Agriculture and Markets Law Section 122 (3), a dog shall not be deemed in violation of this order if it is accompanied by, and under the control of its owner.
- b. Pursuant to Agriculture and Markets Law Section 122 (6), this order shall not apply to dogs in special dog training areas or shooting preserves enclosed and licensed pursuant to the environmental conservation law, while such dogs are under the control of the owner or trainer.

Section 2. It is resolved and ordered that notice of this order shall immediately be given by publication in the Watertown Daily Times, as the Board's official newspaper with general circulation in Lewis County.

Section 3. It is resolved and ordered that the Clerk of the Board of Legislators be and she hereby is directed to file a copy of this Order and Resolution in the office of each Town Clerk in the area affected by the order; and that a certified copy of the resolution be forwarded to the NYS Commissioner of Agriculture and Markets.

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Section 4. That such order shall be in full force and effect within 24 hours following publication.

Moved by Legislator King, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 505 - 2016
RESOLUTION APPOINTING DEMOCRATIC
COMMISSIONER OF ELECTIONS**

Introduced by Legislator Craig Brennan Chairman of the Elections Committee.

WHEREAS, the term of Lindsay Burriss as Democratic commissioner of Elections is due to expire on December 31, 2016; and

WHEREAS, Lewis County Democratic Committee Chairwoman Linda Sandri has submitted a letter recommending her re-appointment.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints LINDSAY BURRISS, a resident of the Town of Croghan, Lewis County, New York, as the Democratic Commissioner of Elections, in and for the County of Lewis.

Section 2. That the term of said appointment shall commence on January 1, 2017 and terminate on December 31, 2018.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator King, and adopted.

**RESOLUTION NO. 506 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND
SIEMENS INDUSTRIES, INC.
FOR MAINTENANCE AT THE 911 TOWERS IN LEWIS COUNTY**

Introduced by Legislator Philip Hathway, Chairman of the Buildings and Grounds Committee.

WHEREAS, Siemens Industry, Inc. Building Technologies Division offers fire safety, security, building automation, heating, ventilation and air conditioning (HVAC) as well as energy management products and services; and

WHEREAS, the County of Lewis wishes to enter into an Agreement with Siemens Industry, Inc. to provide maintenance and inspection services associated with the HVAC equipment for the 911 towers in Lewis County; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis and Siemens Industry, Inc. to provide maintenance and inspection services associated with the HVAC equipment for the 911 towers in Lewis County.

Section 2. That the term of this agreement shall be from January 1, 2017 through December 31, 2021 at a cost not to exceed the following annual AMOUNTS: 2017 - \$8,883.00; 2018 - \$9,050.00; 2019 - \$9,322.00; 2020 - \$9,601.00; and 2021 - \$9,889.00.

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 King, and adopted.

RESOLUTION NO. 507 - 2016
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 FY16 Homeland Grant:

Increase Revenue

A43063	FY16 HL EM 265 CFDA#97.067	\$41,250.00
A43051.7	FY16 HL SH 265 CFDA#97.067	\$13,750.00

Increase Expense

A3420.2911	FY16 HL EM 265 CFDA#97.067	\$41,250.00
A3420.2912	FY16 HL SH 265 CFDA#97.067	\$10,699.00
A3420.4901	FY16 HL SH 265 CFDA#97.067	\$ 3,051.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Dolhof, and adopted.

RESOLUTION NO. 508 - 2016
RESOLUTION DESIGNATING THE PLANNING DIRECTOR AS THE LEWIS
COUNTY FAIR HOUSING OFFICER AND HUD SECTION 3 COORDINATOR AND
ESTABLISHMENT OF THE LEWIS COUNTY FAIR HOUSING TASK FORCE

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, by Resolution No. 420-2015, the Lewis County Board of Legislators authorized 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. As a recipient of funding from the US Department of Housing and Urban Development (“HUD”), the County is required to identify impediments or barriers to fair housing choice and to work toward addressing those barriers; and

WHEREAS, the Analysis of Impediments is a survey study identifying barriers to housing choice for protected classes and possible remedies for those barriers. In the 2016 report, fair housing education and enforcement resources were identified, *inter alia*, as areas to be improved upon in Lewis County, with the recommendation that the County Planning Director be named the local fair housing officer together with establishment of a fair housing task force comprised of representative members with affiliated interests in housing, (*such as* representative from the office for the aging, mortgage lenders, real estate sales, non-profit housing, religious organizations, apartment rental agencies, housing construction industry, trade laborers); and

WHEREAS, the task force will assist to promote fair housing choice for all persons in the County and to reaffirm a commitment to equal opportunity for residents to live in safe, decent housing.

NOW, THEREFORE BE IT RESOLVED, that

Section 1. That the Board of Legislators of Lewis County designates the Lewis County Planning Director, as the Lewis County Fair Housing Officer and HUD Section 3 Coordinator, and authorizes the Planning Director to engage in activities required to maintain compliance with HUD regulations and implementation of fair housing education and enforcement resources.

Section 2. That the Board of Legislators authorizes the Fair Housing Officer to form a Fair Housing Task Force with proposed membership to consist of five (5) members in addition to the Planning Director who have an affiliation with housing and/or assistance to residents with

housing needs, and to formulate terms of office for task force members, and to submit same to the Lewis County Board of Legislators for review and final approval and authorization.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Dolhof, and adopted.

RESOLUTION NO. 509 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY INFORMATION TECHNOLOGY DEPARTMENT AND
ACC TECHNICAL SERVICES, INC.

Introduced by Legislator Craig Brennan, Chairman of the Information Technology Committee.

WHEREAS, the Lewis County Sheriff's Department currently uses a Civil FoXPro Database software program referred to as Wheaterware, for the Department's civil judgments activities and responsibilities, which is not compatible with the new upgraded software system; and

WHEREAS, ACC Technical Services, Inc. ("ACC") can build and provide a MS SQL database application with a Windows- based interface, to be located on a Lewis County Server, and convert the existing FoxPro database to this new software program for Civil Judgments; and

WHEREAS, ACC will build and provide this conversion and database software program together with training and other requested time block services in accordance with the following description of pricing and services, not to exceed \$18,870.00:

Core Application/MS SQL Database	-	\$14,450
Database import from old to new	-	\$ 2,040
WebEx training	-	\$ 340
Additional 24 hr time block	-	<u>\$ 2,040</u>

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 Information Technology Department to provide a computer software database program for the Sheriff's Civil Judgments requirements, known as a MS SQL

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database with Windows-based interface and an ability to convert the current Civil FoxPro Database into the MS SQL program.

Section 2. That this is for the term commencing on December 7, 2016 through December 31, 2017 in an amount not to exceed \$18,870.00, and with a portion of the fee payable from the IT Department's Professional Services line and the balance to be paid from the Capital Data Processing 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 Moser, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 510 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
BOARD OF LEGISLATORS' OFFICE**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, with reference to the Board of Legislators' office, to create the following Temporary position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Deputy Clerk of the Board	Temporary Full-Time	\$16.00/hr.

Section 2. That Clerk of the Board Teresa Clark is hereby authorized to fill said position effective December 7, 2016 for a period up to ten (10) weeks.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King.

Legislator Dolhof made a motion to amend Section 2 to allow filling the position effective December 5, 2016, seconded by Legislator Hathway and carried.

The resolution was then adopted.

**RESOLUTION NO. 511 - 2016
RESOLUTION APPOINTING MEMBERS TO
OFFICE FOR AGING ADVISORY COUNCIL**

Introduced by Legislator Roscoe Fawcett, Jr., 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:

District No. 1 - Barbara Ward of 14335 Maple Street, Harrisville, NY 13648
District No. 3 – Jerry Flanders of P.O. Box 534, Copenhagen, NY 13626
District No. 4 – Bruce Chapman of 9629 State Rte. 126, P.O. Box 174, Beaver Falls, NY 13305
District No. 5 – Rose Ross of 5567 Lanpher Street, Lowville, NY 13367
District No. 7 – John Karelus of 6735 B Arthur Road, Lowville, NY 13367
County Treasurer Patricia O’Brien, Court House, Lowville, NY 13367

Section 2. The term of said appointments shall commence January 1, 2017 and expire on December 31, 2019.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 512 - 2016
RESOLUTION TO TRANSFER FUNDS
OFFICE FOR THE AGING**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Office of the Aging Committee.

BE IT RESOLVED, as follows:

Section 1. That the following 2016 budget transfer is hereby approved for the Office for the Aging Accounts to purchasing conference room tables and chairs:

<u>From:</u>		Amount
A0677200 491100	Prof Serv Nutrition	\$8,617.60
<u>To:</u>		
A0677200 290900	Misc Equip	\$8,617.60

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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 513 - 2016
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
VARIOUS CONTRACTS FOR OUTSIDE AGENCIES**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the following contracts for fiscal year 2017, at the amounts set opposite to each respectively:

<u>OUTSIDE AGENCY</u>	<u>AMOUNT</u>
Mountain View Prevention	\$ 21,000.00
Oneida-Lewis Chapter, NYSARC	25,000.00
Lewis County General Hospital Foundation	20,000.00
Chamber of Commerce	45,000.00
Chamber of Commerce (I Love NY)	50,000.00
North Country Library	20,000.00
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
Adirondack North Country Association	1,000.00

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.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 514 - 2016
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.

WHEREAS, the 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 Lewis County Probation Department by the Family Court for the term beginning January 1, 2017 through December 31, 2017, at a cost of \$298.50 per day. Upon submission of a voucher, the State may reimburse up to 49% of the cost.

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. 515 - 2016
RESOLUTION APPOINTING MEMBER TO
PLANNING BOARD**

Introduced by Legislator Lawrence Dolhof, Chairman of the Planning Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints William Burke of 4218 State Route 177, Lowville, New York 13367 as a member of the Lewis County Planning Board.

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Section 2. That the term of said appointment shall be effective from January 1, 2017 through December 31, 2019.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 516 - 2016
RESOLUTION APPOINTING MEMBER TO
PLANNING BOARD**

Introduced by Legislator Lawrence Dolhof, Chairman of the Planning Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Thomas J. Spaulding of 7518 South State Street, Suite 4, Lowville, New York 13367, as a member of the Lewis County Planning Board, to fill the un-expired term of Dennis Lee who had submitted his resignation effective August 31, 2016.

Section 2. That the term of said appointment shall be effective from November 16, 2016 through December 31, 2018.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 517 - 2016
RESOLUTION TO TRANSFER FUNDS
PLANNING DEPARTMENT**

Introduced by Legislator Lawrence Dolhof, Chairman of the Planning Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer is hereby approved from Contingency to the Planning Department account to cover the cost of the Manufacturing Academy of Science and Technology MAST Camp:

<u>From:</u>	<u>Amount</u>
A1990.4999 Contingency	\$4,000.00
<u>To:</u>	
A8020.4914 Community Development Project	\$4,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 518 - 2016
RESOLUTION TO TRANSFER FUNDS
PLANNING**

Introduced by Legislator Lawrence Dolhof, Chairman of the Planning Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer from the Contingency Fund to Planning account is to cover the cost of NYS Lyons Falls BOA Step 3:

<u>From:</u>	Amount
A1990.4999 Contingency	\$4,700.90
<u>To:</u>	
A8020.4913 BOA Step 3	\$4,700.90

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 519 - 2016
RESOLUTION AUTHORIZING
MEMORANDUM OF UNDERSTANDING
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND
COMMUNITY ACTION PLANNING COUNCIL
(JEFFERSON-LEWIS CHILD CARE PROJECT)**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Understanding between the County of Lewis, by and through the Lewis County Public Health Agency, and Community Action Planning Council (Jefferson-Lewis Child Care Project) for the purpose of implementing health care consultant services to review, verify and approve child care program's compliance with NYS Health Care Plan regulations.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the term of this Memorandum of Understanding shall be from October 1, 2016 through September 30, 2017 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 Moroughan, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 520 - 2016
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 \$90,055.00 under contract number DOH01 - C31639GG - 3450000 for the purpose of Early Intervention Administration; and

WHEREAS, the multi-year contract provides for an annual award of \$18,011.00 for a total five year award of \$90,055.00 commencing and retroactive to October 1, 2016 through September 30, 2021; and

WHEREAS, the Board of Legislators wishes to accept such award.

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, 2016 and ending September 30, 2021 in the total amount of \$90,055.00.

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 Moroughan, seconded by Legislator Moser, and adopted.

RESOLUTION NO. 521 - 2016
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND
QUALITY & TECHNICAL ASSISTANCE CENTER OF NEW YORK PARTNERSHIP

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, Quality & Technical Assistance Center of New York Partnership (“QTAC-NY”) operates in the Center for Excellence in Aging and Community Wellness at SUNY Albany; and

WHEREAS, the Lewis County Public Health Agency (“Public Health”), is committed to quality delivery of the QTAC-NY approved evidence-based health promotion programs which include Stanford Self-Management Programs, National Diabetes Prevention Programs and Tai Chi for Arthritis and the County of Lewis, acting by and through Public Health desires to enter into a Memorandum of Understanding (“MOU”) with QTAC-NY; 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 Public Health Agency, and Quality & Technical Assistance Center of New York Partnership for the provision of evidence-based health promotion programs.

Section 2. That the term of this Agreement shall commence on November 2, 2016 and will remain in effect until dissolved by either party with thirty (30) days written notice, with no County 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 Moroughan, seconded by Legislator Fawcett, and adopted.

RESOLUTION NO. 522 - 2016
RESOLUTION TO APPROPRIATE FUNDS
RECREATION, FORESTRY AND PARKS

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BE IT RESOLVED as follows:

Section 1. That the following 2016 budget change is hereby approved in the Recreation, Forestry & Parks account for an update to Summer and Winter Tourism Recreation Apps, utilizing Capital Data Processing funds HAE, balance \$ 127,422.72:

Increase Revenue:

A0100000 350310 Interfund transfers	\$2,220.00

Increase Expense:

A0798900 221700	\$2,220.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Chartrand, and adopted.

**RESOLUTION NO. 523 - 2016
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	Part-time	Grade 11

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said positions effective immediately, in compliance with Civil Service rules and regulations.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator King, and adopted.

**RESOLUTION NO. 524 - 2016
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 (4)	Seasonal Part-time	Grade 22A

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said positions effective from December 15, 2016 through April 30, 2017, in compliance with Civil Service rules and regulations.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted.

RESOLUTION NO. 525 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
THE CENTER OF LIFELONG EDUCATION AND RECREATION
OF SUNY POTSDAM

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an Agreement with the Center of Lifelong Education and Recreation of SUNY Potsdam to provide training projects for the Department of Social Service employees which includes Spring Leadership Institute, Fall Leadership Institute, and Professional Development Workshops; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and the Center of Lifelong Education and Recreation of SUNY Potsdam to provide training projects for the Department of Social Service employees which includes Spring Leadership Institute, Fall Leadership Institute, and Professional Development Workshops.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the term of this Agreement shall be from January 1, 2017 through December 31, 2017 for an amount not to exceed \$7,200.00, with said amount being reimbursed to the Lewis County Department of Social Services through 80% Federal and 20% State funds.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement, pending approval by the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Fawcett, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 526 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
DEPARTMENT OF SOCIAL SERVICES AND
COMMUNITY ACTION PLANNING COUNCIL
OF JEFFERSON COUNTY, INC.**

Introduced by Legislator Roscoe Fawcett, Jr., 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 costs of these services are 100% Federal monies with no local share cost.

Section 3. That the term of this Agreement shall be from January 1, 2017 through December 31, 2017 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 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 King, and adopted.

RESOLUTION NO. 527 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND THE HOUSE OF THE GOOD SHEPHERD

Introduced by Legislator Roscoe Fawcett, Jr., 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, 2017 through December 31, 2017 at a cost in accordance with the rates set forth by the State in the Agreement. Local share cost is approximately 37.5% and is based on the eligibility of the client, but not incurred until the foster care 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 Fawcett, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 528 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE DEPARTMENT OF SOCIAL SERVICES AND
NATASHA'S KIDDIE SHACK DAYCARE

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to contract for day care services through Natasha's Kiddie Shack Daycare for eligible recipients; and

WHEREAS, the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Board of Legislators hereby approves the contract with Natasha's Kiddie Shack Daycare for the period of January 1, 2017 through December 31, 2017 at the Day Care market rate established by Natasha's Kiddie Shack Daycare and pursuant to the DSS Fair Market Rates as established by the State. The cost for eligible recipients is approximately 1.5% for the County, approximately 3.75% for the State and 95% Federal reimbursement. Through October 2016, there was no local share cost associated with this agreement.

	Infant Under 1 ½	Toddler 1 ½ - 2	Preschool (3-5)	School Age Child Care (6-12)
Weekly Full Time	\$195.00	\$190.00	\$185.00	\$165.00
Hourly Rate	\$6.00	\$6.00	\$6.00	\$6.00
Fair Market Rate Daily	\$42.00	\$40.00	\$38.00	\$35.00
Fair Market Rate Part-Day	\$28.00	\$27.00	\$25.00	\$23.00

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Fawcett, seconded by Legislator Moser, and adopted.

RESOLUTION NO. 529 - 2016
RESOLUTION AUTHORIZING A MODIFICATION
AGREEMENT TO THE MEMORANDUM OF UNDERSTANDING
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a Modification Agreement to the 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 Modification Agreement to the Memorandum of Understanding shall be from January 1, 2017 through December 31, 2017, with the Lewis County Department of Social Services to 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”) for registration and inspection of child care providers.

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 Fawcett, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 530 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES

Introduced by Legislator Roscoe Fawcett, Jr., 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>
Social Services Program Examiner	Full-time	Grade 20

Section 2. That Commissioner of Social Services Jennifer Jones is hereby authorized to fill said position effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Fawcett, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 531 - 2016
RESOLUTION TO TRANSFER FUNDS
BUILDINGS & GROUNDS
SOLAR PROJECT

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the following budget transfer from Contingency is hereby approved in the Buildings and Grounds account for the solar project:

<u>Transfer from:</u>	
A0199000 4999000 Contingency	\$250,000.00

<u>Transfer to:</u>	
A0162600 430300 B&G Solar	\$250,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Chartrand, and adopted.

RESOLUTION NO. 532 - 2016
RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY SOLID WASTE DEPARTMENT AND
ROY TEITSWORTH, INC., dba RTI INTERNET AUCTIONS

Introduced by Legislator Gregory Kulzer, Chairman of the Solid Waste Committee.

WHEREAS, Lewis County Solid Waste 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 Solid Waste Department wishes 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 Lewis County Sheriff's Department wishes to sell a surplus vehicle 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 Solid Waste Department and Roy Teitsworth, Inc, dba RTI Internet Auctions, to participate in the on line auction services to sell County used surplus equipment and a vehicle beginning January 3, 2017 through January 10, 2017.

Section 2. That the Lewis County Solid Waste Department Director or the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted.

RESOLUTION NO. 533 - 2016
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, 2017 through December 31, 2017.

Section 2. That this Board of Legislators hereby approves an agreement between the County of Lewis and Mountain View Prevention Services, Inc. ("MVPS"), pursuant to which MVPS shall provide DWI Coordinator services consistent with Vehicle & Traffic Law § 1197 for the term herein at an annual cost of \$14,300.00.

Section 3. That the Chairman or the Vice-Chairman of the Board of Legislators be and the same is hereby authorized to make, execute, seal and deliver such Agreement upon such form as may be approved by the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 534 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY, BIRNIE
BUS TOURS, INC. AND NYSARC, INC. (ONEIDA-LEWIS CHAPTER) ("ARC") AND
UPSTATE CEREBRAL PALSY ("UCP")
FOR 2017 LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Lawrence Dolhof, Chairman of the Planning Department 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 with costs reimbursable to the County from Federal and State Transportation Programs; 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

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.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves a contract with BIRNIE BUS TOURS, INC., and incorporating of 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 effective January 1, 2017 through December 31, 2017 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 Fawcett, and adopted.

RESOLUTION NO. 535 - 2016
RESOLUTION AUTHORIZING APPLICATION TO NEW YORK STATE
DEPARTMENT OF TRANSPORTATION FOR SECTION 5311 GRANT FUNDING FOR
THE PURCHASE OF A NEW BUS TO BE ADDED TO THE LEWIS COUNTY
TRANSPORATION SYSTEM, AND UTILIZATION OF THE COUNTY'S
ACCELERATED TRANSIT CAPITAL FUNDING TO MEET THE COUNTY'S TEN
PERCENT (10%) MATCHING SHARE

Introduced by Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, Section 5311 of Title 49, United States Code, provides federal financial assistance for public transportation in rural and small urban areas by way of a formula grant program to be administered by the States. The program calls for apportionment of the costs to be borne at the ratio of 80% in Federal funds and 20% non-federal funds (10% by the State and 10% by the local applicant). The Governor of New York State designated the NYS Department of Transportation ("NYSDOT") to receive and administer federal funds under this program; and

WHEREAS, by Resolution No. 282-2010, the County of Lewis approved and authorized annual grant applications for Section 5311 funds; and

WHEREAS, the County of Lewis purchased two (2) public transportation buses under the 5311 Grant Funding program in 2013, and now seeks to purchase another bus and related equipment for its transportation system to serve the residents of the County; and

WHEREAS, the NYSDOT guidelines under this Grant funding indicate that the County may now utilize and reassign its Accelerated Transit Capital (ATC) funding (currently eligible for \$56,545) as the County's required 10% match under the Grant; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the estimated cost of the bus and related equipment is approximately \$130,000.00, with the local share match being approximately \$13,000.00.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes an application to the Section 5311 Grant Program for the purchase of a bus and related equipment for the County's public transit system, with the County's required 10% matching funds to be reassigned from the Accelerated Transit Capital (ATC) funding.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Grant Application, upon such form as may be approved by the County Attorney.

Section 3. That a certified copy of this Resolution shall be filed with the New York State Department of Transportation by attaching it to the Grant Application.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 536 - 2016
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 2017 County Budget.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

RESOLUTION NO. 537 - 2016
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 2017.

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 2017.

Section 2. That the Lewis County Treasurer, in performing such duties, shall be governed by the provisions of Section 554 of the Real Property Tax Law and shall submit required reports in accordance with Section 554.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Dolhof, and adopted.

RESOLUTION NO. 538 - 2016
RESOLUTION TO APPROPRIATE/TRANSFER FUNDS
TREASURER'S OFFICE

Introduced by Legislator Philip Hathway, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2016 budget change is hereby approved in the Treasurer's Department Account for the purchase of two computers, utilizing Capital Data Processing Project funds HAE H0990100 499900, balance \$ 127,422.72:

Increase Revenue:

A0100000 350310 Interfund transfers

\$1,174.56

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Increase Expense:

A0132500 221700 Computers \$1,174.56

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 539 – 2016
RESOLUTION AUTHORIZING COUNTY TREASURER
TO MAKE NECESSARY BUDGET TRANSFERS**

Introduced by Legislator Philip Hathway, Chairman of the Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the Lewis County Treasurer to make such inter-fund departmental transfers as are necessary to close the books for the 2016 fiscal year.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

**RESOLUTION NO. 540 - 2016
RELEVYING UNPAID SCHOOL TAXES AND
VILLAGE TAXES ON ASSESSMENT ROLLS**

Introduced by Legislator Craig Brennan, Chairman of the Taxation Committee.

WHEREAS, the various school districts and villages within 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 2016 Assessment Rolls for the seventeen (17) Towns in Lewis County.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 541 - 2016
RESOLUTION AUTHORIZING THE SUPERVISOR
OF EACH TOWN IN THE COUNTY OF LEWIS TO ADD
TO THEIR TAX WARRANT THE 2017 COUNTY TAX
APPORTIONED TO EACH**

Introduced by Legislator Craig Brennan, 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 2017 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 Moser, and adopted.

**RESOLUTION NO. 542 - 2016
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND NCA COMP, INC. FOR
WORKERS' COMPENSATION ADMINISTRATION SERVICES**

Introduced by Legislator Lawrence Dolhof, Chairman of the Workers' Compensation Committee.

WHEREAS, the County of Lewis "(County)" is duly qualified as self-insured under the Workers' Compensation Law of the State of New York and desires to retain NCA Comp, Inc. ("NCA") to provide claims administration, medical management, return-to-work, and other agreed upon services for its Workers' Compensation program; and

WHEREAS, NCA is duly licensed by the State of New York as a Workers' Compensation Benefits Third Party Administrator and has the experience, staff and facilities necessary to provide the claims administration services desired by the County; 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 and NCA Comp, Inc. to provide workers' compensation third party claims administration services for the Lewis County Self-Insurance Plan.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the term of this Agreement shall be from March 1, 2017 through February 29, 2020 at a cost not to exceed \$43,529.38 through February 2018; \$44,579.38 through February 2019; and \$45,660.88 through February 2020. There is an additional cost up to \$4,000.00 to transition data from the existing Third Party Administrator.

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, and adopted.

**RESOLUTION NO. 543 - 2016
RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INVESTMENT ACT**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

NOA#PY16-3

Section 1. That the following funds be appropriated for Program Year 2016 for the period July 1, 2016 to June 30, 2018 for Adult and Dislocated Worker program, per the Notice of Obligation Authority (NOA), #PY16-03, dated October 31, 2016 through the New York State Department of Labor as follows:

<u>Adult</u>	<u>Amount</u>
CD6292.1999	\$20,400.00
CD6292.8999	9,500.00
CD6292.4999	<u>24,047.79</u>
Total	\$53,947.79
<u>WIA Revenue</u>	
CD47910	\$53,947.79
 <u>Dislocated Worker</u>	
CD6291.1999	\$20,500.00
CD6291.8999	9,100.00
CD6291.4999	<u>8,831.63</u>
Total	\$38,431.63
 <u>WIA Revenue</u>	
CD47910	\$38,431.63

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Fawcett, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 544 - 2016
RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

NOA#PY16-03

Section 1. That the following funds be appropriated for Program Year 2016 for the period April 1, 2016 to June 30, 2018 for Youth, per the Notice of Obligation Authority (NOA), #PY16-03, dated October 31, 2016 through the New York State Department of Labor in the amount of \$6,793.47.

<u>Youth</u>	<u>Amount</u>
CD6290.4909	\$6,793.47

<u>WIA Revenue</u>	
CD47910	\$6,793.47

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Fawcett, seconded by Legislator King, and adopted.

**RESOLUTION NO. 545 - 2016
RESOLUTION APPROVING APPOINTMENT TO
JEFFERSON-LEWIS
WORKFORCE DEVELOPMENT BOARD**

Introduced by Legislator Michael A. Tabolt, Chairman of the Lewis County Board of Legislators.

WHEREAS, pursuant to the Workforce Innovation & Opportunity Act, Public Law 113-128 as signed into law on July 22, 2014, the Jefferson-Lewis Workforce Development Board (WDB) has been established; and

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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 individual to serve as a member of the Jefferson-Lewis Workforce Investment Board to fill the un-expired term of Michael Schantz:

David Pavey, Qubica AMF Human Resources & Safety Manager

Section 2. That the term of said appointment shall be effective from December 7, 2016 through June 30, 2017.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 546 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES**

Introduced by Legislator Roscoe Fawcett, Jr., 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 temporary positions for the purpose of training with the existing employees:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Social Services Investigator	Temporary Full-time	Grade 23
Case Supervisor-Grade B	Temporary Full-time	Grade 31

Section 2. That Commissioner of Social Services Jennifer Jones is hereby authorized to fill said positions effective immediately.

Section 3. That upon retirement of the existing employees these positions will become permanent

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 547 - 2016
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 appropriations are hereby approved for the Public Defender Grant #5 C000722 for the period 1/1/15 through 12/31/17:

Revenue

A0117000 330254 Pub Def Grant C000722	\$113,928.00

Expense

A0117000 494500 Pub Def Grant C000722	\$113,928.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Chartrand, and adopted.

**RESOLUTION NO. 548 - 2016
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 appropriations are hereby approved for the Public Defender Grant #6 C600022 for the period 1/1/16 through 12/31/18:

Revenue

A0117000 330255 Pub Def Grant C600022	\$56,964.00

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Expense

A0117000 494600 Pub Def Grant C600022 \$56,964.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Chartrand, and adopted.

**RESOLUTION NO. 549 - 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.

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 \$3,326,388.00 as recommended in the report of the County Superintendent of Highways.

Section 3. That the County Treasurer be and hereby is authorized and directed to disburse from the County Road Fund said money on order from the County Superintendent of Highways pursuant to law.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 550 - 2016
RESOLUTION FOR SNOW REMOVAL ON
COUNTY ROAD SYSTEM FOR THE YEAR 2017**

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 \$1,993,000.00, 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 King, seconded by Legislator Kulzer, and adopted.

OTHER BUSINESS:

Clerk of the Board Teresa Clark reported the Chairman's re-appointment of Arleigh Rice to the Agriculture and Farmland Protection Board as an active farmer representative.

Chairman Tabolt reminded and encouraged everyone to participate in the Court House holiday basket auction on 12/16/16. All proceeds will, again, be donated to the Renee Beyer Memorial Fund.

Chairman Tabolt had talked with several Legislators who favored an informal gathering over the traditional luncheon following the final Board meeting on 12/20/16. Legislator Chartrand will coordinate the event at the Lowville Elks Club.

On 12/20/16 the Board will meet jointly with the Hospital Board of Managers for an executive session discussion about the Chief Executive Officer recruitment.

He also reminded any interested Legislator to inform the Clerk's office if they wished to be registered for the NYSAC conference to be held in Albany 1/30/17 – 2/1/17.

Lastly, Chairman Tabolt informed that the event to honor volunteers of the Lewis County Historical Society will also be a memorial tribute to Assistant County Attorney Mary Iocovozzi, who untimely passed away earlier this week. He then called for a moment of silence in her memory.

There being no other business to come before the Board, the meeting adjourned at 6:30 p.m. on motion by Legislator Chartrand, seconded by Legislator Moser and carried.

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**ANNUAL SESSION
FINAL DAY
December 20, 2016**

The meeting was called to order at 10:00 a.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

Chairman Tabolt offered the Invocation and then led the Pledge of Allegiance to the Flag.

There were 6 persons present.

Chairman Tabolt declared the December 6, 2016 meeting minutes were approved.

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 20, 2016

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

Legislator Dolhof made a motion to waive the rules, seconded by Legislator Moser and carried.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, reported that Greenskies has submitted the report to National Grid and awaits their response on the solar project. He, again, acknowledged and thanked Chairman Tabolt and Legislators King and Chartrand for reaching out to Public Service Commission officials, whom facilitated a reduction in the exorbitant cost that may have deemed the project impracticable.

Legislators King and Chartrand presented a plaque awarded to Lewis County from Northern Regional Center For Independent Living to recognize Planning Director Frank Pace and Buildings Supervisor Frank Archer for their yeoman work on the DSS parking lot project.

Legislator Hathway made a motion to encumber 2016 contingency funds in the amount of \$57,882 representing the 2016, 2017 and 2018 annual assessment of \$19,294 to the Hudson River Black River Regulating District (HRBRRD). The motion was seconded by Legislator Chartrand and carried. This motion was amended later in the meeting.

Legislator King announced that he was officially the County's representative on the HRBRRD Board of Directors.

Legislator Bryan Moser, County Officers/Junkyards/Veterans' Services/ Human Resources Committee Chairman, reported that last week's cancelled court appearances for non-compliant junkyard owners, due to weather, but had been rescheduled in January.

Legislator Jerry King, Courts and Law Enforcement/Fire & Emergency Management Director/Building Codes Committee Chairman, reported that Allen Wesley of E.F. Johnson will be on-site January 16, 2017 to determine necessary adjustments to address cyclonic noise for the pagers.

Legislator Lawrence Dolhof, Economic Development Committee Chairman, reported approved funding for four of the eight submitted Consolidated Funding Applications (CFA), with \$130,000 awarded for the business park project.

Also, the Kraft Heinz expansion project was to receive \$20 million through NYS Empire State Development.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman, made a motion to award bids to various vendors for bulk oil and supplies for the Highway Department for year 2017 in accordance with the tabulated list of bidders and respective low prices on file with the Clerk of the Board. The motion was seconded by Legislator Brennan and carried.

Legislator Richard Chartrand, Hospital Committee Chairman, announced Respiratory Therapist Jacquelyn Gamache as the October employee-of-the-month. She was recognized for remaining to comfort a dying patient until they passed away.

Legislator Chartrand informed of a forthcoming request for three clinic licensed practical nurses, one each for the new extended hours clinic to operate from 1 to 9 p.m., the South Lewis Central School office and an ascribed program to assist doctors with billing to enable them to see more patients.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, relayed that Mountain View Prevention Services, NRCIL and CREDO providers had each explained their efforts in response to Dr. Shirley Tuttle-Malone's statements that implemented programs were not enough to meet the needs for the opiate crisis.

Legislator Moroughan reported the committee's recommendation to appoint Lewis County Opportunities Executive Director Scott Mathys and Registered Nurse Gale Grunert to fill the vacancies on the Community Services Board.

Legislator Dolhof announced approval of Snow Belt Housing's Community Development Block Grant (CDBG) application in the amount of \$847,500 for homeowner and renter occupied housing rehabilitation.

After realizing that funds may not be encumbered for subsequent year expenses, Legislator Hathway made a motion to amend his earlier motion to encumber \$19,294,

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representing the 2016 assessment only to the HRBRRD. The motion was seconded by Legislator Chartrand and carried.

SPECIAL REPORT:

Chairman Tabolt had attended the 12/8/16 Regional Economic Development Committee (REDC) award announcements in Albany.

Chairman Tabolt had also sat in on the 12/19/16 meeting with local loggers and Economic Development Director Eric Virkler to rejuvenate supporting efforts to retain the Lyonsdale ReEnergy plant. Statistics will be gathered to illustrate the far reaching impact throughout the entire North Country region if the plant were to close. Legislator Moser said the plant evaded the February 2017 shut down, affirming enough reserves to operate through the end of 2017. The plant pays loggers bottom price for chips, attributable to low energy prices and being the only market in the county. He explained the domino effect of flooding surrounding markets if the ReEnergy plant were closed.

As a comparison to a recent media report on consumer complaints for a ten-cent per gallon gas hike, Legislator Moser strongly urged the media to publish a focused article to impress the positive impact higher energy prices would have on the logging and other industries. He indicated a 50-cent increase could infuse as much as \$18 million into the overall local economy by as much as \$18 million.

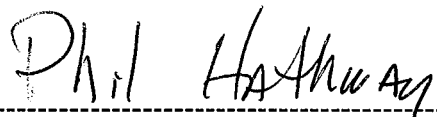
REPORT OF THE WAYS AND MEANS COMMITTEE:

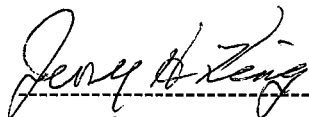
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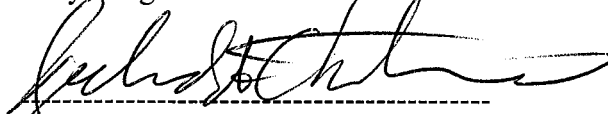
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

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 \$ 582,202.84 and recommend that they be audited and allowed for the amounts claimed.


Philip Hathway Chair


Jerry King Committee


Richard Chartrand Committee

Dated: December 20, 2016

Approved on motion by Legislator Moser, seconded by
Legislator Chartrand, and carried.

RESOLUTIONS:

**RESOLUTION NO. 551 - 2016
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 \$582,202.84 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Moser, seconded by Legislator Hathway, and adopted by roll call vote:

YEAS: Brennan, Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, Fawcett, Tabolt

NAYS: None

ABSENT: None

**RESOLUTION NO. 552 - 2016
RESOLUTION AUTHORIZING AMENDMENTS TO AGREEMENTS BETWEEN
NORTHERN REGIONAL CENTER FOR INDEPENDENT LIVING,
TRANSITIONAL LIVING SERVICES, ONEIDA-LEWIS CHAPTER NYSARC
AND LEWIS COUNTY COMMUNITY SERVICES
TO REFLECT THE COST OF LIVING ADJUSTMENT (“COLA”) STATE AID**

Introduced by Legislator Andrea Moroughan, Chair of the Community Services Committee.

WHEREAS, the County of Lewis acting by and through the Lewis County Community Services Department (“LCCSD”) entered into Agreements for the term January 1, 2016 through December 31, 2016 with Northern Regional Center for Independent Living (“NRCIL”), Transitional Living Services (“TLS”), and Oneida - Lewis Chapter NYSARC (“NYSARC”) for mental health services; and

WHEREAS, LCCSD subsequently received notice of an increase in funding to these Agencies as a Cost Of Living Adjustment (“COLA”) for 2016 state aid at the following amounts:

<u>AGENCY</u>	<u>AMOUNT</u>
Northern Regional Center for Independent Living	\$ 1,076.00

Transitional Living Services	\$ 1,004.00
Oneida-Lewis NYSARC	\$ 42.00

WHEREAS, the County seeks to amend the 2016 Agreements with these Agencies to reflect the COLA amounts received from state aid as part of the amount of the payment of services therein provided.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves amendments to the 2016 Agreements between Northern Regional Center for Independent Living, Transitional Living Services, and Oneida - Lewis Chapter NYSARC and the County of Lewis acting by and through the Lewis County Community Services Department for mental health services to reflect the COLA amounts received toward the services therein provided.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Amended Agreements, upon approval by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator King, and adopted.

RESOLUTION NO. 553 - 2016
RESOLUTION TO AUTHORIZE A NCI DISRIP PROVIDER PARTICIPATION
AGREEMENT BETWEEN THE COUNTY OF LEWIS CORPORATE COMPLIANCE
COMMITTEE AND COMPLIANY GROUP LLC FOR “THE GUARD” INTERNET-
BASED SOFTWARE PROGRAM AND IMPLEMENTATION SERVICES

Introduced by Legislator Bryan Moser, Member of the Corporate Compliance Committee.

WHEREAS, the County of Lewis Corporate Compliance Committee is charged with review, training and monitoring of County Departments who are charged with compliance obligations, especially HIPAA compliance, as a result of the services they provide; and

WHEREAS, certain Department representatives of the Corporate Compliance Committee, namely, the County Attorney as Chair, Public Health Department, Office For the Aging, and Community Services Board Director, whose Departments are all partners in the North Country Initiative of the NYS Delivery System Reform Incentive Payment Program (“NCI DISRIP”), desire to enter into a License, Implementation and Services Agreement with Compliancy Group LLC, for its “The Guard” internet-based software program, which offers comprehensive components of HIPAA compliance, including updated written policies, staff training and documentation of training, vendor management, vendor risk management and other risk assessments that these particular Departments are required to do, or be subject to penalty by the State. The program provides for a web-based solution for reminders and alerts for annual

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training, filing requirements and a systematic method for incident recording, assessment and remedial steps in the event of audits; and

WHEREAS, the Fort Drum Regional Health Planning Organization (“FDRHPO”), another partner in the NCI DSRIP, received a project Grant for this program and has offered to have the Lewis County Corporate Compliance Committee Departments take advantage of this Compliancy Group program and web-based solution free of charge through the NCI DISRIP project through March, 2020; and

WHEREAS, the Board of Legislators wishes to approve such agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a Participation Agreement between the County of Lewis, by and through its Corporate Compliance Committee members representing the Lewis County Public Health Agency, Office for the Aging, Community Services Board and the County Attorney as the Committee’s Chair and Compliancy Group, LLC for a license, implementation and services agreement for the company’s “Guard” internet-based software program to assist these Departments and Committee with their corporate compliance obligations, especially concerning HIPAA compliance.

Section 2. That the Board of Legislators hereby authorize the County Attorney and Director of Public Health, Office for the Aging Director, and Director of Community Services to execute any agreement(s) and periodic addendums required for the license and software program, provided that the cost of same is paid by FRDHPO, that there is no cost to the County and the named Departments and Committee, and that any such agreements are reviewed and approved by the County Attorney.

Section 3. That this Agreement shall be for the term commencing December 21, 2016 through March 31, 2020.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Fawcett, and adopted.

RESOLUTION NO. 554 - 2016
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.

Section 2. The term of said Agreement is from October 1, 2016 through September 30, 2017, in the amount of \$29,200.00

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute said Agreement.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 555 - 2016
RESOLUTION TO TRANSFER FUNDS
CORONER**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following 2017 budget transfer is hereby approved in the Coroner's Department for the Coroner's position:

<u>From:</u>	<u>Amount</u>
A0118500 490100 Prof serv	\$36,000.00
<u>To:</u>	
A0118500 110100 Pers Serv	\$28,500.00
A0118500 801000 Retirement	\$ 4,990.00
A0118500 803000 FICA	\$ 2,180.00
A0118500 804000 Worker's comp	\$ 330.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Fawcett, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 566 – 2016
RESOLUTION TO APPROPRIATE FUNDS
DISTRICT ATTORNEY 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 office of the District Attorney using money from account T87.05 to cover the cost of witness airfare in regard to a retrial.

Increase Revenue

A0116500 326260 Forfeiture of Crime Proceeds	\$ 1,983.84

Increase Expense

A0116500 493600 Prosecution Fund	\$ 1,983.84

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof , seconded by Legislator Kulzer , and adopted.

**RESOLUTION NO. 557 - 2016
RESOLUTION APPOINTING REPUBLICAN
COMMISSIONER OF ELECTIONS**

Introduced by Legislator Craig Brennan, Chairman of the Elections Committee.

WHEREAS, the term of Ann M. Nortz as Republican Commissioner of Elections is due to expire on December 31, 2016; and

WHEREAS, Lewis County Republican Committee Chairman Michael Young has submitted a letter recommending her re-appointment.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints ANN M. NORTZ, a resident of the Town of Lowville, Lewis County, New York as the Republican Commissioner of Elections, in and for the County of Lewis.

Section 2. That the term of said appointment shall commence on January 1, 2017 and terminate on December 31, 2018.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 558 - 2016
RESOLUTION RESCINDING RESOLUTION 513-2016 AND
AUTHORIZING AGREEMENTS BETWEEN
THE COUNTY AND VARIOUS OUTSIDE AGENCIES**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, the Lewis County Board of Legislators desires to rescind Resolution No. 513-2016, as some of the amounts set forth therein are incorrect, and to set forth and approve the following contracts for fiscal year 2017, at the amounts set forth.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby rescinds Resolution No. 513-2016 and the same shall be deemed null and void and no longer in effect.

Section 2. That the Board of Legislators hereby approves contracts with the following agencies for fiscal year 2017, at the amounts set opposite each respectively:

<u>OUTSIDE AGENCY</u>	<u>AMOUNT</u>
Mountain View Prevention	\$ 22,620.00
Oneida-Lewis Chapter, NYSARC	25,000.00
Lewis County General Hospital Foundation	20,000.00
Chamber of Commerce	45,000.00
Chamber of Commerce (I Love NY)	50,000.00
North Country Library	20,000.00
Lewis County Historical Society	22,115.00
Constable Hall Association	1,000.00
American Maple Museum	1,000.00
Railway Historical Society NNY	1,000.00
Adirondack Park Local Government Board	800.00
Lewis County Agricultural Society	5,000.00
Lewis County Soil & Water Conservation District	110,000.00
Lewis County Cooperative Extension Service	300,000.00
Town of Diana Museum	1,000.00
Adirondack North Country Association	1,000.00

Section 3. That the Chairman of the Board of Legislators, or the Vice-Chairman, be and the same is hereby authorized to execute and deliver such Agreement.

Section 4. That this Resolution shall take effect immediately.

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Moved by Legislator Hathway, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 559 - 2016
RESOLUTION APPOINTING MEMBER TO
PLANNING BOARD**

Introduced by Legislator Lawrence Dolhof, Chairman of the Planning Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Tim Petersen of 6041 Houseville Road, Turin, New York 13473, as a member of the Lewis County Planning Board, to fill the un-expired term of Glen Gagnier who had submitted his resignation effective October 28, 2016.

Section 2. That the term of said appointment shall be effective from November 16, 2016 through December 31, 2017.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Brennan.

Legislator Kulzer relayed his understanding the Planning Board was to represent the public-at-large, adding that Mr. Petersen is employed by the IDA that is partially funded by the County. He asked how members are chosen, while citing a Denmark start-up business owner whom had indicated interest to serve.

Legislator Dolhof explained that the Planning Board had voted to recommend Mr. Petersen.

The resolution was then adopted. Legislator Kulzer was opposed.

**RESOLUTION NO. 560 - 2016
RESOLUTION AUTHORIZING AGREEMENT WITH
NYS DIVISION OF CRIMINAL JUSTICE SERVICES AND
PROBATION DEPARTMENT – IGNITION INTERLOCK PROGRAM**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes a grant Agreement between the New York State Division of Criminal Justice Services, by and through the Probation Department, for a Governor's Traffic Safety Committee (GTSC) Ignition Interlock Device Monitoring Program.

Section 2. That said Agreement shall be effective for the period from October 1, 2016 through September 30, 2017, in the total amount of \$2,159.00.

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 Brennan, and adopted.

RESOLUTION NO. 561 - 2016
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF PROBATION AND
RUBENZAHL, KNUDSEN & ASSOCIATES PSYCHOLOGICAL SERVICES, P.C.

Introduced by Legislator Jerry King, Chairman of the Courts and Law Committee.

WHEREAS, the Lewis County Probation Department wishes to enter into an Agreement with Rubenzahl, Knudsen & Associates Psychological Services, P.C., to provide sex offender evaluations and counseling services for individuals referred to the Lewis County Probation 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 Probation Department, and Rubenzahl, Knudsen & Associates Psychological Services, P.C., to provide services for sex offender evaluations and counseling to clients referred by the Lewis County Department of Probation.

Section 2. That the term of this agreement shall be January 1, 2017 through December 31, 2017 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.

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Moved by Legislator King, seconded by Legislator Hathway, and adopted.

**RESOLUTION NO. 562 - 2016
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 2016 budget transfer is hereby approved in the Public Defender's accounts from Contingency to cover conflict defender services:

<u>From:</u>	<u>Amount</u>
A0199000 499900 Contingency	\$20,000.00
<u>To:</u>	
A0117000 491100 Prof Serv Assigned Counsel	\$20,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Fawcett, seconded by Legislator Dolhof.

In response to Legislator Moser's inquiry, Ms. Swearingin explained these monies were for conflict defender services on an as-needed basis, in addition to services provided by the McClusky firm. County Attorney McNichol further explained conflicts arise when there are more than two defendants or responders requiring multiple representing attorneys. Also, the recent increased income eligibility changes impacted increased costs.

Referencing the historic deficient budget, Legislator Brennan suggested thorough review to consider adequate budget appropriations.

The resolution was then adopted.

**RESOLUTION NO. 563 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SHERIFF'S DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Sheriff's Department is lacking a Deputy Sheriff/Sgt. on one rotation;
and

WHEREAS, currently the most senior Deputy Sheriff on duty is paid at the Deputy Sheriff/Sgt. rate when a Sergeant is not on duty; and

WHEREAS, it is understood that one Deputy Sheriff would be promoted to Deputy Sheriff/Sgt. and the Deputy Sheriff position would thereafter remain vacant.

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 Sheriff's Department, to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Deputy Sheriff/Sgt.	Full-time	Grade 23A

Section 2. That one position of Deputy Sheriff shall simultaneously be **ABOLISHED** upon promotion to Deputy Sheriff/Sgt.

Section 3. That Sheriff Michael Carpinelli is hereby authorized to fill said position effective immediately, in compliance with Civil Service rules and regulations.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Moser, and adopted.

RESOLUTION NO. 564 - 2016
RESOLUTION AUTHORIZING PUBLIC SAFETY ANSWERING POINTS GRANT
AGREEMENT WITH NEW YORK STATE DIVISION OF HOMELAND SECURITY
AND EMERGENCY SERVICES - SHERIFF'S DEPARTMENT

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Sheriff's Department has received notification of grant approval from the NYS Division of Homeland Security and Emergency Management Services for funding in the amount of \$184,555.00, to assist with maintenance fees of phone and other equipment, dispatch systems and the redundant center.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Public Safety Answering Points Grant Agreement between the County of Lewis and the NYS Division of Homeland Security and Emergency Services in the amount of \$184,555.00, to assist with maintenance fees

PROCEEDINGS OF THE BOARD OF LEGISLATORS

of phone and other equipment, dispatch systems and the redundant center for the grant period from 1/1/2017 to 12/31/2017.

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 Moser, seconded by Legislator King, and adopted.

**RESOLUTION NO. 565 - 2016
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO JASON A. COOK AND MELINDA L. COOK)**

Introduced by Michael A. Tabolt, Chairperson of the Lewis County Board of Legislators.

WHEREAS, Jason A. Cook and Melinda L. Cook executed a Mortgage in favor of the County of Lewis dated August 25, 2006, and recorded in the Lewis County Clerk's Office on May 31, 2007, as Instrument #2007-01764, to secure payment of a loan in the amount of \$36,393.19 pursuant to a program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforescribed Mortgage.

Section 2. That the within Resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 566 – 2016
RESOLUTION TO APPROPRIATE FUNDS
FOR SNOWMOBILE TRAIL PROGRAM
70% 2016-2017 Season**

Introduced by Legislator Michael Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That \$165,039.00 be appropriated to Account No. A7141.4999 Snowmobile Trail Program and be offset by State Aid Account A38202.

Section 2. That the funds shall be passed on to the Snowmobile Association upon receipt.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 567 - 2016
RESOLUTION TO RESCIND RESOLUTION NO. 530-2016
WITH REFERENCE TO SOCIAL SERVICES**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, Resolution No. 530-2016 was erroneously enacted to create a Social Services Program Examiner.

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 **abolish** the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Social Services Program Examiner	Full-time	Grade 20

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Fawcett, seconded by Legislator King, and adopted.

**RESOLUTION NO. 568 - 2016
RESOLUTION TO RE-APPOINT MEMBER TO
SOIL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That this Board of Legislators hereby re-appoints Ashley Marolf of 10449 Second Road, Carthage, New York 13619 as the Grange Representative on the Lewis County Soil & Water Conservation District Board of Directors.

Section 2. That the term of said appointments shall be from January 1, 2017 to December 31, 2020.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator King, and adopted.

**RESOLUTION NO. 569 - 2016
RESOLUTION TO APPOINT MEMBER TO
SOIL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Jennifer Myers of 4217 West Road, Turin, New York 13473, as the Member-at-Large to the Lewis County Soil & Water Conservation District Board of Directors.

Section 2. That the term of said appointments shall be from January 1, 2017 to December 31, 2020.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 570 - 2016
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, 2017 through December 31, 2017 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 King, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 571 - 2016
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 Steve Fuller of 5227 Sunset Drive, Lowville, New York 13367 as a member of the Board of Managers of the Lewis County General Hospital.

Section 2. That the term of said appointment shall commence January 1, 2017 and expire on December 31, 2021.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Chartrand, and adopted.

**RESOLUTION NO. 572 - 2016
RESOLUTION AUTHORIZING AN AMENDMENT TO RESOLUTION NO. 520-2016
TO AUTHORIZE DIRECTOR OF PUBLIC HEALTH TO ELECTRONICALLY SIGN
THE NYS DOH FIVE YEAR "GATEWAY GRANT" 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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Lewis County Public Health Agency applied for and was awarded a grant from the New York State Department of Health in the amount of \$90,055.00 under contract number DOH01 - C31639GG - 3450000 for the purpose of Early Intervention Administration; and

WHEREAS, the multi-year contract provides for an annual award of \$18,011.00 for a total five year award of \$90,055.00 commencing and retroactive to October 1, 2016 through September 30, 2021; and

WHEREAS, by Resolution No. 520-2016, the Board of Legislators authorized the Agreement and authorized the Chairman of the Board of Legislators to execute the Grant agreement and annual renewal forms; and

WHEREAS, the NYS DOH is now placing its "Gateway Grants" in an on-line format, with only the ability to execute the agreement(s) electronically. In order to expedite the process so that Public Health receives the annual grant awards, the Board of Legislators seek to amend Section 2 of Resolution 520-2016 by authorizing the Lewis County Director of Public Health, Penny Ingham, to electronically execute the Grant agreement and annual renewals and amendments thereto in place and instead of the Chairman of the Lewis County Board of Legislators, provided that the Director notifies the Chairman of the Board, County Manager, and Clerk of the Board, prior to on-line submission of same and pending approval by the County Attorney.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an amendment to Resolution No. 520-2016, that is, the 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, 2016 and ending September 30, 2021 in the total amount of \$90,055.00.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Lewis County Director of Public Health, Penny Ingham, to electronically execute the Gateway Grant agreement and annual renewals and amendments thereto in place and instead of the Chairman of the Lewis County Board of Legislators, provided that the Director notifies the Chairman of the Board, County Manager, and Clerk of the Board, prior to on-line submission of same, and pending approval by the County Attorney.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 573 - 2016
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SHERIFF'S DEPARTMENT

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the New York State Commission of Corrections is mandating a Corporal be assigned to each jail shift and/or platoon; and

WHEREAS, it is the Sheriff's intent to assign existing personnel as Corporals, and thereby abolish the existing title of each promoted employee, resulting a static personnel count.

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 Sheriff's Department, to create the following positions:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Correction Corporal (4)	Full-time	Grade 24

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said positions effective January 1, 2017, and simultaneously **abolish** respective titles of promoted personnel.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Kulzer.

While supporting adoption of the resolution, Ms. Swearingin termed it an unnecessary additional \$7,000 wage and benefit cost imposed by the New York State Commission of Corrections. She took exception to the regulatory agency intervening and deeming the County's efficient procedure of assigning temporary supervisory duties as unacceptable, instead, requiring creation of permanent titles.

Moreover, Legislator Moser exclaimed that if a supervisor is unable to report for duty, assigning and paying a temporary Sergeant would still be required.

Legislator Brennan urged forwarding a resolution objecting to the State imposed unfunded mandate.

The resolution was then adopted. Legislator Brennan was opposed.

**RESOLUTION NO. 574 – 2016
LEVYING TAXES AND ASSESSMENTS FOR
ANNUAL TOWN BUDGETS AND
CORRECTIONS TO TAX ROLLS**

Introduced by Legislator Craig Brennan, 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, 2017.

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	\$752,627.03	\$495,874.00
Denmark	692,215.00	314,324.00
Diana	358,870.00	194,667.00
Greig	662,747.00	
Harrisburg	128,957.49	
Lewis	511,467.00	
Leyden	292,197.00	141,628.00
Lowville	640,049.00	239,167.00
Lyonsdale	330,682.00	170,464.00
Martinsburg	324,132.00	
Montague	180,347.00	
New Bremen	586,790.00	341,445.00
Osceola	340,543.00	
Pinckney	338,590.00	
Turin	430,921.00	73,876.00
Watson	967,096.00	
West Turin	439,630.00	142,465.00

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.

Croghan:

Fire Protection District	\$126,800.00
Beaver Falls Fire District	29,258.42
Beaver Falls Light District	12,000.00
Relieved Sewer	35,561.24

Denmark:

DECEMBER 20, 2016

Fire Protection District	55,750.00
Relevied Sewer	2,168.58
Diana:	
Fire Protection District	104,453.00
Natural Bridge Fire District	3,150.00
Natural Bridge Light District	325.00
Greig:	
Fire Protection District – 3G	72,664.00
Brantingham Water Control	1,800.00
Harrisburg:	
Fire Protection District	54,602.00
Lewis:	
Fire Protection District	38,705.00
Leyden:	
Fire Protection District & Ambulance	28,175.00
Lowville:	
Fire Protection	31,000.00
Fire Protection Flat Rock Phase 1	6,695.00
Fire Protection Flat Rock Phase 2	5,634.00
Water/Sewer Relevy	61,151.18
Lyonsdale:	
Lyons Falls & Port Leyden Fire Protection Districts	37,520.00
Lyonsdale Light District	1,050.00
Martinsburg:	
Fire Protection District	98,619.00
Glenfield Light District	5,800.00
Martinsburg Light District	4,800.00
Martinsburg Water	6,497.15
Water/Sewer Relevies	14,233.69
Montague:	
Fire Protection	7,939.00
New Bremen:	
New Bremen Fire District	66,746.00
Beaver Falls Fire District	20,461.58

PROCEEDINGS OF THE BOARD OF LEGISLATORS

New Bremen Fire Protection Dist	16,275.00
Lighting District	10,799.10
Water Relevy	1,159.71
Osceola:	
Fire Protection District	44,000.00
Pinckney:	
Fire Protection District & Ambulance	11,900.00
Turin:	
Fire Protection	38,150.00
Watson:	
Fire Protection	41,628.00
Watson Light & Water District	5,457.03
West Turin:	
Turin Fire Protection	13,363.00
Constableville Fire Protection	32,767.00

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	\$ 924.27
Denmark	\$ 194.47
Diana	\$ 93.14
Greig	\$ 517.56
Harrisburg	(\$.17)
Lewis	\$ 354.22
Leyden	\$ 523.16
Lowville	\$ 199.16
Lyonsdale	\$ 205.18
Martinsburg	\$ 384.84
Montague	(\$.37)
New Bremen	\$ 448.95
Osceola	\$.02
Pinckney	(\$.46)
Turin	\$ 13.69
Watson	\$ 566.56
West Turin	\$ 277.20

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.

**RESOLUTION NO. 575 - 2016
RESOLUTION TO SCHEDULE
2017 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 2017 Organizational Meeting to be held on Tuesday, January 3, 2017 to begin at 5:00 p.m.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

OTHER BUSINESS:

Legislator Brennan wished everyone a Merry Christmas and Happy New Year.

There being no other business to come before the Board, the meeting adjourned at 10:46 a.m. on motion by Legislator Dolhof, seconded by Legislator Brennan and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

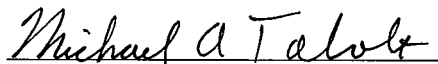
STATE OF NEW YORK

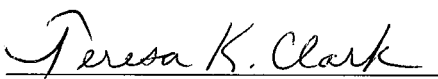
SS:

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 2016.

Dated at Lowville, New York on December 30, 2016


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, 2016

GENERAL FUND

Bal on Hand 1/1/16	21,143,256.60	
Cash on Hand		
Time Deposits		
Plus: Receipts 1/1-12/31/16	93,566,461.97	93,693,730.96
Total Receipts+Beg Bal	<u>\$ 114,709,718.57</u>	<u>1,186,847.27</u>
Disbursements: 1/1-12/31/16		
Bal on Hand 12/31/16	92,506,883.69	92,506,883.69
Cash on Hand	22,202,834.88	
Time Deposits		
Total 2016 Disb+Ending Bal	<u>\$ 114,709,718.57</u>	

Includes Reserved Cash for MH/DSS/PH \$2,734,806+

Trail Fund

Bal on Hand 1/1/16	145,536.41	
Cash on Hand		
Time Deposits		
Plus: Receipts 1/1-12/31/16	94,157.26	
Total Receipts+Beg Bal	<u>\$ 239,693.67</u>	
Disbursements: 1/1-12/31/16		
Bal on Hand 12/31/16	104,053.55	104,053.55
Cash on Hand	135,640.12	0.00
Time Deposits		0.00
Total 2016 Disb+Ending Bal	<u>\$ 239,693.67</u>	<u>104,053.55</u>

ANNUAL CASH REPORT

HOSPITAL FUND		
Bal on Hand 1/1/16	547,879.56	
Cash on Hand		
Time Deposits(Includes Foundation)		
Plus: Receipts 1/1-12/31/16	77,233,035.47	
Total Receipts+Beg Bal	<u>\$ 77,780,915.03</u>	
Disbursements: 1/1-12/31/16		76,110,431.76
Bal on Hand 12/31/16	69,109,910.13	7,000,521.63
Cash on Hand	8,671,004.90	69,109,910.13
Time Deposits(Includes Foundation)		
Total 2016 Disb+Ending Bal	<u>\$ 77,780,915.03</u>	
COUNTY ROAD FUND		
Bal on Hand 1/1/16	753,901.59	
Cash on Hand		
Time Deposits		
Plus: Receipts 1/1-12/31/16	6,970,168.06	
Total Receipts+Beg Bal	<u>\$ 7,724,069.65</u>	
Disbursements: 1/1-12/31/16		7,036,659.03
Bal on Hand 12/31/16	7,036,375.77	283.26
Cash on Hand	687,693.88	7,036,375.77
Time Deposits		
Total 2016 Disb+Ending Bal	<u>\$ 7,724,069.65</u>	
MACHINERY FUND		
Bal on Hand 1/1/16	284,507.75	
Cash on Hand		
Time Deposits		
Plus: Receipts 1/1-12/31/16	1,434,762.50	
Total Receipts+Beg Bal	<u>\$ 1,719,270.25</u>	
Disbursements: 1/1-12/31/16		1,474,029.17
Bal on Hand 12/31/16	1,480,247.18	6,218.01
Cash on Hand	239,023.07	1,480,247.18
Time Deposits		
Total 2016 Disb+Ending Bal	<u>\$ 1,719,270.25</u>	

ANNUAL CASH REPORT

ANNUAL CASH REPORT

SOLID WASTE

Bal on Hand 1/1/16
Cash on Hand
Time Deposits
Plus: Receipts 1/1-12/31/16
Total Receipts+Beg Bal

343,923.62
648,608.67

1,824,153.73
\$ 2,816,686.02

Disbursements: 1/1-12/31/16
Bal on Hand 12/31/16
Cash on Hand
Time Deposits
Total 2016 Disb+Ending Bal

2,048,483.29
768,202.73

\$ 2,816,686.02

WIA

Bal on Hand 1/1/16
Cash on Hand
Time Deposits
Plus: Receipts 1/1-12/31/16
Total Receipts+Beg Bal

9,067.17

136,225.27
\$ 145,292.44

Disbursements: 1/1-12/31/16
Bal on Hand 12/31/16
Cash on Hand
Time Deposits
Total 2016 Disb+Ending Bal

137,880.31
7,412.13

\$ 145,292.44

SELF INSURANCE FUND

Bal on Hand 1/1/16
Cash on Hand
Time Deposits
Plus: Receipts 1/1-12/31/16
Total Receipts+Beg Bal

1,328,780.60

1,540,228.85
\$ 2,869,009.45

Disbursements: 1/1-12/31/16
Bal on Hand 12/31/16
Cash on Hand
Time Deposits
Total 2016 Disb+Ending Bal

1,256,797.05
1,612,212.40

\$ 2,869,009.45

ANNUAL CASH REPORT

INTERNAL SERVICE FUND		
Bal on Hand 1/1/16	1,692,635.69	
Cash on Hand-Int Bearing	452,736.76	
Time Deposits	1,239,898.93	
Plus: Receipts 1/1-12/31/16	26,236,980.22	
Total Receipts+Beg Bal	<u>\$ 27,929,615.91</u>	
Disbursements: 1/1-12/31/16	25,850,739.27	25,990,905.34
Bal on Hand 12/31/16	2,078,876.64	(140,166.07)
Cash on Hand-Int Bearing		25,850,739.27
Time Deposits		
Total 2016 Disb+Ending Bal	<u>\$ 27,929,615.91</u>	
TRUST & AGENCY FUND		
Bal on Hand 1/1/16	1,020,646.10	
Trust Cash		
Time Deposit Cash		
Plus: Receipts 1/1-12/31/16	14,687,881.51	
Total 2016 Receipts+Beg Bal	<u>\$ 15,708,527.61</u>	
Disbursements: 1/1-12/31/16	15,281,919.12	15,281,919.89
Bal on Hand 12/31/16	426,608.49	(0.77)
Trust Cash (incl Ct & Trust)		15,281,919.12
Time Deposit Cash		
Total 2016 Disb+Ending Bal	<u>\$ 15,708,527.61</u>	
Micro Loan Fund		
Bal on Hand 1/1/16	76,196.70	
Time Deposit Cash		
Plus: Receipts 1/1-12/31/16	3.79	
Total 2016 Receipts+Beg Bal	<u>\$ 76,200.49</u>	
Disbursements: 1/1-12/31/16	76,200.49	76,200.49
Bal on Hand 12/31/16	0.00	
Trust Cash		
Time Deposit Cash		
Total 2016 Disb+Ending Bal	<u>\$ 76,200.49</u>	

ANNUAL CASH REPORT

HOSP SP GIFT EXPENDABLE/NON-EXPENDABLE ANNUAL CASH REPORT

Bal on Hand 1/1/16	27,461.26	
Trust Cash		
Time Deposit Cash	27,461.26	
Plus: Receipts 1/1-12/31/16		
Total 2016 Receipts+Beg Bal	<u>\$ 27,461.26</u>	
Disbursements: 1/1-12/31/16		0.00
Bal on Hand 12/31/16	(5.51)	(5.51)
Trust Cash	27,466.77	(5.51)
Time Deposit Cash		
Total 2016 Disb+Ending Bal	<u>\$ 27,461.26</u>	
CAPITAL FUNDS		
Bal 1/1/16	3,180,085.48	
Bridges Cash	102,943.68	
Em Radio Cash	642,987.41	
Em Radio Time Deposit	162,848.76	
Capital Clean UP	40,000.00	
Utilities 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	
Hwy Bldg Time Deposit	455,586.03	
DSS Bldg	-	
DSS Bldg Time Deposit	0.47	
Highway Striping	4,624.75	
Cap Eco Dev	700,003.95	
Plus: Receipts 1/1-12/31/16	5,087,240.94	
Total 2016 Receipts+Beg Bal	<u>\$ 8,267,326.42</u>	

ANNUAL CASH REPORT

Disb: 1/1-12/31/16			
Bal on Hand 12/31/16		6,532,520.31	5,766,713.41
Bridges Cash	129,272.75	1,734,806.11	765,806.90
Em Radio Cash	-		6,532,520.31
Em Radio Time Deposit	14,764.15		
Capital Clean up	36,753.25		
Utilities Cash	52.91		
E911 Cash	55,754.43		
Bld Maint Cash	12,005.63		
Bld Maint Time Deposit	567,877.73		
Capital Equipment	83,202.33		
Capital Equipment Deposit	245,668.23		
Data Processing	5,000.83		
Data Proc Deposit	121,259.49		
Hwy Bldg Time Deposit	455,908.17		
DSS Bldg	-		
DSS Bldg Time Deposit	0.47		
Highway striping	7,211.75		
Cap Eco Dev	73.99		
Disbursements: 1/1-12/31/16			
Bal on Hand 12/31/16			
Trust Cash			
Time Deposit Cash			
Total 2016 Disb+Ending Bal		\$ 8,267,326.42	

ANNUAL CASH REPORT

	ANNUAL CASH REPORT			BALANCE 12/31/2016
	CONSOLIDATED TOTALS			
	BALANCE 12/31/2015	RECEIVED 2016	DISBURSED 2016	
Cash on Hand	21,143,256.60	93,566,461.97	92,506,883.69	22,202,834.88
TRAIL FUND	145,536.41	94,157.26	104,053.55	135,640.12
HOSPITAL FUND	547,879.56	77,233,035.47	69,109,910.13	8,671,004.90
COUNTY ROAD FUND	753,901.59	6,970,168.06	7,036,375.77	687,693.88
MACHINERY FUND	284,507.75	1,434,762.50	1,480,247.18	239,023.07
SOLID WASTE	992,532.29	1,824,153.73	2,048,483.29	768,202.73
WIA	9,067.17	136,225.27	137,880.31	7,412.13
Total 2016 Disb+Ending Bal	1,328,780.60	1,540,228.85	1,256,797.05	1,612,212.40
INTERNAL SERVICE FUND	1,692,635.69	26,236,980.22	25,850,739.27	2,078,876.64
TRUST & AGENCY FUND	1,020,646.10	14,687,881.51	15,281,919.12	426,608.49
MICRO LOAN PROGRAM	76,196.70	3.79	76,200.49	0.00
HOSP SP GIFT EXP/NON-EXP	27,461.26	0.00	(5.51)	27,466.77
CAPITAL FUNDS	3,180,085.48	5,087,240.94	6,532,520.31	1,734,806.11
TOTAL	31,202,487.20	228,811,299.57	221,422,004.65	38,591,782.12

ANNUAL CASH REPORT
COUNTY INDEBTEDNESS

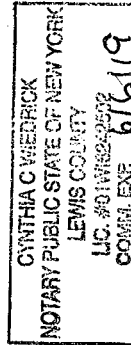
TYPE & PURPOSE	OUTSTANDING 12/31/2016	MATURITY DATE
SERIAL-GENERAL OBLIGATION 2010 RECONSTRUCTION HOSP FACILITIES	0.00	2030
2010 GENERAL OBLIGATION COURT HOUSE PROJECT	8,690,000.00	2037
2016 DIALYSIS AND MEDITECH BOND HOSPITAL	0.00	2020

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, 2016, as shown by the official records of said County.



Subscribed and Sworn to Before Me
this 1st day of February 2017:

Cynthia C. Wedrick
NOTARY PUBLIC

Patricia O'Brien
PATRICIA O'BRIEN

REPORT INFORMATION

The above cash report was made as required by Law to report the Cash Flow of funds through the County Treasurer's Office.
It by no means shall be considered as a report of actual operating expenses or revenues.

F:reports

TOWN TAX WARRANTS

TAX WARRANT TOWN OF CROGHAN

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.9006360
Croghan Fire Protection	0.725366	General Tax Key-Outside Town	2.689676
Beaver Falls Fire Dist	2.051083	Highway Tax Key	
Beaver Falls Light Dist	0.920655	County Tax Key Cty	2.325366
Equalization Rate 57		County Tax Key NY	10.360803

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	\$	752,627.03	752,627.03
Town Outside Tax Levy General	\$	2,400.00	2,400.00
Highway Money-Outside Village Item 1	\$	493,474.00	
(Donovan Plan)Outside Village Item 1A	\$		493,474.00

Special District Tax:

Croghan Fire Protection		128,800.00
Beaver Falls Fire District		29,258.42
Beaver Falls Light District		12,000.00
Sewer		35,561.24

TOTAL TO SUPERVISOR

\$ 1,454,120.69

TO THE COUNTY TREASURER:

County Tax	\$	2,367,012.00	
Levy & Assess BR Regulating District	\$		
Workmen's Compensation Insurance	\$	0.00	
			\$ <u>2,367,012.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$	169,981.68	
Returned Village Tax	\$	12,575.06	
Amount Spread on Town	\$	924.27	
			\$ <u>183,481.01</u>

TOTAL TO COUNTY TREASURER

\$ 2,550,493.01

WHOLE AMOUNT OF WARRANT

\$ 4,004,613.70

LESS: Balance Due Town	\$		
Amount Paid County Treasurer	\$		\$ <u>0.00</u>

NET AMOUNT OF WARRANT

\$ 4,004,613.70

Excess/Deficit \$ (0.08)

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 4,004,613.62

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 20th day of December, in the year two thousand sixteen.

Michael A. Talbot Chairman
Peresa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

TAX WARRANT TOWN OF DENMARK

SPECIAL DISTRICT TAX KEY
Denmark Fire Protection 0.443720
Equalization Rate 100.00

General Tax Key-Town Wide	4.572697
General Tax Key-Outside Town	2.776074
Highway Tax Key	
County Tax Key Cty	1.319588
County Tax Key NY	5.905245

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	\$	692,215.00	\$	692,215.00
Town Outside Tax Levy General	\$	3,309.00	\$	3,309.00
Highway Money-Outside Village Item 1	\$	311,015.00		
(Donovan Plan)Outside Village Item 1A	\$		\$	311,015.00

Special District Tax:

Denmark Fire Protection	52,750.00
RW231	2,168.58

TOTAL TO SUPERVISOR

\$ 1,061,457.58

TO THE COUNTY TREASURER:

County Tax	\$	1,096,711.00	
Levy & Assess BR Regulating District	\$		
Workmen's Compensation Insurance	\$	0.00	
			\$ <u>1,096,711.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$	111,418.88	
Returned Village Tax	\$	35,594.00	
Amount Spread on Town	\$	194.47	
			\$ <u>147,207.35</u>

TOTAL TO COUNTY TREASURER

\$ 1,243,918.35

WHOLE AMOUNT OF WARRANT

\$ 2,305,375.93

LESS: Balance Due Town

\$

Amount Paid County Treasurer

\$

\$ 0.00

NET AMOUNT OF WARRANT

\$ 2,305,375.93

EXCESS/DEFICIT

\$ (0.06)

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 2,305,375.87

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 20th day of December, in the year two thousand sixteen.

Michael A. Tabolt Chairman
Peresa Clark Clerk

TOWN TAX WARRANTS

TAX WARRANT TOWN OF DIANA

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	2.133933
Diana Fire Protection	0.684871	General Tax Key-Outside Town	1.292497
Natural Bridge Fire District	1.683278	Highway Tax Key	
Natural Bridge Light District	0.549127	County Tax Key Cty	1.326161
Equalization Rate 100		County Tax Key NY	5.905375

STATE OF NEW YORK

ss:
County of Lewis }

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, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$	<u>358,870.00</u>	\$	<u>358,870.00</u>
Town Outside Tax Levy General	\$	<u>3,000.00</u>	\$	<u>3,000.00</u>
Highway Money-Outside Village Item 1	\$	<u>191,667.00</u>		
(Donovan Plan)Outside Village Item 1A	\$		\$	<u>191,667.00</u>

Special District Tax:

Diana Fire Protection		<u>104,453.00</u>
Natural Bridge Fire District		<u>3,150.00</u>
Natural Bridge Light District		<u>325.00</u>

TOTAL TO SUPERVISOR

\$ 661,465.00

TO THE COUNTY TREASURER:

County Tax	\$	<u>1,132,863.00</u>		
Levy & Assess BR Regulating District	\$	<u>0.00</u>		
Workmen's Compensation Insurance	\$	<u>0.00</u>		
			\$	<u>1,132,863.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$	<u>226,436.32</u>		
Returned Village Tax	\$	<u>26,054.67</u>		
Amount Spread on Town	\$	<u>93.14</u>		
			\$	<u>252,584.13</u>

TOTAL TO COUNTY TREASURER

\$ 1,385,447.13

WHOLE AMOUNT OF WARRANT

\$ 2,046,912.13

LESS: Balance Due Town

\$	<u>0.00</u>	\$	<u>0.00</u>

Amount Paid County Treasurer

NET AMOUNT OF WARRANT

\$ 2,046,912.13

Excess/Deficit

\$ (0.50)

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 2,046,911.63

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand sixteen.

Michael A. Tabolt Chairman
Peresa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

TAX WARRANT TOWN OF GREIG

SPECIAL DISTRICT TAX KEY	
Greig Fire Protection	0.330116
Brantingham Water Control	0.022030
Equalization Rate 100	

General Tax Key-Town Wide	3.102019
General Tax Key-Outside Town	
Highway Tax Key	
County Tax Key Cty	1.326127
County Tax Key NY	5.905247

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>662,747.00</u>	\$	<u>662,747.00</u>
Town Outside Tax Levy General	\$	<u> </u>	\$	<u> </u>
Highway Money-Outside Village Item 1	\$	<u> </u>		
(Donovan Plan)Outside Village Item 1A	\$	<u> </u>	\$	<u> </u>

Special District Tax:

Greig Fire Protection	<u>72,664.00</u>
Brantingham Water Control	<u>1,800.00</u>

TOTAL TO SUPERVISOR \$ 737,211.00

TO THE COUNTY TREASURER:

County Tax	\$	<u>1,531,301.00</u>		
Workmen's Compensation Insurance	\$	<u>0.00</u>		
			\$	<u>1,531,301.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$	<u>223,028.28</u>		
Returned Village Tax	\$	<u> </u>		
Amount Spread on Town	\$	<u>517.56</u>		
			\$	<u>223,545.84</u>

TOTAL TO COUNTY TREASURER \$ 1,754,846.84

WHOLE AMOUNT OF WARRANT

LESS: Balance Due Town	\$	<u> </u>	\$	<u>2,492,057.84</u>
Amount Paid County Treasurer	\$	<u> </u>	\$	<u>0.00</u>

NET AMOUNT OF WARRANT

\$ 2,492,057.84

Excess/Deficit \$ (0.68)

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 2,492,057.16

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand sixteen.

Michael A. Talbot Chairman
Peresa Clark Clerk

TOWN TAX WARRANTS

TAX WARRANT TOWN OF HARRISBURG

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.689517
Harrisburg Fire Protection	0.347873	General Tax Key-Outside Town	
		Highway Tax Key	
Equalization Rate 96		County Tax Key Cty	1.379222
		County Tax Key NY	6.151101

STATE OF NEW YORK)

ss:
County of Lewis }

To: Amy Green

Collector of the Town HARRISBURG

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$	128,957.49	128,957.49
Town Outside Tax Levy General	\$		
Highway Money-Outside Village Item 1	\$		
(Donovan Plan)Outside Village Item 1A	\$		0.00

Special District Tax:

Harrisburg Fire Protection	54,602.00

TOTAL TO SUPERVISOR

\$ 183,559.49

TO THE COUNTY TREASURER:

County Tax	\$	253,830.00	
Levy & Assess BR Regulating District	\$		
Workmen's Compensation Insurance	\$	0.00	
			\$ 253,830.00

Taxes to be Re-Assessed, viz:

Returned School Tax	\$	25,258.54	
Returned Village Tax	\$		
Amount Spread on Town	\$	(0.17)	
			\$ 25,258.37

TOTAL TO COUNTY TREASURER

\$ 279,088.37

WHOLE AMOUNT OF WARRANT

\$ 462,647.86

LESS: Balance Due Town

\$

Amount Paid County Treasurer

\$

\$ 0.00

NET AMOUNT OF WARRANT

\$ 462,647.86

Excess/Deficit

\$ 0.01

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 462,647.87

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 20th day of December, in the year two thousand sixteen.

Michael A Talbot Chairman
Peressa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

TAX WARRANT TOWN OF LEWIS

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	7.487285
Lewis Fire Protection	0.553955	General Tax Key-Outside Town	
		Highway Tax Key	
Equalization Rate 105.81		County Tax Key Cty	1.253283
		County Tax Key NY	5.580800

STATE OF NEW YORK)

County of Lewis } ss:

To: Christina Stinebrickner

Collector of the Town LEWIS

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, viz:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 511,467.00	\$ 511,467.00
Town Outside Tax Levy General	\$	\$
Highway Money-Outside Village Item 1	\$	\$
(Donovan Plan)Outside Village Item 1A	\$	\$

Special District Tax:

Lewis Fire Protection	38,705.00

TOTAL TO SUPERVISOR

\$ 550,172.00

TO THE COUNTY TREASURER:

County Tax	\$ 453,636.00
Workmen's Compensation Insurance	\$
	\$ 453,636.00

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 76,644.60
Returned Village Tax	\$
Amount Spread on Town	\$ 354.22
	\$ 76,998.82

TOTAL TO COUNTY TREASURER

\$ 530,634.82

WHOLE AMOUNT OF WARRANT

\$ 1,080,806.82

LESS: Balance Due Town

\$

Amount Paid County Treasurer

\$

\$ 0.00

NET AMOUNT OF WARRANT

\$ 1,080,806.82

Excess/Deficit

\$ 0.09

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 1,080,806.91

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 20th day of December, in the year two thousand sixteen.

Michael A. Talbot Chairman
Teresa Clark Clerk

TOWN TAX WARRANTS

TAX WARRANT TOWN OF LEYDEN

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.090299
Leyden Fire Prot & Ambulanc	0.327664	General Tax Key-Outside Town	1.692152
		Highway Tax Key	
Equilization rate 100		County Tax Key Cty	1.325617
		County Tax Key NY	5.905150

STATE OF NEW YORK}

ss:

County of Lewis }

To: Kim Hrim

Collector of the Town LEYDEN

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 292,197.00	\$ 292,197.00
Town Outside Tax Levy General	\$ 16,150.00	\$ 16,150.00
Highway Money-Outside Village Item 1	\$ 125,478.00	
(Donovan Plan)Outside Village Item 1A	\$	\$ 125,478.00

Special District Tax:

Leyden Fire Protection & Ambulance	28,175.00

TOTAL TO SUPERVISOR

\$ 462,000.00

TO THE COUNTY TREASURER:

County Tax	\$ 688,235.00	
Workmen's Compensation Insurance	\$ 0.00	
		\$ <u>688,235.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 119,882.78	
Returned Village Tax	\$ 34,211.39	
Amount Spread on Town	\$ 523.16	
		\$ <u>154,617.33</u>

TOTAL TO COUNTY TREASURER

\$ 842,852.33

WHOLE AMOUNT OF WARRANT

\$ 1,304,852.33

LESS: Balance Due Town

\$

Amount Paid County Treasurer

\$

NET AMOUNT OF WARRANT

\$ 1,304,852.33

Excess/Deficit

\$ (0.31)

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 1,304,852.02

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 20th day of December, in the year two thousand sixteen.

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	2.379780
Lowville Fire Protection ,266264	General Tax Key-Outside Town	2.332964
	Highway Tax Key	
Equalization Rate 100	County Tax Key Cty	1.323175
	County Tax Key NY	5.905146

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	\$ 640,049.00	\$ 640,049.00
Town Outside Tax Levy General	\$ 27,650.00	\$ 27,650.00
Highway Money-Outside Village Item 1	\$ 211,517.00	
(Donovan Plan)Outside Village Item 1A	\$	\$ 211,517.00

Special District Tax:

Lowville Fire Protection	31,000.00
Flat Rock 1 Fire Protection	6,695.00
Flat Rock 2 Fire Protection	5,634.00
Water/Sewer Relevy	20,831.18
Lowville Water	40,320.00

TOTAL TO SUPERVISOR \$ 983,696.18

TO THE COUNTY TREASURER:

County Tax	\$ 1,956,157.00	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ 0.00	
		\$ <u>1,956,157.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 103,196.23	
Returned Village Tax	\$ 72,611.13	
Amount Spread on Town	\$ 199.67	
		\$ <u>176,007.03</u>

TOTAL TO COUNTY TREASURER \$ 2,132,164.03

WHOLE AMOUNT OF WARRANT

LESS: Balance Due Town	\$	\$
Amount Paid County Treasurer	\$	\$ 0.00

NET AMOUNT OF WARRANT \$ 3,115,860.21

AMOUNT OF TAX LIST(Final Recapitulation)

Excess/Deficit	\$ (0.10)
	\$ <u>3,115,860.11</u>

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand sixteen.

Michael A. Talbot Chairman
Peressa Clark Clerk

TOWN TAX WARRANTS

TAX WARRANT TOWN OF LYONSDALE

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	4.090403
Lyonsdale Fire Protection	0.429190	General Tax Key-Outside Town	2.321039
Lyonsdale Light District	0.529021	Highway Tax Key	
Equalization Rate: 99		County Tax Key Cty	1.339966
		County Tax Key NY	5.966837

STATE OF NEW YORK)

County of Lewis } ss:

To: Gary Hamburg

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	\$ 330,682.00	\$ 330,682.00
Town Outside Tax Levy General	\$ 5,300.00	\$ 5,300.00
Highway Money-Outside Village Item 1	\$ 165,164.00	
(Donovan Plan)Outside Village Item 1A	\$	\$ 165,164.00

Special District Tax:

Lyonsdale Fire Protection	37,520.00
Lyonsdale Light District	1,050.00

TOTAL TO SUPERVISOR \$ 539,716.00

TO THE COUNTY TREASURER:

County Tax	\$ 569,798.00	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ 0.00	
		\$ 569,798.00

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 106,085.12	
Returned Village Tax	\$ 13,682.42	
Amount Spread on Town	\$ 205.18	
		\$ 119,972.72

TOTAL TO COUNTY TREASURER \$ 689,770.72

WHOLE AMOUNT OF WARRANT

LESS: Balance Due Town	\$	\$ 1,229,486.72
Amount Paid County Treasurer	\$	\$ 0.00

NET AMOUNT OF WARRANT \$ 1,229,486.72

AMOUNT OF TAX LIST(Final Recapitulation)

Excess/Deficit	\$ 0.26
	\$ <u>1,229,486.98</u>

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand sixteen.

Michael A Talbot Chairman
Teresa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

TAX WARRANT TOWN OF MARTINSBURG

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.685445
Martinsburg Fire Protection	0.532822	General Tax Key-Outside Town	
Glenfield Light District	0.640431	Highway Tax Key	
		County Tax Key Cty	1.322635
Martinsburg Light District	0.790013	County Tax Key NY	5.905324
Equalization Rate 100			

STATE OF NEW YORK)

County of Lewis } ss:

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	50,200.40
Flat Rock Fire	48,418.60
Glenfield Light District	5,800.00
Martinsburg Fire District	
Martinsburg Light District	4,800.00
Glenfield Water and Glenfield Sewer	14,233.69
Martinsburg Water	6,487.15

TOTAL TO SUPERVISOR \$ 454,081.84

TO THE COUNTY TREASURER:

County Tax	\$ 616,288.00
Levy & Assess BR Regulating District	\$
Workmen's Compensation Insurance	\$ 0.00
	\$ <u>616,288.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 46,073.85
Returned Village Tax	\$
Amount Spread on Town	\$ 384.84
	\$ <u>46,458.69</u>

TOTAL TO COUNTY TREASURER \$ 662,746.69

WHOLE AMOUNT OF WARRANT

LESS: Balance Due Town	\$	\$ <u>1,116,828.53</u>
Amount Paid County Treasurer	\$	\$ <u>0.00</u>

NET AMOUNT OF WARRANT

\$ 1,116,828.53

Excess/Deficit \$ (0.15)

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 1,116,828.38

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
Beressa Clark Clerk

TOWN TAX WARRANTS

TAX WARRANT TOWN OF MONTAGUE

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	5.131786
Montague Fire Protection	0.224108	General Tax Key-Outside Town	
		Highway Tax Key	
		County Tax Key Cty	1.326101
Equalization Rate: 100		County Tax Key NY	5.9050320

STATE OF NEW YORK
ss:
County of Lewis }

To: Town Tax Collector

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	\$ 180,347.00	\$ 180,347.00
Town Outside Tax Levy General	\$	\$
Highway Money-Outside Village Item 1	\$	
(Donovan Plan)Outside Village Item 1A	\$	\$

Special District Tax:

Montague Fire Protection	7,939.00

TOTAL TO SUPERVISOR

\$ 188,286.00

TO THE COUNTY TREASURER:

County Tax	\$ 253,005.00
Levy & Assess BR Regulating District	\$
Workmen's Compensation Insurance	\$ 0.00
	\$ 253,005.00

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 19,433.91
Returned Village Tax	\$
Amount Spread on Town	\$ (0.37)
	\$ 19,433.54

TOTAL TO COUNTY TREASURER

\$ 272,438.54

WHOLE AMOUNT OF WARRANT

\$ 460,724.54

LESS: Balance Due Town

\$

Amount Paid County Treasurer

\$

\$ 0.00

NET AMOUNT OF WARRANT

\$ 460,724.54

AMOUNT OF TAX LIST(Final Recapitulation)

Excess/Deficit

\$ 0.12

\$ 460,724.66

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 20th day of December, in the year two thousand sixteen.

Michael A. Talbot Chairman
Perisa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

TAX WARRANT TOWN OF NEW BREMEN

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.684107
New Bremen Fire District	0.883253	General Tax Key-Outside Town	2.298716
Beaver Falls Fire District	1.446415	Highway Tax Key	
New Bremen Fire Protection	0.294909	County Tax Key Cty	1.324751
		County Tax Key NY	5.905283

Equalization Rate 100

STATE OF NEW YORK}

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, viz:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 586,790.00	\$ 586,790.00
Town Outside Tax Levy General	\$ 1,000.00	\$ 1,000.00
Highway Money-Outside Village Item 1	\$ 340,445.00	
(Donovan Plan)Outside Village Item 1A	\$	\$ 340,445.00

Special District Tax:

New Bremen Fire District	66,746.00
Beaver Falls Fire District	20,461.58
New Bremen Fire Protection	16,275.00
New Bremen Light District	10,799.10
Water Relevy	1,159.71

TOTAL TO SUPERVISOR \$ 1,043,676.39

TO THE COUNTY TREASURER:

County Tax	\$ 1,149,275.00
Levy & Assess BR Regulating District	\$
Workmen's Compensation Insurance	\$ -0.00
	\$ <u>1,149,275.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 132,255.98
Returned Village Tax	\$ 4,728.22
Amount Spread on Town	\$ 448.95
	\$ <u>137,433.15</u>

TOTAL TO COUNTY TREASURER \$ 1,286,708.15

WHOLE AMOUNT OF WARRANT \$ 2,330,384.54

LESS: Balance Due Town \$

Amount Paid County Treasurer \$ 0.00

NET AMOUNT OF WARRANT \$ 2,330,384.54

AMOUNT OF TAX LIST(Final Recapitulation) \$ 2,330,384.83

Excess/Deficit \$ 0.29

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand sixteen.

Michael A. Talbot Chairman
Peresa Clark Clerk

TOWN TAX WARRANTS

TAX WARRANT TOWN OF OSCEOLA

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	7.720330
Osceola Fire Protection	0.887477	General Tax Key-Outside Town	
		Highway Tax Key	
		County Tax Key Cty	1.326104
Equalization Rate: 100		County Tax Key NY	5.905032

STATE OF NEW YORK}

ss:
County of Lewis }

To: Andrew Burns

Collector of the Town Osceola

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 343,067.00	\$ 343,067.00
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

\$ 387,067.00

TO THE COUNTY TREASURER:

County Tax	\$ 300,543.00	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ 0.00	
		\$ 300,543.00

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 61,609.52	
Returned Village Tax	\$	
Amount Spread on Town	\$ 0.02	
		\$ 61,609.54

TOTAL TO COUNTY TREASURER

\$ 362,152.54

WHOLE AMOUNT OF WARRANT

\$ 749,219.54

LESS: Balance Due Town

\$

Amount Paid County Treasurer

\$

\$ 0.00

NET AMOUNT OF WARRANT

\$ 749,219.54

Excess/Deficit

\$ 0.17

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 749,219.71

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 20th day of December, in the year two thousand sixteen.

Michael A. Talbot Chairman
Beresa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

TAX WARRANT TOWN OF PINCKNEY

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	9.757387
Pinckney Fire Protection	0.338188	General Tax Key-Outside Town	
		Highway Tax Key	
		County Tax Key Cty	1.425929
Equalization Rate 93		County Tax Key NY	6.349489

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	\$ 338,590.00	\$ 338,590.00
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

\$ 350,490.00

TO THE COUNTY TREASURER:

County Tax	\$ 228,263.00	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ 0.00	
		\$ 228,263.00

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 43,431.53	
Returned Village Tax	\$	
Amount Spread on Town	\$ (0.46)	
		\$ 43,431.07

TOTAL TO COUNTY TREASURER

\$ 271,694.07

WHOLE AMOUNT OF WARRANT

\$ 622,184.07

LESS: Balance Due Town

\$

Amount Paid County Treasurer

\$

\$ 0.00

NET AMOUNT OF WARRANT

\$ 622,184.07

Excess/Deficit

\$ (0.07)

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 622,184.00

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 20th day of December, in the year two thousand sixteen.

Michael A Talbot Chairman
Peresa Clark Clerk

TOWN TAX WARRANTS

TAX WARRANT TOWN OF TURIN

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	6.695169
Turin Fire Protection	0.659646	General Tax Key-Outside Town	1.350399
		Highway Tax Key	
		County Tax Key Cty	1.326094
Equalization Rate 100		County Tax Key NY	5.905056

STATE OF NEW YORK)

ss:
County of Lewis }

To: Town Tax Collector

Collector of the Town TURIN

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 430,921.00	\$ 430,921.00
Town Outside Tax Levy General	\$ 3,690.00	\$ 3,690.00
Highway Money-Outside Village Item 1	\$ 70,186.00	
(Donovan Plan)Outside Village Item 1A	\$	\$ 70,186.00

Special District Tax:

Turin Fire Protection	38,150.00

TOTAL TO SUPERVISOR

\$ 542,947.00

TO THE COUNTY TREASURER:

County Tax	\$ 461,812.00	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ 0.00	
		\$ 461,812.00

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 97,003.36	
Returned Village Tax	\$ 12,576.03	
Amount Spread on Town	\$ 13.69	
		\$ 109,593.08

TOTAL TO COUNTY TREASURER

\$ 571,405.08

WHOLE AMOUNT OF WARRANT

\$ 1,114,352.08

LESS: Balance Due Town

\$

Amount Paid County Treasurer

\$

\$ 0.00

NET AMOUNT OF WARRANT

\$ 1,114,352.08

Excess/Deficit

\$ (0.19)

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 1,114,351.89

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 20th day of December, in the year two thousand sixteen.

Michael A. Talbot Chairman
Peresa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

TAX WARRANT TOWN OF WATSON

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	5.077886
Watson Fire Protection	0.205016	General Tax Key-Outside Town	
		Highway Tax Key	
		County Tax Key Cty	1.326164
Equalization Rate 100.		County Tax Key	5.905419

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	\$ 967,096.00	\$ 967,096.00
Town Outside Tax Levy General	\$	\$
Highway Money-Outside Village Item 1	\$	
(Donovan Plan)Outside Village Item 1A	\$	\$

Special District Tax:

Watson Fire Protection	41,628.00
Watson Light & Water Districts	5,457.03

TOTAL TO SUPERVISOR

\$ 1,014,181.03

TO THE COUNTY TREASURER:

County Tax	\$ 1,388,374.00
Levy & Assess BR Regulating District	\$
Workmen's Compensation Insurance	\$ 0.00
	\$ <u>1,388,374.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 96,919.38
Returned Village Tax	\$
Amount Spread on Town	\$ 566.56
	\$ <u>97,485.94</u>

TOTAL TO COUNTY TREASURER

\$ 1,485,859.94

WHOLE AMOUNT OF WARRANT

\$ 2,500,040.97

LESS: Balance Due Town

\$

Amount Paid County Treasurer

\$

\$ 0.00

NET AMOUNT OF WARRANT

\$ 2,500,040.97

Excess/Deficit

\$ (0.49)

AMOUNT OF TAX LIST(Final Recapitulation)

\$ 2,500,040.48

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 sixteen.

Michael A Talbot Chairman
Peresa Clark Clerk

TOWN TAX WARRANTS

TAX WARRANT TOWN OF WEST TURIN

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.409732
Turin Fire Protection	0.549287	General Tax Key-Outside Town	1.554673
Constableville Fire Protection	0.476859	Highway Tax Key	
		County Tax Key Cty	1.321599
Equalization Rate: 100		County Tax Key NY	5.905230

STATE OF NEW YORK}

County of Lewis } ss:

To: Beth Ann McGovern

Collector of the Town WEST TURIN

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 439,630.00	\$ 439,630.00
Town Outside Tax Levy General	\$ 4,445.00	\$ 4,445.00
Highway Money-Outside Village Item 1	\$ 138,020.00	
(Donovan Plan)Outside Village Item 1A	\$	\$ 138,020.00

Special District Tax:

Turin Fire Protection	13,363.00
Constableville Fire Protection	32,767.00

TOTAL TO SUPERVISOR

\$ 628,225.00

TO THE COUNTY TREASURER:

County Tax	\$ 891,087.00	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ 0.00	
		<u>891,087.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 172,221.13	
Returned Village Tax	\$ 39,644.38	
Amount Spread on Town	\$ 277.20	
		<u>\$ 212,142.71</u>

TOTAL TO COUNTY TREASURER

\$ 1,103,229.71

WHOLE AMOUNT OF WARRANT

\$ 1,731,454.71

LESS: Balance Due Town

\$

Amount Paid County Treasurer

\$

\$ 0.00

NET AMOUNT OF WARRANT

\$ 1,731,454.71

AMOUNT OF TAX LIST(Final Recapitulation)

Excess/Deficit

\$ (0.54)

\$ 1,731,454.17

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 20th day of December, in the year two thousand sixteen.

Michael A. Talbot Chairman
Peresa Clark Clerk

BUDGET

**ADOPTED
COUNTY BUDGET
LEWIS COUNTY**

2016

**Ways & Means Committee
Philip Hathway, Chairman
Jerry King
Richard Chartrand**

**Elizabeth Swearingin, Budget Officer
Patricia O'Brien, Deputy Budget Officer**

**PRESENTED TO CLERK OF THE BOARD
11/10/2015**

(Section 354-County Law)

Public Hearing 11/19/2015

Adopted 12/1/2015

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