

Proceedings
OF THE
BOARD OF LEGISLATORS
OF
LEWIS COUNTY
FOR
2017

Chairman

Michael A. Tabolt
Croghan, New York

Clerk of the Board

Teresa L. 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.



This Journal of Proceedings is dedicated in memory of Roscoe (Rocky) K. Fawcett, Jr. who served as Legislator for District No. 9 from January 1, 2016 until his untimely death on January 1, 2018.

Member of Congress
HON. ELISE STEFANIK
Watertown, 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 – 2017

	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 1/1-6/23/17		Brantingham, New York
RYAN PICHE 6/8-12/31/17.....		Lowville, 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 1/1-10/19/17		Croghan, New York
JASON MCINTOSH 10/24-12/31/17		Beaver Falls, New York
	Treasurer/Deputy Budget Officer	
PATRICIA O’BRIEN		Lowville, New York
	Deputy Treasurer	
CYNTHIA WIEDRICK 1/1-6/30/17		Turin, New York
TASZDEN NEWTON 10/24-12/31/17		Lowville, New York
	Attorney	
JOAN MCNICHOL		Lowville, New York
	Civil Service Administrator	
MARYLOU VANBROCKLIN 1/1-7/28/17		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

MICHELE PRINCE 1/1-7/17/17 Lowville, New York
GERALD CAYER 8/1-12/31/17..... Lowville, New York

Human Resources Director

CHRISTOPHER BOULIO..... Black River, New York

Junkyard Inspector/Sr. Building Codes Officer

WARD DAILEY Lyons Falls, New York

Nursing Home Administrator

LISA BAIN Lowville, New York

Office For Aging Director

BRENDA BOURGEOIS 1/1-9/30/17 Lowville, New York
KELLY HECKER 11/27-12/31/17 Theresa, 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

Social Services Commissioner

JENNIFER JONES Beaver Falls, New York

Solid Waste Coordinator

PETER WOOD Harrisville, New York

Veterans' Services Director

DEREK DAVEY 1/1-7/31/17 Lowville, New York
STEPHEN KILIONSKI 8/1-12/31/17..... Castorland, New York

Workers' Compensation Administrator

TERRY CLARK Lowville, New York

Chairman, Board of Legislators

MICHAEL A. TABOLT
Croghan, New York

Clerk, Board of Legislators

TERESA L. CLARK
Lowville, New York

JANUARY 3, 2017

**ORGANIZATIONAL MEETING
January 3, 2017**

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

Roll Call: All Legislators were present, except Legislator Chartrand whom had been excused.

There were 6 persons present.

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

Temporary Chair Moser offered the Invocation, and asked for a moment of silence for those who had recently passed. He then led the Pledge of Allegiance to the Flag.

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

Chairman Tabolt thanked his colleagues for their vote of confidence as their Chair. He prefaced his comments stating "We are on the verge of accomplishing some great things for this County, some that previous Boards could only dream about." The County has always capitalized on its natural resources of biomass, hydro and wind, but now embarks on a solar array.

County representatives have long since vied for a higher education facility, which now appears a reality with plans for a Jefferson Community College extension facility in our locale by this fall.

Chairman Tabolt also cited the Kraft Heinz expansion, industrial park, clean up of the Lyons Fall mill site and broadband enhancements as significant projects that would impact for generations. He portrayed having a lot of confidence in all of the people in the board room this evening and thanked them for their hard work, while asking them to sustain the pace to see ongoing projects through fruition.

Chairman Tabolt announced that 2017 Legislative Committees would carry over as follows:

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Bryan Moser, Chairman
Jerry King
Larry Dolhof

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

Jerry King, Chairman
Gregory Kulzer
Richard Chartrand

HOSPITAL

Richard Chartrand, Chairman
Roscoe Fawcett, Jr.
Andrea Moroughan

PUBLIC HEALTH, COMMUNITY SERVICES

Andrea Moroughan, Chair
Philip Hathway
Roscoe Fawcett, Jr.

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

Larry Dolhof, Chairman
Craig Brennan
Bryan Moser

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

Roscoe Fawcett, Jr. Chairman
Andrea Moroughan
Gregory Kulzer

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

Philip Hathway, Chairman
Larry Dolhof
Bryan Moser

TRANSPORTATION, SOLID WASTE

Gregory Kulzer, Chairman
Craig Brennan
Philip Hathway

JANUARY 3, 2017

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

Craig Brennan, Chairman
Jerry King
Richard Chartrand

Chairman Tabolt declared the December 20, 2016 meeting minutes were approved.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

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

Dated: January 3, 2017

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

Legislator Dolhof made a motion to waive the rules to allow action on late resolutions, seconded by Legislator Brennan and carried.

PRIVILEGE OF THE FLOOR:

Cornell Cooperative Extension Executive Director Michele Ledoux, highlighted the plight of dairy farmers due to depressed milk prices and the compounding affects of last summer's drought. She has fielded 50 ó 60 calls from dairy farmers, many of them relaying their dire situations. An open forum to hear their concerns is planned on 1/13/17 from 10 a.m. to noon at the Lowville Firehall. Elected officials from all levels of government have been invited to hear directly from their constituents Ms. Ledoux has urged farmers to express constructive ideas and thoughts. The forum will begin with an overview of the dairy industry presented by Lowville Producers' manager Brian Tabolt. Farm Bureau representatives will also participate.

Ms. Ledoux has heard from many small and mid-size farmers with very serious issues, sadly, some having had to sell cows to buy groceries. The price of milk affects the entire region, she said, assuring that NYS Agriculture & Markets Commissioner Richard Ball is well aware and has had discussions with milk pricing representatives. She emphasized that "Lewis is a rural county, our mainstay is agriculture".

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

All Legislators have received copies of Glen Gagnier's update report on the Croghan Dam restoration project; the 12/8, 12/23 and 12/30/16 Highway audit reports; the 12/7, 12/23 and 12/30/16 Solid Waste audit reports; and minutes of the 12/21/16 Youth Bureau Advisory Board meeting.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 for 2017.

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

TO THE HONORABLE BOARD OF LEGISLATORS OF LEWIS COUNTY:

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

Dated: January 3, 2017

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

Andrea Moroughan

6697 Pine Grove Rd., Glenfield, NY 13343

Gregory Kulzer

7451 Rice Road, Lowville, NY 13367

Lawrence Dolhof

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

Roscoe K. Fawcett, Jr.

P.O. Box 470, Lyons Falls, NY 13368

Jerry H. King

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

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Ways & Means/Buildings and Grounds Committee Chairman, reported Maintenance personnel had completed a record 1,149 work orders for the year. He thanked Maintenance personnel for helping to move and distribute the items collected for the Homeless Tree project. An alarm will be installed at the front door of the Court House to alert unauthorized use during work hours; and a new furnace was installed at the Highway body shop. The owner of the building that houses the DMV office will construct a new roof over the handicapped entrance.

Legislator Hathway informed that Frank Pace had given an update on progress of the solar, clean energy and JCC extension facility projects.

Legislator Hathway reported that Lewis County has paid \$70,000 to the Fashion Institute of Technology in New York City for residentø tuition since 2013. He explained that in 1994 permission was granted to the Institute to charge Counties for a portion of tuition, in tandem with the Stateø agreement to reimburse a portion thereof to Counties. However, the State has never appropriated for their apportioned share nor reimbursed Counties since the inception of the program. Citing a newspaper article in which St. Lawrence County officials indicate they may litigate the matter, Legislator Hathway posed that Lewis County join that initiative.

Legislator Hathway reported plans to request information from engineering firms for review of capabilities, as information and preparatory purposes for prospective future needs.

In accordance with the agreement with the State Unified Court System for a specific number of Court House parking spaces for their personnel, due to overcrowding, a number of previously issued parking lot passes will be reclaimed.

Legislator Hathway reported that Liz Swearingin had concluded the negotiations with Enterprise Fleet Management, Inc. for the final agreement. One electric car will be purchased to meet one of the optional requirements for the clean energy grant application.

In conclusion, Legislator Hathway announced the Ways and Means Committee would change their meeting date from January 24th to January 31st at 1:00 p.m.

Legislator Roscoe Fawcett, Social Services/Office For Aging Committee Chairman, reported today as the opening period for emergency HEAP assistance based on income, available resources and the type of heat emergency. Eligibility is for those whose electricity or natural gas is necessary for heat and is scheduled to be shut-off, those with less than one-quarter tank of fuel oil, kerosene or propane, or those having less than a 10-day supply of wood or other product used for heat.

The Department of Social Services is State-mandated to shelter homeless persons when the temperature is 32 degrees or below. The public is encouraged to contact their office at 376-5400 or 376-3511 after business hours to report anyone in need. Law enforcement and the Lewis County General Hospital will assist as needed.

Legislator Fawcett made a motion to authorize DSS Commissioner Jennifer Jones to re-fill one Full-time Caseworker position effective immediately, due to a resignation. The motion was seconded by Legislator Hathway and carried.

Legislator Bryan Moser, County Officers/Junkyards/Veteransø Director/ Human Resources Committee Chairman, urged support of proposed resolutions.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, made motion to authorize County Attorney Joan McNichol to fill the Assistant County Attorney position effective immediately, seconded by Legislator Brennan and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Gregory Kulzer, Taxation/Elections/Information Technology Committee Chairman, reported that in accordance with the distributed 5-year equipment plan, Highway Superintendent David Becker would request bids for a 2017 dump truck. A 1992 GMC tandem truck will be retained and shared with the Recreation Department to haul a dozer. The new tandem plow has been delivered and Viking Cives is installing the plow.

Legislator Kulzer also cited his sponsored resolution to hire a replacement Deputy Highway Superintendent upon Stanley Samsa's impending retirement.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, made a motion to authorize Penny Ingham to travel to Seattle, WA for the National Council on Behavioral Health's Public Health Officials TA and Training program from March 31 to April 5, 2017. All expenses except an estimated \$115.00 for meals will be covered by the National Council. The motion was seconded by Legislator Fawcett and carried.

Legislator Moroughan reported that Public Health Director Penny Ingham is reviewing alternative options for pre-school Medicaid billing, in response to the State terminating the contract with the company that provided the Medicaid billing, leaving all pre-school programs to find another mechanism to bill for services. Additionally, Public Health personnel are monitoring a potential pertussis outbreak.

Legislator Moroughan reported the North Country Initiative has been working with Dr. Howard Meny and Lowville Medical Associates to assign chronic care managers in their primary care offices to assist patients with management of their chronic health conditions, while enhancing connectivity with their primary care physician. Legislator Moroughan reported the telemedicine initiative allows access to medical specialists located at a remote hospital, health center, private practice or clinic through video conferencing technology. There are more than 90 hospitals, provider offices and other health care professionals in the North Country actively engaged in telemedicine. There were over 1,700 patient-to-medical provider teleconferences in the Tri-County area during the past three years increasing from 40 in 2014 to over 1,300 in 2016. All these services are intended to help patients receive timely and appropriate care.

COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien reported balances for the Special Legislative Contingency Fund - \$229,847.00; Contingency Fund-\$57,462.32; Capital Data Processing Fund- \$126,248.16 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 \$10,270,380.87 at the appropriated level; and the current Hospital debt of \$2.4 million.

There was another loss in November for the Internal Service Fund for a balance of \$1,172,900.72 that remains well below the recommended level.

SPECIAL REPORT:

JANUARY 3, 2017

Chairman Tabolt reported the Governor's veto of the Indigent Defense State legislation. He and County Attorney Joan McNichol had each made personal calls to the Governor's office on 12/30/16 to urge his signature on the legislation, to no avail. Referencing a news article, he relayed St. Lawrence County's intent to litigate the issue, suggesting this Board should consider joining that effort.

In response to Legislator Kulzer, Atty. McNichol explained the State settled a lawsuit with five counties for indigent defense services. She believes the Governor's intent is to parcel out the criminal indigent defense services and leave the family court expenses as County responsibility. She will confer with St. Lawrence County Attorney Steven Button.

Legislator King chided State officials for not living up to their promises. Chairman Tabolt took particular exception, because the legislation had been adopted by both the NYS Senate and Assembly.

Legislator Brennan cited news articles indicating the State Legislature's plan to over-ride the Governor's veto. The issue is certain to be a primary topic at the upcoming NYSAC conference to be held in Albany. Legislator Brennan surmised that many Counties would support litigation to get the Governor's attention, while also purporting State Legislature movement to remove all discretionary spending from the Governor.

REPORT OF THE WAYS AND MEANS COMMITTEE:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

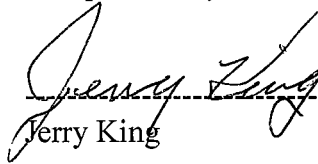
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

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 \$ 515916.09 and recommend that they be audited and allowed for the amounts claimed.



Philip Hathway Chair



Jerry King Committee

Richard Chartrand Committee

Dated: January 3rd, 2017

Approved on motion by Legislator _____ Moser _____, seconded by
Legislator _____ Brennan _____, and carried.

JANUARY 3, 2017

**RESOLUTION NO. 1 - 2017
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 \$ 515916.09 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

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

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

NAYS: None

ABSENT: Chartrand

**RESOLUTION NO. 2 - 2017
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 last amended on March 1, 2016, which be and hereby are adopted as the Standing Rules of the Lewis County Board of Legislators for the year 2017.

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

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

**RESOLUTION NO. 3 - 2017
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 2017.

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

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

RESOLUTION NO. 4 – 2017
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, and Deputy Treasurer, as well as such county officers as shall be specifically required by law, must execute and file with the County Clerk an undertaking 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 Moser, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 5 – 2017
RESOLUTION WAIVING THE NEED FOR A SURETY BOND
ON THE PART OF THE CHAIRMAN OF THE
BOARD OF LEGISLATORS**

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

Section 2. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 6 - 2017
RESOLUTION APPOINTING MEMBERS TO
COMMUNITY MENTAL HEALTH, DEVELOPMENTAL
DISABILITIES AND ALCOHOLISM SERVICES BOARD**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

BE IT RESOLVED as follows:

Section 1. Pursuant to Mental Hygiene Law Section 41.11, the Board of Legislators hereby re-appoints the following individuals to the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board:

Scott Mathys, Lewis County Opportunities, Inc. Executive Director, 8265 State Rte. 812, Lowville, New York 13367

Gale Grunert of 7707 Lomber Road, Lowville, New York 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 Fawcett, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 7 - 2017
RESOLUTION TO APPOINT MEMBER TO
ALCOHOL AND SUBSTANCE ABUSE SUB-COMMITTEE OF THE
LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL
DISABILITIES AND ALCOHOLISM SERVICES BOARD**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Thomas Yousey of 5312 Kamryn Road, Lowville NY 13367 to the Alcohol and Substance Abuse Sub-Committee of the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board, to serve the un-expired term of Philip McDowell.

Section 2. That the term of said appointment shall be effective January 1, 2017 through December 31, 2018.

Section 3. That this resolution shall take effect immediately.

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

JANUARY 3, 2017

**RESOLUTION NO. 8 - 2017
RESOLUTION TO APPOINT MEMBER TO
ALCOHOL AND SUBSTANCE ABUSE SUB-COMMITTEE OF THE
LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL
DISABILITIES AND ALCOHOLISM SERVICES BOARD**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Andrea Neill of 132 North Clinton Street, Carthage, New York 13619 to the Alcohol and Substance Abuse Sub-Committee of the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board, to serve the un-expired term of Father Dan Chapin.

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

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 9 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY SERVICES DEPARTMENT AND CREDO
COMMUNITY CENTER FOR THE TREATMENT OF ADDICTIONS**

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

WHEREAS, Lewis County Community Services Department wishes to enter into an Agreement with Credo Community Center for the Treatment of Addictions (öCredoö) to provide outpatient substance abuse treatment services; and

WHEREAS, the Community Services Board (öCSBö) is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Article 41 of the Mental Hygiene Law and CSB recommends that the County enter into a contract with Credo for such services; and

WHEREAS, the County of Lewis wishes to enter into an Agreement with Credo and the Board of Legislators wishes to accept such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Community Services Department, and Credo Community Center for the Treatment of Addictions, Inc. to provide outpatient substance abuse treatment services.

Section 2. That this is for the period beginning January 1, 2017 through December 31, 2017 at a cost not to exceed \$19,577.00.

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

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

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

**RESOLUTION NO. 10 - 2017
RESOLUTION TO APPOINT MEMBER TO
MENTAL HEALTH SUB-COMMITTEE OF THE
LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL
DISABILITIES AND ALCOHOLISM SERVICES BOARD**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Wendy Eddy of 21534 Staplin Road, Black River, New York 13612, to the Mental Health Sub-Committee of the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. That the term of said appointment shall be effective January 1, 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. 11 - 2017
RESOLUTION TO APPOINT MEMBER TO
MENTAL HEALTH SUB-COMMITTEE OF THE
LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL
DISABILITIES AND ALCOHOLISM SERVICES BOARD**

JANUARY 3, 2017

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Jennifer Peters of P.O. Box 42, Croghan, New York 13327, to the Mental Health Sub-Committee of the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. That the term of said appointment shall be effective January 1, 2017 through December 31, 2020.

Section 3. That this resolution shall take effect immediately.

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

RESOLUTION NO. 12 - 2017
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
LEWIS COUNTY COMMUNITY SERVICES
AND MOUNTAIN VIEW PREVENTION SERVICES, INC.,
ONEIDA-LEWIS NYSARC, AND
NORTHERN REGIONAL CENTER FOR INDEPENDENT LIVING

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

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

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

WHEREAS, the Community Services Board has reviewed the proposals for the following providers of mental health services and has determined that these services are necessary to meet the needs of the community and the costs are reasonable for servicing such needs; and

WHEREAS, the Community Services Board receives state aid funding for such agreements which provides mental health services, and during 2017, may receive adjustments to the state aid funding for each provider agency based upon a Cost Of Living Adjustment (COLA) determined by the state; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Community Services Board has heretofore duly met to consider the contracts for the following service providers and has resolved to recommend to the Board of Legislators to enter into such contracts and to include a provision to accept any COLA adjustment granted by the state during 2017.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the following contracts for fiscal year 2017, the term of these services are beginning January 1, 2017 and ending December 31, 2017, at initial amounts set opposite to each, respectively, and subject to any financial adjustment(s) made by the state to each agency contract, including any COLA for 2017:

ENTITY	AMOUNT
Mountain View Prevention Services, Inc.	\$ 232,957.00
Oneida-Lewis NYSARC	\$ 99,432.00
Northern Regional Center for Independent Living (NRCIL)	\$ 780,163.00
• Family Support Services - \$169,944.00	
• Mental Health Advocacy & Psychosocial Club - \$250,462.00	
• Peer Recovery Services - \$247,252.00	
• Outreach Peer Advocate - \$46,833.00	
• MICA - \$60,260.00	
• Transition Management - \$5,412.00	

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement(s) and any amendment(s) thereto as a result of any financial adjustment made to same by the State in 2017, 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. 13 - 2017
RESOLUTION AUTHORIZING LOCUM TENENS AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY SERVICES DEPARTMENT
AND ONE PATH CAREER PARTNERS**

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

WHEREAS, the Lewis County Community Services Department desires to enter into an Agreement with One Path Career Partners with offices located at 859 Penfield Road, Rochester, New York 14625; and

JANUARY 3, 2017

WHEREAS, One Path Career Partners shall provide psychiatric services pursuant to NYS Mental Health Law § 9.60 for Assisted Outpatient Treatment evaluations and court testimony and Criminal Procedure Law § 730 evaluation to determine the mental capacity of a criminal defendant as ordered by the court; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Community Services Department with One Path Career Partners to provide the services of Steven M. Fogelman, MD for psychiatric services pursuant to Mental Health Law § 9.60 for Assisted Outpatient Treatment evaluations and court testimony and for Criminal Procedure Law § 730 evaluations to determine the mental capacity of a criminal defendant as ordered by the court.

Section 2. That this is for the term beginning January 1, 2017 and ending December 31, 2017 at a cost of \$325.00 per hour.

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

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

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

RESOLUTION NO. 14 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN LEWIS COUNTY
COMMUNITY SERVICES DEPARTMENT AND RUBENZAH, KNUDSEN &
ASSOCIATES PSYCHOLOGICAL SERVICES, P.C.

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

WHEREAS, Lewis County Community Services Department is lawfully required pursuant to Criminal Procedure Law Article 730.00 to ensure that adequate psychiatric examiners are available to conduct psychiatric examinations when it is of the opinion that the defendant may be an incapacitated person; and

WHEREAS, Lewis County Community Services Department wishes to enter into an Agreement with Rubenzahl, Knudsen & Associates Psychological Services, P.C. to conduct these examinations.

NOW, THEREFORE, BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Community Services Department, and Rubenzahl, Knudsen & Associates Psychological Services, P.C. for the purpose of conducting psychological examinations as needed for defendants when it is of the opinion that the defendant may be an incapacitated person.

Section 2. That the term of this Agreement shall be from January 1, 2017 through December 31, 2017 for an amount not to exceed \$110.00 per hour for psychological examinations and \$135.00 per hour for expert court testimony.

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

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

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

**RESOLUTION NO. 15 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY SERVICES DEPARTMENT
AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK**

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

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

WHEREAS, the Lewis County Community Services Department wishes to enter into an Agreement with Transitional Living Services of Northern New York (ōTLSō) to perform certain community based programs for the period beginning January 1, 2017 through December 31, 2017 for an amount not to exceed \$654,053.00; such services to include: Crisis Intervention; Client Transportation; Supported Housing Rental Assistance and Supported Housing Community Services; Case Management ó Non Medicaid Care Coordination; Out-Patient Mental Health; Blended Case Management; and SPOA Case Management; and

WHEREAS, the Community Services Board has reviewed the contract between Transitional Living Services Of Northern New York and Lewis County Community Services Department and has determined that these services are necessary and appropriate to meet the needs of the community and the costs are reasonable for servicing such needs and recommends to the Board of Legislators to enter into such Contract and said payments are contingent upon receipt of State Aid by Community Services; and

WHEREAS, the Community Services Board receives State Aid funding for such agreements which provides mental health services, and during 2017, may receive adjustments to the State Aid funding for each provider agency based upon a Cost Of Living Adjustment (COLA) determined by the State; and

WHEREAS, the Community Services Board has heretofore duly met to consider the contracts for the following service providers and has resolved to recommend to the Board of Legislators to enter into such contracts and to include a provision to accept any COLA adjustment granted by the state during 2017.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract between Transitional Living Services of Northern New York and the Lewis County Community Services Department for the term January 1, 2017 through December 31, 2017 for an amount not to exceed \$654,053.00, and subject to any financial adjustment(s) made by the State to said contract(s), including any COLA for 2017.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement(s) and any amendment(s) thereto as a result of any financial adjustment made to same by the State in 2017, pending approval by the County Attorney.

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

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

RESOLUTION NO. 16 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY SERVICES BOARD
AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK

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

WHEREAS, the Lewis County Community Services Department desires to enter into an Agreement with Transitional Living Services of Northern New York (TLS); and

WHEREAS, TLS wishes to provide comprehensive out-patient clinic services to the residents of Lewis County to those who have mental illness, behavior problems, emotional distress and co-occurring disorders and to directly bill Medicaid/Medicare and other third party insurers for eligible services; and

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

Section 2. That this is for the term commencing January 1, 2017 through December 31, 2017, with no fees and expenses payable by the County to TLS for the out-patient clinic services.

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

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

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

**RESOLUTION NO. 17 – 2017
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 transfers are hereby approved from Contingency to a Community Services account for 2017 budget request for CREDO:

<u>From:</u>	Amount
A0199000 499900 Contingency	\$19,577.00
<u>To:</u>	
A0431900 499900 CREDO	\$19,577.00

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

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

**RESOLUTION NO. 18 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DISTRICT ATTORNEY
AND KEVIN EDMONDS AS A**

JANUARY 3, 2017

CONFIDENTIAL DISTRICT ATTORNEY INVESTIGATOR

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

WHEREAS, the Lewis County District Attorney's Office wishes to enter into an agreement with Kevin Edmonds for the purpose of receiving confidential criminal investigator services for the Lewis County District Attorney's Office by performing the duties of locating and assisting in interviewing witnesses for trials and possible transportation of witnesses for both misdemeanor and felony level trials; serving subpoenas; securing and obtaining current and additional evidence for misdemeanor and felony investigations, cases and trials, including but not limited to witness contact and restitution information; case reviews, in particular to assist with misdemeanor caseload; assist with preparation of witnesses for hearings, Grand Jury and trials; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County District Attorney's Office and Kevin Edmonds for the purpose of receiving confidential criminal investigator services for the Lewis County District Attorney's Office.

Section 2. That this is for the period of January 1, 2017 through December 31, 2017 at a cost of \$16.00 per hour at 10 hours per week as needed and not to exceed \$8,320.00 per year.

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

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

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

**RESOLUTION NO. 19 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DISTRICT ATTORNEY/CORONER'S OFFICE
AND MARK A. TUTTLE**

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

WHEREAS, the Lewis County District Attorney/Coroner's Office wishes to enter into an agreement with Mark A. Tuttle for the purpose of assisting the Lewis County Coroner's Office in death investigation services on an "as needed" and "on call" basis when the Lewis County

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Coroner is unavailable or out of town by performing the duties of photographing death scenes; documenting death scenes; obtaining medical and family death information; obtaining police documentation and corroborative medical histories; coordinating and collaborating with medical professionals, police agencies, funeral homes and medical examiner's offices; follow up paperwork with required agencies and filing of necessary documents.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County District Attorney/Coroner's Office and Mark A. Tuttle for the purpose of assisting the Lewis County Coroner's Office in death investigation services on an as needed and on call basis when the Lewis County Coroner is unavailable or out of town for the period of January 1, 2017 through December 31, 2017 at a cost not to exceed \$5,000.00 annually.

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

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

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

**RESOLUTION NO. 20 – 2017
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, 2017 through December 31, 2017 to wit: Fire Chief of each Volunteer Fire Department in Lewis County, or a designated Assistant Fire Chief, all of whom shall be county officers and shall serve without compensation.

Section 2. That Lewis County Fire and Emergency Management Director Robert MacKenzie, 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.

JANUARY 3, 2017

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

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

**RESOLUTION NO. 21 - 2017
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, 2017 through December 31, 2017.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 22 - 2017
RESOLUTION AUTHORIZING AN INTER-MUNICIPAL AGREEMENT
FOR SHARED SERVICES HIGHWAY MAINTENANCE
BETWEEN LEWIS COUNTY HIGHWAY DEPARTMENT AND TOWNS AND
VILLAGES WITHIN THE COUNTY OF LEWIS**

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

WHEREAS, the County of Lewis, by and through the Lewis County Highway Department, (öCountyö) and the Towns and Villages within the County of Lewis wish to share services; and

WHEREAS, each of the parties, from time to time, are in the need of borrowing manpower, machinery and equipment in connection with sharing highway, maintenance and similar services and both parties desire to assist each other in meeting their respective requirements; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. The Board of Legislators hereby authorizes an Inter-Municipal Agreement for shared highway maintenance services between the County of Lewis, by and through the Lewis County Highway Superintendent of Highways and the Towns and Villages within the County of Lewis, to share manpower, machinery and equipment in connection with highway maintenance and related services.

Section 2. That the term of this Agreement shall be from January 1, 2017 through December 31, 2017.

Section 3. That the Board of Legislators hereby authorizes David L. Becker, Lewis County Superintendent of Highways, 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. 23 - 2017
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.

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, 2017 and ending December 31, 2017 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 ó \$71.00; Breath Alcohol Test ó \$22.00; Breath Alcohol Confirmation Test ó \$22.00; and Onsite Testing ó \$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 Hathway, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 24 – 2017
RESOLUTION TO TRANSFER FUNDS
TRANSPORTATION DEPARTMENT**

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

BE IT RESOLVED as follows:

Section 1. That the following 2017 budget changes are hereby approved in the Highway Department Accounts to adjust original budget entries:

From:

DM513000 470100 Veh Rep	\$ 4,000.00
DM513000 440700 Shop Supplies	\$ 3,000.00
D0511000 495110 Maint Materials	\$167,000.00
D0550000 491520 Bridge Materials	<u>\$ 20,000.00</u>
	\$194,000.00

To:

DM513000 460500 Rep & Maint	\$ 4,000.00
DM513000 494300 Trash Removal	\$ 3,000.00
D0511000 491020 Pipe Orders	\$ 40,000.00
D0511000 491030 Safety Items	\$ 7,000.00
D0511000 491040 Maint Road Items	\$ 85,000.00
D0511000 491560 Maint Patch	\$ 35,000.00
D0550000 491501 Bridge Insp/Eng	<u>\$ 20,000.00</u>
	\$194,000.00

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

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

**RESOLUTION NO. 25 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY HUMAN RESOURCES DEPARTMENT
AND CITEC BUSINESS SOLUTIONS**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, CITEC Business Solutions, (öCITECö) is a not-for-profit business consulting organization driven by a mission to help the small and medium sized enterprises in northern New York to thrive, rather than just survive. CITEC provides the training for employees to become more effective supervisory leaders who are brand new to the role or those who have been supervising others for years and are ready to take on more of a leadership role; and

WHEREAS, the County of Lewis, by and through the Lewis County Human Resources Department wishes to enter into an agreement with CITEC Business Solutions for the purpose of providing professional and other management services necessary and customary to assist Lewis County with supervisor training in 2017; 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 CITEC Business Solutions for the purpose of providing professional and other management services necessary and customary to assist Lewis County with supervisor training in 2017.

Section 2. That this is for the period commencing January 1, 2017 through December 31, 2017 at a cost of \$15,680.00 for eight (8) different topics, two (2) four hour sessions for training and materials up to ten (10) participants per session. If additional participants are added, cost will be \$10.00 per additional participant/session. The not to exceed cost of the contract is \$20,000.00. Payment of \$3,920.00 upon execution, with payments thereafter due on April 28, 2017, August 30, 2017 and November 30, 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 Fawcett, and adopted.

**RESOLUTION NO. 26 – 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO LAW DEPARTMENT**

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 amends the Compensation Plan of the County of Lewis, with reference to filling the Law Department's Assistant County Attorney position with the following temporary position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Assistant County Attorney	Temporary Part-Time, Exempt	\$75.00/hour Up to 20 hrs/week

Section 2. That the County Attorney is hereby authorized to fill said position effective December 12, 2016 for a period of up to ninety (90) days.

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

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

RESOLUTION NO. 27 -2017
RESOLUTION AUTHORIZING LEWIS COUNTY
DEPARTMENT OF BUILDINGS AND GROUNDS TO ENTER INTO AGREEMENTS
FOR PLOWING OF THE ROADS TO LEWIS COUNTY TOWER SITES

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

WHEREAS, the Board of Legislators of Lewis County (öCountyö) upgraded its Emergency Radio Communications System, which included adding to and upgrading the tower sites and supporting structures in various locations within the County; and

WHEREAS, the tower sites must be accessible at times for maintenance and/or repairs, which require the County's Buildings and Grounds Department to either snow plow the access roads or arrange for others to assist with timely snow plowing of the sites throughout the winter season; and

WHEREAS, the Buildings and Grounds Department can contact a number of residents/businesses and/or local Municipalities within the County who will assist with snowplowing of a number of tower site roads in the various locations throughout the County, at reasonable hourly rates ranging from \$50.00 to \$150.00, depending upon the equipment used (truck plow or tractor), the amount of snow, the weather conditions at the time, and other relevant information that the Supervisor of Buildings and Grounds can consider in the request for plowing services on any such occasion; and

WHEREAS, the County desires to enter into contracts with the individuals/businesses and/or local municipalities willing and able to snow plow the tower site roads designated and as directed on each occasion by the Supervisor of Buildings and Grounds for the 2016-2017 season.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes Agreements with residents/business owners in Lewis County and/or local Municipalities to provide snow plowing services at tower locations identified and directed by the Supervisor of Buildings and Grounds.

Section 2. That the term of these agreements shall be for the 2016-2017 season for plowing assistance and services on such occasion(s) as directed and requested by the Supervisor of Buildings and Grounds, at a cost to range from \$50.00 to \$150.00 per hour depending upon the equipment to be used, the amount of snow, other weather conditions, and any other relevant information and consideration by the Supervisor of Buildings and Grounds in determining the fee to be paid on each particular occasion. The agreement(s) shall further provide that each individual contractor and/or municipality shall have proper insurance terms and amounts in effect as the County Attorney may deem appropriate.

Section 3. That the Board of Legislators hereby authorizes the Supervisor of Buildings and Grounds to execute and deliver such written agreement(s) or other documents as may be necessary to carry out the terms of this Resolution, subject to the approval of the County Attorney.

Section 4. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 28 - 2017
RESOLUTION PROVIDING COMMENT TO THE NYS DEPARTMENT OF
CONSERVATION (NYSDEC) ON ITS DRAFT RECREATION MANAGEMENT PLAN
(RMP) FOR THE OSWEGATCHIE CONSERVATION EASEMENT IN NORTHERN
LEWIS COUNTY

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

WHEREAS, the Oswegatchie Conservation Easement dated June 15, 1989, encompasses approximately 17,000 acres of land located in Lewis County in the Towns of Croghan and Diana, utilizing taxpayer dollars to purchase the acreage at a cost of \$3,006,325; and

WHEREAS, the NYS Department of Conservation (NYSDEC) seeks comments on its draft Recreation Management Plan (RMP) for the Oswegatchie Conservation Easement in Northern Lewis County; and draft plan which excludes ATV use for recreational or sporting purposes; and

WHEREAS, easement lands are working forest properties with extensive infrastructure and a demonstrated capacity to withstand use, including recreational use and opportunities for motorized recreational vehicles and activities such as All Terrain Vehicle (ATV) activities; and

WHEREAS, the Oswegatchie Easement has the potential to provide expansion and extension of ATV trail opportunities in Lewis County together with expanded access for public hunting, fishing and trapping via ATVs and other motorized vehicles on this expansive acreage; and

WHEREAS, Lewis County's outdoor recreational activities, including its ATV recreational trail system, are unique and primary economic attractions and initiatives for the County, with expansion of the system only enhancing its economic development through recreational and tourism features; and

WHEREAS, the State's stated policy and intention when negotiating conservation easements is to include and try to maximize public access points for public recreation uses including hunting, fishing, trapping, hiking, camping, mountain biking, and motor vehicle access, including ATVs; and

WHEREAS, RMPs on other easement properties with similar rights as the Oswegatchie Easement have included and developed plans that allow ATV use for recreation and sporting purposes; and

WHEREAS, Lewis County desires such similar plans and opportunities for the residents of and visitors to the County, who seek recreational and sporting activities in these 17,000 acres by ATV and other motorized vehicle use.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby rejects the NYS DEC's Draft RMP for the Oswegatchie Conservation Easement, for its exclusion of ATV access and use for recreational or sporting purposes, and records its opposition to the Draft RMP as a denial of the rights of the residents of Lewis County as taxpayers of the State of New York.

Section 2. That the Lewis County Board of Legislators hereby acknowledges its support of the above comments and requests that the NYSDEC include motorized access and use, including ATVs, in the RMP for the Oswegatchie Conservation Easement properties in Lewis County, as the NYSDEC has provided in similar Easement properties in other counties.

Section 3. That the Lewis County Board of Legislators further requests that the NYSDEC land managers collaboratively work with the County's representatives and Director of Recreation, Forestry and Parks to develop a plan that acknowledges the economic importance and significance of ATV access and use for recreational and sporting activities in Lewis County and enhances the County's trail system and sporting access for ATVs and other motor vehicles.

Section 4. That this Resolution shall take effect immediately.

Section 5. That the Clerk of the Board of Legislators is hereby directed to deliver copies of this Resolution to: Governor Andrew M. Cuomo, NYSDEC Commissioner Basil Seggos,

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Matthew Nowak, Sr. Natural Resources Planner, Region 6 Director Judy Drabicki, Esq. and to any other appropriate State and Local agencies, representatives and officials deemed appropriate.

Moved by Legislator Brennan, seconded by Legislator King.

Legislator Hathway expressed frustration, terming the plan "absurd", explaining that you can go around through Belfort and over Bald Mountain without restrictions. Although, he understands that nothing could be done because it wasn't part of the agreement with the owners of the land.

The resolution was then adopted.

**RESOLUTION NO. 29 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY GENERAL HOSPITAL
OCCUPATIONAL MEDICINE AND
RECREATION, FORESTRY AND 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 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 Recreation, Forestry and Parks 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, 2017 and ending December 31, 2017 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 ó \$71.00; Breath Alcohol Test ó \$22.00; Breath Alcohol Confirmation Test ó \$22.00; and Onsite Testing ó \$40.00.

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

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

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

**RESOLUTION NO. 30 - 2017
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 (öCorporationö) for Community Development Block Grant (öCDBGö) funds to finance community development activities (NYS CDBG Project # 636R334-16); and

WHEREAS, the Corporation has awarded the County of Lewis \$847,500.00 in Community Block Grant funds for owner and renter occupied housing rehabilitation.

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 \$847,500.00 in Community Development Block Grant funds.

Section 2. The Chairman or Vice-Chairman of the Board of Legislators is and he hereby is authorized to execute, seal and deliver said Grant Agreement and any related and necessary supplemental documents.

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

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

**RESOLUTION NO. 31 - 2017
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
BERKSHIRE FARM CENTER AND SERVICES FOR YOUTH**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, Berkshire Farm Center and Services for Youth (öAgencyö) is a foster care agency authorized by the New York State Office of Children and Family Services to provide foster care services; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Department of Social Services, and Berkshire Farm Center and Services for Youth for the provision of foster care services.

Section 2. That the term of this agreement shall be from January 1, 2017 through December 31, 2017 at per diem cost not to exceed the Maximum State Aid Rate established by the New York State Department of Health. There is no local share cost until costs exceed the foster care block grant and then the local share is 37.5% for residential/foster care.

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

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

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

**RESOLUTION NO. 32 - 2017
RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENT
BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND
CREDO COMMUNITY CENTER
FOR THE TREATMENT OF ADDICTIONS, INC.**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, Credo Community Center for the Treatment of Addictions, Inc. (öCredoö) provides chemical dependency and addictions services within Lewis County; and

WHEREAS, the Lewis County Department of Social Services (öDSSö) wishes to enter into a Memorandum of Agreement with Credo to use their services for individuals receiving assistance from DSS; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the Memorandum of Agreement with Credo Community Center for the Treatment of Addictions, Inc. for the period of January 1, 2017 through December 31, 2017. As a payer of last resort, DSS shall be responsible

for payment of the actual costs incurred by Credo for addiction assessments at a cost not to exceed the current Medicaid reimbursable rate of \$152.67. Depending upon client eligibility under Medicaid, cost to the County could be 0% to 100%.

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. 33 - 2017
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.

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, 2017 through December 31, 2017 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 Fawcett, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 34 - 2017
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
MEDLAB, INC.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Service Committee.

WHEREAS, Medlab, Inc. (öAgencyö) provides urine toxicology laboratory services and the Lewis County Department of Social Services wishes to enter into an agreement with this Agency for the purchase of these services; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Department of Social Services, and Medlab, Inc. for the purchase of services that include urine toxicology laboratory services.

Section 2. That the term of this agreement shall be from January 1, 2017 through December 31, 2019 for drug screening at the cost of \$15.00 each and GC/MS confirmations as needed and DRT at a cost not to exceed \$35.00. The Local Share Cost is approximately 36%; the State Cost is approximately 14%; 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 King, and adopted.

**RESOLUTION NO. 35 - 2017
RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENT
BETWEEN THE 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 (öDSSö) and Lewis County Probation Department (öLCPDö) received a juvenile justice grant for Neurosequential Model of Therapy (öNMTö). The grant covered the costs of clinicians under this specialized therapy, but did not provide for the costs of those trained clinicians to educate DSS caseworkers and Probation staff on this therapy model; and

WHEREAS, the Lewis County Department of Social Services wishes to enter into an Agreement with Rubenzahl, Knudsen & Associates Psychological Services, P.C. (öRKPSö) for

their clinicians to train and educate DSS caseworkers and LCPD staff on this specialized NMT model for use in appropriate cases serviced by these Departments; 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 a Memorandum of Agreement with Rubenzahl, Knudsen & Associates Psychological Services, P.C. for their clinicians to train and educate DSS caseworkers and Lewis County Probation Department employees on the specialized Neurosequential Model of Therapy for use in appropriate cases serviced by these Departments.

Section 2. That the Agreement shall provide for two (2) RKPS trained clinicians for three (3) training sessions (2 hours each session), at a cost not to exceed \$1,500.00 inclusive of the clinicians' preparation time for the training. The Agreement shall also provide for an RKPS NMT-trained clinician to provide individual case consultation and training as requested by the Commissioner at the rate of \$110/hour, not to exceed \$1,100 per year.

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

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

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

RESOLUTION NO. 36 - 2017
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 Board of Legislators desires to rescind Resolution No. 455-2016 for psychological services with Rubenzahl, Knudsen & Associates Psychological Services, P.C. (øRKPSø), as a new agreement is desired to include additional services; and

WHEREAS, the Lewis County Department of Social Services (øDSSø) wishes to enter into an Agreement with RKPS 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, in accordance with criteria

PROCEEDINGS OF THE BOARD OF LEGISLATORS

established by Department regulations; and for provision of individual, family, and group counseling to adults and families that are referred by DSS; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby rescinds Resolution No. 455-2016 and the same shall be deemed null and void and no longer in effect.

Section 2. 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, in accordance with criteria established by Department regulations; and for provision of individual, family, and group counseling to adults and families that are referred by DSS.

Section 3. That the term of this Agreement shall be from November 16, 2016 through December 31, 2017 for an amount not to exceed the following costs with the Local Share Cost being approximately 36%; the State Cost is approximately 14%; and the Federal Share is approximately 50%:

Psychological Services	Sex Offender Assessments & Therapy	Specialized Attachment-Based Services	Trainings or Psychoeducation
\$75.00 per hour for therapy	\$45.00 per session for group therapy	\$110.00 per hour in-home Attachment Parenting Therapy	\$110.00 per hour per RKPS clinician providing the training
\$110.00 per hour for psychological evaluations	\$75.00 per hour for individual therapy	\$110.00 per hour in-office Attachment parenting Therapy	
\$65.00 per hour for clients receiving group treatment	\$500.00 per completed adult sex offender assessment	.54 cents per mile travel, roundtrip from RKPS office to family's home	
\$135.00 per hour for expert court testimony	\$300.00 per completed youth sex offender assessment		
\$75.00 per session, to include RKPS's presence at monthly clinical treatment team meeting if applicable			

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 Fawcett , seconded by Legislator Dolhof , and adopted.

RESOLUTION NO. 37 - 2017
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 Service Committee.

WHEREAS, the Lewis County Department of Social Services (øDSSø) wishes to enter into a Memorandum of Agreement with Transitional Living Services of Northern New York, Inc. (øTLSø) to renew the terms for TLS to provide the services of psychiatric and/or psychological evaluations of individuals receiving services from DSS; and

WHEREAS, the 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. (øTLSø) for the purpose of purchasing the services of psychiatric and/or psychological evaluations of individuals receiving services from DSS.

Section 2. That the term of this agreement shall be from January 1, 2017 through December 31, 2017 at a cost not to exceed \$158.00 per psychiatric assessment and medical examination for employability assessment; a rate of \$25.30 for completion of the DSS Monthly Progress Report form 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 amount is approximately 36%; Federal approximately 50%; and State approximately 14%.

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. 38 - 2017
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 Legislators Andrea Moroughan of 6697 Pine Grove Road, Glenfield, New York 13343 to fill the un-expired term of Legislator Lawrence Dolhof on the Lewis County Soil & Water Conservation District Board of Directors.

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

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

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

**RESOLUTION NO. 39 - 2017
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 the Economic Development and Planning 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 235 commercials on WWNY (CBS); at least 160 commercials on WNYF (Fox 28) television stations; and at least 15 commercials in sporting events for a total of at least 410 commercials. This also includes digital platforms consisting of website pre-rolls and banner advertisements on WWNYTV.COM, and a mobile application sponsorship, at a total cost not to exceed \$20,000.00, inclusive of production investment; 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 WWN7 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 will run from January 1, 2017 through December 31, 2017, with at least 410 commercials, website pre-rolls and banner advertisements on WWN7TV.COM, and a mobile application sponsorship, all as set forth in the advertising summary proposal, at a cost not to exceed \$20,000.00.

Section 3. That the Chairman of the Board of Legislators or the Vice-Chairman be and the same is hereby authorized to execute, 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. 40 - 2017
RESOLUTION AUTHORIZING THE
2017 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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the 2017 Resource Allocation Plan between the County of Lewis and the New York State Office of Children and Family Services (OCFS) for the 2017 program year in the amount of \$21,115.00.

Section 2. That the Chairperson, or the Vice-Chairperson, of the Board of Legislators is hereby authorized to execute, seal and deliver said Resource Allocation Plan.

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

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 41 - 2017
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:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Department of Highways to create the following temporary position for the purpose of training with the existing employee:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Deputy County Highway Superintendent	Temporary Full-time	Not to Exceed \$55,166 Annualized

Section 2. That Superintendent of Highways David Becker is hereby authorized to fill said position effective immediately.

Section 3. That upon retirement of the existing employee the position will become permanent.

Section 4. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 42 - 2017
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>
Clinic LPN (3)	Full-time
Computer Systems Support Technician	Full-time

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

Moved by Legislator Moroughan, seconded by Legislator Fawcett.

At the request of Chairman Tabolt, Hospital CEO Michele Prince explained the three LPNs were to staff the new extended hours clinic for Dr. Brian Shambo, one for the South Lewis School District clinic, and an ascribed program to assist doctors with billing to enable them to see more patients. The extended clinic will accept patient walk-ins, provide an option for patients whose regular physician office may be closed and provide an alternative to the emergency room.

The computer technician will augment department personnel to handle expanding needs for physicians and telephone systems.

The resolution was then adopted.

**RESOLUTION NO. 43 - 2017
RESOLUTION RESCINDING RES. NO. 88-2011 AND
ESTABLISHING/RE-CONFIGURING THE LEWIS COUNTY
HUMAN RESOURCES DEPARTMENT**

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee

WHEREAS, the Board of Legislators adopted Local Law No. 2 of the Year 2010, entitled, "A LOCAL LAW AUTHORIZING LEWIS COUNTY TO WITHDRAW FROM CIVIL SERVICE COMMISSION AND ESTABLISHING THE LEWIS COUNTY HUMAN RESOURCES DEPARTMENT"; and

WHEREAS, the Board of Legislators found that the needs of administering its workforce, in the midst of an increasingly complex array of rules and regulations affecting the workforce, requires professional expertise in the provision of comprehensive and integrated human resources services on behalf of the County's elected officials and in support of the County's overall mission, and determined that it was in the public interest to develop a Human Resources Department to bring together the functions of civil service administration; employee recruiting; labor/management relations; personnel policy development and implementation; and staff evaluations, discipline and training; and maintaining personnel records; and

WHEREAS, pursuant to Local Law No. 2 of 2010, the Board of Legislators, may establish new positions or transfer existing positions, establish new or amend existing job titles, and take such other measures as may be deemed expedient and necessary to establish a Human Resources Department and carry out the intent of this local law. (Local Law No. 2 of 2010, Section 6[A]); and

WHEREAS, by Resolution No. 88-2011, the Board of Legislators established the Human Resources Department and expanded upon the resources and experience already at the Lewis County General Hospital (LCGH) Human Resources Department, by creating a **combined** department under a single Director of Human Resources to oversee and manage the human

PROCEEDINGS OF THE BOARD OF LEGISLATORS

resource function of all County employees, including LCGH employees; and who would also serve and administer the Civil Service Law as the Personnel Officer for the entire County of Lewis; and

WHEREAS, by Resolution No. 88-2011, the Board of Legislators established the position and office of Director of Human Resources/Personnel Officer (öDirectorö), who is charged with administering the provisions of the Civil Service Law (Section 15(1)(b), shall be the head of the Department, and have such other duties as set forth in the attached job description (subject to classification by the Civil Service Commission pursuant to CSL§22); and

WHEREAS, Resolution No. 88-2011 further established, in conformance with Local Law No. 2 ö 2010, that the Board of Legislators shall appoint the Director for a six-year term of office and that the Director may commence duties as department head immediately upon appointment; and

WHEREAS, by the aforesaid Resolution, the Board of Legislators approved a Memorandum of Agreement by and between the County Board of Legislators and the Board of Managers of the LCGH that set for the terms and conditions pursuant to which the parties would share the cost and expense of the services to be performed by the Department of Human Resources and its joint Director; and

WHEREAS, by Resolution No. 256-2013, the Board of Legislators appointed James A. Swords to the position of Director of Human Resources/Personnel Officer commencing June 17, 2013 for a six-year term, serving as Director of Human Resources for both LCGH employees and non-hospital County employees, and serving as the Personnel Officer for the entire County of Lewis; and

WHEREAS, by Resolution No. 344-2015, the Board of Legislators authorized an Amendment to the Memorandum of Understanding between the County and LCGH with respect to the shared time, responsibilities and compensation of the Director; and

WHEREAS, the Board of Legislators seeks to Rescind Resolution No. 88-2011, in so far as to terminate the combined Human Resources Departments of the County and LCGH under a single Director of Human Resources; to terminate the Memorandum of Understanding between the County and LCGH for the shared time, responsibilities and compensation of the combined Director of Human Resources for both Departments/Entities; and to now establish a separate Department and Director of Human Resources for all County employees except for LCGH employees. The Director of Human Resource will also serve as the Personnel Officer for the entire County of Lewis and administer the Civil Service Law;

NOW THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby Rescinds Resolution No. 88-2011 effective February 3, 2017.

Section 2. The Board of Legislators hereby establishes and reconfigures the Lewis County Human Resources Department (øDepartmentö). The Department shall be empowered to perform human resource management services for all County employees except for employees of the Lewis County General Hospital (LCGH). The Department shall be under the direction of the Director of Human Resources/Personnel Officer.

- A. The Human Resources Department shall be staffed by such personnel holding such titles and performing such duties as may be deemed necessary and appropriate by the Director, subject to budgetary approval of the Board of Legislators.
- B. The Human Resources Department for all County employees other than hospital employees, shall provide the following services: Recruiting, Personnel Policies, Staff Development, Performance Evaluations, Salary Administration, Labor Relations, Civil Service Administration, Personnel Records.

Section 3. The Board of Legislators hereby establishes the position and office of Director of Human Resources/Personnel Officer (øDirectorö) for all County employees other than LCGH employees. The Director shall be the head of the Department. As Personnel Officer for the entire County of Lewis, the Director shall so serve as the Personnel Officer for the entire County of Lewis and be responsible for administering the provisions of Civil Service Law. The Director shall have such other duties as set forth in the attached job description. The Director shall be an appointee of the Board of Legislators and have a six- year term of office.

Section 4. The Board of Legislators hereby terminates the Memorandum of Agreement by and between the Board of Legislators and the Board of Managers of the Lewis County General Hospital, together with any Amendments thereto, effective February 3, 2017.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Fawcett.

County Manager Liz Swearingin explained the lateness of the resolution was due to the unexpected resignation this morning of Human Resources Director James Swords.

After conferring with Hospital CEO Michele Prince, she asserted, the County and the Hospital each require a full-time Director and staff to handle ever-expanding and complex personnel and legal procedures, as well as training requirements and development of a comprehensive management salary policy.

Pursuant to Civil Service Law, the County may appoint one sole Personnel Officer to oversee regulatory requirements for all covered personnel within the County. Accordingly, the Board will designate those duties to the new County Human Resource Director.

The resolution was then adopted.

RESOLUTION NO. 44 - 2017
RESOLUTION AUTHORIZING AN AGREEMENT WITH THE VILLAGE OF HARRISVILLE AND THE COUNTY'S FINANCIAL CONTRIBUTION TO THE VILLAGE'S DISSOLUTION STUDY COST, CONTINGENT UPON EXHAUSTION OF FUNDS FROM ALL OTHER RESOURCES

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development and Planning Committees.

WHEREAS, the Village of Harrisville (hereinafter "Village") is in the process of examining its dissolution in order to save taxpayer expense and duplication of services. In any local municipal dissolution, the entity must comply with New York State laws and regulations, including analysis by means of a formal Dissolution Study; and

WHEREAS, members of the Board of the Village advise that the estimated cost of the Dissolution Study is \$25,000.00 and that the NYS Department of State (hereinafter "DOS") has verbally committed \$15,000.00 in reimbursement to the Village toward said cost; and

WHEREAS, the Lewis County Board of Legislators (hereinafter "County") wishes to financially assist the Village with the Dissolution study cost, provided that the Village applies for and exhausts all other funding sources, including but not limited to NYS DOS, and provided that a cost/payment analysis and report is provided to the County indicating the actual cost and expenditure.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby agrees and authorizes a payment up to \$5,000.00 as a contribution/reimbursement to the Village of Harrisville toward the cost of its required Dissolution Study, conditioned upon and subject to an agreement in which the Village agrees to apply for and exhaust all other funding sources for this study, including but not limited to NYS DOS, and further conditioned upon the Village providing the County with a cost/payment analysis and report indicating the actual cost and expenditure for same.

Section 2. That the Lewis County Board of Legislators hereby authorizes this payment, if required, to be made from the Community Development Projects budget.

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

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

OTHER BUSINESS

Legislator Brennan made a motion to authorize a letter of support on behalf of the Board and the Recreation, Forestry & Parks Director, as requested by Mark Miller, President of the Long Pond Snowmobile Club, for their grant application for a groomer. The motion was seconded by Legislator King and carried.

Legislator Hathway suggested a concept to offer scholarships to Lewis County residents for 20 percent of tuition for all prospective courses at the Jefferson Community College extension facility. It may make the difference for some citizens who may otherwise be incapable. In response to Legislator Kulzer for a maximum number, Legislator Hathway rejects imposing a maximum number of scholarships, stating that by the third year there may be as many as 441 courses. However, the Board may want to cap total appropriations.

If the Board agrees with the concept, Legislator Hathway would research and propose specific numbers and appropriations. One aspect may be to offer on a first-come first-serve basis, while recognizing it could not be offered forever.

Chairman Tabolt deferred to Atty. McNichol, who clarified the County is prohibited from giving gifts, while at the same time posing the possibility to be administered by a not-for-profit agency.

Legislator Brennan termed it a great concept, wondering whether the Industrial Development Agency could administer the initiative, and possibly allocate future PILOT revenues to sustain the scholarship program.

Legislator Moser was supportive of the concept, citing possible assistance to the Fire Departments with the cost of CPR courses for members. Legislators Moroughan and King each indicated their support for the concept.

There being no further business to come before the Board, Legislator Brennan made a motion to adjourn at 6:06 p.m., seconded by Legislator Moser and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

REGULAR MEETING

February 7, 2017

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

Roll Call: All Legislators were present, except Legislator Fawcett whom had been excused.

Chairman Tabolt offered the Invocation and then led the Pledge of Allegiance to the Flag.

There were 11 persons present.

Chairman Tabolt declared the January 3, 2017 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 7, 2017

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

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

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Ms. Kelly Ritz, a Village of Harrisville resident, penned a thank you note to the Board for the County contribution to assist with the cost of the Village Dissolution Study.

The Board acknowledges receipt of resolutions adopted by the Chemung County Legislature in support of a State plan for next generation 9-1-1 and to create a NYS Department that supports county public safety answering points and enhances local emergency dispatch services; also to more equitably and efficiently impose the 9-1-1 surcharge on all wireless communication devices and use the revenue to finance life saving County 9-1-1 services.

The Board also acknowledges receipt of resolutions adopted by the Greene County Legislature in support of NYS ride-sharing legislation; and legislation to prevent elder abuse and isolation; and also a resolution adopted by the Town Board of Victor, NY thereby adopting the "think differently" initiative to assist individuals with developmental disabilities and their families.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

The following Newspaper Designation had been submitted from the Democratic Legislator and placed on file with the Clerk of the Board:

TO THE HONORABLE BOARD OF LEGISLATORS OF LEWIS COUNTY:

The people of the County of Lewis being divided into two principal political parties, namely, the Republican Party and the Democratic Party, the undersigned Legislators of Lewis County elected by the 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: February 7, 2017

NAME/SIGNATURE

Richard Chartrand, District No. 5

ADDRESS

7563 Cedar Street, Lowville, NY 13367

Legislators have received copies of the County Treasurer's January report; the 1/27/17 Highway and Solid Waste Audit reports; minutes of the 10/18/2016 Public Health Services Advisory Committee meeting, and the 12/13/2016 and 1/10/2017 Soil & Water Conservation District Board of Directors meetings.

Legislators have also received copies of the 2016 annual reports from the following County Department Heads: Code Enforcement, Community Services, Economic Development, Highway, Office for the Aging, Planning, Probation, Public Health, Real Property Tax Services, Solid Waste & Recycling and the Treasurer's Cash Report.

The Sealer of Weights and Measures monthly report has been received and placed on file.

REPORTS OF STANDING COMMITTEES:

Chairman Tabolt announced that Legislators Hathway and Brennan had agreed to switch Chairmanship of their assigned committees, but would provide a final report for their respective former committee.

Legislator Philip Hathway, Ways and Means/Buildings and Grounds Committee Chairman, reported the solar project is on track for the spring and Greenskie's representatives provide weekly updates.

Legislator Hathway referenced proposed resolutions related to financing the JCC Extension Center project as a result of lengthy Committee discussion. One delineates Legislator King's suggestion to allocate monthly Hospital debt repayments to the Capital project to equate estimated interest savings of \$50,000 by avoiding renewal of Bond Anticipation Notes (BANs). The project will be paid within two years as opposed to five.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Hathway reported that County Manager Liz Swearingin is overseeing the Enterprise Fleet Management contract and additionally recommends three pick-up trucks for the Highway Department. It was clarified the battery charge of the electric car is capable of 115 miles at 84 mph.

County Attorney Joan McNichol has been authorized to retain a professional for an appraisal of the corner lot at the intersection of Ross Road and Route 12 to determine its market value.

Legislator Hathway stated the proposals from architect/engineer firms will be good reference material for future projects.

Legislator Hathway prefaced that it was easy to take credit and support them, while thanking Frank Archer and Frank Pace for their diligent work on various projects; while bestowing a big thank you to Treasurer Patty O'Brien for being a good advisor.

In closing, Legislator Hathway also thanked Legislators Chartrand and King for their invaluable input.

Legislator Bryan Moser, County Officers/Junkyards/Veterans Services/ Human Resources Committee Chairman, reported that Veterans Services Counselor Stephen Kilionski had completed training on the Veterans Benefits Management System that provides on-line access and enhances timely reporting. He then recited from Director Derek Davey's 2016 fourth quarter report a total of 335 contacts, 220 veterans served and 771 services rendered. The retro benefit awards generated during the quarter were \$45,771.23 for a yearly total of \$386,836.05.

Legislator Moser reported interviewing candidates for Human Resources Director, citing his sponsored resolution for the committee's recommended appointment.

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

Legislator King made a motion to authorize Sheriff Carpinelli to fill the Correction Officer/ Lieutenant position effective immediately, due to an impending retirement at the end of February. The motion was seconded by Legislator Chartrand and carried.

Legislator King reported good progress with ongoing adjustments by EF Johnson for the paging system with permanent solutions. Reception has been greatly enhanced in various areas through adjustments at different towers.

On behalf of the Harrisville Fire Department, Legislator Hathway requested permission to mount their siren on the County's radio tower located in their area. Legislator King would reach out to C & S Consultant Robert Duclos with pertinent inquiries to assist the Committee's consideration and report their recommendation.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry and Parks Committee Chairman, made a motion to authorize Peter Burkholder to tap the maple trees at Hough Memorial Park for a price of \$.75 per tap, seconded by Legislator Moser and carried.

Legislator Dolhof reported approval of a Restore NY grant of \$500,000 for the next phase of the Lyons Falls mill demolition project. An application has also been submitted for an Environmental Protection Agency (EPA) grant.

The commerce park project is progressing to shovel ready status with assistance from Bernier, Carr & Associates.

Legislator Dolhof reported 49 attendees at the quarterly business breakfast held this morning at the Maple Museum.

Legislator Dolhof yielded the floor to Planning Director Frank Pace who had distributed bags and pens to Legislators with the Transportation System logo as part of the educational outreach program. He reported that Planner Rachel Gardner has been speaking at senior citizen complexes and making presentations at various community groups. They have also launched a facebook page.

As the current Chairman of the Ways and Means/Buildings and Grounds Committee Legislator Craig Brennan made a motion to authorize Planning Director Frank Pace, Buildings and Grounds Supervisor Frank Archer and County Attorney Joan McNichol to select and award the Architect/Engineer vendor from proposals due by February 15, 2017, for site and building design of the JCC Extension Center. The County Attorney is further authorized to draft an appropriate contract and apprise the Ways and Means Committee of the details of the bid award and contract terms. The motion was seconded by Legislator Dolhof.

Legislator King voiced objection, opining it should be a decision by the Board of Legislators. Legislator Moser agreed the entire Board should deliberate the selection, as they are responsible for related financing. Legislator Chartrand favored calling a special meeting, if necessary, to allow all Legislators a vote. Legislators Dolhof and Brennan each relayed confidence in the Committee to make the selection.

The motion was defeated by a roll call vote of 4 to 5 and one absentee. Legislators Chartrand, King, Moroughan, Moser and Tabolt were opposed. Legislator Fawcett was absent.

The administrative team was scheduled to meet on 2/15/17 at noon to review and analyze the proposals and would provide a summary to all Legislators. Chairman Tabolt called for a special meeting of the Board to be held on Friday, February 17, 2017 at 4 p.m. to consider a professional services agreement.

Legislator Craig Brennan, Taxation/Elections/Information Technology Committee Chairman, reported that Lyonsdale Biomass, LLC has withdrawn from the PILOT agreement effective 12/30/2016 and will be returned to the tax roll. Northbrook Lyons Falls, LLC

PROCEEDINGS OF THE BOARD OF LEGISLATORS

commenced a tax certiorari action against the Towns of Lyonsdale and West Turin, requesting an assessed value reduction from \$6,932,200 down to \$2,624,950 that would result in a tax loss of approximately \$31,000. Burrows Paper Company has sold their 24-parcel operation to Twin Rivers Paper Company of Nova Scotia for \$35,416, far less than its \$2.5 million assessed value.

Legislator Brennan cited the proposed resolution to increase the cost of colored maps, as requested by Director Candy Akin. Also, the Lake Bonaparte field work for 911 address assignments is being entered into the maps. Ms. Akin was recognized for a commendable job and for continuing her education.

Legislator Brennan said that Director Adam Zehr reports the Tyler Munis system has been successfully implemented, but he continues to address issues. PSAP grant funds financed upgrades for the 911 dispatch system and redundancy center. The newly modernized website will soon be implemented to offer more services and include a mobile platform.

Legislator Brennan reported that broadband expansion awaits State grant funding announcements.

In response to Legislator Hathway, Legislator Brennan confirmed that neither the Town of Lyonsdale nor West Turin has requested assistance with the assessment challenge.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman, reported that recycling building renovations are complete. The new trailer has double the volume capacity and has reduced the number of loads/trips to the Oneida-Herkimer facility. He publicly thanked the Development Authority of the North Country (DANC) for their generous assistance to finance 50% of the recycle building and equipment. DANC is researching the possibility of recycling mattresses; and the zero sort option has piqued the interest of Fort Drum officials.

Legislator Kulzer relayed reported complaints that the Town of Denmark was not properly plowing the East Road and there would be follow up with Superintendent Patrick Mahar.

CHIPø funds financed 24 miles of paved roads and paid off the lease balance for the John Deere Loader and the tandem tractor, equating \$10,000 interest savings. Leasing of three pick-up trucks is being explored through the Enterprise Fleet Management company.

Legislator Kulzer informed of an upcoming bid opening for a tandem dump truck and uniform stone.

Legislator Richard Chartrand, Hospital Committee Chairman, reported a December gain of \$1,966,684. The year-to-date surplus of \$11,247,276, versus a break-even budget, is largely attributable to delayed receipt of 2014 SNF reimbursements, 2014 and 2015 IGT, Central Provider Grant and VBP-QIP funding of \$5.433 Million. The 62.5 daysøcash on hand represents an all time high. The favorable financial status will enable repair of leaky roofs at the facility, plan for the 2017 pension payment, as well as operating room and phone system upgrades. There is progress on accounts receivable at 40.1 days vs. a budgeted 49.4 days; and average payment to

vendors at 74.7 days vs. a budgeted 49.4 days; well below the National business average of 90 days.

The Hospital awaits a decision on their \$4.4 million State-wide health care transformational program grant application, earmarked for debt relief. Legislator Chartrand reported favorable community feedback with the extended- hours clinic being staffed by Dr. Brian Shambo.

Legislator Chartrand announced the November employee-of-the-month as Jeni Cihocki an occupational therapist in the Rehabilitation Department. She was nominated by a co-worker whose husband required therapy after surgery. Jeni accommodated his hectic work schedule to provide therapy during extended hours, illustrating her commitment to put the patient first. She is a blessing to her patients and well deserving of the recognition.

The Hospital unveiled the \$100,000 ðHector the Disinfectör, a germ-zapping robot that emits intense blasts of ultraviolet light to kill bacteria of all sorts. Interim CEO Michele Prince said it cleans a patient room in about 5 minutes and will be used throughout the facility. It has successfully prevented the spread of bacteria born diseases in the nursing home. Lewis County General is the only upstate New York hospital to have a robot, of the total 400 in the nation. A demonstration ðshow botö is set up in the hospital lobby to illustrate its capabilities. The facility's germ-free atmosphere will undoubtedly attract patients and impact utilization of services.

Legislator Chartrand announced that Human Resources Director James Swords had resigned effective 2/3/17 to accept a position at Fort Drum, much closer to his residence, and wished him well.

In conclusion, Legislator Chartrand encouraged everyone to participate in the Auxiliary's Valentine's Day chocolate covered cherries and pretzels sale at the Hospital lobby on February 13th starting at 9 a.m.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, urged support of her sponsored resolutions for public health. Fiscal Manager Paula Kaufmann had reviewed with the committee, positive Medicaid billing figures for the Pre-School Program.

Linking Lewis County and Northern Regional Center for Independent Living are sponsoring a ðLewis County Caresö community forum on February 11th at the Lowville Firehall. A panel of local providers and agency representatives will provide an overview of services and field public comments.

Legislator Moroughan reported the State 2017-2018 budget proposes closing 100 State psychiatric beds, and then allocate a portion of resulting savings to the patient resident communities to support local services. Their goal is to transition 156 individuals from State facilities to reduce their respective costs and return individuals to their resident locale. Due to our geographic location, transportation needs and limited service options, we are challenged to attract and/or retain qualified personnel to provide services to this population.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

SPECIAL REPORT:

Chairman Tabolt reported that he and Clerk of the Board Terry Clark had attended the 1/26/17 meeting of the Inter-County Legislative Committee of the Adirondacks hosted by Essex County in Elizabethtown, N.Y. The featured speaker reported study results on the impact of road salt on wells and streams in the Adirondacks. The Wilmington Town Supervisor reported using only sand and another reported use of a salt brine. Chairman Tabolt had confirmed the use of a 7 to 1 ratio of sand to salt on Lewis County roads.

Lewis is one of eight (8) counties without a 911 surcharge on wireless phones. The Governor is willing to include the measure in the State Budget, at the request of the County Legislature, thereby authorizing the County to impose the \$.30/cellular phone surcharge and would not require State Legislature action. Chairman Tabolt stated he would forward the letter of request. Upon adoption of the State Budget, the County could go forward to impose the surcharge.

Chairman Tabolt would be accompanied by County Manager Liz Swearingin and County Attorney Joan McNichol and Sheriff Michael Carpinelli to confer with Snow Ridge owners to request their cooperation for drug prevention efforts during the upcoming moe.down concert event.

The Regional Economic Development Council will meet in Lake Placid on 2/14/17.

At the recent NYSAC conference, Chairman Tabolt attended seminars on the opioid and heroine epidemic; the constitutional convention that will be on the November ballot; and the Governor's proposal to require and link proposed consolidation of shared services to Aid and Incentive for Municipalities. It was understood that Counties were required to have their proposal approved by the electorate. NYSAC reported that 60% of property taxes are attributable to school districts. Of the remaining 40%, only 18% is for County operations.

Chairman Tabolt attended an informal meeting where the Governor encouraged County officials to collaborate with their Town and Village officials to expand shared service initiatives for optimum savings. Recognizing that New York passes Medicaid costs onto Counties, the Governor alternatively cited it is one of few where Counties retain sales tax revenue. Governor Cuomo offered for the State to assume all Medicaid costs, if Counties agreed to relinquish sales tax revenue.

Chairman Tabolt posed to the Governor to allow Counties to have some control over the level of mandated services, citing the distinguished geographic and economic regions. Unexpectedly, the Governor asserted he had proposed that very initiative, but it was met by Republican Senate opposition. Gleaning the Governor's support, Chairman Tabolt optimistically proposes further discussion with State and Assembly representatives to vie for specific program initiatives.

Chairman Tabolt announced his directive to rescind today's proposed resolution opposing the Governor's mandate for shared services plan, which had garnered the attention of the Governor's district representative who facilitated a conference call with other staff to purport inaccuracies. They clarified the Governor was inciting the State Legislature to propose a plan to equate savings. Moreover, they relayed the proposal would not require, although suggests, a public referendum, which if defeated, would not affect State funding Aid and Incentive for Municipalities.

Chairman Tabolt cited other initiatives within the Governor's budget include early registration and voting reforms, without supporting State allocations. The State would fund 100% of costs they deem necessary to support Indigent Legal Defense reforms for the rest of the State, as were provided to the five Counties in the Hurrell-Harring settlement. A second annual District Attorney salary increase, but void of supporting State allocation.

COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$395,000.00; Contingency Fund-\$455,423.00; Capital Data Processing Fund-\$126,260.32 and Capital Equipment Fund - \$261,853.43, of which \$39,362.59 is the Highway portion. She also reported 2016 sales tax revenues of \$10,370,380.87; and the current Hospital debt is \$2.3 million.

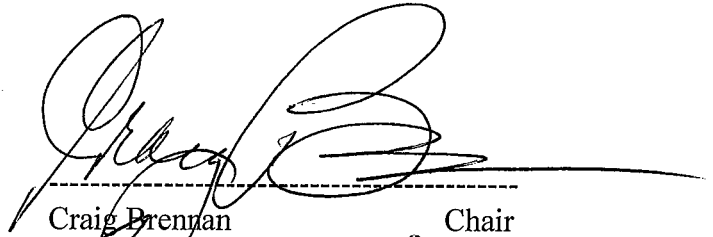
The balance of the Internal Service Fund is \$1,071,092.42.

REPORT OF THE WAYS AND MEANS COMMITTEE:

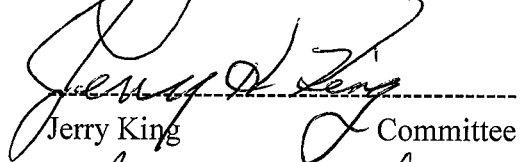
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

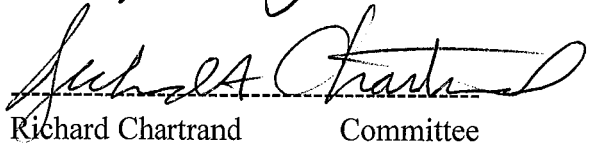
The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,696,102.13 and recommend that they be audited and allowed for the amounts claimed.



Craig Brennan Chair



Jerry King Committee



Richard Chartrand Committee

Dated: February 7, 2017

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

FEBRUARY 7, 2017

**RESOLUTION NO. 45 - 2017
AUDITING AND ALLOWING CLAIMS**

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

RESOLVED that the claims presented for payment in the total amount of \$ 1,696,102.13 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 Moser, seconded by Legislator Dolhof, and adopted by the following roll call vote:

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

NAYS: None

ABSENT: Fawcett

**LOCAL LAW (INTRODUCTORY NO. 1-2017)
COUNTY OF LEWIS**

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

**A LOCAL LAW ESTABLISHING RESIDENCY REQUIREMENTS
FOR ASSISTANT COUNTY ATTORNEY FOR THE COUNTY OF LEWIS**

SECTION 1. TITLE

This local law shall be entitled ðA Local Law Establishing the Residency Requirements for Assistant County Attorney for the County of Lewis.ö

SECTION 2. PURPOSE

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

SECTION 3. AUTHORITY

This local law is enacted pursuant to the authority granted by Municipal Home Rule Law § 10 and Public Officers Law § 3(1).

SECTION 4. RESIDENCY REQUIREMENTS

PROCEEDINGS OF THE BOARD OF LEGISLATORS

In the County of Lewis, the provisions of Public Officers Law § 3(1) requiring a person to be a resident of the political subdivision or municipal corporation of the state for which such person shall be chosen or within which such person's official functions are required to be exercised, shall not prevent a person from holding the office of Assistant County Attorney for the County of Lewis provided that such person performing the duties and functions of Assistant County Attorney for the County of Lewis is a resident of an adjoining county within New York State, and provided it is a matter of necessity where there have been no qualified county resident applicants.

SECTION 5. EFFECTIVE DATE

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

**RESOLUTION NO. 46 - 2017
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 1 - 2017), COUNTY OF LEWIS**

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on February 7, 2017, a proposed Local Law entitled "A LOCAL LAW ESTABLISHING RESIDENCY REQUIREMENTS FOR ASSISTANT COUNTY ATTORNEY FOR THE COUNTY OF LEWIS".

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on March 7, 2017, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators in the Second Floor Board Room at the Lewis County Courthouse at 7660 North State Street, Lowville, New York, to hear all persons for or against such Local Law.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board at 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. 47 - 2017
RESOLUTION TO APPROPRIATE FUNDS
CAPITAL COUNTY ROAD STRIPING**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved to the Capital County Road Striping Account, balance of \$ 7,211.75, funds transferred from A0990100 992600 (To Capital Hwy Bldg):

HAI Cty Share H0512000 350310	\$65,100.00
Project Accounting	

HAI Contr H0512000 499900	\$65,100.00
Project Accounting	

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

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

**RESOLUTION NO. 48 - 2017
RESOLUTION TO APPROPRIATE FUNDS
CAPITAL EQUIPMENT**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved to the Capital Equipment account, balance of \$ 301,216.02, funds transferred from A0990100 992500 (To Capital Equipment):

HAD Cty Share H0990100 350310	\$297,000.00
Project accounting	

HAD Cty Share H0990100 499900	\$297,000.00
Project accounting	

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

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

**RESOLUTION NO. 49 - 2017
RESOLUTION TO APPROPRIATE FUNDS
CAPITAL HIGHWAY BUILDING**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved to the Capital Highway Building account, balance of \$ 655,908.17, funds transferred from A0990100 992600:

HAA Cty Share H0162000 350310	\$200,000.00
Project accounting	

HAA Contr H0162000 499900	\$200,000.00
Project accounting	

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

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

RESOLUTION NO. 50 - 2017
RESOLUTION AUTHORIZING THE LEWIS COUNTY PLANNING DIRECTOR,
AS HUD SECTION 3 COORDINATOR TO SIGN PROGRAM DOCUMENTS
REQUIRED UNDER THE NEW YORK STATE SMALL CITIES COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

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

WHEREAS, the Lewis County Board of Legislators adopted Resolution No. 508-2016 designating the Lewis County Planning Director as the Lewis County Fair Housing Officer and HUD Section 3 Coordinator, and authorized him to engage in activities required to maintain compliance with HUD regulations and implementation of fair housing education and enforcement resources; and

WHEREAS, pursuant to recent requirements of the New York State Small Cities Community Development Block Grant (CDBG) Program, there is a requirement for a County signatory on all documents under the program, such as reimbursement requests, environmental reports and other program related forms not related to contractual obligations; and

WHEREAS, the Director of Planning is listed as the Coordinator of these programs and seeks to have the Board of Legislators authorize him to be the approved signatory on the Program documents; and

WHEREAS, the Board of Legislators seeks to authorize this request.

NOW, THEREFORE BE IT RESOLVED, that

Section 1. That the Board of Legislators of Lewis County authorizes the Lewis County Planning Director to sign any and all documents related to the New York State Small Cities Community Development Block Grant (CDBG) Program to remain compliant with HUD/CDBG regulations and implementation requirements under its Programs.

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

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

**RESOLUTION NO. 51 - 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO CIVIL SERVICE DEPARTMENT**

Introduced by Legislator Craig Brennan, 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 Civil Service Department, to increase the Keyboard Specialist from 28 hours per week to 35 hours per week effective February 13, 2017

Section 2. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 52 - 2017
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 appropriations are hereby approved due to services transferred from TLS to NRCIL:

<u>Increase Revenue</u>	
A0432400 334902 NRCIL	\$65,774.00
<u>Increase Expense</u>	
A0432400 472500 NRCIL MICA	\$60,350.00
A0432400 472400 NRCIL Transition Mngmt	\$ 5,424.00

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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

**RESOLUTION NO. 53 - 2017
RESOLUTION TO APPROPRIATE/UN-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 additional State Aid funds:

<u>Increase Revenue</u>		
A0432500 334914 OASAS Mtn View SA	\$	466.00
<u>Increase Expense</u>		
A0432500 499900 Mtn View Prevention	\$	466.00

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

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

**RESOLUTION NO. 54 - 2017
RESOLUTION TO APPROPRIATE/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 appropriations are hereby approved for the increase/decrease funds due to additional State funds and reallocation of funds:

<u>Increase Revenue</u>		
A0432400 334902 NRCIL		\$1,928.00
<u>Increase Expense</u>		
A0432400 472100 NRCIL Family Supp	\$	340.00
A0432400 470200 NRCIL Psychosocial		\$2,221.00

A0432400 472300 NRCIL Peer Rehab	\$ 496.00
A0432400 470400 NRCIL Outreach	\$ 92.00

Decrease Expense

A0432400 472000 NRCIL Advocacy	\$1,221.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 55 - 2017
RESOLUTION TO UN-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/decrease of funds due to additional State funds and a reallocation of funds from TLS to NRCIL:

Decrease Revenue

A0431800 334915 TLS	\$21,985.00
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Increase Expense

A0431800 422600 TLS SPOA Fund A	\$10,000.00
A0431800 422700 TLS SPOA Fund B	\$32,000.00
A0431800 421400 TLS Crisis	\$ 76.00
A0431800 421600 TLS Supp Housing A	\$ 692.00
A0431800 421700 TLS Supp Housing B	\$ 31.00
A0431800 422000 TLS Case Mnt	\$ 120.00
A0431800 422100 TLS Hlth Home	\$ 13.00
A0431800 422200 TLS Hlth Home Svcs Dollar	\$ 79.00
A0431800 422300 TLS Case Mnt Child	\$ 3,080.00
A0431800 422500 TLS Supp Housing Beds	\$ 76.00

Decrease Expense

A0431800 421500 TLS Client Trans	\$ 372.00
A0431800 422400 TLS CICM Svcs Dollar	\$ 2,108.00
A0431800 421200 TLS Transition Mngmt	\$ 5,412.00
A0431800 421300 TLS MICA	\$60,260.00

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

**RESOLUTION NO. 56 - 2017
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 additional State Aid funds:

Increase Revenue

A0432600 334910 MH ARC	\$ 142.00
A0432600 334917 ARC OMH	\$ 56.00

Increase Expense

A0432600 499900 ARC OMH	\$ 56.00
A0432200 499900 MH Services ARC	\$ 142.00

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

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

**RESOLUTION NO. 57 - 2017
RESOLUTION AUTHORIZING THE COUNTY OF LEWIS
TO ENTER INTO A LEASE RENEWAL AGREEMENT
WITH DAY ONE ASSOCIATES**

Introduced by Legislator Craig Brennan, Chairman of the Buildings and Grounds Committee.

WHEREAS, Lewis County desires to enter into a Lease Renewal Agreement with Day One Associates (Richard A. Andrews) for the purpose of renewing the lease at the property located at 7049 NYS Route 12S, Lowville, New York 13367.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby approves the lease renewal by and between the County of Lewis and Day One Associates (Richard A. Andrews) for the rental of property located at 7049 NYS Route 12S, Lowville, New York 13367, for a term commencing on March

6, 2017 through March 5, 2019 at a monthly rental of \$1,750.00 together with such additional terms to 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, 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. 58 - 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO COUNTY CLERK**

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

WHEREAS, County Clerk Linda Hoskins had been granted permission to hire a temporary Student Worker for the period from 12/19/16 through 1/13/17; and

WHEREAS, she had requested the Ways and Means for an authorizing recommendation to extend the Student Worker to work two (2) days per week from 1/13/17 to 2/13/17; and

WHEREAS, the Ways and Means Committee had agreed to make the recommendation to the Board, but the action was inadvertently forgotten.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the County Clerk's Department, to authorize the Student Worker to work for two (2) days per week for the period January 13, 2017 through February 13, 2017 at the rate of \$9.70 per hour.

Section 2. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 59 - 2017
RESOLUTION AUTHORIZING COUNTY MANAGER
TO APPROVE BUDGET TRANSFERS**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

WHEREAS, the Lewis County Board of Legislators adopted Resolution No. 77-2014 to authorize the County Manager to approve all budget transfers within respective Departmental contractual codes up to an amount of \$1,000.00; and

WHEREAS, the County Manager now seeks to increase that amount to \$5,000.00; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County Manager to approve all budget transfers within respective Departmental equipment and contractual codes up to an amount of \$5,000.00.

Section 2. That the County Manager shall provide a monthly audit report listing of all said equipment and contractual transfers to the Board of Legislators.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 60 - 2017
RESOLUTION APPOINTING MEMBERS TO
E-911 OVERSIGHT 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 the following members to the Lewis County E-911 Oversight Board for a term effective immediately to terminate on December 31, 2017:

Law Enforcement:

State Police: Sgt. Cornell Parrish
Sheriff: Michael Carpinelli
Undersheriff James Monnat
LVPD: Randy Roggie
NYSDEC: Joel Norwalk
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
Haz. Mat. Coordinator: Richard Defone
911 Dispatch: Cheryl Lalonde
Fire Chief: Gary Ashline

Emergency Medical Services:

Emergency Mangement Assistant: Jennifer Maricchion
Search & Rescue: Justin Astafan

Information Technology: Thomas Mallette

Lewis County General Hospital: Nick Hanno

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

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

**RESOLUTION NO. 61 - 2017
RESOLUTION TO APPROPRIATE FUNDS
JCC EXTENSION CENTER**

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

BE IT RESOLVED as follows:

Section 1. That \$4,000,000.00 shall be appropriated in the Capital JCC Extension Center to facilitate the PE/Design Phase and Construction of the JCC Extension Center.

Section 2. The following accounts shall be recognized to facilitate the funding of this project:

Revenue

H0162000 350310 LOCAL \$4,000,000.00
Project HAN

Expense

H0162000 499900 Contractual \$4,000,000.00
Project HAN

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

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

RESOLUTION NO. 62 - 2017
RESOLUTION AUTHORIZING ACCEPTANCE OF FEMA GRANT AWARD AND AGREEMENT WITH NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FUNDING TO UPDATE THE COUNTY'S MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

Introduced by Legislator Jerry King, Chairman of the Emergency Services Committee.

WHEREAS, the Federal Disaster Mitigation Act of 2000 (DMA 20) and 44 CFR Part 201.6 and 201.7 require that each county and local municipality adopt a Multi-Hazard Mitigation Plan reviewed by the State Emergency Management Office (SEMO) and approved by the Federal Emergency Management Agency (FEMA); and

WHEREAS, the County, under the Lewis County Emergency Management Department (LCEM), developed the Lewis County Multi-Jurisdictional Hazard Mitigation Plan (LCHMP) in November, 2010 which has expired; and

WHEREAS, the New York State Division of Homeland Security and Emergency Services (NYS DHSES) advised the Director of Fire & Emergency Management that Lewis County was awarded grant funds under the Federal Emergency Management Agency's (FEMA) FY2015 Pre-Disaster Mitigation Competitive Grant Program for sub-application PDMC-PL-02-NY-2015-003 for updates to the County's Hazard Mitigation Plan in accordance with the Scope of Work set forth by the County in its sub-application for this grant; and

WHEREAS, FEMA has authorized \$150,000.00 in total costs for this sub-grant, with a Federal Share of \$112,500.00 and a local matching share of \$37,500.00 (which may include in-kind services), with allowable costs identified within 44 CFR § 206.439, and with the County to perform the scope of work and proposed upgrades under the Grant by October 31, 2018, unless an extension is granted by the FEMA Regional Administrator.

NOW, THEREFORE, BE IT RESOLVED as follows

Section 1. That the Board of Legislators hereby authorizes acceptance of the FEMA FY2015 Pre-Disaster Mitigation Grant Program award for the County's sub-application PDMC-PL-02-NY-2015-003, to update its Multi-Jurisdictional Hazard Mitigation Plan, for \$150,000.00 in total costs.

Section 2. That the Board of Legislators hereby authorizes and approves a local share match not to exceed \$37,500.00 as required under the Grant terms and conditions.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators be and the same is hereby authorized to make, execute, seal and deliver said Agreement(s) for this Grant Award, upon such form as may be approved by the Lewis County Attorney.

Section 4. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 63 - 2017
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:

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

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Account Clerk	Full-time	Grade C13 (\$15.11 - \$16.33)

Section 2. That Superintendent of Highways David Becker is hereby authorized to fill said position effective immediately.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 64 - 2017
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:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

<u>TITLE</u>	<u>STATUS</u>
Physician Office Assistant (2)	Full-time

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

Moved by Legislator Dolhof, seconded by Legislator Moser.

In response to Legislator Kulzer's inquiry, Interim Chief Executive Officer Michele Prince stated the clerical positions are for the central scheduling office. The new phone system, she said, will allow several message options to streamline scheduling of physician appointments and increase physician visits.

The resolution was then adopted. Legislator Hathway was opposed.

**RESOLUTION NO. 65 - 2017
RESOLUTION APPOINTING DIRECTOR OF
HUMAN RESOURCES/PERSONNEL OFFICER**

Introduced by Legislator Bryan Moser, Chairman, Human Resource Committee

WHEREAS, pursuant to Local Law No. 2 of 2010, the Board of Legislators heretofore established the Lewis County Human Resources Department (Department) and empowered the Department to perform human resource management services for all employees of Lewis County, under the direction of the Director of Human Resources/Personnel Officer; and

WHEREAS, pursuant to Resolution No. 88-2011 the Board of Legislators combined the Human Resources Departments for the County and Lewis County General Hospital under one single Director of Human Resources to oversee and manage the human resource function for all County employees, and for that person to also serve and administer the Civil Service Law as the Personnel Officer and serve in said position for a six year term and filled said position; and

WHEREAS, by Resolution No. 256-2013, the Board of Legislators appointed James A. Swords, commencing June 17, 2013 to fill the position and unexpired six-year term of Director of Human Resources/Personnel Officer; with said six-year term expiring on August 17, 2017; and

WHEREAS, by Resolution No.43-2017, the Board of Legislators rescinded Resolution No. 88-2011 in so far as to terminate the combined Human Resources Departments of the County and Lewis County General Hospital (LCGH) under a single Director, and established and reconfigured the Lewis County Human Resources Department for all County employees except for employees of the LCGH, and established the position and office of Director of Human Resources/Personnel Officer for all County employees other than LCGH employees; and

WHEREAS, due to the resignation of the current Director of Human Resources and Personnel Officer for Lewis County, effective February 3, 2016, whose six-year term as

Personnel Officer expires on August 17, 2017, the Board of Legislators seeks to fill the position of Director of Human Resources/Personnel Officer, who will oversee and manage the human resource functions for County Employees other than LCGH employees, and who will also serve as the Personnel Officer for the County of Lewis;

NOW THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby appoints Christopher S. Boulio to the position of Director of Human Resources/Personnel Officer (Director) for the County (other than Lewis County General Hospital Employees) commencing Monday, February 13, 2017, or as soon thereafter as he assumes his duties, and who shall serve for the unexpired six year term of the prior Director pursuant to Civil Service Law § 15 (1)(b), i.e., to August 17, 2017.

Section 2. That the newly appointed Director shall be subject to re-appointment by the Board of Legislators for a full six-year term as Director/Personnel Officer pursuant to CSL § 15(1)(b) upon the completion of the unexpired term of his current appointment.

Section 3. That the compensation for this position is hereby set at \$70,000 and may be amended or modified at any time by further action of this Board.

Section 4. That the Board of Legislators acknowledges that the appointee is a resident of an adjoining County and waives any residency requirement.

Section 5. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 66 - 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO INFORMATION TECHNOLOGY DEPARTMENT**

Introduced by Legislator Philip Hathway, Chairman of the Information Technology Committee.

WHEREAS, a Computer Systems Assistant has submitted their written intent to retire, effective April 1, 2017.

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 Information Technology Department to create the following temporary position for the purpose of training with the existing employee:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Computer Systems Assistant	Temporary Full-Time	Grade C29

(\$22.83-\$24.68/hr.)

Section 2. That Director Adam Zehr is hereby authorized to fill said position effective March 1, 2017.

Section 3. That upon retirement of the existing employee the position will become permanent.

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

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

**RESOLUTION NO. 67 - 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO LAW DEPARTMENT**

Introduced by Legislator Craig Brennan, 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 Law Department, to set the 2017 annualized salary for the Assistant County Attorney at \$67,000.00 effective January 17, 2017.

Section 2. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 68 - 2017
RESOLUTION TO APPROPRIATE FUNDS
LEGISLATIVE DEPARTMENT**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved for the receipt of a contribution of \$500.00 from Mary Simmons in the name of Eleanor Shue and payment be made to Lyons Fall Alive at the request of the family:

<u>Revenue</u>	
A0100000 327058	\$500.00

Expense

A0101000 490900

\$500.00

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

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

**RESOLUTION NO. 69 - 2017
RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND
THE LOWVILLE VOLUNTEER FIRE DEPARTMENT**

Introduced by Legislator Craig Brennan, 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, 2017 through December 31, 2017.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as approved 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. 70 - 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO OFFICE FOR THE AGING**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, Office For Aging Director Brenda Bourgeois requests creation of a Specialist, Office For Aging to comply with the programmatic responsibilities and additional workload for the NY Connects Expansion and Enhancement (NYCEE) Program, and ensure receipt of the full amount of NYSOFA funding allocation; and

WHEREAS, the wages and benefits of said position shall be 100% funded by State NYCEE Program allocations.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Office For Aging Department, to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Specialist, Services For Aging	Full-time (35 hrs/wk)	Grade B20 (\$17.91-\$21.05/hr.)

Section 2 That Office For the Aging Director Brenda Bourgeois is hereby authorized to fill said position effective immediately.

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

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

RESOLUTION NO. 71 - 2017
RESOLUTION APPROVING AGREEMENT BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND GOUVERNEUR CENTRAL SCHOOL DISTRICT FOR PRESCHOOL TUITION-BASED SERVICES

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

WHEREAS, the County of Lewis, by and through the Lewis County Public Health Agency wishes to enter into an Agreement with Gouverneur Central School District for pre-school tuition-based services for children with special education and health care needs; 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 approves the agreement between Lewis County Public Health and Gouverneur Central School for pre-school tuition-based services for children with special education and health care needs.

Section 2. That this is for the term beginning January 2, 2017 through June 30, 2018 at a County share cost of 40.5% after the State Education Department payment.

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. 72 - 2017
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 2017 Public Health accounts to transfer funds within Public Health Lead Prevention Program to line up with the recently approved Grant Budget:

<u>From:</u>		
A0407100~450300	Educational Materials	\$ 750.00
A0407100~490100	Professional Services	<u>\$ 1,000.00</u>
	TOTAL	\$ 1,750.00
<u>To:</u>		
A0407100~490700	Advertising	<u>\$ 1,750.00</u>
	TOTAL	\$ 1,750.00

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

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

**RESOLUTION NO. 73 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND C&S COMPANIES
FOR THE EMERGENCY COMMUNICATIONS PROJECT**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the County of Lewis desires to enter into an Agreement with C&S Companies to provide professional engineering and consultant services as needed in 2017 pertaining to the Lewis County Emergency Communications Upgrade Project; and

WHEREAS, this agreement shall provide for payment of professional time at \$175/hr and materials as requested by the County for the period beginning January 17, 2017 through December 31, 2017, at a cost not to exceed \$10,000.00; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the County of Lewis and C&S Companies to provide professional engineering and consultant services for the Lewis County Emergency Communications Project at \$175/hr for professional time plus materials as needed, for the term commencing January 17, 2017 through December 31, 2017, at a cost not to exceed \$10,000.00.

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

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

Moved by Legislator Moser, seconded by Legislator King.

Legislator Brennan understood the original agreement called for the contractor to provide services through the date of acceptance by the County upon optimum operation, inquiring the reason for additional cost.

Legislator King explained the original contract was for an amount not to exceed \$650,000.00. The project has extended one year beyond the term of the agreement, during which Mr. Duclos has provided services outside the scope, ie. development of a Request For Proposals for radio system maintenance, assisting with ongoing adjustments by E.F. Johnson and negotiations with landowners for towers. In consideration of the \$4,000.00 overage and the intent to request additional prospective services, the request is for an amount not to exceed \$10,000.

In response to Legislator Hathway, Legislator King stated the letter of intent had been forwarded to United Radio of Syracuse to begin system maintenance on March 1st.

Legislator Moser asked if there was any opportunity to chargeback the additional cost to E.F. Johnson as the responsible party for the extension of time for the project. Legislator King deferred to legal counsel, while reiterating the County's responsibility for the additional services requested.

The resolution was then adopted. Legislator Brennan was opposed.

**RESOLUTION NO. 74 - 2017
RESOLUTION AUTHORIZING LEWIS COUNTY
REAL PROPERTY TAX OFFICE TO CHARGE A FEE
FOR COLORED TAX MAPS**

Introduced by Legislator Philip Hathway, Chairman of the Taxation Committee.

WHEREAS, the Lewis County Real Property Tax Office has requested to charge a fee for colored tax maps at the following cost: \$4.00 for a 17 by 22 map and \$6.00 for a 30 by 42 map; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the Lewis County Real Property Tax Office to charge a fee for colored tax maps at a cost of \$4.00 for a 17 by 22 map and \$6.00 for a 30 by 42 map.

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

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

**RESOLUTION NO. 75 - 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO RECREATION, FORESTRY AND
PARKS DEPARTMENT**

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

BE IT RESOLVED as follows:

Section 1. 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 (\$17.11/hr.)
Recreation Crew Worker (3)	Temporary Full-time	Grade 15

(\$15.83/hr.)

Section 2. That Director Jackie Mahoney is hereby authorized to fill said temporary positions effective April 1, 2017 dependent upon weather conditions, for a period up to six (6) months.

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

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

**RESOLUTION NO. 76 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT
& BLACK CREEK INTEGRATED SYSTEMS CORPORATION**

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

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

WHEREAS, Black Creek provides computer software support, specifically for the program Sally-Port NY that the Lewis County Jail uses as a management system for the collection of data pertaining to inmates; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Sheriff's Department and Black Creek Integrated Systems Corporation for the purpose of utilizing Black Creek's computer software support for the program Sally-Port NY that the Lewis County Jail uses as a management system for the collection of data pertaining to inmates.

Section 2. That this is for the term commencing on January 1, 2017 through December 31, 2017 in an amount not to exceed \$10,743.00.

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 Moser, and adopted.

RESOLUTION NO. 77 - 2017
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 Jerry King, Chairman of the Courts and Law Enforcement Committee.

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.

NOW, THEREFORE, 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, 2017 and continue through February 28, 2018, with the LCGH to be compensated at a flat rate annual payment of

PROCEEDINGS OF THE BOARD OF LEGISLATORS

\$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 Brennan, seconded by Legislator King, and adopted.

RESOLUTION NO. 78 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY ON BEHALF OF THE LEWIS COUNTY SHERIFF'S OFFICE
& THE NYS DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
OFFICE OF NUTRITIONAL SERVICES FOR INMATE FOOD PRODUCT
PURCHASES AND SERVICES

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

WHEREAS, Lewis County, on behalf of the Lewis County Sheriff's Office, desires to enter into an Agreement with the New York State Department of Corrections and Community Supervision Office of Nutritional Services (DOCCS-NS - a/k/a Cook and Chill) located at Evans Drive, Bldg. 50, Rome, NY, to procure food products for the purpose of feeding the inmate population at the Lewis County Jail; and

WHEREAS, food products produced by DOCCS-NS are delivered to correctional facilities throughout New York State specifically for the purpose of feeding the inmate population, and is consistent with Correction Law § 170 and 184; and

WHEREAS, DOCCS-NS will provide food products as requested by the County in accordance with the DOCCS menu items and pricing charts, and will deliver food products to the County on a weekly basis, or as otherwise requested by the County. The County Sheriff's Department will receive a monthly invoice from DOCCS-NS for reimbursement of products received; and

WHEREAS, there is no minimum or maximum quantity required to be purchased under the terms of the five-year Agreement, with the decision as to product items and amounts to be made by the Sheriff's office in accordance with the Department's budget line and inmate food requirements. The Agreement also provides for the right to terminate the agreement upon ninety (90) days prior written notice to the named agencies; 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, on behalf of the Lewis County Sheriff's Office and NYS Department of Corrections and Community Supervision- Nutritional Services, for the purpose of providing food products to the Lewis County Jail for feeding the inmate population.

Section 2. That this is for the term commencing on March 1, 2017 through February 28, 2022, in accordance with the food product menu and cost schedule provided by DOCCS-NS and the Sheriff's jail inmate food budget line.

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

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

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

RESOLUTION NO. 79 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT
AND ONE PATH CAREER PARTNERS

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 One Path Career Partners with offices located at 859 Penfield Road, Rochester, New York 14625; and

WHEREAS, One Path Career Partners shall provide locum tenens mental health services through qualified providers to the inmates at the Lewis County Jail; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Sheriff's Department with One Path Career Partners to provide locum tenens health services of Lawrence J. Palinski and Steven M. Fogleman, MD for mental health services to the inmates at the Lewis County Jail.

Section 2. That this is for the term beginning January 1, 2017 and ending December 31, 2017 at a cost of \$2,500.00 per month (Physician's Rate) which includes one visit to the work

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

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

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

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

RESOLUTION NO. 80 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT AND
ONEIDA COUNTY FOR PSYCHIATRIC SERVICES AT THE
CENTRAL NEW YORK PSYCHIATRIC CENTER

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

WHEREAS, the Central New York Psychiatric Center Forensic Unit (öForensic Unitö) provides services at the Central New York Psychiatric Center (öCenterö) in Marcy, New York, located in Oneida County; and

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

WHEREAS, the Lewis County Sheriff's Department wishes to enter into an agreement with the County of Oneida through the offices of the Oneida County Sheriff's Department for the purpose of providing treatment for mentally ill inmates at the Center for \$185.00 per day for the 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 contract with the County of Oneida through the offices of the Oneida County Sheriff's Department for the purpose of providing treatment for mentally ill inmates at the Central New York Psychiatric Center in

Marcy, New York for \$185.00 per day for the period commencing January 1, 2017 through December 31, 2019.

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 Kulzer, and adopted.

RESOLUTION NO. 81 - 2017
RESOLUTION AUTHORIZING SUB-RECIPIENT AGREEMENT
BY AND BETWEEN LEWIS COUNTY AND
SNOW BELT HOUSING COMPANY, INC.

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

WHEREAS, Lewis County (öCountyö) is a recipient of a Small Cities Community Development Block Grant No. 636HR334-16 in the amount of \$847,500.00 for the purpose of providing housing rehabilitation assistance to income eligible homeowners and rental property owners in the County; and

WHEREAS, the sum of \$147,000.00 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. (öSnow Beltö) 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 \$147,000.00; 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. 636HR334-16 in the amount \$847,500.00, for the purpose of providing housing rehabilitation assistance to income eligible homeowners and rental property owners in the County, with the sum of \$147,000.00 to be made available from the Grant payable to Snow Belt,

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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, 2017 and shall continue through December 31, 2019. 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 Hathway, seconded by Legislator Brennan, and adopted.

RESOLUTION NO. 82 - 2017
RESOLUTION AUTHORIZING ADDENDUM TO 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 County of Lewis, by and through the Lewis County Department of Social Services entered into an agreement with Hillside Children's Center on October 5, 2016; for the provision of foster care services; and

WHEREAS, the Lewis County Department of Social Services desires to add an addendum to the original agreement between the County of Lewis and Hillside Children's Center to conduct monthly post-placement visits at homes to assess and support a pre-adoptive placement; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the Addendum to the Agreement between the County of Lewis, by and through the Department of Social Services, and Hillside Children's Center to conduct monthly post-placement visits at homes to assess and support a pre-adoptive placement.

Section 2. That this is for the period beginning January 1, 2017 through December 31, 2017 at a cost of \$300.00 per visit plus travel expenses to include mileage to be paid at the current IRS rate, and thruway tolls. In addition, if there is inclement weather or other

extenuating circumstances, Hillside Children's Center reserves with right to bill for the cost of a hotel room if it does not exceed \$175.00 per occurrence.

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

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

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

RESOLUTION NO. 83 - 2017
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
LEXISNEXIS – ACCURINT FOR GOVERNMENT

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, LexisNexis provides an Accurint for Government service that is a fast and efficient search technology which allows the Department of Social Services (DSS) Support Unit, other units within DSS and the Law Department to instantly locate both people and businesses and authenticate their identities; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Agreement between the Lewis County Department of Social Services and LexisNexis Accurint For Government for the purpose of search technology to locate people and businesses and authenticate their identities.

Section 2. That this is for the period beginning February 1, 2017 through January 31, 2019 at a cost of \$316.00 per month for a total cost not to exceed \$7,584.00 for the two year period. This is a 25% Local Share cost and 75% Federal Share cost.

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. 84 - 2017

**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 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 beginning March 7, 2017 through March 14, 2017 and any subsequent auction if surplus equipment is not sold.

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 Hathway, seconded by Legislator King, and adopted.

**RESOLUTION NO. 85 - 2017
RESOLUTION APPROVING CORRECTION
OF TAX BILL**

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

WHEREAS, pursuant to the franchise agreements between Time Warner Cable, TCI and the Towns of Croghan, Denmark, Diana, Greig, Lewis, Leyden, Lowville, Lyonsdale, Martinsburg, New Bremen, Watson and West Turin, which allowed them to deduct from taxes the franchise paid to the Towns.

NOW, THEREFORE, BE IT RESOLVED;

Section 1: That payment be accepted as follows:

Croghan	#538.00-08-06.000	\$ 2,727.03	Charge Town:	660.64
	#538.00-05-06.000	303.01		73.41
	#538.00-08-00.000	150.28		46.21
Denmark	#552.00-03-00.000	292.52		185.13
	#552.00-05-00.000	17.89		11.32
Diana	#552.00-05-08.000	150.57		34.89
	#552.00-05-00.000	96.36		28.43
Greig	#542.02-07-09.000	1,056.46		433.40
Lewis	#550.00-10-11.000	349.19		353.88
Leyden	#550.00-07-12.000	730.96		244.19
	#550.00-10-12.000	360.02		120.27
	#550.00-07-00.000	66.32		28.34
Lowville	#550.00-05-00.000	441.06		145.21
	#550.00-05-13.000	563.35		136.42
Lyonsdale	#550.00-07-00.000	648.02		161.77
	#550.00-07-00.000	55.64		31.15
Martinsburg	#542.02-05-15.000	394.29		187.24
New Bremen	#552.00-08-02.000	1,159.11		389.09
	#542.05-08-05.000	82.76		29.28
	#552.00-08-00.000	9.09		4.63
Watson	#542.02-08-21.000	173.21		118.27
	#542.02-07-21.000	263.28		179.77
	#542.02-05-21.000	256.35		175.04
West Turin	#550.00-07-00.000	89.45		42.20
	#550.00-07-00.000	563.89		117.69

Section 2. That the County Treasurer is hereby directed to adjust, apportion, and charge back such amount in the manner prescribed by law. The total amount to charge the Towns is \$3,937.87.

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

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

RESOLUTION NO. 86 - 2017
RESOLUTION DIRECTING LEWIS COUNTY GENERAL HOSPITAL TO
REIMBURSE PENALTIES IMPOSED UPON THE LEWIS COUNTY SELF-
INSURANCE PLAN FOR LATE FILING OF REPORTS

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the County of Lewis (öCountyö) is duly qualified as self-insured under the Workersø Compensation Law of the State of New York. The Lewis County General Hospital (öLCGHö) is a participant in the plan; and

WHEREAS, the County enacted Local Law 8-2015 which provides in Section 2 (H) for plan participants to, *inter alia*, promptly file all required reports on claims. The plan participant fails to do so, the Board of Legislators may, by resolution, impose a penalty upon any participant equal to the amount imposed upon the Lewis County Self-Insurance Plan by the NYS Workersø Compensation Board (öNYSWCBö) for a respective claim due to non-compliance with the Payor Compliance Policy; and

WHEREAS, the County Self-Insurance Plan has incurred penalties of \$100 from the NYSWCB for late filing of reports on two (2) claims pertaining to the LCGH and seeks to have these penalties reimbursed by LCGH to the Countyø Self-Insurance Plan by Resolution of the Board of Legislators; and

WHEREAS, the Board of Legislators wishes to seek this reimbursement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby directs reimbursement of \$100 from the LCGH, as the penalties incurred by the County Self-Insurance Plan for late filing of reports from the NYSWCB on two (2) claims pertaining to LCGH matters.

Section 2. That the Clerk of the Board is hereby authorized to make, execute and deliver a reimbursement invoice to the CEO of the LCGH for the late filing penalties on the two (2) claims, 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. 87 - 2017
RESOLUTION APPOINTING MEMBER TO THE
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 individual to fill the un-expired term of Lowville Village Police Chief Randy Roggie, as a member of the Lewis County Youth Bureau Advisory Board:

Brandi S. Groman

FEBRUARY 7, 2017

5535 Bostwick Street
Lowville, NY 13367

Section 2. That the term of said appointment shall be effective February 8, 2017 and shall terminate on June 30, 2018.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 88 - 2017
RESOLUTION TO AUTHORIZE PAYMENT
CAPITAL JCC EXTENSION CENTER**

Introduced by Legislator Craig Brennan, Chairperson of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the payment of \$800,000 be authorized to be made to the Capital JCC Extension Center (Project HAN H0162000 350310) from Inter-fund Transfers A0990100 992100.

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

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

**RESOLUTION NO. 89 - 2017
RESOLUTION TO APPROPRIATE FUNDS AND
AUTHORIZE PAYMENT**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget changes are hereby approved in the Capital County Projects from the repayment of Hospital loan for a total of \$2,400,000.00, for the years 2017 and 2018, \$1,200,000.00 respectively.

As the monthly payments are received from the Lewis County General Hospital pursuant to the MOU, the same will be deposited into the Capital JCC Extension Center account (HAN H0162000 350310):

Transfer from:
A0 005990 Fund balance

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Transfer to:

A0990100 992100 To Capital County Projects

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

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

**RESOLUTION NO. 90 - 2017
DESIGNATION OF ADDITIONAL DEPOSITORY FOR 2017**

Introduced by Legislator Craig Brennan, 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 Five Million Dollars (\$5,000,000.00), in interest-bearing certificate of deposit account(s), with varied durations, in a laddered portfolio of FDIC insured accounts offered by RBC Wealth Management, Watertown, NY, a division of RBC Capital Markets, LLC. This laddered portfolio is in compliance with the New York State Comptroller's Local Government Investment Guidelines and is in compliance with NYS General Municipal Law; and

WHEREAS, Donald Musnicki, a Vice-President of RBC Wealth Management, is also a member of the Lewis County General Hospital Board of Managers by appointment of the Lewis County Board of Legislators. Both Mr. Musnicki and RBC Wealth Management have fully disclosed the relationship and position of Mr. Musnicki at RBC, that his remuneration of such employment and position at RBC will not be directly affected as a result of the County's decision to invest a portion of its funds in these 100% FDIC insured certificates of deposit or government bonds, and his duties at RBC do not directly involve procurement or performance of these investments. Further, RBC has advised the Chairman of the Board that Cyril Mouaikel, Senior Portfolio Manager of the Watertown office of RBC will assist the County in its cash flow management and investment amounts in this laddered portfolio; and

WHEREAS, the aforementioned disclosures and representations satisfy any and all conflicts of interest as set forth in Article 18 of General Municipal Law (*Conflicts of Interest of Municipal Officers and Employees*) and Lewis County Ethics Law, Local Law No. 5 of 2005; and

WHEREAS, by authorizing the Treasurer to make deposits of a portion of County funds into these interest-bearing certificate of deposit accounts, the County will increase and better its interest revenue, which has been in sharp decline the past few years; and

WHEREAS, the Board of Legislators seeks to authorize the Treasurer to invest with RBC Wealth Management;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Lewis County Treasurer to invest up to \$5 million dollars in 100% FDIC insured interest-bearing certificates of deposit or government bonds in multi-tiered account durations and amounts in a laddered portfolio offered by RBC Wealth Management, and to insure prudent liquidity of funds for the County's needs and expenditures.

Section 2. That RBC Wealth Management, Watertown office, is hereby approved as an additional 2017 depository for Lewis County monies up to Five Million (\$5,000,000.00) Dollars for investment in RBC's laddered portfolio of 100% FDIC insured interest-bearing certificates of deposit and/or government bonds.

Section 3. That the County Treasurer is authorized to enter into an agreement with RBC Wealth Management to invest up to a maximum of \$5,000,000.00 of the County Fund Balance into a laddered portfolio of 100% FDIC insured certificates of deposit and/or government bonds, provided that the Ways and Means Committee and County Manager review and consent to the tiers of deposit amounts and durations, and subject to review and approval of such agreement by the County Attorney.

Section 4. 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 5. That the within resolution shall take effect immediately.

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

OTHER BUSINESS:

There being no other business to come before the Board, the meeting adjourned at 6:28 p.m. on motion by Legislator Brennan, seconded by Legislator Chartrand and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

SPECIAL MEETING

February 17, 2017

The meeting was called to order at 4:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislator Hathway whom had been excused.

Chairman Tabolt offered the Invocation and then led the Pledge of Allegiance to the Flag.

There were 4 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: February 17, 2017

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

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

Chairman Tabolt welcomed newly appointed Christopher Boulio as the Human Resources Director/Personnel Officer.

REPORTS OF STANDING COMMITTEES:

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, made a motion to authorize Sheriff Carpinelli to refill a Deputy Sheriff/Criminal Investigator position due to an impending retirement at the end of February. The motion was seconded by Legislator Chartrand and carried.

Legislator Craig Brennan, Buildings and Grounds Committee Chairman, reported meeting with Jefferson Community College (JCC) representatives to review the architect/engineer proposals for the education extension center project and deferred to Atty. Joan McNichol for a report. She requested an executive session later today to review the terms of the JCC partnership agreement and the professional proposals.

Legislator Richard Chartrand, Hospital Committee Chairman, reported submission of a grant application for debt reduction. If the grant is approved, the Hospital may be required to pay the debt balance to the County, instead of continuing the monthly installments.

Legislator Andrea Moroughan, Community Services Committee Chair, reported participating in the 2/11/17 òLewis County Caresö community forum held at the Lowville Firehall, along with Legislators Fawcett and Hathway. The event was sponsored by Linking

Lewis County and Northern Regional Center for Independent Living. A panel of local providers and agency representatives spoke and provided informational materials to collectively respond to current social issues. The event was well attended by the community. Legislator Moroughan concluded that "It isn't a question of whether you will be affected by a person with a mental health or substance abuse issue, but when."

RESOLUTIONS:

**RESOLUTION NO. 91 - 2017
RESOLUTION AMENDING RESOLUTION NO. 65-2017 TO CORRECT DATE OF
UNEXPIRED SIX-YEAR TERM OF DIRECTOR OF
HUMAN RESOURCES/PERSONNEL OFFICER**

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, Resolution No. 65-2017 entitled "Resolution Appointing Director of Human Resources/Personnel Officer" set forth the incorrect date (August 17, 2017) for the expiration date of the six-year term of Director of Human Resources/Personnel Officer instead of August 31, 2017, the correct date. By this Resolution, the Board of Legislators seeks to amend Resolution No. 65-2017 to correct the date; and

WHEREAS, pursuant to Local Law No. 2 of 2010, the Board of Legislators heretofore established the Lewis County Human Resources Department ("Department") and empowered the Department to perform human resource management services for all employees of Lewis County, under the direction of the Director of Human Resources/Personnel Officer; and

WHEREAS, pursuant to Resolution No. 88-2011 the Board of Legislators combined the Human Resources Departments for the County and Lewis County General Hospital under one single Director of Human Resources to oversee and manage the human resource function for all County employees, and for that person to also serve and administer the Civil Service Law as the Personnel Officer and serve in said position for a six year term and filled said position; and

WHEREAS, by Resolution No. 256-2013, the Board of Legislators appointed James A. Swords, commencing June 17, 2013 to fill the position and unexpired six-year term of Director of Human Resources/Personnel Officer; with said six-year term expiring on August 31, 2017; and

WHEREAS, by Resolution No. 43-2017, the Board of Legislators rescinded Resolution No. 88-2011 in so far as to terminate the combined Human Resources Departments of the County and Lewis County General Hospital (LCGH) under a single Director, and established and reconfigured the Lewis County Human Resources Department for all County employees except for employees of the LCGH, and established the position and office of Director of Human Resources/Personnel Officer for all County employees other than LCGH employees; and

WHEREAS, due to the resignation of the current Director of Human Resources and Personnel Officer for Lewis County, effective February 3, 2016, whose six-year term as

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Personnel Officer expires on August 31, 2017, the Board of Legislators seeks to fill the position of Director of Human Resources/Personnel Officer, who will oversee and manage the human resource functions for County Employees other than LCGH employees, and who will also serve as the Personnel Officer for the County of Lewis;

NOW THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby appoints Christopher S. Boulio to the position of Director of Human Resources/Personnel Officer (Director) for the County (other than Lewis County General Hospital Employees) commencing Monday, February 13, 2017, who shall serve for the unexpired six-year term of the prior Director pursuant to Civil Service Law § 15 (1)(b), i.e., through August 31, 2017.

Section 2. That the newly appointed Director shall be subject to re-appointment by the Board of Legislators for a six-year term as Director/Personnel Officer pursuant to CSL § 15(1)(b) upon the completion of the unexpired term of his current appointment.

Section 3. That the compensation for this position is hereby set at \$70,000 and may be amended or modified at any time by further action of this Board.

Section 4. That the Board of Legislators acknowledges that the appointee is a resident of an adjoining County and waives any residency requirement.

Section 5. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 92 - 2017
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 \$179,053.00, 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 \$179,053.00, to assist with maintenance fees

of phone and other equipment, dispatch systems, personnel costs, training dispatch personnel for suicidal callers, active shooter and hostage negotiation and to enhance the redundant center for, the grant period from 1/1/2016 to 12/31/2016.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators be and the same is hereby authorize to execute, seal and deliver said Grant Agreement.

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

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

RESOLUTION NO. 93 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT
AND TRANSITIONAL LIVING SERVICES
OF NORTHERN NEW YORK

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

WHEREAS, pursuant to Correction Law § 500-c, the Lewis County Sheriff (the Sheriff) is responsible for the custody of inmates in the Lewis County Public Safety Building; and

WHEREAS, in such capacity, the Sheriff needs to obtain mental health counseling or other related mental health services for the inmates in the Sheriff's custody; and

WHEREAS, Transitional Living Services of Northern New York (TLS) has offered to provide those services for the inmates at Lewis County Public Safety Building; and

WHEREAS, the Sheriff has considered the contract for TLS, and recommends to the Board of Legislators to enter into such Contract.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract by and between the County of Lewis and Transitional Living Services of Northern New York, to provide mental health counseling or other related mental health services for the inmates in the Sheriff's custody for the term beginning January 1, 2017 and ending December 31, 2017 at a cost of \$150.00 per hour.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as may be approved by the County Attorney.

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

**RESOLUTION NO. 94 - 2017
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 candidates' room expenses:

<u>From:</u>	<u>Amount</u>
A0311000 470300 Vehicle Exp	\$8,000.00
<u>To:</u>	
A0311000 450700 Travel	\$8,000.00

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

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

**RESOLUTION NO. 95 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND UNITED RADIO, INC.
FOR ONGOING/PREVENTIVE MAINTENANCE ON THE PUBLIC SAFETY RADIO
SYSTEM FOR THE EMERGENCY COMMUNICATIONS SYSTEM**

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

WHEREAS, the County of Lewis recently completed the implementation of a modernization of its existing public safety radio communications system. The primary radio system equipment was provided by EF Johnson Corporation and the microwave data system equipment was provided by Aviat Networks; and

WHEREAS, a Request for Proposals (RFP) was issued in December, 2016 to provide necessary Public Safety Radio System Maintenance and Repair Services as described in the RFP; and

WHEREAS, in January, 2017, the Courts & Law Committee and 911 Communications Team received proposals in response to the RFP reviewed the proposals together with the assistance of County staff and the County's technical consultants; and

WHEREAS, upon a full review and analysis of all proposals, the Courts & Law Committee finds United Radio, Inc. to be the lowest responsible bidder to have submitted a proposal that meets the County's performance specification and requirements as outlined in the Request For Proposals issued on or about December 20, 2016, together with addendums thereon. Therefore, the Committee recommends to the full Board of Legislators to award the contract for ongoing/preventive maintenance and repair services for the public safety emergency communications radio system to United Radio, Inc., in accordance with its Proposal dated January 13, 2017; and

WHEREAS, the Board of Legislators wishes to award the contract for ongoing/preventive maintenance and repair services for the County's upgraded emergency communications radio system to United Radio, Inc.

NOW, THEREFORE, BE IT RESOLVED as follows:

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

Section 2. That the Board of Legislators hereby authorizes entering into a contract with United Radio, Inc., for ongoing/preventative maintenance and repair services for the County's recently upgraded emergency communications radio system, consistent with their proposal submitted January 13, 2017, in accordance with the fees and rate schedules set forth therein commencing March 1, 2017 through February 28, 2018, and with the option of annual extensions through February, 2021.

Section 3. The contract with United Radio shall contain, in addition to other terms and conditions, a fee schedule which provides preventive maintenance services per the RFP: 1) For quarterly inspection scope items and annual inspection scope items not to exceed \$13,440.00 in the base contract year; and 2) tower climb costs for quarterly inspections between \$625. - \$875 depending upon height of tower; and 3) tower climb costs for annual inspections including removal and replacement of one antenna between \$1,250. - \$1,550; and 4) time and material scope items billed at \$85.00/hr during business hours and \$127.50/hr after hours; and \$96.00/hr for field work/field employees during work hours and \$144.00/hr for field work/field employees during after hours.

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(s) as may be approved by the County Attorney.

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Moved by Legislator King, seconded by Legislator Moser.

Chairman Tabolt asked whether the not-to-exceed inspection charges were actual or if they could be less? Legislator King stated the charges are fixed cost for quarterly inspections. The charge for replacing an antenna, he explained, would be based on the height that personnel must climb for repair.

Legislator Chartrand clarified that hourly repair charges include travel to and from the contractor's home base, adding that most of the contractors are within two hours of Lewis County.

In response to Legislator Moser, Legislator King stated the warranty on the entire system is good through November 2017.

The resolution was then adopted.

OTHER BUSINESS:

Legislator Chartrand made a motion to enter executive session at 4:10 p.m. for a County Attorney briefing on the terms of the JCC agreement and the architect/engineer proposals received for the project. The motion was seconded by Legislator Dolhof and carried.

At 5:12 p.m. Legislator Chartrand made a motion to re-enter regular session, seconded by Legislator Brennan and carried.

Atty. McNichol reported conversing over a period of time with JCC representatives and understood they had worked out the terms and provisions satisfactory to both parties. However, the County Manager was recently contacted by JCC President Carole McCoy relating their desire to postpone signing of the partnership agreement, because of their concern with the status of the State Budget and its potential revenue impact. Although President McCoy had assured JCC's full commitment to the extension center project, she asked for more time to confirm financial resources.

In consideration of the delayed partnership agreement for an indeterminate period, Atty. McNichol strongly recommended the Board rescind the request for proposals for architect/engineer services. Upon receipt of an executed partnership agreement with JCC, the request for proposals could be reissued.

Legislator Brennan made a motion to rescind the request for proposals for architect/engineer services for the JCC Education Extension Center project. He publicly thanked each of the firms/companies that had submitted a proposal. The motion was seconded by Legislator Kulzer. Atty. McNichol stated she would relay the Board's appreciation to each of those who had submitted a proposal for their time and effort and explain the County's intent to reissue the proposal. The motion was then unanimously carried.

FEBRUARY 17, 2017

There being no other business to come before the Board, the meeting adjourned at 5:16 p.m. on motion by Legislator Chartrand, seconded by Legislator Fawcett and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

REGULAR MEETING

March 7, 2017

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 14 persons present.

Chairman Tabolt declared the February 7 and February 17, 2017 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.

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

Dated: March 7, 2017

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

Chairman Tabolt opened the public hearing for comments on Local Law Introductory No. 1-2017 "Establishing Residency Requirements for Assistant County Attorney for Lewis County".

PRIVILEGE OF THE FLOOR:

Lowville Free Library President Patricia Burke distinguished the one-time special funding request was for chrome books that are portable and would be available to all patrons from youths to seniors. The County appropriation to the North Country Library System is allocated to libraries to support technology upgrades, associated training and hard drives.

Lowville Library Board member Mary Hunyadi expounded by reporting the libraries share their inventories, adding that she has never had to wait for more than three days for delivery of any book from the eleven libraries in the County. The schools have issued chrome books to students, so the compatible devices at libraries are available to students.

Ms. Hunyadi reiterated the County's allocation to the North Country Library System finances libraries' monthly technology expenses. Six of the eleven libraries are installing fiber optics to enhance bandwidth.

Ms. Hunyadi reported the Lowville Free Library is financially supported by County taxpayers, the Lowville school district, Village of Lowville and the Towns of Lowville and Watson. Those monies are augmented by the library board's sponsored fund raisers, which garnered \$22,000.00 in 2016. Seventy percent (70%) of their annual budget is allocated for salaries, which they proudly maintain at levels above the minimum wage. The library remains challenged to cover their operating expenses by the end of the year.

Legislator Brennan thanked each of the ladies for their informative update.

Mr. Dan Myers of Double Play Community Center reported that 45% of their programs are for wellness and nutrition programs. He introduced a Martinsburg resident Luann Rhone who gave a testimonial on her personal experiences. She arrived in Lewis County in 1994 a very active and athletic individual. Subsequently diagnosed with diabetes, she was prescribed insulin and other medications. She was personally impacted by the loss of two siblings who died at a young age. Having a desire to better herself, she availed the Double Play gym faithfully six days a week and advantaged their programs, which have helped her immensely.

Ms. Rhone cited the many local parents who are losing their children, imploring that kids need a place to go, adding that Double Play Sports provides that safe place.

Mr. Myers stated the not-for-profit 501c-3 agency has partnered with the Villages of Lyons Falls and Port Leyden to create satellite programs for which the Center has donated equipment to remove the travel impediment for potential members.

He invited a Legislator be assigned to attend their advisory board meetings to be informed on how monies are expended. "It is difficult to manage a not-for-profit agency," said Mr. Myers. Their goal is to fill a void and provide options for a better way of life.

Legislator Dolhof referenced the existing drug epidemic, offering support to Double Play for reaching out to encourage participation in their programs, especially youth. Mr. Myers reported the forged partnerships with Mountain View Prevention Services, Community Services and the school districts to collaborate prevention alternatives to drugs.

Legislator Hathway inquired if the one-time funding allocation would result in a budget deficiency for the Center next year? Mr. Myers responded that the County allocation would allow them to generate another \$20,000 to augment their future resources.

Legislator Kulzer asked if an annual County allocation would be beneficial. Mr. Myers stated that each of their ten Board members meet the challenge to contribute \$2,000 annually to support their programs with a goal to tackle obesity and prevent negative results from rampant drug use.

Legislator King spoke favorably of the good services provided by the Center and, particularly the southern part of the County, while submitting that the respective Towns and Villages should commit budget allocations for the services in their communities. Mr. Myers said he would attend those municipal board meetings to explain the programs and services

PROCEEDINGS OF THE BOARD OF LEGISLATORS

offered and request their support. He has already met with the Town of Greig Board, which totally finances the summer recreation program at the South Lewis Central School.

In response to Legislator Brennan, Mr. Myers stated their programs are not duplicative; they provide certified trainers at the fitness center which is open 24/7; and also employ persons who teach guitar lessons and other arts. The Center works hard to keep their membership affordable and has a current membership of 750. They employ four full-time and 15 part-time persons.

Legislator Brennan concurred with Legislator King that the municipalities should be requested for budget allocations. Legislator King invoked, "If the Towns and Villages do not commit appropriations, the program is unsustainable."

In response to Legislator Moser, Mr. Myers responded the programs offered in the southern part of the County are offered free of charge. They coordinate after school programs with the South Lewis School, and will reach out to discern assistance through the public transportation system.

Legislator Kulzer opined it would be more beneficial to the Center to earmark an annual County allocation. Mr. Myers responded that if the \$40,000 allocation is approved, there would be no further request on behalf of the Center for five years. He would be reaching out to the Town and Village Boards for respective appropriations.

Chairman Tabolt feels the amount is too much, instead suggesting \$10,000 this year, with subsequent annual funding requests. He supports a Legislator appointment to attend the Double Play advisory board meetings for direct knowledge and oversight of how the monies are expended.

Legislator Brennan exclaimed the County has the funds available now, citing unknown future financial status. Although the Board may not make financial commitments for future Boards, Legislator King purported there are ways to earmark funds.

Mr. Myers was thanked for his time and explanation to the Board of the programs and services offered by the Double Play Community Center.

It being 5:35 p.m. Chairman Tabolt closed the public hearing.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Mary Pelletier-Hunyadi submitted the Lowville Free Library's 2016 annual report to the Community.

A letter was received from the NYS Office of Parks, Recreation and Historic Preservation informing the First Lewis County Clerk's Office located in Martinsburg would be considered for historical designation by the State Board at its 3/23/2017 meeting.

Town of Diana Historical Museum President Delores Young had forwarded a letter of thanks to the Board for the \$1,000 County appropriation that will assist with their website and many other planned projects to enhance their visibility to North Country communities.

The Board acknowledged receipt of resolutions adopted by the Orleans, Tioga and Tompkins County Legislatures to oppose a repeal of the Affordable Care Act without an acceptable commensurate healthcare alternative; to support partial repeal of the New York secure ammunition and firearms enforcement (SAFE) Act of 2013 for areas outside of New York City; urging NYS to fund Probation Departments and other impacted County Departments and agencies the full costs associated with Raising the Age of Criminal Responsibility to 18 years of age; to support increasing the share of revenue Counties retain for providing DMV services; urging Governor Cuomo and the State Legislature to plan for next generation 9-1-1 in NYS and create a NYS 9-1-1 Department that supports County public safety answering points and enhances local emergency dispatch services; and also to more equitably and efficiently impose the 9-1-1 surcharge on all wireless communication devices and use the revenue to finance life saving County 9-1-1 services.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the County Treasurer's February report; the 2/16/17 and 2/27/17 Highway and Solid Waste Audit reports; the minutes of the 2/14/17 Soil & Water Conservation District Board of Directors and 2/15/17 Youth Bureau Advisory Board meetings; and the 2016 Annual Reports for the Social Services Department and the Lewis County Self-Insurance Plan.

County Treasurer Patricia O'Brien and Real Property Tax Director Candy Akin submitted approved applications for corrected 2016 tax rolls for Ryan N. & Stacy L. Battles, Rosanne A. & David A. Butts, Timothy W. Dailey, Bonnie R. Easton, James M. Marshall, Sr., Jonathan Maselli, Sidney and Beth Nafziger, Riverside Cemetery, Katherine M. Robbins, Brittany E. Sprowell-Beck, Christopher Wilder and Caroline A. Yauger, all for respective amounts below \$2,500.00 pursuant to the Board's authorization by Resolution 527-2016.

Director of Weights and Measures James A. Richmire had submitted the February monthly report to be placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Taxation/Elections/Information Technology Committee Chairman, reported the Board would initiate the State legislation process to extend the additional one-percent sales tax.

Real Property Tax Director Candy Akin had apprised the committee on the issue of relieving water/sewer charges. The committee will consider the County financial impact if the proposed State legislation to allow partial payment of real property taxes is adopted, and recommend whether the County should opt out.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

The State is imposing changes to the STAR credits to require annual income verification that negatively impacts on senior citizens, especially those who do not file income tax returns. The State has not given any verification parameters for acceptable income documentation.

Legislator Hathway reported continuation of 9-1-1 addressing updates, and encouraged residents to prominently post their numbers to enhance emergency service response.

He also reported that Adam Zehr has interviewed candidates and will be hiring a replacement for an impending retiree. County job openings are posted to the website and also on Linking Lewis County website, which has substantially increased applications. The new County website design will be illustrated to the committee soon.

Legislator Hathway relayed that Mr. Zehr has contacted Development Authority Executive Director James Wright to facilitate a fiber optic connection to the JCC Education Extension Center.

Legislator Hathway cited the grant award to North Country Broadband to expand wireless internet services to enhance residential services and augment economic development. He thanked the Legislative Committee for pursuing the grant, as well as Liz Swearingin and Mr. Zehr for their efforts. Mr. Zehr reported the pilot program conducted from the Stowe Street tower proved the fiber-to-wireless methodology was successful. The Lewis County demographic is in line with the State's priority to focus on the most rural areas. Mohawk Networks will utilize towers throughout the County to provide cost effective internet options to those without or having sub-standard service.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Youth Committee Chairman, made a motion to authorize DSS Commissioner Jennifer Jones to re-fill one full-time Caseworker position effective immediately, due to a resignation. The motion was seconded by Legislator Moroughan and carried.

Legislator Fawcett made a motion to authorize DSS Commissioner Jennifer Jones to re-fill one full-time Social Services Program Examiner position effective immediately. The motion was seconded by Legislator Hathway and carried.

Legislator Fawcett reported the MVP Health plan is available as a Medicaid managed care plan. Representatives from MVP, United Healthcare, Fidelis Care and Maximus will be at DSS every week to assist with enrollment through NYS Health. Anyone interested may visit the office or call 315-376-5400.

Legislator Fawcett urged approval of his sponsored resolution in support of the "Step Up for Seniors" initiative urging restoration of critical State funding to NYS Office for the Aging. He reported that 108 seniors enjoyed the La La Land movie at the Town Hall Theater. Upcoming events include a traditional St. Patrick's Day meal at all congregate sites on 3/16/17; Several County and municipal officials have been invited to assist with home delivered meals during "Mayors For Meals" on 3/20/17; Living Healthy in Lewis County sessions are scheduled for six Wednesdays from 5/10 to 6/14/17 at Valley View Courts.

MARCH 7, 2017

The Youth Bureau received six applications for prevention of juvenile delinquency and youth development programs. The \$13,000 was awarded to the Village of Lowville, Mountain View Prevention Services, Copenhagen Central School, and the Beaver River Central School. Legislator Fawcett also reported the Youth Bureau will accept applications until 4/7/17 for a \$5,000 allocation to support youth programs.

Legislator Bryan Moser, County Officers/Junkyards/Veteransø Services/ Human Resources Committee Chairman, made a motion to authorize extending the employment of the Temporary Deputy Clerk of the Board through March 24, 2017. The motion was seconded by Legislator Brennan and carried.

Legislator Moser reported Ward Dailey is responding to a couple of Junkyard Law violations in Croghan, and the Junkyard Law changes have proven helpful to adjudicate violations and complaints.

Legislator Moser commended the performance of newly appointed Human Resources Director Christopher Boulio.

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 full-time Correction Officer and one part-time Correction Officer effective immediately, due to promotions. The motion was seconded by Legislator Chartrand and carried.

Legislator King said he would expound on his sponsored resolutions when presented.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry and Parks Committee Chairman, made a motion to authorize Planning Director Frank Pace to refill the Planner position effective March 8, 2017, due to a resignation. The motion was seconded by Legislator King and carried.

Legislator Dolhof informed the IDA offices were being renovated to expand their space; and the Board of Directors had approved a \$12,800 Small Business loan. The Fort Drum Garrison Command will be the guest speaker at the business leadersø breakfast at the Lowville Elks Club on 4/12/17.

Legislator Dolhof relayed that during recent years many constituents have expressed a perception for the lack of law enforcement for recreation programs, which has been the topic of many discussions and proposed solutions. Last fall the Board authorized hiring a school resource officer and 3 or 4 additional deputies to expand recreation patrols throughout the week on all trails, instead of just trail heads. Recently, the Sheriff advised that expanded patrols are no longer possible. He was directed to layoff the temporary part-time officers from 4/15 ó 5/15/17 pursuant to civil service regulations. Seasonal personnel must be removed from the payroll for a 30-day period before being reassigned. Legislator Dolhof requests clarification on the civil service rule, so there is no lapse in patrols when the ATV Trail System opens on 4/1/17.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

The Sheriff was invited to outline his vision for recreation patrols. Sheriff Michael Carpinelli said he has attempted to explain the issue for the past 5 years. He assured there would be adequate patrols for the SNIRT Run. Part-time deputies are inadequate for recreation patrols, he said, because the officers have other full-time jobs and may not opt for the additional work, asserting that many do not want to work over-time.

Sheriff Carpinelli reported that upon successful completion of deputy sheriff academy training, the five candidates will be ready for patrol in June or July. There is nothing he can do about the civil service rules that require temporary officers to be off from 4/15 ó 5/15/17.

In response to Chairman Tabolt, the Sheriff responded he requires deputy patrols to prevent liability issues.

Legislator Hathway reminded that a few years ago the Board approved twice the allocation requested. Subsequently, the Sheriff was authorized to hire from outside the County, neither of which has resolved the issues. Sheriff Carpinelli submits that six full-time deputies could provide adequate coverage. The officers would be dedicated to recreation patrols, he said, but "People must take responsibility for their actions." He does what he can with available resources.

In response to Legislator Hathway, the Sheriff said that Lake Bonaparte and Brantingham Lake would each receive like coverage in accordance with available resources.

Sheriff Carpinelli responded to Legislator Hathway's affirmation "The County does not have \$400,000 for six additional deputies," stating he would accept any additional help and do the best he could.

Legislator Dolhof recognized that road patrols are a non-mandated service, inquiring whether the new deputies could be assigned to recreation patrol upon their training completion. The Sheriff deferred further comment or recommendation until receipt of the consultant's report following their recent independent study of the Sheriff and jail operations.

As a member of the Courts and Law Enforcement and the Ways and Means Committee, Legislator Chartrand took exception to only now learning of the patrol shortage, asking the Sheriff to present his staffing proposal to the Committee for their consideration and recommendation.

Legislator Brennan opines the primary problem is the lack of coordination between the several agencies that patrol the trails, relaying a personal encounter with County deputies, Environmental Conservation officers, Forest Rangers and Park Police while traveling a short distance from his camp in Barnes Corners. He urged the Sheriff to meet with the other agencies to coordinate varied times and area patrols. Sheriff Carpinelli confirmed coordinating with the other agencies, clarifying that assignments are at the discretion of their command. He cited Barnes Corners and Tabolt's Corners as problem areas where more patrols are purposely assigned.

The problem, exclaimed Sheriff Carpinelli, is lack of manpower, again, reserving further comment until the study results are released.

Legislator Dolhof asked the Sheriff whether a past practice of partnering deputies with private citizens would be feasible. Sheriff Carpinelli was amendable, recognizing they would provide a presence, but without weapons, arresting powers or authority to write tickets. However, he cited additional cost to purchase law enforcement ATV's. He asserted, there was no lesser cost option.

Legislator Moser relayed knowing that enforcement was largely provided by deputies sitting in patrol vehicles at trail heads. The recreation vehicle operators contact each other to report where the patrols are sited, who then take alternate routes to avoid those areas. He supports Legislator Dolhof's suggestion, believing that law enforcement presence on the trails would incite slower traffic. He cited civil service regulations that prohibit the ability to assign correction officers for patrols. "Full-time officers are needed," stated Legislator Moser, while recognizing the funding issue. Sheriff Carpinelli reiterated the challenge of finding part-time officers, because full-time officers don't want to work the overtime.

Sheriff Carpinelli affirmed his efforts throughout the last five years and would continue to work with the Committee to identify a solution to make the trails safer.

In response to Legislator Chartrand, the Sheriff stated he could provide patrols from 4/15-5/15/17 by utilizing deputy overtime. The Sheriff agreed to propose his plan to the Recreation, Forestry & Parks Committee later this month.

Legislator Craig Brennan, Ways and Means/Buildings and Grounds Committee Chairman, made a motion to authorize Buildings Supervisor Frank Archer to refill one full-time Custodial Worker effective immediately, due to a retirement. The motion was seconded by Legislator Kulzer. Legislator Moser relayed that in addition to the County website, job openings are also posted on Linking Lewis County's website and facebook, which resulted in a substantial increase of applications for the recently advertised custodial position. Legislator Chartrand distinguished that civil service tested positions must be filled from the list of certified applicants, unlike the non-tested custodial position. The motion was then carried.

Legislator Brennan reported the roof over the DMV handicapped entrance has been completed. The Committee authorized Frank Archer to install an alarm at the Court House front entrance that would be activated during work hours from 8:30 a.m. to 4:30 p.m. to avert unauthorized employee use. He will also install an additional security camera outside the DSS building to cover a blind spot as recommended by security personnel.

He reported the County Clerk has permission to fill a full-time motor vehicle examiner, pursuant to civil service procedures. Planning Director Frank Pace gave updates on the JCC Education Extension Center; and expects a revised solar project construction schedule from the consultants.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Brennan reported the committee recommendation for additional one-time allocations of \$40,000 to Double Play Community Center, \$18,500 to the North Country Library System, \$1,500 to the Lowville Free Library and \$3,000 to the Youth Bureau.

Legislator Brennan reported Ms. Swearingin had explained Governor Cuomo's proposal for Counties to put forth local referendums outlining plans to expand shared services and consolidate local governments. She said plan development would require substantial time and the Governor's proposal does not include enforcement rules or impose negative impact for not presenting a referendum. The committee recommends deferral until more details are known.

In conclusion, Legislator Brennan relayed Treasurer Patricia O'Brien's report of a \$11,384,179 fund balance if all the aforementioned allocations were approved, being above the recommended average of \$11,000,000.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman, made a motion to award the bid to Tracey Westernstar for the purchase of a 2018 Tandem Dump Truck in the amount of \$123,500.00. The summary of all bids received is on file with the Clerk of the Board. He reported that the lowest bid did not meet the specifications. The motion was seconded by Legislator Brennan and carried.

Legislator Kulzer made a motion to award bids for sand, gravel, crushed stone and concrete based on project location in accordance with the tabulation of all bids prepared by the Highway Superintendent and placed on file with the Clerk of the Board, for the period 4/1/2017 to 3/31/2018. The motion was seconded by Legislator King and carried.

Legislator Kulzer made a motion to award the low bid for crushing of stone to RMS Gravel in the amount of \$4.35 per cubic yard for the period 4/1/2017 to 3/31/2018. The motion was seconded by Legislator Brennan. In response to Legislator Moser, Legislator Kulzer did not know the reason the bids were not advertised for a per ton bid, while stating that all bidders received the same specifications and the three bidders submitted per cubic yard bids. The motion was then unanimously carried.

Legislator Kulzer reported the uniform bids had been opened on 3/2/17, but had not yet been analyzed for a recommended award.

Legislator Kulzer stated that the Highway Department would be leasing three pick-up trucks through the Enterprise Fleet Management program; and that Deputy Highway Superintendent Warren Shaw would begin work on 3/20/17 to replace retiring Stanley Samsa.

Legislator Kulzer sponsored a resolution to raise the fees for bulk tires to offset respective disposal costs. The Development Authority of the North Country will sponsor an open house on 4/13/17 at the transfer station to showcase the no-sort recycling operations. Director Pete Wood is evaluating Jefferson County haulers' proposed request to transport their solid waste and recyclables to our site.

Legislator Brennan commended Mr. Wood for the complimentary news media report by the Development Authority for promoting efficient solid waste and recycling operations.

Legislator Richard Chartrand, Hospital Committee Chairman, reported the germ killing ultraviolet machine ðHector the Disinfectörö is the only one in the North Country region and augments ongoing normal personnel cleaning. There was a January gain of \$19,000 vs. a \$37,000 budget loss; 103 acute admissions and a below budget nursing home occupancy that has since improved. The 66.2 days cash on hand represents substantial improvement.

Legislator Chartrand relayed Board President Michael Young's concern for the nursing home occupancy rate. The Hospital administrative team has been directed to develop a plan for timely admissions that does not focus solely on financial disparities. He explained if an admission is accepted before Medicaid approval and the patient is not subsequently approved for Medicaid and the patient has no resources, the patient becomes a financial burden to the facility. The Board of Managers wants to accept patients who are relatively certain to be Medicaid eligible, thereby assuming some risk, while providing timely patient services. In response to Legislator King, Commissioner Jennifer Jones stated the chronic care approval process could take several months, dependent upon whether property transfers, trusts and/or multiple resources must be reviewed and verified. The determination period has been significantly reduced during the last year, as well as monies owed to the facility being reduced from \$650,000 to the current \$30,000.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, pointed out that she was wearing blue to recognize ðMarch as colorectal cancer monthö. She had participated in an event at the hospital where informational pamphlets were distributed.

The Board of Health report attributes the last quarter spike in disease investigations to drought and well water-related issues. A cost analysis will be conducted for Tuberculosis (TB) services due to the rise in antibiotic resistant TB.

Legislator Moroughan reported the number of children in Pre-school programs being lower than the previous two years, but several late referrals are being evaluated. The current dental provider in Rome has informed his intent to retire, but he will fulfill orthodontic services to all children currently enrolled.

Public Health officials will conduct an office-based drill targeting the hearing impaired and persons with mental illness. They received funds through chronic disease diabetes programs, as well as \$17,000 through the DSRIP program; and were recognized with a CDC Gold Star award for meeting their goals for the Diabetes Prevention Program.

Legislator Moroughan reports the community continues to rally together to fight the drug abuse problems. Fire and Emergency Services Director Robert MacKenzie will explain how to identify drug paraphernalia at a public forum on 3/9/17. Mountain View Prevention Services (MVPS) will sponsor NARCAN training on 3/13/17 presented by an ACR Health representative at the Port Leyden Firehall.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Anyone interested in helping with the anti-drug effort or seeking updated information is directed to the Lewis County Drug Addiction ðItø Real and Itø Localø facebook page. Legislator Moroughan thanked Nick Altmire for this initiative. NRCIL has been fielding calls through a recovery one line number 315-755-8408 that connects individuals to a peer in recovery who offers support. Credo and MVPS has coordinated the development of a recovery support group that meets every Wednesday from noon to 1:00 p.m. at MVPS.

The Youth Empowerment and Health Community Coalition will meet monthly on the third Thursday and welcomes everyone interested to learn what volunteers are doing for drug prevention and awareness.

Legislator Moroughan reported the Suicide Prevention Coalitionø ðCup of Joeø campaign worked with five participating Lewis County restaurants offering patrons a cup of coffee for completing a survey. The gathered information will guide the efforts of the coalition.

SPECIAL REPORT:

Chairman Tabolt announced the County would be hosting the 3/23/17 Inter-County Legislative Committee of the Adirondacks with a tour of Otis Technology and meeting and lunch at the River Valley Inn restaurant.

NYS Agriculture & Markets Commissioner Richard Ball will attend the 3/25/17 maple tree tapping ceremony at the Yancey Sugar Bush in Croghan.

Legislator Tabolt cited the importance to attend the renewable energy lobby day on 4/27/17 in Albany, not only for the County wind projects, but on behalf of the loggers who had relayed their concerns for the future of the ReEnergy plant in Lyonsdale.

COUNTY MANAGER REPORT:

Liz Swearingin expects receipt of the Bonadio Group report for their staffing study of the Sheriffø Department.

Community Services Board member Scott Mathys had recently informed of 17 homeless elementary aged children due to drug-related deaths.

Ms. Swearingin quoted commending sentiments from NYS Ag & Markets officials relative to Lewis Countyø 8-year Ag Review report terming it ðOne of the best County reports we have received in yearsø. She thanked Frank Pace, Sue Kulzer and Rachel Gardner for their extraordinary performance throughout the lengthy process.

Ms. Swearingin reported meeting at regular intervals with CSEA representatives, Hospital leadership, Patty OøBrien and Chris Boulio with Gilroy, Kiernan & Gilroy (GKG) consultants to discuss healthcare. GKG will provide educational meetings for all employees starting 4/6/17 to explain healthcare in America and comparative healthcare in Lewis County.

They will explain how healthcare works, who is paying for it and pose recommendations to consider for plan changes.

She reported the data bases have been built for the Tyler payroll system for anticipated implementation by June 30, 2017. Discussions and training continue for the time entry process.

Referencing Ms. Swearingin's previous comment, Legislator Chartrand did not want the public perception there were 17 homeless children not being cared for. Director of Community Services Patricia Fralick and DSS Commissioner Jennifer Jones each affirmed the children are residing with other family members or with foster parents and have access to available services.

COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$395,000.00; Contingency Fund-\$455,423.00; Capital Data Processing Fund-\$126,266.50 and Capital Equipment Fund - \$358,865.95, of which \$239,362.59 is the Highway portion. She also reported 2016 sales tax revenues of \$11,404,999.55; and the current Hospital debt is \$2.2 million.

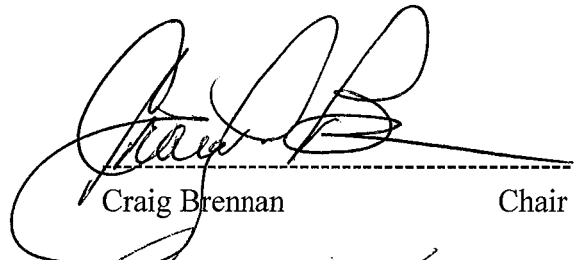
The balance of the Internal Service Fund as of 12/31/2016 is \$1,071,092.42.

REPORT OF THE WAYS AND MEANS COMMITTEE:

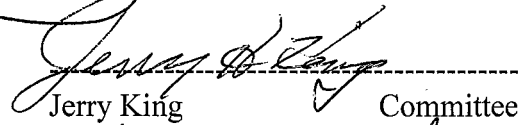
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 811,483.91 and recommend that they be audited and allowed for the amounts claimed.



Craig Brennan Chair



Jerry King Committee



Richard Chartrand Committee

Dated: March 7, 2017

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

MARCH 7, 2017

**RESOLUTION NO. 96 - 2017
AUDITING AND ALLOWING CLAIMS**

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

RESOLVED that the claims presented for payment in the total amount of \$ 811,483.91 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

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

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 97 - 2017
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 2- 2017, COUNTY OF LEWIS**

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on February 7, 2017, directing that a public hearing be held by said Board on March 7, 2017 from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, "A LOCAL LAW ESTABLISHING RESIDENCY REQUIREMENTS FOR ASSISTANT COUNTY ATTORNEY FOR THE COUNTY OF LEWIS"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on March 1, 2017, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

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

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. This Local Law (Introductory No. 1 ó 2017), County of Lewis, being ðA LOCAL LAW ESTABLISHING RESIDENCY REQUIREMENTS FOR ASSISTANT COUNTY ATTORNEY FOR THE COUNTY OF LEWISö; be and the same hereby is designated as Local Law No. 2 ó 2017, County of Lewis.

Section 2. That Local Law No. 2 ó 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 King, seconded by Legislator Dolhof, 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. 98 - 2017
AUTHORIZING OPENING OF CERTAIN PORTIONS OF
COUNTY ROADS FOR ATV SPECIAL EVENT**

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

WHEREAS, Barnes Corners Sno-Pals Snowmobile Club (herein ðEvent Sponsorö), 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 15, 2017:

- *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;*
- *CR 194 Barnes Corners Road; from CR 21 Whitesville Road to Corey Road*

and

possible opening of the following road, contingent upon weather conditions and snow levels, as determined by the Director of Recreation, Forestry & Parks in consultation with the Lewis County Superintendent of Highways, in their discretion:

É *CR 29 West Road; from Rector Road to Flat Rock 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 ATVø 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 ATVø with a prescribed route of travel over various County and town roads throughout Lewis County on April 15, 2017, 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 öEvent Agreementö) 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 öType IIö 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 öminor temporary uses of land having negligible or no permanent impact on the environmentö 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 öroad onlyö 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 ATVø on designated roads, and that riding on any other roads, trails or private property is strictly prohibited.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

- 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 depth of snow, 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 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 15, 2017. 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 at 8:00 p.m., and that they must remove their ATVs 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 ATVs on the following County roads or portions thereof for a one day all terrain vehicle (ATV) road rally event to be held on April 15, 2017:

- *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;*
- *CR 194 Barnes Corners Road; from CR 21 Whitesville Road to Corey Road*

and

possible opening of the following road, contingent upon weather conditions and snow levels, as determined by the Director of Recreation, Forestry & Parks in consultation with the Lewis County Superintendent of Highways, in their discretion:

- *CR 29 West Road; from Rector Road to Flat Rock 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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 Brennan, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 99 - 2017
FIXING DATE OF PUBLIC HEARING ON AN ADDITION
TO THE ATV TRAIL SYSTEM
(JAMES BAUER PROPERTY)**

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 March 7, 2017, a proposed addition to the Lewis County ATV Trail System pertaining to the James Bauer properties which are located on Zeigler Road & Neff Road, in the Town of Leyden, identified as parcel numbers 402.00-01-6.00 & 402.00-01-3.0.

MARCH 7, 2017

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on April 4, 2017 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 Lewis County ATV Trail System, said property owned by James Bauer.

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 Fawcett, and adopted.

**RESOLUTION NO. 100 - 2017
FIXING DATE OF PUBLIC HEARING ON AN ADDITION
TO THE ATV TRAIL SYSTEM
(GORDON YANCEY PROPERTY)**

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 March 7, 2017, a proposed addition to the Lewis County ATV Trail System pertaining to the Gordon Yancey property which is located at the intersection of the Carey Road and Flat Rock Road, in the Town of Martinsburg, identified as parcel number 255.00-02-01.000.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on April 4, 2017 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 Lewis County ATV Trail System, said property owned by Gordon Yancey.

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 Fawcett, and adopted.

**RESOLUTION NO. 101 - 2017
RESOLUTION TO TRANSFER FUNDS
BUILDING CODES DEPARTMENT**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Jerry King, Chairman of the Building Codes Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Building Codes Department Account for the 2015 International Code commentary and renewal of ICC membership dues from Contingency funds:

<u>From:</u>	<u>Amount</u>
A0199000 499900 Contingency	\$1,025.00
<u>To:</u>	
A0362000 450100 Ed & Training	\$1,025.00

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

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

**RESOLUTION NO. 102 - 2017
RESOLUTION TO TRANSFER FUNDS
BUILDING CODES**

Introduced by Legislator Jerry King, Chairman of the Building Codes Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget changes are hereby approved in the Building Codes Department accounts for the lease of an F-150 through Enterprise Fleet Management, utilizing HAD Capital Equipment funds H0990100 499900 balance \$ 598,228.54:

<u>Increase Revenue:</u>	
A0100000 350310 Inter-fund transfers	\$4,112.64
<u>Increase Expense:</u>	
A0362000 223400 Vehicle Lease	\$3,710.80
A0362000 470300 Vehicle Repair	\$ 401.84

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

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

MARCH 7, 2017

**RESOLUTION NO. 103 – 2017
RESOLUTION TO TRANSFER FUNDS
BUILDINGS AND GROUNDS**

Introduced by Legislator Craig Brennan, Chairman of the Buildings & Grounds Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved in the Buildings & Grounds Account to consolidate all utilities:

<u>From:</u>	<u>Amount</u>
A0145000 480300 Rent & Utilities	\$ 787.50
A0677200 480100 Rent & Utilities	\$ 787.50
<u>To:</u>	
A0162500 430400 B&G Nat Gas	\$1,575.00

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

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

**RESOLUTION NO. 104 - 2017
RESOLUTION TO TRANSFER FUNDS
CIVIL SERVICE**

Introduced by Chairman Bryan Moser, Chairman of the Civil Service Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfers are hereby approved in the Civil Service accounts and Contingency to cover the increase in fees:

<u>From:</u>	<u>Amount</u>
A0199000 499900 Contingency	\$2,800.00
<u>To:</u>	
A0143000 490100 Prof Serv	\$2,800.00

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

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

**RESOLUTION NO. 105 - 2017
RESOLUTION 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 Crystal Collette, LMSW to the Mental Health Sub-Committee of the Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. That the term of said appointment shall begin March 8, 2017 and terminate on December 31, 2020.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 106 – 2017
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 transfer is hereby approved in the Community Services Accounts:

<u>Decrease Expense</u>	
A0431800 422300 TLS CICM Manager	\$9,032.00
<u>Increase Expense</u>	
A0431800 422400 TLS Kids Health Home Care Mgmt	\$9,032.00

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

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

MARCH 7, 2017

**RESOLUTION NO. 107 - 2017
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 (TO 000875) to reimburse for the DA Winter Conference.

Increase Revenues

A0116500 326260 (Forfeiture Proceeds) \$ 1,303.35

Increase Expense

A0116500 493600 (Prosecution Fund) \$ 1,303.35

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

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

**RESOLUTION NO. 108 - 2017
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS
AND DOUBLE PLAY COMMUNITY CENTER**

Introduced by Legislator Craig Brennan, Chairman of the Ways and Means Committee

WHEREAS, Double Play Community Center is a not-for-profit community center that provides premiere facilities, programs, equipment, and staff to benefit residents of Lewis County; and

WHEREAS, the County of Lewis seeks to provide Double Play Community Center with a one-time payment of \$40,000 to be used by Double Play Community Center to provide programs and equipment to benefit the residents of Lewis County.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes an Agreement with Double Play Community Center to provide a one-time payment of \$40,000 to be used by Double Play Community Center to provide premiere facilities, programs, equipment, and staff for the benefit of the residents of Lewis County.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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

Moved by Legislator Dolhof, seconded by Legislator Moser.

Legislator King made a motion to amend the Resolution to authorize four (4) equal payments of \$10,000.00 for the next four years, seconded by Legislator Moser.

Chairman Tabolt felt the \$40,000.00 was too generous without having specifics on how the monies would be expended.

Legislator Brennan feels the need is now and the County has the funds available now, while also citing Mr. Myersø statement that he would be able to leverage additional funds with the allocation.

Legislator Dolhof stated the funds were available due to 2016 excess sales tax revenue, stating the drug crisis was a problem that needs immediate attention.

Legislator Kulzer concurred with Legislator Dolhof to support Mr. Myersø efforts to respond to the existing crisis, recognizing he would not be requesting additional County funding for the next five years. Thereby, the allocation equates \$8,000 per year. Also, Mr. Myers invited a Legislator be assigned to participate in their Board meetings to be informed and oversee how the allocations would be expended.

Legislator King invoked that "It cannot be done by the County alone!"

Legislator Moroughan implored the Board's full support, impressing the importance to combat the drug epidemic.

The amended motion was defeated by a vote of 3 to 7, with Legislators Brennan, Dolhof, Hathway, Kulzer, Moroughan and Fawcett opposed. Legislator Chartrand abstained.

The resolution was then adopted by a vote of 6 to 4, with Legislator King, Moser and Tabolt opposed. Legislator Chartrand abstained.

**RESOLUTION NO. 109 - 2017
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY REGIONAL
EMERGENCY MEDICAL SERVICES COUNCIL**

Introduced by Legislator Jerry King, Chairman of the Emergency Services Committee.

WHEREAS, Justin Astafan has been recommended by the Lewis County Emergency Medical Services Council to be appointed as a member of the Council.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Justin Astafan, as a member of the Lewis County Emergency Medical Services Council.

Section 2. That the term of said appointment shall be effective March 8, 2017 for an indefinite term.

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

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

**RESOLUTION NO. 110 - 2017
RESOLUTION DESIGNATING THE
LEWIS COUNTY FAIR HOUSING TASK FORCE**

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

WHEREAS, by Resolution No. 508-2016, the Lewis County Board of Legislators designated the Lewis County Planning Director as the Lewis County Fair Housing Officer and HUD Section 3 Coordinator, and authorized the Planning Director to engage in activities required to maintain compliance with HUD regulations and implementation of fair housing education and enforcement resources; and

WHEREAS, pursuant to 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 not only the County Planning Director be named the local fair housing officer, but to also establish 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; and

WHEREAS, the proposed individuals for the Lewis County Fair Housing Task Force is as follows:

1. Frank Pace - Director of Lewis County Planning Department
2. Staff Planner Lewis County
3. Cheryl L. Shenle-O'Neill, Executive Director of Snow Belt Housing Company, Inc.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

4. Tammie Lambert - Banking/Community Development
5. Scott Mathys - CEO of Lewis County Opportunities, Inc. (Non-Profit interest)
6. Brenda Malone - Homes Realty NNY (Realtor interests)
7. Shannon Sullivan - Peer Advocate/Mental Health Advocate at NRCIL
8. Dr. James Coffman - Maple Run Homes, Inc. - (Landlord/housing construction industry)
9. Edgar (Ned) S. K. Merrell, III, Esq. - (Attorney interests)

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby appoints the above-named individuals to the Lewis County Fair Housing Task Force representative county members who have affiliated interests in housing and/or assistance to residents with housing needs.

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

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

**RESOLUTION NO. 111 - 2017
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:

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

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Motor Equipment Operator (Light) (8)	Temporary Full-Time	Grade C15-1 (\$15.83/hr.)

Section 2. That Highway Superintendent David Becker is hereby authorized to fill said positions in accordance with Civil Service regulations, effective April 1, 2017.

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

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

**RESOLUTION NO. 112 - 2017
RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT
BETWEEN THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION**

MARCH 7, 2017

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, 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;

WHEREAS, the Board of Legislators wishes to enter into shared services agreement; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis and the New York State Department of Transportation for the Shared Services Agreement 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 Shared Services Agreement is for the period beginning September 1, 2015 and ending August 31, 2019, where each party shall contribute no more than \$300,000.00.

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, and adopted.

**RESOLUTION NO. 113 - 2017
RESOLUTION TO TRANSFER FUNDS
HUMAN RESOURCES**

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the following transfers are hereby approved in the Human Resources and Contingency accounts to cover employment of the full-time County Human Resources Director/Personnel Officer:

<u>From:</u>	<u>Amount</u>
A0199000 499900 Contingency	\$22,900.00
A0143100 490100 Prof Serv	\$54,899.00
<u>To:</u>	
A0143100 110100 Pers Serv	\$62,000.00
A0143100 801000 Retirement	\$ 9,850.00
A0143100 803000 FICA	\$ 4,699.00
A0143100 804000 Worker's Comp	\$ 1,250.00

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

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

**RESOLUTION NO. 114 - 2017
RESOLUTION AUTHORIZING AN AGREEMENT WITH
THE LOWVILLE FREE LIBRARY**

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

WHEREAS, the Lowville Free Library, located at 5387 Dayan Street, Lowville, New York, serves the Town of Lowville and surrounding areas by providing materials and services to help patrons meet their personal, educational and professional needs; and

WHEREAS, the County of Lewis desires to provide a one-time payment of \$1,500.00 to be used by the Lowville Free Library toward the purchase of two (2) laptops and six (6) chromebooks, which will provide a service to the public not offered elsewhere in the area.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement with the Lowville Free Library, to use the one-time payment of \$1,500.00 herein authorized from the County to the Lowville Free Library, toward the purchase of two (2) laptops and six (6) chromebooks that will benefit the residents of Lewis County.

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

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Brennan , seconded by Legislator Fawcett .

Legislator Dolhof inquired that if this is okay, then wouldn't all libraries be entitled to receive additional funding.

Liz Swearingin clarified that the Lowville Free Library had submitted a special request for the additional funds in June 2016 for the Board's consideration of a 2017 budget allocation, to be specifically expended for chrome books. No other library has submitted a request, she added.

Legislator Moser asked whether the other libraries would be negatively affected by the decreased allocation to the North Country Library System to be apportioned to all Lewis County libraries.

Legislator Brennan assumed the North Country Library System would deduct the \$1,500 from the Lowville Library's apportioned share.

Legislator King asserted that all the financial sources that support the Lowville Library should share in the cost of the chrome books.

Legislator Hathway asserted his support for libraries, but concurred with Legislators King and Moser that this gives special support to one library.

Legislator Chartrand cautioned that libraries are open to all who walk through their doors, not just constituents residing within their community, impressing this library is very busy. He professed his support for libraries and would support any library request on its own merit.

Legislator Dolhof stated he would support a special request from any library.

Legislator Brennan cited the County's financial support of the Historical Society that represents one community.

The resolution was then adopted by a roll call vote of 7 to 3 as follows:

YEAS: Brennan, Chartrand, Dolhof, Kulzer, Moroughan, Moser, Fawcett

NAYS: Hathway, King, Tabolt

ABSENT: None

**RESOLUTION NO. 115 - 2017
RESOLUTION AUTHORIZING AN ADDENDUM TO
AGREEMENT WITH NORTH COUNTRY LIBRARY SYSTEM**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the County of Lewis (öCountyö) and North Country Library System previously entered into an agreement on December 21, 2016, effective as of January 1, 2017; and

WHEREAS, the County desires to provide a one-time payment of an additional \$18,500.00 to North Country Library System to furnish library services to the residents of Lewis County and to distribute the above sum to the various libraries in Lewis County at its discretion, as set forth in the scope of services provided in the Agreement dated December 21, 2016; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a one-time payment of an additional \$18,500.00 to the North Country Library System and authorizes an Addendum to the Agreement dated December 21, 2016, effective as of January 1, 2017 to furnish library services to the residents of Lewis County by distribution of said sum to the various libraries in Lewis County in its discretion.

Section 2. That the Chairman of the Board of Legislators or the Vice-Chairman be and the same are hereby authorized to execute and deliver said Addendum to the Agreement.

Section 3. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 116 - 2017
RESOLUTION IN SUPPORT OF THE ‘STEP UP FOR SENIORS’ INITIATIVE AND
URGING THE GOVERNOR TO RESTORE CRITICAL FUNDING TO NYS OFFICE
FOR THE AGING**

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

WHEREAS, the Lewis County Office for the Aging provides programs and services such as home care, personal care, home delivered meals, adult day care services, health insurance counseling, caregiver services and transportation for the elderly in Lewis County, with financial support in part from the State Office for the Aging; and

WHEREAS there is continued growth in the New York Senior Population which exceeds the national average, with Lewis County no exception to that trend. The Lewis County Office for the Aging focuses on current needs to help seniors age in place with programs designed to allow seniors to remain in their homes, to continue to support the local economy and to live long, happy lives; and

MARCH 7, 2017

WHEREAS, in his State of the State address, the Governor proposed to make New York the first “age-friendly” state in the nation, but sent a different message when he severed funding to Aging Services in his proposed 2017-18 budget. The Governor’s proposed budget cuts approximately \$12.6 million from the 2017-18 annual budget for the State Office for the Aging, which in turn, cuts funding to the County Office for the Aging; and

WHEREAS the Lewis County Office for the Aging seeks to have the Lewis County Board of Legislators join with it and its Advisory County to “*Step Up for Seniors*”, and show state elected leaders their support for continuing senior program funding; and

WHEREAS, the Lewis County Board of Legislators seeks to support this initiative and voice its opposition to the Governor’s proposed cuts in critical funding to NYSOFA.

NOW, THEREAFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby supports the “*Step Up for Seniors*” initiative to which the Lewis County OFA and its Advisory Council support and joined with other area OFA agencies across the State.

Section 2. That the Lewis County Board of Legislators hereby urges the Governor to restore critical funding to the New York State Office for the Aging in his proposed 2017-28 budget, including: 1) to fully restore the New York Connects funding which serves more than 230,000 older New Yorkers and their families; 2) to advocate for restoration of the NY Connects Expansion and Enhancement federal funds; 3) to restore the 25% County match exemption under the Community Services for the Elderly (CSE) program to preserve local funding to operate home delivery meals, non-medical transportation, in home services and case management services for the elderly so that they may remain independent in their community; 4) to support additional funding for Expanded In-Home Services for the Elderly Program (EISEP) which can provide EISEP to the 15,000 older New Yorkers on waiting lists for this program; and 5) to restore \$700,000 cut from the budget which was earmarked to fight and prevent Elder Abuse.

Section 3. That certified copies of this resolution shall be sent to Governor Andrew M. Cuomo, Leaders of the State Senate and Assembly, and all others deemed necessary and proper.

Section 4. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 117 - 2017
RESOLUTION URGING NEW YORK STATE TO FULLY FUND PROBATION
DEPARTMENTS AND OTHER IMPACTED COUNTY DEPARTMENTS AND
AGENCIES WITH 100% FUNDING FOR COSTS ASSOCIATED WITH RAISING THE
AGE OF CRIMINAL RESPONSIBILITY TO 18 YEARS OF AGE

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Michael A. Tabolt, Chairman of the Board of Legislators and Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, Governor Cuomo signed Executive Order 131 on April 9, 2014 to establish the Commission on Youth, Public Safety and Justice instructing the Commission to develop a concrete plan to raise the age of criminal responsibility in New York State and make specific recommendations on how the juvenile and criminal justice systems can better serve youth, improve outcomes and protect communities; and

WHEREAS, the Commission completed its report on December 31, 2014 recommending raising the age of criminal responsibility from age 16 to age 18 over a two year period to be completed in a phased in approach; and

WHEREAS, Division of Criminal Justice statistics reveal the number of arrests among 16 and 17 year olds statewide in calendar year 2015 was 27,281 and that under the proposed change these youth will now be shifted from the criminal courts to local Probation Departments for Intake and Diversion services; and

WHEREAS, the Governor's proposal recommends that the violation level offenses of Harassment 2nd and Disorderly Conduct shall also be diverted to Probation Departments for Intake and Diversion services, thus adding a previously unseen population to the workload of Probation staff; and

WHEREAS, the Governor's proposal recommends Probation Departments hire Family Engagement Specialists and provide a continuum of diversion services that range from minimal intervention for low risk youth and evidence-based service for high risk youth; and

WHEREAS, Probation Departments will not be able to absorb the influx of youth requiring Intake and Diversion services at current staffing levels and will require additional staff to perform these duties; and

WHEREAS, these added burdens to county Probation Departments come as the State share of probation costs has fallen from 46.5% in 1990 to 9% in 2016, thus causing additional expense on the local County level; and

WHEREAS, other County Departments and agencies will be similarly affected by the increase in the age of criminal responsibilities in areas that range from juvenile detention to community support services which are already financially taxed and unable to meet these additional burdens, services and responsibilities; and

WHEREAS, Counties cannot absorb the financial cost associated with raising the age without 100% funding of the additional staff and services required by the Governor's proposal; and

WHEREAS, the proposed Assembly/Senate legislation uses phrasing such as "subject to an appropriation made available for such purposes". The County knows from other legislation with such general, open language that this is essentially another huge unfunded mandate to the counties; and

WHEREAS, it appears that the proposed legislation requires counties to "up front" the money to hire probation officers to meet these increased services, to invest and pay for the services for the 16 & 17 year olds who will now fall under the Probation Department's jurisdiction, and require "evidence based" intervention services which are undefined and costly to the County. This is again a significant financial burden to counties as they attempt to keep under the Governor's mandated tax cap; and

WHEREAS, the Lewis County Board of Legislators can only support raising the age of criminal responsibility if the State Legislature and the Governor include language and actual proof of 100% State funding for all costs and expenses for services provided by the Probation Department and other County Departments and local Agencies financially affected by this legislation, as the County cannot absorb any additional unfunded mandates.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby supports in concept, Raising the Age of criminal responsibility in NYS to 18 years of age, supports the Council of Probation Administrators' response and opposition to the proposed legislation in Assembly Bill AS4876 and Senate Bill S4157, but urges the State Legislature and Governor to include clear, concise language in the proposed legislation for the State to cover 100% of all new costs and expenses to the counties associated with changing the age of criminal responsibility.

Section 2. That the Lewis County Board of Legislators hereby opposes such legislation which would require the counties to up front the funds associated with the anticipated services required for this legislation, such as additional costs and expenses to hire additional probation officers, additional costs to hire additional attorneys to represent the County Probation and DSS Departments in these proceedings, costs and expenses of other Departments and Agencies for the evidence based intervention services which are not clearly defined in the proposed legislation.

Section 3. That the Lewis County Board of Legislators opposes any proposed legislation for Raising the Age of Criminal Responsibility (RTA) that does not include and clearly designate 100% of State funds to pay for all costs and expenses to the County for compliance with RTA.

Section 4. That certified copies of this resolution be forwarded to the Governor, the NYS Senate Majority and Minority Leaders and the NYS Assembly Majority and Minority Leaders, NYSAC, and County Legislative Chairs.

Moved by Legislator King, seconded by Legislator Moser.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Brennan wished to record his support for raising the age of criminality, but does not agree the additional expense should fall to the local taxpayers. He asserted that 16 and 17 year olds should not be put in prison for one stupid mistake.

Legislator King concurred that the State needs to fund the additional expenses.

Chairman Tabolt stated there are not enough facilities to house the 16 and 17 year olds, adding that localities are not prepared for the alternate process for teenagers.

The resolution was then unanimously adopted.

**RESOLUTION NO. 118 - 2017
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 changes are hereby approved in the Public Health Department accounts for the lease of 2 Ford Fusions and a Ford Escape through Enterprise Fleet Management, utilizing HAD Capital Equipment funds H0990100 499900 balance \$ 598,228.54:

Increase Revenue:

A0100000 350310 Inter-fund transfers	\$9,998.80
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Increase Expense:

A0401300 223400 Vehicle Lease	\$8,867.76
A0401300 470300 Vehicle Repair	\$1,131.04

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

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

**RESOLUTION NO. 119 - 2017
RESOLUTION TO REQUEST NYS HOME RULE LEGISLATION
TO CONTINUE SALES TAX INCREASE**

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

WHEREAS, Tax Law §1210 (36), as added by Chapter 47 of the Laws of 2004 and as further amended by Chapter 251 of the Laws of 2011, authorized and empowered the County of Lewis to adopt and amend local laws, ordinances or resolutions imposing an additional one percent (1%) sales and compensating use tax for the period ending November 30, 2017; and

WHEREAS, by Resolution No. 282-2015, the Board of Legislators implemented such additional sales tax, which pursuant to §1210 (36) of the Tax Law, will expire on November 30, 2017; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

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

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

Section 2. Therefore, the Board of Legislators respectfully requests that the New York State Legislature pass such necessary and appropriate "Home Rule Legislation" as would allow the County of Lewis to impose an additional one percent (1%) local sales tax for the period beginning December 1, 2017 and ending November 30, 2019.

Section 3. That the Board of Legislators respectfully requests that the New York State Legislature adopt such Home Rule Legislation at its earliest convenience to allow the Lewis County Board of Legislators sufficient time to plan for the 2018 budget year.

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

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

**RESOLUTION NO. 120 - 2017
RESOLUTION TO APPROPRIATE
30% 2016-2017 SEASON
SNOWMOBILE TRAIL PROGRAM FUNDS**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

BE IT RESOLVED as follows:

Section 1. That \$94,325.00 be appropriated to Account No.A0714100 499900 Snowmobile Trail Program and be offset by State Aid Account A0714100 338202.

Section 2. That the funds will be passed on to the Snowmobile Association upon receipt.

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

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

**RESOLUTION NO. 121 - 2017
RESOLUTION REQUESTING THE NEW YORK STATE ASSEMBLY, SENATE AND
GOVERNOR TO PASS ASSEMBLY BILL NUMBER A1584 - TO AMEND THE
PARKS, RECREATION AND HISTORIC PRESERVATION LAW AND VEHICLE AND
TRAFFIC LAW REGARDING SNOWMOBILE REGISTRATION AND SNOWMOBILE
LAW ENFORCEMENT FUNDING**

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

WHEREAS, the NYS snowmobile trail system is built upon the revenue which is derived from snowmobile registrations. The majority of State registration fees go into the State trail funds. The penalty for operating a snowmobile without a valid registration does not provide for an adequate deterrent to riding without a registration, and does not provide for the court to impose more serious penalties for habitual violators; and

WHEREAS, the original State trail fund which makes funds available to local law enforcement, has not been adjusted since established in 1985. Proposed Assembly bill (A1584) 1) amends the law to increase the cap and levels of State Aid to municipalities for snowmobile law enforcement, and 2) amends the law to increase the penalty for operating an unregistered snowmobile on the public trail system and provides discretion for imprisonment, and further provides that one-half of the fines be deposited in the snowmobile trail development and maintenance fund; and

WHEREAS, the Lewis County snowmobile trail system is an important and integral part of the County's and its Towns' recreation & tourism economies. The proposed Assembly Bill (A1584) will provide much needed additional State Aid to our municipalities for snowmobile enforcement and will provide a safer trail system for our residents and visitors who enjoy our renowned snowmobile trails; and

WHEREAS, the Lewis County Board of Legislators seeks to voice their support of this Bill and urge the State Legislature to pass same.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby urges the Governor and the State Legislature to pass (A1584) and amend the Vehicle and Traffic Law and Parks, Recreation and Historic Preservation Law to provide for increases in the amount of State Aid allocated to municipalities for snowmobile enforcement, and to increase the penalties for violations of snowmobile registration laws in New York State.

Section 2. That certified copies of this Resolution be forwarded to Governor Cuomo, NYS Senator Joseph Griffo, NYS Assemblyman Ken Blankenbush, Majority Leaders of the State Senate and Assembly, and any other entities deemed appropriate by the Chairman of the Board.

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

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

RESOLUTION NO. 122 - 2017
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
LABORATORY CORPORATION OF AMERICA HOLDINGS

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, Laboratory Corporation of America Holdings (öAgencyö) provides testing services which supply information about the identity of a human being and the potential that a human being is the parent of another human being; and

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Department of Social Services, and Laboratory Corporation of America Holdings for the provision of paternity testing services in the Support Unit, at a cost of \$45.00 per sample and not to exceed an annual cost of \$10,000. The local share cost, if any, will be incurred depending upon test results. If the test results are positive, the father pays the fee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the term of this agreement shall be from January 1, 2017 through December 31, 2017.

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. 123 - 2017
RESOLUTION TO TRANSFER 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 transfers are hereby approved in the Social Services Department accounts for the lease of a new Electric Ford Focus and a Ford Escape through Enterprise Fleet Management utilizing HAD Capital Equipment funds; H0990100 499900 balance \$ 598,228.54:

Increase Revenue:

A0100000 350310 (Interfund transfers)	\$2,185.88
A0601000 336100 DSS State Admin	\$2,185.88
A0601000 346100 DSS Fed Admin	\$4,371.76

Increase Expense:

A0601000 223400 Vehicle Lease	\$7,663.60
A0601000 470300 Vehicle Repair	\$1,079.92

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

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

**RESOLUTION NO. 124 - 2017
RESOLUTION AMENDING TIP FEE SCHEDULE
LEWIS COUNTY TRANSFER STATIONS
SOLID WASTE DEPARTMENT**

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 Lewis County tip fee schedule for the Lewis County Transfer Stations as follows:

<u>WASTE</u>	<u>COMMERCIAL HAULER/ RESIDENT RATE</u>
Residential MSW	\$79.00/Ton
Commercial MSW	\$79.00/Ton
C & D ó Lowville	\$98.00/Ton
MSW ó Croghan	\$31.00/Cu. Yd.
C & D ó Croghan	\$31.00/Cu. Yd.
Bag price (over 39 gal/up to 50 gal)	\$10.00
Bag price (up to 39 gal)	\$4.75
Bag price (up to 15 gal)	\$2.50
Barrels	\$15.50
Loose Trash	\$79.00/Ton
Compacted Trash	\$79.00/Ton
Scales ó Minimum Fee	\$31.00
Tires ó Less than 21ö	\$3.25
Bulk Tires, 21ö or larger	\$315.00/Ton
Bulk Tires, 20ö or less	\$180.00/Ton
Vehicle Weight Charge	\$7.25
Ag Bags	\$79.00/Ton
Bed Mattresses, Large Furniture, etc.	\$7.75

*Tires with rims are not accepted

Section 2. The following items are hereby removed from the tip fee schedule: Truck Tire 21ö or larger-\$15.50; Off-Road, Tractor- \$180.00/Ton; and Bulk Tire Rate-\$180/Ton.

Section 3. The above tip fee schedule shall take effect March 8, 2017.

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

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

**RESOLUTION NO. 125 - 2017
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS
AND LEWIS COUNTY YOUTH BUREAU**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

WHEREAS, the Lewis County Youth Bureau provides programs for youth in Lewis County; and

WHEREAS, in January of 2010, the Lewis County Youth Bureau in partnership with the Lowville Village Police Department, coordinated efforts to purchase and acquire a Safe Child ID Camera System. Operation Safe Child was created in 2005 in an effort to raise child safety awareness; and

WHEREAS, with the Safe Child ID Camera System, the Lowville Village Police Department is able to process free of charge, Safe Child ID Cards that contain the pertinent data and fingerprint images for each child and digitally recorded and stored in a database at the Division of Criminal Justice Services (DCJS) in Albany. In the event of a missing child report, this information is electronically disseminated statewide within minutes and increases the possibility of bringing a missing child home unharmed; and

WHEREAS, DCJS recommends that these Safe Child ID Cards be updated on an annual basis and the Lowville Village Police Department has been able to continue this very important program through the Youth Bureau; and

WHEREAS, the County of Lewis desires to provide the Lewis County Youth Bureau with a one-time payment of \$3,000 to be used to assist in the cost of supplies for this program.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes an Agreement with the Lewis County Youth Bureau to provide a one-time payment of \$3,000 to be used to assist in the cost of supplies for Safe Child ID Cards.

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

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

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

**RESOLUTION NO. 126 - 2017
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY AND THE HARRISVILLE FIRE DEPARTMENT TO
MOUNT THE FIRE DEPARTMENT'S SIREN ON THE COUNTY'S TOWER**

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

WHEREAS, the Harrisville Fire Department (hereinafter "Department") is located next to a senior citizens' facility. The Department cannot place its siren on its building without causing serious disruption to the seniors in the next door building. The Department has requested that it be allowed to lease space on the County's tower located in the vicinity, but far enough away from the seniors as to negate the disruption caused by the siren going off intermittently at all hours of the day and night. In addition, the location on the tower will enable the Department to reach a wider area of the Harrisville community for fire-fighting coverage; and

WHEREAS, the County has invested substantial funds to upgrade its Emergency 911 system, and desires to participate and assist in this request, provided the use of the County tower and equipment shelter does not and will not interfere with and/or conflict in any way with the County's Emergency 911 upgrade project and system; and

WHEREAS, the Department has provided the County with the detail and specifications pertaining to placement of a siren on the tower and it appears that doing so would not pose interference or conflict with the County's emergency 911 functioning at that tower site.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the Harrisville Fire Department to lease space on the County's tower in that area, for no cost at this time, provided same does not interfere in any way with the County's Emergency 911 upgrade project and functioning.

Section 2. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Understanding to be entered into between the County and the Harrisville Fire Department to set forth the terms and conditions of the Department's use of space on the County's tower, including but not limited to specific terms and requirements of the County's Emergency 911 Project Committee for location of the siren on the tower, equipment placement in the shelter space, power service, and the County's right to terminate the arrangement at any time if there is any adverse effect upon the Emergency 911 functioning.

Section 3. That the Chairman or Vice-Chairman is hereby authorized to execute, seal and deliver said Memorandum of Understanding, 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 Moser, and adopted.

**RESOLUTION NO. 127 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND AVIAT NETWORKS**

**FOR AN ADDITIONAL YEAR OF HARDWARE WARRANTY SERVICES ON THE
MICROWAVE RADIOS AND ANTENNA SYSTEMS RELATED TO THE
EMERGENCY COMMUNICATIONS SYSTEM**

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

WHEREAS, the County of Lewis upgraded its emergency radio communications system for use by all emergency service agencies (the "Project"), with one of the components being upgrades to the Microwave Radio System (collectively, "Microwave System") that meets New York State and local government requirements; and

WHEREAS, by Resolution No. 107-2014, the County awarded to and authorized an agreement with AVIAT NETWORKS to provide wireless communications between multiple radio communications sites in Lewis County; and

WHEREAS, pursuant to the terms of the 2014 agreement with Aviat, the warranty terminated in February, 2017. The 911 committee seeks to purchase the "Warranty Plus-Radios" plan offered by Aviat to extend hardware warranty on the microwave radios and antenna systems for another year, which will provide unlimited 24/7 technical support, 24/7 unlimited Aviat Express Web Support, repair services on Aviat manufactured equipment and advance replacement, and extension of all OEM warranty services at a cost not to exceed \$4,050.00 for the additional year's warranty coverage described more fully in the Maintenance Services Agreement proposal received in 2017; and

WHEREAS, the Board of Legislators seeks to authorize the warranty extension and to enter an Agreement with Aviat for said warranty and maintenance services.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes entering a Care and Maintenance Agreement with Aviat Networks to provide an additional year (12 months) of hardware warranty services on the microwave radios and antenna systems, consistent with the proposal dated January 5, 2017 at a cost not to exceed \$4,050.00.

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

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

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

**RESOLUTION NO. 128 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN**

MARCH 7, 2017

**THE COUNTY OF LEWIS AND SYRACUSE UNIVERSITY OFFICE OF SPONSORED
PROGRAMS - BURTON BLATT INSTITUTE
FOR GOVERNANCE STRUCTURE, PROCEDURES, TRAINING AND EXERCISE
PROGRAM ASSISTANCE AND DEVELOPMENT FOR THE LEWIS COUNTY 911
TRUNKING LAND MOBILE RADIO SYSTEM (TLMRS)**

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

WHEREAS, the County of Lewis recently completed the implementation of a modernization of its existing public safety radio communications system. The primary radio system equipment was provided by EF Johnson Corporation and the microwave data system equipment was provided by Aviat Networks; and

WHEREAS, a Request for Proposals (RFP) was issued in late January, 2017 to provide assistance to Lewis County in updating and developing appropriate governance and training exercise programs for its 911 Trunking Land Mobile Radio System (TLMRS), and to provide assistance in updating the Communications Assets Survey and Mapping Tool (CASM) with new TLMRS data related to preparedness, mitigation, response and recovery; and

WHEREAS, in late February, 2017 the Courts & Law Enforcement Committee and 911 Communications Team received two (2) proposals in response to the RFP, reviewed the proposals together with the assistance of County staff and the County's technical consultants; and

WHEREAS, upon a full review and analysis of all bid proposals, the Courts & Law Enforcement Committee finds that Syracuse University's Burton Blatt Institute (BBI) proposal to be the lowest, flat-rate responsible bidder to have submitted a proposal that meets the County's performance specifications and requirements as outlined in the Request For Proposals issued, together with addendums thereon; and therefore the Committee recommends to the full Board of Legislators to award the contract for governance structure, standard operating procedures, training and exercise programs planning assistance and development for the Lewis County 911 Trunking Land Mobile Radio System (TLMRS), to Syracuse University in accordance with its Proposal dated February 23, 2017; and

WHEREAS, the Board of Legislators wishes to award the contract for governance structure, operating procedures, training and exercise programs planning and development for the Lewis County 911 TLMRS to Syracuse University's Burton Blatt Institute.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby determines that the Syracuse University's Burton Blatt Institute Program proposal is the "best value" for the County as that term is defined by Local Law No. 7 ó 2013, in that, *inter alia*, it best optimizes quality, cost and efficiency at a firm price, with similar experience and services provided to other counties within our consortium, and therefore, is in the best interest of the County of Lewis.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the Board of Legislators hereby authorizes entering into a contract with Syracuse University, through its Burton Blatt Institute for governance structure, standard operating procedures, training and exercise programs planning assistance and development for the Lewis County 911 Trunking Land Mobile Radio System (TLMRS), in accordance with the fee descriptions and rate schedules set forth therein, at a total cost not to exceed \$240,000.00, inclusive of printing charges, with all delivery of services to be provided by November 1, 2017, or within eight (8) months of contract execution, with extension of contract completion at the option of 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, upon such form(s) as may be approved by the County Attorney.

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

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

**RESOLUTION NO. 129 - 2017
RESOLUTION AUTHORIZING NOTE AND
MORTGAGE SUBORDINATION AGREEMENT
(COUNTY OF LEWIS TO SHANE C. ROGGIE & RICHELLE L. ROGGIE)**

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

WHEREAS, Shane C. Roggie and Richelle L. Roggie (the Borrowers) received a housing Grant in the amount of \$26,855.38 secured by a mortgage for the benefit of the County of Lewis, recorded in the Lewis County Clerk's Office on July 15, 2011 as Instrument Number 2000-003325, which provides for recapture obligations, pursuant to a program administered by Snow Belt Housing Company, Inc.; said mortgage instrument acknowledged that it was subject to the lien of a first mortgage held by Community Bank, N.A.; and

WHEREAS, the Borrowers satisfied the mortgage held by community Bank, N.A. by discharge instrument dated October 20, 2016; and

WHEREAS, the Borrowers seek to secure a new Note and Mortgage from American Credit Union in the amount of \$100,000.00 plus interest, which requires the County to provide a subordination agreement of its housing grant mortgage which is now reduced to \$10,742.00; and

WHEREAS, the Borrowers have provided evidence of an appraisal of the property which is sufficient to secure the County's interest;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Note and Mortgage Subordination Agreement for the

aforescribed Mortgage held by Americu Credit Union, upon such terms as may be acceptable to the County Attorney.

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

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

RESOLUTION NO. 130 - 2017
RESOLUTION AUTHORIZING CONTINUING SECTION 5311 CONSOLIDATED
FEDERAL AND STATE FUNDING GRANT APPLICATIONS FOR SPONSORS OF
LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM:
2017-2018 FISCAL YEARS

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

WHEREAS, the County of Lewis through the Planning Department, seeks to submit an on line request and application for the consolidated federal grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, for a project to provide funding for public mass transportation services within the greater Lewis County area by a third-party contractor on behalf of Lewis County Public Transportation for the 2017-2018 fiscal years; and

WHEREAS, the County of Lewis and the State of New York have entered a continuing agreement which authorizes the undertaking of the project(s) and reimbursement of the Federal and applicable State shares on a biennial basis; and

WHEREAS, the County of Lewis is contracting with a third-party subcontractor (Birnie Bus, Inc.) for the project(s) described above.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the County of Lewis, through the Planning Department, to submit the on-line application(s) for a request for consolidated federal grant funds to the New York State Department of Transportation pursuant to Section 5311, Title 49 United States Code for a project to provide public mass transportation service funding within the greater Lewis County area by Birnie Bus, Inc. on behalf of Lewis County Public Transportation for the 2017-2018 fiscal years.

Section 2. That the Chairman of the Board of Legislators is authorized to act on behalf of the County to sign the application and progress and complete the above named project(s).

Section 3. That the Chairman of the Board of Legislators is authorized to sign any contracts or agreements between Lewis County and any third party subcontractor necessary to complete the public transportation project(s), subject to the approval of the County Attorney.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 4. That this Resolution shall take effect immediately.

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

OTHER BUSINESS:

The Clerk of the Board read the proclamation whereby the Chairman had declared April as Fair Housing Month.

There being no other business to come before the Board, the meeting adjourned at 7:34 p.m. on motion by Legislator Brennan, seconded by Legislator Moser and carried.

APRIL 4, 2017

REGULAR MEETING
April 4, 2017

The meeting was called to order at 5:16 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

Chairman Tabolt offered the Invocation, called for a moment of silence for all those who deceased within the past month, and then led the Pledge of Allegiance to the Flag

There were 45 persons present.

Chairman Tabolt declared the March 7, 2017 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 4, 2017

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

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

Legislator Philip Hathway introduced the Harrisville Central School Varsity Boys Basketball Team and Coaches. On behalf of the Board, Chairman Tabolt recognized their outstanding performance at the State level, presenting them with a commending Proclamation.

Chairman Tabolt introduced Lance Evans, Executive Officer of the Jefferson-Lewis Board of Realtors and presented him with a Proclamation declaring April as "Fair Housing Month". Mr. Evans cited the 49th commemoration of the passage of the Fair Housing Act, Title VIII of the Civil Rights Act of 1968, thereby enhancing the Constitution that has protected property rights since 1789. He affirmed that all realtors must abide by the fair housing guidelines, otherwise jeopardize their license. Realtors are required to complete an education recertification every two years. Mr. Evans announced the Fair Housing Committee is planning special events to commemorate the 50th anniversary next year.

Chairman Tabolt opened the public hearing at 5:29 p.m. for comments on proposed additions to the ATV Trail System of the James Bauer properties in the Town of Leyden, and the Gordon Yancey property in the Town of Martinsburg.

PRIVILEGE OF THE FLOOR:

Mickey Dietrich referenced Local Law Introductory No. 2-2017 "Adopting the NYS

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Expedited Unified Solar Permit Process for Small-Scale Solar Electric Systems, and took exception to requiring engineered plans, unnecessarily inflating residential projects by \$500-\$1,000. He specifically noted that National Grid does not require certified plans for solar project proposals under 25 kW. In his review of the proposed local law, he did not identify a minimum, for instance, low cost panels that may be used for lighting at camps. He agreed that 10,000 watt systems or larger need engineered plans, but not smaller-scale systems. If the law is adopted, Mr. Dietrich stated he would reconsider his intent to install another solar system at his house.

Kelly Kunz of Cornell Cooperative Extension apologized to Mountain View Prevention for not including them on the distributed flyers advertising Wonder Wednesdays to be held at the Harrisville Free Library from 3:30 to 5 p.m. for 10-13 year olds. It is a collaborative effort to provide educational programs for students. Ms. Kunz informed the flyers would be re-printed and distributed.

Mountain View Prevention Services Executive Director Arlene Hall is working with ACR Health to offer a series of training for administering NARCAN either nasally or intramuscularly in response to the drug epidemic. The classes will be held on the second Monday of each month at locations throughout the County. The next class is at their Lowville office building on 4/10/17 at 6:30 p.m. There is no cost for the kits for each attendee, but persons are requested to call 315-376-2321 to register.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

County Manager Liz Swearingin submitted her letter of resignation to relocate with her husband to the Cincinnati area.

NYS Assembly Minority Leader Brian M. Kolb acknowledged receipt of the Board's resolution, relating his understanding the need for the State to fully fund associated costs of raising the age of criminal responsibility.

NYS Agriculture and Markets Commissioner Richard A. Ball notified approval of the Lewis County Agricultural District No. 6 modifications and district renewal plan, determining its compliance with State environmental plans, policies and objectives.

Mary Pelletier-Hunyadi composed a letter of gratitude on behalf of the Lowville Free Library for the Board's additional allocation for the purchase of Chromebooks that will enhance services to patrons of all ages.

Lewis County Youth Bureau Director Penny Demo relayed thanks to the Board for the additional allocation for the Safe Child ID Program administered by the Lowville Village Police Department. The digital records are available to enhance a search for missing children.

The Lewis County Police Appreciation Committee invites Legislators to the annual National Police Week recognition event to be held on 5/19/17 at 7 p.m. in the Beaver River Central School auditorium, and the 5K walk/run on 5/21/17 at 9:30 a.m. on the school track. All

residents are encouraged to decorate homes and businesses in blue ribbons, lights, balloons, etc. as a salute and respectful gesture to all law enforcement personnel.

The Board acknowledges receipt of resolutions and correspondence on behalf of the Broome, Cattaraugus, Chenango, Erie, Greene, Rensselaer, Schuyler and Seneca County Legislatures urging Governor Cuomo and the NYS Legislature to adopt Legislation to rescind or reduce unfunded mandates imposed on counties, municipalities, school districts and businesses; to fully fund indigent legal services; to increase Counties' share of DMV revenue; to fully reimburse Counties for District Attorney salary increases; to urge increased State funding for County Cornell Cooperative Extension Associations; supporting Legislation to repeal the NY Safe Act for Upstate New York; to oppose Legislation that would require firearm owners to obtain liability insurance; to fully fund costs associated with Raising the Age of Criminal Responsibility; to provide funding for local census address updates; supporting research and funding to address harmful algal blooms in the Finger Lakes and Southern Tier Region; and urging Governor Cuomo to work with the counties and NYSAC to adopt measures to alleviate and ultimately eliminate burdensome mandates.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the County Treasurer's March report and 1st Qtly. Bed Tax revenue report; the 3/22/17 and 3/27/17 Highway and Solid Waste Audit reports; minutes of the 3/21/17 Youth Bureau Advisory Board meeting; and 2016 Departmental Annual Reports for Civil Service, Fire, Emergency Services and EMS, Recreation, Forestry & Parks and the Sheriff's Department.

County Treasurer Patricia O'Brien and Real Property Tax Director Candy Akin submitted approved applications for corrected 2016 tax rolls for Benton's Point Trust, Andrew & Thomas Gray and Alan J. Weiman, all for respective amounts below \$2,500.00 pursuant to the Board's authorization by Resolution 527-2016.

Director of Weights and Measures James A. Richmire had submitted the March monthly report to be placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Taxation/Elections/Information Technology Committee Chairman, reported ongoing redevelopment of the County website. Mohawk Networks has purchased the West Wind property in Turin for office and warehouse space and plans to create 10 new jobs. Adam Zehr reported that manager Jeff Beekhoo had presented an overview of his plans with an aggressive schedule to expand broadband opportunities to those without or having limited service. His wireless model has garnered interest at the Federal level, as a low cost effective option. Regardless of outside interest, Mr. Beekhoo has affirmed his commitment to Lewis County residents because of our willingness to work with him during project development.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Hathway reported that property tax rolls will be ready on 5/1/17; and property sales are timely posted to the website. The NYS Senate and Assembly have both voted down the initiative that would have required STAR recipients to provide income verification. However, all STAR applications must be submitted directly to the State, with the County receiving a list of those approved, without details. Therefore, County personnel can merely refer all inquiries to a State phone number.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Youth Committee Chairman, made a motion to authorize DSS Commissioner Jennifer Jones to re-fill one full-time Caseworker position effective 4/28/17, due to a retirement, seconded by Legislator King and carried. He cited the Chairman's proclamation declaring April as "Child Abuse Prevention" month. The child advocacy center will be offering adult Stewards of Children educational training on how to recognize, react responsibly and ultimately prevent child sexual abuse. It is the only national evidence-based program to enhance knowledge and improve attitudes for protective behaviors. A free 2-hour training class will be held at 5 p.m. on 4/11/17 at the Lowville Free Library to help care givers. Interested persons are asked to call 315-874-4500 to register.

Legislator Fawcett reported the HEAP application program was closed, but furnace repair and replacement applications are still being accepted. The HEAP cooling system application program will open 5/1/17; and the clean and tune program will open on 7/1/17.

Legislator Fawcett congratulated OFA employee Gretchen Lane on her impending 4/27/17 retirement after 11 1/2 years of service. The NYS Office for the Aging will conduct an audit 4/24 - 4/26/17. Their personnel processed 316 HEAP applications. Several municipal and County officials participated in the 3/20/17 Mayors For Meals event at all sites except Osceola. NY Connects in collaboration with the Hospital will host the "Spring Into Healthy Living Community Health Fair" at the hospital lobby on 4/22/17 from 10 a.m.-1 p.m. The Lowville Fairgrounds will be the site of a "Lighting Up the Dark Run/Walk" event on 5/5/17 from 6:30 - 9 p.m. hosted by the Suicide Prevention Coalition. The Office For Aging will staff a vendor table at the Mental Health Walk on 5/11/17 at the Lowville Firehall.

In response to Legislator Moser, Liz Swearingin would provide detailed numbers, adding that DSS staff process a much greater share of HEAP applications than the Office For Aging Department.

Legislator Bryan Moser, County Officers/Junkyards/Veterans' Services/ Human Resources Committee Chairman, reported the Junkyard Review Board will review and recommend amendments to the Junkyard Law.

Legislator Moser reported the list of personnel requests and job vacancies were sent to Legislators; and late resolutions would be discussed at the time of presentation.

Legislator Moser reported receipt of four County Manager applications, inviting all Legislators to participate in the interview process, as well as Liz Swearingin. In response to Legislator Kulzer's objection, Legislators Dolhof and Brennan each supported Ms. Swearingin's

involvement, valuing her knowledgeable input. Legislator Chartrand reminded it would be customary for the County Manager to participate. While HR Director Chris Boulio confirmed 4/14/17 as the application deadline, he reported expanding the search by advertising in a government magazine named "Indeed".

Legislator Jerry King, Courts and Law Enforcement/Fire & Emergency Services/Building Codes Committee Chairman, reported notification of an approved NYS Homeland Security grant of \$539,000 to sustain the communications radio system, awaiting receipt of the contract to confirm covered expenses. The proposed resolution to transfer contingency funds to cover radio system cost has been withdrawn, due to the grant funding. He expressed appreciation to County Treasurer Patricia O'Brien and Liz Swearingin for adept financing strategies that allows early project payoff. Legislator King confirmed retention of the final EF Johnson payment until the County accepts the completed project.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry and Parks Committee Chairman, made a motion to authorize renewal of all County general and professional liability insurance policies with NYMIR for the period 4/5/2017 to 4/5/2018 for a premium of \$178,374.46, seconded by Legislator Moser. The reduced premium is attributable to increased coverage deductibles after considering there have been no claims. In response to Legislator Kulzer, Legislator Dolhof affirmed the increased County exposure, while deemed within the parameters of reasonable risk. If all coverage remained static, the premium would have increased by \$800. Treasurer O'Brien confirmed that premium savings could not be specifically appropriated for an unknown tragic occurrence. Legislator Dolhof cautioned the Board would soon consider purchasing a cyber liability policy for a premium that may usurp a large portion of the savings. Responding to Legislator Brennan, Ms. O'Brien stated the identified risk could be considered when determining future "risk pool" contingency appropriations. The motion was then unanimously carried.

Legislator Dolhof made a motion to authorize Recreation, Forestry and Parks Director Jackie Mahoney to advertise for bids to purchase a stump grinder that mounts on the front of a Bobcat to be shared with the Highway Department. The motion was seconded by Legislator King. The estimated \$5,000 purchase will be covered by Capital Equipment funds at a ratio of 75/25 from Recreation Trails and Highway Departments respectively. The motion was carried.

Legislator Dolhof reported the SNIRT Run sponsor contract had been executed with attendant insurance certificate. Director Jackie Mahoney would administer a Facebook page to alert trail openings and closures.

Legislator Dolhof encouraged all Legislators to attend the 4/12/17 Business Leaders Breakfast at the Lowville Elks Club. A completed engineering survey has determined developable areas at the prospective business park site.

In response to Legislator King, Atty. McNichol affirmed the SNIRT Run contract holds the sponsor responsible to clean the roadway that is closed by the County during the event. The Board is asked to also close the West Road portion for traffic safety reasons during the moe.down concert, however, there is no contract with the sponsor.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Craig Brennan, Ways and Means/Buildings and Grounds Committee Chairman, made motion to authorize Buildings Supervisor Frank Archer to refill one full-time Building Maintenance Worker position effective immediately, due to an employee promotion; to refill one full-time Cleaner position effective immediately, due to a resignation; and to refill one full-time HVAC Technician effective immediately, due to a retirement. The motion was seconded by Legislator King and carried.

Legislator Brennan cited the Committee's five recommended actions to support State legislation to increase County DMV fee retention to 25%, authorize extending the County Clerk's student worker, authorize Frank Archer to schedule HVAC Technician Mark Maryhugh up to 16 hours per week as needed for training for a period of six months, approve appropriation transfer to purchase Probation software upgrades, and appropriate contributions to the K-9 expense line.

Legislator Brennan reported meeting with Frank Archer, Frank Pace and SmartWatt representatives and requested they reconsider their recommended building energy efficiencies for expensive heating units in buildings that may soon be remodeled or not occupied by County personnel.

The committee recommends the Board consider retaining an engineering consultant for an overall building survey and all encompassing 5-year facility plan.

Legislator Brennan reiterated withdrawal of the proposed resolution to transfer contingency funds to cover radio communication project expenses, because of the Homeland Security grant award. A portion of the funds will be used to purchase back-up radios for the Sheriff's Department and to facilitate interoperability with adjoining counties. Legislator King awaits the State contract, assuming it would be phrased to allow wide-ranging expenditures, but did not want to speculate.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman, made a motion to award the Bituminous oil bids to Suit-Kote at the 2017 per sq. yd. price list on file with the Clerk of the Board for Type II and Type III oils based on quantities. The motion was seconded by Legislator Moser and carried.

Legislator Kulzer made a motion to award a the low bid for Highway and Solid Waste Department uniform services to Unifirst at \$13.45/uniform for a term of 36 months. The motion was seconded by Legislator King and carried.

Legislator Kulzer urged support of the resolution to authorize a 5-year lease agreement for the new plow. He announced that Joann Maring had been hired as the Highway/Solid Waste account clerk.

The Development Authority of the North Country will sponsor an open house at the Lowville Transfer Station on 4/13/17, during which they will present an approximate \$310,000

check to the County, representing 50% of building renovations and equipment upgrades to enhance recycling.

The committee recommends the Board approve selling bags of municipal yard waste compost at the transfer stations. Director Pete Wood will pay the Oneida-Herkimer Solid Waste facility \$1.25/bag, and can economically back-haul the materials and sell at \$2.50/bag.

Legislator Kulzer reported the baler did not sell, so Mr. Wood is researching another on-line site to advertise. In response to Legislator Moser, Jackie Mahoney stated the Soil & Water Conservation District has a baler and they accept farmer ag bags for recycling. There is no current issue, however, Mr. Wood will initiate photos at the transfer station to identify and penalize those responsible for excessive recyclables in garbage.

Legislator Richard Chartrand, Hospital Committee Chairman, reported Mark Murphy, Senior Vice-President of Systems Development and Ambulatory Care Leadership for St. Joseph's Hospital updated the Board of Managers on affiliations and challenges to fill vacant nursing positions. He had explained what St. Joseph's Hospital is doing and recommended initiatives for Lewis County General Hospital. Drs. Manoj Vora and Shirley Tuttle-Malone were commended for their participation with St. Joseph's Hospital Clinic Network Quality Board; and he had expressed gratitude for the Hospital's and provider's level of commitment.

Legislator Chartrand reported a February gain of \$286,995 vs. the budgeted \$270,501; a year-to-date surplus of \$306,130 vs. the budgeted \$232,675; and a County debt balance of \$2.1 million. They await notification on the \$4.4 million Essential Provider Grant. He reported a cash on hand equivalent of 66.4 days as an all-time high vs. the budgeted 11.7 days. Accounts payables are down to \$4 million. In response to Legislator Hathway, he later reported ongoing efforts to reduce the current 100 days for accounts payables. The Hospital received the 2015 IGT nursing home funds, which was matched and paid by the County.

Legislator Chartrand reported an overtime problem which has increased from 600 hours per 2-week pay period last year to 1,200, largely attributable to employee burnout and inability to recruit registered nurses. The Hospital is offering a \$5,000 sign-on bonus competitive with Carthage Area Hospital and Samaritan Medical Center; and has expanded the advertising search.

Dr. Catherine Williams had updated on the program planned in June when medical students of SUNY Upstate Medical will tour and learn about our facility to peak their interest to ultimately locate and practice at our hospital. Dr. Lynn Pisaniello is coordinating a stroke readiness program through SUNY Upstate Medical; and Dr. Manoj Vora is conducting a survey of employed medical staff for opinions and recommendations to improve productivity. The hospitalists are taking over on-call time for the nursing home to relieve other physicians.

Legislator Chartrand reported that CEO resumes are due by 4/15/17, and the list will be refined with interviews planned in early May.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported Director Penny Ingham is monitoring State and Federal level discussions for public

PROCEEDINGS OF THE BOARD OF LEGISLATORS

health funding. A "Healthy Happy Hour" at the public health lobby on 4/5/17 in recognition of National Public Health Week.

Legislator Moroughan reports Alcohol Awareness Month was established in 1987 to help reduce the stigma often associated with alcoholism. It is a chronic progressive disease genetically predisposed and fatal if untreated. As many as 20 million people are living in recovery. The 2017 theme "Connecting the Dots- Opportunities For Recovery" is designed to highlight many opportunities available to help prevent teen alcohol use. Reducing underage drinking is critical to securing a healthy future for America's youth in a society that broadly promotes alcohol use. There is a great need to provide children education on the danger of alcohol and/or drug abuse and connect the dots that lead to recovery.

The tenth Lewis County community survey indicates that 38.2% of those surveyed feel that alcohol use is a major issue, with 20% being personally affected. Anyone seeking information or treatment may reach out to Mountain View Prevention Services, Credo and/or the Northern Center For Independent Living for assistance.

Legislator Moroughan announced a training session to be held on 4/6/17 for intervention procedures and tips focused toward area restaurants, bars and other establishments that serve alcohol. Community Services will staff a vendor table at the 4/22/17 Wellness Fair to be held in the hospital lobby. There is a safe pill drop off at the hospital on 4/29/17.

In conclusion, Legislator Moroughan thanked Director of Community Services Patricia Fralick for her tireless efforts to combat the opioid and drug abuse epidemic.

SPECIAL REPORT:

Chairman Tabolt announced he had appointed Legislator Kulzer as the liaison to the Double Play Community Center Advisory Board.

The County had hosted the 3/23/17 Inter-County Legislative Committee of the Adirondacks with a tour of Otis Technology. Chairman Tabolt was impressed by the level of technology utilized at their facility. The meeting and lunch was at the River Valley Inn restaurant.

He had also attended the 3/30/17 local government conference hosted by the Tug Hill Commission.

COUNTY MANAGER REPORT:

Liz Swearingin encouraged Legislators to attend the upcoming Business Leaders Breakfast meeting, at which Fort Drum Garrison Commander will be the guest speaker.

She referenced proposed Federal replacement of the Affordable Care Act; and the potential of the State taking over the Counties' share of Medicaid, equating \$5 million annually for Lewis County. If ultimately approved, the impact on the County tax rate would reduce from

\$7.43 to \$5.0 per thousand of assessed value, of course, assuming there were no State imposed mandates equating County increases.

Ms. Swearingin reported Gilroy, Kiernan & Gilroy (GKG) consultants will provide educational meetings for all employees this week to explain healthcare in America and comparative healthcare in Lewis County. They will explain how healthcare works, who is paying for it and pose recommendations to consider for plan changes.

The Contingency budget of \$1,176,000 has risk pool obligations of \$391,000, and pending approval of three separate items proposed today, the balance would drop to \$1,039,121. The only risk pool expenditure not pre-determined was \$40,000 for inmate boarding.

Ms. Swearingin will forward all Legislators the PFM Financial Services LLC P-card information supported by NYSAC requesting their review and input. Other counties utilize the card for goods and services, entitling them to annual rebates (about 1%) based on the amount of purchases. Putnam County uses the card and they also have the Tyler/Munis financial system. They utilize the card for large item expenditures such as road salt to advantage the rebate.

There are no annual fees, and the number of transactions and check writing would be substantially reduced. All purchases would be listed on a sole monthly statement, attendant to the Department and specific detail for each purchase. The advantage to vendors is receiving bank payment within 48 hours. The cards have been refined since their inception 20 years ago.

The primary issue for Board consideration is whether to accept the process of paying for items prior to Board approval. However, the card could reasonably be used for bid and contractual vendors, which have previous Board approval. Expenditures would be provided on the monthly list of claims, likewise as prior-to-audit expenses are listed. Alternatively, minimizing authorized purchases would negate the P-card rebate benefits. The auditing process would continue by the Clerk and Deputy Clerk of the Board. The Board could initially implement the card on a small scale and expand purchases as you become more confident of the procedures, concluded Ms. Swearingin.

A mandatory defensive driver course has been implemented for every employee required or authorized to drive County-owned vehicles. Other employees may advantage the course at their own expense and benefit time. The \$22.00/employee fee is a good investment to promote safety conscious drivers. As reported earlier by NYMIR agent Kevin Townsend, this positively impacted on the county's insurance renewal. Ms. Swearingin will work out an acceptable process with the Sheriff for his employees. An on-line course may be more feasible for that department.

Ms. Swearingin thanked Patricia Fralick for educating herself and rallying agency representatives and treatment providers for collaborating discussions and forums on opioid addictions, with a goal to promote positive outcomes.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$395,000.00; Contingency Fund-\$428,698.00; Capital Data Processing Fund-\$126,272.08 and Capital Equipment Fund - \$348,815.82, of which \$239,362.59 is the Highway portion, year-to-date sales tax revenues of \$1,012,274.51; and the current Hospital debt is \$2.1 million.

The 2/28/17 balance of the Internal Service Fund is \$1,208,051.77 after a net monthly deficit of (\$82,699.23).

At 6:44 p.m. Chairman Tabolt declared the public hearing closed.

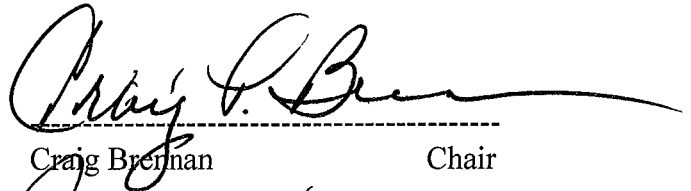
REPORT OF THE WAYS AND MEANS COMMITTEE:

APRIL 4, 2017

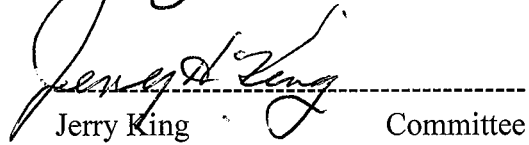
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

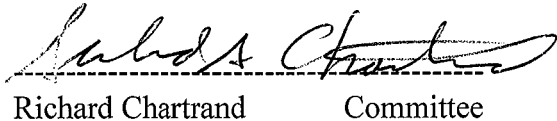
The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,102,622.12 and recommend that they be audited and allowed for the amounts claimed.



Craig Brennan Chair



Jerry King Committee



Richard Chartrand Committee

Dated: April 4, 2017

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

**RESOLUTION NO. 131 - 2017
AUDITING AND ALLOWING CLAIMS**

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

RESOLVED that the claims presented for payment in the total amount of \$ 1,102,622.12 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Brennan, seconded by Legislator Dolhof, and adopted by the following roll call vote:

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

NAYS: None.

ABSENT: None.

**LOCAL LAW (INTRODUCTORY NO. 2 - 2017)
COUNTY OF LEWIS**

Introduced by Legislator Jerry King, Chairman, Courts & Law/Codes Committee.

**“THE COUNTY OF LEWIS LOCAL LAW ADOPTING THE NEW YORK
STATE EXPEDITED UNIFIED SOLAR PERMIT PROCESS FOR
SMALL-SCALE SOLAR ELECTRIC SYSTEMS.”**

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 **“THE COUNTY OF LEWIS LOCAL LAW ADOPTING THE NEW YORK STATE EXPEDITED UNIFIED SOLAR PERMIT PROCESS FOR SMALL-SCALE SOLAR ELECTRIC SYSTEMS”**.

SECTION 2. **Purpose:** Unified solar permitting allows municipal authorities to streamline the permitting process while providing consistent and thorough review of solar photovoltaic (PV) applications and installations. Adoption of the New York State Unified Solar Permit process combines a standardized building and electrical permitting process for eligible small-scale solar PV installations to benefit both the municipality having jurisdiction and the applicant. Adoption of this Local Law supports the County’s Clean Energy Community initiative and programs.

SECTION 3. **Authority:** The County of Lewis hereby enacts the following Administrative Local Law pursuant to the provisions of Section 381 of the Executive Law of the State of New York and all other applicable laws.

SECTION 4. **The County of Lewis hereby adopts the New York State Unified Solar Permit Process and establishes the following requirements for a Permit Application Submittal pertaining to Small-Scale Solar Photovoltaic (PV) installation systems having a rating of DC capacity of 25 kW or less, and adopts the Field Inspection Checklist from the New York State Unified Solar Permit Process:**

(a) Unified Solar Permit for Small-Scale Solar Electric Systems Eligibility Checklist (*attached as part of Permit application*).

(b) Two (2) sets of plans that include:

 É Site Plan showing location of major components of solar system and other equipment on roof of legal accessory structure. This plan should represent relative location of components at site, including but not limited to location of array, existing electrical service location, utility meter, inverter location, system orientation and tilt angle. This plan should show access and pathways that are compliant with NY State Fire Code, if applicable.

 É One-line or 3-line electrical diagram as required by NYSERDA or Utility

 É Specification sheets for all manufactured components. If these sheets are available electronically, a web address will be accepted in place of an attachment, at the discretion of the municipality.

 É All diagrams and plans must be prepared by a PE or RA as required by NY State law and include the following: (A) Project address, section, block and lot number of the property; (B) Owner's name, address and phone number; (C) Name, address and phone number of the person preparing the plans; and (D) System capacity in kW-DC.

(c) Unified Solar Permit for Small-Scale Electric Systems Application. (*attached*)

(d) Permit Fee: \$100.00

(e) Permit Review and Inspection Timeline: Permit determinations will be issued within thirty (30) days upon receipt of complete and accurate applications. The municipality will provide feedback within 14 days of receiving incomplete or inaccurate applications. If an inspection is required, same will be provided within 10 days of inspection request. Lewis County Code Enforcement officer will follow the NYS Unified Solar Permit Field Inspection Checklist. (*Attached*)

SECTION 5. **Lewis County Office of Code Enforcement is designated to:**

(a) Administer and enforce all of the provisions of laws, ordinances and regulations applicable to the New York State Unified Solar Permit Process adopted under this Local Law and any relevant State laws, regulations and codes.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

- (b) Make available for all members of the public, during business hours, all necessary forms, applications, and information with relation to small-scale solar PV permit requirements, and other fire and building code requirements which may be applicable.
- (c) Receive applications and any other relevant documents and issue permits for which complete eligible applications have been received after insuring compliance with laws, ordinances and regulations governing same.
- (d) Issue all appropriate notices or orders to remove illegal or unsafe conditions, to require the necessary safeguards during construction and to insure compliance during the entire course of construction with the requirements of the laws, ordinances and regulations.
- (e) Initiate any enforcement or prosecute any violations of this Local Law and such rules and regulations as may be promulgated hereunder or to refer such enforcement or prosecution to an appropriate department, division, officer, agent or employee of the County of Lewis.
- (f) Perform such other duties as may be directed and prescribed by the Lewis County Board of Legislators or such legislative committee as may be appointed by the Board of Legislators for the purpose of overseeing the implementation and administration of this Local Law.
- (g) When appropriate, require the performance of tests in the field by experienced, professional persons or by accredited and authoritative testing laboratories or service bureaus by agencies whenever necessary or appropriate to assure compliance with the provisions of applicable laws, ordinances and regulations covering solar PV projects 25kW in size or smaller.
- (h) Promulgate such rules and regulations, subject to the approval of the legislative committee having jurisdiction over the Office of Code Enforcement, as within the discretion of the Senior Code Enforcement Officer, is deemed necessary for the orderly and efficient administration of the NYS Unified Solar Permit Process, the provisions of this Local Law, and any other applicable local law, rule or ordinance.

SECTION 6. Establishment of Fees:

- (a) The Board of Legislators, with the consultation from the Senior Code Enforcement Officer, hereby establishes the permit fee for this NY State Unified Solar Permit Process for Small-Scale Solar Electric Systems to be \$100.00.

- (b) The Board of Legislators, with the consultation of the Senior Code Enforcement Officer, may from time to time, establish a different fee amount as it shall deem necessary and appropriate for the cost of reviewing and issuing permits of eligible solar PV projects 25 kW in size or smaller within Lewis County, by Resolution adopted by the Board of Legislators. The Senior Code Enforcement Officer shall be responsible to collect and properly account for all such fees and shall deposit the same promptly with the County Clerk.

SECTION 7. **Legal Proceedings:** Appropriate actions and proceedings may be taken at law or in equity to prevent unlawful construction or to restrain, correct or abate a violation or to otherwise enforce the terms and conditions of the NYS Unified Solar Permit Process for Small-Scale Solar Electric Systems having DC capacity of 25 kW or less, and any other applicable state or local law, rule, regulation or ordinance. These remedies shall be in addition to such penalties as may otherwise be prescribed by law.

SECTION 8. **Cooperation of Other Departments:** The Code Enforcement Officer shall offer and receive, so far as necessary in the discharge of his or her duties, the assistance and cooperation of all municipal officials exercising jurisdiction over the construction, installation of equipment and use of small scale solar arrays therein, including but not limited to fire officials and health officials.

SECTION 9. **Severability, Savings Clause:** If any clause, sentence, paragraph, part or provision of this Local Law shall for any reason be adjudged by any court or competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its effect and operation to the clause, sentence, paragraph, part of provision thereof directly involved in the controversy in which such judgment is rendered.

SECTION 10. **Effect on existing laws and regulations:** In the event the terms and provisions of this Local Law conflict with any applicable prior Local Law, regulation, rule or ordinance, the terms of this Local Law shall supersede same with respect to small-scale solar systems described herein.

SECTION 11. **Date:** That the within Local Law shall take effect June 1, 2017.

PERMIT APPLICATION

NY State Unified Solar Permit – adopted by County of Lewis

Unified solar permitting is available statewide for eligible solar photovoltaic (PV) installations. Municipal authorities that adopt the unified permit streamline their process while providing consistent and thorough review of solar PV permitting applications and installations. Upon approval of this application and supporting documentation, the Lewis County Building & Codes Department will issue a building and/or electrical permit for the solar PV installation described herein.

PROJECT ELIGIBILITY FOR UNIFIED PERMITTING PROCESS

By submitting this application, the applicant attests that the proposed project meets the established eligibility criteria for the unified permitting process (subject to verification by the AHJ). The proposed solar PV system installation:

- Yes No 1. Has a rated DC capacity of 25 kW or less.
- Yes No 2. Is not subject to review by an Architectural or Historical Review Board. (If review has already been issued answer YES and attach a copy)
- Yes No 3. Does not need a zoning variance or special use permit. (If variance or permit has already been issued answer YES and attach a copy)
- Yes No 4. Is mounted on a permitted roof structure, on a legal accessory structure, or ground mounted on the applicant's property. If on a legal accessory structure, a diagram showing existing electrical connection to structure is attached.
- Yes No 5. The Solar Installation Contractor complies with all licensing and other requirements of the jurisdiction and the State.
- Yes No 6. If the structure is a sloped roof, solar panels are mounted parallel to the roof surface.

For solar PV systems not meeting these eligibility criteria, the applicant is not eligible for the Unified Solar Permit and must submit conventional permit applications. All Permit applications may be downloaded here: permits@lewiscountyny.org or obtained in person at LC Building Codes Dept., 7660 N. State Street, Lowville, NY 13367 during business hours, M -F: 8:30 am to 4:30pm.

SUBMITTAL INSTRUCTIONS

For projects meeting the eligibility criteria, this application and the following attachments will constitute the Unified Solar Permitting package.

- This application form, with all fields completed and bearing relevant signatures.
- Permitting fee of **\$100.00**, payable by cash, money order, check, made payable to: **Lewis County Clerk**
- Required Construction Documents for the solar PV system type being installed, including required attachments.

Completed permit applications can be submitted electronically to permits@lewiscountyny.org or in person at LC Building Codes Dept., 7660 N. State Street, Lowville, NY 13367 during business hours, M – F: 8:30 am to 4:30 pm.

APPLICATION REVIEW TIMELINE

Permit determinations will be issued within THIRTY (30) calendar days upon receipt of **complete and accurate applications and all required documents**. The municipality will provide feedback within FOURTEEN (14) calendar days of receiving incomplete or inaccurate applications.

FOR FURTHER INFORMATION

Questions about this permitting process may be directed to LC Building Codes Dept., 7660 N. State Street, Lowville, NY 13367, (315) 376-5377.

PROPERTY OWNER

Property Owner's First Name Last Name Title

Property Address

City State Zip

Section Block Lot Number

EXISTING USE

- Single Family 2-4 Family Commercial Other

PROVIDE THE TOTAL SYSTEM CAPACITY RATING (SUM OF ALL PANELS)

Solar PV System: _____ kW DC

SELECT SYSTEM CONFIGURATION

Make sure your selection matches the Construction Documents included with this application.

- Supply side connection with microinverters Load side connection with DC optimizers
- Supply side connection with DC optimizers Load side connection with microinverters
- Supply side connection with string inverter Load side connection with string inverter

SOLAR INSTALLATION CONTRACTOR

Contractor Business Name

Contractor Business Address City State Zip

Contractor Contact Name Phone Number

Contractor License Number(s) Contractor Email

Electrician Business Name

Electrician Business Address City State Zip

Electrician Contact Name Phone Number

Electrician License Number(s) Electrician Email

Please sign below to affirm that all answers are correct and that you have met all the conditions and requirements to submit a unified solar permit.

Property Owner's Signature Date

Solar Installation Company Representative Signature Date

SUBMITTAL REQUIREMENTS SOLAR PV 25KW OR LESS (ATTACHMENTS)

NY State Unified Solar Permit

This information bulletin is published to guide applicants through the unified solar PV permitting process for solar photovoltaic (PV) projects 25 kW in size or smaller. This bulletin provides information about submittal requirements for plan review, required fees, and inspections.

PERMITS AND APPROVALS REQUIRED

The following permits are required to install a solar PV system with a nameplate DC power output of 25 kW or less:

- a) Unified Solar Permit
- b) ELECTRICAL AND/OR BUILDING PERMITS. Depending upon the local municipality site of installation, zoning approval may also be required. Confirm with the Code Officer.
- c) Planning review **IS NOT** required for solar PV installations of this size.
Fire Department approval **IS NOT** required for solar PV installations of this size.

SUBMITTAL REQUIREMENTS

In order to submit a complete permit application for a new solar PV system, the applicant must include:

- a) Completed Standard Permit Application form which includes confirmed eligibility for the Unified Solar Permitting process. This permit application form can be downloaded at permits@lewiscountyny.org.
- b) Construction Documents, with listed attachments must be by stamped and signed by a New York State Registered Architect or New York State Licensed Professional Engineer. For further information on construction documents, go to: *Understanding Solar PV Permitting and Inspecting in New York State* at: www.nyserda.ny.gov/All-Programs/Programs/NY-Sun/Communities/Local-Government-Training-and-Resources/Solar-Guidebook-for-Local-Governments
- c) Proof of Workers' Compensation Insurance by Contractors.

THE COUNTY OF LEWIS, through adopting the Unified Solar Permitting process, requires contractors to provide construction documents, such as the examples included in the *Understanding Solar PV Permitting and Inspecting in New York State* document. Should the applicant wish to submit Construction Documents in another format, ensure that the submittal includes the following information:

- Manufacturer/model number/quantity of solar PV modules and inverter(s).
- String configuration for solar PV array, clearly indicating the number of modules in series and strings in parallel (if applicable).
- Combiner boxes: Manufacturer, model number, NEMA rating.
- From array to the point of interconnection with existing (or new) electrical distribution equipment: identification of all raceways (conduit, boxes, fittings, etc.), conductors and cable assemblies, including size and type of raceways, conductors, and cable assemblies.
- Sizing and location of the EGC (equipment grounding conductor).
- Sizing and location of GEC (grounding electrode conductor, if applicable).
- Disconnecting means of both AC and DC including indication of voltage, ampere, and NEMA rating.
- Interconnection type/location (supply side or load side connection)
- For supply side connections only, indication that breaker or disconnect meets or exceeds available utility fault current rating kAIC (amps interrupting capacity in thousands).
- Ratings of service entrance conductors (size insulation type AL or CU), proposed service disconnect, and overcurrent protection device for new supply side connected solar PV system (reference NEC 230.82, 230.70).
- Rapid shutdown device location/method and relevant labeling.

d)(For Roof Mounted Systems) A roof plan showing roof layout, solar PV panels and the following fire safety items: approximate location of roof access point, location of code-compliant access pathways, code exemptions, solar PV system fire classification, and the locations of all required labels and markings.

e) Provide construction drawings with the following information:

- The type of roof covering and the number of roof coverings installed.
- Type of roof framing, size of members, and spacing.
- Weight of panels, support locations, and method of attachment.
- Framing plan and details for any work necessary to strengthen the existing roof structure.
- Site-specific structural calculations.

f) Where an approved racking system is used, provide documentation showing manufacturer of the racking system, maximum allowable weight the system can support, attachment method to roof or ground, and product evaluation information or structural design for the rack.

PLAN REVIEW

Permit applications can be submitted to the Lewis County Building Codes Dept. at 7660 N. State Street, Lowville, NY 13367 together with the permit fee.

FEES

PERMIT FEE: \$100.00

INSPECTIONS

Once all permits to construct the solar PV installation have been issued and the system has been installed, it must be inspected before final approval is granted for the solar PV system. On-site inspections can be scheduled by contacting LC Building Codes Dept., 7660 N. State Street, Lowville, NY 13367 by telephone at (315) 376-5377 or electronically at permits@lewiscountyny.org.

Inspection requests received within business hours are typically scheduled for the next business day. If next business day is not available, inspection should happen within a five-day window. Lewis County accepts third party inspections for electrical inspections by electrical inspectors certified to do so.

In order to receive final approval, the following inspections are required:

Delete Rough/Final inspection descriptions if not applicable in your jurisdiction

ROUGH INSPECTION: During a rough inspection, the applicant must demonstrate that the work in progress complies with relevant codes and standards. The purpose of the rough inspection is to allow the inspector to view aspects of the system that may be concealed once the system is complete, such as:

- Wiring concealed by new construction.
- Portions of the system that are contained in trenches or foundations that will be buried upon completion of the system. All electrical rough and final inspections will be performed by third party electrical inspection agents licensed/certified to do so.

It is the responsibility of the applicant to notify LC Building Codes Dept. and third party electrical inspection agent before the components are buried or concealed and to provide safe access (including necessary climbing and fall arrest equipment) to the inspector(s).

The inspector will attempt, if possible, to accommodate requests for rough inspections in a timely manner.

FINAL INSPECTION: The applicant must contact LC Building Codes Dept (and third party electrical inspector, if required) when ready for a final inspection. During this inspection, the inspector will review the complete installation to ensure compliance with codes and standards, as well as confirming that the installation matches the records included with the permit application. The applicant must have ready, at the time of inspection, the following materials and make them available to the inspector:

- Copies of as-built drawings and equipment specifications, if different than the materials provided with the application.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

- Photographs of key hard to access equipment, including;
 - Example of array attachment point and flashing/sealing methods used.
 - Opened rooftop enclosures, combiners, and junction boxes.
 - Bonding point with premises grounding electrode system.
 - Supply side connection tap method/device.
 - Module and microinverter/DC optimizer nameplates.
 - Microinverter/DC optimizer attachment.

g) THE COUNTY OF LEWIS has adopted a standardized field inspection checklist, which can be found in the New York State Unified Solar Permit document, found at: www.nyserda.ny.gov/All-Programs/Programs/NY-Sun/Communities/Local-Government-Training-and-Resources/Solar-Guidebook-for-Local-Governments

The inspection checklist provides an overview of common points of inspection that the applicant should be prepared to show compliance. If not available, common checks include the following:

- Number of solar PV modules and model number match plans and specification sheets number match plans and specification sheets.
- Array conductors and components are installed in a neat and workman-like manner.
- Solar PV array is properly grounded.
- Electrical boxes and connections are suitable for environment.
- Array is fastened and sealed according to attachment detail.
- Conductor's ratings and sizes match plans.
- Appropriate signs are properly constructed, installed and displayed, including the following:
 - Sign identifying PV power source system attributes at DC disconnect.
 - Sign identifying AC point of connection.
 - Rapid shutdown device meets applicable requirements of NEC 690.12.
- Equipment ratings are consistent with application and installed signs on the installation, including the following:
 - Inverter has a rating as high as max voltage on PV power source sign.
 - DC-side overcurrent circuit protection devices (OCPDs) are DC rated at least as high as max voltage on sign.
 - Inverter is rated for the site AC voltage supplied and shown on the AC point of connection sign.
 - OCPD connected to the AC output of the inverter is rated at least 125% of maximum current on sign and is no larger than the maximum OCPD on the inverter listing label.
 - Sum of the main OCPD and the inverter OCPD is rated for not more than 120% of the buss bar rating.

UNIFIED SOLAR PERMITTING RESOURCES

The County of Lewis has adopted the following documents from the New York Unified Solar Permit process:

- Standard Application : New York State Unified Solar Permit Application at: www.nyserda.ny.gov/All-Programs/Programs/NY-Sun/Communities/Local-Government-Training-and-Resources/Solar-Guidebook-for-Local-Governments
- Field Inspection Checklist found under New York State Unified Solar Permit at: www.nyserda.ny.gov/All-Programs/Programs/NY-Sun/Communities/Local-Government-Training-and-Resources/Solar-Guidebook-for-Local-Governments

DEPARTMENTAL CONTACT INFORMATION

For additional information regarding this permit process, please consult our departmental website at permits@lewiscountynyus.org, or contact Lewis County Building Codes Dept. at (315) 376-5377.

FIELD INSPECTION CHECKLIST

New York State Unified Solar Permit

All photos referenced in the checklists below are located in Appendix C of *Understanding Solar PV Permitting and Inspecting in New York State* which can be found at nysersda.ny.gov/SolarGuidebook

Array

1. Circuit conductors are properly supported and are not touching the roof surface [NEC 338.10(B)(4) and NEC 334.30] (Photo 10)	N	Y	N/A
2. Circuit conductors are same conductor type/size as on plan set	N	Y	N/A
3. Module count matches plan set. If no, investigate stringing configuration (Photo 3)	N	Y	N/A
4. Module manufacturer/model matches plan set. (Photo 4)	N	Y	N/A
5. Modules are effectively grounded using lugs, WEEBs, or a racking integrated grounding method [NEC 690.43] (Photo 9)	N	Y	N/A
6. Modules and racking are properly secured (Photos 5, 6, 7)	N	Y	N/A
7. DC optimizers are properly grounded [NEC 690.43 and NEC 110.3(B)]	N	Y	N/A
8. Wire ties are UV-rated (generally black) (Photo 10)	N	Y	N/A
9. All electrical connections are secured to ensure no arcing	N	Y	N/A
10. Racking system is properly grounded (EGC bonding the rails, [NEC 690.43]) (Photo 8)	N	Y	N/A
11. Conductors are properly identified (ungrounded, grounded, grounding) [NEC 200.7, NEC 200.6, NEC 250.119] (Photo 13)	N	Y	N/A
12. Outdoor components are UL-listed for the environment [NEC 110.3(B)]	N	Y	N/A
13. Roof vents are not covered by the modules (2015 IRC/2015/IBC) (Photo 3)	N	Y	N/A
14. DC conduit is labeled "WARNING: PHOTOVOLTAIC POWER SOURCE" every 10 feet, and is reflective, and meets color and size requirements [NEC 690.31(G)(3) and (4)]	N	Y	N/A

DC Optimizer

1. DC Optimizer chassis is properly grounded per manufacturer's instructions [NEC 690.43, NEC 250 NEC 110.3(B)]	N	Y	N/A
2. EGC is protected if smaller than #6AWG [NEC 690.46 and NEC 250.120] (Photo 9)	N	Y	N/A
3. DC Optimizer GEC is sufficiently sized per manufacturer instructions [NEC 690.47(C), NEC 250.66, NEC 250.122, NEC 250.166]	N	Y	N/A
4. Rapid Shutdown label is present and meets the requirements of NEC 690.56(C).	N	Y	N/A
5. DC Output circuit conductor insulation type is rated for environment (Shall not be type: USE-2, THWN-2, RHW-2) [NEC 310.10].	N	Y	N/A

Note 1: Many violations from the "Array" section also apply to the "DC Optimizer" section.

Note 2: DC optimizer can have an integrated ground, or not. Bring the specifications sheet to the inspection for quick reference.

Structural (Roof-Mounted Only)

1. All roof penetrations are properly flashed and sealed 2015 IRC/ 2015 IBC (Photos 6,12)	N	Y	N/A
2. Rafter spacing/material matches construction documents	N	Y	N/A
3. Roof appears to be in good condition, with no signs of leaking or damage. Roof is free of debris. (Photo 3)	N	Y	N/A
4. All racking splices are properly supported per manufacturer requirements (generally splices must be supported on both sides of the joint by a structural attachment)	N	Y	N/A
5. Modules cannot be moved by pushing or pulling with one hand (Photo 7)	N	Y	N/A

Junction Box

1. Wire nuts and splices are suitable for the environment [NEC 110.3(B), NEC 110.14, NEC 110.28] (Photo 13)	N	Y	N/A
2. Junction box is UL listed for the environment [NEC 110.3(B)] (Photo 14)	N	Y	N/A
3. Junction box is properly grounded [NEC 690.43(A), NEC 250.4, NEC 110.3(B)]	N	Y	N/A
4. Grounding equipment is properly installed (NEC 690.43, NEC 250.8, NEC 250.12) (Photo 13)	N	Y	N/A

Inverter

1. The number of strings match the plan set. (Photo 18)	N	Y	N/A
2. The conductors have sufficient ampacity for each string.	N	Y	N/A
3. DC conductors in metal when on or inside a building [NEC 690.31(G)] (Photos 11, 12)	N	Y	N/A
4. Conduit penetrations are properly sealed between conditioned and unconditioned space [NEC 300.7(A)]	N	Y	N/A
5. Conduit is properly supported e.g., [LFMC NEC 350.30, EMT NEC 358.30, PVC NEC 352.30] (Photo 15)	N	Y	N/A
6. Conduit is not being used as conductor support [NEC 300.11(B)] (Photo 15)	N	Y	N/A
7. The enclosure is properly grounded [NEC 690.43, NEC 250.8, NEC 250.12] (Photo 16)	N	Y	N/A
8. Grounding equipment is properly installed [NEC 690.43, NEC 250.8, NEC 250.12] (Photos 16, 19)	N	Y	N/A
9. Enclosure is labeled as a PV disconnect [NEC 690.13(B)]	N	Y	N/A
10. DC characteristics label is present [NEC 690.53]	N	Y	N/A
11. The ungrounded DC conductors are properly identified (shall not be white, gray, or white striped) [NEC 200.7(A)] (Photo 16)	N	Y	N/A
12. Max string voltage below inverter max [NEC 110.3(B) and NEC 690.7]	N	Y	N/A
13. Inverter string fuses are rated for use in application [NEC 690.9]	N	Y	N/A
14. DC and AC disconnecting means are located within sight of or in each inverter [NEC 690.15 (A)] (Photos 15, 18)	N	Y	N/A
15. AFCI protection is present and enabled [NEC 690.11]	N	Y	N/A
16. System is equipped with Rapid Shutdown [NEC 690. 12]	N	Y	N/A
17. System is marked with a permanent label with the following wording: "PHOTOVOLTAIC SYSTEM EQUIPPED WITH RAPID SHUTDOWN" [NEC 690.56(C)]	N	Y	N/A

Microinverter

1. Microinverter chassis is properly grounded per manufacturer's instructions [NEC 690.43(A), 250.4, 110.3(B)]	N	Y	N/A
2. EGC is protected if smaller than #6 AWG [NEC 690.46 and 250.120(C)] (Photo 5)	N	Y	N/A
3. Microinverter GEC is sufficiently sized per manufacturer instructions [NEC 690.47(C), NEC 250.66, NEC 250.122, NEC 250.166]	N	Y	N/A
4. Rapid Shutdown label is present and meets the requirements of [NEC 690.56(C)]	N	Y	N/A

Note 1: Many items from the "Array" section also apply to the "Microinverter" section.

Note 2: Microinverters can have an integrated ground, or not. This information is found on the specification sheet.

Note 3: As long as the microinverters are listed, they are inherently equipped with rapid shutdown, which is required by NEC Article 690.12. This does not negate the label requirement in 690.56(C).

AC Combiner

1. The number of branch circuits match the plan set. (Photo 20)	N	Y	N/A
2. The conductors have sufficient ampacity for each branch circuit.	N	Y	N/A
3. The Overcurrent Protective Device (OCPD) for the conductors have a rating sufficient to protect them [NEC 240.4] (Photo 20)	N	Y	N/A
4. Conduit penetrations are properly sealed between conditioned and unconditioned space [NEC 300.7(A)]	N	Y	N/A
5. Conduit is properly supported e.g., [LFMC NEC 350.30, EMT NEC 358.30, PVC NEC 352.30] (Photo 15)	N	Y	N/A
6. Conduit is not being used as conductor support [NEC 300.11(B)] (Photo 15)	N	Y	N/A
7. The enclosure is properly grounded [NEC 690.43, NEC 250.8, NEC 250.12] (Photo 20)	N	Y	N/A
8. Grounding equipment is properly installed [NEC 690.43, NEC 250.8, NEC 250.12] (Photo 20)	N	Y	N/A
9. Enclosure is labeled as a disconnect [NEC 690.13]	N	Y	N/A
10. AC characteristics label is present (voltage and amperage), [NEC 690.54]	N	Y	N/A
11. "Multiple Sources" indication label is present [NEC 705.12(D)(3)]	N	Y	N/A
12. The sum of all overcurrent devices (excluding main) do not exceed the rating of the buss bar [NEC 705.12(D)(2)(3)(c)]	N	Y	N/A
13. The enclosure is labeled "Do Not Add Loads" [NEC 705.12(D)(2)(3)(c)]	N	Y	N/A
14. The main breaker is fastened in place [NEC 408.36(D)]	N	Y	N/A
15. Grounded conductors are isolated from enclosure [NEC 250.24(A)(5)] (Photo 20)	N	Y	N/A

Load-Side Connection

1. Circuit conductors have sufficient ampacity [NEC 690.8, 310.15]	N	Y	N/A
2. The OCPD is sufficient to protect the circuit conductors [NEC 240.4]	N	Y	N/A
3. Grounded conductors properly identified [NEC 200.6(A)&(B)]	N	Y	N/A
4. The GEC is present and sufficiently sized [NEC 690.47(C), NEC 250.66, NEC 250.122, NEC 250.166]	N	Y	N/A
5. The GEC is continuous (or irreversibly spliced) [NEC 250.64(C), 690.47(C)]	N	Y	N/A
6. Ferrous conduit and the enclosure are appropriately bonded to the GEC [NEC 250.64(E), NEC 250.4(A)(5)]	N	Y	N/A
7. PV breakers are properly identified [NEC 408.4(A)] (Photo 23)	N	Y	N/A
8. AC characteristics label is present and suitable for the environment (voltage and amperage) [NEC 690.54, NEC 110.21]	N	Y	N/A
9. Dissimilar metals are separated and will not cause a galvanic reaction [(NEC 110.14, RMC NEC 344.14, EMT NEC 358.12(6))]	N	Y	N/A
10. Inverter directory present [NEC 690.15(A) and NEC 705.10]	N	Y	N/A
11. Backfed breaker sized to protect circuits [NEC 690.8(B)(1) and/or NEC 310.15]	N	Y	N/A
12. Source breakers follow 120% rule [NEC 705.12(D)(2)(3)(b)]	N	Y	N/A
13. Backfed breaker properly located in panel [NEC 705.12(D)(2)(3)(b)] (Photo 23)	N	Y	N/A
14. Clearances maintained/live parts secured [NEC 110.27(A) and NEC 110.26] (Photo 18)	N	Y	N/A

Supply Side Connection

1. Disconnect is service-rated and has a current rating of at least 60 Amp [NEC 230.79(D)] (Photo 22)	N	Y	N/A
2. Circuit conductors have sufficient ampacity [NEC 690.8, NEC 310.15]	N	Y	N/A
3. New service entrance conductors are less than 10 feet [NEC 705.31] (Photo 18)	N	Y	N/A
4. The OCPD is sufficient to protect the circuit conductors [NEC 240.4] (Photo 21)	N	Y	N/A
5. The disconnect utility conductors are on LINE terminals [NEC 110.3(B), NEC 240.40(if fusible)]	N	Y	N/A
6. There is no OCPD in the grounded conductor [NEC 230.90(B)] (Photo 21)	N	Y	N/A
7. The AIC rating on the OCPD meets, or exceeds the rating of other main OCPD on the premises [NEC 110.9, NEC 110.10]	N	Y	N/A
8. The neutral is bonded to the PV disconnect enclosure/GEC [NEC 250.24(C)]	N	Y	N/A
9. The GEC is present and sufficiently sized [NEC 690.47(C), NEC 250.66, NEC 250.122, NEC 250.166] (Photo 24)	N	Y	N/A
10. The GEC is continuous (or irreversibly spliced) [NEC 250.64(C), NEC 690.47(C)]	N	Y	N/A
11. Ferrous conduit and the enclosure are appropriately bonded to the GEC [NEC 250.64(E), NEC 250.4(A)(5)] (Photo 24)	N	Y	N/A
12. AC characteristics label is present and suitable for the environment (voltage and amperage) [NEC 690.54, NEC 110.21]	N	Y	N/A
13. Power source directory is present, denoting all locations of power sources and disconnects on premises, at each service equipment location [NEC 110.21, NEC 690.56, NEC 705.10]	N	Y	N/A
14. AC disconnect label is present and suitable for the environment (NEC 690.13(B), NEC 110.21)	N	Y	N/A
15. Dissimilar metals are separated and will not cause a galvanic reaction [NEC 110.14, RMC NEC 344.14, EMT NEC 358.12(6)]	N	Y	N/A

General

1. Work is done in a neat and workmanlike manner [NEC 110.12] (Photos 5, 10, 13, 28)	N	Y	N/A
2. Working clearances are observed per NEC 110.26 (Photo 18)	N	Y	N/A



APRIL 4, 2017

**RESOLUTION NO. 132 - 2017
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 2 - 2017), COUNTY OF LEWIS**

Introduced by Legislator Jerry King, Chairman of the Building Codes Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on April 4, 2017, a proposed Local Law entitled "THE COUNTY OF LEWIS LOCAL LAW ADOPTING THE NEW YORK STATE EXPEDITED UNIFIED SOLAR PERMIT PROCESS FOR SMALL-SCALE SOLAR ELECTRIC SYSTEMS."

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on May 2, 2017, 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 Dolhof, seconded by Legislator King.

In consideration of Legislator questions and concerns, Legislator King clarified that all comments would be considered, and the Board has time to research and make any desired changes.

Atty. Joan McNichol stated the proposed law is in accordance with State regulations and guidelines for small-scale solar systems requiring engineer certifications, recommending no changes until after implementation to discern whether there are negative impacts. The law is put forth as one of four criteria requirements listed on the NYSERDA Clean Energy Community grant. Atty. McNichol generally agreed with Legislator Moser that the County could not establish a law that was less stringent than the State's requirements.

Legislator Brennan expressed concern for undue cost imposed for small-scale systems. He referenced Section 6 (b) of the proposed law that indicates the Board has discretion to set different fee amounts for issuing and reviewing permits, but it does not speak to engineering fees for off-grid electrical apparatus used for camps.

Planning Director Frank Pace clarified that only residential solar systems to be connected to the grid would be subject to the requirements of this law. Code enforcers, he said, do not have the expertise to determine whether a roof can hold respective solar panels and equipment nor certify grid connectivity. He reiterated this law was one of four eligibility requirements for the NYSERDA Clean Energy grant, for which the County is first in line pending timely adoption.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Subsequent to adoption, the County plans to conduct community outreach to educate the public on residential solar opportunities and provide names of licensed residential solar installers.

In response to Legislator Kulzer, Mr. Pace emphasized the need for building code compliance, whether or not the unified solar permit process is adopted. He queried who would accept the liability if something went wrong with a residential solar system? Code Officers will be issuing permits based on certified engineer plans, otherwise a permit is not issued.

Legislator King agrees that systems connected to the grid need the engineer plans, but supposes that engineer plans are not necessary if the energy is to be utilized solely by the homeowner.

Legislator Dolhof submits the respective property insurance company should determine whether engineer plans are necessary, rather than the County imposing requirements.

Legislator Chartrand asked Atty. McNichol to research whether or how the County law would interplay with existing Village or Town solar code policies. His understanding is that municipalities would be able to adopt more stringent code enforcement, but not less than the County's law.

Legislator Kulzer asserted that Niagara Mohawk is accepting the power onto the grid and does not require engineered blue prints for solar projects less than 25 kW.

In consideration of all questions, Legislator King would request clarifying information for committee review.

The resolution was then adopted.

Atty. McNichol and the Clerk of the Board clarified that changes to the Introductory Law would be provided to Legislators at least 10 days prior to the public hearing, as required.

Legislator Kulzer took exception the proposed law had not been submitted to the committee for consideration or recommendation.

Legislator Dolhof invoked the County's law could not be less stringent than the State's unified solar permit process for small-scale systems.

In response to Legislator Chartrand, Mr. Pace informed that Lewis County was at the top of the list for one of only two available \$100,000 NYSERDA Clean Energy grants, pending timely submission in early May. Adoption of the unified solar permit process is one of four achievable elements, along with delivery of an electric car for County use. Mr. Pace could not predict the impact on grant approval if submission were delayed. If approved, the grant funds could be allocated to cover any of several County clean energy projects.

APRIL 4, 2017

In response to Legislator Brennan, Atty. McNichol stated the discretionary permit fee could be set at any level between zero and \$150.00, however, engineer plans would be required for small-scale solar systems, unless otherwise amended.

Legislator King encouraged any interested Legislator to join the Building Codes Committee at 10 a.m. on April 13, 2017 to review the proposed law.

**RESOLUTION NO. 133 - 2017
RESOLUTION REGARDING SEQRA REVIEW OF A
NEW TRAIL TO BE ADDED TO THE LEWIS COUNTY ATV
TRAIL SYSTEM AND DECLARING NO SIGNIFICANT IMPACT
(JAMES BAUER PROPERTIES)**

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 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 of 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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Director of Recreation, Forestry and Parks has presented the Board of Legislators with a request to add off-road trails on properties owned by James Bauer, which are located on the Zeigler Road and the Neff Road, Town of Leyden, identified as parcel numbers 402.00-01-6.00 & 402.00-01-3.0, 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 the James Bauer properties, in the Town of Leyden, 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 James Bauer properties, in the Town of Leyden, tax map parcels 402.00-01-6.00 & 402.00-01-3.0, 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 Brennan, seconded by Legislator Fawcett, and adopted.

APRIL 4, 2017

**RESOLUTION NO. 134 - 2017
RESOLUTION TO INCORPORATE
JAMES BAUER 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 of 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 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 properties owned by James Bauer which are located on the Zeigler Road and the Neff Road, parcel numbers 402.00-01-6.00 & 402.00-01-3.0 to the Lewis County 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 contemporaneously herewith completed its review under SEQRA with respect to the property and trails identified above, and based upon an

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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, James Bauer 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 trail located on the above referenced properties, owned by James Bauer, which are located on the Zeigler Road and the Neff Road, in the Town of Leyden, identified as parcel numbers 402.00-01-6.00 & 402.00-01-3.0 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 James Bauer properties 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 Fawcett, and adopted.

**RESOLUTION NO. 135 - 2017
RESOLUTION REGARDING SEQRA REVIEW OF A
NEW TRAIL TO BE ADDED TO THE LEWIS COUNTY ATV
TRAIL SYSTEM AND DECLARING NO SIGNIFICANT IMPACT
(GORDON YANCEY PROPERTY)**

Introduced by Legislator Lawrence Dolhof, Chairman, 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 (öNYCRRö) implementing Article 8 (collectively referred to hereinafter as öSEQRAö); 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 (öDGEISö) and a Final GEIS (collectively the öGEISö) 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 öTrail Systemö) by adopting Local Law No. 2 ö 2009, öA LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEMö (herein, öLocal Law No. 2ö); 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

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 Gordon Yancey, which is located at the intersection of Carey and Flat Rock Road, Town of Martinsburg, identified as parcel number 255.00-02-01.000, 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 the Gordon Yancey property, in the Town of Martinsburg, 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:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

- 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 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 Gordon Yancey property, in the Town of Martinsburg, known as tax map parcel 255.00-02-01.000, 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 Kulzer, and adopted.

**RESOLUTION NO. 136 - 2017
RESOLUTION TO INCORPORATE
GORDON YANCEY 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

(øDGEISö) and a Final GEIS (collectively the øGEISö) 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 øTrail Systemö) by adopting Local Law No. 2 ö 2009, øA LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEMö (herein, øLocal Law No. 2ö); 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 Gordon Yancey which is located at the intersection of the Carey Road and Flat Rock Road, parcel number 255.00.00-02-01.000 to the Lewis County 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 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, Gordon Yancey 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 trail located on the above referenced property, owned by Gordon Yancey, which is located at the intersection of the Carey Road and Flat Rock Road, in the Town of Martinsburg, identified as parcel number 255.00-02-01.000 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 Gordon Yancey property 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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 King, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 137 - 2017
RESOLUTION TO AUTHORIZE CLOSING A PORTION OF
THE WEST ROAD IN THE TOWN OF TURIN DURING
THE MOE.DOWN CONCERT EVENT**

Introduced by Legislator Greg Kulzer, Chairman of the Transportation Committee

WHEREAS, the "Moe.Down" concert is an event which attracts thousands of participants and tourists to Lewis County; and

WHEREAS, the Lewis County Superintendent of Highways is authorized to close County roads from time to time in order to enhance safety of pedestrians and residents as well as to ensure an open pathway for emergency and law enforcement vehicles; and

WHEREAS, the Lewis County Superintendent of Highways seeks to close the West Road on June 30, 2017 from 10:00 a.m. through July 3, 2017 to 10:00 a.m. during the "Moe.Down" concert event for all traffic except local traffic, deliveries and emergency and law enforcement matters;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the closure of the West Road in the Town of Turin (from the intersection of State Route 26 southerly to West Main Street) on June 30, 2017 from 10:00 a.m. through July 3, 2017 to 10:00 a.m. during the "Moe.Down" concert.

Section 2. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 138 - 2017
RESOLUTION TO AUTHORIZE CLOSING A PORTION OF
WEST ROAD IN THE TOWN OF TURIN DURING**

APRIL 4, 2017

THE SNIRT RUN EVENT ON APRIL 15, 2017

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

WHEREAS, the "SNIRT Run" ATV event attracts thousands of ATV participants and tourists to Lewis County; and

WHEREAS, the Director of Recreation, Forestry & Parks has consulted with the Lewis County Superintendent of Highways and Lewis County Sheriff's Department to consider closure of a portion of the West Road from the intersection of State Route 26 southerly to West Main Street in Turin for safety and emergency management since ATV participants will be parking at Snow Ridge and riding their ATVs from that location on the West Road; and

WHEREAS, the Lewis County Superintendent of Highways is authorized to close County roads from time to time in order to enhance safety of pedestrians and residents as well as to ensure an open pathway for emergency and law enforcement vehicles; and

WHEREAS, the Lewis County Superintendent of Highways seeks to close the West Road on April 15, 2017 during the "SNIRT Run" from 6:00 a.m. to 8:00 p.m. to all traffic except local traffic, deliveries and emergency and law enforcement matters; and

NOW, THEREFORE, BE IT RESOLVED,

Section 1. The Lewis County Board of Legislators hereby authorizes the closure of the West Road in the Town of Turin (from the intersection of State Route 26 southerly to West Main Street) on April 15, 2017 from 6:00 a.m. to 8:00 p.m.

Section 2. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 139 - 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
BUILDING MAINTENANCE DEPARTMENT**

Introduced by Legislator Craig Brennan, Chairman of the Buildings and Grounds Committee.

WHEREAS, Superintendent of Buildings Frank Archer requests permission to create a temporary part-time HVAC Technician position to authorize retiring HVAC Technician Mark Maryhugh to train the new HVAC Technician for a period up to six months on an as-needed basis.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NOW, THEREFORE, BE IT RESOLVED as follows:

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

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
HVAC Technician	Temporary Part-time (2 days/week)	\$21.03/Hr.

Section 2. That Superintendent of Buildings Frank Archer is hereby authorized to schedule Mark Maryhugh to work as-needed up to 2 days per week, effective immediately for a period not to exceed six (6) months.

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

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

**RESOLUTION NO. 140 - 2017
RESOLUTION SUPPORTING AN INCREASE IN THE SHARE OF REVENUE
COUNTIES RETAIN FOR PROVIDING STATE DMV SERVICES**

Introduced by Legislator Craig Brennan, Chairman of the County Clerk Committee.

WHEREAS, in New York State 51 of 62 counties are mandated to operate a local Department of Motor Vehicles (DMV) office; and

WHEREAS, local DMV Offices provide customer service and process many no-fee transactions on behalf of New York 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 local DMV offices has increased in the 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 with the State will not result in any increased cost or fees to local residents or taxpayers and at the same time provide counties with the needed revenue to continue to provide necessary local government services; and

APRIL 4, 2017

WHEREAS, a clear inequity exists when a County DMV provides all the services including overhead and staffing to fulfill these DMV needs for State residents, yet the State takes 87.3% of the revenue generated from providing said services; and

WHEREAS, the New York State Association of County Clerks strongly supports Bill numbers S.1908 and A.3397, which would increase the DMV revenue to counties and provide a more equitable share in order to operate DMV offices and help offset county property taxes.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators calls upon Governor Andrew M. Cuomo and members of the State Legislature to support Senate Bill Number S.1908 and Assembly Bill A.3397 that relates to increasing the retention percentage for certain motor vehicle service fees.

Section 2. That the Clerk of the Board is directed to forward certified copies of this resolution to Governor Andrew M. Cuomo, Senator Joseph Griffo, Assemblyman Ken Blankenbush, NYSAC, New York State Association of County Clerks (NYSACC) and all others deemed necessary and proper.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 141 - 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO COUNTY CLERK**

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

WHEREAS, County Clerk Linda Hoskins had been granted permission to hire a temporary Student Worker for the period through 2/13/17; and

WHEREAS, she had requested the Ways and Means for an authorizing recommendation to extend the Student Worker to work two (2) days per week from 1/13/17 to 12/31/17; and

WHEREAS, the Ways and Means Committee had agreed to make the recommendation to the Board, but the action was inadvertently forgotten.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the County Clerk's Department, to authorize the Student Worker to work for two (2) days per week through the end of 2017 at the rate of \$9.70 per hour.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 142 - 2017
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE LEWIS COUNTY DISTRICT ATTORNEY'S OFFICE
AND ROBERT C. ACKLEY, JR. TO ASSIST FORENSIC PATHOLOGIST**

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 Robert C. Ackley, Jr., to assist the forensic pathologist at every autopsy performed on behalf of Lewis County Coroner's Office as needed and requested by the forensic pathologist; and

WHEREAS, the Board of Legislators wishes to accept said contract.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That this Board of Legislators hereby authorizes an agreement between the Lewis County District Attorney's Office and Robert C. Ackley, Jr., to assist the forensic pathologist at every autopsy performed on behalf of Lewis County Coroner's Office as needed and requested by the forensic pathologist for the term commencing January 1, 2017 through December 31, 2017 at a cost of \$80.00 per autopsy.

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 Dolhof, and adopted.

**RESOLUTION NO. 143 - 2017
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE LEWIS COUNTY DISTRICT ATTORNEY'S OFFICE
AND VONNICE L. JOELS**

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

APRIL 4, 2017

WHEREAS, the Lewis County District Attorney's Office wishes to enter into an agreement with Vonnice L. Joels, to communicate and coordinate with the Lewis County Coroner's Office on each sign out and autopsy case in Lewis County; coordinate necessary paperwork to advance sign out for death certificates; schedule autopsies; transcribe autopsy findings for final reports; and forward autopsy findings and amended death certificates to Coroner's Office; and

WHEREAS, the Board of Legislators wishes to accept said contract.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That this Board of Legislators hereby authorizes an agreement between the Lewis County District Attorney's Office and Vonnice L. Joels, to communicate and coordinate with the Lewis County Coroner's Office on each sign out and autopsy case in Lewis County; coordinate necessary paperwork to advance sign out for death certificates; schedule autopsies; transcribe autopsy findings for final reports; and forward autopsy findings and amended death certificates to Coroner's Office for the term commencing January 1, 2017 through December 31, 2017 at a cost of \$75.00 per transcript of autopsy.

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. 144 - 2017
RESOLUTION AUTHORIZING A LEASE-PURCHASE AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND
KEY GOVERNMENT FINANCE, INC.**

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

WHEREAS, the Lewis County Highway Department wishes to purchase a 2017 International 7600 SBA with Viking plow, VIN 3HTGRSNT7HN504358, with required attachments and accessories; and

WHEREAS, the Lewis County Highway Department seeks to enter into a lease/purchase agreement for this equipment with Key Government Finance, Inc., with the principal amount of \$226,580.00 to be financed at an annual rate of 2.94%, payable over a five (5) year period in annual installments of \$47,976.46 on April 6, 2017 and every April 6th thereafter with the final installment on April 6, 2021, resulting in total payments of principal and interest of \$239,897.30 over the life of the Agreement; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 consistent with the Highway Superintendent's multi-year equipment replacement plan adopted by Resolution No. 42-2015.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes an agreement between the County of Lewis and Key Government Finance, Inc. for the purchase of a 2017 International 7600 SBA with Viking plow with all attachments and accessories as set forth in the equipment lease agreement, at an amount of \$226,580.00 to be financed at an annual rate of 2.94 %, payable over a five (5) year period in annual installments of \$47,976.46, commencing April 6, 2017.

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 \$47,976.46 due from April 6, 2017 through April 6, 2021 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 Hathway, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 145 - 2017
ADOPTING LEWIS COUNTY TITLE VI PROGRAM PLAN**

Introduced by Legislator Bryan Moser, Human Resources Committee Chairman.

WHEREAS, in accordance with the Title VI of the Civil Rights Act of 1964, the Lewis County Title VI Program Plan was drafted to reaffirm the County's policy to allow all individuals the opportunity to participate in federal financially assisted services, and

WHEREAS, as a recipient of federal and state funds, Lewis County is subject to the requirements and provisions of Title VI of the Civil Rights Act of 1964, as amended, and

APRIL 4, 2017

WHEREAS, the provisions include, but are not limited to, prohibiting discrimination on the grounds of race, color or national origin (being denied the benefits of, or otherwise subjected to discrimination under any program or activity administered by federal or state assisted programs, services, or activities), and

WHEREAS, non-compliance with this mandate can affect federal financial assistance, and

WHEREAS, Lewis County assures every effort will be made to guarantee non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not, and every effort will be made to ensure that no person is excluded from participation in or denied benefits of its services based on race, color, or national origin.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby adopts the attached Lewis County Title VI Program Plan and hereby designates Human Resources Director/Personnel Officer Christopher Boulio as Title VI Coordinator for Lewis County.

Section 2. That this resolution shall take effect immediately.

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

Lewis County, NY

TITLE VI PLAN

**Prepared by: Christopher S. Boulio
Director of Human Resources
Title VI Coordinator**

Title VI Plan

Title VI/ Nondiscrimination Policy Statement3
Authorities.....3
Title VI Reporting Relationships4
Organization and Staffing - General.....4
Program Administration and Title VI Coordinator’s Responsibilities5
Complaint Procedures for Federally Assisted Programs and Activities7
Special Emphasis Program Areas10
Planning and Program Development.....10
Consultant Services/Environmental10
Engineering Services13
Right-of-Way14
Contract Compliance16
Appendix 1 -- Title VI Notice to Public17
Appendix 2 -- Title VI Assurances18
Appendix 3 -- For Contractors, Subcontractors, Suppliers, and Manufacturers.....20
Appendix A.....21
Appendix B22

Title VI/Nondiscrimination Policy Statement

The **County of Lewis** assures that no person shall on the grounds of race, color, national origin, or sex as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The **County of Lewis** further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

In the event that the **County of Lewis** distributes federal aid funds to another governmental entity, the **County of Lewis** will include Title VI language in all written agreements and will monitor for compliance. The **County of Lewis**' Contract Compliance Office is responsible for initiating and monitoring Title VI activities, preparing required reports and other responsibilities as required by 23 CFR 200 and 49 CFR 21.

Authorities

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (please refer to 23 CFR 200.9 and 49 CFR 21).

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of Federal Aid recipients, subrecipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

Additional Authorities and Citations Include:

Title VI of the Civil Rights Act of 1964; 42 USC 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; DOT Order 1050.2; EO 12250; EO 12898; 28 CFR 50.3; EO 13166.

Lewis County Title VI Reporting Relationships

The **County of Lewis** has appointed the **Director of Human Resources, Christopher S. Boulio**, as the **Lewis County** Title VI Coordinator.

The **County of Lewis** is required to appoint a Coordinator under 23 CFR 200.9(b)(1) with easy access to the head of the agency. The **Director of Human Resources**, a direct appointee of the **Chairman of the Board** has such access pursuant to the **Lewis County** Charter:

The contact information for the City's Title VI Coordinator is as follows:

**Director of Human Resources
Christopher S. Boulio
Title VI Coordinator
7660 N. State Street
Lowville, NY 13367
(315) 377-2049
chrisboulio@lewiscounty.ny.gov**

Appointment of Title VI Program Specialists

In addition to appointing a Title VI Coordinator, the **County of Lewis** has proactively appointed several Title VI Program Specialists to annually monitor the **Lewis County** emphasis program areas. The emphasis program areas are: Planning, Environment, Design, Right-of-Way, Construction, Maintenance, Safety, and Research. The mailing address for all such contacts is **7660N. State Street, Lowville, NY 13367**. The personal contact information for each is as follows:

Contract Compliance:

**County Attorney, Joan McNichol
(315) 376-5282**

Engineering Services

**Highway Superintendent, David Becker
(315) 376-5352**

Design

**Highway Superintendent, David Becker
(315) 376-5352**

Construction

**Highway Superintendent, David Becker
(315) 376-5352**

Maintenance

**Superintendent of Buildings and Grounds, Frank Archer
(315)376-5321**

Right-of-Way

**Highway Superintendent, David Becker
(315) 376-5352**

Environmental Services

**County Planning Director, Frank Pace
(315) 376-5423**

Safety

Workers' Compensation Administrator, Terry Clark
(315) 376-5356

Planning and Research

County Planning Director, Frank Pace
(315) 376-5423

Program Administration and Title VI Coordinator's Responsibilities

As authorized by the **Chairman of the Board of legislators**, the Title VI Coordinator and Title VI Program Specialists are responsible for initiating, monitoring, and ensuring the County of Lewis' compliance with Title VI requirements as follows:

1. Process, review and investigate Title VI complaints received by the **County of Lewis** in accordance with the **County of Lewis's** Complaint Procedures. If any individual believes they or any other program beneficiaries have been subject to unequal treatment or discrimination as to the receipts of benefits and/or services, or on the grounds of race, color, national origin, or gender, they may file a complaint with the **County of Lewis**. It is the goal of the **County of Lewis** to resolve complaints informally at the lowest managerial level.
2. Collect statistical data (race, color, income, gender, and national origin) of participants in and beneficiaries of, **County of Lewis** highway programs (i.e., relocatee's, impacted citizens, and affected communities). Each of the Title VI special emphasis program area will maintain data to be incorporated in the Title VI updates. Procedures will be reviewed regularly to ensure the data is sufficient in meeting the Title VI program administration requirements.
3. Review special emphasis program areas to determine the effectiveness of program area activities at all levels. In addition to the day-to-day monitoring, all special emphasis program areas will be reviewed annually to assure effectiveness in their compliance of Title VI provisions. The Title VI Coordinator and Title VI Program Specialists will coordinate efforts to ensure equal participation in their program areas and activities at all levels.
4. Conduct Title VI reviews when necessary of contractors and other recipients of federal aid highway funds.
5. Work with special emphasis program staff to ensure the fundamental principles of Environmental Justice outlined below:
 - Avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
 - Ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.

-Prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

6. Develop Title VI and Limited English Proficiency information for Public Dissemination. Ensure dissemination to the general public and, where appropriate, in languages other than English. The City will disseminate Title VI Program information to City employees, contractors, subcontractors, consultants, and subconsultants as well as the general public. Public dissemination will include posting of public statements and inclusion of Title VI language in contracts. The Title VI/Nondiscrimination Policy Statement will be published in newspapers having a general circulation in the vicinity of proposed projects and announcements of hearings and meetings in minority publications.
7. Conduct pre-grant and post-grant approval reviews of **County of Lewis** programs and applicants for compliance with Title VI requirements; i.e., highway location, design and relocation, and persons seeking contracts with the **County of Lewis**.
8. Prepare an Annual Title VI Update Report. The update will report on any accomplishments and changes to the program occurring during the preceding year. The update will include goals and objectives for the upcoming year.
9. Schedule training for Title VI related statutes for **County of Lewis** employees. The training will provide comprehensive information on Title VI provisions, its application to program operations, identification of Title VI issues and resolution of complaints. All directives providing operational guidelines to all subrecipients, and special emphasis program areas will be reviewed annually to include Title VI language and provisions and related requirements, where applicable.
10. Identify and eliminate discrimination when found to exist. Work with all **County of Lewis** Offices and Departments to establish procedures for promptly resolving deficiencies. Procedures will be implemented to identify and eliminate discrimination when found to exist, including, but not limited to utilization of disadvantaged business enterprises, public involvement and property acquisition.
11. Establish procedures for promptly resolving deficiency status and reducing to writing the remedial action agreed to be necessary within a period of 90 days. The **County of Lewis** will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When irregularities occur in the administration of the program's operation, procedures will be implemented to resolve Title VI issues, and reducing to writing remedial action agreed necessary within a period of 90 days.

Subrecipients placed in a deficiency status will be given a reasonable time, not to exceed 90 days after receipt of the deficiency letter, to voluntarily correct deficiencies.

The **County of Lewis** will seek the cooperation of the subrecipient in correcting deficiencies found during the Title VI compliance reviews. The **County of Lewis** will also provide the technical assistance and guidance needed to aid the subrecipient to comply voluntarily.

When a subrecipient fails or refuses to voluntarily comply with requirements within the allotted time frame, the **County of Lewis** will submit a copy of the case file to NYSDOT's Office of Civil Rights or the FHWA and a recommendation that the subrecipient be found in noncompliance.

A follow-up review will be conducted within 180 days of the initial review to ensure that the subrecipient has complied with the Title VI Program requirements in correcting deficiencies previously identified.

12. Maintain updated legislative and procedural information regarding the **County of Lewis's** Title VI Program. This will include federal laws, rules and regulations, NYSDOT guidelines, the **County of Lewis** Plan and updates, and other resource information pertaining to Title VI issues.

Complaint Procedures for Federally Assisted Programs and Activities

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, (including its Disadvantaged Business Enterprises (DBE)), Section 504 of the Rehabilitation Act of 1973, Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990, relating to any transportation or Public Works program or activity administered by the City, as well as to subrecipients, consultants, and contractors. These procedures apply to complaints filed against a program or activity funded by either the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA) or the Federal Aviation Administration (FAA).

Intimidation or retaliation of any kind is prohibited per Title 49, Code of Federal Regulations, Part 21.11(e).

The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination.

These procedures are part of an administrative process, which does not provide for remedies that include punitive damages or compensatory remuneration for the complainant. Every effort will be made to obtain early resolution of complaints at the lowest managerial/administrative level possible. The option of informal mediation meeting(s) between the affected parties and the investigator may be used for resolution, at any stage of the process. The investigator will make every effort to pursue a resolution of the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

Procedures

Any person who believes that they or any specific class of persons has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities prohibited under Title VI based upon race, color, sex, age, national origin or disability may file a written complaint with the **County of Lewis**.

Time Limits for Filing

A formal complaint must be filed within 180 days after:

- The date of the alleged act of discrimination; or
- The date when the person became aware of the alleged discrimination; or
- There has been a continuing or the latest instance of the discriminatory conduct.

Form of Complaints

A formal complaint must meet the following requirements:

- Must be in writing and signed by the person or their representative and include the complainant's name, address and telephone number. A formal complaint of discrimination will also be acknowledged and processed if received by fax or e-mail. A formal complaint of discrimination received by telephone will be written down and provided to the complainant for confirmation or revision before processing.
- Must provide a detailed description of the issues including names, dates, and job titles of witnesses or those individuals perceived as parties in the complained of incident.

Upon receipt of the complaint, the **County of Lewis** will determine its jurisdiction, acceptability, need for additional information and the investigative merit of the complaint. In cases where the complaint is against one of **Lewis County's** sub recipients of federal highway funds, the **County of Lewis** will assume jurisdiction and will investigate and adjudicate the case. Complaints against the **County of Lewis** will be referred to the New York State Department of Transportation's Office of Civil Rights for proper disposition. In special situations warranting intervention to ensure equity, the NYSDOT Office of Civil Rights may assume jurisdiction and either complete or obtain services to review or investigate matters.

Acceptance of a complaint will be determined by

- Whether the complaint is timely filed;
- Whether the allegations involve a covered basis such as race, color, national origin, gender, disability or retaliation;
- Whether the allegations involve a program or activity of a Federal-aid recipient, subrecipient, or contractor; or, in the case of ADA allegations, an entity open to the public;
- The complainant(s) acceptance of reasonable resolution based on the Department's administrative authority;

A complaint may be dismissed for the following reasons

- The complainant requests the withdrawal of the complaint;
- The complainant fails to respond to repeated requests for additional information needed to process complaint;
- The complainant cannot be located after reasonable attempts.

The **County of Lewis** has sole authority for accepting complaints for investigation. Once the **County of Lewis** decides to proceed with the investigation, the complainant and the respondent will be notified in writing of the determination within ten (10) calendar days. The complaint will receive a case number and be logged into the **County of Lewis's** records identifying its basis, alleged harm, the race, color, national origin and gender of the complainant(s).

In cases where the **County of Lewis** assumes investigation of the complaint, the **County of Lewis** will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have ten (10) calendar days from the date of the **County of Lewis's** written notification of acceptance of the complaint to furnish their response to the allegations.

Within 40 calendar days of the acceptance of the complaint, the **County of Lewis** or NYSDOT investigator will prepare an investigative report for the **County of Lewis's** Title VI Coordinator and the **name of Chief Executive Officer**. The report will include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition. The **County of Lewis's** Title VI Coordinator and **CEO** will have 10 calendar days to review and provide comments to the investigator.

Once the investigator addresses any comments to the preliminary investigative report, the report and its findings will be forwarded to the **Lewis County** Law Department for review. The Law Department attorneys will review the report and associated documentation and will provide input within 10 calendar days.

Any comments or recommendations from the **Lewis County** Law Department will be reviewed by the **CEO**. There will be a period of 10 calendar days for the **CEO** to discuss the report and any recommendations with the **County of Lewis's** Title VI Coordinator, and to have the Title VI Coordinator address any modifications before the report's release to the corresponding United States Department of Transportation (USDOT) modality (FHWA, FTA, FAA).

The **County of Lewis's** final investigative report and a copy of the complaint will be forwarded to either NYSDOT, FHWA, FTA, or FAA, within 60 calendar days of the acceptance of the complaint.

The **County of Lewis** will notify the parties of its preliminary findings which are subject to the corresponding USDOT modality's concurrence.

The corresponding USDOT modality will issue the final decision to the **County of Lewis** based on the investigative report.

USDOT will analyze the facts of the case and will issue its conclusion to the complainant according to their procedures. Once the corresponding USDOT modality issues its final decision, the **County of Lewis** will notify all parties involved about such determination. USDOT's final determination is not subject to an appeal.

Special Emphasis Program Areas

Planning

Planning and Program Development

Develop near-term and long-term strategies to maintain and enhance the quality and safety of **Lewis County's** transportation and infrastructure.

Title VI Responsibilities

- Ensure that all aspects of the transportation planning process comply with Title VI.
- Ensure participation of a cross section of various social, economic, and ethnic interest groups are represented in the planning process by disseminating program information to minority media and ethnic organizations and participating in roundtable meetings in minority and low-income communities when applicable.
- Assist the Title VI Coordinator in gathering and organizing information for internal annual Title VI Update Reports.
- Review the Program Development work program and other directives to ensure compliance with Title VI program requirements.
- Ensure equal participation on Citizens Advisory Committees (CAC) by requesting the CAC provide information regarding their selection process for members and to furnish information on membership make up (race, gender, and position within the organization) for evaluation.
- Visit CAC and public meetings to verify the level of participation of Title VI protected group members when offered in predominantly minority or low-income communities.
- Gather statistical data on program participation regarding race, color and national origin.

Environmental Services

Consultant Contracts Administration

Identify the needs for each project, ensure they are met in the contract, and ensure consultant compliance to the satisfaction of the **County of Lewis**.

Authorities:

48 CFR 31; 23 CFR 172

National Environmental Policy Act of 1969, 42-USC-4321

23 CFR Part 771

40 CFR Part 1500

49 CFR Part 622

EO 12898

Consultant Selection Process

Utilizing the request for proposal and competitive bidding processes, the **County of Lewis** selects the appropriate contractors and vendors for the project. Title VI nondiscrimination provisions will be incorporated into all written contracts and materials in this process.

Environmental Process

Work with neighborhood stakeholders and community groups to ensure that all affected residents have opportunities to participate in the planning, design and construction of transportation projects.

Environmental Justice Outreach

Public Involvement in the area of Environmental Justice will be achieved through outreach measures that assure meaningful involvement of minority and low-income populations. This will be achieved through a variety of measures, including but not limited to:

- Obtaining U.S. Census Data and data from the local School District to identify minority and low-income populations to determine impacts during the initial stages of project planning. Further analyze this data using additional sources, including area community, religious, and business associations, school districts, senior citizen groups, and economic development organizations.
- Inviting a cross section of the populace from social, economic, and ethnic groups in the planning process through written information in local newspapers and where possible, minority news media. Create notices that attract attention and are in layman's terms.
- Holding meetings at a variety of times during the day and providing various locations to facilitate access and participation by target populations.
- When necessary, translate documents, notices and hearings for limited English-speaking populations.
- Obtaining demographic data at applicable community meetings and public hearings. Data will be gathered through the use of voluntary self-reporting forms which include race, gender, and national origin. Copies of these forms will be sent to the Title VI Coordinator after each meeting.
- Document all evidence to support conclusions regarding Environmental Justice issues. Detail all efforts taken to identify minority or low-income populations affected by transportation planning activities.

Limited English Proficiency Strategies

Strategies to provide meaningful access to LEP persons to ensure that they can communicate effectively will be achieved by measures including but not limited to:

- Applying the “four factor analysis” process provided as a guideline from the U.S. Department of Justice to determine LEP needs. This process includes determining the number and proportion of LEP individuals within the population, the frequency with which LEP individuals will come in contact with the program, the nature and importance of the program to people’s lives, and the resources available to provide translation services. The results of this analysis will be used to outreach and engage LEP persons in the transportation planning process.
- Developing a demographic assessment for the impacted area to determine if there is a 5% or more minority population requiring special language assistance, and address the needs.
- Developing a written policy to ensure the implementation of LEP measures that identify and assess the language needs of its LEP population. Provide for a range of language assistance options, including notices to LEP persons in a language they can understand regarding their right to free language assistance.
- Training to ensure that staff are knowledgeable and aware of LEP policies and procedures, and are trained to work effectively in the facilitation of the process.
- Providing translation services for public documents and competent interpreters at public hearings.
- Increasing opportunities for public involvement, particularly by historically underserved populations including LEP individuals by advertising in local and local minority newspapers.
- Monitoring the program to ensure that LEP persons have meaningful access to the transportation planning and implementation process.
- *See also the County of Lewis’s Language Access Plan, available on the County of Lewis’s website.*

Title VI Responsibilities

- Monitor compliance with Title VI requirements in all aspects of the environmental process, including Environmental Justice and Limited English Proficiency requirements.
- Conduct meetings to review the project impact.
- Disseminate to the public their right to call or write the department to view plans and discuss environmental problems.
- Ensure DBE goal attainment.
- Coordinate the gathering of environmental information for the Annual Title VI Update Report including awards to DBE firms.
- Notify protected group residents of public meetings or hearings regarding a proposed project. Ensure time and location for public meetings or hearings is accessible.
- Maintain mechanisms to identify population affected by a project.
- Ensure participation of all segments of the impacted population in the location selection process.

- Ensure that all federally funded consultant contracts administered by this section have the appropriate Title VI Appendix enclosed.
- Review guidelines and procedures to ensure Title VI compliance.
- Maintain and update necessary data and documentation, including demographic data mapping ethnicity by area as required for completion of the department's internal annual Title VI Update Report.

Engineering Services

Engineering Services

Engineering services assess the **County of Lewis's** infrastructure and prepares plans for construction, design, and repair. Special efforts will be made to inform members of minority communities of public hearings and other public involvement activities. These efforts include public notices in minority newspapers and selection of accessible location and time for public hearings or meetings.

Authorities

The following is an abbreviated list of statutes and regulations that Engineering Services must follow in the conduct of its work: Title VI of the Civil Rights Act of 1964, Civil Rights Restoration Act of 1987, Americans with Disabilities Act (ADA), National Environmental Protection Act (NEPA), National Historic Preservation Act, New York State Environmental Quality Review Act (SEQRA), Clean Air Act Amendment 1990, New York State Historic Preservation Act, New York State Smart Growth Public Infrastructure Policy Act, Executive Order 12898 Environmental Justice in Minority Populations, Executive Order 13045 Protection of Children from Environmental Health Risks and Safety Risks, New York State Fire Code, Manual of Uniform Traffic Control Devices (MUTCD), New York State Vehicle & Traffic Law, Municipal Code of the City of Rochester; Title 23, U.S.C 109(d), 14(a), 217, 315 and 402(a); 23 CFR 1204.4; 23 CFR 771; EO 12898; 49 CFR 1.48(b)(33) and 1.48(c)(2); among others.

Design Process

Economic, social, topographic, and environmental impacts of a proposed project are key factors weighed in the location consideration. Special efforts in the area of Environmental Justice will be made to inform members of minority communities of public hearings and other public involvement activities. These efforts include public notices in minority newspapers and selection of accessible location and time for public hearings or meetings.

Construction Engineering

Construction engineering deals with the designing, planning, construction, and management of infrastructures such as highways, bridges, airports, railroads, buildings, and utilities. Special efforts will be made to inform members of minority communities of public hearings and other public involvement activities. These efforts include public notices in minority newspapers and selection of accessible location and time for public hearings or meetings.

Authorities

The following is an abbreviated list of statutes and regulations that Engineering Services must follow in the conduct of its work: Title VI of the Civil Rights Act of 1964, Civil Rights Restoration Act of 1987, Americans with Disabilities Act (ADA), National Environmental Protection Act (NEPA), National Historic Preservation Act, New York State Environmental Quality Review Act (SEQRA), Clean Air Act Amendment 1990, New York State Historic Preservation Act, New York State Smart Growth Public Infrastructure Policy Act, Executive Order 12898 Environmental Justice in Minority Populations, Executive Order 13045 Protection of Children from Environmental Health Risks and Safety Risks, New York State Fire Code, Manual of Uniform Traffic Control Devices (MUTCD), New York State Vehicle & Traffic Law, Municipal Code of the City of Rochester, among others.

Construction Process

Construction Engineering is responsible for new construction and maintaining **Lewis County** roads and bridges by using the resources of contractors, equipment, and materials in the most economic way. Construction Engineering provides guidance and oversight for the administration of transportation construction projects. Special efforts will be made to inform members of minority communities of public hearings and other public involvement activities. These efforts include public notices in minority newspapers and selection of accessible location and time for public hearings or meetings.

Title VI Responsibilities

- Ensure that all aspects of the location selection process comply with the Title VI requirements.
- Consult and seek input from affected populations.
- Develop mechanisms to identify affected populations.
- Assure public participation in the selection process.
- Provide notice of public meetings in minority newspapers and newsletters when appropriate.
- Maintain required Title VI compliance documentation and statistical data. Gather statistical data on race, color & national origin for program requirements.
- Monitor program components for compliance with the Title VI requirements.
- Review activities associated with public hearings to enhance the participation of targeted communities.
- Develop and update operational manuals and guidelines to ensure the inclusion of Title VI language and provisions.
- Gather program area data to be included in the internal annual Title VI Update Report.

Right-of-Way

Right-of-Way Programming

Right-of-way programming involves monitoring and administering construction and obstructions in the right-of-way. Right-of-Way programming is handled by the Permitting Department of DES and involves inspections and compliance measures in the right-of-way.

Authorities:

The following is an abbreviated list of statutes and regulations that Engineering Services must follow in the conduct of its work: Title VI of the Civil Rights Act of 1964, Civil Rights Restoration Act of 1987, Americans with Disabilities Act (ADA), National Environmental Protection Act (NEPA), National Historic Preservation Act, New York State Environmental Quality Review Act (SEQRA), Clean Air Act Amendment 1990, New York State Historic Preservation Act, New York State Smart Growth Public Infrastructure Policy Act, Executive Order 12898 Environmental Justice in Minority Populations, Executive Order 13045 Protection of Children from Environmental Health Risks and Safety Risks, New York State Fire Code, Manual of Uniform Traffic Control Devices (MUTCD), New York State Vehicle & Traffic Law, Municipal Code of the City of Rochester, 23 CFR 130, 49 CFR 24, among others.

Acquisition Process

The guidelines in the Right-of-Way Manual are followed for property acquisition as well as all applicable laws and regulations, including Title VI and Section 504. The right of way acquisition process entails appraisal of property, negotiation of terms and conditions for acquisition, and assistance in the relocation of displaced individuals, businesses, farm operations, nonprofit organizations, and property management.

Title VI Responsibilities

Ensure equal opportunity for disadvantaged businesses to participate in Personal Services Contracts. The contracts are typically appraisal contracts but can cover all services of real estate including negotiation, relocation, and property management. Ensure equal opportunity for disadvantaged business appraisers to participate by using current directories identifying fee appraiser organizations and the NYSDOT's list of certified fee appraisers. Apprise all affected property owners, tenants, and others involved of their rights and options regarding negotiation, relocation, condemnation and other aspects of the acquisition process.

- Conduct annual implementation reviews of Title VI provisions within the real estate acquisition process.
- Incorporate Title VI language and assurance statements in all surveys of property owners and tenants after the conclusion of all business. Coordinate the preparation of deeds, permits and leases to ensure the inclusion of the appropriate clauses, including Title VI Assurances.
- Ensure that appraised values and communications associated with the appraisal and negotiation operations result in equitable treatment.
- Ensure comparable replacement dwellings are available and assistance is given to all displaced persons and entities by the property acquisition process.
- Maintain statistical data including race, color, national origin, and sex on all relocatees affected by federally funded projects, and provide detailed demographic data quarterly to the Title VI Coordinator.
- Gather the statistical data required for completion of **County of Lewis's** Annual Title VI Update Report including awards to minority and female appraisers.

Contract Compliance

Contract Compliance

Contract compliance ensures that the **County of Lewis** is complying with standards regarding nondiscrimination and equal opportunity employment. It includes provisions that the **County of Lewis** may not discriminate in any programs or services on the basis of race, color, sex, or national origin; must accept applications from women and minorities; must solicit bids for contract work from minority-and-women-owned businesses; and follow fair hiring, retention, and promotion policies.

Authorities:

The following is an abbreviated list of statutes and regulations that Engineering Services must follow in the conduct of its work: Title VI of the Civil Rights Act of 1964, Civil Rights Restoration Act of 1987, Americans with Disabilities Act (ADA), National Environmental Protection Act (NEPA), National Historic Preservation Act, New York State Environmental Quality Review Act (SEQRA), Clean Air Act Amendment 1990, New York State Historic Preservation Act, New York State Smart Growth Public Infrastructure Policy Act, Executive Order 12898 Environmental Justice in Minority Populations, Executive Order 13045 Protection of Children from Environmental Health Risks and Safety Risks, New York State Fire Code, Manual of Uniform Traffic Control Devices (MUTCD), New York State Vehicle & Traffic Law, Municipal Code of the **County of Lewis**, among others.

Title VI Responsibilities

- Review all projects for application of DBE goals. Gather statistical data on DBE utilization.
- Include DBE general special provisions in those projects with goals. Include Title VI language in contract award letters to encourage utilization of DBE firms. Award of construction contracts shall be granted on the basis of the lowest responsive bidder including DBE requirements.
- Ensure through reviews that prime contractors with DBE requirements award previously committed work to proper DBEs and that DBEs actually perform commercially useful functions on contracts.
- Review activities to ensure maintenance and construction efforts and resources are applied uniformly and fairly.
- Maintain program documentation necessary for internal annual Title VI updates.

Appendix 1 -Lewis County Title VI Notice to Public

The **County of Lewis** hereby gives public notice that it is the **County of Lewis's** policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, gender, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the **County of Lewis** receives federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the **County of Lewis**. Any such complaint must be in writing and filed with the City Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint Forms may be obtained from this office at no cost to the complainant on our website at www.gov or by calling (123) 456-7890.

Appendix 2 – Lewis County Title VI Assurances

The **County of Lewis** (hereinafter referred to as the "Recipient"), HEREBY AGREES THAT as a condition to receiving any federal financial assistance from the U.S. Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d--42 USC 2000d--4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation--Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives federal financial assistance from the Washington State Department of Transportation, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This Assurance is required by Subsection 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances:

1. That the Recipient agrees that each "program" and each "facility" as defined in Subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal Aid Highway Program, and in adapted form in all proposals for negotiated agreements:

The **County of Lewis**, in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000d-d4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix 1 of this Assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix 2 of this Assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.

5. That where the Recipient receives federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives federal financial assistance in the form, or for the acquisition of real property, or an interest in real property, the Assurance shall extend rights to space on, over or under such property.

7. That the Recipient shall include the appropriate clauses set forth in Appendix 3 of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal Aid Highway Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal Aid Highway Program.

8. That this Assurance obligates the Recipient for the period during which federal financial assistance is extended to the program, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the Assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the federal financial assistance is extended, of for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.

9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation, or the official to whom she/he delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial endorsement with regard to any matter arising under the Act, the Regulations, and this Assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts or other federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Aid Highway Program and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Aid Highway Program. The person whose signature appears below is authorized to sign this Assurance on behalf of the Recipient.

Appendix 3 - For Contractors, Subcontractors, Suppliers, and Manufacturers

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations

The contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter DOT), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. Nondiscrimination

The contractor, with regard to the work performed during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. Solicitations for Subcontracts, Including Procurement of Materials and Equipment

In all solicitations either by competitive bidding or negotiations made by the contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the ground of race, color, sex, or national origin.

4. Information and Reports

The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by The City of Rochester or the NYSDOT to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the City, or the New York State Department of Transportation as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance

In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, The **County of Lewis** and the NYS Department of Transportation shall impose such contract sanctions as it, or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

1. Withholding of payments to the contractor under the contract until the contractor complies, and/or;
2. Cancellation, termination, or suspension of the contract, in whole or in part.

6. Incorporation of Provisions

The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontractor or procurement as the **County of Lewis** or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the **County of Lewis** enter into such litigation to protect the interests of the **County of Lewis** and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Appendix A

The following clauses shall be included in any and all deeds affecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

GRANTING CLAUSE

NOW, THEREFORE, The **County of Lewis**, as authorized by law, and upon the condition that the state of Washington will accept title to the lands and maintains the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways and the policies and procedures prescribed by the Federal Highway Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252:42 USC 2000d to 2000d--4) does hereby remise, release, quitclaim, and convey unto Pierce City all the right, title, and interest of the Department of Transportation in and to said land described in Exhibit A attached hereto and made a part thereof.

HABENDUM CLAUSE

Pursuant to the provisions of Title VI Assurances: The purchaser, for itself, himself or herself, its, his or her heirs, personal representatives, successors in interest and assigns does hereby covenant and agree that in the event facilities are constructed, maintained or otherwise operated on the property being purchased, for a purpose for which a United States Department of Transportation (USDOT) program or activity is extended or for another purpose involving the provision of similar services or benefits, the purchaser shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, USDOT Subtitle A, office of the Secretary, part 21, Non-discrimination in federally assisted programs of the USDOT-Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

The purchaser, for itself, himself or herself, its, his or her heirs, personal representatives, successors in interest and assigns does hereby covenant and agree that (1) no person, on the grounds of race, color, sex or national origin shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and furnishings of services thereon, no person, on the grounds or race, color, sex or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the purchaser shall use the premises in compliance with all requirements imposed by, or pursuant to Title 49, Code of Federal Regulations, USDOT Subtitle A, office of the Secretary, part 21, Non-discrimination in federally assisted programs of the USDOT-Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

Appendix B

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the **County of Lewis** pursuant to the provisions of Assurances, number 7.

The LESSEE, or their heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this lease, for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in federally assisted programs of the department of Transportation -- Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended. That in the event of breach of any of the above non-discrimination covenants, the City shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the County of Lewis pursuant to the provisions of Assurances, number 7.

The LESSEE, or their personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that (1) no person, on the grounds of race, color, sex or national origin shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and furnishing of services thereon, no person on the grounds of race, color, sex, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in federally assisted programs of the Department of Transportation ---Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the **County of Lewis** shall have the right to terminate the lease, and to re-enter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

**RESOLUTION NO. 146 - 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
HUMAN RESOURCES DEPARTMENT**

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, the Keyboard Specialist in the Civil Service Department has informed of her intent to retire in June 2017; and

WHEREAS, Human Resources Director/Personnel Officer Christopher Boulio recommends to expand the duties and reclassify the position as a Personnel Assistant.

NOW, THEREFORE, BE IT RESOLVED as follows:

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

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Personnel Assistant	Full-time	Not to Exceed \$30,000

Section 2. That Human Resources Director/Personnel Officer Christopher Boulio is hereby authorized to fill said position effective May 15, 2017.

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

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

**RESOLUTION NO. 147 - 2017
RESOLUTION AUTHORIZING A RENEWAL AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND ADVANCE2000
FOR SUPPORT AND MAINTENANCE SERVICES FOR THE
LEWIS COUNTY TELEPHONE SYSTEM**

Introduced by Legislator Philip Hathway, Chairman of the Information Technology Committee.

WHEREAS, the County of Lewis desires to enter into a renewal Agreement with Advance2000 for the Remote Technical Support (RTS), Onsite Technical Support (OTS), Repair and Exchange Service (RES), Manufacturer's Maintenance and Support services for the Lewis County Alcatel-Lucent PBX phone system; 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 a renewal Agreement between the County of Lewis and Advance2000 for the support and maintenance services for the Lewis County Alcatel-Lucent PBX telephone system, with prices locked in for a three-year period.

Section 2. That this is for the term commencing January 1, 2107 through December 31, 2019 at a cost not to exceed \$18,427.24 per year.

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

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

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

**RESOLUTION NO. 148 - 2017
RESOLUTION TO TRANSFER FUNDS
SHARED SERVICES**

Introduced by Legislator Philip Hathway, Chairman of the Information Technology Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfers take place in the Shared Services Telephone account from Contingency to cover the increase in Advance 2000 contract:

<u>From:</u>	<u>Amount</u>
A0199000 499900 Contingency	\$5,000.00
<u>To:</u>	
A0165100 430100 Telephone	\$5,000.00

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

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

**RESOLUTION NO. 149 - 2017
RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the Office for the Aging accounts to appropriate the Challenge Award received for conducting the Evidence Based Program of Tai Chi for Arthritis.

Increase Revenues

A0677200 327087 Evidence Based Programs \$450.00

Increase Expense

A677200 495900 Senior Prof Serv Evidence Based Prog \$450.00

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

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

**RESOLUTION NO. 150 – 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO OFFICE FOR THE AGING**

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

WHEREAS, Office For the Aging Director Brenda Bourgeois requests permission to increase the hours of the Principal Account Clerk from 35 to 40 hours per week, effective upon the impending retirement of the existing employee.

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 the Aging Department to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Principle Account Clerk	Full-time (40 hrs./week)	Grade 23

Section 2. That Office For the Aging Director Brenda Bourgeois is hereby authorized to fill said position effective upon the impending retirement of the existing Principal Account Clerk.

Section 3. That this resolution shall take effect immediately.

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

APRIL 4, 2017

**RESOLUTION NO. 151 - 2017
RESOLUTION AUTHORIZING ADDENDUM TO 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, the County of Lewis, acting by and through the Lewis County Planning Department, and Clark Patterson Lee, Design Professionals, entered into an Agreement dated March 31, 2016 pursuant to Resolution No. 104-2016 for the purpose of serving as Lead Engineering Professional Consultant for the Southern Lewis County Regional Water Program at a cost not to exceed \$299,000.00 and to provide these services on or before April 1, 2017; and

WHEREAS, the County of Lewis desires to extend the agreement with Clark Patterson Lee until April of 2018 and the Board of Legislators wishes to accept such addendum to grant the extension.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an addendum to the agreement dated March 31, 2016 to extend the term of the agreement through April 30, 2018 with no additional cost and with all other terms and conditions to remain in full force and effect.

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

Section 3. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 152 - 2017
RESOLUTION TO APPROPRIATE FUNDS
PROBATION**

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 budget appropriation is hereby approved in the Probation account for new computer software with Automon with funds from Project HAE Capital Data Processing H0990100 499900, balance \$ 126,272.08:

Increase Revenue:

A0100000 350310 Inter-fund transfers \$1,119.36

Increase Expense:

A0314000 221700 Computers \$1,119.36

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

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

**RESOLUTION NO. 153 - 2017
RESOLUTION AUTHORIZING
MEMORANDUM OF UNDERSTANDING
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND
CNYHNN, INC., D/B/A NORTH COUNTRY HEALTH HOME**

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

WHEREAS, CNYHNN, Inc. (d/b/a North Country Health Home) (öHealth Homeö) is a New York State corporation that provides management, data analysis, information technology utilization review, consulting services and care management to support the effort of behavioral and health providers, consumers and local governments to improve systems of care and service outcomes for individuals diagnosed with serious mental illness, addictions and co-occurring medical disorders; and

WHEREAS, Lewis County Public Health provides direct services to individuals and wishes to be part of the Health Home network and to deliver the services that the Health Home may refer to them for the Early Intervention Services; and

WHEREAS, Lewis County acting by and through the Lewis County Public Health Agency desires to enter into a Memorandum of Understanding with Health Home; 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 CNYHNN, Inc. (d/b/a North Country Health Home) to deliver the services that the Health Home may refer to them for the Early Intervention Services.

APRIL 4, 2017

Section 2. That the term of this Memorandum of Understanding shall commence on February 6, 2017 and either party may terminate this agreement upon sixty (60) days written notice.

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. 154 - 2017
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 (õPNö) applied for and was awarded funds under a grant for a student/youth intern employment program known as õCareers Hereö. PN requested that Jefferson-Lewis Workforce Development Board (õJLWDBö) be the grant recipient of this program and administer the program, and JLWDB accepted, as it is within its mission to õprovide career opportunities to young persons within the Jefferson- Lewis areasö; 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 õCareers Hereö Program, for a student/youth intern position; and

WHEREAS, the Board of Legislators wishes to accept such agreement; 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 Public Health Department and Jefferson-Lewis Workforce Development Area as the grant recipient and administrator of the Pratt Northam õCareers Hereö Program, for a student/youth intern position.

Section 2. That this is for the term beginning May 1, 2017 and ending December 31, 2017 for up to four hundred (400) hours with a temporary youth position with reimbursed wages at \$9.70 per hour.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such 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. 155 - 2017
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

WHEREAS, the goal of Bark Eater Events 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 11, 2017 through August 12, 2017 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.

APRIL 4, 2017

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

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

RESOLUTION NO. 156 - 2017
RESOLUTION URGING ADOPTION OF HOME RULE REQUEST
NEW YORK STATE SENATE BILL NO. S.5362
AND COMPANION NYS ASSEMBLY BILL NO. A.6913

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

WHEREAS, by Resolution No. 119-2017, the Board of Legislators of Lewis County requested Home Rule Legislation that would allow the County of Lewis to continue to impose an additional one percent (1%) local sales tax for the period beginning December 1, 2017 and ending November 30, 2019; and

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

WHEREAS, said legislation has been introduced in both houses of the State Legislature as Senate Bill No. S.5362 and Assembly Bill No. A.6913; and

WHEREAS, Article 9, § 2(B) (2) of the New York State Constitution and Section 40 of the Municipal Home Rule Law require a home rule request be made to the State Legislature before the bills may become law.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby makes this Home Rule request to the State Legislature to enact New York State Senate Bill No. S.5362 and the companion bill in the NYS Assembly Bill No. A.6913.

TITLE OF BILL: An act to amend the tax law, in relation authorizing the County of Lewis to impose an additional one percent of sales and compensating use taxes.

PURPOSE: To authorize Lewis County to impose an additional one percent of sales and compensating use taxes.

SUMMARY OF PROVISIONS: Authorizes Lewis County to impose an additional one percent sales and compensating use tax until November 30, 2019. Effective date is December 1, 2017.

Section 2. The Clerk of the Board is hereby directed to forward certified copies of this Resolution to State Senator Joseph Griffo and Assemblyman Kenneth Blankenbush.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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

**RESOLUTION NO. 157 - 2017
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 for contribution for K-9 expenses:

<u>Increase Revenues</u>	
A0311000 327063 (K-9 Contribution)	\$1250.00

<u>Increase Expense</u>	
A0311000 493300 (K-9 Expense)	\$1250.00

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

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

**RESOLUTION NO. 158 - 2017
RESOLUTION TO TRANSFER FUNDS
SHERRIF'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 is hereby approved in the Sheriff's Department accounts from Contingency to cover the increase in inmate board:

<u>From:</u>	<u>Amount</u>
A0199000 499900 Contingency	\$40,000.00

<u>To:</u>	
A0315000 450800 Inmate Board	\$40,000.00

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

Moved by Legislator King, seconded by Legislator Chartrand.

Legislator Moser suggested reaching out to Jefferson and St. Lawrence County Sheriffs to explore efficiency opportunities for housing varied inmate classifications, ie. whether all female inmates could be housed at one of the facilities.

Liz Swearingin reported substantial boarding expense for inmates at the Rochester Psychiatric Center that exhausted the budget line item as of February.

In response to Legislator Moser, Ms. Swearingin would request Sheriff Carpinelli to provide detailed inmate numbers for consideration of his proposed jail expansion due to ongoing inmate capacity. There had been relative discussion at the recent Alternatives to Incarceration meeting.

In response to Legislator Hathway, Ms. Swearingin said the Bonadio consultant report specifically addressing staffing numbers, is forthcoming.

The resolution was then adopted.

**RESOLUTION NO. 159 - 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOCIAL SERVICES**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, DSS Commissioner Jennifer Jones requests to extend one Community Services Worker beyond March 17, 2017 until various vacancies have been filled.

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 authorize extending one Community Services Worker beyond March 17, 2017 for a period up to five (5) months.

Section 2. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 160 - 2017
RESOLUTION TO TRANSFER FUNDS
VARIOUS ACCOUNTS**

Introduced by Legislator Craig Brennan, 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 from 2016 surplus:

Transfer from:

A0 005990 Fund balance	\$63,000.00
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Transfer to:

A0714000 499900 Double Play	\$40,000.00
A0741300 499900 Lowville Library	\$ 1,500.00
A0741000 499900 Libraries	\$18,500.00
A0731100 451500 Youth Bureau Misc County Projects	\$ 3,000.00

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

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

**RESOLUTION NO. 161 - 2017
RESOLUTION DIRECTING LEWIS COUNTY GENERAL HOSPITAL TO
REIMBURSE PENALTY IMPOSED UPON THE LEWIS COUNTY SELF-
INSURANCE PLAN FOR LATE FILING OF A REPORT**

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

WHEREAS, the County of Lewis (øCountyö) is duly qualified as self-insured under the Workersø Compensation Law of the State of New York. The Lewis County General Hospital (øLCGHö) is a participant in the plan; and

WHEREAS, the County enacted Local Law 8-2015 which provides in Section 2 (H) for plan participants to, *inter alia*, promptly file all required reports on claims. If the plan participant fails to do so, the Board of Legislators may, by resolution, impose a penalty upon any participant equal to the amount imposed upon the Lewis County Self-Insurance Plan by the NYS Workersø Compensation Board (øNYSWCBö) for a respective claim due to non-compliance with the Payor Compliance Policy; and

WHEREAS, the County Self-Insurance Plan has incurred a penalty of \$50 from the NYSWCB for late filing of a report for one (1) claim pertaining to the LCGH and seeks to have

the penalty reimbursed by LCGH to the County's Self-Insurance Plan by Resolution of the Board of Legislators; and

WHEREAS, the Board of Legislators wishes to seek this reimbursement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby directs reimbursement of \$50 from the LCGH, as the penalties incurred by the County Self-Insurance Plan for late filing of a report from the NYSWCB for one (1) claim pertaining to LCGH matters.

Section 2. That the Clerk of the Board is hereby authorized to make, execute and deliver a reimbursement invoice to the CEO of the LCGH for the late filing penalty for the one (1) claim, pending approval by the County Attorney.

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

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

**RESOLUTION NO. 162 - 2017
RESOLUTION APPROVING APPOINTMENTS 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

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 individuals to serve as members of the Jefferson-Lewis Workforce Investment Board:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Representing Jefferson County:

Matthew Cooper of Barton & Loguidice
Marybeth LaVallee of Knowlton Technologies
Jody Pettit of Hilton Garden Inn
Michael Schantz of Jain Irrigation
Kathy Watson of Timeless Frames
Deborah Vink of Jefferson Rehabilitation Center
Theodore Misiewicz of Hi-Lite

Representing Lewis County:

Eric Virkler, IDA and Economic Development Director
David Pavey of Qubica AMF

Section 2. That the term of said appointments shall be effective immediately through June 30, 2020.

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

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

**RESOLUTION NO. 163 - 2017
RESOLUTION AUTHORIZING LEWIS COUNTY COMMUNITY SERVICES TO
ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH COORDINATED
CARE SERVICES, INC. (CCSI) FOR SPECIALIZED FINANCIAL MANAGEMENT
SERVICES**

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

WHEREAS, the County of Lewis (öCountyö), through Lewis County Community Services (öLCCSö), is a Local Government Unit (öLGUö), tasked with fiscal auditing responsibilities and management of State OMH, OASAS, and OPWDD programs. With management of complete and accurate documentation and timely reports in compliance with NYS auditing requirements for the various programs managed, the Director of Lewis County Community Services ensures that the LGU will maximize state aid and be in compliance with required Consolidated Fiscal Reporting (öCFRö); and

WHEREAS, the Director of the Lewis County Community Services Board seeks to contract with a professional management services organization with specific expertise in community-based services in the areas of behavioral health and human services and state agencies, to assist with technical information systems support in the complex area of NYS required financial reporting and compliance; and

WHEREAS, COORDINATED CARE SERVICES, INC., (öCCSIö) has offered to provide such professional and specialized financial management and technical services that will

assist the Director of Lewis County Community Services in the complex fiscal auditing documents and reports required for NYS deliverables and Federal Medicaid Cost Reporting requirements; and

WHEREAS, CCSI has the expertise to provide such financial management and technical services to the LCCS Director for ongoing specialized financial management services including but not be limited to: meeting all LGU requirements of OMH, OASAS, & OPWDD; NYS Deliverables; NYS State Aid letter review and allocation management; NYS Advance Payments Management; Providersø Claims Review; NYS Closeout Reconciliation; County & Provider contracts, payments and reconciliations; Communication between NYS and provider agencies; Federal Medicaid Administration cost and random time study roster reporting; Collection and compilation of all necessary data according to CFR guidelines, alignment of funding allocations to programs, completion of the CFR and submission of same with follow-up responses to county auditors and NYS CFR unit; all at an annual cost not to exceed \$17,000.00, based upon an hourly professional billing rate of \$100.00; and

WHEREAS, CCSI will also perform all auditing and document analysis, review, follow-up and revisions for **prior year** adjustments and tasks not completed, at a cost not to exceed \$9,000.00 based upon the hourly rate of \$100.00; and

WHEREAS, Lewis County Board of Legislators seeks to authorize this Agreement.

NOW THEREFORE, BE IT RESOLVED, that

Section 1. The Lewis County Board of Legislators hereby approves and authorizes an Agreement with Coordinated Care Services, Inc., (CCSI) and Lewis County Community Services for professional, specialized financial management services as presented by CCSI in its proposal dated March 7, 2017, for Fiscal Officer Support including but not limited to Ongoing LGU Management Services and Federal Medicaid Administration Cost Reporting (\$15,000.00) and Consolidated Fiscal Reports (\$2,000.00) as more fully set forth in the proposal dated March 7, 2017, at \$100.00 per hour basis, at a total annual cost not to exceed \$17,000.00.

Section 2. The Lewis County Board of Legislators further approves CCSI to provide the LC Community Services Director with additional management services for prior year adjustments and cleanup, including but not limited to document analysis, review, follow-up, revisions and reconciliations to complete any prior tasks as set forth in the proposal dated March 7, 2017, at \$100.00 per hour basis, for a one-time cost not to exceed \$9,000.00.

Section 3. That the term of this Agreement shall be from April 1, 2017 through December 31, 2017, and subject to annual renewal authorization.

Section 4. That the total amount of \$26,000.00 for the above services shall be drawn from the contingency account.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 5. That the Chairman or Vice-Chairman of the Board of Legislators, and the Director of Community Services are hereby authorized to make, execute, seal and deliver such Agreement with CCSI, upon such terms as may be approved by the County Attorney.

Section 6. This Resolution shall take effect immediately.

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

**RESOLUTION NO. 164 - 2017
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 transfer is hereby approved from Contingency to Community Services account for contractual Financial Management Services to complete required State Aid reports.

<u>From:</u>	Amount
A0199000 499900 Contingency	\$26,000.00
<u>To:</u>	
A0433500 490100 Prof Serv	\$26,000.00

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

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

**RESOLUTION NO. 165 - 2017
RESOLUTION AUTHORIZING AN AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND MOHAWK NETWORKS, INC.
TO LEASE TOWER AND SHELTER SPACE ON COUNTY TOWERS**

Introduced by Legislator Philip Hathway, Chairman of the Information Technology Committee and Legislator Jerry King, Chairman of the Emergency Services Committee.

WHEREAS, Mohawk Networks, LLC (öMohawkö) 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 ölast mile broadbandö pilot project utilizing a wireless point to multipoint delivery. Mohawk recently

received grant funding which will allow for the company to continue expansion of wireless internet service in the County; and

WHEREAS, the County authorized and entered into a Memorandum of Understanding with Mohawk as a pilot project, which allowed Mohawk to lease tower and equipment space on the County's Public Safety Building tower and subsequently at its Tower and Shelter in the Town of Diana, at no cost during the pilot project phase, extended through December 31, 2017 or upon Mohawk obtaining 500 customers from the PSB tower and 250 from the Town of Diana tower, whichever event first occurs. At the current time, Mohawk reports 50 customers from the PSB site and 30 customers from the Diana site; and

WHEREAS, with the grant funding award, Mohawk is committed to expanding services in Lewis County and to have significant build out of wireless internet service completed by December, 2018. Mohawk is in the process of purchasing property in Turin to house its own local business office and to build its own 450-foot tower. Mohawk estimates at least ten (10) new permanent full-time jobs being created as a result of its business expansion in Lewis County; and

WHEREAS, Mohawk seeks to enter into an agreement with the County for lease of space on a number of County towers and equipment shelters in order to expand its internet wireless service in the County, and is willing to provide reasonable compensation to the County for this space; and

WHEREAS, the County has considered the benefits to the residents and businesses in the County in expansion of wireless internet services, especially to areas in the County underserved by such service, while being mindful of the priority of the County's 911 emergency service obligations and responsibilities under its upgraded 911 system and towers, and seeks to enter into an Agreement with Mohawk with respect to lease of tower and shelter space.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County to enter into an Agreement with Mohawk Networks, LLC to lease space on the County's towers and equipment shelters, provided same does not interfere in any way with the County's Emergency 911 services and future maintenance, development/expansion of its 911 system.

Section 2. That the Lewis County Board of Legislators hereby authorizes the lease of space to Mohawk on County towers and equipment shelters at the cost of \$1.00 per customer per month, commencing January 1, 2018, and continuing at said rate through December 31, 2018, with annual renewals at rates to be determined sixty (60) days prior to the end of each annual term for a five year period. Mohawk shall provide the County with monthly data to confirm the number of customers from each tower site and any other relevant information the County may request in monthly billing and payment.

Section 3. That the terms of the Agreement shall include provisions for Mohawk: to provide and install card access at County tower gates in accordance with specifications and connections provided by the County; installation of cameras at tower sites in accordance with

PROCEEDINGS OF THE BOARD OF LEGISLATORS

specifications and connections provided by the County; removal of the County's old equipment at the Crystal Dale tower location at Mohawk's cost and expense; to provide internet service and installation of equipment for same in the County's emergency command trailer; to provide for separate back up batteries for Mohawk's equipment together with a separate circuit breaker; to compensate the County for any and all costs and expenses associated with Mohawk's installation of its equipment on the towers and in the shelter space; to reimburse the County for the costs of any professional technical services the County requires in relation to the equipment and space leased by Mohawk on any towers and in any shelters. In addition, the Agreement shall provide that the County shall have the right at any time to have Mohawk relocate and/or remove its equipment, at Mohawk's sole cost and expense, together with such other and further technical and safety provisions the County may require.

Section 4. That the Chairman or Vice-Chairman is hereby authorized to execute, seal and deliver said Agreement, upon such additional terms and provisions required or suggested by the County Attorney, 911 Radio Committee and Director of Information Technology.

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

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

**RESOLUTION NO. 166 - 2017
RESOLUTION TO AUTHORIZE ADDENDUM TO
AGREEMENT WITH NEW YORK STATE DEPARTMENT OF HEALTH
TO EXTEND CANCER SCREENING PROGRAM**

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

WHEREAS, the County of Lewis, by and through the Lewis County Public Health Department, entered into an agreement with New York State Department of Health for Integrated Breast, Cervical and Colorectal Cancer Screening Program under contract number C028820 for a term beginning July 1, 2013 through March 31, 2018 pursuant to Resolution No. 52-2015;

WHEREAS, New York State Department of Health has extended the contract through September 30, 2018 and requires an addendum to reflect this extension; and

WHEREAS, Lewis County Public Health Department desires to extend the contract through September 30, 2018 and execute an addendum to reflect same. In addition, the Director of Lewis County Public Health seeks the authority to execute extension addendums for all clinical provider agreements related to this New York State Department of Health contact.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves and authorizes an extension to the New York State Department of Health cancer services program under contract number C028820 through September 30, 2018, and authorizes execution of an addendum to the original

contract to reflect same. The Board of Legislators further authorizes the Director of Public Health to execute extension addendums for all clinical provider agreements related to this New York State Department of Health master contract.

Section 2. That the Board of Legislators hereby authorizes the Lewis County Director of Public Health to execute the addendums to the New York State Department of Health contract and clinical provider agreements for the cancer services program, subject to approval by the County Attorney as to form and content.

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

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

**RESOLUTION NO. 167 - 2017
RESOLUTION TO ESTABLISH FEE
FOR MUNICIPAL YARD WASTE COMPOST
FOR SALE AT THE LEWIS COUNTY TRANSFER STATION**

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

WHEREAS, Lewis County, through the Solid Waste Department, transports recyclables to the Oneida-Herkimer Solid Waste Facility (öOHSWAö) on a daily basis; and

WHEREAS, OHSWA also collects brush, leaves and grass clippings from Oneida and Herkimer Counties, which is locally composted and bagged into municipal yard waste compost; and

WHEREAS, Lewis County Solid Waste seeks to truck the bags of recycled municipal yard waste compost (1.2 cu.ft. bags) from OHSWA back to the Lewis County Transfer Station and offer the bagged compost materials to our County residents, at a price of \$2.50/bag; and

WHEREAS, Lewis County Solid Waste will retain \$1.25 for each compost bag sold to offset the cost of transportation, handling and staffing; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this fee and service.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the Lewis County Solid Waste Department to haul the 1.2 cu. ft. bags of municipal yard waste compost generated by the Oneida-Herkimer Solid Waste Facility to the Lowville Transfer Station for public sale at \$2.50/bag, commencing immediately.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That Lewis County Solid Waste shall retain \$1.25 for each bag of compost sold at the Transfer Station.

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

Section 4. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Moroughan.

Legislator Kulzer reported the Oneida-Herkimer facility sells a lot of the compost in bulk. He clarified the County would pay Oneida-Herkimer \$1.25/bag.

The resolution was then adopted.

**RESOLUTION NO. 168 - 2017
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:

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

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Motor Equipment Operator (Medium)	Full-Time	Grade C18-1 (\$17.11/hr.)

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

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

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

**RESOLUTION NO. 169 - 2017
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>
Clinical Laboratory Technician	Full-time
Nurse Case Manager	Full-time

Section 2. That the Board hereby **abolishes** one Full-time Clinical Laboratory Technologist position.

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

Moved by Legislator Fawcett , seconded by Legislator Chartrand .

In response to Legislator Kulzer, Legislator Chartrand reported the higher credentialed Clinical Laboratory Technologist was being abolished due to unsuccessful recruitment.

Legislator Chartrand explained the additional nurse case manager would improve the nursing home rating which had dropped to an unfavorable 1 rating; enhance discharge planning, increase documentation and justification to insurance companies, allow for weekend and evening admissions, and the ability to work with other staff to enhance an overall higher level of care.

The resolution was then adopted.

RESOLUTION NO. 170 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY HUMAN RESOURCES DEPARTMENT
AND SUSAN GYDESEN FOR STAFF DEVELOPMENT TRAINING

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, the County of Lewis desires to enter into a Memorandum of Agreement with Susan Gydesen, a Licensed Clinical Social Worker, to provide stress management/staff development training sessions for Lewis County Department of Social Services employees; and

WHEREAS, the training program will assist in addressing personal and professional growth of employees and assist in retention of career development; and

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Agreement between the County of Lewis, by and through the Lewis County Human Resources Department, and Susan Gydesen for the purpose of providing training sessions for Lewis County Department of Social Services employees.

Section 2. That this is for the period commencing April 1, 2017 through April 28, 2017 at the rate of \$80.00 per hour and at a cost not to exceed \$320.00.

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 Brennan, and adopted.

OTHER BUSINESS:

Chairman Tabolt reported presenting proclamations to respective advocates earlier today, declaring April as "Alcohol Awareness Month" and "Child Abuse Prevention Month".

There being no other business to come before the Board, the meeting adjourned at 7:30 p.m. on motion by Legislator Brennan, seconded by Legislator Moser and carried.

MAY 2, 2017

REGULAR MEETING
May 2, 2017

The meeting was called to order at 5:03 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present.

Chairman Tabolt offered the Invocation, calling for a moment of silence for former Legislator Patrick F. Wallace and Liz Swearingin's dad Kenneth Hollister and all those who had recently passed. He then led the Pledge of Allegiance to the Flag

There were 12 persons present.

Chairman Tabolt declared the April 4, 2017 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 2, 2017

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 at 5:05 p.m. for comments on Local Law Introductory No. 2-2017 "THE COUNTY OF LEWIS LOCAL LAW ADOPTING THE NEW YORK STATE EXPEDITED UNIFIED SOLAR PERMIT PROCESS FOR SMALL-SCALE SOLAR ELECTRIC SYSTEMS".

PRIVILEGE OF THE FLOOR:

County Attorney Joan McNichol reported the Clerk of the Board had forwarded the revised Introductory Law to Legislators on 4/17/17. She explained the permit process would apply only to those projects that would be tied to the grid and/or eligible for credits through the NYS Energy & Research Development Agency (NYSERDA) grant program.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Lewis County Friends of Hospice acknowledged the personal contributions in memory of former Legislator Patrick F. Wallace.

The Board acknowledged receipt of resolutions from the Essex County Legislature urging State Legislation to increase Counties' share of DMV revenue; and opposing an increase

PROCEEDINGS OF THE BOARD OF LEGISLATORS

of NYS title fees from \$50 to \$75; and from the Greene County Legislature to support the repeal of the NY Safe Act for Upstate New York.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the County Treasurer's April report; the 4/25/17 Highway and Solid Waste Audit reports; minutes of the 4/19/17 Youth Bureau Advisory Board, 4/11/17 Soil & Water Conservation District Board and the 3/16/17 Planning Board meetings; and the 2016 Annual Report of the Lewis County Ethics Board.

Director of Weights and Measures James A. Richmire had submitted the April monthly report to be placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Taxation/Elections/Information Technology Committee Chairman, reported the tentative property tax rolls indicate a stable tax rate, and are subject to assessment review and appeal. At the Board's discretion, the County may opt in to the State's initiative to offer partial property tax payments.

Information Technology Director Adam Zehr reported that North Country Broadband manager Jeff Beekhoo has lit up the tower at the public safety building site; and has negotiated an agreement with the owner of the Copenhagen tower. Mr. Zehr thanked Planning Director Frank Pace for assisting with SEQRA regulations for the repeater towers, which will be under the jurisdiction of the Town or Village in which they are located. Atty. McNichol is finalizing the terms of the Memorandum of Agreement with North Country Broadband, to assure that equipment placed on the towers will not interfere with the 911 radio communications system.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Youth Committee Chairman, reported the Youth Bureau Advisory Board had awarded proportions of \$5,000 to the Lowville Boy Scouts Troop to send 24 scouts to summer camp; the ICAN Bike Program to support disabled youths learn how to ride a bike; Cooperative Extension to support "Wonder Wednesdays" to help teens aged 10 to 13 learn about technology; North Country Prenatal Perinatal Council to fund a youth babysitting course in Harrisville, Croghan, Lyons Falls, Turin and Copenhagen, and to the Lewis County Amateur Hockey Association for youth goalie helmets.

Legislator Fawcett reported the Youth Advisory Board has chosen to award municipally operated youth programs through competitive applications that are due by 5/12/17.

Legislator Bryan Moser, County Officers/Junkyards/Veterans' Services/ Human Resources Committee Chairman, reported the Junkyard Review Board had reviewed and recommended amendments to the Junkyard Law. In addition to written complaints, property owners will be notified when Code Officers identify non-compliance issues. Atty. McNichol will compose an amended Introductory Local Law for presentation to the Board next month, subject to public comment.

Legislator Moser reported the list of personnel requests and job vacancies had been sent to Legislators. He thanked his colleagues and Human Resources Director Chris Boulio for their participation with County Manager application review and subsequent interviews.

Legislator Jerry King, Courts and Law Enforcement/Fire & Emergency Services/Building Codes Committee Chairman, reported that United Radio and EF Johnson personnel are working to optimize radio communications; and resubmission of an application for a Homeland Security grant.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry and Parks Committee Chairman, made a motion to award the bid to Whiteø Farm Supply, Inc. in the amount of \$5,950.00 for a stump grinder for the Recreation, Forestry and Parks Department. The Trail Fund will finance \$4,462.50, with the balance paid by Capital Highway funds. The motion was seconded by Legislator Brennan and carried.

Legislator Dolhof relayed a successful business leadersø breakfast with the Fort Drum Garrison Command, announcing the next breakfast will be on 6/13/17 at the Boondocks restaurant in Lyons Falls. There is ongoing discussion with taxing jurisdictions and two wind project developers for Payment-In-Lieu-Of-Taxes (PILOT) agreements. Atty. McNichol will update the Board during a later executive session.

Legislator Craig Brennan, Ways and Means/Buildings and Grounds Committee Chairman, reported a corrective amount of \$2,710.32 in the proposed resolution to transfer Capital funds into the Information Technology account for a wireless usage audit. He credited Liz Swearingin for recommending the consultant survey of County phone usage that will result in annual savings.

Legislator Brennan reported the need for a comprehensive analysis of all County buildings for an action plan to be utilized as a òliveø document. Legislator Brennan made a motion to request professional consultant proposals to provide a concept for a comprehensive strategic facility plan. The proposals are to be considered by the Committee for a recommendation to the Board. The motion was seconded by Legislator Chartrand and carried.

The \$100,000 Clean Energy grant application is pending the Boardø approval of the Local Law to adopt the Unified Solar Permit Process, and anticipated delivery of the electric vehicle leased from Enterprise to be assigned to the Department of Social Services.

Legislator Brennan referenced the Committeeø proposed resolution to allocate \$1 million of the 2016 \$1.6 million surplus to the IGT account, to offset higher IGT amounts being received from the State.

The committee also recommends approval for Dr. Elwin Stillman to place bee boxes on County property adjacent to the Social Services building to enhance his class instruction course sponsored by Cornell Cooperative Extension.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Brennan reported that National Grid expects to implement the changeover for the solar array project on 11/17/17.

In response to Chairman Tabolt, Legislator Brennan stated that if approved, the \$100,000 Clean Energy grant funds would finance a new boiler at the Social Services building and installation of a gas line to the Highway garage.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman, made a motion to award the hot mix pavement bids to Barrett Paving, Hanson and Paverite; and Paver Placed Surface Treatment bids to Gorman and Midland in accordance with the 4/13/17 bid sheets on file with the Clerk of the Board. The selected vendor would be at the discretion of Superintendent of Highways David Becker dependent upon job location. The motion was seconded by Legislator King and carried.

Legislator Kulzer made a motion to award the bid for all roadway markings to Seneca Pavement Markings in accordance with the 4/13/17 Bid Summary Sheet on file with the Clerk of the Board. The motion was seconded by Legislator Hathway and carried.

Legislator Kulzer reported the committee recommends approval of a temporary worker to fill in during a Solid Waste employee medical leave; and that Director Pete Wood has put the baler, skid steer and tin can magnet for on-line auction. An open house was held at the transfer station where Development Authority of the North Country Executive Director James Wright presented the County with a check in the amount of \$241,637.60, representing fifty percent of expenditures to-date for the no-sort recycling project. They have commenced selling bags of municipal yard waste compost at the transfer stations at \$2.50/bag.

Legislator Kulzer reported that Highway personnel have started road sweeping and bridge washing; and that State CHIP's allocations remain at last year's level. He expressed gratitude to retiree Carol Bush for her flexibility and dedicated assistance with office operations until a permanent clerk was hired.

In response to Legislator Dolhof, Superintendent David Becker stated the center line striping price of \$338/mile is five dollars above last year. Legislator Kulzer was unaware of problems with the new compactor trailer relayed by Legislator Moser, but would follow up with Mr. Wood.

Legislator Richard Chartrand, Hospital Committee Chairman, announced the Hospital Auxiliary is selling geraniums and herbs.

A survey report indicates overall in-patient satisfaction as a result of many implemented initiatives over the past five years.

Nursing Home Administrator Joseph Millard has resigned effective May 12, 2017 to return to the Carthage Area Hospital. On 5/31/17 an architect will present a plan for medical/surgical and intensive care unit upgrades to the Board of Managers and all Legislators are encouraged to attend.

Legislator Chartrand reported a March gain of \$3,021,611 largely attributable to IGT reimbursements vs. the budgeted \$441,853; and a County debt balance of \$2.1 million as of 4/14/17. Service volumes were up and observation visits were 10% over budget. The cash on hand equates 102.3 days vs. expectation of 11.7 days.

Drs. Manoj Vora and Shirley Tuttle-Malone had explained the need to upgrade the Meditech computer software to enable tracking of cardiovascular and other testing, as well as a module for the nursing home, for an estimated cost of \$1 million.

Legislator Chartrand referenced his proposed resolution to create a social work position, clarifying the approval is limited to five years, pending justification to extend.

In response to Legislator Brennan, Legislator Chartrand stated the proposed facility upgrades were based on findings of a professional consultant study. In response to Legislator Hathway, Legislator Chartrand reported average payables are made within 4.7 days, the lowest in recent memory. He also agreed to obtain individual clinic financials and relate in response to Legislator Kulzer's request. Legislator Dolhof said the clinic financials would need to be quantified to account for ancillary services and diagnostic tests the hospital would not otherwise provide.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported the State budget reflects a 95% reduction for the non-mandated physically handicapped program from \$3.3 million to \$170,000. Lewis County typically budgets \$12,000-\$18,000 as their 50% share for program expenditures. The program primarily provides orthodontia services, and parents contribute based on income. Director Penny Ingham is unaware if there are offsetting appropriations within another State Budget line item.

The State has also reduced Cancer Services budget appropriations by 22%. She had distributed the 2017 Community Health Improvement Plan progress report. The Workshop Wellness Committee will conduct environmental assessments at each county building for overall health and wellness, and will develop strategies to increase productivity, reduce employee absences and overall healthcare costs.

Legislator Moroughan recognized May as Mental Health Month with community agency sponsored walk events planned on 5/5/17 at the Lewis County Fairgrounds and 5/11/17 at the Lowville Firehall.

Board Chairman Michael Tabolt had invited Director of Community Services Patricia Fralick to update the Board on local efforts to combat the opiate abuse epidemic. Ms. Fralick prefaced she has been in the mental health business for 25 years. Chronic medical conditions require treatment, she said, affirming that treatment does work. The confidentiality laws are very stringent. Alcohol and drugs affect the body differently dependent upon the progression of the disease from initial to late stages of addiction. To stop addictive use requires hospitalization. The late stages of addiction for alcoholics may take 10-20 years, while for drug abusers may occur within 2-4 years. Substance abusers must willingly make the decision to get sober; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

addicts that attempt sobriety average 8 -9 attempts before success. They suffer consequences for continuing addictive behaviors.

Those suffering addictive abuse realize that others die of overdose, but are helpless to see how problematic their addiction is to themselves. There is no one approach to treatment, it is very individualized. Ms. Fralick understands the prospect of making progress toward lesser negative impact on the community may currently seem dark and frustrating, while asserting with conviction that "There is hope".

Legislator Moser inquired whether schools could do more to reach those who are in need. It appears that when notices are publicized for scheduled speakers, those in need choose to skip school or are not attending the events.

At the request of Chairman Tabolt, Ms. Fralick reported the NYS OASES Commissioner appeared to tour two Credo-affiliated centers in Watertown last week for opiate treatment and anger recovery. The anger recovery center provides a safe environment for people with any type of addiction such as eating or shopping, to network with persons with like addictions and/or learn skills to assist with sobriety. An official open house will be publicized. The opiate treatment center was opened last year and is currently serving 70 people. There are a lot of regulations to assure the security and safety of patients and staff. Both Watertown centers are available to Lewis County residents and transportation options are being explored.

Ms. Fralick thanked Legislators, especially Andrea Moroughan, Craig Brennan, Philip Hathway and Rocky Fawcett, as well as Michele Ledoux, Frank Pace, Liz Swearingin for all their support, grateful for the compassionate and caring people in Lewis County, something she has not experienced elsewhere.

Legislator Hathway commended and relayed appreciation to Ms. Fralick for her efforts to combat the overwhelming epidemic. He specifically referenced the young lady who shared her compelling story to overcome addictive behaviors prior to the last meeting. Her story had really impressed the Harrisville Central School students and parents who were present. Legislator Dolhof had seen the young lady earlier today, reporting she is doing well.

SPECIAL REPORT:

Chairman Tabolt attended the Governor's budget presentation in Lake Placid on 4/14, and had discussion with NYSDEC Commissioner Basil Stegkos who is anxious to visit Lewis County in the near future. He and several Legislators had attended the 4/18 public coffee hour exchange with U.S. Congresswoman Elise Stefanik at the Lyons Falls Library; and he and Legislator Brennan traveled to Albany for the 4/25 Clean Energy Lobby Days sponsored by the Alliance for Clean Energy. They particularly impressed the importance of biomass facilities in our region and advocated for the JCC Education Extension Center.

Chairman Tabolt stated intent to proclaim the week of May 15th as nursing home week.

COUNTY MANAGER REPORT:

Liz Swearingin informed the State had reduced the Foster Care Block Grant by \$121,000 to an amount of \$373,000.

The Tyler payroll system is on schedule to cut over by 6/30/17.

She thanked everyone for their kind expressions of sympathy for her dad's passing, sharing he was 94 years old, and was a Lieutenant Commander on the USS Revenge which was the lead mind sweeper at the Tokyo harbor ahead of the USS Missouri during the surrender of Japan.

COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$395,000.00; Contingency Fund-\$362,698.00; Capital Data Processing Fund-\$125,163.02 and Capital Equipment Fund - \$342,600.81, of which \$239,362.59 is the Highway portion, year-to-date sales tax revenues of \$2,413,719.30; and current Hospital debt of \$2.1 million.

The 3/31/17 balance of the Internal Service Fund is \$1,109,180.47 after a net monthly deficit of (\$284,345.83).

At 6:03 p.m. Chairman Tabolt declared the public hearing closed.

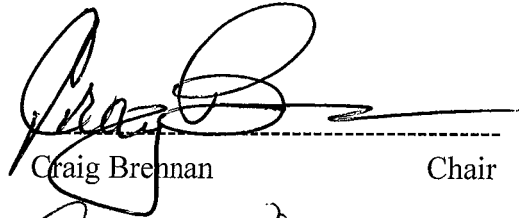
REPORT OF THE WAYS AND MEANS COMMITTEE:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

To: The Honorable County Legislators

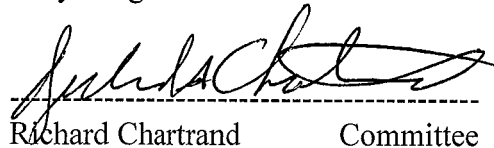
The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 973,599.27 and recommend that they be audited and allowed for the amounts claimed.



Craig Brennan Chair



Jerry King Committee



Richard Chartrand Committee

Dated: May 2, 2017

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

MAY 2, 2017

**RESOLUTION NO. 171 - 2017
RESOLUTION IN MEMORIAM OF
PATRICK WALLACE**

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

WHEREAS, **Patrick Wallace** of 5548 Woodlawn Avenue, Lowville, New York, has recently departed this life on April 16, 2017; and

WHEREAS, **Patrick Wallace** was chosen by the electorate to serve on the Lewis County Board of Legislators effective January 1, 2008 through December 31, 2013, as the District No. 5 representative; and

WHEREAS, during his tenure he diligently researched issues to facilitate knowledgeable decisions, particularly those issues of interest to his constituents, while always mindful of Lewis County's entire citizenry; and

WHEREAS, it is proper for us as friends, acquaintances and members of this Board of Legislators to record our recognition and appreciation for the sincere, generous and valuable services rendered by our former colleague **Patrick Wallace**.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That as an enduring record and mark of respect to the memory of the deceased, **Patrick Wallace**, a true friend and honorable and able public official, this resolution shall be printed in the official record of the proceedings of the Board of Legislators of the County of Lewis and a copy thereof forwarded to the family of **Patrick Wallace**.

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

**RESOLUTION NO. 172 - 2017
AUDITING AND ALLOWING CLAIMS**

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

RESOLVED that the claims presented for payment in the total amount of \$ 973,599.27 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

NAYS: None

ABSENT: None

LOCAL LAW (INTRODUCTORY NO. 2 - 2017)

COUNTY OF LEWIS

Introduced by Legislator Jerry King, Chairman, Courts & Law/Codes Committee.

“THE COUNTY OF LEWIS LOCAL LAW ADOPTING THE NEW YORK STATE EXPEDITED UNIFIED SOLAR PERMIT PROCESS FOR SMALL-SCALE SOLAR ELECTRIC SYSTEMS.”

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 “**THE COUNTY OF LEWIS LOCAL LAW ADOPTING THE NEW YORK STATE EXPEDITED UNIFIED SOLAR PERMIT PROCESS FOR SMALL-SCALE SOLAR ELECTRIC SYSTEMS**”.
- Section 2. **Purpose:** Unified solar permitting allows municipal authorities to streamline the permitting process while providing consistent and thorough review of solar photovoltaic (PV) applications and installations. Adoption of the New York State Unified Solar Permit process combines a standardized building and electrical permitting process for Grid-Tied, small-scale solar PV installations under the New York State Energy Research and Development Authority (NYSERDA) program, to benefit both the municipality having jurisdiction and the applicant. Adoption of this Local Law supports the County’s Clean Energy Community initiative and programs.
- Section 3. **Authority:** The County of Lewis hereby enacts the following Administrative Local Law pursuant to the provisions of Section 381 of the Executive Law of the State of New York and all other applicable laws.
- Section 4. **The County of Lewis hereby adopts the New York State Unified Solar Permit Process and establishes the following requirements for a Permit Application Submittal pertaining to Small-Scale, Grid-Tied, Solar Photovoltaic (PV) installation systems having a rating of DC capacity of 25 kW or less under the NYSERDA program, and adopts the Field Inspection Checklist from the New York State Unified Solar Permit Process:**
- (a) Unified Solar Permit for Small-Scale Solar Electric Systems Eligibility Checklist (*attached as part of Permit application*).
 - (b) Two (2) sets of plans that include:
 - Site Plan showing location of major components of solar system and other equipment on roof of legal accessory structure. This plan should represent relative location of components at site, including but not limited to location of

array, existing electrical service location, utility meter, inverter location, system orientation and tilt angle. This plan should show access and pathways that are compliant with NY State Fire Code, if applicable.

- One-line or 3-line electrical diagram as required by NYSERDA or Utility
- Specification sheets for all manufactured components. If these sheets are available electronically, a web address will be accepted in place of an attachment, at the discretion of the municipality.

- All diagrams and plans must be prepared by a PE or RA as required by NY State law and include the following: (A) Project address, section, block and lot number of the property; (B) Owner's name, address and phone number; (C) Name, address and phone number of the person preparing the plans; and (D) System capacity in kW-DC.

(c) Unified Solar Permit for Small-Scale Electric Systems Application. *(attached)*

(d) Permit Fee: \$100.00

(e) Permit Review and Inspection Timeline: Permit determinations will be issued within thirty (30) days upon receipt of complete and accurate applications. The municipality will provide feedback within 14 days of receiving incomplete or inaccurate applications. If an inspection is required, same will be provided within 10 days of inspection request. Lewis County Code Enforcement officer will follow the NYS Unified Solar Permit Field Inspection Checklist. *(Attached)*

Section 5. Lewis County Office of Code Enforcement is designated to:

- (a) Administer and enforce all of the provisions of laws, ordinances and regulations applicable to the New York State Unified Solar Permit Process adopted under this Local Law and any relevant State laws, regulations and codes.
- (b) Make available for all members of the public, during business hours, all necessary forms, applications, and information with relation to small-scale solar PV permit requirements, and other fire and building code requirements which may be applicable.
- (c) Receive applications and any other relevant documents and issue permits for which complete eligible applications have been received after insuring compliance with laws, ordinances and regulations governing same.
- (d) Issue all appropriate notices or orders to remove illegal or unsafe conditions, to require the necessary safeguards during construction and to insure compliance during the entire course of construction with the requirements of the laws, ordinances and regulations.

- (e) Initiate any enforcement or prosecute any violations of this Local Law and such rules and regulations as may be promulgated hereunder or to refer such enforcement or prosecution to an appropriate department, division, officer, agent or employee of the County of Lewis.
- (f) Perform such other duties as may be directed and prescribed by the Lewis County Board of Legislators or such legislative committee as may be appointed by the Board of Legislators for the purpose of overseeing the implementation and administration of this Local Law.
- (g) When appropriate, require the performance of tests in the field by experienced, professional persons or by accredited and authoritative testing laboratories or service bureaus by agencies whenever necessary or appropriate to assure compliance with the provisions of applicable laws, ordinances and regulations covering solar PV projects 25kW in size or smaller.
- (h) Promulgate such rules and regulations, subject to the approval of the legislative committee having jurisdiction over the Office of Code Enforcement, as within the discretion of the Senior Code Enforcement Officer, is deemed necessary for the orderly and efficient administration of the NYS Unified Solar Permit Process, the provisions of this Local Law, and any other applicable local law, rule or ordinance.

Section 6. Establishment of Fees:

- (a) The Board of Legislators, with the consultation from the Senior Code Enforcement Officer, hereby establishes the permit fee for this NY State Unified Solar Permit Process for Small-Scale Solar Electric Systems to be \$100.00.
- (b) The Board of Legislators, with the consultation of the Senior Code Enforcement Officer, may from time to time, establish a different fee amount as it shall deem necessary and appropriate for the cost of reviewing and issuing permits of eligible solar PV projects 25 kW in size or smaller within Lewis County, by Resolution adopted by the Board of Legislators. The Senior Code Enforcement Officer shall be responsible to collect and properly account for all such fees and shall deposit the same promptly with the County Clerk.

Section 7. Legal Proceedings: Appropriate actions and proceedings may be taken at law or in equity to prevent unlawful construction or to restrain, correct or abate a violation or to otherwise enforce the terms and conditions of the NYS Unified Solar Permit Process for Small-Scale Solar Electric Systems having DC capacity of 25 kW or less, and any other applicable state or local law, rule, regulation or ordinance.

These remedies shall be in addition to such penalties as may otherwise be prescribed by law.

Section 8. Cooperation of Other Departments: The Code Enforcement Officer shall offer and receive, so far as necessary in the discharge of his or her duties, the assistance and cooperation of all municipal officials exercising jurisdiction over the construction, installation of equipment and use of small scale solar arrays therein, including but not limited to fire officials and health officials.

Section 9. Severability, Savings Clause: If any clause, sentence, paragraph, part or provision of this Local Law shall for any reason be adjudged by any court or competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its effect and operation to the clause, sentence, paragraph, part of provision thereof directly involved in the controversy in which such judgment is rendered.

Section 10. Effect on existing laws and regulations: In the event the terms and provisions of this Local Law conflict with any applicable prior Local Law, regulation, rule or ordinance, the terms of this Local Law shall supersede same with respect to small-scale solar systems described herein.

Section 11. Date: That the within Local Law shall take effect June 1, 2017.

PERMIT APPLICATION

NY State Unified Solar Permit – adopted by County of Lewis

Unified solar permitting is available statewide for eligible solar photovoltaic (PV) installations. Municipal authorities that adopt the unified permit streamline their process while providing consistent and thorough review of solar PV permitting applications and installations. Upon approval of this application and supporting documentation, the Lewis County Building & Codes Department will issue a building and/or electrical permit for the solar PV installation described herein. **This permit application applies only to grid-tied, small-scale solar photovoltaic (PV) installation systems having a rating of DC capacity of 25 kW or less under the NYSERDA program.**

PROJECT ELIGIBILITY FOR UNIFIED PERMITTING PROCESS

By submitting this application, the applicant attests that the proposed project meets the established eligibility criteria for the unified permitting process (subject to verification by the AHJ). The proposed solar PV system installation:

- Yes No 1. Has a rated DC capacity of 25 kW or less.
- Yes No 2. Is not subject to review by an Architectural or Historical Review Board. (If review has already been issued answer YES and attach a copy)
- Yes No 3. Does not need a zoning variance or special use permit. (If variance or permit has already been issued answer YES and attach a copy)
- Yes No 4. Is mounted on a permitted roof structure, on a legal accessory structure, or ground mounted on the applicant's property. If on a legal accessory structure, a diagram showing existing electrical connection to structure is attached.
- Yes No 5. The Solar Installation Contractor complies with all licensing and other requirements of the jurisdiction and the State.
- Yes No 6. If the structure is a sloped roof, solar panels are mounted parallel to the roof surface.

For solar PV systems not meeting these eligibility criteria, the applicant is not eligible for the Unified Solar Permit and must submit conventional permit applications. All Permit applications may be downloaded here: permits@lewiscountyny.org or obtained in person at LC Building Codes Dept., 7660 N. State Street, Lowville, NY 13367 during business hours, M -F: 8:30 am to 4:30pm.

SUBMITTAL INSTRUCTIONS

For projects meeting the eligibility criteria, this application and the following attachments will constitute the Unified Solar Permitting package.

- This application form, with all fields completed and bearing relevant signatures.
- Permitting fee of **\$100.00**, payable by cash, money order, check, made payable to: **Lewis County Clerk**
- Required Construction Documents for the solar PV system type being installed, including required attachments.

Completed permit applications can be submitted electronically to permits@lewiscountyny.org or in person at LC Building Codes Dept., 7660 N. State Street, Lowville, NY 13367 during business hours, M – F: 8:30 am to 4:30 pm.

APPLICATION REVIEW TIMELINE

Permit determinations will be issued within THIRTY (30) calendar days upon receipt of **complete and accurate applications and all required documents**. The municipality will provide feedback within FOURTEEN (14) calendar days of receiving incomplete or inaccurate applications.

FOR FURTHER INFORMATION

Questions about this permitting process may be directed to LC Building Codes Dept., 7660 N. State Street, Lowville, NY 13367, (315) 376-5377.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

PROPERTY OWNER

Property Owner's First Name Last Name Title

Property Address

City State Zip

Section Block Lot Number

EXISTING USE

- Single Family 2-4 Family Commercial Other

PROVIDE THE TOTAL SYSTEM CAPACITY RATING (SUM OF ALL PANELS)

Solar PV System: kW DC

SELECT SYSTEM CONFIGURATION

Make sure your selection matches the Construction Documents included with this application.

- Supply side connection with microinverters Load side connection with DC optimizers
Supply side connection with DC optimizers Load side connection with microinverters
Supply side connection with string inverter Load side connection with string inverter

SOLAR INSTALLATION CONTRACTOR

Contractor Business Name

Contractor Business Address City State Zip

Contractor Contact Name Phone Number

Contractor License Number(s) Contractor Email

Electrician Business Name

Electrician Business Address City State Zip

Electrician Contact Name Phone Number

Electrician License Number(s) Electrician Email

Please sign below to affirm that all answers are correct and that you have met all the conditions and requirements to submit a unified solar permit.

Property Owner's Signature Date

Solar Installation Company Representative Signature Date

SUBMITTAL REQUIREMENTS SOLAR PV 25KW OR LESS (ATTACHMENTS)

NY State Unified Solar Permit

This information bulletin is published to guide applicants through the unified solar PV permitting process for solar photovoltaic (PV) projects 25 kW in size or smaller. This bulletin provides information about submittal requirements for plan review, required fees, and inspections.

PERMITS AND APPROVALS REQUIRED

The following permits are required to install a solar PV system with a nameplate DC power output of 25 kW or less:

- a) Unified Solar Permit
- b) ELECTRICAL AND/OR BUILDING PERMITS. Depending upon the local municipality site of installation, zoning approval may also be required. Confirm with the Code Officer.
- c) Planning review **IS NOT** required for solar PV installations of this size.
Fire Department approval **IS NOT** required for solar PV installations of this size.

SUBMITTAL REQUIREMENTS

In order to submit a complete permit application for a new solar PV system, the applicant must include:

- a) Completed Standard Permit Application form which includes confirmed eligibility for the Unified Solar Permitting process. This permit application form can be downloaded at permits@lewiscountyny.org.
- b) Construction Documents, with listed attachments must be by stamped and signed by a New York State Registered Architect or New York State Licensed Professional Engineer. For further information on construction documents, go to: *Understanding Solar PV Permitting and Inspecting in New York State* at: www.nyserda.ny.gov/All-Programs/Programs/NY-Sun/Communities/Local-Government-Training-and-Resources/Solar-Guidebook-for-Local-Governments
- c) Proof of Workers' Compensation Insurance by Contractors.

THE COUNTY OF LEWIS, through adopting the Unified Solar Permitting process, requires contractors to provide construction documents, such as the examples included in the *Understanding Solar PV Permitting and Inspecting in New York State* document. Should the applicant wish to submit Construction Documents in another format, ensure that the submittal includes the following information:

- Manufacturer/model number/quantity of solar PV modules and inverter(s).
- String configuration for solar PV array, clearly indicating the number of modules in series and strings in parallel (if applicable).
- Combiner boxes: Manufacturer, model number, NEMA rating.
- From array to the point of interconnection with existing (or new) electrical distribution equipment: identification of all raceways (conduit, boxes, fittings, etc.), conductors and cable assemblies, including size and type of raceways, conductors, and cable assemblies.
- Sizing and location of the EGC (equipment grounding conductor).
- Sizing and location of GEC (grounding electrode conductor, if applicable).
- Disconnecting means of both AC and DC including indication of voltage, ampere, and NEMA rating.
- Interconnection type/location (supply side or load side connection)
- For supply side connections only, indication that breaker or disconnect meets or exceeds available utility fault current rating kAIC (amps interrupting capacity in thousands).
- Ratings of service entrance conductors (size insulation type AL or CU), proposed service disconnect, and overcurrent protection device for new supply side connected solar PV system (reference NEC 230.82, 230.70).
- Rapid shutdown device location/method and relevant labeling.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

d)(For Roof Mounted Systems) A roof plan showing roof layout, solar PV panels and the following fire safety items: approximate location of roof access point, location of code-compliant access pathways, code exemptions, solar PV system fire classification, and the locations of all required labels and markings.

e) Provide construction drawings with the following information:

- The type of roof covering and the number of roof coverings installed.
- Type of roof framing, size of members, and spacing.
- Weight of panels, support locations, and method of attachment.
- Framing plan and details for any work necessary to strengthen the existing roof structure.
- Site-specific structural calculations.

f) Where an approved racking system is used, provide documentation showing manufacturer of the racking system, maximum allowable weight the system can support, attachment method to roof or ground, and product evaluation information or structural design for the rack.

PLAN REVIEW

Permit applications can be submitted to the Lewis County Building Codes Dept. at 7660 N. State Street, Lowville, NY 13367 together with the permit fee.

FEES

PERMIT FEE: \$100.00

INSPECTIONS

Once all permits to construct the solar PV installation have been issued and the system has been installed, it must be inspected before final approval is granted for the solar PV system. On-site inspections can be scheduled by contacting LC Building Codes Dept., 7660 N. State Street, Lowville, NY 13367 by telephone at (315) 376-5377 or electronically at permits@lewiscountyny.org.

Inspection requests received within business hours are typically scheduled for the next business day. If next business day is not available, inspection should happen within a five-day window. Lewis County accepts third party inspections for electrical inspections by electrical inspectors certified to do so.

In order to receive final approval, the following inspections are required:

Delete Rough/Final inspection descriptions if not applicable in your jurisdiction

ROUGH INSPECTION: During a rough inspection, the applicant must demonstrate that the work in progress complies with relevant codes and standards. The purpose of the rough inspection is to allow the inspector to view aspects of the system that may be concealed once the system is complete, such as:

- Wiring concealed by new construction.
- Portions of the system that are contained in trenches or foundations that will be buried upon completion of the system. All electrical rough and final inspections will be performed by third party electrical inspection agents licensed/certified to do so.

It is the responsibility of the applicant to notify LC Building Codes Dept. and third party electrical inspection agent before the components are buried or concealed and to provide safe access (including necessary climbing and fall arrest equipment) to the inspector(s).

The inspector will attempt, if possible, to accommodate requests for rough inspections in a timely manner.

FINAL INSPECTION: The applicant must contact LC Building Codes Dept (and third party electrical inspector, if required) when ready for a final inspection. During this inspection, the inspector will review the complete installation to ensure compliance with codes and standards, as well as confirming that the installation matches the records included with the permit application. The applicant must have ready, at the time of inspection, the following materials and make them available to the inspector:

- Copies of as-built drawings and equipment specifications, if different than the materials provided with the application.

- Photographs of key hard to access equipment, including;
 - Example of array attachment point and flashing/sealing methods used.
 - Opened rooftop enclosures, combiners, and junction boxes.
 - Bonding point with premises grounding electrode system.
 - Supply side connection tap method/device.
 - Module and microinverter/DC optimizer nameplates.
 - Microinverter/DC optimizer attachment.

g) THE COUNTY OF LEWIS has adopted a standardized field inspection checklist, which can be found in the New York State Unified Solar Permit document, found at: www.nyserda.ny.gov/All-Programs/Programs/NY-Sun/Communities/Local-Government-Training-and-Resources/Solar-Guidebook-for-Local-Governments

The inspection checklist provides an overview of common points of inspection that the applicant should be prepared to show compliance. If not available, common checks include the following:

- Number of solar PV modules and model number match plans and specification sheets number match plans and specification sheets.
- Array conductors and components are installed in a neat and workman-like manner.
- Solar PV array is properly grounded.
- Electrical boxes and connections are suitable for environment.
- Array is fastened and sealed according to attachment detail.
- Conductor's ratings and sizes match plans.
- Appropriate signs are properly constructed, installed and displayed, including the following:
 - Sign identifying PV power source system attributes at DC disconnect.
 - Sign identifying AC point of connection.
 - Rapid shutdown device meets applicable requirements of NEC 690.12.
- Equipment ratings are consistent with application and installed signs on the installation, including the following:
 - Inverter has a rating as high as max voltage on PV power source sign.
 - DC-side overcurrent circuit protection devices (OCPDs) are DC rated at least as high as max voltage on sign.
 - Inverter is rated for the site AC voltage supplied and shown on the AC point of connection sign.
 - OCPD connected to the AC output of the inverter is rated at least 125% of maximum current on sign and is no larger than the maximum OCPD on the inverter listing label.
 - Sum of the main OCPD and the inverter OCPD is rated for not more than 120% of the buss bar rating.

UNIFIED SOLAR PERMITTING RESOURCES

The County of Lewis has adopted the following documents from the New York Unified Solar Permit process:

- Standard Application : New York State Unified Solar Permit Application at: www.nyserda.ny.gov/All-Programs/Programs/NY-Sun/Communities/Local-Government-Training-and-Resources/Solar-Guidebook-for-Local-Governments
- Field Inspection Checklist found under New York State Unified Solar Permit at: www.nyserda.ny.gov/All-Programs/Programs/NY-Sun/Communities/Local-Government-Training-and-Resources/Solar-Guidebook-for-Local-Governments

DEPARTMENTAL CONTACT INFORMATION

For additional information regarding this permit process, please consult our departmental website at permits@lewiscountynys.org, or contact Lewis County Building Codes Dept. at (315) 376-5377.

I the undersigned, Code Enforcement Officer of the County of Lewis Hereby (Approve) (Deny) the within Application.

Date _____ Code Enforcement Officer _____

FIELD INSPECTION CHECKLIST

New York State Unified Solar Permit

All photos referenced in the checklists below are located in Appendix C of *Understanding Solar PV Permitting and Inspecting in New York State* which can be found at nysersda.ny.gov/SolarGuidebook

Array

1. Circuit conductors are properly supported and are not touching the roof surface [NEC 338.10(B)(4) and NEC 334.30] (Photo 10)	N	Y	N/A
2. Circuit conductors are same conductor type/size as on plan set	N	Y	N/A
3. Module count matches plan set. If no, investigate stringing configuration (Photo 3)	N	Y	N/A
4. Module manufacturer/model matches plan set. (Photo 4)	N	Y	N/A
5. Modules are effectively grounded using lugs, WEEBs, or a racking integrated grounding method [NEC 690.43] (Photo 9)	N	Y	N/A
6. Modules and racking are properly secured (Photos 5, 6, 7)	N	Y	N/A
7. DC optimizers are properly grounded [NEC 690.43 and NEC 110.3(B)]	N	Y	N/A
8. Wire ties are UV-rated (generally black) (Photo 10)	N	Y	N/A
9. All electrical connections are secured to ensure no arcing	N	Y	N/A
10. Racking system is properly grounded (EGC bonding the rails, [NEC 690.43]) (Photo 8)	N	Y	N/A
11. Conductors are properly identified (ungrounded, grounded, grounding) [NEC 200.7, NEC 200.6, NEC 250.119] (Photo 13)	N	Y	N/A
12. Outdoor components are UL-listed for the environment [NEC 110.3(B)]	N	Y	N/A
13. Roof vents are not covered by the modules (2015 IRC/2015IBC) (Photo 3)	N	Y	N/A
14. DC conduit is labeled "WARNING: PHOTOVOLTAIC POWER SOURCE" every 10 feet, and is reflective, and meets color and size requirements [NEC 690.31(G)(3) and (4)]	N	Y	N/A

DC Optimizer

1. DC Optimizer chassis is properly grounded per manufacturer's instructions [NEC 690.43, NEC 250 NEC 110.3(B)]	N	Y	N/A
2. EGC is protected if smaller than #6AWG [NEC 690.46 and NEC 250.120] (Photo 9)	N	Y	N/A
3. DC Optimizer GEC is sufficiently sized per manufacturer instructions [NEC 690.47(C), NEC 250.66, NEC 250.122, NEC 250.166]	N	Y	N/A
4. Rapid Shutdown label is present and meets the requirements of NEC 690.56(C).	N	Y	N/A
5. DC Output circuit conductor insulation type is rated for environment (Shall not be type: USE-2, THWN-2, RHW-2) [NEC 310.10].	N	Y	N/A

Note 1: Many violations from the "Array" section also apply to the "DC Optimizer" section.

Note 2: DC optimizer can have an integrated ground, or not. Bring the specifications sheet to the inspection for quick reference.

Structural (Roof-Mounted Only)

1. All roof penetrations are properly flashed and sealed 2015 IRC/ 2015 IBC (Photos 6,12)	N	Y	N/A
2. Rafter spacing/material matches construction documents	N	Y	N/A
3. Roof appears to be in good condition, with no signs of leaking or damage. Roof is free of debris. (Photo 3)	N	Y	N/A
4. All racking splices are properly supported per manufacturer requirements (generally splices must be supported on both sides of the joint by a structural attachment)	N	Y	N/A
5. Modules cannot be moved by pushing or pulling with one hand (Photo 7)	N	Y	N/A

Junction Box

1. Wire nuts and splices are suitable for the environment [NEC 110.3(B), NEC 110.14, NEC 110.28] (Photo 13)	N	Y	N/A
2. Junction box is UL listed for the environment [NEC 110.3(B)] (Photo 14)	N	Y	N/A
3. Junction box is properly grounded [NEC 690.43(A), NEC 250.4, NEC 110.3(B)]	N	Y	N/A
4. Grounding equipment is properly installed (NEC 690.43, NEC 250.8, NEC 250.12) (Photo 13)	N	Y	N/A

Inverter

1. The number of strings match the plan set. (Photo 18)	N	Y	N/A
2. The conductors have sufficient ampacity for each string.	N	Y	N/A
3. DC conductors in metal when on or inside a building [NEC 690.31(G)] (Photos 11, 12)	N	Y	N/A
4. Conduit penetrations are properly sealed between conditioned and unconditioned space [NEC 300.7(A)]	N	Y	N/A
5. Conduit is properly supported e.g., [LFMC NEC 350.30, EMT NEC 358.30, PVC NEC 352.30] (Photo 15)	N	Y	N/A
6. Conduit is not being used as conductor support [NEC 300.11(B)] (Photo 15)	N	Y	N/A
7. The enclosure is properly grounded [NEC 690.43, NEC 250.8, NEC 250.12] (Photo 16)	N	Y	N/A
8. Grounding equipment is properly installed [NEC 690.43, NEC 250.8, NEC 250.12] (Photos 16, 19)	N	Y	N/A
9. Enclosure is labeled as a PV disconnect [NEC 690.13(B)]	N	Y	N/A
10. DC characteristics label is present [NEC 690.53]	N	Y	N/A
11. The ungrounded DC conductors are properly identified (shall not be white, gray, or white striped) [NEC 200.7(A)] (Photo 16)	N	Y	N/A
12. Max string voltage below inverter max [NEC 110.3(B) and NEC 690.7]	N	Y	N/A
13. Inverter string fuses are rated for use in application [NEC 690.9]	N	Y	N/A
14. DC and AC disconnecting means are located within sight of or in each inverter [NEC 690.15 (A)] (Photos 15, 18)	N	Y	N/A
15. AFCI protection is present and enabled [NEC 690.11]	N	Y	N/A
16. System is equipped with Rapid Shutdown [NEC 690. 12]	N	Y	N/A
17. System is marked with a permanent label with the following wording: "PHOTOVOLTAIC SYSTEM EQUIPPED WITH RAPID SHUTDOWN" [NEC 690.56(C)]	N	Y	N/A

Microinverter

1. Microinverter chassis is properly grounded per manufacturer's instructions [NEC 690.43(A), 250.4, 110.3(B)]	N	Y	N/A
2. EGC is protected if smaller than #6 AWG [NEC 690.46 and 250.120(C)] (Photo 5)	N	Y	N/A
3. Microinverter GEC is sufficiently sized per manufacturer instructions [NEC 690.47(C), NEC 250.66, NEC 250.122, NEC 250.166]	N	Y	N/A
4. Rapid Shutdown label is present and meets the requirements of [NEC 690.56(C)]	N	Y	N/A

Note 1: Many items from the "Array" section also apply to the "Microinverter" section.

Note 2: Microinverters can have an integrated ground, or not. This information is found on the specification sheet.

Note 3: As long as the microinverters are listed, they are inherently equipped with rapid shutdown, which is required by NEC Article 690.12. This does not negate the label requirement in 690.56(C).

AC Combiner

1. The number of branch circuits match the plan set. (Photo 20)	N	Y	N/A
2. The conductors have sufficient ampacity for each branch circuit.	N	Y	N/A
3. The Overcurrent Protective Device (OCPD) for the conductors have a rating sufficient to protect them [NEC 240.4] (Photo 20)	N	Y	N/A
4. Conduit penetrations are properly sealed between conditioned and unconditioned space [NEC 300.7(A)]	N	Y	N/A
5. Conduit is properly supported e.g., [LFMC NEC 350.30, EMT NEC 358.30, PVC NEC 352.30] (Photo 15)	N	Y	N/A
6. Conduit is not being used as conductor support [NEC 300.11(B)] (Photo 15)	N	Y	N/A
7. The enclosure is properly grounded [NEC 690.43, NEC 250.8, NEC 250.12] (Photo 20)	N	Y	N/A
8. Grounding equipment is properly installed [NEC 690.43, NEC 250.8, NEC 250.12] (Photo 20)	N	Y	N/A
9. Enclosure is labeled as a disconnect [NEC 690.13]	N	Y	N/A
10. AC characteristics label is present (voltage and amperage), [NEC 690.54]	N	Y	N/A
11. "Multiple Sources" indication label is present [NEC 705.12(D)(3)]	N	Y	N/A
12. The sum of all overcurrent devices (excluding main) do not exceed the rating of the buss bar [NEC 705.12(D)(2)(3)(c)]	N	Y	N/A
13. The enclosure is labeled "Do Not Add Loads" [NEC 705.12(D)(2)(3)(c)]	N	Y	N/A
14. The main breaker is fastened in place [NEC 408.36(D)]	N	Y	N/A
15. Grounded conductors are isolated from enclosure [NEC 250.24(A)(5)] (Photo 20)	N	Y	N/A

Load-Side Connection

1. Circuit conductors have sufficient ampacity [NEC 690.8, 310.15]	N	Y	N/A
2. The OCPD is sufficient to protect the circuit conductors [NEC 240.4]	N	Y	N/A
3. Grounded conductors properly identified [NEC 200.6(A)&(B)]	N	Y	N/A
4. The GEC is present and sufficiently sized [NEC 690.47(C), NEC 250.66, NEC 250.122, NEC 250.166]	N	Y	N/A
5. The GEC is continuous (or irreversibly spliced) [NEC 250.64(C), 690.47(C)]	N	Y	N/A
6. Ferrous conduit and the enclosure are appropriately bonded to the GEC [NEC 250.64(E), NEC 250.4(A)(5)]	N	Y	N/A
7. PV breakers are properly identified [NEC 408.4(A)] (Photo 23)	N	Y	N/A
8. AC characteristics label is present and suitable for the environment (voltage and amperage) [NEC 690.54, NEC 110.21]	N	Y	N/A
9. Dissimilar metals are separated and will not cause a galvanic reaction [(NEC 110.14, RMC NEC 344.14, EMT NEC 358.12(6))]	N	Y	N/A
10. Inverter directory present [NEC 690.15(A) and NEC 705.10]	N	Y	N/A
11. Backfed breaker sized to protect circuits [NEC 690.8(B)(1) and/or NEC 310.15]	N	Y	N/A
12. Source breakers follow 120% rule [NEC 705.12(D)(2)(3)(b)]	N	Y	N/A
13. Backfed breaker properly located in panel [NEC 705.12(D)(2)(3)(b)] (Photo 23)	N	Y	N/A
14. Clearances maintained/live parts secured [NEC 110.27(A) and NEC 110.26] (Photo 18)	N	Y	N/A

Supply Side Connection

1. Disconnect is service-rated and has a current rating of at least 60 Amp [NEC 230.79(D)] (Photo 22)	N	Y	N/A
2. Circuit conductors have sufficient ampacity [NEC 690.8, NEC 310.15]	N	Y	N/A
3. New service entrance conductors are less than 10 feet [NEC 705.31] (Photo 18)	N	Y	N/A
4. The OCPD is sufficient to protect the circuit conductors [NEC 240.4] (Photo 21)	N	Y	N/A
5. The disconnect utility conductors are on LINE terminals [NEC 110.3(B), NEC 240.40(if fusible)]	N	Y	N/A
6. There is no OCPD in the grounded conductor [NEC 230.90(B)] (Photo 21)	N	Y	N/A
7. The AIC rating on the OCPD meets, or exceeds the rating of other main OCPD on the premises [NEC 110.9, NEC 110.10]	N	Y	N/A
8. The neutral is bonded to the PV disconnect enclosure/GEC [NEC 250.24(C)]	N	Y	N/A
9. The GEC is present and sufficiently sized [NEC 690.47(C), NEC 250.66, NEC 250.122, NEC 250.166] (Photo 24)	N	Y	N/A
10. The GEC is continuous (or irreversibly spliced) [NEC 250.64(C), NEC 690.47(C)]	N	Y	N/A
11. Ferrous conduit and the enclosure are appropriately bonded to the GEC [NEC 250.64(E), NEC 250.4(A)(5)] (Photo 24)	N	Y	N/A
12. AC characteristics label is present and suitable for the environment (voltage and amperage) [NEC 690.54, NEC 110.21]	N	Y	N/A
13. Power source directory is present, denoting all locations of power sources and disconnects on premises, at each service equipment location [NEC 110.21, NEC 690.56, NEC 705.10]	N	Y	N/A
14. AC disconnect label is present and suitable for the environment (NEC 690.13(B), NEC 110.21]	N	Y	N/A
15. Dissimilar metals are separated and will not cause a galvanic reaction [NEC 110.14, RMC NEC 344.14, EMT NEC 358.12(6)]	N	Y	N/A

General

1. Work is done in a neat and workmanlike manner [NEC 110.12] (Photos 5, 10, 13, 28)	N	Y	N/A
2. Working clearances are observed per NEC 110.26 (Photo 18)	N	Y	N/A



**RESOLUTION NO. 173 - 2017
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 3 – 2017, COUNTY OF LEWIS**

Introduced by Legislator Jerry King, Chairman of the Building Codes Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on April 4, 2017, directing that a public hearing be held by said Board on May 2, 2017 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, "THE COUNTY OF LEWIS LOCAL LAW ADOPTING THE NEW YORK STATE EXPEDITED UNIFIED SOLAR PERMIT PROCESS FOR SMALL-SCALE SOLAR ELECTRIC SYSTEMS"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on April 26, 2017, 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 of 2017), County of Lewis, being "THE COUNTY OF LEWIS LOCAL LAW ADOPTING THE NEW YORK STATE EXPEDITED UNIFIED SOLAR PERMIT PROCESS FOR SMALL-SCALE SOLAR ELECTRIC SYSTEMS"; be and the same hereby is designated as Local Law No. 3 of 2017, County of Lewis.

Section 2. That Local Law No. 3 of 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 Brennan, seconded by Legislator King, and adopted pursuant to the following roll call vote:

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

NAYS: None

ABSENT: None

MAY 2, 2017

**RESOLUTION NO. 174 - 2017
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 Suicide Prevention Walk, proceeds from T0 000083 MH Memorial Savings:

<u>Appropriate funds:</u>	<u>Amount:</u>
A0433500 488100 Suicide Prevention	\$400.00
A0433500 316201 Mental Health Fees	\$400.00

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

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

**RESOLUTION NO. 175 - 2017
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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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, June 6, 2017 at 5:00 p.m. at its regular meeting at the second floor boardroom at 7660 State Street, Lowville, New York.;

Section 2. That public notice of the hearing shall be advertised in accordance with law at least 10 days prior to the hearing date.

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

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

**RESOLUTION NO. 176 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY THROUGH CORNELL COOPERATIVE EXTENSION
OF LEWIS COUNTY AND DR. ELWIN STILLMAN TO MAINTAIN A BEE HOUSE
ON THE COUNTY'S OUTER STOWE STREET PROPERTY**

Introduced by Legislator Craig Brennan, Chairman of the Ways and Means/ Buildings and Grounds Committee.

WHEREAS, Cornell Cooperative Extension of Lewis County (öCCEö) organized a bee keeping group which is made up of novice and master beekeepers who meet monthly for discussions and workshops on bee keeping and apiary science, which include topics such as honey production, pollination, queen management, disease diagnosis and treatment and seasonal changes; and

WHEREAS, one of the members of this group is Dr. Elwin Stillman, a master beekeeper, who has offered to keep one of his bee houses on the County's wooded property behind the buildings on Outer Stowe Street. The bee house will be in the woods, away from people and will be kept at that location during the summer and fall seasons for hands-on beekeeping techniques and observations by the apiary group, and then returned to Dr. Stillman's property for the winter and spring; and

WHEREAS, the purpose of having an apiary at CCE is to assist and teach new beekeepers. This arrangement with a master beekeeper will benefit the class participants without the cost to CCE of investing in bees or bee houses; and

WHEREAS, the Board of Legislators wishes to authorize this arrangement provided that an agreement is executed with proper terms and conditions to protect the County and invitees on the County's property.

NOW, THEREFORE, BE IT RESOLVED, as follows:

MAY 2, 2017

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through Cornell Cooperative Extension of Lewis County and Dr. Elwin Stillman for the purpose of allowing Dr. Stillman to keep one of his bee houses and bees in the woods behind the buildings on the County's property at Outer Stowe Street during the summer and fall seasons, at a location to be approved by the Director of Buildings and Grounds, with all responsibility and obligation for the care and safety of same to be borne by Dr. Stillman at no cost to the County.

Section 2. That the Board of Legislators authorizes the County Attorney to draft the Agreement with terms and conditions appropriate to protect the County, its personnel and invitees to its property.

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 Dolhof, and adopted.

**RESOLUTION NO. 177 - 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO COUNTY CLERK**

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

WHEREAS, pursuant to Resolution 141-2017 the Board authorized County Clerk Linda Hoskins to hire a student worker two days per week through 12/31/17; and

WHEREAS, she further requests permission to assign the student worker five (5) days per week for the period 5/15 ó 8/25/17, during the college break.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the County Clerk's Department, to authorize County Clerk Linda Hoskins to increase the temporary student intern to full-time (35 hrs/week) effective May 15, 2017 to August 25, 2017.

Section 2. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 178 - 2017
RESOLUTION TO TRANSFER FUNDS
COUNTY CLERK**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the County Clerk Department account for the payment of 2 computers and monitors, utilizing Project HAE Capital Data Processing H0990100 499900 balance \$ 125,163.02:

Increase Revenue:

A0100000 350310 Inter-fund transfers \$1,174.56

Increase Expense:

A0141000 221700 Computers \$1,174.56

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

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

Legislator Brennan commended County Clerk Linda Hoskins for the initiative to place a dedicated computer monitor at the DMV office for persons who are registering a snowmobile and want to apply for membership with a snowmobile club.

**RESOLUTION NO. 179 - 2017
RESOLUTION IN SUPPORT OF NYS SENATE BILL S5549
TO ENSURE CONTINUED VIABILITY OF THE STATE'S EXISTING LARGE-
SCALE, RENEWABLE ENERGY RESOURCES**

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

WHEREAS, New York State has been a leader in renewable energy initiatives. In order to achieve the clean energy standard mandates set by the State, and to ensure continued job growth and other benefits attendant to a clean energy economy in Lewis County and other counties in Northern New York, the State must take concrete measures to assure that the existing large-scale, renewable energy sector (*such as large-scale renewable energy generators, one of the most cost-effective sources of clean power in the North Country*) is provided with adequate price signals and financial incentives in order for these existing facilities to remain viable; and

WHEREAS, Senator Joseph Griffo has introduced proposed legislation (S5549) with the goal of maintaining the continued viability of the state's existing large-scale, renewable energy producers. In the Memorandum in Support of his proposed Bill, the Senator points out that

MAY 2, 2017

approximately 10% of New York's electricity currently comes from independently owned hydroelectric facilities (which also provide flood control and water level management). As the Senator rightly notes, biomass plants are a critical economic component of the forestry industry in the North Country, and actually power the US Army installation at Fort Drum. The memorandum further concludes that the current Maintenance Tier program under the clean energy initiative does not adequately address the unique challenges facing these existing facilities and their important economic benefits to their communities; and

WHEREAS, the proposed legislation set forth in S5549 will have a direct, positive impact on multiple private businesses producing energy in Lewis County. The impact of these private businesses, including their employment of residents and indirect employment as a result of this viable industry in the County, are significant parts of the Lewis County economy; and

WHEREAS, the Lewis County Board of Legislators seeks to applaud Senator Griffo in his efforts and goal of maintaining the continued viability of the existing large-scale, renewable energy producers with the proposed legislation set forth in Bill Number S5549.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby states its support for the proposed legislation set forth in Senate Bill Number S5549, introduced by Senator Joseph Griffo, and encourages the State Senate, Assembly and Governor to pass the Bill with all due haste.

Section 2. That the Lewis County Board of Legislators hereby applauds Senator Griffo for his concrete steps and action with introduction of Bill Number S5549 with a stated goal to maintain the continued viability of the existing large-scale, renewable energy producers in the North Country.

Section 3. That the Lewis County Board of Legislators directs that a copy of this resolution be forwarded to Governor Andrew Cuomo, Senator Joseph Griffo, Assemblyman Ken Blankenbush, the NYS Senate Majority and Minority Leaders, NYS Assembly Majority and Minority Leaders, and any other State or Local Agencies or Municipalities the Chairman deems appropriate.

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

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

**RESOLUTION NO. 180 - 2017
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY FAIR HOUSING TASK FORCE**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, by Resolution No. 508-2016, the Lewis County Board of Legislators designated the Lewis County Planning Director as the Lewis County Fair Housing Officer and HUD Section 3 Coordinator, and authorized the Planning Director to engage in activities required to maintain compliance with HUD regulations and implementation of fair housing education and enforcement resources; and

WHEREAS, pursuant to 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 not only the County Planning Director be named the local fair housing officer, but to also establish 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 reaffirm a commitment to equal opportunity for residents to live in safe, decent housing; and

WHEREAS, Henry Avallone, a Landlord, has indicated interest to serve on the Task Force.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby appoints Henry Avallone a Landlord to the Lewis County Fair Housing Task Force representative county members who has affiliated interest in housing and/or assistance to residents with housing needs.

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

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

**RESOLUTION NO. 181 - 2017
RESOLUTION TO TRANSFER FUNDS
MACHINERY ACCOUNT**

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

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Machinery Department for the appropriation of insurance recovery monies:

<u>Increase Revenue:</u>	
DM513000 326800	\$25,431.48

MAY 2, 2017

Increase Expense:
DM513000 470100 \$25,431.48

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

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

**RESOLUTION NO. 182 - 2017
RESOLUTION TO TRANSFER FUNDS
HIGHWAY DEPARTMENT**

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

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Highway Department account for the purchase of a new computer, monitor and laptop, utilizing Project HAE Capital Data Processing H0990100 499900 balance \$ 125,163.02:

Increase Revenue:
D0501000 350310 Inter-fund transfers \$1,184.60

Increase Expense:
D0501000 221700 Computers \$1,184.60

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

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

**RESOLUTION NO. 183 - 2017
RESOLUTION TO TRANSFER FUNDS
INFORMATION TECHNOLOGY**

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

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved into the Information Technology account for payment of the audit of wireless usage, utilizing Project HAE Capital Data Processing H0990100 499900 balance \$ 125,163.02:

Increase Revenue:
A0100000 350310 Interfund transfers \$3,190.44

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Increase Expense:

A0168000 490100 Prof Serv \$3,190.44

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

Moved by Legislator Moser, seconded by Legislator Dolhof.

Legislator Brennan made a motion to amend the above amount to \$2,710.32, seconded by Legislator Fawcett and carried.

The resolution was then adopted.

**RESOLUTION NO. 184 - 2017
RESOLUTION APPOINTING MEMBERS TO
LABOR-MANAGEMENT SAFETY COMMITTEE**

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

WHEREAS, pursuant to Resolution 144-2016 the Board created and appointed members to a Labor-Management Safety Committee to 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; and

WHEREAS, committee members James Swords has resigned from County employment, and Joyce Hodkinson was promoted to a non-union position and no longer eligible to represent union employees; and

WHEREAS, Human Resources Director Christopher Boulio, Hospital Human Resources Director Jessica Skiff and Hospital CSEA union President Julie Hanno have expressed interest to serve on the committee.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints Human Resources Director Christopher Boulio, Hospital Human Resources Director Jessica Skiff and Hospital CSEA union President Julie Hanno to the Labor-Management Safety Committee.

Section 2. That the term of said appointments shall be effective immediately through April 30, 2018.

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

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

MAY 2, 2017

**RESOLUTION NO. 185 - 2017
RESOLUTION AUTHORIZING AGREEMENT WITH
CLARK PATTERSON LEE TO PROVIDE PROFESSIONAL SERVICES IN
PREPARATION OF A 2017 CONSOLIDATED FUNDING APPLICATION
FOR THE PROPOSED LEWIS COUNTY CENTRAL REGIONAL WATER STUDY**

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

WHEREAS, Clark Patterson Lee, Engineering and Design Professionals, submitted a proposal to Lewis County Department of Planning to prepare a 2017 Consolidated Funding Application (öCFAö) for the proposed Lewis County Central Regional Water Study (öLCCRWSö); and

WHEREAS, LCCRWS currently includes the Towns of Martinsburg, Harrisburg, Watson, and Denmark. Clark Patterson Lee intends to coordinate with these communities and the Lewis County Department of Planning to gather all pertinent information for submission of a Local Government Efficiency (öLGEö) grant; and

WHEREAS, the Board of Legislators wishes to accept said proposal.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators authorizes a proposal to be entered into between the County of Lewis, by and through the Lewis County Department of Planning and Clark Patterson Lee, to prepare and submit a 2017 Consolidated Funding Application for the proposed öLewis County Central Regional Water Studyö that will involve the Towns of Martinsburg, Harrisburg, Watson, and Denmark.

Section 2. That this is for the term May 1, 2017 through July 31, 2017 for a fee not to exceed \$2,500.00.

Section 3. That Frank Pace, Director of Lewis County Department of Planning, be and the same is hereby authorized to execute and deliver such Proposal, 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. 186 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
JEFFERSON-LEWIS WORKFORCE DEVELOPMENT AREA,**

**PRATT NORTHAM/CAREERS HERE PROGRAM AND
LEWIS COUNTY PROBATION DEPARTMENT**

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

WHEREAS, the Pratt Northam Foundation (öPNö) applied for and was awarded funds under a grant for student summer employment known as öCareers Hereö. PN requested that Jefferson-Lewis Workforce Development Board (öJLWDBö) be the grant recipient of this program and administer the program, and JLWDB accepted, as it is within its mission to öprovide career opportunities to young persons within the Jefferson- Lewis areasö; and

WHEREAS, the Lewis County Probation Department wishes to enter into an Agreement with Jefferson-Lewis Workforce Development Area, as grant recipient and administrator of the Pratt Northam öCareers Hereö 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 Probation Department and Jefferson-Lewis Workforce Development Area as the grant recipient and administrator of the Pratt Northam öCareers Hereö Program, for a summer youth intern position.

Section 2. That this is for the term beginning May 1, 2017 and ending December 31, 2017 for up to four hundred (400) hours with a temporary youth position with reimbursed wages at \$9.70 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 Dolhof, and adopted.

**RESOLUTION NO. 187 - 2017
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:

MAY 2, 2017

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	Permanent Full-time	Grade C27-1

Section 2. That Director MaryJo Burkhard is authorized to fill said position effective immediately.

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

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

RESOLUTION NO. 188 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH DEPARTMENT
AND NEW YORK STATE DEPARTMENT OF HEALTH
FOR THE RABIES PROGRAM

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

WHEREAS, the Lewis County Public Health Agency has received a multi-year grant award from the New York State Department of Health in the amount of \$21,022.00 under contract number DOH01-T32456GG-3450000 for the purpose of the Rabies Program; and

WHEREAS, the multi-year contract provides for an annual award of \$10,511.00 for a total two year award of \$21,022.00 commencing April 1, 2017 through March 31, 2019; and

WHEREAS, Lewis County Public Health Department is an eligible provider of these services and submits the contract through the Grants Gateway electronic process; and

WHEREAS, the Board of Legislators wishes to accept such award and to authorize the Director of Lewis County Public Health to execute the Master Grant Contract with New York State Department of Health;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a multi-year contract between the Lewis County Public Health Agency and the New York State Department of Health for the purpose of the Rabies Program for the period beginning April 1, 2017 through March 31, 2019 in the total amount of \$21,022.00.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the Lewis County Board of Legislators hereby approves the execution of this contract through the Grants Gateway electronic process by the Lewis County Public Health Director, Penny Ingham, 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. 189 - 2017
RESOLUTION PROVIDING COMMENT TO THE DEPARTMENT OF
CONSERVATION (DEC) ON ITS DEVELOPMENT OF THE RECREATION
MANAGEMENT PLAN (RMP) FOR THE CROGHAN TRACT CONSERVATION
EASEMENT IN THE TOWNS OF CROGHAN AND WATSON IN LEWIS COUNTY**

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

WHEREAS, the Croghan Tract encompasses approximately 13,000 acres of private property located in Lewis County in the towns of Croghan and Watson. There is a conservation easement which allows for timber production from the forests while also providing for public recreation opportunities; and

WHEREAS, taxpayer dollars are used to purchase conservation easements and should provide for all recreation rights, including ATV access, especially in Lewis County which is known for its extensive ATV trail system. The Department of Conservation (DEC) now seeks comments on its development of the Recreation Management Plan (RMP) for the Croghan Tract Conservation Easement; and

WHEREAS, easement lands are working forest properties with extensive infrastructure and a demonstrated capacity to withstand uses, including recreational use and opportunities for motorized recreational vehicles and activities such as All Terrain Vehicle (ATV) activities; and

WHEREAS, Lewis County's outdoor recreational activities, including its ATV recreational trail system, are unique and primary economic attractions and initiatives for the County, with expansion of the system only enhancing its economic development through recreational and tourism features; and

WHEREAS, the Croghan Tract Easement has the potential to provide expansion and extension of ATV trail opportunities in Lewis County together with expanded access for hiking, camping, hunting, fishing and trapping via ATVs and other motorized vehicles on this expansive acreage; and

WHEREAS, the State's stated policy and intention when negotiating conservation easements is to include and try to maximize public access points for public recreation uses

MAY 2, 2017

including hunting, fishing, trapping, hiking, camping, mountain biking, and motor vehicle access, including ATVs; and

WHEREAS, DEC negotiated and included ATV rights and uses for recreation and sporting purposes in other RMPs on other easement properties with similar rights, such as the Champion - Santa Clara Tract (of the same ownership). There is clearly precedent for DEC to include these important rights and activities in its negotiations of the easement, and not allow these ATV recreational uses to be left out of the terms of the easement and RMP for the Croghan Tract; and

WHEREAS, Lewis County desires an RMP similar to the Champion-Santa Clara Tract, with retained rights under the easement to include maximized recreational and sporting opportunities and activities for the residents of and visitors to the County, inclusive of ATV use.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators urges the DEC to develop a RMP for the Croghan Tract Conservation Easement which includes ATV access and use for recreational or sporting purposes, and states its opposition to any Draft RMP which fails to include ATV access as a denial of the rights of the residents of Lewis County as taxpayers of the State of New York.

Section 2. That the Lewis County Board of Legislators hereby acknowledges its support of the above comments and requests that the DEC include motorized access and use, including ATVs, in the RMP for the Croghan Tract Conservation Easement properties in Lewis County, as the DEC has provided in similar Easement properties.

Section 3. That the Lewis County Board of Legislators further requests that the DEC land managers collaboratively work with the County's representatives and Director of Recreation, Forestry and Parks to develop a plan that acknowledges the economic importance and significance of ATV access and use for recreational and sporting activities in Lewis County and enhances the County's trail system and sporting access for ATVs and other motor vehicles.

Section 4. 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: NYSDEC Commissioner Basil Seggos, Matthew Nowak, Sr. Natural Resources Planner, Judith Drabicki, Esq., attorney for Region 6; Governor Andrew Cuomo, and to any other appropriate State and Local agencies, representatives and officials as he may deem appropriate.

Section 5. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 190 - 2017
RESOLUTION TO APPROPRIATE FUNDS

PROCEEDINGS OF THE BOARD OF LEGISLATORS

SHERIFF'S DEPARTMENT

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

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the office of the Sheriff's Department to cover overtime expense:

<u>Increase Revenues</u>	
A0311000 315890 (Sheriff DWI)	\$1328.76
<u>Increase Expense</u>	
A0311000 110100 (Regular Payroll)	\$485.53
A0311100 110300 (Overtime)	\$816.98
A0311100 110400 (Shift Differential)	\$ 26.25

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

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

**RESOLUTION NO. 191 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY 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 (øDSSø) wishes to enter into an Agreement with Cornell Cooperative Extension of Lewis County to provide supportive and rehabilitative services that may include 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 \$61,500.00 per calendar year; 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 to provide supportive and rehabilitative services that may include 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, 2017 through May 31, 2018 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 \$61,500.00 per year. The local share cost of these services is 25% 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 Fawcett, seconded by Legislator King, and adopted.

**RESOLUTION NO. 192 - 2017
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 homeless individuals or families in Lewis County with temporary housing; 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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 homeless individuals or families in Lewis County with temporary housing.

Section 2. That the term of this Agreement shall be from June 1, 2017 through May 31, 2018 for an amount not to exceed \$19,968.99. 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 Fawcett , seconded by Legislator Moroughan , and adopted.

**RESOLUTION NO. 193 - 2017
RESOLUTION TO TRANSFER 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 Department for the purchase of a new computer and monitor utilizing Project HAE Capital Data Processing H0990100 499900 balance \$ 125,163.02:

Increase Revenue:

A0100000 350310(Interfund transfers)	\$146.82
A0601000 336100 DSS State Admin	\$146.82
A0601000 346100 DSS Fed Admin	\$293.64

Increase Expense:

MAY 2, 2017

A0601000 221700 Computers \$587.28

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

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

**RESOLUTION NO. 194 - 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOLID WASTE DEPARTMENT**

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 Temporary position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Motor Equipment Operator (Medium)	Temporary Part-Time	Grade C-18 \$17.11/hr.

Section 2. That Director Pete Wood is hereby authorized to fill said position on a temporary basis during a prospective medical leave of absence of a permanent Solid Waste employee.

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

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

**RESOLUTION NO. 195 - 2017
RESOLUTION AUTHORIZING RENEWAL 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 the Planning Committee.

WHEREAS, the County of Lewis, acting by and through the Lewis County Economic Development and Planning Department desires to enter into a renewal 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 for a twelve (12) month period; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 a renewal 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 the 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 a twelve (12) month period, commencing upon the date of execution of the Renewal Agreement.

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. 196 - 2017
RESOLUTION TO TRANSFER FUNDS
IGT**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget changes are hereby approved in the IGT account from Fund Balance:

<u>Transfer from:</u>	
A0 005990 Fund balance	\$1,000,000.00
 <u>Transfer to:</u>	
A0610200 461300 IGT	\$1,000,000.00

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

MAY 2, 2017

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

**RESOLUTION NO. 197 - 2017
RESOLUTION APPROVING MODIFICATION
OF YOUTH SERVICES FUNDING FOR
PROGRAM YEAR 2015
WORKFORCE DEVELOPMENT BOARD**

Introduced by Legislator Roscoe Fawcett Jr., Chairman of the Employment & Training Committee.

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 IB of the Act to be competitively procured, and

WHEREAS, the local workforce area complied with the provisions of the Workforce Innovation and Opportunity Act by establishing clear firewall, the Jefferson County Purchasing Department issued and distributed the RFP, and

WHEREAS, the contract for Youth Services were awarded to the Jefferson County Department of Employment & Training and Lewis County Department of Employment & Training, and

WHEREAS, the Lewis County Department of Employment & Training did not enroll participants into the program and did not expend funds to fulfill the contract, and

WHEREAS, PY 15 funds must be expended and used prior to the use of PY 16 funds, and

WHEREAS, the funds needed to be applied to services provided Jefferson County Department of Employment and Training in the amount of \$24,986.34.

NOW, THEREFORE, BE IT RESOLVED, that the Workforce Development Board does hereby approve the transfer and modification of the PY 15 funding to reflect the modification of the appropriations of PY15 youth funding as follows:

YOUTH
CD629000 110100 \$ - 24,986.34

WIA REVENUE
CD6293 347910 \$ - 24,986.34

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

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

**RESOLUTION NO. 198 - 2017
RESOLUTION TO TRANSFER FUNDS
WORKFORCE INVESTMENT ACT**

Introduced by Legislator Roscoe Fawcett, Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

Section 1. That the following fund transfers are hereby approved within the Youth Fund:

<u>From:</u>	
CD629000.110100	\$ (17,000.00)
CD629000.801000	\$ (8,000.00)
	\$ (25,000.00)
<u>To:</u>	
CD629000.499900	\$ 25,000.00

No changes to revenue.

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

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

**RESOLUTION NO. 199 – 2017
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-appoint the following individuals to serve on the Lewis County Youth Bureau Advisory Board:

Scott Mathys
Lewis County Opportunities, Inc.
Community Member
8265 State Route 812
Lowville, NY 13367
315.376.8202 x240

Rhonda Vanucchi
Community Member
5569 River Street
Lowville, NY 13367
315.376.3402 or 315.771.6528

John Exford

Mike Leviker

MAY 2, 2017

Volunteer Transportation Program
Community Member
4010 Edgewood Drive
Lyons Falls, NY 13368
315.955.4277

Community Member
Lewis County Sheriff's Office
Lowville, NY 13367
315.376.3511 or 315.771.1939

Deanna Edick
County Government
5274 Outer Stowe Street
Lowville, NY 13367
315.376.5746

Brian Finn
Community Member
Lowville Academy & Central School
7668 N. State Street
Lowville, NY 13367
315.376.9117

Section 2. That the term of said appointments shall be effective June 7, 2017 through June 7, 2019.

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

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

**RESOLUTION NO. 200 - 2017
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>
Social Work Assistant	Full-time

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

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

**RESOLUTION NO. 201 - 2017
RESOLUTION TO APPROPRIATE FUNDS
RECREATION TRAIL MAINTENANCE**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Trail Maintenance accounts to appropriate funds received through ATV Permits to be used to reimburse clubs for club membership.

Increase Revenues

A0799000 320010 ATV Permits	\$10,000.00
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Increase Expense

A0799000 499400 ATV Club Membership Reimb	\$10,000.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 202 - 2017
RESOLUTION TO CREATE AND APPROPRIATE FUNDS
FOR STUDENT WORKER PROGRAM**

Introduced by Michael A. 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 2017 at an hourly rate of \$9.70, minimum wage; and

WHEREAS, the cost to the County of Lewis would only be for the fringe benefits other than Social Security.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That upon approval by the Pratt-Northam Foundation, the following amounts will be appropriated:

Increase Expense:

A0638000 110100	\$6,790.00
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A0638000 803000	\$520.00
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Increase revenue:

A0638000 327052	\$7,310.00
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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 Brennan, seconded by Legislator Moser, and adopted.

OTHER BUSINESS:

Liz Swearingin recognized Information Technology Director Adam Zehr for having been selected to the USA Team to compete under the International Power-lifting Federation, which has a world competition in classic bench pressing. Adam competed in the open class at 145.5 lb weight. On his second lift he successfully benched 363 lbs to come in third in his weight class, and by doing so added 9 points to Team USA's team nation points, enough for the team to place second in the overall tournament. Chairman Tabolt presented Adam with a commemorative trophy for his accomplishments.

Clerk of the Board Teresa Clark read proclamations, whereby the Chairman had declared May as Mental Health Month and Foster Parent Recognition Month.

The Chairman had re-appointed Arleigh Rice, Michael Giocondo, Terry Thisse, Cheryl Shenle-O'Neill, Randall Schell and Paul Mooney to the Comprehensive Economic Development Strategy Committee.

Legislator Hathway told of a bad storm that had occurred the day before in St. Lawrence County, which had devastating impact on adjacent towns, but had spared the Town of Diana. He was particularly grateful that lives had been spared.

At 6:23 p.m. Legislator Brennan made a motion to enter executive session for County Attorney Joan McNichol to discuss a proposed property acquisition, give an update on labor negotiations and for discussion on matters leading to appointment of a particular person. The motion was seconded by Legislator Dolhof and carried. There would also be an attorney-client privileged session to review the status of the City of Rome property assessment litigation. The session commenced after a 5-minute recess. At 7:08 p.m. Legislator Moser made a motion to re-enter the regular meeting, seconded by Legislator Moroughan and carried.

The following resolution was then presented and enacted:

RESOLUTION NO. 203 - 2017
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 Pratt Northam Foundation (öPNö) applied for and was awarded funds under a grant for student summer employment known as öCareers Hereö. PN requested that Jefferson-Lewis Workforce Development Board (öJLWDBö) be the grant recipient of this program and administer the program, and JLWDB accepted, as it is within its mission to öprovide career opportunities to young persons within the Jefferson- Lewis areasö; and

WHEREAS, the Lewis County Recreation, Forestry and Parks Department wishes to enter into an Agreement with Jefferson-Lewis Workforce Development Area, as grant recipient and administrator of the Pratt Northam öCareers Hereö Program, for two (2) summer youth intern positions; 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 Recreation, Forestry and Parks Department and Jefferson-Lewis Workforce Development Area as the grant recipient and administrator of the Pratt Northam öCareers Hereö Program, for two (2) summer youth intern positions.

Section 2. That this is for the term beginning May 1, 2017 and ending December 31, 2017 for up to four hundred (400) hours with a temporary youth position with reimbursed wages at \$9.70 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 Dolhof, seconded by Legislator Moser, and adopted.

There being no other business to come before the Board, the meeting adjourned at 7:10 p.m. on motion by Legislator Moser, seconded by Legislator Fawcett and carried.

JUNE 6, 2017

REGULAR MEETING
June 6, 2017

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

Roll Call: All Legislators were present, except Legislator Chartrand whom had been excused.

Chairman Tabolt offered the Invocation. Legislator Philip Hathway called for a moment of silence for those who perished on D-Day (June 6, 1944), as well as all survivors. Chairman Tabolt then led the Pledge of Allegiance to the Flag

There were 36 persons present.

Hearing no comments to the contrary, Chairman Tabolt declared the May 2, 2017 meeting minutes 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 6, 2017

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

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

Chairman Tabolt was proud to recognize a Lyons Falls resident who has served her community for many years; and to several high school students for their outstanding competitive achievements at the global level.

Clerk of the Board Teresa Clark read the commending Proclamation for Catherine (Katie) Leindecker admiring her accomplishments and unwavering community spirit. Legislator Fawcett cited Katie's award as the 2016 Randy Streeter Citizen of the Year sponsored by the Lewis County Office For the Aging, that honors older volunteers who have demonstrated an outstanding contribution or dedication to senior citizens in their community. Chairman Tabolt and Legislator Moroughan presented the document to Ms. Liendecker.

Legislator Hathway read a proclamation recognizing the seventh place World level achievement of the Beaver River Central School Odyssey of the Mind team. He and Chairman Tabolt then presented the document to the students and team advisors.

Clerk of the Board Teresa Clark read a proclamation recognizing the tenth place World level achievement of the Lowville Academy & Central School Odyssey of the Mind team. Chairman Tabolt then presented the document to the students and team advisors.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

At 5:16 p.m. Chairman Tabolt opened the public hearing for comments or suggestions for possible submission of one or more Community Development Block Grant (CDBG) applications for the 2017 program year.

PRIVILEGE OF THE FLOOR:

Economic Development Director Eric Virkler read the following information into the record: The Community Development Block Grant (CDBG) Program is a federally funded program authorized by Title 1 of the Housing and Community Development Act of 1974. The CDBG Program is administered by the Office of Community Renewal (OCR) under the direction of the Housing Trust Fund Corporation (HTFC). For 2017, the OCR may make up to \$20 million available for housing activities, community planning, public infrastructure, public facilities, and economic development and microenterprise programs. Applications for housing assistance are submitted under an annual funding round. Applications for public infrastructure, public facilities, and economic development assistance are available under the Consolidated Funding Application that is due no later than 4:00 p.m. on July 28, 2017. The County may apply for up to \$750,000 for public infrastructure \$300,000 for public facilities; \$200,000 for microenterprise programs; and up to \$50,000 for planning activities, provided the projects meet national objectives to benefit low and moderate income families, prevent or eliminate slums or blight, or meet other urgent community development needs.

No less than 70% of the NYS CDBG funds must benefit low and moderate income persons, defined as a member of a household whose income is less than 80% of the area median income for the household size. A principal benefit to low and moderate income persons requires at least 51% of the persons benefiting must qualify as low and moderate-income persons. The county may provide technical assistance to groups representing low and moderate income persons to develop applications.

The CDBG 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 during remediation.

Mr. Virkler reported that although the grant funds are customarily sought for housing rehabilitation through Snow Belt Housing, they may also assist businesses or organizations with capital projects.

Northern Regional Center for Independent Living (NRCIL) Executive Director Aileen Martin reported that after a lengthy search their agency has identified feasible 4,000 sq. ft. office space located in the Village of Lowville and would repurpose the Jackson Street commercial building. NRCIL employs 41 in Jefferson and 17 in Lewis County. In response to Legislators Hathway and Brennan, Ms. Martin said the prospective building could accommodate additional employees and would serve their foreseeable needs. A 10-year lease is envisioned, while projecting subsequent renewal. Ms. Martin would seek low-income Lewis County residents to fill future jobs, and informed that 75 percent of their personnel have a

JUNE 6, 2017

disability. The agency intends to apply for the maximum amount of \$300,000 CDBG funding, dependent upon the Board's approval for the County to be lead agency. Mr. Virkler affirmed there is no local match requirement.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Mark and Liz Swearingin and Reverend Matthew Laney acknowledged the personal contributions from Legislators and Court House staff to the Asylum Hill Congregational Church in memory of Liz's dad Kenneth Hollister.

Mrs. Abby Wallace sent a thank you note for the personal contributions to Hospice in memory of her husband, former District No. 5 Legislator Patrick F. Wallace.

Charlotte VanZandt had penned a note of thanks to commend Solid Waste Department worker Lynn Widrick for helping her with a flat tire while at the Lowville transfer station. She admired his courteous and helpful manner.

The members of the Harrisville Boys' Varsity Basketball Team had each signed a letter of thanks to the Board for acknowledging their accomplishments; and for the opportunity to observe the Board's meeting procedures. They cited and thanked the many local fans who attended and cheered them to victory, which gave more meaning to their winning achievements.

The NYS Parks, Recreation and Historic Preservation office informed they would be considering the First Lewis County Clerk's Office located in Martinsburg for nomination to the National and State Registers of Historic Places.

The Board acknowledged receipt of a resolution from the Cattaraugus County Legislature in support of proposed State legislation regarding the prohibition of smoking in vehicles where minors are passengers.

Senator Joseph Griffo and Assemblyman Brian Kolb each acknowledged receipt of the Board's resolution encouraging adoption of Senator Griffo's sponsored legislation to ensure continued viability of the State's existing large-scale renewable energy sources, most importantly hydroelectric and biomass facilities.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the County Treasurer's May report; the 5/3 and 5/26/17 Highway and Solid Waste Audit reports; minutes of the 5/15/17 Youth Bureau Advisory Board, 4/20/17 & 5/11/17 Planning Board, and 1/17/17 Health Services Advisory Committee meetings.

Director of Weights and Measures James A. Richmire has submitted the May monthly report to be placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Philip Hathway, Taxation/Elections/Information Technology Committee Chairman, reported the broadband contractor continues to expand services within the County and is searching for a site that would accommodate their operations and a 400ø tower. Referencing the earlier cyber security insurance policy presentation, he noted that IT Director Adam Zehr has installed backup and firewalls to reduce the risk of a cyber breach.

He also reported that Real Property Tax Director Candy Akin is working with Town Boards to change duplicate road names in certain areas throughout the County to avoid errors by emergency responders.

Legislator Hathway stated that County Attorney Joan McNichol would provide the Board a client-privilege update later today on the property assessment challenges and negotiations.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Youth Committee Chairman, announced that 31 businesses have registered for the 6/7/17 job fair sponsored by Workforce Development at the Lowville Elks Lodge, searching for candidates to fill over 100 jobs. The Summer Youth Employment Program has placed 22 18-24 year olds in various jobs, and additional unemployed or underemployed candidates are urged to contact 315-376-5800.

The HEAP cooling program is accepting air conditioner applications from those who meet income and medical guidelines.

Legislator Fawcett made a motion to authorize DSS Commissioner Jennifer Jones to re-fill one Full-time Caseworker position effective immediately, due to a termination. The motion was seconded by Legislator King and carried.

Senior Day at the Lewis County Fair will be 7/20/17 to include musical entertainment. FarmersøMarket coupons will also be available.

Legislator Fawcett reported the Youth Advisory Board awarded the balance of Office of Children and Family Services Youth development allocations of \$2,675 to support the 9/8/17 òNight Outö event. At the opening ceremony ambulance teams will be recognized for often being the first responders at heroin and related crises.

Legislator Bryan Moser, County Officers/Junkyards/Veteransø Services/ Human Resources Committee Chairman, urges approval of the recommended Veteransø Department personnel changes, to promote Stephen Kilionski to Director and replacing the vacant counselor position with a keyboard specialist representing \$13,000 annual savings.

Legislator Moser commended retired Veteransø Service Director Derek Davey for great performance and service to local veterans, while reminding everyone to keep him in their prayers after his wifeø recent passing.

Legislator Moser stated that Junkyard Law amendments would be proposed to the Board after further discussion with the Review Board. Legislator Hathway expressed appreciation for

cleanup of the long-time blighted property in the Town of Diana, enhanced by the previous law changes and aggressive efforts by the Committee and County Attorney.

Legislator Jerry King, Courts and Law Enforcement/Fire & Emergency Services/Building Codes Committee Chairman, reports continued testing and work to enhance paging communications. The County qualified for grant funds due to installing interoperable channels.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry and Parks Committee Chairman, announced a 6/13/17 business leadersø breakfast at the Boondocks restaurant in Lyons Falls.

Legislator Dolhof, Atty. McNichol and Economic Development Director Eric Virkler continue to negotiate with Avangrid Renewables and Invenergy developers and taxing jurisdictions for Payment-In-Lieu-Of-Taxes (PILOT) agreements for two windmill projects.

There are 17 students registered for the July Manufacturing Academy of Science and Technology (MAST) Camp at B.O.C.E.S. The facility also hosted 30 student participants for the øWind Blade Challengeø, with a Lowville Academy team achieving first place. Jefferson Community College officials have informed their inability to start the Lewis County extension center and education classes this fall, due to reduced State funding. However, they remain committed to course development and offering classes at the Maple Ridge facility.

Planning Director Frank Pace reported a 101-day construction schedule for solar array installation would begin in July with planned inter-connection to National Grid in November.

Legislator Craig Brennan, Ways and Means/Buildings and Grounds Committee Chairman, made a motion to authorize County Clerk Linda Hoskins to refill a full-time Motor Vehicle Application Examiner position effective immediately, due to a resignation. The motion was seconded by Legislator Fawcett and carried.

Legislator Brennan made a motion to authorize Treasurer Patricia OøBrien to refill a Temporary full-time Account Clerk position effective immediately, due to a resignation. The motion was seconded by Legislator King and carried.

Buildings Maintenance Supervisor Frank Archer has addressed the PSB fuel tank issues cited by the NYMIR risk analysis specialist.

Legislator Brennan recognized Computer System Assistant Doug Nagy for generating a replacement part required to secure the Court House exit door on his personal 3-D printer that would otherwise have cost \$2,000.00.

Legislator Brennan reported that net proceeds from the delinquent property tax auction exceeded projections.

Atty. McNichol explained that as approved by the State Legislature, the local law proposes a \$.30 surcharge on all pre-paid and post-paid wireless communication devices. The

PROCEEDINGS OF THE BOARD OF LEGISLATORS

State will collect the fees and forward the County's apportioned share of estimated \$30,000 - \$50,000 annual revenue to support E-911 operations.

Legislator Brennan reported receipt of three engineering consultant proposals to develop a strategic facilities plan for amounts ranging from \$40,000 to \$275,000. He urged Legislators' review and comments, directing them to the Clerk's office for copies.

Legislator Brennan reported the County's Clean Energy Communities grant application would be given first consideration for having met required criteria. Jamie Rogers of ANCA and Jim Yienger of Climate Action Associates will assist to compose the application to document the County's proposed projects that would effect hydrocarbon reduction and energy efficiency improvements.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman reported sale of 150 bags of compost; and that minor repairs have been completed on the Solid Waste trailer used to haul recyclables.

Legislator Kulzer reported that Highway road paving commenced on 5/22/17 and affirmed their policy for making road signs are available to Towns, Villages, School Districts, County Departments and the NYS DOT. Highway Superintendent David Becker has asked farmers not to plant corn in the 10' right-of-way from roads, as legally required for driver safety. He has asked local media sources to assist with public announcements.

As the Board's representative for the Double Play Recreation Center, Legislator Kulzer reported the agency had been awarded the bid to administer the Lowville summer recreation program and has opened it up to all children in the County aged 5 to 12. They offer various sports, arts and music programs, as well as lunchtime supervision, but kids must bring their own food. They will also cover the adult morning swim and evening basketball and volleyball programs. Enrollment will be on 6/13, 6/15, 6/20 and 6/22/17 for the weekday summer program from July 10 to August 14, 2017 9 a.m. to 3 p.m. Citing the disparity between the Agency's bid of \$34,000 and the school's allocation of \$30,000, the Agency's Board approved using \$2,000 of the County's appropriation to support the program. They continue to search for an alternative building to house their operations, but are effectively utilizing their current location. They accepted a donated stair mill from Dr. David Swift.

In response to Legislator Moser, Legislator Kulzer reported that Double Play Recreation Center is looking at prospective buildings in southern Lewis County. They are assisting the Port Leyden summer recreation program; but have yet to identify feasible locations for Port Leyden and Harrisville after-school programs.

As a member of the Hospital Committee, Legislator Fawcett reported favorable financial results for April; and impending information technology upgrades at a cost of \$1.5 million. He announced that Certified Nursing Assistant Danny Thomas was chosen as the March employee-of-the-month. The Board of Managers selected a new Chief Executive Officer, but are deferring announcement until concluding the employment contractual agreement. The Hospital Auxiliary sold over 3,200 geraniums and 250 herbs. An art show is scheduled for 6/7/17 in the main

lobby. Legislator Fawcett recognized the recent loss of a very active Auxiliary member with the passing of Sue Bush, inviting contributions to the Scholarship Fund in her memory.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported the State budget allocation for the Physically Handicapped Children's program was not reduced from the previous year. The State allocation for cancer services program was reduced by only 5% instead of the expected 20%. The State rate changes for tuition-based pre-school vendors are now being developed for 3 previous years and payment adjustments will be done when rates are known, which may impact the County share. Public Health must purchase new billing software for State Education and Medicaid reimbursements for Pre-School program services.

Legislator Moroughan reported review of the 1st Quarter Board of Health and Quality Assurance/Corporate Compliance/Quality Improvement reports. The Emergency Preparedness regional exercise was conducted in March with results reported to the State. The Public Health Planner is reviewing all HIPPA and Security Policies that will serve as standardized procedures for all County departments involved with health care.

Legislator Moroughan reported Director of Community Services Pat Fralick met with school superintendents, local agency leaders and treatment providers to identify students and families in crisis and connect them with local services. Their goal is to have a specific plan to implement by September.

The Lewis County Priorities Council is restructuring, tasked to identify community priorities and respond with solutions. They will partner with the Hospital Care Transitional Coalition and DSS Care Consortium. Director Fralick will apply for available funding for staff training on identifying persons with depression, suicidal thoughts and those with substance abuse problems, as well as coordination of services.

SPECIAL REPORTS:

Director of Community Services Patricia Fralick distributed pamphlets on heroin and opioids and available services, including a June calendar of public educational events. During the past month efforts focused on dispelling myths and providing information to those in need so they can make better choices for themselves.

Ms. Fralick attended a heroin and opioid "Boot Camp" sponsored by Samaritan Medical Center, which provides access to respective information and materials with permission to distribute. She submitted the 2018 Lewis County Local Services Plan to Albany prioritizing the local crisis that will enable access to State funding and resources to develop plans and responsive programs.

Credo and Dr. Dan Pisaniello will simulate their Legislative Board presentation to Lewis County General Hospital medical staff to inform and educate about their available services and medication assisted treatment.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

A local coalition encompassing agency and community-minded persons for grass root efforts will meet to organize and strategize on how best to communicate a consistent message and share resources. Legislators were encouraged to relay any relative initiatives in their locale to enhance organized efforts.

After listening to an inciting presentation by Jefferson County District Attorney Christina Mills, Ms. Fralick plans to meet with Sheriff Michael Carpinelli and Lowville Police Chief Randy Roggie to gain understanding from a law enforcement perspective.

In response to Legislator Moser's prior inquiry, Ms. Fralick had met with school superintendents and service providers who plan a series of meetings to develop a process to communicate and connect with those in need.

Chairman Tabolt reported presenting a Proclamation, accompanied by Legislator Moroughan at the 5/11/17 Mental Health Awareness walk. He had also presented a local Proclamation at a ceremony to recognize National Nursing Home Week.

The Chairman also reported attending a Lowville Village Board meeting, and plans to attend the 6/22/17 Inter-county Legislative Committee of the Adirondacks in Saratoga and the 6/12/17 Regional Economic Development Council meeting in Lake Placid.

COUNTY MANAGER REPORT:

Liz Swearingin recognized Taraden Lyndaker and Treasurer Benefits Specialist Joyce (JJ) Hodkinson for going above and beyond during the past several months to build the Tyler payroll system that will be implemented on June 25th. All employees will have access to enter their time into the internet-based system. Department Heads and selected staff are being trained for approval functions. The system will not allow employees to use benefit time before it is earned, and time-off requests are to be entered for supervisor approval. Payroll checks will be issued and available on-line by employees with secured identified access. Each will have access to their respective payroll and benefit information. No paper checks will be distributed. Annual W-2's will also be issued electronically.

COUNTY TREASURER REPORT:

Treasurer Patricia O'Brien recited the balances of the Special Legislative Contingency Fund - \$395,000.00; Contingency Fund-\$357,698.00; Capital Data Processing Fund-\$119,476.57 and Capital Equipment Fund - \$342,621.01, of which \$239,362.59 is the Highway portion, year-to-date sales tax revenues of \$3,269,987.15 are \$431,000 above the last year-to-date amount; and current Hospital debt of \$1.9 million.

The 4/30/17 balance of the Internal Service Fund is \$1,248,843.55. Ms. O'Brien reported another 10 percent health insurance premium has been imposed. Gilroy, Kiernan & Gilroy consultants will schedule educational sessions for all employees about voluntary options of a high-deductible or hybrid plan. They must make their selection by the end of July for plans that will become effective September 1, 2017.

JUNE 6, 2017

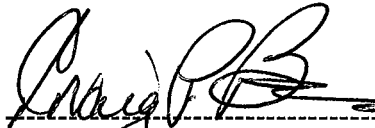
At 6:24 p.m. Chairman Tabolt declared the public hearing closed.

REPORT OF THE WAYS AND MEANS COMMITTEE:

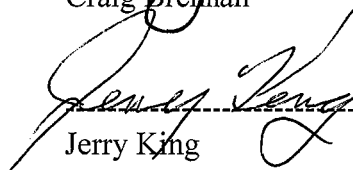
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

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 \$ 837,683.86 and recommend that they be audited and allowed for the amounts claimed.



Craig Brennan Chair



Jerry King Committee

Richard Chartrand Committee

Dated: June 6, 2017

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

JUNE 6, 2017

**RESOLUTION NO. 204 - 2017
AUDITING AND ALLOWING CLAIMS**

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

RESOLVED that the claims presented for payment in the total amount of \$ 837,683.86 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 Dolhof, seconded by Legislator Moser, and adopted by the following roll call vote:

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

NAYS: None.

ABSENT: Chartrand.

**LOCAL LAW (INTRODUCTORY NO. 3 - 2017)
COUNTY OF LEWIS**

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

**THE COUNTY OF LEWIS LOCAL LAW PROVIDING FOR THE ESTABLISHMENT
OF WIRELESS COMMUNICATIONS SURCHARGES
PURSUANT TO TAX LAW § 186-g**

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

SECTION 1. LEGISLATIVE INTENT.

The Lewis County Board of Legislators hereby finds and determines that the imposition of surcharges on wireless communications service in the County of Lewis to finance the costs associated with the design, construction, maintenance and administration of the County's wireless E-911 system will provide the means to better serve the residents and visitors of Lewis County.

**SECTION 2. IMPOSITION OF WIRELESS COMMUNICATIONS SURCHARGES
ON PREPAID AND POSTPAID WIRELESS COMMUNICATIONS.**

(A) Pursuant to the authority of Tax Law § 186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of the County of Lewis on: (i) wireless communications service provided to a wireless communications customer with a place of primary use within the County of Lewis, at the rate of thirty cents (\$.30) per month on each

PROCEEDINGS OF THE BOARD OF LEGISLATORS

wireless communications device in service during any part of the month; and (ii) the retail sale of prepaid wireless communications service sold within the County of Lewis, at the rate of thirty cents (\$.30) per retail sale, whether or not any tangible personal property is sold therewith.

(B) Wireless communications service suppliers shall begin to add such surcharge to the bills of its customers, and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.

(C) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three (3%) percent of its collections of the surcharges imposed by this LOCAL LAW, provided that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before the due date for that return and that payment.

SECTION 3. ADMINISTRATION OF SURCHARGES.

The surcharges imposed by this LOCAL LAW shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph (8) of Tax Law § 186-g, and in a like manner as the taxes imposed by Articles Twenty-eight and Twenty-nine of the Tax Law.

SECTION 4. APPLICABILITY OF STATE LAW TO SURCHARGES IMPOSED

All the provisions of Tax law § 186-g shall apply to the surcharges imposed by this LOCAL LAW with the same force and effect as if those provisions had been set forth in full in this LOCAL LAW, except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this LOCAL LAW.

SECTION 5. USE OF NET COLLECTIONS RECEIVED FROM SURCHARGES.

(A) Net collections received by the COUNTY from the surcharges imposed by this LOCAL LAW shall be expended only upon authorization of the Board of Legislators of the County of Lewis, and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving LEWIS COUNTY, as provided in paragraph (9) of Tax Law § 186-g, including but not limited to, hardware, software, consultants, financing and other acquisition costs. The COUNTY shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

(B) This LOCAL LAW shall not be interpreted as precluding other means of funding all or part of the County's E-911 wireless system. The County of Lewis may apply for and accept federal monies and may accept contributions and donations from any source for the purpose of funding the County's E-911 wireless system.

SECTION 6. VALIDITY AND SEVERABILITY.

If any section or part of this LOCAL LAW is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section of this Law.

SECTION 7. EFFECTIVE DATE.

This LOCAL LAW shall take effect December 1, 2017.

**RESOLUTION NO. 205 - 2017
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 3 - 2017), COUNTY OF LEWIS**

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on June 6, 2017, a proposed Local Law entitled:

**δTHE COUNTY OF LEWIS LOCAL LAW PROVIDING FOR THE ESTABLISHMENT
OF WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE
AUTHORITY OF TAX LAW § 186-g”**

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on July 5, 2017 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 13367.

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.

**RESOLUTION NO. 206 - 2017
RESOLUTION TO APPROPRIATE FUNDS
CAPITAL BUILDINGS AND GROUNDS**

Introduced by Legislator Craig Brennan, Chairman of Buildings & Grounds Committee.

BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That \$2,500.00 shall be appropriated in the Capital Buildings & Grounds account for receipt of the NYSERDA incentive award:

Revenue:

H0162000 331970 NYSERDA	Project HAC	\$2,500.00
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Expense:

H0162000 499900 B&G Expense		\$2,500.00
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Project HAC DSS - \$1250.00

Project HAC Hwy - \$1250.00

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

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

**RESOLUTION NO. 207 - 2017
RESOLUTION TO TRANSFER FUNDS
COUNTY CLERK**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the County Clerk Account for computer purchase:

From:

A0141000 490900 Misc	\$89.00
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To:

A0141000 221700 Computers	\$89.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 208 - 2017
RESOLUTION APPOINTING LEWIS COUNTY MANAGER TO FILL THE
UNEXPIRED TERM OF ELIZABETH SWEARINGIN
AND AUTHORIZING EMPLOYMENT AGREEMENT**

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

JUNE 6, 2017

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 appointed Elizabeth Swearingin as County Manager to serve 2014-2015, and re-appointed her to serve as County Manager from 2016-2017; and

WHEREAS, Elizabeth Swearingin tendered her resignation to the Board of Legislators, and having accepted same, the Board now seeks to fill the unexpired term of Elizabeth Swearingin as County Manager; and

WHEREAS, the Board of Legislators wishes to appoint Ryan Piche as Lewis County Manager, to serve in said position for the unexpired term of Elizabeth Swearingin through December 31, 2017; and

WHEREAS, the Board of Legislators seeks to enter into an Employment Agreement to provide for the terms and conditions of employment for the County Manager.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints Ryan Piche of 451 N. State Street, Caro, MI 48723, to the unexpired position of Lewis 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 County Manager Ryan Piche, setting forth the terms and conditions of his employment as County Manager, including his obligation to establish residency in Lewis County.

Section 3. The term of said appointment shall be effective from June 21, 2017 through December 31, 2017.

Section 4. That the 2017 annualized salary is hereby established and set at \$90,000.00.

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

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

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

RESOLUTION NO. 209 - 2017

**RESOLUTION TO APPROPRIATE FUNDS
ECONOMIC DEVELOPMENT**

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved from Contingency to the Chamber of Commerce to support the Leadership Academy to offset participant's tuition and other costs. A primary segment of the classes include completion of a community-based project. Leadership graduates are encouraged to serve on non-profit or community agency advisory boards.

<u>From:</u> A0199000 499900 Contingency	Amount \$1,000.00
<u>To:</u> A0641000 491800 Chamber of Commerce	\$1,000.00

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

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

**RESOLUTION NO. 210 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN COUNTY OF LEWIS AND
NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY
FOR STATEWIDE INTEROPERABILITY COMMUNICATIONS FORMULA GRANT
E-911**

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 NYS Division of Homeland Security and Emergency Management Services in the amount of \$539,653 for the FY16 Statewide Interoperability Communications Formula Grant.

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 For the FY16 Statewide Interoperability Communications Formula Grant in the amount of \$539,653.00, for equipment to support the radio communications system.

JUNE 6, 2017

Section 2. That the term of said Agreement shall be from January 1, 2017 through December 31, 2018.

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

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

**RESOLUTION NO. 211 - 2017
RESOLUTION TO APPROPRIATE FUNDS
E911**

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 Security Interoperable Communications Grant:

Increase Revenue

A0302000 331500 FY16 Intop Grant	\$539,653.00
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Increase Expense

A0302000 492000 FY16 Intop Grant Prf Svc	\$350,000.00
A0302000 460800 FY16 Intop Grant Repairs	\$184,850.00
A0302000 221200 FY16 Intop Grant Equip	\$ 4,803.00

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

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

**RESOLUTION NO. 212 - 2017
RESOLUTION APPOINTING MEMBERS TO
E-911 OVERSIGHT BOARD**

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

BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That 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, 2017:

County Manager: Ryan Piche
Fire Service: Joseph Austin
Jeffrey Nellenback

Emergency Medical Services:
Stephen Monnat
Joshua Levesque

Information Technology: Adam Zehr

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

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

**RESOLUTION NO. 213 - 2017
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 in the Emergency Management account for the FY16 NYS Homeland Security and Emergency Services HazMat Grant:

A0341600 343066 FY16 HazMat CFDA#97.067 \$13,000.00

A0341600 291500 FY16 HazMat CFDA#97.067 \$13,000.00

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

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

**RESOLUTION NO. 214 - 2017
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 2017 International Truck/Plow and 2016 International Truck/Plow, utilizing Project HAD Capital Equipment funds H0990100 499900, balance \$ 581,983.60:

Increase Revenue:

DM513000 350310 \$96,928.07

Increase Expense:

DM513000 223300 \$96,928.07

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

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

**RESOLUTION NO. 215 - 2017
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:

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>
Laborer	Full-Time	Grade C4 (\$12.50/hr.)

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

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

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

**RESOLUTION NO. 216 - 2017
RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 for grant funding received from the Central New York Chapter Alzheimer's Association.

Increase Revenues

A0677200 327003 Alz CSI	\$8,400.00
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Increase Expense

A0677200 110100 Personal Svs	\$ 840.00
A0677200 491300 Prof Svc Respite	\$7,560.00

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

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

**RESOLUTION NO. 217 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY OFFICE FOR THE AGING AND
PLAN-IT STAFFING**

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 Plan-It Staffing, a home health care agency with offices located at 2614 Genesee Street, Utica, New York 13502 for Consumer Directed In-Home Services under Expanded In-Home Services for the Elderly Program (EISEP) and Community Services for the Elderly Program (CSE); and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Office For the Aging and Plan-It Staffing for the purpose of Consumer Directed In-Home Services under EISEP and CSE.

JUNE 6, 2017

Section 2. That this is for the term commencing on June 7, 2017 through December 31, 2018 at the cost of \$18.00 per hour which does not exceed the current Medicaid rate. 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. 218 - 2017
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND
LARRY AND LUCY GREEN FOR A
NON-SECURE DETENTION FACILITY**

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

WHEREAS, the Lewis County Probation Department is designated with the responsibility for the administration of the Lewis County Non-Secure Detention Program pursuant to County Law § 218-a; and

WHEREAS, the County of Lewis, on behalf of the Lewis County Probation Department wishes to enter into an Agreement with Larry and Lucy Green who provide a non-secure detention facility for juvenile delinquents and persons in need of supervision that are placed into the custody of the County by the Family Court pursuant to Family Court Act Articles 3 and 7; 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 Larry and Lucy Green to provide a non-secure detention facility for juvenile delinquents and persons in need of supervision that are placed into the custody of the County by the Family Court.

Section 2. That the term of this agreement shall be July 24, 2017 through July 23, 2018 and will automatically renew every year or either party may terminate this agreement upon sixty (60) days written notice. The payment for such boarding and care shall be at \$150.00 per month reserved bed space fee and \$40.00 per day when a child is placed in their non-secure detention facility. The County share is 51% and State/Federal share is 49%.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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

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

**RESOLUTION NO. 219 - 2017
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 \$1,668.00.

Section 2. That said Agreement shall be in effect from July 1, 2017 through June 30, 2018.

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 King , seconded by Legislator Brennan , and adopted.

**RESOLUTION NO. 220 - 2017
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

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 Board of Legislators adopted Resolution No. 302-2016 on August 2, 2016 to authorize an addendum to the agreement to provide transportation for pre-school special education children for the period of July 1, 2016 through June 30, 2017; and

WHEREAS, the Lewis County Public Health Agency wishes to extend the agreement with Birnie Bus Service, Inc. with all other terms and conditions of the prior agreement remaining in full force and effect through June 30, 2018 with the addition of a cost of living rate increase of 2.5%.

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 2.5%.

Section 2. That the new rates shall be effective July 1, 2017 through June 30, 2018 at the following increase:

Stand Alone Rate/Lewis County being the sole payer:

- \$333.54 per day for first child (round trip and this rate includes bus aide)
- \$47.57 per day for additional children (round trip and this rate includes bus aide)

Co-mingle with Oneida County Rate:

- \$100.84 per day for passenger (round trip and this rate includes bus aide)

Section 3. That the County share of these costs is 40.5% and State/Federal share of costs is 59.5%.

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 Fawcett, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 221 - 2017
RESOLUTION TO AUTHORIZE AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND
CENTRAL NEW YORK CARE COLLABORATIVE, INC. FOR PERFORMANCE
ACTIVITIES FUNDING**

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 (öCNYCCö) with whom the County of Lewis, through Lewis County Public Health, became a Partner Organization by Resolution No. 351-2015; and

WHEREAS, under the Agreement, CNYCC requested Partner Organizations to conduct Performance Activities which are specifically described for DISRIP implementation within the CNYCC Performing Provider System (öPPS); and

WHEREAS, in order for CNYCC to provide additional funds to Lewis County Public Health as a PPS Partner Organization to support DSRIP implementation, CNYCC has forwarded a letter agreement for payment of \$25,000.00 to Lewis County Public Health for specified Performance Activities Public Health has already completed and for additional specified activities it will undertake in the period from April 30, 2017 to June 19, 2017; and

WHEREAS, release of this \$25,000.00 öBridge Fundingö to Lewis County Public Health as a Partner Organization under CNYCC, requires submission of the fully executed letter agreement via the Secure File Transfer Protocol Site by the Director of Lewis County Public Health no later than June 27, 2017; and

WHEREAS, Lewis County Public Health has completed and/or implemented the specified Performance Activities and seeks to receive this funding to be released by June 30, 2017; and

WHEREAS, the County of Lewis, by and through the Lewis County Public Health Director, desires to enter into this Letter Agreement with Central New York Care Collaborative, Inc. to receive this Bridge Funding.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the Letter Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency, and Central New York Care Collaborative, Inc., to perform the identified Performance Activities as outlined in the Agreement's Performance Activities Table, and authorizes Lewis

JUNE 6, 2017

County Public Health to receive the \$25,000.00 in funding from CNYCC's Performance Activity Fund in accordance with the terms and provisions of said Agreement.

Section 2. That the Board of Legislators hereby authorizes the Director of Lewis County Public Health, Penny Ingham, to execute, seal and deliver such Letter 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. 222 - 2017
RESOLUTION IN OPPOSITION TO PROPOSED AMENDMENT
TO THE PUBLIC SERVICE LAW TO PROHIBIT THE CONSTRUCTION OR
OPERATION OF A WIND GENERATING FACILITY LOCATED WITHIN FORTY
MILES OF AN AIRBASE OR AIRFIELD

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

WHEREAS, the New York State Senate currently has a proposed Bill (S1755) making its way through the legislative process. This Bill seeks to amend Section 168 of the Public Service Law to prohibit the construction or operation of a wind generating facility located within forty miles of an airfield or airbase under jurisdiction of the Department of Defense which is in active use. Areas of Lewis County are within the forty-mile radius of Fort Drum; and

WHEREAS, the County of Lewis is and has always been in complete support of Fort Drum, and supports all actions taken to protect its continued status as one of the preeminent active military installations in the country. The County is also one of the leading counties in New York State to develop and benefit from wind energy projects. This proposed legislation would negatively affect wind development in the County. The County's interest in the development and use of our natural resource (wind) does not in any way supersede the importance of Fort Drum and its impact on the North County; and

WHEREAS, the County of Lewis is in regular communications and discussions with Fort Drum representatives as well as representatives from wind development companies to ensure that all projects are particularly analyzed and technically evaluated with respect to impacts on Fort Drum and its military operations, and with National Weather Service concerns; and

WHEREAS, there are already specific and stringent processes and laws in place for evaluation of wind projects' environmental and community impacts. New York State enacted the Article 10 process and the Federal Aviation Administration has the Department of Defense Siting Clearinghouse. Each of these has stringent review requirements to ensure that there are no negative impacts on or interference with the military installations and its operations. These entities determine what solutions will be initiated to mitigate any concerns, and if there is no solution, the project may be rejected; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the harnessing of one of our renewable natural resources, i.e., the wind, provides Lewis County and its towns with substantial economic benefit where these projects are located. Every project has been individually analyzed and studied to ensure that it does not negatively impact Fort Drum operations and the weather stations upon which Drum relies in its operations and activities; and

WHEREAS, the County opposes this proposed blanket legislation to ban wind energy development within forty miles of a military installation when there is a working process and stringent set of laws and regulations in existence to protect the operations and activities of our military installations, especially when this blanket ban has such negative economic impacts upon Lewis County and other counties in the North Country.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby opposes proposed NYS Senate Bill S1755 (A5262 in the Assembly) to amend the Public Service Law in relation to prohibiting the construction or operation of a wind generating facility located within forty miles of an airfield or airbase under the jurisdiction of the Department of Defense which is in active use.

Section 2. That the Lewis County Board of Legislators continues its unwavering support of Fort Drum and its operations in the North Country, and will continue to critically analyze each and every wind development project in Lewis County to ensure that any negative impacts raised are remedied to the satisfaction of Fort Drum before a project is implemented in the County.

Section 3. That the Lewis County Board of Legislators calls on the Senate to defeat this proposed Bill, and instead to have the current procedures under Article 10 and the FAA's Department of Defense Siting Clearinghouse continue to evaluate environmental and community impacts under their stringent requirements.

Section 4. That copies of this resolution shall be sent to Governor Cuomo, Leaders of the State Senate and Assembly, New York State Senator Joseph A. Griffo, New York State Assemblyman Ken Blankenbush, the New York State Association of Counties (NYSAC), Inter-County Legislative Committee of the Adirondacks and all others deemed necessary and proper.

Section 5. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Kulzer.

Chairman Tabolt relayed from Senator Griffo's Chief of Staff that it was doubtful the legislation would reach the Senate floor, while assuring it would not pass in the Assembly. Notwithstanding the political pressure, the Chairman impressed the importance of reinforcing the Board's concerns. He believes the Senate has subsequently realized the legislation may be too restrictive.

Legislator Brennan cited the extreme importance of Fort Drum to the North Country economy. The Federal government, he said, is recognizing the encroachment affects of windmills on radar systems throughout the country. Unknown impacts for continued development of windmill projects within the 40-mile radius, may, at the least, change the mission of Fort Drum. Attempts continue to resolve interference that creates vulnerability for aircraft maneuvers and inability to accurately forecast weather, but to-date an analog solution has not been identified.

County Attorney Joan McNichol emphasized the Board's profound support of Fort Drum, but submits that every proposed wind project is subject to very stringent Federal regulatory review requirements and approval process.

The resolution was then unanimously adopted.

RESOLUTION NO. 223 - 2017
RESOLUTION AUTHORIZING GIS WEB-BASED HOSTING AGREEMENT
BETWEEN THE COUNTY OF LEWIS
AND DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY

Introduced by Legislator Philip Hathway, Chairman of the Taxation Committee.

WHEREAS, the Lewis County Board of Legislators authorized participation in a 2011-2012 Local Government Efficiency (LGE) Grant application to secure planning study funds for North Country Regional Shared Geographic Information System (GIS) services with partnering agencies; and

WHEREAS, the Lewis County Board of Legislators authorized the County to apply as co-applicant for a 2014 LGE grant to provide funding for the North Country Regional Shared GIS Implementation Project; and

WHEREAS, the Development Authority of the North Country (DANC) acted as project lead and secured a \$63,000 grant and covered the local co-share for Lewis County to proceed with the planning study. The planning study recommended consolidating DANC and the partners public map viewers into one Regional Public Map Viewer; and

WHEREAS, the Lewis County Board of Legislators authorized participation in the 2016-2017 Local Government Records Management Improvement Fund grant application pursuant to Resolution No. 501-2015, led by the Village of Lowville, to integrate Lewis County's existing GIS data into DANC's regional Internet Mapping Application (IMA) for GIS hosting services. As part of this project, the County will be provided with GIS hosting services at no additional cost for a period commencing July 1, 2017 and ending June 30, 2018; and

WHEREAS, the County of Lewis wishes to enter into a Web-Based Hosting Agreement with DANC to formally outline the scope of GIS hosting services for the grant-subsidized

PROCEEDINGS OF THE BOARD OF LEGISLATORS

hosting period and to provide provisions for the County to continue GIS hosting and maintenance services by DANC after the grant-subsidized hosting period; and

WHEREAS, the Board of Legislators wishes to accept such web-based hosting agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the web-based hosting agreement with the Development Authority of the North Country (DANC) to enter into a Web-Based Hosting Agreement to formally outline the scope of GIS hosting services for the grant-subsidized hosting period (July 1, 2017 to June 30, 2018) and to provide the annual costs to the County for DANC to continue GIS hosting and maintenance services after the grant-subsidized hosting period through December 31, 2021.

Section 2. That this is for the time period commencing July 1, 2017 and ending December 31, 2021 at the following costs for DANC providing base hosting and maintenance services, but with either party's right to terminate the Agreement upon 90 days written notice, with the County to pay DANC the costs incurred by DANC to the date of termination:

YEAR	PERIOD	HOSTING FEE
1	7/1/17 - 6/30/18	No Cost
2	7/1/18 - 12/31/18	\$650
3	1/1/19 - 12/31/19	\$1,300
4	1/1/20 - 12/31/20	\$1,400
5	1/1/21 - 12/31/21	\$1,400

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

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

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

**RESOLUTION NO. 224 - 2017
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 accounts to appropriate DWI Crackdown Grant funds:

Increase Revenues

A0311000 315890 (Sheriff DWI) \$1019.81

Increase Expense

A0311000 110100 (Regular Payroll) \$168.88

A0311100 110300 (Overtime) \$829.88

A0311100 110400 (Shift Differential) \$ 21.05

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

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

**RESOLUTION NO. 225 - 2017
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 accounts representing contributions from the NRA Foundation for training pistols with protective equipment and ammunition:

Increase Revenues

A0311000 327062 (Sheriff's Contribution) \$4,690.05

Increase Expense

A0311000 480000 (Sheriff Law Enforcement Items) \$4,690.05

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

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

**RESOLUTION NO. 226 - 2017
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the office of the Sheriff's Department.

Increase Revenues

A0315000 322640 (Jail Revenue) \$16.00

Increase Expense

A0315000 490500 (Inmate Supplies) \$16.00

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

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

**RESOLUTION NO. 227 - 2017
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 representing insurance recovery for damaged vehicle.

Increase Revenues

A0100000 326800 (Insurance Recoveries) \$46.80

Increase Expense

A0311000 470100 (Sheriff Vehicle Repairs) \$46.80

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

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

**RESOLUTION NO. 228 - 2017
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 for contributions to the K-9 program:

Increase Revenues

A0311000 327063 (K-9 Contribution) \$50.00

Increase Expense

A0311000 493300 (K-9 Expense) \$50.00

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

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

**RESOLUTION NO. 229 - 2017
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 representing donations from Snowmobile Clubs.

Increase Revenues

A0311000 327062 (Sheriff Contributions) \$810.00

Increase Expense

A0311200 499900 (Expenditures) \$810.00

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

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

**RESOLUTION NO. 230 - 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SHERIFF'S DEPARTMENT**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Sheriff's Department, to create the following temporary law enforcement patrols for the Summer Parks and Recreation program:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Deputy Sheriff (5)	Temporary Part-time	Grade 22A

Section 2. That Sheriff Michael Carpinelli is hereby authorized to fill said positions effective June 7, 2017, in compliance with Civil Service rules and regulations.

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

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

**RESOLUTION NO. 231 - 2017
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 accounts to appropriate South Lewis Central School grant funds to cover the School Resource Officer:

<u>Increase Revenues</u>	
A0311300 322611 (Sheriff Schools)	\$30,000.00
<u>Increase Expense</u>	
A0311000 450700 (Travel)	\$12,000.00
A0311000 480000 (Sheriff Law Enforcement Items)	\$ 8,000.00
A0311000 490900 (Misc Exp)	\$ 5,000.00
A0311000 493100 (Uniforms)	\$ 5,000.00

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

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

RESOLUTION NO. 232 - 2017

JUNE 6, 2017

**RESOLUTION TO TRANSFER FUNDS
SHERIFF'S DEPARTMENT**

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

BE IT RESOLVED as follows:

Section 1. That the following budget changes are hereby approved in the Sheriff's Department for the purchase of two Vehicles and accessories, utilizing Project HAD Capital Equipment funds H0990100 499900 balance \$ 581,983.60:

Increase Revenue:

A0100000 350310 Inter-fund transfers \$80,349.93

Increase Expense:

A0311000 223300 Vehicles \$80,349.93

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

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

**RESOLUTION NO. 233 - 2017
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO VANCE PHILLIPS AND SHARON PHILLIPS)**

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

WHEREAS, Vance Phillips and Sharon Phillips executed a Mortgage in favor of the County of Lewis dated April 12, 1995, and recorded in the Lewis County Clerk's Office on April 25, 1995, in Liber 422 of mortgages at page 112 to secure payment of a loan in the amount of \$13,951.00 pursuant to a program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforescribed Mortgage.

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

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

**RESOLUTION NO. 234 - 2017
RESOLUTION AUTHORIZING AN EASEMENT TO NIAGARA MOHAWK POWER CORPORATION ON THE COUNTY'S OUTER STOWE STREET PROPERTY FOR THE PURPOSE OF CONSTRUCTING, RELOCATING, EXTENDING & MAINTAINING OVERHEAD AND UNDERGROUND WIRES, TRANSFORMERS, SERVICE LINES AND OTHER ELECTRIC FACILITIES FOR TRANSMISSION AND DISTRIBUTION OF ELECTRIC CURRENT AS A RESULT OF THE COUNTY'S SOLAR PROJECT**

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

WHEREAS, the County of Lewis has contracted for the building of a solar array on part of its property located at 5252 Outer Stowe Street, Lowville, NY to provide cost-saving, green energy electric supply for County buildings over the next twenty (20) years; and

WHEREAS, in order for the County to tie into the electric grid and interconnect with the local electric utility, Niagara Mohawk Power Corporation (NMPC) has requested a Grant of Easement to be executed by the County for the benefit of NMPC to properly construct, reconstruct, relocate, extend, repair, maintain and operate its utility lines, transformers and other communication facilities upon, over, under and across portions of the County's property on Outer Stowe Street; and

WHEREAS, the proposed easement will not interfere with the County's uses of its property located on Outer Stowe Street, and in fact, the grant of the easement to NMPC is necessary in order for the Solar Project to be completed and operable; and

WHEREAS, the Board of Legislators seeks to comply with this easement request.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators of the County of Lewis hereby authorizes the granting of a perpetual easement from the County of Lewis to Niagara Mohawk Power Corporation on the County's property located and known as 5252 Outer Stowe Street, Lowville, NY, part of Tax Map Parcel No. 212.15-01-34.100, for the purpose of NMPC to construct, reconstruct, relocate, extend, repair, maintain and operate its utility lines, transformers and other communication facilities upon, over, under and across approximately twenty (20) feet in width throughout the extent of the easement area as described on NMPC Easement Area sketch entitled 23-17-23789923ö, in order for the County's Solar Project to be completed and operable by interconnection to the NMPC grid.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators is and he hereby is authorized to make, execute, seal and deliver such easement for consideration of One Dollar (\$1.00) and other valuable consideration, subject to review by the County Attorney.

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

JUNE 6, 2017

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

**RESOLUTION NO. 235 - 2017
RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY SOLID WASTE DEPARTMENT AND
AUCTIONS INTERNATIONAL, INC.**

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

WHEREAS, Lewis County Solid Waste Department (öLCSWö) wishes to enter into an Online Auction Agreement with Auctions International, Inc., with offices at 11167 Big Tree Road, East Aurora, New York 14052; and

WHEREAS, the Lewis County Solid Waste Department wishes to sell surplus equipment for the May auction, (a baler, skidster and tin can magnet) by participation in the online auction services provided by Auctions International, Inc. Listing fees for this auction are \$5.00 per auction lot fee for non-motor vehicle equipment. Auctions International, Inc. will take photographs and provide descriptions of surplus equipment with said fees to be deducted from sale proceeds; 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 Auctions International, Inc., to participate in the online auction services to sell County used surplus equipment with terms and prices to remain in effect for two (2) years upon execution of the agreement, but with the County retaining the right to terminate the contract at any time.

Section 2. That the Board of Legislators hereby authorizes the Lewis County Solid Waste Department Director to participate in the online auction services of Auctions International, Inc. for June 8 through June 21, 2017, to sell the used surplus equipment, (baler, skidster and tin can magnet) and that the Chairman or Vice-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. 236 - 2017
STANDARD WORK DAY AND REPORTING RESOLUTION**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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					
Appointed Officials					
Elections Specialist	Nicole Demo	6026839-8	7	01/01/2017 ó 12/31/2018	22.21
Elections Specialist	Angela Peters	6043303-4	7	01/01/2017 ó 12/31/2018	22.36
Election Commissioner	Ann Nortz	3603836-2	7	01/01/2017 ó 12/31/2018	23.26
Election Commissioner	Lindsay Burriss	4346387-6	7	01/01/2017 ó 12/31/2018	22.81
Pathologist	Samuel Livingstone, MD	4017383-3	6	01/01/2017 ó 12/31/2017	5.19

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

**RESOLUTION NO. 237 - 2017
RESOLUTION AUTHORIZING TAX FORECLOSURE
PROCEEDS FOR CAPITAL CLEAN UP FUND**

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

WHEREAS, in 2015, the County approved utilizing \$40,000.00 from the tax foreclosure net revenues for assessment costs and possible clean up costs of tax foreclosure properties and authorized the transfer of that amount into the Capital Clean Up Account; and

WHEREAS, \$4,347.50 has been used from that account to date on particular parcels; and

WHEREAS, the County held a public tax sale auction on May 10, 2017 for the sale of parcels of real property not redeemed for delinquent real property taxes, in accordance with New York State Real Property Tax Law Article 11; and

WHEREAS, the net revenue realized from this public tax sale auction was approximately \$230,000.00 and the County desires to transfer \$40,000.00 from same to the Capital Clean Up Fund to allow for assessment and possible clean up of tax foreclosure properties utilizing these net revenues; and

WHEREAS, the Board of Legislators accepts such transfer.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the transfer of \$40,000.00 from the net revenues from the public tax sale auction held on May 10, 2017 for the Capital Clean Up Fund.

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

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

**RESOLUTION NO. 238 - 2017
RESOLUTION TO APPROPRIATE FUNDS
CAPITAL CLEAN-UP**

Introduced by Legislator Craig Brennan, Chairman of Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That \$40,000.00 shall be appropriated in the Capital Clean Up fund from Tax Sale Auction proceeds.

Revenue:

H0809000 350310 Co Share	\$40,000.00
Project HAL	

Expense:

H0809000 499900 CCU Expense	\$40,000.00
Project HAL	

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

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

**RESOLUTION NO. 239 - 2017
RESOLUTION APPOINTING LEWIS COUNTY
DIRECTOR OF VETERANS' SERVICES**

Introduced by Legislator Bryan Moser, Chairman of the VeteransøServices Committee.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints Stephen Kilionski of 9604 Mira Lane, Castorland, New York 13620 as the Lewis County Director of VeteransøServices, effective June 7, 2017.

Section 2. That the annualized 2017 salary for said position shall be \$43,434.00.

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

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

**RESOLUTION NO. 240 - 2017
RESOLUTION AMENDING COMPENSATION PLAN WITH
REFERENCE TO VETERANS' SERVICES**

Introduced by Legislator Bryan Moser, Chairman of the VeteransøServices Committee.

WHEREAS, Veteransø Services Counselor Stephen Kilionski has been appointed as Lewis County VeteransøServices Director effective June 7, 2017; and

WHEREAS, the recommendation is to abolish the vacant VeteransøServices Counselor position with an annual salary of \$38,458.00, and replace it with a Keyboard Specialist for an annual salary of \$25,340.00.

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 Veteransø Services Department to create the following position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Keyboard Specialist	Full-time (35 hrs.)	Grade C9 (\$13.87/hr.)

Section 2. That one full-time VeteransøServices Counselor is hereby **abolished**.

Section 3. That Director Stephen Kilionski is hereby authorized to fill the Keyboard Specialist position effective immediately.

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

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

RESOLUTION NO. 241 - 2017
RESOLUTION AUTHORIZING PAYMENT OF MEDIATOR FOR ASSISTANCE IN
RESOLUTION OF OUTSTANDING MATTERS BETWEEN THE VILLAGE OF
LOWVILLE AND KRAFT HEINZ IN ITS FACILITY EXPANSION

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

WHEREAS, Kraft Heinz, one of the largest employers in Lewis County, is in the process of expanding its manufacturing facility located in the Village of Lowville (hereinafter "Village"). The expansion will benefit economic development in and for the residents and businesses in Lewis County through employment, dairy farming and other indirect benefits; and

WHEREAS, the Village of Lowville and Kraft Heinz have been in continuing discussions with respect to working out site plan review/approval, waste water treatment, sewer and water upgrades in order to increase capacity of the facilities to accommodate the expected increase in waste water from the Kraft Heinz expansion; and

WHEREAS, by Resolution in 2016, the County authorized the Department of Solid Waste to waive its tipping fee surcharges (\$15.00 per ton) for direct haul to DANC associated with the desludging of the Village's facility in order to serve the best interests of the entire Lewis County community and the significant economic development this expansion project will bring; and

WHEREAS, the County seeks to offer the professional services of a mediator to assist the Village and Kraft Heinz in resolving outstanding issues and reaching resolution of all outstanding issues between them so that this expansion can be successfully completed.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby agrees and authorizes to provide the Village of Lowville and Kraft Heinz with the professional services of a mediator to assist in the Village and Kraft Heinz reaching satisfactory resolution of all outstanding matters remaining between them in completion of the Kraft Heinz expansion project and the effects of same on the Village's waste water treatment, sewer and water facilities.

Section 2. That the Lewis County Board of Legislators hereby agrees to provide the services of the mediator at a cost not to exceed \$10,000.00 (@ \$300/hr for 30 ó 35 hours).

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

Moved by Legislator Dolhof, seconded by Legislator Moser.

After the Board's polled unanimous support, Chairman Tabolt formally posed the offer of a mediator to Village Trustees at their monthly meeting in response to County officials continually listening to expressed frustration from both Kraft Heinz and Village officials. Although the Village Board showed interest in the offer, for now they preferred handling the issue on their own, knowing the offer was available in case they reached a stalemate. For these reasons, the Chairman would like the mediator offer to be officially recorded as an available option to resolve and conclude the negotiations.

County Manager Liz Swearingin hoped the Village Board and the entire community understand the local economic base attached to Kraft Heinz. She does not expect the Village Board to just roll over. However, referencing all the conversations she has been party to, she is convinced the problem is infinitely solvable through good faith negotiations. "Both sides", she said, "have dug in their heels and taken a position to justify what they believe".

Ms. Swearingin would not fathom the profound impact if the Kraft Heinz plant and their employment numbers were to terminate. The size and profitability of the global company is totally irrelevant to the local issue, she said. The company represents their shareholders who are obviously in business to make money. She impressed the utmost importance of Legislator's involvement to facilitate a solution, while also inciting Village residents to raise concerns with their Board of Trustees to invoke quick resolve of the issue.

The resolution was unanimously adopted.

**RESOLUTION NO. 242 - 2017
RESOLUTION 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 appoints the following student representatives from their respective School District, as members of the Lewis County Youth Bureau Advisory Board:

Jacob Hartle -Harrisville Central School
13425 French Settlement Road, Harrisville, NY 13648

JUNE 6, 2017

Kirstin Moshier ó Lowville Academy & Central School
4967 St. Route 410, Castorland, NY 13620

Victoria Boliver ó Beaver River Central School
8334 Mattis Road, Lowville, NY 13367

Karrigen Aubin ó Beaver River Central School
6543 Tillman Road, Lowville, NY 13367

Elizabeth Wray McGuire ó South Lewis Central School
6435 East Main Street, Turin, NY 13473

Section 2. That the term of said appointments shall be effective on June 7, 2017 and shall terminate either on the date of his High School Graduation, or when a student ceases to be a full-time high school student.

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

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

RESOLUTION NO. 243 - 2017
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>
Director of Rehabilitative Services	Full-time
Occupational Therapy Assistant	Part-time
Physical Therapist	Part-time
(Clinic) Licensed Practical Nurse (2)	Full-time

Section 2. That one (1) Full-time Social Work Assistant is hereby converted to Home Health Agency Social Worker (title pending).

Section 3. That two (2) positions of Certified Nursing Assistant are hereby **abolished**.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

Moved by Legislator Moroughan , seconded by Legislator Fawcett .

In response to Legislator Kulzer, Hospital Director of Human Resources Jessica Skiff verified the first three above listed positions were to replace contractual personnel that would result savings of \$10,000, the amount of consulting oversight services. Pursuant to the former agreement, the hospital was paying wages and payroll benefits for personnel supervised by the contractor.

Ms. Skiff also stated that two vacant Clinic Certified Nursing Assistants are being replaced with LPNø that will be able to provide treatment.

The resolution was then adopted.

OTHER BUSINESS:

Clerk of the Board Teresa Clark read the Chairmanø proclamation declaring 5/14 ó 5/20/17 as øNational Nursing Home Weekö.

Due to the July meeting date falling on the 4th of July holiday, Legislator Moser made a motion to schedule the next regular meeting on July 5, 2017 at 5:00 p.m., seconded by Legislator Fawcett and carried.

There being no other business to come before the Board, the meeting adjourned at 6:55 p.m. on a motion by Legislator Fawcett, seconded by Legislator Moser and carried.

JULY 5, 2017

**REGULAR MEETING
July 5, 2017**

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

Roll Call: All Legislators were present, except Legislator Moroughan whom had been excused.

Chairman Tabolt offered the Invocation, calling for a moment of silence in memory of Treasurer Patricia O'Brien's sister Joyce Powis whom had unexpectedly passed away. Chairman Tabolt then led the Pledge of Allegiance to the Flag

There were 13 persons present.

Hearing no comments to the contrary, Chairman Tabolt declared the June 6, 2017 meeting minutes were approved by general consent.

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, 2017

Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

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

Clerk of the Board Teresa Clark read a commending Proclamation for Beaver River, Copenhagen, Harrisville and Lowville Academy High School Clay Target Trap Teams, eighteen of which had finished in the top ten in their respective conference, with thirteen finishing in the top twenty-five overall in the State competition. The proclamations were presented to team coaches and students by their district Legislators Moser, Brennan, Hathway and Chartrand.

At 5:09 p.m. Chairman Tabolt opened the public hearing for comments on Local Law Introductory No. 3-2017 entitled "Local Law Providing for the Establishment of Wireless Communications Surcharges Pursuant to the Authority of Tax Law Section 186-gö.

PRIVILEGE OF THE FLOOR:

Ms. Diane Damon Cole expressed surprise to be the sole resident present to comment of the proposed local law, referencing the impoverished area. She inquired how and why the surcharge initiative came about, while specifically asking what had changed to evoke the surcharge, and the process for implementation.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Chairman Tabolt explained the surcharge on landline phones has been in effect for several years. However, the effect of many residents transitioning to electronic devices has caused a substantial revenue decrease. Pursuant to the State Legislature's authorization, the County proposes the surcharge on all electronic devices to support and finance emergency communication system upgrades and operations. If not through the surcharge, he said, the Board would be responsible to impose alternate taxation to cover the costs. He could not explain the lack of interest to attend the publicly noticed hearing, but assured Ms. Cole that residents' expressed opposition may impact Legislators' votes.

County Attorney Joan McNichol informed the State would collect the surcharge, retain a portion of the fee for their administrative expense and forward the County its apportioned share. Lewis was one of a handful of counties in the State that did not previously impose the surcharge.

Legislator Moser favored spreading the cost to all citizens who use cellular devices, rather than increasing property taxes.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Lewis County General Hospital Auxiliary acknowledged the personal contributions from Legislators and office staff in memory of Sue Bush, wife of former Board Chairman Jack Bush.

Northern New York Community Foundation Executive Director Rande Richardson expressed appreciation for the County's allocation that will support their endeavor to establish the "I Can Bike Fund".

Brian W. Smith submitted his resignation as a member of the Junkyard Review Board effective June 12, 2017.

Mountain View Prevention Services Board of Directors' President Evan Zehr informed of the resignation of Executive Director Arlene Hall, while relating the Board's commitment to provide the vital and valued services the schools and community rely on.

The Adirondack Park Agency adopted a resolution in support of New York State's leadership in climate change policy.

The Board acknowledges receipt of resolutions from the Allegany and Niagara County Legislatures calling on the Governor to convene a special session of the NYS Assembly, and if necessary, the NYS Senate, and to keep said body in session until such time as it takes up and passes Home Rule messages for all 53 counties reliant upon sales tax extenders to help fund State mandates; and to research the feasibility of individually filing or joining a multi-plaintiff lawsuit against major drug manufacturers to recover current and future damages to taxpayers from abuse of opioid pharmaceuticals.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

JULY 5, 2017

Legislators have received copies of the County Treasurer's June report; the 6/23/17 Highway and Solid Waste Audit reports; minutes of the 6/21/17 Youth Bureau Advisory Board and 6/15/17 Junkyard Review Board meetings; and the 2nd quarter bed tax revenue report.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Taxation/Elections/Information Technology Committee Chairman, reported that the owner of the Route 812 Lewis County Dairy property had placed \$460,000 in escrow for environmental cleanup of the property to be overseen by the Environmental Protection Agency (EPA). Above and below ground tanks and mercury will be removed, as well as cleaning of drains and piping. The owner has agreed to finance the entire cleanup cost, regardless of whether in excess of the escrow amount. He thanked Atty. McNichol, who in turn credited Atty. Bowitch for his knowledgeable pursuit for EPA involvement to invoke ultimate action. She cited this project as appropriate use of delinquent property auction revenue.

Legislator Hathway reported the Real Property Tax Director continues to work to update or amend 911 addresses to enhance emergency personnel response. Planned efforts will focus in one area at a time.

Legislator Hathway also reported broadband expansion and that the terms of the Memorandum of Understanding for Mohawk Networks to lease County towers are being finalized and will be reviewed by the radio committee.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Youth Committee Chairman, reported 24 youths were chosen from 76 applicants and hired for the summer youth program, 8 of which were repeat participants. Two of them work 40 hrs/week, 19 at 35 hrs/week, 3 in part-time positions at one private business, with the remainder working for non-profit agencies or local government employers.

Legislator Fawcett made a motion to authorize DSS Commissioner Jennifer Jones to re-fill one Full-time Community Services Worker position effective immediately. The motion was seconded by Legislator Brennan and carried.

He reminded everyone of the 7/20/17 Senior Day at the Lewis County Fair to include musical entertainment beginning at 9:25 a.m.

Legislator Fawcett made a motion to authorize OFA Director Brenda Bourgeois to refill (2) Part-time Aging Services Aides/Title V at \$9.70/hr. The current aides are nearing their durational time limit set by NYSOFA. The motion was seconded by Legislator King and carried.

Legislator Fawcett made a motion to authorize the Director to refill the Full-time Long Term Care Coordinator effective immediately, due to the resignation of Leah Schneider. The motion was seconded by Legislator Hathway and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Fawcett made a motion to authorize the Director to refill the Full-time EISEP Case Manager position effective immediately, due to a resignation. The motion was seconded by Legislator Chartrand and carried.

Legislator Fawcett reported the Youth Bureau Advisory Board amended their By-laws to allow selection of Board Co-chairmen John Exford and Harrisville student representative Jacob Hartle for a 2-year term. Youth development funds of \$1,000 each were awarded to The Towns of Croghan, Greig and Lowville and the Villages of Croghan, Harrisville and Port Leyden to support their youth programs.

Legislator Bryan Moser, County Officers/Junkyards/Veterans Services/ Human Resources Committee Chairman, reported that newly appointed Veterans Services Director Stephen Kilionski is interviewing keyboard specialist candidates, and would present an update report to the committee next month.

Legislator Moser reported that Sr. Building Code Officer Ward Dailey conducts junkyard environmental assessments and prepares the reports and documents for Review Board consideration. Legislator Moser suggests this function could be performed by the Legislative Committee, essentially eliminating a level of bureaucracy. Citing the lack of a quorum for the last two Review Board meetings due to a resignation and illness of another member, the committee recommends appointing Paul Kaflin to the Review Board. Alternatively, an amendment to the Junkyard Law could reduce the number of members to 5, thereby reducing the required quorum.

Legislator Jerry King, Courts and Law Enforcement/Fire & Emergency Services/Building Codes Committee Chairman, encouraged all Legislators to attend a 7/13/17 Committee meeting of-the-Whole for an informational presentation by Sheriff Carpinelli at 9:30 a.m.

He reported continued testing and work to enhance paging communications. Prices are being gathered to determine the interoperability phase with the three tower sites for an estimated cost of \$350,000 to complete the project.

Legislator King made a motion to authorize Sheriff Carpinelli to refill one part-time Dispatcher/Correction Officer effective immediately, due to a resignation. The motion was seconded by Legislator Fawcett and carried. Legislator King reported the Sheriff also has one vacant correction officer position.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry and Parks Committee Chairman, made a motion to authorize Planning Director Frank Pace to travel to Washington, D.C. from September 12 -14, 2017 for the annual Farm Days conference with the U.S. Senate, seconded by Legislator King. Legislator Chartrand inquired if there were expected outcomes. Planning Director Frank Pace said that he and Cornell Cooperative Executive Director Michele Ledoux gather farmer's concerns and relate them to Federal representatives and urge favorable regulation amendments for surface water and other issues. The motion was then carried.

Legislator Dolhof made a motion to authorize Recreation, Forestry & Parks Director Jackie Mahoney to travel to Manchester, NH from August 22-27, 2017 for the annual National Off-Highway Vehicle Conservation Council and International Off-Highway Vehicle Administrators Association conference, seconded by Legislator King and carried.

Legislator Dolhof made a motion to purchase a \$1 Million Cyber Security insurance policy with a \$25,000 deductible from the Russell Bond Company for a premium of \$8,122.75. Legislator Dolhof reported this as one of three options for coverage ranging from \$1 - \$3 Million. The premium includes an overall County professional risk analysis, which alone would equate the premium. In response to Legislator Chartrand, Legislator Dolhof affirmed the coverage would include notification to those affected by a security breach, as well as credit monitoring. The motion was then carried.

Legislator Dolhof made a motion to authorize the County Attorney, with Jackie Mahoney's assistance, to negotiate an option to purchase a certain parcel of land in the Town of Martinsburg (parcel known as the Old G&W Railroad parcel which runs from Tabolt's Corners to the Martinsburg line), owned by Corrigan that could be used for the ATV trail. The option to purchase the 5-acre parcel is authorized up to \$20,000.00, with the option extended for two years, and consideration for the option not to exceed \$2,000.00. The motion was seconded by Legislator Brennan and carried.

Legislator Dolhof reported the Town of Lowville had signed the agreement that allows for draw down on the \$75,000 grant for the Hospital hill drainage project.

Legislator Dolhof reported 32 students are registered for the summer Manufacturing Academy of Science and Technology (MAST) Camp at B.O.C.E.S.

A Consolidated Funding Application (CFA) will be submitted for trail development to include a vehicle and personnel expenses. The Village Board of Constableville has adopted a local law to open a portion of road that facilitates legal access to the Alpine. Also, the Town Boards of Turin and West Turin have opened up sections of roads to allow legal access to off-road trails.

Legislator Craig Brennan, Ways and Means/Buildings and Grounds Committee Chairman, made a motion to award the bid to BCA Architects & Engineers for a Facilities Strategic Plan at a cost of \$48,000.00, seconded by Legislator Dolhof. Legislators King and Brennan each asserted concern for spending that amount without Legislators' commitment to implement the plan upon completion. Legislator Brennan said the firm would provide a 5-year all-encompassing building plan and a recommended financial payment plan. Legislators would be intricately involved in the development process. Legislator Moser submits the Board's award of the bid would indicate support to implement the ultimate plan. Legislator King suggests an analysis of County revenue before awarding the bid.

Legislator Chartrand asserted his request for a master building plan for the past four years to establish priority projects. It would provide a compilation of Board actions and documented reasoning for plan changes by evolving Boards. Citing expansive buildings and aging

PROCEEDINGS OF THE BOARD OF LEGISLATORS

infrastructure, County Manager Ryan Piche opined the \$50,000 expenditure to assure properly appropriating \$10 million is good practice.

Legislator King deemed the expenditure unwise without the Board's commitment to implement the ultimate plan. Legislator Kulzer took exception to Legislator Chartrand's analogy, distinguishing the Highway's multi-year road and equipment replacement plan was accomplished by County personnel.

Legislator Brennan reported proposals were also received from Barton & Loguidice and Delta Architecture & Engineering firms at \$68,000 and \$295,000 respectively. The estimated time for plan completion is six months. He supposed the reason for BCA's low proposal was due to their former building analyses and architectural planning.

Legislator King exclaimed "This would be the fifth space study!", while citing the expenditure of about \$800,000 on the proposed Stowe Street building project that had progressed to engineered plans before being abandoned. Considering BCA's prior mechanical and space analysis, Legislator Moser questioned the escalated amount.

Chairman Tabolt inquired whether the Board would like a presentation from BCA Architects and Engineers before awarding the bid.

Legislator King additionally cited the \$4 million commitment to the College Extension facility, strongly urging County financial review prior to approving further allocations.

In response to Legislator Dolhof, Legislator Brennan affirmed the plan would include business park development and related building purchases. The firm will consider all aspects of existing buildings and infrastructure, determine life expectancy and recommend how to finance it all.

Legislator Chartrand recommends inviting BCA Architects & Engineers to outline and explain their facilities planning to the full Board on the date of the regular September meeting. Accordingly, Legislator Hathway made a motion to table action on the bid award until the September regular meeting, seconded by Legislator Kulzer and carried. Legislator Brennan was opposed.

Legislator Brennan made a motion to have Chairman Tabolt compose a letter of request to State Senator Joseph Griffo to un-encumber the \$250,000 allocation for the JCC Education Extension Center so the monies could be reallocated elsewhere, seconded by Legislator Chartrand. Atty. McNichol informed that Jefferson Community College representatives cannot move the project forward at this time due to State budget impacts. There are other projects being considered by the Senator for the allocations. However, Lewis County may, in fact, make a subsequent allocation request to the Senator if there is a resurgence of the project through JCC or another educational facility that the County continues discussion. She concurred with Legislator King to reserve the \$4 million should the project be revived.

JULY 5, 2017

Legislator Brennan reported Buildings Maintenance Supervisor Frank Archer had obtained quotes to repair the sally port gate at the public safety building. Atlas Fence was the original lowest bidder, but their bid was not all inclusive. At their request they were allowed to submit a subsequent bid that was within \$500 of the next lowest bidder. Citing the lack of due diligence by Atlas Fence, the Committee approved the bid from Alpine Fence.

Legislator Brennan was glad to report the State Legislature's approval of the sales tax extension legislation that otherwise would have had devastating effects.

Legislator Brennan relayed the County Clerk continues to negotiate with the owner of Tops Plaza as the most feasible site for CDL testing.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman reported that Highway Superintendent David Becker has chosen Barton & Loguidice to engineer the Sears Pond Bridge project. The underground pipeline at the Highway depot will be repaired for a cost of \$8,600. Mr. Becker will obtain price quotes to replace or renovate the diesel fueling system. The committee had discussed, but does not recommend the WEX card option, due to the difficulty of large trucks maneuvering around retail gas pumps. The committee had discussed increasing the administrative \$.06 surcharge for all outside users to \$.20/gallon to offset replacement and repair costs, but has no recommendation at this time. Mr. Becker intends to request permission for a hire to train with Automotive Mechanic Supervisor Mick Schneeberger for three months prior to his retirement in early 2018.

Legislator Kulzer announced a Household Hazardous Waste Day would be held 9/9/17 to be financed by the Development Authority of the North Country. The Committee approved Director Pete Wood to purchase two 50-yard open top boxes. Also, Mr. Wood has made a request to Senator Griffo to finance a local tire recycling day.

As the Board's representative for the Double Play Recreation Center, Legislator Kulzer was appreciative of Planner Cassandra Buell's research and report to the Double Play Board. He thanked Planning Director Frank Pace for facilitating her involvement and valuable insight to enhance their mission.

Legislator Kulzer reported the Lowville summer recreation program has 125 child participants at no cost to families, compared to 40 last year. Double Play continues to pursue satellite programs and have initiated two days per week at the Port Leyden Recreation site, including Pratt Northam student interns for art and music programs. A family swim program has started at Lowville and the gymnasium and weight rooms are opened daily for students from 3-4 p.m. To-date, none of the County appropriation has been utilized, but they anticipate expending \$2,000 for the summer recreation program. All Lewis County residents have been welcomed to participate.

Legislator Richard Chartrand, Hospital Committee Chairman, reported that Board of Managers' secretary Kevin McArdle composed a letter to Congresswoman Elise Stefanik, requesting she reconsider her supporting vote for the American Health Care Act (AHCA). As strongly encouraged by New York Hospital Trustees and the NYS Hospital Association, each of

PROCEEDINGS OF THE BOARD OF LEGISLATORS

the Board of Members signed onto the letter to impress the potential negative Medicaid impact on Lewis County General Hospital.

Legislator Chartrand reported the Hospital year-to-date surplus is \$3,597,000 versus a budgeted surplus of \$718,000; and a County debt of \$1.9 million. They await notification from the potential funding source to pay off debt. Nursing home occupancy is at 92.5%.

In response to Carthage Area Hospital closing their long-term care facility, Lewis County General Hospital has offered available beds to transition patients; as well as contracting services with their displaced staff to accommodate increased service needs.

Community Home Health Agency visits were 191 above budgeted levels. Dr. Lynn Pisaniello had announced Dr. Shereen Palmer as Medical Staff President, Dr. Shirley Tuttle-Malone as Vice-President and Dr. Manoj Vora as Secretary-Treasurer.

Legislator Chartrand relayed that Mrs. Jones had congratulated Staff Accountant Stacey McConnell as the April employee-of-the-month. Also, Board President Michael Young had shared a note of thanks from Dr. Josephina Tan-Domingo for having named a maternity wing after her, quoting that she and her family would be forever thankful.

In response to Legislator Kulzer's expressed dismay the nursing home is woefully understaffed, Legislator Chartrand affirmed that Carthage Area Hospital staff would be offered contractual agreements instead of payroll hires, to attain an adequate staffing level. Also responding to Legislator Hathway, he estimated 8-10 beds are open for transition patients.

In conclusion, Legislator Chartrand stated the new Hospital CEO would be officially announced next week.

SPECIAL REPORTS:

Director of Community Services Patricia Fralick distributed information sheets about drug addiction and opioid specific facts, including a July calendar of related local events. As a Medicare/Medicaid managed care organization, Fidelis Care representatives will be at all local food pantries throughout July to field inquiries.

Ms. Fralick is assisting the Mountain View Prevention Services Board as they review their strategic plan and search for a new Executive Director.

The physicians and medical students who had heard the presentation by Credo Executive Director Jim Scordo and Dr. Dan Pisaniello have expressed support and appreciation for their efforts and beneficial treatment references.

The local coalition of agency and community-minded persons for grass root efforts continue to meet for coordinated efforts to communicate consistent and accurate information.

Ms. Fralick recited several proposed State legislative bills that would hold drug dealers accountable, creating drug-free zones around drug and alcohol treatment centers, new penalties for heroin sales, making it easier to prosecute heroin dealers, cracking down on black-market prescription drugs, prohibiting dangerous synthetic drugs, conforming State-controlled substances with Federal schedules, attempts to protect children from drug abuse, toughening penalties for the sale of controlled substances to minors, limiting children's opioid exposure, requiring patient counseling prior to subscribing opioids, preventing predatory and deceptive substance abuse treatment, expanding access to funding for State substance abuse services, and making State peer engagement programs permanent. A majority of the proposals had been recommended by the Opiate Task Force, but the status of each is unknown.

Notwithstanding all of the recited State legislation, Legislator Hathway thanked Ms. Fralick for coordinating the grass roots efforts, which he termed most effective.

Chairman Tabolt then reported attending the movie concert, relating the friendly atmosphere and engaged security presence. He was oblivious to drug paraphernalia. The sponsor's executive director had personally expressed appreciation for his attendance and interest.

COUNTY MANAGER REPORT:

Ryan Piche relayed meeting several County personnel, the Hospital Board of Managers and IDA Board of Directors to learn about respective operations and familiarize with faces and names.

The Tyler-Munis payroll system will be implemented next week with daily status phone calls with the vendor to assist with the process of generating initial payroll checks. Mr. Piche will continue to pursue the next phases of the acquired computerized software.

Mr. Piche reminded the County Shared Services Plan is due to the State by 9/15/17 with required approval of the consortium of Town Supervisors and Village Mayors. In consideration of his new appointment, time constraint and the requirement for actual property tax savings, he indicated general consensus to opt out of the plan this year and pursue a 2018 thoroughly researched plan for optimal savings. The legally required public hearings will be held in the Legislative Board room on 7/17, 8/15 and 8/31/17 each at 7 p.m. The consortium/panel will vote on the final determination on 8/31/17.

Mr. Piche reminded the Legislators to inform the Clerk of the Board by 7/12/17 if they plan to attend the tour at Fort Drum on 7/24/17 to learn about their air traffic control operations.

At 6:33 p.m. Chairman Tabolt declared the public hearing closed.

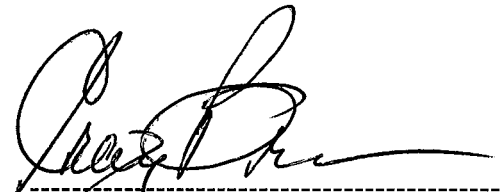
REPORT OF THE WAYS AND MEANS COMMITTEE:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

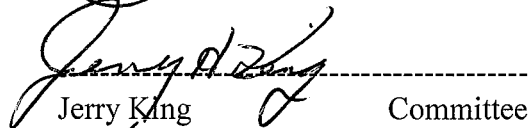
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

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 \$ 897,001.00 and recommend that they be audited and allowed for the amounts claimed.



Craig Brennan Chair



Jerry King Committee



Richard Chartrand Committee

Dated: July 5, 2017

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

JULY 5, 2017

**RESOLUTION NO. 244 - 2017
AUDITING AND ALLOWING CLAIMS**

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

RESOLVED that the claims presented for payment in the total amount of \$ 897,001.00 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 the following roll call vote:

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

NAYS: None.

ABSENT: Moroughan.

**RESOLUTION NO. 245 - 2017
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 4 – 2017, COUNTY OF LEWIS**

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on June 6, 2017, directing that a public hearing be held by said Board on July 5, 2017 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, "THE COUNTY OF LEWIS LOCAL LAW PROVIDING FOR THE ESTABLISHMENT OF WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF TAX LAW § 186-gö; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on June 29, 2017, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

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

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. This Local Law (Introductory No. 3 ó 2017), County of Lewis, being òTHE COUNTY OF LEWIS LOCAL LAW PROVIDING FOR THE ESTABLISHMENT OF WIRELESS COMMUNICATIONS SURCHARGES PURSUANT TO THE AUTHORITY OF TAX LAW § 186-gö; be and the same hereby is designated as Local Law No. 4 ó 2017, County of Lewis.

Section 2. That Local Law No. 4 ó 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 King, seconded by Legislator Dolhof.

Legislator King opined that imposing the surcharge on everyone that owns a phone device is a more fair option to finance 911 communication upgrades and operations rather than increasing property taxes. He clarified the revenue generated from the surcharge could only be spent for certain things pertaining to 911 operations.

The resolution was then adopted pursuant to the following roll call vote:

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

NAYS: None

ABSENT: Moroughan

**RESOLUTION NO. 246 - 2017
RESOLUTION AUTHORIZING GRANT APPLICATION
FOR LEWIS COUNTY ATV TRAIL SYSTEM**

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

WHEREAS, the County of Lewis, by and through the Recreation, Forestry and Parks Department desires to submit a grant application under the New York State Consolidated Funding Application (CFA) for the costs associated with the development of the Lewis County ATV Trail System, such costs including but not limited to development of new trails, upgrade of park areas along the trails and purchase of equipment for same; and

WHEREAS, these improvements and additions to the Trail System 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 application and to execute any and all documents and agreements if said grant is awarded 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 Brennan, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 247 - 2017
FIXING DATE OF PUBLIC HEARING ON ADDITIONS
TO THE ATV TRAIL SYSTEM**

Introduced by Legislator Lawrence Dolhof, Chairman, Recreation, Forestry and Parks Committee.

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on July 5, 2017, proposed additions of off-road trails to the Lewis County ATV Trail System pertaining to the following properties:

- Thomas Farrell, Jr. - Between County Route 46 (Osceola Road) and Gallo Road in the Town of Lewis, identified as parcel number 408.00-01-32.111
- Palmer E. Morgan Jr. - Moore Road in the Town of West Turin, identified as parcel numbers 319.00-01-05.500 and 319.00-01-05.600
- Ronald L. Barrett - Between the Ziegler and Fitch Roads in the Town of Leyden, identified as parcel number 402.00-01-04.200
- Todd A. Daniel and Brian Mueller - Between Crofoot Hill Road and Plumber Road in the Town of West Turin, identified as parcel number 351.00-01-11.411
- Worth - Lewis County Reforestation Property - Culpepper, Worth and Forks Roads in the Town of Montague, identified as parcel number 236.00-01-19.000
- Cronk - Lewis County Reforestation Property - Cronk Road in the Town of Pinckney Parcel 137.00-001-22.000

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on August 1, 2017 at 10:00 a.m. at the Lewis County Courthouse, Legislative Chambers, 7660 North State Street, Lowville, New York 13367, Second Floor, for the purpose of receiving public comment regarding the additions of off-road trails to Lewis County ATV Trail System.

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 Moser, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 248 - 2017
RESOLUTION TO APPROPRIATE FUNDS
TO CAPITAL COUNTY PROJECTS**

Introduced by Legislator Craig Brennan, Chairman of Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following appropriation is hereby approved in the Inter-fund transfers fund To Capital County Projects utilizing Tax Sale Auction proceeds.

Revenue:

A0136200 310510 Gain from Sale	\$40,000.00
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Expense:

A0990100 992100 To Capital County Proj	\$40,000.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 249 - 2017
AUTHORIZING APPLICATION FOR 2017 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 June 2017 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 2017 Small Cities Community Development Block Grant (CDBG) Applications to secure funding for public facilities and to assist low and moderate income individuals. A specific project to

JULY 5, 2017

revitalize an existing building in Lowville, New York will request an amount not to exceed \$300,000.

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 Moser, and adopted.

RESOLUTION NO. 250 - 2017
RESOLUTION TO ADOPT HEALTH INSURANCE PORTABILITY AND
ACCOUNTABILITY ACT (“HIPAA”) POLICIES UNDER THE LEWIS COUNTY
COPORATE COMPLIANCE PROGRAM

Introduced by Legislator Bryan Moser, Chair of the Corporate Compliance Committee.

WHEREAS, the County of Lewisø Corporate Compliance Committee is charged with review, training and monitoring of County Departments who provide medical and health related services for which it receives medical assistance payments from Medicare, Medicaid and third party insurers and who must be in compliance with various regulations, especially HIPAA confidentiality requirements, as a result of the services they provide and the funding they receive; and

WHEREAS, certain Department representatives of the Corporate Compliance Committee, namely, the County Attorney, Public Health, Office For the Aging, and Community Services Director, entered into a License, Implementation and Services Agreement with Compliancy Group LLC, for its òThe Guardö 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 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 training, filing requirements and a systematic method for incident recording, assessment and remedial steps in the event of audits; and

WHEREAS, under the aforesaid web-based program, the Corporate Compliance Committee reviewed and formulated a comprehensive set of policies pertaining to HIPAA privacy and security requirements it seeks to have adopted by the Lewis County Board of Legislators and incorporated in the Corporate Compliance Program Plan, to ensure all departmental staff in various departments who provide such services, in adhering to state and federal HIPAA privacy and confidentiality laws pertaining to health and medical information.

NOW, THEREFORE, BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Board of Legislators hereby approves and adopts the HIPAA privacy and security compliance policies formulated by the Corporate Compliance Committee, and hereby amends and revises the Lewis County Corporate Compliance Plan to include these policies.

Section 2. That the Board of Legislators hereby authorizes the County Attorney and Clerk of the Board to amend the County's Administrative Manual, Personnel Handbook and other related employment policies to incorporate the HIPAA Privacy and Security Compliance Policies as now contained in the Lewis County Corporate Compliance Plan.

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

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

**RESOLUTION NO. 251 - 2017
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 DA Federal Money (T0 000873) to reimburse for the BIVONA conference registration fee and hotel rooms for DA Moser and ADA Lemieux.

Increase Revenues

A0116500 326260 (Forfeiture Proceeds)	\$1076.00
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Increase Expense

A0116500 493600 (Prosecution Fund)	\$ 360.00
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A0116500 450700 (Travel)	\$ 716.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 252 - 2017
RESOLUTION TO TRANSFER FUNDS
DISTRICT ATTORNEY**

JULY 5, 2017

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

BE IT RESOLVED, as follows:

Section 1. That the following transfer is hereby approved from Contingency to a District Attorney account to cover the cost of Hospital bills, autopsies and other various expenses:

<u>From:</u>	Amount
A0199000 499900 Contingency	\$30,000.00
<u>To:</u>	
A0118500 490100 Prof Serv	\$30,000.00

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

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

RESOLUTION NO. 253 - 2017
RESOLUTION IN SUPPORT OF THE PROPERTY TAX REDUCTION ACT, TO
ELIMINATE THE LOCAL SHARE CONTRIBUTION TO THE STATE'S SHARE
OF MEDICAID FUNDING

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

WHEREAS, local governments across the nation contribute \$9 billion each year in locally raised taxes to support the direct program, non-administrative costs of providing Medicaid services; and

WHEREAS, Medicaid costs are generally jointly financed at the federal and state levels. New York, however, one of the few states in the nation to do so, requires its counties to contribute to the State's 50% share of Medicaid funding. The 57 counties outside of New York City have been forced to pay \$2.3 billion to fund this State mandated obligation. The \$2.3 billion that counties are forced to pay to fund the State's share of the Medicaid mandate accounts for an average 44.3 percent of the county property tax levy in New York. Counties have no say in how local revenues are spent on Medicaid; they are simply required to contribute part of the State's bill for Medicaid funding ó another unfunded mandate passed on to the counties by Albany; and

WHEREAS, Lewis County paid approximately \$5,057,265.00 in 2016 to support the cost of this unfunded mandate of the New York State Medicaid share program, which represented approximately 33 % of the County's property tax levy; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, in April, 2017, Congressman John Faso introduced H.R. 1871, the “*Property Tax Reduction Act*” (PTRA). This legislation would only apply to the 57 counties outside of New York City, and would bar federal reimbursements to state Medicaid funds raised from charges to local governments in New York State (excluding New York City). The language from this bill was included in the U.S. Senate’s version of the Affordable Health Care Act (AHCA). The County takes no position in support of the AHCA as passed by the House of Representatives or as proposed by the Senate in light of the Act’s potential negative effects upon our rural Hospital, residents and supportive agencies. However, the County supports the Property Tax Reduction Act and seeks to have that bill separately passed and enacted to relieve the financial burden of Medicaid funding contributions by the 57 counties outside of New York City; and

WHEREAS, passage of PTRA will eliminate Medicaid costs on county governments and will allow counties to significantly lower property taxes and/or provide the services to its residents it is unable to do with the continuation of this and other unfunded mandates.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby supports H.R. 1871, the *Property Tax Reduction Act*, that would bar federal reimbursements for state Medicaid funds raised from charges to local governments in New York State, excluding New York City.

Section 2. That the Lewis County Board of Legislators calls on the US Congress to separate the PTRA from the proposed Affordable Health Care Act so that the 57 counties outside of New York City may immediately be relieved from the financial burden of Medicaid funding contributions currently charged to them as another unfunded mandate by the State.

Section 3. That copies of this resolution shall be sent to Governor Cuomo, Leaders of the State Senate and Assembly, Leaders of the US Senate and House of Representatives, New York State Association of Counties (NYSAC), and all others deemed necessary and proper.

Section 4. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 254 - 2017
RESOLUTION AUTHORIZING ENGINEERING SERVICES AGREEMENT
BETWEEN LEWIS COUNTY HIGHWAY DEPARTMENT
AND BARTON & LOGUIDICE, DPC

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

WHEREAS, the Lewis County Highway Department (hereinafter “Highway Department”) set forth a plan to fix up bridges in the County by replacing steel decks on bridges over time and as funds in the bridge account provide. The Superintendent of Highways has

JULY 5, 2017

identified two (2) steel decked bridges he seeks to rehabilitate in 2018, namely, Sears Pond Road over Edrick Creek (BIN 3340330) and Sears Pond road over East Branch Deer River (bin 3340340) by replacement of the existing steel deck systems while maintaining the existing steel girders on each bridge; and

WHEREAS, in order to perform the rehabilitation of the bridges, the Highway Department requires professional engineering services to analyze the steel girders for the proposed deck systems, and provide deck replacement and other rehabilitation details for the structures for a Level 1 Load Rating; and

WHEREAS, the Superintendent of Highways sent out a request for quotes on this proposed professional engineering service to be performed in 2017, and received three (3) quotes in response; and

WHEREAS, the Superintendent of Highways seeks to accept the proposal of Barton and Loguidice (hereinafter B&L), who submitted the lowest quote along with its proposed services, and to enter into an Agreement with B&L, with offices at 443 Electronics Parkway, Liverpool, NY 13088 to provide professional engineering plans and field inspection services to assist with the details for Rehabilitation of these two bridges; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators authorizes an Agreement between the County of Lewis by and through the Lewis County Highway Department and Barton & Loguidice, DPC, to provide professional engineering services, plans and field inspection services for the bridge repair projects identified as Sears Pond Road over Edrick Creek (BIN 3340330) and Sears Pond Road over East Branch Deer River (BIN 3340340).

Section 2. That the term of this Agreement shall be from July 1, 2017 through December 31, 2018 for an amount not to exceed \$12,500.00, and payable to B&L upon completion of all tasks required for written engineering plans.

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

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

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

**RESOLUTION NO. 255 – 2017
RESOLUTION AMENDING COMPENSATION PLAN**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**WITH REFERENCE TO
HUMAN RESOURCES DEPARTMENT**

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, the Civil Service Administrator has informed of her intent to retire effective August 31, 2017; and

WHEREAS, Human Resources Director/Personnel Officer Christopher Boulio recommends to reclassify the position as a Personnel Assistant.

NOW, THEREFORE, BE IT RESOLVED as follows:

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

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Personnel Assistant	Full-time	Not to Exceed \$30,000

Section 2. That Human Resources Director/Personnel Officer Christopher Boulio is hereby authorized to fill said position effective immediately.

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

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

**RESOLUTION NO. 256 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY HUMAN RESOURCES DEPARTMENT AND
PIVOT 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 Pivot, a New York State company with offices located at 167 Polk Street, Suite 320, Watertown, New York 13601; and

WHEREAS, the purpose of this Agreement is for Pivot to assist in development of and to provide Employee Assistance Program (EAP) Services for Lewis County employees and their dependents; and

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

JULY 5, 2017

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 Pivot for the purpose of Employee Assistance Program (EAP) services for Lewis County employees and their dependents.

Section 2. That said Agreement is for the term commencing August 1, 2017 through July 31, 2018, with automatic renewal for successive one year periods unless terminated by the County upon sixty (60) days prior written notice.

Section 3. That the not to exceed cost of EAP services per year is \$6,210.00, based upon 270 employees, payable quarterly on the last day of the month of each service quarter at a rate of \$5.75 per employee.

Section 4. 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 5. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 257 - 2017
RESOLUTION APPOINTING MEMBER TO
JUNKYARD REVIEW BOARD**

Introduced by Legislator Bryan Moser, Chairman of the Junkyard Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Paul Kaflin of 6731 Snell Road, Lowville, New York 13367 to the Lewis County Junkyard Review Board.

Section 2. That the term of said appointment shall be effective from July 6, 2017 through December 31, 2017.

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

Moved by Legislator Moser, seconded by Legislator King.

Legislator Moser relayed the general desire of Review Board members to remain intact at least through the end of the year, and supports Mr. Kaflin's appointment, citing the lack of a quorum for the last two Review Board meetings.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

He reported that Sr. Building Code Officer Ward Dailey conducts junkyard environmental assessments and prepares the reports and documents for Review Board consideration. Legislator Moser suggests this function could be performed by the Legislative Committee, essentially eliminating a level of bureaucracy. Atty. McNichol also justified elimination of the Review Board, citing the difficulty to identify persons to commit to serve on the Review Board, the bi-monthly meeting schedule that causes delayed action, and that unresolved issues are customarily submitted to her office.

Legislator King appreciatively commended the current working relationship between the Review Board and Mr. Dailey to address junkyard issues.

Legislator Moser warned his colleagues of potential phone calls from property owners if the Junkyard Law was further amended to authorize the Enforcement Officer to respond to verbal complaints and violations he observes.

The resolution was then adopted.

**RESOLUTION NO. 258 - 2017
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 creation of an Aging Services Worker to assist with increased need for Health Insurance Information Counseling and Assistance Program (HIICAP) and other Office For Aging duties surrounding the 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 position:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Aging Services Worker	Temporary Full-time (35 hrs/wk)	Grade C11 (\$14.44/hr.)

Section 2 That Office For Aging Director Brenda Bourgeois is hereby authorized to fill said position for the period August 14 ó December 31, 2017.

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

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

JULY 5, 2017

RESOLUTION NO. 259 - 2017
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY OF LEWIS BY AND AMONG THE LEWIS COUNTY
OFFICE FOR THE AGING, REGIONAL CENTER FOR INDEPENDENT LIVING,
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND NORTHERN
REGIONAL CENTER FOR INDEPENDENT LIVING WITH NY CONNECTS

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

WHEREAS, the County of Lewis, by and among the Lewis County Office For The Aging (öOFAö), Regional Center for Independent Living (öRCILö), Lewis County Department of Social Services (öDSSö) and Northern Regional Center for Independent Living (öNRCILö) wishes to enter into an Agreement with and NY Connects to facilitate a coordinated network of service delivery according to the NY Connects State Program Standards; and

WHEREAS, this Memorandum of Understanding is also in collaboration with the local governmental unit (öLGUö) of mental hygiene and the regional offices of the New York State Office for People with Developmental Disabilities (öOPWDDö) to fulfill all of the functions of NY Connects and its roles as the No Wrong Door (öNWDö); and

WHEREAS, the Balancing Incentive Program (öBIPö) structural reform requires the development of a Statewide NWD system to enable consumers to access all long term services and supports through an agency, organization, or coordinated network in accordance with such standards as the State shall establish and that shall provide information regarding the availability of such services, how to apply for such services, linkages to services and supports otherwise available in the community, and assisting with the coordination of assessment processes for financial and functional eligibility as needed. NY Connects has been expanded and enhanced as a result of the BIP structural reform to be the NWD system in New York State; and

WHEREAS, the Board of Legislators wishes to accept said Memorandum of Understanding.

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 among the Lewis County Office For The Aging, Regional Center for Independent Living, Lewis County Department of Social Services and Northern Regional Center for Independent Living with NY Connects to facilitate a coordinated network of service delivery according to the NY Connects State Program Standards and will take effect on the date signed by all of the parties and shall continue until terminated.

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. 260 - 2017
RESOLUTION TO AMEND PROCUREMENT POLICY AND
APPOINT COUNTY MANAGER AS SOLE RESPONSIBLE PURCHASER
UNDER THE PROCUREMENT POLICY**

Introduced by Legislator Craig Brennan, Chairman of Ways and Means Committee.

WHEREAS, General Municipal Law (GML) Chapter 24, § 104-b (2) (f) requires municipalities to amend their Procurement Policy to include the names and titles of those responsible for purchasing biennially; and

WHEREAS, the Board of Legislators had previously designated acting County Manager, Michael A. Tabolt, as the sole responsible purchaser pursuant to adopted Resolution No. 319-2013, and in 2015 designated County Manager, Elizabeth Swearingin as the sole responsible purchaser under the GML for Lewis County by Resolution No. 124 ó 2015; and

WHEREAS, in June, 2017, the Board of Legislators announced the selection of Ryan Piche as the County Manager to fill the unexpired term of Elizabeth Swearingin, effective June 21, 2017;

And

WHEREAS, the Board of Legislators now seeks to designate Ryan Piche, the new County Manager, as the sole responsible purchaser for Lewis County under GML §104-b (2) (f).

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby designates Ryan Piche, Lewis County Manager, as the sole responsible procurement purchaser for Lewis County; and approves an amendment to the Lewis County Administrative Manual to reflect said designation in accordance with General Municipal Law § 104-b (2) (f).

Section 2. That the Clerk of the Board is hereby directed to make the amendment as herein set forth to the Administrative Manual upon such form as may be approved by the County Attorney, and distribute the same to all Department Heads.

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

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

JULY 5, 2017

**RESOLUTION NO. 261 - 2017
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 (öTenantö) desires to enter into a Renewal Lease Agreement with Lewis County General Hospital (öLandlordö) 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 Childrenø Clinic Building located at 7785 North State Street, Lowville, New York 13367 for a term commencing on November 1, 2017 through October 31, 2018 at the monthly rental of \$7,611.00.

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 Fawcett, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 262 - 2017
RESOLUTION AUTHORIZING ANCILLARY
PRACTITIONER'S AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND
MVP HEALTH PLAN, INC., MVP SELECT CARE, INC., MVP AFFILIATES**

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

WHEREAS, MVP Health Plan, Inc. is a New York State corporation organized as a health maintenance organization pursuant to Article 44 of the Public Health Law of the State of New York, MVP Select Care, Inc., a New York corporation arranging for the provision of administrative services and all MVP Affiliates (öMVPö); and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, MVP provides benefits for the provision of medically necessary health care services that are authorized for payment under the applicable member's subscriber contract ("Covered Services"); and

WHEREAS, Lewis County Public Health Agency ("Public Health") desires to provide certain Covered Services to individuals who are eligible to receive benefits from MVP; and

WHEREAS, Lewis County, acting by and through the Lewis County Public Health Agency, desires to enter into an Ancillary Practitioner's Agreement with MVP Health Plan, Inc., MVP Select Care, Inc., MVP Affiliates.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Ancillary Practitioner's Agreement between the County of Lewis, by and through the Lewis County Public Health Agency, and MVP Health Plan, Inc., MVP Select Care, Inc., MVP Affiliates for the provision of administrative services, at no local cost.

Section 2. That the term of this Agreement shall commence on the date that all parties have executed the agreement and will automatically renew every year, or either party may terminate this agreement upon sixty (60) days written notice.

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 Fawcett, and adopted.

**RESOLUTION NO. 263 - 2017
RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY
ON BEHALF OF THE COUNTY OF LEWIS AND NYS DOH FOR
CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM**

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

WHEREAS, the Lewis County Public Health Agency has received a multi-year grant award from the New York State Department of Health in the amount of \$50,919.00 under contract number DOH01-C32666GG-3450000 to provide Children with Special Health Care Needs Program services under the Grants Gateway Electronic Process; and

WHEREAS, the multi-year contract provides for an annual award of \$16,973.00 for a three-year total award of \$50,919.00, commencing October 1, 2017 through September 30, 2020; 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 multi-year grant contract 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 services under the Children with Special Health Care Needs Program for the period beginning October 1, 2017 through September 30, 2020 in the total amount of \$50,919.00 (\$16,973.00 per year).

Section 2. That the Lewis County Board of Legislators hereby approves the execution of this contract through the Grants Gateway electronic process by the Lewis County Public Health Director, Penny Ingham, pending 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. 264 - 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO RECREATION, FORESTRY AND
PARKS DEPARTMENT**

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

BE IT RESOLVED as follows:

Section 1. 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>
Recreation Crew Worker	Temporary Full-time	Grade 15 (\$15.83/hr.)

Section 2. That Director Jackie Mahoney is hereby authorized to fill said temporary position effective immediately.

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

**RESOLUTION NO. 265 - 2017
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO YVONNE ROES)**

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

WHEREAS, Yvonne Roes executed a Mortgage in favor of the County of Lewis dated June 5, 2006, and recorded in the Lewis County Clerk's Office on May 31, 2007, as Instrument No. 2007-01767 to secure payment of a loan in the amount of \$24,344.00 pursuant to a homebuyer's assistance grant under the CDBG program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, the terms and conditions of said Note and Mortgage have been fully satisfied 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 Brennan , seconded by Legislator King , and adopted.

**RESOLUTION NO. 266 - 2017
RESOLUTION AUTHORIZING THE OPENING OF A PORTION OF COUNTY
ROUTE 46 (OSCEOLA ROAD) FOR SNOWMOBILE ACCESS**

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

WHEREAS, pursuant to Section 25.09 of the NYS Parks and Recreation Law, county highways within a town, outside of a city or village, may be designated as open to snowmobiles by the governing body, provided that the County Highway Superintendent has issued a prior written approval thereof; and

WHEREAS, the Lewis County Highway Department received a request from the Town of Lewis and the Lewis County Director of Recreation, Forestry and Parks to open a portion of County Road 46 (Osceola Road from the Town of Lewis line to the four corners in Osceola) for snowmobile access; and

WHEREAS, the Lewis County Superintendent of Highways examined the road and notes that pursuant to his shared intermunicipal agreement, the Town of Lewis maintains this portion of the County Road, and that he has no objection to the opening of this portion of County Road Route 46 to snowmobile access; and

WHEREAS, the Lewis County Superintendent of Highways has issued written approval for opening this portion of County Road for snowmobile access.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Lewis County Board of Legislators hereby authorizes the County Highway Superintendent to review, and at his discretion, approve the opening of the following county highways or portions thereof subject to appropriate town action on same for snowmobile access:

A portion of County Road Route 46 (Osceola Road), from the Town of Lewis line on the Osceola Road to the four corners in Osceola.

Section 2. Pursuant to the written approval of the Lewis County Highway Superintendent, the Lewis County Board of Legislators hereby approves the opening of a portion of County Road Route 46 in the Town of Lewis as hereinabove described, for snowmobile access.

Section 3. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 267 - 2017
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 appropriation is hereby approved to increase FFY 16-17 TANF Non Residential Domestic Violence Services Program funding for Lewis County Opportunities:

Increase Revenue

A0610900 346090 Fed Aid

\$24,499.00

Increase Expense

PROCEEDINGS OF THE BOARD OF LEGISLATORS

A0610900 460900 Non- Res DV

\$24,499.00

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

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

**RESOLUTION NO. 268 - 2017
RESOLUTION TO APPROPRIATE FUNDS FOR
SOCIAL SERVICES**

Introduced by Legislator Roscoe K. Fawcett, Chairman of the Social Services Committee.

WHEREAS, Social Services has received an allocation in the amount of \$60,116.00 to support the 2017 Summer Youth Employment (SYEP).

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the following appropriations are hereby approved for 2017 TANF Summer Youth Employment Program (SYEP):

Increase Revenue:

346090	Fed TANF	\$60,116.00
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Increase Expenses:

A0610900.110100	Pay ó TANF SYEP	\$55,660.00
A0610900.803000	Fringes ó TANF SYEP	\$ 4,456.00

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

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

**RESOLUTION NO. 269 - 2017
RESOLUTION TO APPROPRIATE FUNDS
STOP DWI PROGRAM**

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the DWI accounts for additional NYS STOP-DWI 2016-2017 "Crackdown" grant funds:

Increase Revenue:

JULY 5, 2017

A0331500 333110 Traffic Safety Grant \$1,599.20

Increase Expense:

A0331500 492400 DWI Safety Grant \$1,599.20

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

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

**RESOLUTION NO. 270 - 2017
RESOLUTION TO APPROPRIATE FUNDS
WORKFORCE INVESTMENT ACT
NOA#PY15-5**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

Section 1. That the following funds be appropriated for the Program Year 2015, 7/1/15-6/30/17, Dislocated Worker, per the Notice of Obligational Authority (NOA), #15-5 through the New York State Department of Labor, as indicated below:

<u>Dislocated Worker</u>	
CD6291.4999	\$ 5,167.24
	\$ 5,167.24
<u>WIA Revenue</u>	
CD47910	\$ 5,167.24

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

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

**RESOLUTION NO. 271 - 2017
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:

Section 1. That the following transfer of funds is hereby approved from the Dislocated Worker to Adult account:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

From:

Dislocated Worker	
CD629100.110100	\$ 5,500.00
CD629100.490900	\$ 2,000.00
CD629100.801000	\$ 2,000.00
CD629100.499900	<u>\$ 5,000.00</u>
	\$ 14,500.00

To:

Adult	
CD629200.110100	\$ 4,000.00
CD629200.801000	\$ 4,000.00
CD629200.499900	<u>\$ 6,500.00</u>
	\$14,500.00

No change to revenue

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

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

RESOLUTION NO. 272 - 2017
RESOLUTION DESIGNATING JEFFERSON-LEWIS AS LOCAL WORKFORCE DEVELOPMENT AREA AND AUTHORIZING THE CHIEF EXECUTIVE OFFICIALS OF EACH COUNTY TO ENTER INTO AN AGREEMENT TO ADMINISTER THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (“WIOA”)

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

WHEREAS, Jefferson and Lewis Counties are designated as a multi-jurisdictional workforce development area under the Workforce Innovation and Opportunity Act (WIOA), and seek to have the area be known as the “JEFFERSON - LEWIS LOCAL WORKFORCE DEVELOPMENT AREA” by designation of its respective Chief Elected Officials; and

WHEREAS, the WIOA provides for the Chief Elected Officials of each County to be designated its respective Boards as the Executive authorized to enter into an agreement to organize and implement activities pursuant WIOA, and as proposed by the Governor of the State of New York for the purpose of administering WIOA in Jefferson and Lewis Counties; and

WHEREAS, the Board of Legislators wishes to authorize such designation and Chief Elected Officials Agreement pursuant to WIOA.

NOW, THEREFORE, BE IT RESOLVED, as follows:

JULY 5, 2017

Section 1. That the Board of Legislators hereby approves the designation of Michael A. Tabolt, Chairman of the Lewis County Board of Legislators as the Lewis County Executive authorized to enter into an Agreement with the designated Executive of Jefferson County for purposes of administering WIOA, and entering into agreements to organize and implement workforce development in the Jefferson-Lewis areas pursuant to WIOA for the term July 1, 2017 through June 30, 2018.

Section 2. That the Board of Legislators hereby designates Michael A. Tabolt as the Executive authorized to designate the Jefferson-Lewis County areas to be known as the "Jefferson - Lewis Local Workforce Development Area" pursuant to WIOA.

Section 3. That Michael A. Tabolt, as the Chief Executive Official of the County of Lewis is hereby authorized to make, execute, seal and deliver such Agreements, pending approval by the County Attorney.

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

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

RESOLUTION NO. 273 – 2017
RESOLUTION AUTHORIZING AN INCREASE FOR THE
2017 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 2017 Resource Allocation Plan.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the 2017 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 \$2,282.00 for the 2017 program year for a total amount of \$23,397.00.

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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

**RESOLUTION NO. 274 - 2017
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 appropriations are hereby approved in the Community Services Accounts to transfer all MH Memorial Savings to NRCIL utilizing proceeds from T0 000083 MH Memorial Savings:

Increase Revenue:

A0433500 316201 Mental Health Fees	\$2,867.78
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Increase Expense:

A0433500 488100 Suicide Prevention	\$2,867.78
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 275 - 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO COUNTY CLERK**

Introduced by Legislator Craig Brennan, 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 of Motor Vehicles, to create the following temporary position for the purpose of assisting with commercial licensing:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Clerk	Temporary Full-Time (35 hrs./wk)	Grade C7-1 (\$13.26/hr.)

Section 2. That County Clerk Linda Hoskins is hereby authorized to fill said position effective July 6, 2017 for up to a maximum of three (3) months.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Fawcett.

Legislator Moser asked for clarification whether this was to create an additional position or to upgrade the pay of a current employee. Legislator Brennan stated that student intern minimum wage was insufficient for the assigned duties.

Human Resources Director Chris Boulio affirmed they had not yet, but the union could potentially raise the issue of the respective individual working out of title. Legislator Moser objects to the upgrade considering the Board's rejection of other upgrade requests over the past year, and prefers to defer an upgrade until or unless the union raises the issue.

Legislator King recalled his understanding the person would work after hours and now being told it will be during regular hours. Legislator Brennan understood the need was to catch up on the backlog of work for dealers.

Legislator Chartrand asserted the wage was commensurate with assigned duties, would reduce the wait time for dealer packages and relieve the County Clerk for administrative functions. He supports the measure that may reduce the 1 hr. 20 min. average wait time in line.

The resolution was then adopted. Legislators King and Moser were opposed.

OTHER BUSINESS:

Clerk of the Board Teresa Clark read the proclamation declaring 7/9 to 7/15/17 as Invasive Species Awareness Week.

To accommodate the annual Legislators' golf outing/dinner, Legislator Fawcett made a motion to begin the August 1, 2017 meeting at 9:30 a.m., seconded by Legislator Dolhof and carried.

There being no other business to come before the Board, the meeting adjourned at 7:12 p.m. on a motion by Legislator Brennan, seconded by Legislator Moser and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

REGULAR MEETING

August 1, 2017

The meeting was called to order at 9:30 a.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislator Brennan whom had been excused.

Chairman Tabolt offered the Invocation, calling for a moment of silence in memory of those who had recently passed. Chairman Tabolt then led the Pledge of Allegiance to the Flag

There were 22 persons present.

Hearing no comments for corrections, Chairman Tabolt declared the July 5, 2017 meeting minutes were approved by general consent.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

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

Lawrence Dolhof, Chairman
Bryan Moser

Dated: August 1, 2017

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

Clerk of the Board Teresa Clark read a Proclamation recognizing Jackie LaPlatney, Anne Hall, Heather Collins, Anne Huntress, Mitch Robinson, Cathie Woledge, Paula Bigelow, Barbara Rice, Ed Murphy, Trish O'Donnell, Pastor Keith Hardy, Nick Altmire and Steve Virkler for their commitment and grass roots efforts to combat the opiate crisis. Chairman Tabolt and Legislator Hathway presented those present of the aforementioned with the document.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

NYSAC Executive Director Stephen Acquario penned a personal note of congratulations to the Board of Legislators and staff for achieving a "Clean Energy Community" grant. He commended them for doing something of benefit to the environment and the people of Lewis County

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the County Treasurer's July report; the 7/25/17 Highway and Solid Waste Audit reports; minutes of the 7/12/17 Youth Bureau Advisory Board; and 4/25/17 Health Services Advisory Board meetings.

The June monthly report of Director of Weights and Measures James A. Richmire has been placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Taxation/Elections/Information Technology Committee Chairman, deferred to County Manager Ryan Piche for an update on the broadband expansion initiative. He reported the new website was 90% complete; and the civil software would go on-line 9/1/17. Director Adam Zehr and his staff were commended for substantial support during implementation of the Tyler-Munis financial system.

Legislator Hathway reminded of the negative financial County impact if all the pending legal assessment challenges were decided in favor of the petitioners, while clarifying that assessing is a Town function. The County, he said, provides legal assistance through the County Attorney upon request, and shares the expense for special legal counsel and/or professional analysis.

Legislator Hathway relayed appreciation from Lake Bonaparte residents for the special 7/13/17 presentation in their locale by Real Property Tax Director Candy Akin, Cheryl LaLonde and Alayna Arthur, especially the illustrated maps. There were 75 property owners affected, and those who had attended relayed having a better understanding. He termed the ongoing update and amendment of 911 addresses as a long process.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Youth Committee Chairman, reported enrollment opened 7/3/17 for the HEAP Clean and Tune Program for energy efficiency services of primary heating sources, minor repairs or carbon monoxide detectors. Eligible applicants may acquire benefits worth up to \$400. The HEAP Cooling Program will close 8/4/17.

Legislator Fawcett announced the 9/8/17 senior golf tournament scheduled at Brantingham Golf Course; and the 9/29/17 Octoberfest and annual public hearing at the 3-G Firehall with a theme of Keeping Seniors Safe.

Legislator Fawcett urged approval of the Youth Bureau Advisory Board's amended By-laws to allow selection of Board Co-chairmen John Exford and Harrisville student representative Jacob Hartle for a 2-year term. The Youth Board had awarded an additional \$1,000 to the Sheriff's Department for a drug identification kit to educate school students for safety and drug prevention. An additional \$282 was awarded to the Youth Bureau to cover postage and supply expense for events such as the 9/8/17 National Night Out to be held at the fairgrounds to heighten crime prevention and drug awareness.

Legislator Bryan Moser, County Officers/Junkyards/Veterans' Services/ Human Resources Committee Chairman, deferred his report, having been on vacation.

Legislator Jerry King, Courts and Law Enforcement/Fire & Emergency Services/Building Codes Committee Chairman, made a motion to authorize Sheriff Carpinelli to fill a part-time

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Dispatcher/Correction Officer that has been vacant since 2016, seconded by Legislator Chartrand and carried.

Legislator King reported continued testing and work to enhance paging communications. He urged support of the proposed resolution for a professional technical services agreement for 911 interoperability system.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry and Parks Committee Chairman, announced the next business leaders breakfast on 9/12/17 to be held at the Carlowden Golf Club. The value-added dairy discussions continue with Clarkson University. Also, Consolidated Funding Applications (CFA's) have been submitted for all previously reported projects.

Legislator Richard Chartrand, member of the Ways and Means/Buildings and Grounds Committee, recommends purchase of credit card terminals for the County Clerk's office to accept transactions, which includes code enforcement permit fees. They await a response from the Tops Plaza owners for use of that space for CDL testing. Expenses for public defenders are expected to exceed budget appropriations. Budget Officer Ryan Piche will be meeting with Department Heads and outside agency representatives to compile a preliminary 2018 budget by the end of August.

Legislator Chartrand also reported the sally port gate and the roof over the diesel tank are being completed. Highway personnel are mowing the field location of the solar project that is three weeks behind schedule, but expected to meet the deadline.

Legislator Chartrand cited the impending budget challenge to meet expenses related to raise the Age to house convicted 17 year olds effective 10/1/17 and 18 year olds effective 10/1/18, separate from the general jail population. Ryan Piche cited substantial housing expense at any of the select few qualified locations statewide. State officials have not yet provided specific regulations or parameters. A provision of the legislation, he said, indicated the State may reimburse counties for related costs, but the Board holds little optimism for reimbursement.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman recommends approval for the additional MEO for the Solid Waste Department, justified due to increased recyclables and waste volumes during four of the past six months. The addition would equate a total of 6 full-time personnel for adequate coverage, because one employee is generally out of work for benefit time. He acknowledged receipt of a letter from Judge Daniel King expressing appreciation for on-site assistance with his dump trailer at the transfer station.

Legislator Kulzer made a motion to authorize Highway Superintendent David Becker to temporarily promote one full-time Machinery Equipment Operator (Medium) to a full-time Heavy Equipment Operator; and also authorize refilling the Machinery Equipment Operator (Medium) position, in accordance with Civil Service regulations, effective immediately. The motion was seconded by Legislator Hathway and carried.

Legislator Kulzer impressed the need for renovation or replacement plans for the 30-year old Highway fuel system. Mr. Becker reported that underground lines are being installed at a cost of \$8,000 and will be utilized regardless of new system choice. He estimates \$200,000 for a replacement system at the same site, but closer to \$300,000 if the system is placed elsewhere. Legislator Kulzer reports ongoing committee discussion, while deferring a recommendation to increase the per gallon surcharge for outside users.

At 10:00 a.m., Chairman Tabolt opened the public hearing for comments on proposed off-road additions to the Lewis County Trail System. There were no comments at this time.

Legislator Richard Chartrand, Hospital Committee Chairman, pointed out newly appointed Hospital CEO Gerald Cayer in the audience. A welcoming open house will begin at 11:30 a.m. today at the hospital.

Legislator Chartrand reported the Auxiliary held a "We Have A Little Emergency" (WHALE) program at the fair to educate how to properly identify and assist children at risk. They will sponsor a hypnotist presenter at L.A.C.S. in October, and the annual November "Hollyberry Sale" will also be held at L.A.C.S.

Legislator Chartrand reported the Hospital year-to-date surplus is \$3,624,000 versus the budgeted \$813,000; and a County debt of \$1.8 million. The June Skilled Nursing Facility occupancy was 92.1%; emergency room visits of 988, and there were 20 surgeries representing 4 below predictions, but the highest during the past year. Community Home Health Agency visits totaled 214 above budgeted levels, an all-time high; but, a third payroll in June reduced cash-on-hand to 8.3 days. The NYS Essential Provider grant application for potential hospital debt pay-off was not approved.

Legislator Chartrand encouraged anyone interested in learning more about the Hospital's relationship with St. Joseph's Health Center to attend their update presentation at the 8/30/17 Board of Managers' meeting.

He relayed that the Board of Managers had formally thanked Michele Prince for her good work as Interim CEO, and for remaining as the Chief Operating Officer.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chairwoman, made a motion to authorize Penny Ingham to refill a full-time Public Health Specialist position due to a resignation, seconded by Legislator King and carried.

Legislator Moroughan reported that Mrs. Ingham had presented an update on the strategic planning process; and will present a proposed contract with the chosen pre-school billing software vendor next month. The public has been warned to watch for rabid animals in light of three positive findings in our area, resulting in four persons undergoing post-exposure treatment.

Legislator Moroughan reported Northern Regional Center For Independent Living (NRCIL) is a peer-run disability rights and resource center that endeavors to end discrimination against persons with disabilities through community partnerships to promote accessibility and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

inclusivity. They have offices in Lowville and Lyons Falls. Executive Director Aileen Martin made a presentation at the annual meeting of the National Council of Independent Living in Washington, D.C. on the administration and delivery of services in a jail setting. Ms. Martin accepted the National Region II Independent Living Advocacy Award for their agency.

SPECIAL REPORTS:

Director of Community Services Patricia Fralick distributed information sheets and reported meeting with District Attorney Leanne Moser to exchange their roles and approach to the local drug crisis. As the coroner, Ms. Moser is tracking overdose deaths consistent with Jefferson County's method, and has offered to field questions from the public about specific deaths. As of 7/20/17 there have been eight overdose deaths in the County and two cases are pending test results.

The NYSDOH reported four overdose deaths in Lewis County in 2016, of which two were heroin related and two others attributed to opiate pain medication. During the year, there were 10 emergency room visits reported. Also, 95 residents had been admitted to drug and alcohol treatment facilities, of which 73 were heroin related. Emergency medical responders had administered seven doses of NARCAN during 2016, compared to five during the first quarter of 2017.

Chairman Tabolt relayed Sheriff Carpinelli's request for the Board's decision on his posed second investigator. Ryan Piche declined to offer specific details, while awaiting receipt of an employee's specific medical results prior to presenting a formal plan of action.

Chairman Tabolt reported attending the "Adirondack Challenge" at Indian Lake, where Legislator Chartrand and his wife participated in the mountain bike trail event. The Governor and Lieutenant Governor were both in attendance.

He and other Legislators participated in the 7/24/17 Fort Drum tour and open discussion with Major General Walter Piatt and his staff to enhance communications. Staff had demonstrated how wind turbines affect their radar operations. They requested to be informed for inclusive discussion at the onset of future proposed projects, to enable mitigating plans if or when deemed necessary. Major General Piatt recognized the mutual economic benefits, relating his primary objective was to enhance dialogue with municipal representatives.

On 7/26, Hudson River Black River Regulating District (HRBRRD) Executive Director Robert Smullen guided a personal tour of the Sacandaga Reservoir and Conklinville Dam. The HRBRRD was established in 1922 to deal with regional flooding by the Hudson River that had claimed several lives and properties. In 1927 they purchased 29,000 acres, displacing 1,100 residents, 22 cemeteries and 33,872 graves, which were all relocated. The dam was completed in 1930 and the reservoir was filled and is still intact today with un-tolled regional benefits.

In response to Chairman Tabolt's inquiry for the benefits to Lewis County, Mr. Smullen reminded the HRBRRD also controls flooding of the Black River, albeit at a much lesser level.

He assured the Chairman the high level assessments imposed for two years to finance dam repairs would cease, thereafter.

Mr. Smullen had reported the proposed HRBRRD appointment of Legislator Jerry King is pending the Governor's signature, informing that his own appointment process took four months. One longer-proposed candidate also awaits the Governor's required approval. Chairman Tabolt relayed Mr. Smullen's invitation to attend the District's 10/12/17 meeting in Stillwater.

Chairman Tabolt had also attended the 7/27/17 Inter-County Legislative Committee of the Adirondacks meeting hosted by Herkimer County at the Herkimer Diamond Mines. The owner/CEO is a Regional Economic Development Council (REDC) member, and had informed about the company's regional economic benefits and worldwide marketing efforts. The diamonds are used by a Herkimer brewery to create a specialized beer flavor, and are available to any interested brewer. The owner, he said, had also informed that Paul McCartney and Ringo Starr plan to compose an album based on the mines, ie. "Diamonds In the Sky"! Also, the owner had turned down a multi-million dollar offer from the Chinese, citing her desire to retain its local roots.

On the evening of 7/27/17 Chairman Tabolt had attended the Fort Drum farewell social for Colonel Brian Laske who will deploy to Germany. He was the key coordinator for the recent tour. While there, Major General Piatt reiterated his appreciation to the Chairman for the Board's interest and willingness to foster communications.

Legislator Chartrand offered another key achievement during the Fort Drum tour was informing them of the State's wind turbine sighting process and how to be listed as a party of interest with regulating authorities to assure receipt of all relative notifications.

Legislator Dolhof submits that both Fort Drum and County officials gained clarity of the wind turbine sighting process administered by the State pursuant to Article X regulations. The County becomes involved with negotiations for respective financial agreements. The Article X process involves the Department of Defense, he said, asserting being unaware that did not necessarily include Fort Drum officials. The County will urge State authorities to include Fort Drum representatives as a party of interest for turbine project discussions. He referenced the ongoing joint land use study that includes wind turbine projects. Legislator Dolhof affirmed the County's full support of Fort Drum, assuring there is no will to impede their operations.

COUNTY MANAGER REPORT:

Ryan Piche has begun the 2018 budget process and will be meeting with Department Heads to compile a preliminary budget for the Board's review by the end of August.

Mr. Piche has great enthusiasm for the JCC education extension center project, citing positive momentum pursuant to ongoing discussions with JCC, BOCES and Cornell Cooperative Extension representatives. Although JCC officials have not yet committed, he believes there is great potential dependent upon collaborative and cooperative efforts, requesting the Board's patience.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Pursuant to a conference call with Mohawk Networks representatives, Mr. Piche confirmed their commitment to the broadband expansion initiative. Phase I is to be completed by October 2017 to include coverage in the areas around existing 911 towers. Phase II includes identifying the location for 22 new towers by the end of August 2017 that will be constructed by October 2018. Phase III will be for infill and repeaters to maximize broadband services by October 2019. The requested map and list of expected coverage dates will be distributed to Legislators upon receipt.

He announced his plans to participate in the 8/5/17 Riverfest sponsored by the Chamber of Commerce.

Public hearings for comments on the Shared Services Plan are set for 8/15 and 8/31/17. Mr. Piche reminded the goal is to defer plan development to 2018, as are several other counties.

The 2016 County audit has been completed. Mr. Piche relayed the accountants had bestowed great appreciation for Patty and her staff, as remarkable to work with. Moreover, they credited Patty for the quality of County finances. He also commended her, as the room erupted in applause.

COUNTY TREASURER REPORT:

Patricia O'Brien recited the current fund balance of the Special Legislative Contingency Fund - \$388,154.14; Contingency Fund-\$326,698.00; Capital Data Processing Fund-\$119,501.50 and Capital Equipment Fund - \$404,756.77, of which \$142,434.52 is the Highway portion, year-to-date sales tax revenues are above budget at \$5,356,880.68; and current Hospital debt is on schedule at \$1.7 million.

The 6/30/17 balance of the Internal Service Fund is \$1,463,587.11. Ms. O'Brien reported health insurance premiums were increased by 10% effective 7/1/17, and the voluntary optional plans will become effective September 1, 2017.

Ms. O'Brien reported there were no significant findings in the 2016 County audit report.

PUBLIC HEARING:

Upon hearing no indication for comment on the recited proposed off-road parcel additions to the Lewis County Trail System, at 10:30 a.m. Chairman Tabolt declared the hearing closed.

REPORT OF THE WAYS AND MEANS COMMITTEE:

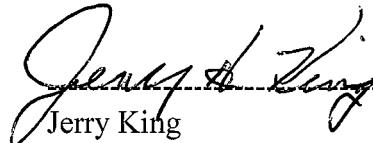
AUGUST 1, 2017

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

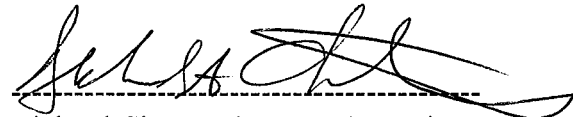
To: The Honorable County Legislators

The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 780,002.40 and recommend that they be audited and allowed for the amounts claimed.

Craig Brennan Chair



Jerry King Committee



Richard Chartrand Committee

Dated: August 1, 2017

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 276 - 2017
AUDITING AND ALLOWING CLAIMS**

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

RESOLVED that the claims presented for payment in the total amount of \$ 780,002.40 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 Chartrand, and adopted by the following roll call vote:

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

NAYS: None.

ABSENT: Brennan.

**RESOLUTION NO. 277 - 2017
RESOLUTION REGARDING SEQRA REVIEW OF A
NEW TRAIL TO BE ADDED TO THE LEWIS COUNTY ATV
TRAIL SYSTEM AND DECLARING NO SIGNIFICANT IMPACT**

(RONALD L. BARRETT PROPERTY)

Introduced by Legislator Lawrence Dolhof, Chairman, 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 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. 262009, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM" (herein, "Local Law No. 26"); 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

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 Ronald L. Barrett, which is located between the Ziegler and Fitch Roads in the Town of Leyden, identified as parcel number 402.00-01-04.200, 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 the Ronald L. Barrett property, in the Town of Leyden, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and Statement of Findings; and

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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. As a consequence of these determinations, the Board of Legislators hereby finds and declares that the addition of the Ronald L. Barrett property, in the Town of Leyden, known as tax map parcel 402.00-01-04.200, 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. 278 - 2017
RESOLUTION TO INCORPORATE
RONALD L. BARRETT PROPERTY
INTO THE LEWIS COUNTY ATV TRAIL SYSTEM**

Introduced by Legislator Lawrence Dolhof, Chairman, 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. 262009, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM" (herein, "Local Law No. 26"); 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 Ronald L. Barrett which is located between the Ziegler and Fitch Roads in the Town of Leyden, identified as parcel number 402.00-01-04.200 to the Lewis County 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 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, Ronald L. Barrett 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; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The trail located on the above referenced property, owned by Ronald L. Barrett, which is located between the Ziegler and Fitch Roads in the Town of Leyden, identified as parcel number 402.00-01-04.200 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 Ronald L. Barrett property 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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

**RESOLUTION NO. 279 - 2017
RESOLUTION REGARDING SEQRA REVIEW TO ADD A
NEW TRAIL TO THE LEWIS COUNTY ATV TRAIL SYSTEM
AND DECLARING NO SIGNIFICANT IMPACT**

**(LEWIS COUNTY PROPERTIES)
(Culpepper, and Worth Roads - Town of Montague)
(Cronk Road - Town of Pinckney)**

Introduced by Legislator Lawrence Dolhof, Chairman, 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 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. 262009, "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 on the Culpepper, and Worth Roads in the Town of Montague, identified as parcel number 236.00-01-09.000 and also on the Cronk Road in the Town of Pinckney identified as parcel number 137.00-001-22.000, 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 Culpepper and Worth Roads in the Town of Montague and on the Cronk Road in the Town of Pinckney, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and Statement of Findings; and

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 properties 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 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 County Owned Reforested land on the Culpepper and Worth Roads in the Town of Montague identified as parcel number 236.00-01-19.000, and on the Cronk Road in the Town of Pinckney identified as parcel number 137.00-001-22.000, 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 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 4. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 280 - 2017
RESOLUTION TO INCORPORATE CERTAIN
LEWIS COUNTY REFORESTED LANDS
INTO THE LEWIS COUNTY ATV TRAIL SYSTEM**

Introduced by Legislator Lawrence Dolhof, Chairman, 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. 262009, "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 off-road trails on County Owned Reforested Land on the Culpepper and Worth Roads in the Town of Montague, identified as parcel number 236.00-01-09.000 and also on the Cronk Road in the Town of Pinckney identified as parcel number 137.00-001-22.000 to the Lewis County Trail System; and

AUGUST 1, 2017

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 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

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 trails on County Owned Reforested Land on the Culpepper and Worth Roads Roads in the Town of Montague, and also on the Cronk Road in the Town of Pinckney 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 within resolution shall take effect immediately.

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

**RESOLUTION NO. 281 - 2017
RESOLUTION REGARDING SEQRA REVIEW OF A
NEW TRAIL TO BE ADDED TO THE LEWIS COUNTY ATV
TRAIL SYSTEM AND DECLARING NO SIGNIFICANT IMPACT**

(THOMAS FARRELL, JR. PROPERTY)

Introduced by Legislator Lawrence Dolhof, Chairman, 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, ðATVsö) 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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 (öNYCRRö) implementing Article 8 (collectively referred to hereinafter as öSEQRAö); 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 (öDGEISö) and a Final GEIS (collectively the öGEISö) 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 öTrail Systemö) by adopting Local Law No. 2ö2009, öA LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEMö (herein, öLocal Law No. 2ö); 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

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 Thomas Farrell, Jr., which is located between County Route 46 (Osceola Road) and Gallo Road in the Town of Lewis, identified as parcel number 408.00-01-32.111, 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 the Thomas Farrell, Jr. property, in the Town of Lewis, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and Statement of Findings; and

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:

- 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 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 Thomas Farrell, Jr. property, in the Town of Lewis, known as tax map parcel 408.00-01-32.111, 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 Chartrand, seconded by Legislator King, and adopted.

**RESOLUTION NO. 282 - 2017
RESOLUTION TO INCORPORATE
THOMAS FARRELL, JR. PROPERTY
INTO THE LEWIS COUNTY ATV TRAIL SYSTEM**

Introduced by Legislator Lawrence Dolhof, Chairman, 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

(øDGEISø) and a Final GEIS (collectively the øGEISø) 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 øTrail Systemö) by adopting Local Law No. 262009, øA LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEMö (herein, øLocal Law No. 2ö); 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 Thomas Farrell, Jr. which is located between County Route 46 (Osceola Road) and Gallo Road in the Town of Lewis, identified as parcel number 408.00-01-32.111 to the Lewis County 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 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, Thomas Farrell, Jr. 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; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The trail located on the above referenced property, owned by Thomas Farrell, Jr., which is located between County Route 46 (Osceola Road) and Gallo Road in the Town of Lewis, identified as parcel number 408.00-01-32.111 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 Thomas Farrell, Jr. property 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 King, and adopted.

RESOLUTION NO. 283 - 2017
RESOLUTION REGARDING SEQRA REVIEW OF A
NEW TRAIL TO BE ADDED TO THE LEWIS COUNTY ATV
TRAIL SYSTEM AND DECLARING NO SIGNIFICANT IMPACT

(PALMER E. MORGAN, JR. PROPERTY)

Introduced by Legislator Lawrence Dolhof, Chairman, 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 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. 262009, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM" (herein, "Local Law No. 2"); and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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 Palmer E. Morgan, Jr. which is located on the Moore Road in the Town of West Turin, identified as parcel numbers 319.00-01-05.500 and 319.00-01-05.600, 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 the Palmer E. Morgan, Jr. property, in the Town of West Turin, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and Statement of Findings; and

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:

- 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 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 Palmer E. Morgan, Jr. property, in the Town of West Turin, known as tax map parcels 319.00-01-05.500 and 319.00-01-05.600, 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 King, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 284 - 2017
RESOLUTION TO INCORPORATE
PALMER E. MORGAN, JR. PROPERTY
INTO THE LEWIS COUNTY ATV TRAIL SYSTEM**

Introduced by Legislator Lawrence Dolhof, Chairman, 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. 262009, "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 Palmer E. Morgan, Jr. which is located on the Moore Road in the Town of West Turin, identified as parcel numbers 319.00-01-05.500 and 319.00-01-05.600 to the Lewis County Trail System; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 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, Palmer E. Morgan, Jr. 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; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The trail located on the above referenced property, owned by Palmer E. Morgan, Jr., which is located on the Moore Road in the Town of West Turin, identified as parcel numbers 319.00-01-05.500 and 319.00-01-05.600 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 Palmer E. Morgan, Jr. property 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 Chartrand, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 285 - 2017
RESOLUTION REGARDING SEQRA REVIEW OF A
NEW TRAIL TO BE ADDED TO THE LEWIS COUNTY ATV
TRAIL SYSTEM AND DECLARING NO SIGNIFICANT IMPACT**

(TODD A. DANIEL AND BRIAN MUELLER PROPERTY)

Introduced by Legislator Lawrence Dolhof, Chairman, 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 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. 262009, "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

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 Todd A. Daniel and Brian Mueller, which is located between the Crofoot Hill Road and Plumber Road in the Town of West Turin, identified as parcel number 351.00-01-11.411, 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 the Todd A. Daniel and Brian Mueller property, in the Town of West Turin, and with

PROCEEDINGS OF THE BOARD OF LEGISLATORS

the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and Statement of Findings; and

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:

- 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 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 Todd A. Daniel and Brian Mueller property, in the Town of West Turin, known as tax map parcel 351.00-01-11.411, 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 Fawcett , seconded by Legislator Moroughan , and adopted.

**RESOLUTION NO. 286 - 2017
RESOLUTION TO INCORPORATE
TODD A. DANIEL AND BRIAN MUELLER PROPERTY
INTO THE LEWIS COUNTY ATV TRAIL SYSTEM**

Introduced by Legislator Lawrence Dolhof, Chairman, 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 (öNYCRRö) implementing Article 8 (collectively referred to hereinafter as öSEQRAö); 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 (öDGEISö) and a Final GEIS (collectively the öGEISö) 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 öTrail Systemö) by adopting Local Law No. 2ö2009, öA LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEMö (herein, öLocal Law No. 2ö); 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 Todd A. Daniel and Brian Mueller which is located between the Crofoot Hill Road and Plumber Road in the Town of West Turin, identified as parcel number 351.00-01-11.411 to the Lewis County 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 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, Todd A. Daniel and Brian Mueller have 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; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. The trail located on the above referenced property, owned by Todd A. Daniel and Brian Mueller, which is located between the Crofoot Hill Road and Plumber Road in the Town of West Turin, identified as parcel number 351.00-01-11.411 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 Todd A. Daniel and Brian Mueller property 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 King, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 287 - 2017
FIXING DATE OF PUBLIC HEARING ON ADDITIONS
TO THE ATV TRAIL SYSTEM FOR SINGING WATERS PARK**

Introduced by Legislator Lawrence Dolhof, Chairman, Recreation, Forestry and Parks Committee.

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on August 1, 2017, proposed additions to the Lewis County ATV Trail System pertaining to the Singing Waters Park, being a County-owned 100 acre parcel of land located on the Fish Creek Road in the Town of Grieg.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on September 5, 2017 at 5:00 p.m. at the Lewis County Court House, second floor Legislative Chambers, 7660 North State Street, Lowville, New York 13367, for the purpose of receiving public comment regarding the additions to the Lewis County ATV 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.

AUGUST 1, 2017

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

**RESOLUTION NO. 288 - 2017
RESOLUTION TO TRANSFER FUNDS
BUILDINGS AND GROUNDS**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer is hereby approved from Contingency to the Buildings & Grounds account to cover the cost of an antenna and radio installed in the new Court House:

<u>From:</u>	Amount
A0199000 499900 Contingency	\$2,773.73
<u>To:</u>	
A01622000 460500 Bldgs & Grnds Repairs	\$2,773.73

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

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

**RESOLUTION NO. 289 - 2017
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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 5, 2017 at 5:00 p.m. at the Lewis County Court House, second floor Legislative Chambers, 7660 North State Street, Lowville, New York 13367.

Section 2. That public notice of the hearing shall be advertised in accordance with law at least 10 days prior to the hearing date.

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

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

**RESOLUTION NO. 290 - 2017
RESOLUTION AUTHORIZING GRANT APPLICATION
FOR 2017 OFFICE OF COMMUNITY RENEWAL HOUSING
RESOURCES FUNDING OPPORTUNITIES**

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

WHEREAS, the County of Lewis, by and through the Department of Planning and Community Development and Snow Belt Housing Company, Inc., as the County's administrator of Community Development Block Grant Program (CDBG), desires to submit a grant application through the New York State CDBG Program that is a federally funded program administered by the Housing Trust Fund Corporation's (HTFC) Office of Community Renewal (OCR). The program provides projects that seek to develop affordable housing, improve accessibility, preserve homeownership for the elderly, provide homeownership opportunities and preserve neighborhoods and communities throughout New York State; and

WHEREAS, approximately \$19.9 million of State and Federal funds are now available under this Grant; and

WHEREAS, the Board of Legislators seeks to authorize the grant application through the Department of Planning and Community Development and Snow Belt Housing Company, Inc.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves a grant application from the Department of Planning and Community Development and Snow Belt Housing Company, Inc. for the 2017 Office of Community Renewal Housing Resource Funding.

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 application and to execute any and all documents and agreements if said grant is awarded 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 Hathway, seconded by Legislator King, and adopted.

**RESOLUTION NO. 291 – 2017
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 transfer of funds is hereby approved from Shared Services Telephone to Community Services account for 2017 budget for unanticipated fax line expense:

<u>From:</u>	<u>Amount</u>
A0165100 430100 Sh Serv Telephone	\$600.00
<u>To:</u>	
A0433500 430100 Telephone	\$600.00

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

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

**RESOLUTION NO. 292 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY CLERK AND ELAVON
FOR MERCHANT PROCESSING**

Introduced by Legislator Craig Brennan, Chairman of the County Clerk Committee.

WHEREAS, the County of Lewis, by and through the Lewis County Clerk's Office desires to enter into an agreement with Elavon, a merchant payment processing company with headquarters in Atlanta, Georgia; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Elavon Managed Service Fee Program will allow the Lewis County Clerk to accept credit cards as a payment method for court fees, fines, and miscellaneous fees managed by the Lewis County Clerk in a revenue neutral manner. The process will provide for the payer to see and sign for two separate transactions; the first for the payment being made and the second, the service fee, will be 3% of the first transaction. The service fee is automatically generated within this program. The County will receive 100% of the first transaction payment and Elavon receives the 3% fee; and

WHEREAS, the Board of Legislators wishes to authorize said agreement and 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 County Clerk, with Elavon to provide for the Lewis County Clerk to accept credit cards as a payment method for court fees, fines, and other miscellaneous fees from the public.

Section 2. The County Clerk will require two (2) terminals at a cost of \$399.00 per terminal. The cost of the two (2) terminals required in the County Clerk's Office is \$798.00. The 3% transaction fee shall be borne by the cardholder.

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. 293 - 2017
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 re-appoints Gary Turck of 5203 Hillcrest Circle, 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 effective from August 5, 2017 to August 5, 2021.

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

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

**RESOLUTION NO. 294 - 2017
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 DA Proceeds of Arrest (T0 000871) to reimburse for the DA Moser's summer conference hotel room.

Increase Revenue

A0116500 326260 (Forfeiture Proceeds) \$309.00

Increase Expense

A0116500 450700 (Travel) \$309.00

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

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

**RESOLUTION NO. 295 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND C&S COMPANIES
FOR PROFESSIONAL PROJECT MANAGEMENT AND
TECHNICAL SUPPORT SERVICES PERTAINING TO THE
911 TAC CHANNEL IMPLEMENTATION PROJECT**

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

WHEREAS, the County of Lewis desires to enter into an Agreement with C&S Companies to provide professional engineering and consultant services pertaining to the Lewis County Emergency Communications procurement and installation of UHF/VHF and 700/800 band TAC channel equipment at three (3) existing 911 tower sites in Lewis County; and

WHEREAS, this agreement shall provide for payment of professional services at a cost not to exceed \$29,500.00 with \$7,500.00 of said fee for Vendor Procurement by RFP and Contract Development phase; \$9,500.00 for the project design phase; and \$12,500.00 for the

PROCEEDINGS OF THE BOARD OF LEGISLATORS

construction phase based upon a scope of services for each as outlined in the Scope of Services Proposal and Agreement to be commenced immediately upon execution of the Agreement; and

WHEREAS, the Board of Legislators wishes to accept such professional 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 C&S Companies to provide professional project management and technical support services for the County's procurement and installation of a UHF/VHF and 700/800 band TAC channel system and equipment at three (3) existing 911 tower sites in Lewis County.

Section 2. That the compensation to be paid for these professional services on this project shall include \$7,500.00 for Vendor Procurement by RFP and Contract Development, \$9,500.00 for the project design phase, and \$12,500.00 for the construction phase as outlined in the proposed scope of services proposal and Agreement; all not to exceed \$29,500.00 and to commence immediately upon execution of the Agreement.

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

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

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

**RESOLUTION NO. 296 - 2017
RESOLUTION APPROVING TWO (2) VOLUNTARY, ALTERNATIVE HEALTH
INSURANCE PLANS EFFECTIVE SEPTEMBER 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 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 reviewed the Health Insurance Fund balance and determined that the Fund balance is critically below the levels recommended by the health plan administrators; that the health claims are exceeding premiums, and have been doing so since August 2014, with this trend continuing; and

WHEREAS, the County of Lewis Health Insurance Committee, having reviewed and analyzed the current health insurance plan and fund balance, crafted two (2) alternative, voluntary plans to be offered to employees in order to address the financial losses under the sole current County plan. The two new voluntary plans are known as the "hybrid plan" and the "high deductible" plan, and provide alternative, lower premiums plans for those who may find these lower premium/higher deductible plans more appropriate to their circumstances. Special meetings, notices, and descriptions of each plan in comparison to the existing plan were provided to employees and retirees; and

WHEREAS, the Lewis County Treasurer and County of Lewis Health Insurance Committee hereby recommend that the Board of Legislators approve as voluntary, alternatives to the existing health plan, the "Hybrid Plan" and "High Deductible Plan" effective September 1, 2017, and that these alternative plans not be subject to the 10% automatic premium increases every six months as established by Resolution 435- 2016, as these voluntary, alternative plans are subject to annual reassessment based upon actuarial analysis by Gilroy Kiernan & Gilroy consultants.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves the Plan Administrator's and Health Insurance Committee's proposed voluntary, alternative health insurance plan offers, known as the "Hybrid Plan" and "High Deductible Plan", effective September 1, 2017, until further amended or modified by the Board of Legislators.

Section 2. That the Board of Legislators directs that these voluntary, alternative health insurance plans shall not be subject to the 10% automatic premium increase every six months that is in effect for the County's existing health insurance plan.

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

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

**RESOLUTION NO. 297 - 2017
RESOLUTION TO APPROPRIATE FUNDS
MACHINERY**

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

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the Machinery accounts to appropriate insurance recovery funds for a damaged Highway vehicle.

Increase Revenues

PROCEEDINGS OF THE BOARD OF LEGISLATORS

DM513000 326800 Insurance Recoveries \$4,046.79

Increase Expense

DM513000 470100 Vehicle Repairs \$4,046.79

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

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

RESOLUTION NO. 298 - 2017
RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT No. 2 to D035259,
BETWEEN THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION
(NYSDOT) AND LEWIS COUNTY TO THE TRANSPORTATION FEDERAL-AID
BRIDGE REPLACEMENT PROJECT (PIN 775360)
KNOWN AS CR 41 (BLUE STREET) OVER WHETSTONE CREEK

Introduced by Legislator Greg 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, 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. This project is being funded with Federal Surface Transportation Program (STP) and Marchiselli funds; and

WHEREAS, the County of Lewis advanced the Project by authorizing 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 by Resolution 62-2016 adopted February 9, 2016; and

WHEREAS, the Superintendent of Highways received notice from the NYSDOT of its receipt of the approved Marchiselli funding for State Fiscal Year 2017-2018, with notice that the County will receive additional funding and full Marchiselli reimbursement for the Design and ROW phases of this project. Specifically, the County will receive an additional \$19,950 for the PE/design phase and \$2,400 for the Right of Way phase (total of \$22,350 additional Marchiselli funding) of this project; and

WHEREAS, in order for the County to receive the full, additional Marchiselli reimbursement for the PE/Design and ROW Incidental phases, a Supplemental Agreement titled "Supplemental Agreement No. 2 to D035259" must be executed.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes the Chairman of the Board of Legislators to execute a supplemental agreement to the Blue Street over Whetstone Creek Bridge Contract with NYSDOT, identified as "Supplemental Agreement No. 2 to D035259" for additional Marchiselli funding for the PE/Design and ROW Incidental phases of the project.

Section 2. That the Chairman of the Lewis County Board of Legislators, or in his absence, the Vice-Chairman of the Board, is authorized to execute all necessary supplemental agreements on behalf of the Lewis County Board of Legislators with the New York State Department of Transportation in connection with this Project.

Section 3. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to the Supplemental Agreement No. 2 to D035259, in connection with the Project.

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

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

RESOLUTION NO. 299 - 2017
RESOLUTION APPOINTING DIRECTOR OF
HUMAN RESOURCES/PERSONNEL OFFICER

Introduced by Legislator Bryan Moser, Chairman, Human Resource Committee.

WHEREAS, pursuant to Local Law No. 2 of 2010, the Board of Legislators heretofore established the Lewis County Human Resources Department ("Department") and empowered the Department to perform human resource management services for all employees of Lewis County, under the direction of the Director of Human Resources/Personnel Officer; and

WHEREAS, pursuant to Resolution No. 88-2011 the Board of Legislators combined the Human Resources Departments for the County and Lewis County General Hospital under one single Director of Human Resources to oversee and manage the human resource function for all County employees, and for that person to also serve and administer the Civil Service Law as the Personnel Officer and serve in said position for a six year term and filled said position; and

WHEREAS, by Resolution No.43-2017, the Board of Legislators rescinded Resolution No. 88-2011 in so far as to terminate the combined Human Resources Departments of the County and Lewis County General Hospital (LCGH) under a single Director, and established

PROCEEDINGS OF THE BOARD OF LEGISLATORS

and reconfigured the Lewis County Human Resources Department for all County employees except for employees of the LCGH , and established the position and office of Director of Human Resources/Personnel Officer for all County employees other than LCGH employees; and

WHEREAS, due to the resignation of the Director of Human Resources and Personnel Officer for Lewis County, effective February 3, 2017, whose six-year term as Personnel Officer expires on August 17, 2017, the Board of Legislators filled the unexpired term of the Director and Personnel Officer for County employees other than LCGH and as the Personnel Officer for the County of Lewis by the appointment of Christopher S. Boulio effective February 13, 2017, at annual compensation of \$70,000.00 by Resolution No. 65-2017; and

WHEREAS, the newly appointed Director's completion of the unexpired term of his current appointment expires on August 17, 2017, and the Board of Legislators seeks to re-appoint Christopher S. Boulio to a full six-year term as Director/Personnel Officer pursuant to CSL § 15(1)(b), effective August 18, 2017 at an annual compensation rate of Eighty Thousand (\$80,000.00) Dollars.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby re-appoints Christopher S. Boulio to the position of Director of Human Resources/Personnel Officer (Director) for the County (other than Lewis County General Hospital Employees) for a full six-year term pursuant to Civil Service Law § 15, commencing and effective August 18, 2017.

Section 2. That the re-appointed Director/Personnel Officer shall be compensated for his service in this position at an annual rate of \$80,000.00, effective August 18, 2017, and subject to amendment or modification at any time by further action of this Board.

Section 3. That the Treasurer is authorized and directed to appropriate any additional funds necessary to comply with the aforesaid increase from contingency funds.

Section 4. That the Board of Legislators acknowledges that the appointee is a resident of an adjoining County and waives any residency requirement.

Section 5. That this Resolution shall take effect immediately.

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

**RESOLUTION NO. 300 – 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PUBLIC HEALTH DEPARTMENT**

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

AUGUST 1, 2017

WHEREAS, Public Health Director Penny Ingham has requested a temporary hire to perform related work for evidence-based programs until the new full-time Public Health Specialist is able to obtain training.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis, in reference to the Public Health Department, authorizing Director Penny Ingham to hire Megan Kraeger to temporarily perform duties required of the Public Health Specialist for evidence-based programs.

Section 2. The temporary hire is authorized for an average of 10 hours per week from August 10, 2017 to August 9, 2018, or until the new full-time Public Health Specialist is able to obtain training.

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

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

RESOLUTION NO. 301 - 2017
RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND
SOUTH LEWIS CENTRAL SCHOOL DISTRICT

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

WHEREAS, Lewis County Public Health has the responsibility to develop a bioterrorism or large-scale communicable disease outbreak preparedness and response plan assigned by the New York State Department of Health and the National Centers of Disease Control and Prevention; and

WHEREAS, part of that plan must include the assignment of appropriate sites for carrying out mass immunization clinics or medication distribution to the entire population of Lewis County; and

WHEREAS, South Lewis Central School District (öSLCSDö) meets the criteria for a large portion of the population of Lewis County and the Lewis County Public Health Agency desires to enter into an agreement with SLCSD for the use of their building or buildings in the event of such emergency; and

WHEREAS, the Board of Legislators wishes to accept agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Agreement between the County of Lewis by and through the Lewis County Public Health Agency, and South Lewis Central School District for the use of their building or buildings in the event of a bioterrorism or large-scale communicable disease outbreak to carry out mass immunization clinics or medication distribution to the entire population of Lewis County.

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

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

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

**RESOLUTION NO. 302 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY REAL PROPERTY TAX SERVICES AND PAUL SMITH'S
COLLEGE TO SHARE GIS MAPPING DATA**

Introduced by Legislator Philip Hathway, Chairman of the Taxation Committee.

WHEREAS, the Adirondack Watershed Institute of Paul Smith's College commenced a well water monitoring program for the Adirondack Park with a survey file of wells. The Institute is using GIS mapping to identify parcel lines with owners and wells in the Adirondack Park. The task is simplified by Counties in the park providing their GIS parcel line layer so that this information can be joined together to produce a high rate of accuracy; and

WHEREAS, the Lewis County Real Property Tax Services Department desires to enter into an Agreement with Paul Smith's College, as a member of the NYS GIS Data Sharing Cooperative, to provide the County's GIS parcel line layer of data to Paul Smith's College for this specified mapping and joinder of well information for Adirondack Park property, at no cost to the County; and

WHEREAS, the Board of Legislators wishes to approve said agreement;

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 Real Property Tax Services Department and Paul Smith's College to provide the parcel line GIS mapping data for Lewis County properties in the Adirondack Park to Paul Smith's College as and for its well water monitoring program for the Adirondack Park.

Section 2. That there is no cost to the County for this Agreement, and the County retains the right to terminate the Agreement at any time for any reason.

AUGUST 1, 2017

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators and the Director of Real Property Tax Services 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 Dolhof, seconded by Legislator King, and adopted.

RESOLUTION NO. 303 - 2017
RESOLUTION AUTHORIZING THE COUNTY
AND ITS TOWNS AND VILLAGES
TO OPT OUT OF THE STATE'S MANDATED
SHARED SERVICES PROPERTY TAX SAVINGS PLAN FOR 2017

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

WHEREAS, the State directed County Managers/Administrators to devise shared services property tax savings plans in coordination with the County's towns and villages according to a 2017 procedure and time frame unrealistic for the County; and

WHEREAS, as a rural community, Lewis County has a long-standing tradition of working together with towns and villages to stretch limited resources and to provide utmost value to the tax payers in the County. The County works cross-jurisdictionally as a matter of necessity, and has done so for many, many years. Courts, highway departments, fire departments, law enforcement and numerous other departments within the towns, villages and County have implemented shared services; and

WHEREAS, the County Manager, who has had preliminary discussions and meetings with the officials of the towns and villages indicates that any shared services plan effective enough to impact property tax rates would have to be quite sizeable and would take many months to develop and roll out. For that reason, the County Manager advises that it will be more realistic to work on a shared services plan to put before the public in 2018 and opt out of a proposed plan in 2017; and

WHEREAS, the County Manager has received letters from town and village officials who indicate a desire to opt out of a shared services plan for 2017, especially since there are numerous shared services in place which will not impact the property tax rates; and

WHEREAS, the Board of Legislators seeks to authorize an opt-out for a shared services plan in 2017.

NOW, THEREFORE, BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. The Lewis County Board of Legislators hereby declares that the County will opt out of the State's mandate to craft a Shared Services Property Tax Savings Plan among the County and its Towns and Villages for 2017.

Section 2. The Lewis County Board of Legislators hereby directs the County Manager to continue meetings and discussions with the officials of the Towns and Villages to craft shared services plans which will create property tax savings effective in 2018.

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

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

**RESOLUTION NO. 304 - 2017
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 18, 2017 through March 16, 2018.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 305 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND SNELL FARMS CHILDREN'S CENTER**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

AUGUST 1, 2017

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with Snell Farms Children's Center 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 authorizes an agreement between the County of Lewis, by and through the Department of Social Services, and Snell Farms Children's Center for the provision of foster care services.

Section 2. That this is for the period of June 1, 2017 through June 30, 2018 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 Fawcett, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 306 - 2017
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-

PROCEEDINGS OF THE BOARD OF LEGISLATORS

site interpreter services, telephonic and translation services to Lewis County Department of Social Services.

Section 2. That said agreement is for the period of June 1, 2017 through May 31, 2018 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 - \$65.00 per hour; Telephonic - \$1.50 per minute; and Telephonic Cancellation \$1.50 per minute. The local share is 25%, federal share is 50% and state share 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 Fawcett, seconded by Legislator King, and adopted.

**RESOLUTION NO. 307 - 2017
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, 2017 through September 30, 2018 at a cost not to exceed \$4,000.00, 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 Moroughan, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 308 - 2017
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, 2017 through August 31, 2018 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 2017-2018

Age	5 Days	4 Days	3 Days	2 Days	1 Day
Infant-Pre-K	\$190.00	\$164.00	\$123.00	\$82.00	\$41.00
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 2017-2018

Class	Tuition
AM/PM Class	\$130.00
Daily Rate	\$29.00
Full Day Care	\$41.00
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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

- 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 King, and adopted.

**RESOLUTION NO. 309 - 2017
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
BERKSHIRE FARM CENTER AND SERVICES FOR YOUTH**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, Berkshire Farm Center and Services for Youth (öAgencyö) is a foster care agency authorized by the New York State Office of Children and Family Services to provide foster care services; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Department of Social Services, and Berkshire Farm Center and Services for Youth for the provision of foster care services.

Section 2. That the term of this agreement shall be from January 1, 2018 through December 31, 2018 at per diem cost not to exceed the Maximum State Aid Rate established by the New York State Department of Health. There is no local share cost until costs exceed the foster care block grant and then the local share is 37.5% for residential/foster care 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 Fawcett, seconded by Legislator King, and adopted.

AUGUST 1, 2017

**RESOLUTION NO. 310 - 2017
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

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, 2018 through December 31, 2018 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. 311 - 2017
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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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, 2018 through December 31, 2018 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 the local share being up to 37.5% for residential/foster care and is based on the eligibility of the client. The State share is approximately 25% and the Federal share is approximately 50%.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, 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. 312 - 2017
RESOLUTION AUTHORIZING ADDENDUM TO AGREEMENT
BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND
U.S. CARE SYSTEMS, INC.**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the County of Lewis, by and through the Lewis County Department of Social Services entered into an agreement with U.S. Care Systems on October 13, 2015 to provide personal care services to persons eligible to receive said services pursuant to New York State Social Services Law and 18 New York Code of Rules and Regulations, effective January 1, 2016 through December 31, 2018; and

WHEREAS, the Lewis County Department of Social Services desires to add an addendum to the original agreement between the County of Lewis and U.S. Care Systems to include payment for nursing supervision and visits for personal care assessment (öPCAö) cases; 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 with U.S. Care Systems, Inc. to add provision for payment of nursing supervision for personal care assessment (PCA) cases for those that are eligible in Lewis County for the period retroactive to July 1, 2017 through December 31, 2018 at a cost in accordance with the rates set forth by the State. The current rate for U.S. Care nursing supervision is \$80.36 per hour. This cost is covered by Medicaid with an approximate 25% local 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 within resolution shall take effect immediately.

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

**RESOLUTION NO. 313 - 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO SOLID WASTE DEPARTMENT**

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>
Motor Equipment Operator (Medium)	Part-Time	Grade C-18 (\$17.11/hr.)

Section 2. That Director Pete Wood is hereby authorized to fill said position effective immediately.

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

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

**RESOLUTION NO. 314 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY GENERAL HOSPITAL
OCCUPATIONAL MEDICINE AND**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

LEWIS COUNTY SOLID WASTE DEPARTMENT

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

WHEREAS, the Lewis County Solid Waste Department wishes to enter into an Agreement with Lewis County General Hospital Occupational Medicine for the purpose of 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, 2017 and ending December 31, 2017 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 ó \$71.00; Breath Alcohol Test ó \$22.00; Breath Alcohol Confirmation Test ó \$22.00; and Onsite Testing ó \$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 Chartrand, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 315 - 2017
RESOLUTION AUTHORIZING AMENDMENT TO
AGREEMENT BETWEEN
LEWIS COUNTY AND BIRNIE BUS TOURS, INC. FOR
2017 LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM**

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 of 2009, entitled, "A LOCAL LAW AUTHORIZING PUBLIC TRANSPORTATION SYSTEM WITHIN LEWIS COUNTY," whereby the County of Lewis was authorized by 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, "Birnie Bus") represents that it is a privately owned or operated mass transportation facility as 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 County entered into a contract with Birnie Bus Tours, Inc. (now known as Birnie Bus- Kratf Tours, Inc.) to provide public transportation to Lewis County residents at fair and reasonable rates and to provide public assistance to Birnie Bus under the provisions of the NYS Transportation Law, Section 18-b, being Chapter 56 of the Laws of 1975 as amended, for 2017; and

WHEREAS, the Lewis County Planning Department sent surveys to students at Lowville Academy, Beaver River, Harrisville, South Lewis and Copenhagen, with over 55 students indicating that would utilize public transportation from Lewis County to Jefferson Community College. Support letters for such a public transportation route were received from the NYSDOT, JCC and Jefferson County; and

WHEREAS, Birnie Bus is approved to travel to Jefferson County under the Lewis County Transportation Program; and

WHEREAS, in order to expand and accommodate the needs of the residents of Lewis County, the Planning Department seeks to amend the current contract with Birnie Bus to include a new route to JCC, to be known as the "JCC Connector Route". This route will have pick-up/drop-off stops in Port Leyden, Lyons Falls, Glenfield, Lowville, Croghan, Carthage, Deer River, Copenhagen and JCC; and

WHEREAS, the Planning Department is in the process of negotiating the rates with Birnie Bus for this Route as provided under DOT regulations; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize and approve an amendment to the 2017 contract with Birnie Bus to provide for this JCC Connector route.

NOW, THEREFORE, BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Board of Legislators hereby approves an amendment to the current contract with BIRNIE BUS TOURS, INC. (n/k/a Birnie Bus-Kratf Tours, Inc.), pursuant to Section 119-r of the General Municipal Law and Section 18-B of the Transportation Law to add a new route between Lewis County to Jefferson Community College, to be known as the JCC Connector Route, at rates to be negotiated and set forth in the amendment to the contract.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon final negotiation and approval of the terms 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. 316 - 2017
RESOLUTION AUTHORIZING APPLICATION TO NEW YORK STATE
DEPARTMENT OF TRANSPORTATION FOR APPROVAL OF THE PURCHASE OF
CERTAIN EQUIPMENT AND A MOBILITY MANAGEMENT VEHICLE TO BE
ADDED TO THE LEWIS COUNTY TRANSPORTATION SYSTEM BY UTILIZATION
OF THE COUNTY'S 2015/2016 ACCELERATED TRANSIT CAPITAL FUND

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

WHEREAS, under the Lewis County Transportation System, the County has \$56,545. Available in its 2015/2016 Accelerated Transit Capital (ATC) funds, which the Planning Department seeks to use to purchase equipment and a vehicle to enhance and improve the services offered under the Lewis County Transportation System and Programs; and

WHEREAS, the Lewis County Planning Department seeks to obtain approval to use these ATC funds for three specific items: 1) For the purchase and installation of 3 Wi-Fi modems on the Lewis County Transportation buses, including the new JCC Connector Route, so that students and other public riders have the opportunity to read, study, and communicate while riding the County's public transportation buses to various locations, with an estimated cost of \$2,697.00; 2) for the purchase of 55 bus stop signs to be placed at various locations along the bus routes, (while working with NYS DOT on location and regulation sign approval), at an estimated cost of \$3,407.80; and 3) for the purchase of a 2017 Toyota Rav4 Hybrid vehicle (which also complies with the County's Clean Energy Communities Program) including a 10 year warranty/100,000 mile extended bumper-to-bumper warranty, with LCPT logo on each side, at a cost of \$29,385; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this application and approve said purchases upon NYSDOT acceptance.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes an application to the NYSDOT for use of the 2015/2016 Accelerated Transit Capital funds already awarded to the County, for the purchase of 3 Wi-Fi Modems for installation in the County's Public Transportation buses; for the purchase of 55 bus stop signs to be located at various locations approved by the DOT; and for the purchase of a 2017 Toyota Rav4 Hybrid vehicle with 10 year warranty to be used by the Planning Department as its public transportation mobility management vehicle.

Section 2. That upon the NYSDOT's approval of this application, the Lewis County Board of Legislators hereby approves the above purchases from the 2015/2016 ATC fund.

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

Section 4. That a certified copy of this Resolution shall be filed with the New York State Department of Transportation by attaching it to the Application.

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

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

RESOLUTION NO. 317 - 2017
RESOLUTION DIRECTING LEWIS COUNTY GENERAL HOSPITAL TO
REIMBURSE PENALTY IMPOSED UPON THE LEWIS COUNTY SELF-INSURANCE
PLAN FOR LATE FILING OF CLAIM REPORTS

Introduced by Legislator Lawrence Dolhof, Chairman of the Insurance and 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. The Lewis County General Hospital ("LCGH") is a participant in the plan; and

WHEREAS, the County enacted Local Law 8-2015 which provides in Section 2 (H) for plan participants to, *inter alia*, promptly file all required reports on claims. If the plan participant fails to do so, the Board of Legislators may, by resolution, impose a penalty upon any participant equal to the amount imposed upon the Lewis County Self-Insurance Plan by the NYS Workers' Compensation Board ("NYSWCB") for a respective claim due to non-compliance with the Payor Compliance Policy; and

WHEREAS, the County Self-Insurance Plan has incurred penalties of \$550 from the NYSWCB for late filing of reports and payments for five (5) claims pertaining to the LCGH and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

seeks to have the penalty reimbursed by LCGH to the County's Self-Insurance Plan by Resolution of the Board of Legislators.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby directs reimbursement of \$550 from the LCGH, as the penalties incurred by the County Self-Insurance Plan for late filing of claim reports to the NYSWCB for five (5) claims pertaining to LCGH matters.

Section 2. That the Clerk of the Board is hereby authorized to make, execute and deliver a reimbursement invoice to the CEO of the LCGH for the late filing penalty for the five (5) claims, 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. 318 - 2017
RESOLUTION TO APPROPRIATE FUNDS FOR
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

Introduced by Legislator Roscoe K. Fawcett, Chairman of the Employment and Training Committee.

NOA#PY17-01

Section 1. That the following funds be appropriated for Program Year 2017 for the period April 1, 2017 to June 30, 2019 for Youth per the Notice of Obligational Authority (NOA), #PY17-01, dated June 30, 2017 through the New York State Department of Labor, in the amount of \$63,526.95.

YOUTH

CD629000.110100	\$34,000.00
CD629000.803000	13,000.00
CD629000.499900	16,526.95

WIOA REVENUE

CD629300.347910	\$63,526.95
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Section 2. That the within shall take effect immediately.

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

AUGUST 1, 2017

**RESOLUTION NO. 319 - 2017
RESOLUTION TO AUTHORIZE AMENDED
LEWIS COUNTY YOUTH BUREAU ADVISORY BOARD BY-LAWS**

Introduced by Legislator Roscoe Fawcett Jr., Chairman of the Youth Bureau Committee.

WHEREAS, the Lewis County Youth Bureau Advisory Board has requested to amend their By-Laws to allow Co-Chairpersons, due to a Student Representative's interest in Co-Chairing the Youth Bureau Advisory Board.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby approves amended Lewis County Youth Bureau Advisory Board's By-Laws, to reflect Co-Chairperson vs. Chairperson throughout the document.

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

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

**RESOLUTION NO. 320 - 2017
RESOLUTION TO TRANSFER FUNDS
COUNTY CLERK**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2017 budget changes are hereby approved in the County Clerk Department to cover the cost of 2 credit card servers utilizing funds from Project HAE Capital Data Processing H0990100 499900; balance \$119,501.50:

Increase Revenue:

A0100000 350310 Interfund transfers \$798.00

Increase Expense:

A0141000 221700 Computers \$798.00

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

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

**RESOLUTION NO. 321 - 2017
RESOLUTION AMENDING COMPENSATION PLAN**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**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, for the following:

To Create:

- (1) Full-time Nurse Practitioner
- (1) Full-time Clinical Informatics Liaison

To Convert:

- (1) Part-time Respiratory Therapist to a Full-Time Respiratory Therapist

To Abolish:

- (1) Physician Assistant card

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

Moved by Legislator Moroughan, seconded by Legislator Chartrand.

In response to Legislators Hathway, King, Dolhof and Kulzer inquiries, Legislator Chartrand stated the clinical informatics liaison will perform functions formerly done by I.T. staff who were unable to accurately complete required forms to assure the hospital recaptures eligible revenue reimbursement. The positions are covered within the budget. The nurse practitioner is working with the after-hours clinic that operates weekdays from 1- 9 p.m. There is data to justify increasing the respiratory therapist to full-time. At his request, Human Resource Director Jessica Skiff reported that the work volumes have increased from 6,830 2016 entries to over 25,000 y-t-d, partially due to offering 24-7 respiratory therapist services, which impacts increased hospital revenue.

The resolution was then adopted.

**RESOLUTION NO. 322 - 2017
RESOLUTION INCREASING TAXES ON SALES AND USES OF TANGIBLE
PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF
HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF
THE TAX LAW OF THE STATE OF NEW YORK**

Introduced by Legislator Philip Hathway, Chairman of the Taxation Committee.

WHEREAS, Clause 36 of subparagraph (i) of the opening paragraph of section 1210 of the Tax Law, as added by Chapter 47 of the Laws of 2004 and as further amended by chapter 251 of the laws of 2011, authorized and empowered the County of Lewis to adopt and amend local laws, ordinances or resolutions imposing an additional three quarters of one percent (.75%) rate of sales and compensating use taxes for the period beginning June 1, 2004 and ending November 30, 2013; and

WHEREAS, Chapter 353 of 2013 further amended Clause 36 of subparagraph (i) of the opening paragraph of section 1210 of the Tax Law to authorize the County of Lewis to adopt and amend local laws, ordinances or resolutions to impose an additional one percent (1%) rate of sales and compensating use taxes for the period beginning December 1, 2013 and ending November 30, 2015;

WHEREAS, Chapter 186 of 2015 further amended Clause 36 of subparagraph (i) of the opening paragraph of section 1210 of the tax law to authorize and empower the County of Lewis to adopt and amend local laws, ordinances or resolutions to impose an additional one percent (1%) rate of sales and compensating use taxes for the period beginning December 1, 2015 and ending November 30, 2017;

WHEREAS, Chapter 61, Subpart W of 2017 further amends Clause 36 of subparagraph (i) of the opening paragraph of section 1210 of the tax law, as amended by chapter 186 of the law of 2015, to authorize and empower the County of Lewis to adopt and amend local laws, ordinances or resolutions to impose an additional one percent (1%) rate of sales and compensating use taxes for the period beginning December 1, 2017 and ending November 30, 2020.

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

Section 1. Section 4-A of Resolution No. 112-1981, enacted by the Board of Legislators of the County of Lewis on August 24, 1981, imposing sales and compensating use taxes, as amended, is amended to read as follows:

Section 4-A. Imposition of additional rate of sales and compensating use taxes.

Pursuant to the authority of section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning December 1, 2017, and ending November 30, 2020. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the

PROCEEDINGS OF THE BOARD OF LEGISLATORS

applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

Section 2. Paragraph (c) of subdivision (1) of section 11 of Resolution No. 112-1981, enacted by the Board of Legislators of the County of Lewis on August 24, 1981, imposing sales and compensating use taxes, as amended, is amended to read as follows:

(c) With respect to the additional tax of one percent for the period beginning December 1, 2015 and ending November 30, 2020, in respect to the use of property used by the purchaser in this county prior to December 1, 2015.

Section 3. This enactment shall take effect December 1, 2017.

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

OTHER BUSINESS:

In response to Chairman Tabolt's inquiry, Mrs. O'Brien reported that not very many County employees had signed up for the voluntary health insurance options. Hospital Human Resource Director Jessica Skiff reported 50 employees had chosen one of the options. Mrs. O'Brien stated the next available opportunity to change plans will be in April 2018 for coverage effective 6/1/18. Although the number is minimal, she is encouraged by the first round participation and optimistic the numbers opting for alternative plans will increase as current plan premiums continually elevate.

Legislator Hathway addressed Chairman Tabolt stating "Whereas, you have had a lot of years of service for your town and the county, and; whereas, you actually filled in as the County Manager, and; whereas, for the last several years you've been chairman, and; whereas, you have raised the County profile in the State", he made a motion to have the Board's October meeting in the Town of Croghan to honor him at a place of his choice. The motion was seconded by Legislator King. Chairman Tabolt said, "I would be honored". The motion then carried.

There being no other business to come before the Board, the meeting adjourned at 10:56 a.m. on a motion by Legislator Moser, seconded by Legislator Dolhof and carried.

SEPTEMBER 5, 2017

**REGULAR MEETING
September 5, 2017**

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, calling for a moment of silence in memory of those who had recently passed. Chairman Tabolt then led the Pledge of Allegiance to the Flag

There were 12 persons present, including several County Department Heads.

Hearing no comments for corrections, Chairman Tabolt declared the August 1, 2017 meeting minutes were approved by general consent.

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 5, 2017

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 off-road additions to the Lewis County Trail System at the Singing Waters Park; and the County's community development and housing needs, and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications for the 2017 program year.

Planning Director Frank Pace stated that tonight's public hearing is for the purpose of hearing public comments on the County's community development and housing needs, and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications for the 2017 program year. The CDBG program provides funds to local governments for housing, economic development, public facilities, public infrastructure, and planning, with the principal beneficiaries being persons of low or moderate income. The CDBG program is administered by the New York State Office of Community Renewal. The program may also aid in eliminating slums and blight and in addressing urgent needs. This hearing will provide information about and allow for participation in the possible development of the grant application; receive comment on any proposed projects; and receive technical assistance to develop alternate proposals. The hearing is being conducted in compliance with the requirements of the Housing and Community Development Act of 1974, as amended.

Approximately \$8 million is available for Community Development Block Grant funding for housing activities for this funding round and the application is due September 22, 2017. The

PROCEEDINGS OF THE BOARD OF LEGISLATORS

County may apply for up to \$850,000 for housing projects that would include housing rehabilitation; replacement of mobile homes; homeownership assistance; and residential water and wastewater systems (such as well and septic system replacement) that primarily benefit low and moderate income persons.

At least 51% of the persons benefiting from the CDBG Program must be low and moderate-income persons according to the HUD income limits provided in the application. 70% of the NYS CDBG funds expended must benefit low and moderate income persons.

On behalf of Snow Belt Housing, Executive Director Cheryl Shenle O'Neill urged the Board to authorize a homeownership application in an amount to be determined based on need and the number of applications. The estimated amount is approximately \$300,000 considering the money must be spent within two years from the time of award. Most applicants search for homes during the spring and summer months. The program would provide down payment, closing costs and repair assistance to income eligible applicants toward the purchase of their first home. The assistance will be in the form of a 100% deferred payment loan for up to \$35,000 per unit that would become a grant as long as they remain in their home for ten years. The home must be an existing single family home located anywhere within the county. Snow Belt Housing would administer the grant as the County's sub-recipient. They are currently administering a \$324,800 homeownership program that was awarded in 2015, having closed on five projects with funds available for three to four more projects. They have two project pending. The program must be fully expended by December of this year.

Ms. O'Neill suggests applying for the maximum \$850,000. There are two pending projects. Most applicants search for homes during the spring and summer months. They have identified persons who are in trouble now with credit, but must get them to a place where they are eligible. It is a challenge to identify affordable homes that are available.

Ms. O'Neill reiterated the purpose of this hearing is to provide an overview of the programs and then determine the amount and type of project to apply for. Legislator Hathway inquired whether the recommendation was to apply partially for rehabilitation and homeownership and for what amount. Cheryl explained the County had applied for a housing rehabilitation grant last year. The grant included mobile home replacement and well and septic repair, and may also be used to rehabilitate a home to provide a downstairs kitchen or bathroom to accommodate a need. Two mobile homes were replaced with a previous grant.

The homeownership program is basically for down payment and closing costs and requires the applicant to commit to an escrow account for insurance and taxes. Snow Belt Housing would like to continue to offer this program and are soliciting applications through media sources by asking that anyone interested call their office at (315) 376-2639. The grant application may be up to a total of \$850,000, but Lewis County's grants have averaged approximately \$300,000 based on need.

Ms. O'Neill provided information packets to Legislators.

Chairman Tabolt announced the hearing would remain open for public comments.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Arc Oneida-Lewis Chapter Executive Director Karen Korotzer requests the 2018 County share appropriation to remain static at \$25,000 to support their vocational programs for the developmentally disabled. They continue to expand their small group format to assist with the transition gap from community-based to facility-based employment in accordance with the State's transformation agenda.

The NYS Office of Parks, Recreation and Historic Preservation has informed they will be considering the Talcottville Cemetery for nomination to the National and State Registers of Historic Places.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the County Treasurer's August report; and the 8/24/17 Solid Waste and 8/25/17 Highway Audit reports.

The July and August monthly reports of Director of Weights and Measures James A. Richmire have been received and placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Taxation/Elections/Information Technology Committee Chairman, deferred to County Manager Ryan Piche for an update on the broadband expansion initiative. Election Commissioners recommend annually replacing 2-3 of the 33 voting machines that are 10 years old, at a cost of \$10,000 each. The current trade-in value for the used machines will decrease over time. The original machines were purchased with State grant funds. The Committee will propose a long-term replacement plan. The Commissioners also propose purchasing a \$4,000 Central Count Machine for processing and counting absentee ballots.

Legislator Hathway reported that IT Director Adam Zehr gave a preview of the developing new website that will be very user friendly, to include job postings and on-line applications that will be submitted directly to the Human Resource Department. They are also researching the possibility of hosting an ATV permit page.

The Real Property Tax office annually provides each Town and Village with one set of electronic and paper maps at no cost. Legislator Hathway reported Committee authorization for the Director to charge municipalities in accordance with the established fee schedule for any additional map requests.

Legislator Hathway reported the Real Property Tax office averages one request per day for a new 911 address. Of the total 538 Lake Bonaparte properties, 91 addresses had been changed. He credited the Real Property Tax Director and staff for their outreach and availability resulting in a smooth transitional process. The 2-year process will be completed next week when

PROCEEDINGS OF THE BOARD OF LEGISLATORS

the Town Board approves the road changes. Director Candy Akin will forward clarifying letters to the property owners later this week.

Additionally, Legislator Hathway commended Ms. Akin for completing her required certification classes well prior to the deadline date.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Youth Committee Chairman, reported guidelines are available at the DSS office for the HEAP Clean and Tune Program for energy efficiency services. Early HEAP applications have been mailed to elderly, disabled and families with children under 6 years old. Applications for the regular program will be accepted when the program starts on 11/13/17. Also, the Workplace has been notified of 79 job openings for 12 employers in Lewis County.

Legislator Fawcett announced the 9/8/17 senior golf tournament scheduled at Brantingham Golf Course; the 17th annual senior prom to be held on 9/15/17 at the 3-G Firehall; and the 9/29/17 Octoberfest and annual public hearing at the 3-G Firehall with a theme of "Keeping Seniors Safe". The hearing provides older adults an opportunity to speak about existing or desired services. Dick Defone will make a presentation on fire safety in the home. The event will also feature a dinner and bingo.

Legislator Fawcett encouraged everyone to attend the 9/8/17 "Lewis County Night Out" at the Fairgrounds sponsored by the Youth Bureau, Sheriff's Office, Lewis County Opportunities and Northern Regional Center For Independent Living. Lewis County ambulance teams will be recognized.

Legislator Bryan Moser, County Officers/Junkyards/Veterans' Services/ Human Resources Committee Chairman, commended HR Director Christopher Boulio for implementing a new employee orientation process to inform about all available benefits and policies. This relieves Department Heads to solely focus on orienting job functions and responsibilities.

Legislator Moser reported that Junkyard issues have been presented and await adjudication by the courts. The Committee proposes to amend the Junkyard Law, which will require a public hearing, so that if a property owner does not timely respond, property clean-up may be directed with the attendant cost imposed upon the owner's next tax bill.

Legislator Moser announced the Family Farm Day sponsored by Cornell Cooperative Extension, Farm Bureau and Soil & Water Conservation District on 10/7/17 at the Beller Farms on Route 126 between Naumburg and Carthage. He referenced the farm's visible expansion over the past few years.

Legislator Jerry King, Courts and Law Enforcement/Fire & Emergency Services/Building Codes Committee Chairman, made a motion to authorize a contract with EF Johnson for support services for the radio communications system in the amount of \$30,108.00, seconded by Legislator Moser. When necessary, they would provide technical assistance by phone. In response to inquiries, Legislator King was unsure whether grant funds will cover the cost. He stated the warranty period will soon elapse so the County must cover the cost. United Radio

provides on-site repairs pursuant to their contractual agreement, but may need to confer with EF Johnson to resolve technical problems to get the system operational. The motion then carried unanimously.

Legislator King reported that EF Johnson had shut some towers down to determine the source of background static on pagers. They made some changes at the tower sites which have improved reception.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry and Parks, Workersø Compensation Committee Chairman, reported the 2018 Workersø Compensation estimate and apportionment amount of approximately \$1.3 million reflects a 6% increase to be raised by tax.

Legislator Dolhof reported 44 participants at the 8/5/17 Riverfest; and the solar array construction is underway. The JCC connector route started with 7 riders on the first day. He urged support of his sponsored resolutions to construct a bus shelter adjacent to the DSS building; and those related to expansion of the ATV trail system. The Facebook page, he said, had reached a total of 21,915 during the past month.

He announced the next ATV roundtable meeting would be held on 9/11/17; and a meeting of the East Branch Fish Creek working group for the Tug Hill Conservation Easement on 9/21/17 at the Alpine Restaurant.

Legislator Dolhof announced that County Manager Ryan Piche will be the guest speaker at the 9/12/17 business leadersøbreakfast to be held at the Carlowden Golf Club.

Legislator Craig Brennan, Ways and Means/Buildings and Grounds Committee Chairman, urged approval of the proposed contracts for Heating, Ventilation and Air Conditioning maintenance at county buildings. He reported the solar project is on schedule; and that building maintenance personnel had repaired the floors at the Public Safety Building.

Legislator Brennan made a motion to authorize an agreement with BCA Architects & Engineers for \$48,000 to prepare a strategic facilities plan for all County buildings. The motion was seconded by Legislator King and carried. Legislator Kulzer was opposed.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman, reported software upgrade installation for the weigh station. Director Pete Wood is conferring with Senator Joseph Griffo for a residential free tire disposal day, limiting the number to eight (8) per individual. He added that recycled and trash volumes each continue to increase.

Legislator Kulzer reported completion of the Cobb Road bridge project within four weeks, commending the Highway crew for their efficiency. When feasible, gravel is being stock piled at the Sears Pond Road site that is scheduled to be rebuilt next year. Also, there are 30 more pipes to be installed on roads that are on the schedule for next year. The low engineering quote of three received was awarded to C & S Engineers for a Hodge Road øTø intersection and a stop sign change; and additional Marchiselli funds have been awarded for a bridge project.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Brennan relayed complimentary commentary from Mr. Mike Green for the quality work done on the Cobb Road.

Legislator Richard Chartrand, Hospital Committee Chairman, requested the Clerk of the Board Teresa Clark to advertise for three Board of Manager member appointments with terms ending 12/31/17. He asked that applications/resumes be returned by 11/1/17. Marguerite Mastascusa and Philip McDowell have each indicated their interest to be re-appointed, while Kevin McArdle has declined re-appointment.

At the request of Legislator Chartrand, Hospital CEO Gerald Cayer relayed appreciation for his warm welcoming. He has begun the process of developing the succeeding budget and a 10-year capital plan for healthcare equipment, querying whether capital projects have been undervalued. He has participated in several physician interviews for orthopedic and general surgery, impressed with candidates' desire to come to this area.

Mr. Cayer presented a revised and updated organizational chart to the Board of Managers and is pleased that his ideas are being well received. In closing, he was happy to relay that his wife and daughter have now moved here as well.

Legislator Moser inquired how the Lewis County General Hospital devises their master charge plan, citing higher prices for procedures than those at Syracuse facilities, and implicated impact on the County's self-funded health insurance plan and its participants.

Mr. Cayer explained that charges are based on the highest level of insurance payments. For example, if a service was valued at \$50 and insurance company would pay \$90 while expecting a value discount, the master charge plan would be set at \$70 for that procedure. Medicare allowances are also considered. Charges involving multiple payers are more complex. Individuals who private pay or have a high deductible plan bear disproportionate charges compared to other payers. The cost of technology and volumes are also components of developing a charge schedule. Mr. Cayer added, however, that there are programs that may be availed for individuals with unique circumstances. He asked that individual queries be directed to him for case-by-case follow-up.

Legislator Moser asked if Mr. Cayer planned to review the master charge plan and how it compares to other health care facilities. Mr. Cayer maintained the hospital is a critical access facility for a small rural market, therefore, comparison would be against similar facilities when benchmarking procedural charges.

Legislator Moser referenced legitimate concerns brought forth by a retired County health plan participant who posed an example of an MRI at a Syracuse hospital at half the cost charged by Lewis County General Hospital. Gilroy, Kiernan and Gilroy consultants, he said, have strongly promoted being responsible consumers. Their recommended changes were implemented to incentivize participants to utilize our hospital, which, purportedly, impact higher expense and resulting premiums. Mr. Cayer indicated the possibility of contractual allowances for County employees and their families.

Legislator Chartrand cited the relatively new state-of-the-art MRI equipment that may have been considered in established charges.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chairwoman, urged approval of her sponsored resolutions.

Legislator Moroughan reported that Director Penny Ingham had reviewed the fiscal status assuring ample budgetary appropriations to cover associated costs of the new Pre-School Program billing software. The Board of Health report had been distributed to each Legislator, recording that 17 people had received post-rabies exposure treatment; two cats and one fox were confirmed rabid, as well as other suspected animals that were unable to be confirmed rabid.

SPECIAL REPORTS:

Chairman Tabolt reported attending local events for visiting U.S. Senator Charles Schumer and Kirsten Gillibrand to respectively highlight programs for farmers and the opioid crisis.

While tending the Chamber of Commerce booth at the NYS Fair, Chairman Tabolt relayed being amazed at the interest in Lewis County. At one point he counted 13 people at the table wanting information on our various recreational activities. He recommends a County map be posted at the booth as a reference for those questioning our location.

On 8/31/17 he had presented a proclamation to recognize "International Overdose Awareness Day" at Mountain View Prevention Services where balloons were released containing related messages.

Chairman Tabolt relayed an invitation for Legislators to attend the 10/11/17 Hudson River Black River Regulating District (HRBRRD) meeting at Stillwater for a Black River briefing and tour of the dam power plant. Legislator Moser and Ryan Piche indicated interest to attend. He also announced the 9/12/17 HRBRRD meeting is to be held at the Lowville Town office building.

Chairman Tabolt also plans to attend the upcoming NYSAC conference.

COUNTY MANAGER REPORT:

Ryan Piche reported that he and Patricia O'Brien had preliminary 2018 budget discussion with all department heads; as well as various outside agency representatives that have received County allocations in the past.

Weekly phone conferences are held with Mohawk Networks for broadband expansion updates. C & S Company consultant Robert Duclos must identify where the equipment should be placed on the 911 towers for reception in outlying areas.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Mr. Piche had attended the Pratt Northam Foundation dinner; the Development Authority open house; met with the Watertown Daily Times editorial board; and toured the AMF plant where 80 percent of the world's bowling pins are produced. He had also accompanied the Chairman to the local events attended by U.S. Senators Charles Schumer and Kirsten Gillibrand.

Mr. Piche and other County officials had also attended a training conference at SUNY Potsdam to learn expectations and associated costs of the "Raise the Age" legislation.

COUNTY TREASURER REPORT:

Patricia O'Brien recited the current fund balance of the Special Legislative Contingency Fund - \$388,154.14; Contingency Fund-\$323,924.27; Capital Data Processing Fund-\$118,718.72 and Capital Equipment Fund - \$404,788.08, of which \$142,434.52 is the Highway portion, year-to-date sales tax revenues are above budget at \$6,299,800.66; and current Hospital debt is on schedule at \$1.6 million.

The 7/31/17 balance of the Internal Service Fund is \$1,584,173.35 reflects an increase of \$146,832.66. Ms. O'Brien is cautiously optimistic the balance may increase with implementation of the voluntary optional plans.

In response to Legislator Hathway, Ms. O'Brien explained that a Trust & Agency account is used to record various collected funds that are most generally disbursed within a short period of time.

She also cited receipt of commending letters for Treasurer, Clerk and Real Property Tax Department staff for going above and beyond to assist individuals.

PUBLIC HEARING (continued)

Barbara Kovach termed it a great idea to add the 100-acre Singing Waters property to the ATV Trail System, terming it a beautiful place.

There being no one else wishing to comment, Chairman Tabolt declared the hearing closed at 6:10 p.m.

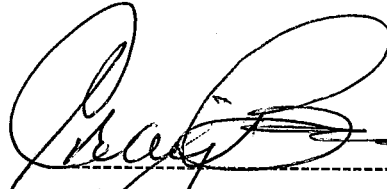
REPORT OF THE WAYS AND MEANS COMMITTEE:

SEPTEMBER 5, 2017

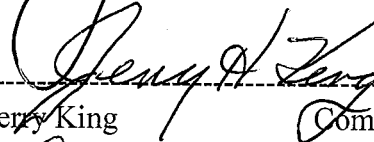
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

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 \$ 947,816.29 and recommend that they be audited and allowed for the amounts claimed.



Craig Brennan Chair



Jerry King Committee



Richard Chartrand Committee

Dated: September 5, 2017

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 323 - 2017
AUDITING AND ALLOWING CLAIMS**

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

RESOLVED that the claims presented for payment in the total amount of \$ 947,816.29 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

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

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 324 - 2017
RESOLUTION TO AMEND AND ADOPT
ELECTRONIC COMMUNICATIONS AND DEVICE USE POLICY**

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

WHEREAS, Lewis County established administrative policies to which all County employees, appointees and officials are subject. Various provisions of the policies are reviewed and updated from time to time in order to address changes in law, practices and guidelines for county employees to follow; and

WHEREAS, the use of various electronic devices in County Government for increased efficiencies and cost-saving measures, also subjects the user and the County to potential liability issues and cyber attacks, along with potential inappropriate and/or misuse of such devices and County data. These concerns necessitated a review of the County's electronic device policy with proposed amendments to provide a more detailed electronic communications and device use policy which has been crafted for consideration by the Lewis County Board of Legislators for approval and adoption; and

WHEREAS, the Board of Legislators wishes to accept and adopt said amended policy.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves and adopts the amendments to the Lewis County Electronic Communications and Device Use Policy as presented to the BOL by the County Attorney.

Section 2. That the Clerk of the Board is hereby directed to make the amendments to the Administrative Manual and Personnel Handbook, and any other appropriate manual, upon such form as may be approved by the County Attorney and distribute the same to all Department Heads, Appointed Officials and Board members and agencies of the County.

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

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

RESOLUTION NO. 325 – 2017
RESOLUTION APPROVING COUNTY POLICY TO OFFER
GOVERNMENT VEHICLES, MACHINERY, EQUIPMENT AND
OTHER SURPLUS ASSETS BY ON-LINE AUCTION.

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

WHEREAS, a number of county Departments routinely seek to auction surplus equipment which is no longer suitable for its intended use within that Department. If the equipment cannot be used by another Department, an efficient and cost-effective means of sale of such equipment is through on-line auctions; and

WHEREAS, county Departments such as Solid Waste, Highway, Buildings and Grounds have successfully auctioned surplus equipment over the past few years by agreements with on-line companies known as Auctions International, Inc. and Roy Teitsworth, Inc., and with said agreements individually approved by the Lewis County Board of Legislators for each on-line auction by each Department; and

WHEREAS, the County Manager, as the purchasing agent and chief administrator for the County, seeks to streamline this process for approval of on-line auction of surplus county equipment by setting a policy for all Departments to follow, upon approval of the procedure set forth in the attached policy by the Lewis County Board of Legislators; and

WHEREAS, the County Manager seeks to have the on-line auction procedure approved and set into motion only after the surplus equipment is offered to other County Departments; and

WHEREAS, the Board of Legislators wishes to adopt said on-line auction policy and authorize the County Manager to execute any on-line auction contract which is approved by motion by a Legislative Committee as set forth in the policy's procedures;

NOW, THEREFORE, BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Board of Legislators hereby adopts and approves the attached ON-LINE AUCTION OF SURPLUS EQUIPMENT POLICY as part of the Lewis County Policies; and designates the Lewis County Manager as the County's agent to execute any on-line auction contracts which have been approved by a Legislative Committee in accordance with the procedures set forth in the Policy.

Section 2. That the Clerk of the Board is hereby directed to add the attached policy to the County's Administrative Manual and any other relevant manual upon such form as may be approved by the County Attorney, and distribute the same to all Department Heads.

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

Moved by Legislator Dolhof, seconded by Legislator Chartrand.

ON-LINE AUCTION OF SURPLUS EQUIPMENT POLICY

A. PURPOSE:

County vehicles, machinery, equipment and other surplus assets which are no longer usable by a department in the County may be offered for sale to the highest bidder, *as-is*, *where-is*, with no warranties and with the County retaining the right to reject any bids it deems insufficient. Oftentimes, the most efficient and best return for sale of surplus equipment, especially from but not limited to certain county Departments such as Highway, Solid Waste, Buildings and Grounds, results from online auctions with companies who offer auction services for sale of government assets. The County has had success in selling surplus equipment by entering into agreements with online auction companies who facilitate the sale of these used assets, who provide maximum possible return, and who guard against favoritism, improvidence, extravagance, fraud and corruption.

The process for each Department to obtain approval to offer surplus assets online is cumbersome and repetitive. To streamline the process and further these objectives, the Board of Legislators is adopting internal policies and procedures governing the offer of surplus county equipment for on-line auction.

B. PROCEDURE FOR AUTHORIZATION OF SURPLUS EQUIPMENT AND ASSETS FOR ON-LINE AUCTION:

1. If a Department seeks to have equipment, vehicles, machinery or other assets no longer useable by that Department, the Department Head shall so advise the County Manager. The County Manager will notify (or direct the Department Head) to notify other Department Heads of the item(s) in the event another Department may safely use the equipment in his/her Department. If the item(s) cannot be used in another Department, the Department Head shall provide all relevant information on the item(s) to his/her Legislative Committee and County Manager at the scheduled monthly meeting. The committee will review the information and approve/disapprove each item for auction.

2. If the Committee approves surplus item(s) to be offered for auction online, the Department Head will provide the County Manager with the on-line auction agreement. The County Manager is hereby authorized by the Board of Legislators to execute the on-line auction agreement, subject to review and approval of terms by the County Attorney.
3. The Department Head will be required to follow through with any and all requirements under the on-line auction agreement and any other direction provided by the County Manager. If the item(s) is sold at auction, the Department Head shall provide the County Manager with all relevant records, documents and information pertaining to the sale, and will fill out and deliver to the Clerk of the Board, the proper Disposition Form in order for the item to be removed from County inventory and insurance. The Department Head shall also provide a report of the transaction to his/her Legislative Committee at the next scheduled meeting.
4. The County Manager shall provide the Board of Legislators with a list of any and all surplus equipment offered for auction by each Department, together with any follow up information on any items sold at auction, including but not limited to, the on-line auction company engaged, the date of sale, the amount realized, any costs and fees associated with the sale of the item(s).

C. COUNTY AUTHORIZED ON-LINE AUCTION COMPANIES:

The County approves the engagement of the following on-line auction companies for the offer of surplus county equipment. Additions and/or deletions of on-line auction companies may be made to this list upon the Board of Legislators consideration and approval. The current approved on-line auction businesses are as follows:

Auctions International, Inc., 11167 Big Tree Road, East Aurora, NY 14052

Roy Teitsworth, Inc., dba RTI Internet Auctions, 6502 Barber Hill Road,
Geneseo, NY 14454

D. EFFECTIVE DATE:

This policy shall go into effect September 5, 2017 and will be reviewed annually.

Legislator Chartrand suggests amending the policy to require all surplus items be offered to Town and Village governments within the County, prior to auctioning.

Highway Superintendent David Becker said he values used vehicles and equipment pursuant to Blue Book and offers the items to all Town Superintendents at the monthly meeting. If there is no interest, the items are placed for auction. There was general support to follow this procedure for all surplus items. Atty. McNichol would compose amendments while adhering to legal requirements for sale of County items, reminding the Board of Legislators reserves the right to reject any and all bids.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Chartrand made a motion to amend the resolution to amend Section B. 1. of the policy to add the following: The County Manager shall provide a list of surplus items to all Town Supervisors and Village Mayors. If there is no indicated interest within 7 days of the notification, the items shall be auctioned. The motion was seconded by Legislator Brennan and carried.

The resolution was then adopted.

**RESOLUTION NO. 326 - 2017
RESOLUTION REGARDING SEQRA REVIEW OF A
NEW TRAIL TO BE ADDED TO THE LEWIS COUNTY ATV
TRAIL SYSTEM AND DECLARING NO SIGNIFICANT IMPACT
(SINGING WATERS PARK)**

Introduced by Legislator Lawrence Dolhof, Chairman, 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 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. 262009, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM" (herein, "Local Law No. 26"); 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

WHEREAS, the Director of Recreation, Forestry and Parks has presented the Board of Legislators with a request to add proposed additions on the property of Singing Waters, which is a County owned 100 acre parcel of land located on the Fish Creek Road in the Town of Grieg, 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 the Singing Waters property, in the Town of Greig, 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 property of Singing Waters, which is a County owned 100 acre parcel of land located on the Fish Creek Road in the Town of Grieg, 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 Moser, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 327 - 2017
RESOLUTION TO INCORPORATE
PROPOSED TRAILS ON THE SINGING WATERS PARK PROPERTY
INTO THE LEWIS COUNTY ATV TRAIL SYSTEM**

Introduced by Legislator Lawrence Dolhof, Chairman, 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. 262009, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM" (herein, "Local Law No. 26"); 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 proposed trails on the Singing Waters Park property, which is a County owned 100 acre parcel of land located on the Fish Creek Road in the Town of Grieg, to the Lewis County 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 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.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The trail located on the above referenced property, Singing Waters Park, which is a County owned 100 acre parcel of land located on the Fish Creek Road in the Town of Grieg, 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 trails in the Singing Waters Park, 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 Hathway, seconded by Legislator King, and adopted.

**RESOLUTION NO. 328 - 2017
FIXING DATE OF PUBLIC HEARING ON ADDITIONS
TO THE ATV TRAIL SYSTEM
(MICHAEL WILK AND JULIE PAINTER 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 September 5, 2017, proposed additions to the Lewis County ATV Trail System pertaining to the Michael Wilk and Julie Painter properties which are located on 1466 Osceola Road in the Town of Osceola, (South of County Route 46), identified as parcel number 395.00-02-12.314; and 1545 Florence Road, (West of County Route 78 and South of Barker Road) in the Town of Osceola, identified as parcel number 413.00-01-1.310.

NOW, THEREFORE, BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. The Board of Legislators hereby sets a public hearing to be held on October 3, 2017 at 5:00 p.m. at the Croghan Fire Hall, 6860 Fire Hall Street, Croghan, New York 13327, for the purpose of receiving public comment regarding the additions to the Lewis County ATV Trail System, said property owned by Michael Wilk and Julie Painter; 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 Courthouse, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

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

**RESOLUTION NO. 329 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY AND CUMMINS SALES AND SERVICE
FOR MAINTENANCE SERVICE FOR THE GENERATORS
AT THE 9-1-1 TOWER SITES IN LEWIS COUNTY**

Introduced by Legislator Craig Brennan, Chairman of the Buildings and Grounds Committee.

WHEREAS, the County of Lewis desires to enter into an agreement with Cummins Sales and Service, with office located at 6193 Eastern Avenue, Syracuse, New York 13211, for the purpose of providing maintenance services to the generators placed at the twelve (12) 9-1-1 tower sites in Lewis County; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with Cummins Sales and Service for the purpose of providing maintenance services to the generators placed at the twelve (12) 9-1-1 tower sites in Lewis County for the period of January 1, 2018 through December 31, 2020 at the following annual costs:

Year 1	1/1/2018 ó 12/31/2018	\$18,162.59
Year 2	1/1/2019 ó 12/31/2019	\$18,162.59
Year 3	1/1/2020 ó 12/31/2020	\$18,596.09

Section 2. That the service contract includes but is not limited to Cummins Sales and Service providing annual inspections on all equipment in March with full maintenance service in September.

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. 330 - 2017
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY AND SIEMENS INDUSTRIES, INC.
FOR THE DEPARTMENT OF SOCIAL SERVICES

Introduced by Legislator Craig Brennan, Chairman of the Buildings and Grounds Committee.

WHEREAS, the County of Lewis desires to renew an agreement with Siemens Industries, Inc. for the purpose of providing maintenance services for Heating, Ventilating, and Air Conditioning (HVAC) for the Department of Social Services Building for the period of January 1, 2018 through December 31, 2020; 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 contract with Siemens Industries, Inc. to provide Heating, Ventilating, and Air Conditioning (HVAC) maintenance services for the Department of Social Services Building for the period of January 1, 2018 through December 31, 2020 at the following annual costs:

Year 1	1/1/2018 ó 12/31/2018	\$17,678.00
Year 2	1/1/2019 ó 12/31/2019	\$18,031.00
Year 3	1/1/2020 ó 12/31/2020	\$18,392.00

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

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

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

RESOLUTION NO. 331 - 2017
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN

**LEWIS COUNTY AND SIEMENS INDUSTRIES, INC.
FOR THE PUBLIC SAFETY BUILDING**

Introduced by Legislator Craig Brennan, Chairman of the Buildings and Grounds Committee.

WHEREAS, the County of Lewis desires to renew an agreement with Siemens Industries, Inc. for the purpose of providing maintenance services for Heating, Ventilating, and Air Conditioning (HVAC) for the Public Safety Building for the period of January 1, 2018 through December 31, 2020; 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 contract with Siemens Industries, Inc. to provide Heating, Ventilating, and Air Conditioning (HVAC) maintenance services for the Public Safety Building for the period of January 1, 2018 through December 31, 2020 at the following annual costs:

Year 1	1/1/2018 ó 12/31/2018	\$17,808.00
Year 2	1/1/2019 ó 12/31/2019	\$18,164.00
Year 3	1/1/2020 ó 12/31/2020	\$18,528.00

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 Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 332 - 2017
RESOLUTION AUTHORIZING A RENEWAL AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND TRANE BUILDING SERVICES**

Introduced by Legislator Craig Brennan, Chairman of the Buildings and Grounds Committee.

WHEREAS, the County of Lewis desires to renew an agreement with Trane Building Services for the purpose of providing maintenance services for Heating, Ventilating, and Air Conditioning (HVAC) systems for the County Courthouse Building; 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 contract with Trane Building Services to provide Heating, Ventilating, and Air Conditioning (HVAC) maintenance services for the County Courthouse Building with a one-time 3% discount for full payment of one year if paid in advance of the commencement of the service agreement for the period of January 1, 2018 through December 31, 2020 at the following annual costs:

Year 1	1/1/2018 ó 12/31/2018	\$35,043.00
Year 2	1/1/2019 ó 12/31/2019	\$35,043.00
Year 3	1/1/2020 ó 12/31/2020	\$36,094.29

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

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

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

RESOLUTION NO. 333 - 2017
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 2017-2018.

Section 2. That this Board hereby endorses the application of the Lewis County Chamber of Commerce, and hereby commits matching County funds in the amount of \$50,000.00 in support of 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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator King asked how the monies were being spent, and if there was a way to track how many of those receiving tourist pamphlets actually visit the county that could indicate whether to adjust advertising to optimize results. Legislator Dolhof would request an expense report from Chamber Executive Director Kristen Aucter. Chamber board member Jackie Mahoney suggested the monthly newsletter be forwarded to all Legislators that to inform of current events.

Legislator Moser suggested possibly tracking through the website and apps; and Legislator Brennan suggested a pop-up survey to inquire how the responder learned about the County. However, there is no certain way to collect data to track actual visits by persons who received a tourist pamphlet. Tracking options will be considered during development and upgrades to the new County website and/or the Chamber website.

Ryan Piche cited an annual newspaper tourism impact report that could be used as a reference. As another resource, Legislator Dolhof reiterated the Facebook page for the ATV trails garnered over 21,000 viewers. Michele Ledoux reported that while tending the Chamber's booth at the State Fair, persons inquired about all activities. One group, she said, specifically cited Oswego County's closure of their most northern trails, while indicating interest to ride in Lewis County.

The resolution was then adopted.

**RESOLUTION NO. 334 – 2017
RESOLUTION TO TRANSFER FUNDS
COUNTY CLERK**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer from Capital Data Processing is hereby approved in the County Clerk's Department for the purchase of a new monitor; Project HAE Capital Data Processing H0990100 499900 balance \$118,718.72:

Increase Revenue:

A0100000 350310 Interfund transfers	\$86.65
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Increase Expense:

A0141000 221700 Computers	\$86.65
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 335 – 2017
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 DA Federal Money (TO 000873) to reimburse for hotel rooms for undercover officers during Moe.down.

Increase Revenues

A0116500 326260 (Forfeiture Proceeds) \$1,210.00

Increase Expense

A0116500 493600 (Prosecution Fund) \$1,210.00

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

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

**RESOLUTION NO. 336 - 2017
RESOLUTION TO APPROPRIATE FUNDS
BLUE STREET OVER WHETSTONE CREEK**

Introduced by Legislator Craig Brennan, Chairman of Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That funds shall be appropriated in the Capital Bridge Program to facilitate Supplemental Agreement #2 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:

H0512000 345970 FEDERAL \$17,880.00

H0512000 350310 LOCAL \$ 4,470.00

Project HAM

Expense:

H0512000 499900 \$22,350.00

Project HAM

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

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

**RESOLUTION NO. 337 - 2017
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 are hereby approved in the County Road account to appropriate for additional Extreme Winter Recovery funds.

Increase Revenue:

D0501000 335011 CHIPS \$241,148.25

Increase Expense:

D0515000 495150 Paving Materials \$241,148.25

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

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

**RESOLUTION NO. 338 - 2017
RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT No. 2 to D034743,
BETWEEN THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION
(NYSDOT) AND LEWIS COUNTY TO THE TRANSPORTATION FEDERAL-AID
BRIDGE REPLACEMENT PROJECT (PIN 775360)
KNOWN AS JERDEN FALLS ROAD OVER WEST BRANCH OF THE
OSWEGATCHIE RIVER**

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

WHEREAS, a Project for the Bridge Replacement and Repair on Jerden Falls Road over the West Branch of the Oswegatchie River (PIN 775338; BIN 3340000) (the "Project") in the Town of Croghan, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, 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. This project is being funded with Federal Surface Transportation Program (STP) and Marchiselli funds; and

WHEREAS, the County of Lewis advanced the Project by authorizing 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 by Resolution 369-2014 adopted November 4, 2014; and

WHEREAS, the Superintendent of Highways received notice from the NYSDOT that his request for additional funding for the Preliminary Engineering/Design phases I-IV was approved, subject to execution of Supplemental Agreement No 2. Under this Supplemental Agreement, the total funding for this phase will increase by \$47,000 (\$100,000 to \$147,000), with Federal participating share being \$117,600; State Marchiselli match of \$22,050; and the Local share being \$7,350 on the PE/Design Phase of this project; the increase in funding for this particular phase does not increase the cost of the overall project, but simply reapplies funding; and

WHEREAS, in order for the County to receive the increased funding for the PE/Design Phase of the project, a Supplemental Agreement titled "Supplemental Agreement No. 2 to D034743" must be executed.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes the Chairman of the Board of Legislators to execute a supplemental agreement to the Jerden Falls Road over West Branch of the Oswegatchie Bridge Contract with NYSDOT, identified as "Supplemental Agreement No. 2 to D034743" for additional funding of allocated Marchiselli Program Costs for the PE/Design phases of the project from \$100,000 to \$147,000.

Section 2. That the Chairman of the Lewis County Board of Legislators, or in his absence, the Vice-Chairman of the Board, is authorized to execute all necessary supplemental agreements on behalf of the Lewis County Board of Legislators with the New York State Department of Transportation in connection with this Project.

Section 3. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to the Supplemental Agreement No. 2 to D034743, in connection with the Project.

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

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

**RESOLUTION NO. 339 - 2017
RESOLUTION TO APPROPRIATE FUNDS
Jerden Falls Rd Over Oswegatchie River**

Introduced by Legislator Craig Brennan, Chairman of Ways and Means Committee of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That \$147,000.00 shall be appropriated in the Capital Bridge Program to facilitate the PE/Design Phase of the Bridge on Jerden Falls Rd over Oswegatchie River.

Section 2. The following accounts shall be recognized to facilitate the funding of this project:

Revenue:

H0512000 345970	FEDERAL	\$117,600.00
H0512000 350310	LOCAL	\$ 7,350.00
H0512000 335910	STATE	\$ 22,050.00

Project HAK

Expense:

H0512000 499900	Expenditures	\$147,000.00
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Project HAK

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

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

**RESOLUTION NO. 340 - 2017
AUTHORIZING THE ESTABLISHMENT OF A
LEWIS COUNTY MINIMUM PAYMENT POLICY
FOR RIGHT-OF-WAY PURCHASES
ON HIGHWAY & BRIDGE PROJECT ACQUISITIONS
BY LEWIS COUNTY SUPERINTENDENT OF HIGHWAYS**

Introduced by Legislator Gregory Kulzer, Chairman, Highway/Transportation Committee

WHEREAS, the County authorized the Superintendent of Highways to repair and replace the bridge known as the ðBlue Street Over Whetstone Creek Projectö in the Town of Martinsburg, referred to as PIN# 7753.60 under Federal and State funding; and

WHEREAS, the replacement of the bridge requires acquisition of certain small parcels adjacent to Whetstone Creek in order to have right-of-way access. These necessary parcels have been identified and appraised from the right-of-way consultant, RK Hite & Co., Inc. as follows:

Parcel 244-1-9.12 (Markø Farms Realty, LLC) - 0.039 acre (1694 sq ft)- W/S Whetstone Creek - \$100.

Parcel 244-1-17.2 (Markø Farms Realty, LLC) - 0.099 acre (4307 sq ft)- E/S Whetstone Creek - \$800.

Parcel 244-1-17.1 (Bonnie C. Lisk) - 0.145 acre (6327 sq ft)- W/S Whetstone Creek - \$200.

Parcel 259-03-6.21 (Bonnie C. Lisk) - 0.005 acre (206 sq ft)- adj. to Schoolhouse Rd - \$100;

and

WHEREAS, RK Hite & Co., Inc., has reviewed the appraisals, the NYS Eminent Domain Law and the relevant portions of the Federal Highway Act and NYSDOT guidelines in recommending that Lewis County adopt a minimum payment policy of Two Hundred Fifty Dollars (\$250.00) for right-of-way acquisitions for this project; and

WHEREAS, the NYS Eminent Domain Procedure Law states that in no event shall such amount be less than the condemnor's highest approved appraisal. The County's highest appraisal by its appraiser, RK Hite & Co., Inc., are the amounts set forth above, and as more fully described and set forth in its detailed appraisal reports received on each parcel; and

WHEREAS, the Federal Highway Administration and NYSDOT guidelines state that the maximum amount for a minimum payment is Two Hundred Fifty Dollars (\$250.00) for such acquisitions; and

WHEREAS, the Superintendent of Highways has requested that the Board of Legislators adopt and establish a minimum payment policy of \$250.00 for acquisition of right-of-way parcels on this project, and further requests that the Board authorize the purchase and acquisition of the following parcels of land hereinafter referred to from the owners or their successors or assigns at the following recommended just compensation amounts:

Parcel 244-1-9.12 (Markø Farms Realty, LLC) - 0.039 acre (1694 sq ft)- W/S Whetstone Creek - \$250.

Parcel 244-1-17.2 (Markø Farms Realty, LLC) - 0.099 acre (4307 sq ft)- E/S Whetstone Creek - \$800.

Parcel 244-1-17.1 (Bonnie C. Lisk) - 0.145 acre (6327 sq ft)- W/S Whetstone Creek- \$250.

Parcel 259-03-6.21 (Bonnie C. Lisk) - 0.005 acre (206 sq ft)- adj. to Schoolhouse Rd- \$250.;

and

NOW, THEREFORE, BE IT RESOLVED,

Section 1. The Board of Legislators hereby adopts and establishes a minimum payment policy of \$250.00 for acquisition of right-of-way parcels on the Blue Street over Whetstone Bridge Project, PIN 7753.60.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. The Board of Legislators authorizes the purchase and acquisition of the following parcels of land hereinafter referred to from the owners or their successors or assigns, at the following amounts which the Board hereby deems to be just compensation:

- Parcel 244-1-9.12 (Markø Farms Realty, LLC) - 0.039 acre (1694 sq ft)- W/S Whetstone Creek - **\$250.**
- Parcel 244-1-17.2 (Markø Farms Realty, LLC) - 0.099 acre (4307 sq ft)- E/S Whetstone Creek - **\$800**
- Parcel 244-1-17.1 (Bonnie C. Lisk) - 0.145 acre (6327 sq ft)- W/S Whetstone Creek- **\$250.**
- Parcel 259-03-6.21 (Bonnie C. Lisk) - 0.005 acre (206 sq ft)- adj. to Schoolhouse Rd- **\$250.**

Section 3. That the payments for said land/parcel acquisitions be charged against the Blue Street over Whetstone Bridge Repair Project, PIN 7753.60.

Section 4. That the Chairman of the Board, or Vice-Chairman in his absence, be and is hereby authorized and directed to execute all necessary documents in connection with the advancement of the above minimum payment policy and just compensation payment to the property owners identified, as approved as to form by the County Attorney.

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

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

**RESOLUTION NO. 341 - 2017
RESOLUTION TO TRANSFER FUNDS
HUDSON RIVER BLACK RIVER REGULATING DISTRICT**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfers are hereby approved from Contingency to the Non-Departmental Taxes account to cover the cost of Hudson River Black River Regulating District Assessment:

<u>From:</u>	Amount
A0199000 499900 Contingency	\$19,294.00
<u>To:</u>	
A0871000 440000 Taxes	\$19,294.00

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

Moved by Legislator King, seconded by Legislator Fawcett, and defeated by a roll call vote of 5 to 5 as follows:

YEAS: Fawcett, King, Kulzer, Moroughan, Tabolt

NAYS: Brennan, Chartrand, Dolhof, Hathway, Moser

ABSENT: None

**RESOLUTION NO. 342 - 2017
RESOLUTION APPOINTING MEMBER TO
JUNKYARD REVIEW BOARD**

Introduced by Legislator Bryan Moser, Chairman of the Junkyard Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Kenneth Johnson of 312 South Washington Street, Carthage, New York 13619, to the Lewis County Junkyard Review Board.

Section 2. That the term of said appointment shall be effective from September 6, 2017 through December 31, 2020.

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

Moved by Legislator King, seconded by Legislator Kulzer.

In response to Legislator Brennan, Legislator Moser reported that although Mr. Johnson lives in Jefferson County, he owns property in Lewis County. The County Attorney had confirmed the legality of the appointment. He also relayed that Mr. Johnson owns a junkyard, but was unsure of its location.

Legislator Moser further reported the Junkyard Review Board plans to amend their By-laws to reduce the number of members from 7 to 5. Mr. Johnson would become the fifth member.

The resolution was then unanimously adopted.

**RESOLUTION NO. 343 - 2017
RESOLUTION TO APPROPRIATE FUNDS
OFFICE FOR THE AGING**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Office for the Aging accounts to appropriate for the Challenge Award received for conducting the Evidence Based Program "Tai Chi for Arthritis".

Increase Revenues

A0677200 327087 OFA EBP \$550.00

Increase Expense

A0677200 495900 OFA EB \$550.00

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

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

**RESOLUTION NO. 344 - 2017
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 from Capital Data Processing is hereby approved in the Planning Department account for the purchase of a new computer with dual monitors; Project HAE Capital Data Processing H0990100 499900 balance \$118,718.72:

Increase Revenue:

A0100000 350310 Interfund transfers \$876.59

Increase Expense:

A0802000 221700 Computers \$876.59

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

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

**RESOLUTION NO. 345 - 2017
RESOLUTION APPROVING ADDENDUM TO AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY
AND BIRNIE BUS SERVICE, INC.
FOR "HALF-DAY SESSION" TRANSPORTATION OF**

PRESCHOOL SPECIAL EDUCATION CHILDREN

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

WHEREAS, the Lewis County Board of Legislators previously entered into an agreement on January 1, 2016 between the County of Lewis, by and through the Lewis County Public Health Agency (öPublic Healthö), and Birnie Bus Service, Inc. (öBirnie Busö) to provide transportation for pre-school special education children for the period of January 1, 2016 through June 30, 2016; and

WHEREAS, the Lewis County Board of Legislators subsequently adopted a resolution to extend the term of the Agreement through June 30, 2018 with cost of living rate increases as set forth in the amendments; and

WHEREAS, Public Health desires to include an additional rate for transportation of a pre-school child in half-day sessions commencing September 5, 2017, at \$170.00 per day.

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 a pre-school child for half-day sessions in Watertown commencing September 5, 2017 through June 30, 2018 at a rate of \$170.00 per day.

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

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

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

**RESOLUTION NO. 346 - 2017
RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH ON BEHALF OF
THE COUNTY OF LEWIS AND HEALTH RESEARCH, INC. (HRI)**

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

WHEREAS, Lewis County Public Health (öPublic Healthö) desires to enter into an agreement with Health Research, Inc. (öHRIö), a domestic not for profit corporation with offices located at Riverview Center, 150 Broadway, Suite 560, Menands, New York 12204; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, HRI has been awarded a grant from the Center Disease Control Prevent in the amount of \$52,096.00 under grant/contract number 1NU90TP9219240100 for the purpose of a Public Health Emergency Preparedness Program; and

WHEREAS, Public Health is knowledgeable, qualified, and experienced in the skills necessary for this project and willing and capable of performing services required; 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 Health Research, Inc. and Lewis County Public Health to perform services for the purpose of a Public Health Emergency Preparedness Program required under the grant for the period beginning July 1, 2017 and ending June 30, 2018 in the amount of \$52,096.00.

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

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

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

**RESOLUTION NO. 347 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AND
JAMES MCGUINNESS & ASSOCIATES, INC.**

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

WHEREAS, Lewis County Public Health wishes to enter into an Agreement with James McGuinness & Associates, Inc., with its principal place of business located at 1482 Erie Boulevard, Schenectady, New York 12305, for the purchase of a software program to be used for the Preschool Program.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with James McGuinness & Associates, Inc. for the purchase, installation of and training of up to four (4) staff members in the use of the software program for the Preschool Program.

Section 2. That this is for the term beginning September 1, 2017 through December 31, 2019 at a one-time fee of \$50,000 for the non-transferable, non-assignable, perpetual, non-

exclusive license, and annual maintenance and support service charge of \$9,500 or \$11,750, dependent on the County's use of the CPSE portal.

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 Fawcett, and adopted.

RESOLUTION NO. 348 – 2017
RESOLUTION AUTHORIZING TO EXTEND 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, pursuant to authorization by the NYS Division of Homeland Security and Emergency Services to Resolution No. 308-2016 the grant was extended through December 31, 2017, but does not provide sufficient time to expend the funds; and

WHEREAS, the Board of Legislators wishes to further extend the period of the grant as so authorized by the NYS Division of Homeland Security and Emergency Services 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, 2018.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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. 349 - 2017
RESOLUTION AUTHORIZING LEWIS COUNTY
DEPARTMENT OF BUILDINGS AND GROUNDS TO ENTER INTO AN AGREEMENT
WITH DEVEINES ENTERPRISES, LLC FOR PLOWING OF THE ROADS TO EIGHT
(8) TOWER SITES IN LEWIS COUNTY FOR THE 2017-2018 SNOW SEASON

Introduced by Legislator Craig Brennan, Chairman of the Buildings and Grounds Committee.

WHEREAS, the Board of Legislators of Lewis County (öCountyö) upgraded its Emergency Radio Communications System, which included adding and upgrading the tower sites and supporting structures at various locations in the County; and

WHEREAS, the tower sites must be accessible at all times, which requires the Countyö Building and Grounds Department to either snow plow the access roads or arrange for others to assist with timely snow plowing of the sites throughout the winter season; and

WHEREAS, the Building and Grounds Department sent out a Request for Proposals (RFP) in July, 2017 for snow plowing of eight (8) Lewis County 911 Tower Sites, namely, Sears Pond Road (Montague), North Osceola Road (Osceola), Hayes Road (Denmark), Zeigler Road (Leyden), Brenon Road (Turin), State Rte 3 (Diana), Marmon Road (Lyonsdale) and Long Pond Road (Croghan); and

WHEREAS, sealed bids were due August 22, 2017. One bid was received and opened on said date, with said bid from Deveines Enterprises, LLC, who proposed to plow all eight locations throughout the 2017-2018 snow season in accordance with the terms and conditions set forth in the RFP at a cost not to exceed \$24,715.00; and

WHEREAS, the County desires to accept the bid and enter into a contract with Deveines Enterprises, LLC to snow plow the eight (8) tower sites under the direction of the Supervisor of Buildings and Grounds for the 2017--2018 season.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement with Deveines Enterprises, LLC to provide snow plowing services at eight (8) County tower sites located in Montague, Osceola, Denmark, Leyden, Turin, Diana, Lyonsdale and Croghan.

Section 2. That the term of said agreement shall be for the 2017-2018 snow season, at a cost not to exceed \$24,715.00.

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 terms and conditions approved by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator King.

In response to Legislator Hathway, Legislator Brennan reported that Deveines submitted the only bid, but all those who had conferred determined it very reasonable. The contractor must abide by the bid specifications, which, in part, requires plowing if the snow reaches twelve inches at any of the sites.

Legislator King referenced the prior arrangement that required the Buildings and Grounds Maintenance crew and Highway Department personnel to snowplow the sites, asserting those personnel have many other obligations during winter weather events and should not be held responsible for the remote tower sites.

Legislator King cited assistance from the Osceola Snowmobile Club last season when that area tower was pummeled with several feet of snow. He publicly thanked them and asked that the Chairman also forward a letter of appreciation.

The resolution was then adopted.

**RESOLUTION NO. 350 - 2017
RESOLUTION TO APPROPRIATE FUNDS
SHERIFF'S DEPARTMENT**

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

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation of insurance recovery for a damaged vehicle is hereby approved in the Sheriff's Department account:

Increase Revenues

A0100000 326800 (Insurance Recoveries) \$1,000.00

Increase Expense

A0311000 470100 (Sheriff Vehicle Repairs) \$1,000.00

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

**RESOLUTION NO. 351 - 2017
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.

Increase Revenues

A0311000 315890 (Sheriff DWI)	\$578.28
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Increase Expense

A0311100 110300 (Overtime)	\$568.08
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A0311100 110400 (Shift Differential)	\$ 10.20
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 352 - 2017
AUTHORIZING APPLICATION FOR 2017 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 5th day of September, 2017 and has considered the comments presented thereat regarding housing and priority community development needs.

NOW, THEREFORE BE IT RESOLVED, that

Section 1. The Board of Legislators hereby authorizes the filing of a 2017 Small Cities Community Development Block Grant (CDBG) Application to secure funding to assist low and moderate income households with the purchase of existing single family homes within Lewis County in an amount not to exceed \$850,000 and other such related activities as may be determined.

Section 2. That the Chairman, or Vice-Chairman, of the Board of Legislators, be and the same is hereby authorized to make, execute, seal and deliver such applications, documents or writing as may be necessary to carry out the terms of this Resolution.

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

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

**RESOLUTION NO. 353 - 2017
RESOLUTION TO SET PUBLIC HEARING FOR
LEWIS COUNTY DIRECT HOMEOWNERSHIP ASSISTANCE
PROGRAM, NYS CDBG PROJECT #636HO335-15**

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 14th day of September, 2015 regarding community development, housing needs and other possible development activities in preparation of a CDBG Application; and

WHEREAS, the County received an award of \$324,800 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 Direct Homeownership Assistance Program.

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 October 3, 2017 at 5:00 p.m. at the Croghan Firehall, 6860 Fire Hall Street, Croghan, New York 13327 to provide residents of Lewis County with the opportunity to offer any comments on the accomplishments of the current CDBG Lewis County Direct Homeownership Assistance 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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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

**RESOLUTION NO. 354 - 2017
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.

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.

Section 2. That the term of this agreement shall be from January 1, 2018 through December 31, 2018 at per diem cost not to exceed the Maximum State Aid Rate established by the New York State Department of Health. There is no local share cost until costs exceed the foster care block grant and then the local share is 37.5% for residential/foster care and is based on the eligibility of the client. The State share is approximately 25% and the Federal share is approximately 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 Moroughan, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 355 - 2017
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, 2018 through December 31, 2018 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. 356 - 2017

RESOLUTION AUTHORIZING EXECUTION OF CERTIFICATION STATEMENT ON APPLICATION FOR DISPENSATION FOR EXTENSION OF WORK HOURS ON THE COUNTY'S SOLAR PROJECT AS REQUIRED BY NYS DEPARTMENT OF LABOR

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

WHEREAS, the County of Lewis has contracted with Greenskies Renewable Energy for the building of a solar array on part of its property located at 5252 Outer Stowe Street, Lowville, NY to provide cost-saving, green energy electric supply for County buildings over the next twenty (20) years; and

WHEREAS, the project is subject to NYS DOL Prevailing Wage Rates under PRC # 2016010048, and building of the array has commenced. In order for the developer to maximize construction completion from September, 2017 through the end of 2017, a request by one of the subcontractors, Doherty Electric, LLC, dba Revolution Solar seeks to apply to NYSDOL for Dispensation of Hours to permit work operations of 10 hours per day, four days per week from 8/28/17 through 1/15/18, as time is of the essence for the work they perform before winter weather sets in; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the application requires the executive officer of the local jurisdiction to certify that the described Public Work project is of an important nature and that a delay in carrying it to completion would result in disadvantage to the public; and

WHEREAS, the County seeks and expects to have the solar project operational by the end of 2017 in order to commence financial savings in 2018 which will benefit the public in measured steps by the County to reduce its environmental footprint while providing energy cost savings; both of important benefit to the public; and

WHEREAS, the Board of Legislators seeks to comply with this request and application.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators of the County of Lewis hereby approves the application for Dispensation for Hours required by the NYS DOL under this prevailing rate case, PRC #2016010048, on the County's Solar project located at 5252 Outer Stowe Street, Lowville, NY, for the purpose of permitting Doherty Electric, LLC, dba Revolution Solar to operate its labor force in 10 hour work days, 4 days per week in order to expedite the construction of the array ahead of winter, as set forth in the application.

Section 2. That the Board of Legislators hereby acknowledge that this Public Work Project is of an important nature and that a delay in carrying it to completion as soon as possible would result in disadvantage to the public.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is and he hereby is authorized to make, execute, seal and deliver such certification statement and execution of the application form required by NYS DOL, subject to review 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. 357 - 2017
RESOLUTION TO APPROPRIATE FUNDS
STOP DWI**

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the STOP DWI accounts for additional NYS STOP-DWI 2016-2017 "Crackdown" grant funds:

Increase Revenue:

A0331500 333110 (DWI Grant) \$3,000.00

Increase Expense:

A0331500 492400 (DWI Grant) \$3,000.00

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

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

**RESOLUTION NO. 358 - 2017
RESOLUTION AUTHORIZING APPLICATION TO
NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR APPROVAL OF
THE PURCHASE OF A BUS SHELTER FOR THE LEWIS COUNTY
TRANSPORTATION SYSTEM BY UTILIZATION OF THE COUNTY'S 2016/2017
ACCELERATED TRANSIT CAPITAL FUND**

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

WHEREAS, the Accelerated Transit Capital (ATC) program administered by the New York State Department of Transportation (NYSDOT), provides state capital funding for upstate public transportation sponsors to rehabilitate, restore and modernize public transit assets; and

WHEREAS, under the Lewis County Transportation System, the Planning Department seeks to submit an application to NYSDOT under ATC funding for the purchase and installation of a bus shelter to be placed at the Lewis County Department of Social Services, the cost of which is approximately \$12,100. It is proposed that this cost be paid out of 2016/2017 ATC funds; i.e, \$7,547 from the balance of the 2016 ATC funds and \$4,553 be used from the \$37,511 available from 2017 ATC funds; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this application and approve said purchase and installation of said bus shelter at the Lewis County Department of Social Services bus stop upon NYSDOT acceptance.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes an application to the NYSDOT for use of 2016/2017 Accelerated Transit Capital funds for the purchase of and installation of a bus shelter at the Lewis County Department of Social Services bus stop under the Lewis County Public Transportation System.

Section 2. That upon the NYSDOT approval of this application, the Lewis County Board of Legislators hereby authorizes the above purchase and installation of said bus shelter at the Lewis County Department of Social Services bus stop with funds from the 2016/2017 ATC accounts.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Application and other required agreements for this funding, upon such form as may be approved by the County Attorney.

Section 4. That a certified copy of this Resolution shall be filed with the New York State Department of Transportation by attaching it to the Application.

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

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

**RESOLUTION NO. 359 - 2017
RESOLUTION SETTING 2018
WORKERS' COMPENSATION APPORTIONMENT
FOR LEWIS COUNTY SELF-INSURANCE PLAN**

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

WHEREAS, the Board of Legislators recognizes the importance and efforts to foster an overall safety culture by emphasizing workplace safety and injury prevention; and

WHEREAS, in accordance with that philosophy the Board of Legislators allocates a proportionate assessment based on experience to hold employers accountable for claims; and

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 of the 2018 workersø compensation participant assessments for the Lewis County Self-Insurance Plan; et al 50% of the assessment shall be apportioned to experience based on actual expenses in 2014, 2015 and 2016 and hereby capped at \$40,000 for any one claim per annum; 30% based on proportionate 2017 gross payroll, and the remaining 20% computed on proportionate full property valuation.

Section 2. That the within resolution shall take effect immediately

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

RESOLUTION NO. 360 - 2017
RESOLUTION AUTHORIZING PART I SERVICE DELIVERY
MEMORANDUM OF UNDERSTANDING BETWEEN
JEFFERSON-LEWIS WORKFORCE DEVELOPMENT BOARD
AND THE COUNTY OF LEWIS

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

WHEREAS, the Lewis County Board of Legislators adopted Resolution No. 272-2017 on July 5, 2017 approving the designation of the Chairman of the Lewis County Board of Legislators as the Lewis County Executive authorized to enter into an Agreement with the designated Executive of Jefferson County for purposes of administering WIOA (Workforce Innovation and Opportunity Act), and to enter into agreements to organize and implement workforce development in the Jefferson-Lewis areas pursuant to WIOA for the term July 1, 2017 through June 30, 2018; and

WHEREAS, a Memorandum of Understanding (MOU) is required for Part I Service Delivery that is meant solely to capture each partner's roles and responsibilities in the New York State Career Center System (System). This MOU memorializes, in writing, the way the partners will work collaboratively together to satisfy the federal regulations for the system and is not designed to be contractual terms and conditions that would be enforced by court order; and

WHEREAS, this MOU is developed in accordance with the requirements set forth in 20 CFR 678.500, and CFR § 678.510(b) and Training and Employment Guidance Letter 17-16 issued by the United States Department of Labor and Employment and Training Administration on January 18, 2017; and

WHEREAS, the Board of Legislators wish to authorize such Memorandum of Understanding to comply with the federal regulations as set forth in 20 CFR 678.500.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves Part I Service Delivery Memorandum of Understanding to capture each partner's roles and responsibilities in the New York State Career Center System intended to organize and implement workforce development in the Jefferson-Lewis areas pursuant to Workforce Innovation and Opportunity Act for the term commencing July 1, 2017 through June 30, 2020.

Section 2. That the Board of Legislators hereby approves the Chairman of the Board of Legislators, as the Chief Executive Official of the County of Lewis as the authorized official 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 Moser, seconded by Legislator King, and adopted.

**RESOLUTION NO. 361 - 2017
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#PY-2

Section 1. That the following funds be appropriated for Program Year 2017, 7/1/17-6/30/19, Adult and Dislocated Worker, per the Notice of Obligational Authority (NOA), #17-2, dated 7/31/17 through the New York State Department of Labor, as follows:

<u>Adult</u>	
CD629200.110100	\$ 2,250.00
CD629200.490900	\$ 550.00
CD629200.801000	\$ 1,000.00
CD629200.499900	<u>\$ 2,897.67</u>
Total	\$ 6,697.67

<u>WIA Revenue</u>	
CD6293 347910	\$ 6,697.67

<u>Dislocated Worker</u>	
CD629100.110100	\$ 3,450.00
CD629100.490900	\$ 1,183.00
CD629100.801000	\$ 1,400.00
CD629100.499900	<u>\$ 4,719.17</u>
	\$ 10,752.17

<u>WIA Revenue</u>	
CD6293 347910	\$ 10,752.17

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

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

**RESOLUTION NO. 362 - 2017
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

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; and

WHEREAS, Dr. Ty Stone has been appointed as Jefferson Community College President to replace retired Carole McCoy.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the appointment of Dr. Ty Stone, Jefferson Community College President to serve the un-expired term of Carole McCoy as a member of the Jefferson-Lewis Workforce Investment Board:

Section 2. That the term of said appointment shall be effective through June 30, 2019.

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

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

**RESOLUTION NO. 363 - 2017
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 budget appropriation is hereby approved for the increase in State Aid funding:

<u>Revenue</u>	
A0731100 338201 Youth Bureau	\$2,282.00
<u>Expense</u>	

PROCEEDINGS OF THE BOARD OF LEGISLATORS

A0731100 490100 Youth Development	\$2,000.00
A0731100 440100 Postage	\$ 282.00

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

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

OTHER BUSINESS:

Legislator Dolhof made a motion to change the location of the October 3, 2017 board meeting to the Croghan Firehall, seconded by Legislator Fawcett and carried.

Clerk of the Board Teresa Clark reiterated the Chairman had proclaimed 8/31/17 as "International Overdose Awareness Day" in Lewis County; and then read the proclamation declaring 9/8/17 as "Lewis County Night Out" to recognize regional ambulance service responders and promote good relationships with the public and law enforcement.

Legislator Dolhof made a motion to enter executive session at 6:50 p.m. for an update on pending litigation and union negotiations by County Attorney Joan McNichol. The motion was seconded by Legislator Brennan and carried. After a short recess the session began at 6:57 p.m. Legislator Moser made a motion to re-enter regular session at 7:43 p.m., seconded by Legislator Dolhof and carried.

Legislator Chartrand made a motion to formally task Atty. McNichol, Treasurer Patricia O'Brien and County Manager Ryan Piche to research the history of assessments and County taxation of the municipal water facilities located throughout the County and report to the Board on 10/3/17. The motion was seconded by Legislator Moser and carried.

There being no other business to come before the Board, the meeting adjourned at 7:45 p.m. on a motion by Legislator Chartrand, seconded by Legislator Kulzer and carried.

OCTOBER 3, 2017

**REGULAR MEETING
October 3, 2017**

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

Roll Call: All Legislators were present.

Croghan Fire Chief Steven Monnat welcomed everyone, thanking the Legislators for their support, specifically for the radio communication system upgrades. He expressed gratitude for the overall cooperative efforts to enhance the safety of our communities.

Chairman Tabolt offered the Invocation, remembered those affected by the devastating hurricanes and flooding in Texas and Puerto Rico, calling for a moment of silence in memory of those who had passed, particularly those killed by the Las Vegas shootings. He then led the Pledge of Allegiance to the Flag

There were 24 persons present.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

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

Signed by: Lawrence Dolhof, Chairman
Bryan Moser

Dated: October 3, 2017

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

Chairman Tabolt opened the public hearing for comments on proposed off-road additions to the Lewis County Trail System on the Michael Wilk and Julie Painter properties in the Town of Osceola; and on the effectiveness of the program's administration of the 2015 Lewis County Direct Homeownership Assistance Program.

PRIVILEGE OF THE FLOOR:

On behalf of Snow Belt Housing, Executive Director Cheryl Shenkle O'Neill reported that in September of 2015 Lewis County had applied for \$324,800 in funding through the Community Development Block Grant Program for the Lewis County Direct Homeownership Assistance Program 2015. The first public hearing was held on 9/14/15 in preparation for the application and, as required, a second public hearing was being held today to provide residents with the opportunity to offer any comments on the accomplishments of the grant.

The goal of the program is 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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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).

The County was awarded a \$324,800 grant with an Agreement stipulation that all funds be expended within 24 months (by December 11, 2017). The application anticipated that eight households would be assisted with estimated program funds of \$176,000 for mortgage buy down and closing costs and \$104,000 for rehabilitation of the purchased homes. An additional \$44,800 was used for administration and program delivery assistance, bringing the total grant amount to \$324,800. The program is nearing completion with five homes closed to date and four pending with funds available for possibly one more grant, unless the projected homebuyers need more assistance.

The average down payment and closing costs assistance provided or projected is \$21,217 with ranges from \$12,500 to \$33,585. Three of the closed homes needed repairs and four of the pending homes will need repair work. The average grant provided is \$27,057. The average purchase price is \$87,500 and the average mortgage is \$68,188.

Ms. O'Neill reported there were no displacements because the homes purchased were either vacant or in one case, purchased by the existing tenant. The program is truly a countywide program in that one home purchased was in the Village of Lyons Falls, one in the Village of Croghan, one in the Hamlet of Glenfield, two in the Town of Turin, two in the Town of Denmark, one in the Town of Watson, and one in the Town of Greig.

These statistics were documented on the spreadsheet distributed to Legislators this evening with summaries for three of the assisted homeowners and photos of five of the homes purchased. In some cases, assisted homeowners are now paying less, even considering taxes and insurance, than they were in rent. Assisted homeowners are young families, as well as single individuals, who contribute between 1% and 2% of the purchase price of the home.

In response to Legislator Hathway, Ms. O'Neill stated the average applicant contribution is \$1,200. If at all, she said, homes generally require minor repairs.

Legislator Moser cited the favorable result for one first-time homeowner whose monthly rent of \$725 had been reduced to \$644 through the CDBG program.

In response to Legislator Dolhof, Ms. O'Neill reported the mortgage for these homeowners are all for 30 years.

The hearing was closed later in the meeting, but there were no public comments.

Chairman Tabolt declared the September 5, 2017 meeting minutes were approved by general consent after no corrections were noted.

Mr. John Lehman, candidate for District 1 County Legislator, urged the Board to adopt and forward respective resolutions to Federal representatives documenting their position on the Constitutional Convention and the Affordable Care Act (ACA). In reference to the latter,

Chairman Tabolt deferred to Legislator Richard Chartrand, as the Board's representative on the Hospital Board of Managers, who reported that Board had taken a position.

Chairman Tabolt relayed NYSAC's support for a Constitutional Convention, while stating the Board had not formed a consensus. Legislator King voiced support to change the allowance for State officials to remain in office and receive their pension, regardless of a crime conviction. However, he urges caution that a convention may result in more aggregate loss than gain.

In response to Legislator Dolhof, Mr. Lehman reported opposition by the Beaver River Teacher's Association due to the potential impact on State pensions, anticipating the Commission would encompass influential business owners who would protect their interests.

Legislator Brennan referred to merits conferred by NYSAC. Chairman Tabolt desires to change some of the mandates heretofore dismissed by State lawmakers, however, has justifiable concern there is no local control or input for Convention selections.

Legislator Brennan asserted having no understanding of the ACA to enable an opinion. Legislator Moser referred to potential negative impact on our hospital and other facilities throughout the State if proposed ACA Medicaid payments were adopted. He endeavors to understand who would benefit or be impacted the most.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

John Boyd has submitted a letter of resignation from the Junkyard Review Board.

The NYS Office of Parks, Recreation and Historic Preservation has informed they have listed the First Lewis County Clerk's Office located in Martinsburg, NY on the NYS Register of Historic Places and have nominated it to the Keeper of the National Register of Historic Places.

The Greene County Legislature forwarded a copy of their enacted resolution to commence litigation against manufacturers of prescription opiates.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the County Treasurer's September report and the 3rd Quarterly Bed Tax Report; the 9/13 and 9/22/17 Solid Waste and Highway Audit reports; and the minutes of the 9/12/17 Junkyard Review Board meeting.

The September monthly report of Director of Weights and Measures James A. Richmire has been received and placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Taxation/Elections/Information Technology Committee Chairman, was pleased that Chairman Tabolt was being recognized tonight in his hometown. He

PROCEEDINGS OF THE BOARD OF LEGISLATORS

deferred to County Manager Ryan Piche for an update on the broadband initiative. The new user friendly County website will be implemented in early November, to include on-line completion of employment applications and direct submission to the Human Resources Department.

The Real Property Tax Director is assisting 2020 Census Coordinator Frank Pace with Consolidated Boundary and Annexation Survey programs, and Planner Cassandra Buell is assisting with 9-1-1 address investigations. The 2010 Real Property Auto CAD software will no longer be technically supported effective 12/31/17. Accordingly, Legislator Hathway made a motion to authorize purchasing the 2018 version at a cost up to \$2,500 from 2017 budget appropriations, seconded by Legislator King and carried.

Legislator Roscoe Fawcett, Jr., Social Services/Office For Aging/Youth Committee Chairman, reported that Robo calls (reverse 9-1-1) would inform pre-approved HEAP applicants they do not need to apply or phone the office, thanking Sheriff Carpinelli and Dispatch staff for the courtesy calls. Persons are encouraged to phone the Office For the Aging for insurance counseling when Medicare open enrollment starts on 10/15/17.

Legislator Fawcett announced that Director Brenda Bourgeois had resigned, extending well wishes for her future endeavors. The Office For Aging is open from Monday-Friday from 8:30 a.m. to 4:30 p.m., including the lunch hour. The HEAP program will accept applications effective 11/13/17; and those 55 or older interested in employment should call 315-376-5312.

Legislator Fawcett reported 170 attendees at the Octoberfest event where Copenhagen resident Nancy Jones was awarded the Randy Streeter Senior Citizen of the Year plaque.

Legislator Fawcett termed the "Lewis County Night Out" event a great success that was well attended.

Legislator Bryan Moser, County Officers/Junkyards/Veterans Services/ Human Resources Committee Chairman, reported on three Junkyard issues, one in Watson awaits Judge Burker's response; two West Leyden properties are to be cleaned up by 10/12/17 or be presented to the Town of Lewis Judge. County Attorney Joan McNichol stated that both of the West Leyden owners have been fined. The Committee continues their review to amend the Junkyard Law so that if a property owner does not timely respond, property clean-up may be directed with the attendant cost imposed upon the owner's next tax bill.

Legislator Moser reported results of the CITEC consultant survey indicated minimal inconsistency with existing management employee salary ranges. The recommended salary schedule is based on a 9-point value system that will provide a guide for management replacements.

Legislator Moser reminded of the 10/7/17 Family Farm Day to be held at the Beller Farm on Route 126 between Naumburg and Carthage at 10 a.m. and will encompass a calf birthing. He also reported attending the 4-H awards being very impressed by the number of youth participants. Legislator Fawcett reminded of the concurrent 10/7/17 Fall Foliage Tour.

Legislator Jerry King, Courts and Law Enforcement/Fire & Emergency Services/Building Codes Committee Chairman, made a motion to authorize Sheriff Carpinelli to hire a temporary Jail Nurse for a period up to 12 weeks during the impending FMLA leave of the current employee, seconded by Legislator Chartrand and carried.

Legislator King made a motion to authorize Sheriff Carpinelli to temporarily promote a Deputy Sheriff to Sargeant and a Sargeant to Deputy Sheriff/Criminal Investigator, effective immediately through December 31, 2017, seconded by Legislator Chartrand. Legislator Brennan inquired the need. On behalf of the Committee, Legislator Chartrand said the purpose was to catch up on the case back-log, recommending approval for three months, during which further review will occur during 2018 budget deliberations. The motion then carried.

Legislator King reported that EF Johnson has made equipment adjustments, which have reduced pager background noise. He and Robert MacKenzie will tour to confirm resolve of the static issues.

Legislator King expressed thanks to Legislators and staff for the kind thoughts and sympathy card after the passing of his mother-in-law.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry and Parks, Committee Chairman, made a motion to authorize an appropriation of \$750.00 for the North Country Regional Economic Development Council to prepare and submit a printed Progress Report to the State, including design and graphics as part of the annual competition, seconded by Legislator Moser and carried.

Legislator Dolhof reported low ridership for the JCC connector bus route, because many classes start before the arrival time. Lewis County and JCC representatives are researching potential changes to enable more student riders. He also urged support of his sponsored resolution for a bus shelter at the hospital.

There were 10,030 ATV operator participants in the øBuck Runø event, compared to 327 last year. Four accidents involving three personal injuries occurred during the event, but there were many positive comments from business owners and social media. Legislator Dolhof also stated the Molpus timber management company has agreed to work with County officials to create a trail from Harrisville to Belfort.

The recent business leadersø breakfast was well attended and deemed a success. The upcoming 10/13/17 manufacturing day will provide students from all area schools, who are pursuing careers, an opportunity to tour local businesses.

Legislator Dolhof further reported that Skewed Brewing will lease the Lowville Trinity Avenue building from the IDA with plans to create 4-5 new jobs as they increase production.

Legislator Craig Brennan, Ways and Means/Buildings and Grounds Committee Chairman, said October meetings would be scheduled for 2018 County budget deliberations.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Building maintenance personnel had painted floors and will install carpeting at the public safety building. Legislator Brennan commended Supervisor Frank Archer for reutilizing used carpeting from another County office space to effect cost saving.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman, made a motion to authorize Highway Superintendent David Becker to promote one full-time Machinery Equipment Operator (Medium) to a full-time Heavy Equipment Operator due to an impending retirement; and to also refill the Machinery Equipment Operator (Medium) position, in accordance with Civil Service regulations, effective immediately. The motion was seconded by Legislator Moser and carried.

Legislator Kulzer reported 204 households participated in the Hazardous Waste Day, which helps the Development Authority by reducing general waste. Personnel have been trained to operate the new weigh station scales. Recycled and trash volumes each continue to increase, the latter defying explanation.

Legislator Kulzer reported ongoing paving by the Highway Department and planned rehabilitation of the Sears Pond Road. The fuel depot remains operational with used parts and replaced dispensers. The oil-water separator will be inspected and cleaned by a contractor for an estimate of \$2,000.

As the representative on the Double Play Community Center Board, Legislator Kulzer reported 107 male and 82 female participants aged 4 to 12 years in the summer recreation program, well above the 45 last year. The program served residents from various Towns throughout the County and the Center utilized \$2,400 of the County appropriation to supplement the program.

Legislator Kulzer has tickets available for the Center's sponsored "Comedy Night" in November; and announced a 10/8/17 scheduled fund raiser event. He was pleased to term the Center as an asset to the Community. Legislator Chartrand relayed several women participants of the swim program personally phoned him to convey their gratitude.

Legislator Richard Chartrand, Hospital Committee Chairman, reported the Federal initiative to cut the 340B prescription drug reimbursement program by 30% or greater effective 1/1/2018, which equates a substantial loss for the hospital. All members of the Board of Managers have been asked to contact Congresswoman Stefanik to oppose the cut. A late resolution was enacted to urge Congress not to reduce the 340B prescription reimbursement program for hospitals.

Legislator Chartrand relayed the Board of Managers had recognized computer department employee Danielle York as the July employee-of-the-month, by presenting her a flower bouquet.

He reported that CEO Gerald Cayer has implemented three aspects of governance as a guide for the Board of Managers: 1). Fiduciary to determine the most efficient use of funds that

fosters accountability and discipline in the workplace; 2). Strategic ó market positions, strategic drivers, identify key stakeholders, and analysis to determine strengths and weaknesses; 3). Generative ó leads the Board to ask whether issues are framed correctly, whether appropriate sources are being utilized or how else issues could be viewed, which leads to ultimate reconsideration of overall strategies.

Legislator Chartrand reported the Hospitalø County debt of \$1.5 million. Regardless of July and August losses attributable to orthopedic and related ancillary services, the \$3,238,000 year-to-date surplus is well above the budget level of \$760,430. A sole supervisor will oversee surgical, emergency room, hospitalist and nursing home physicians to promote efficiencies.

Legislator Chartrand made a motion to hold the 11/7/17 Legislator meeting in Harrisville to honor Legislator Hathway, who is not seeking re-election, seconded by Legislator Moroughan. Legislator Hathwayø strong objection to the recognition was duly noted, but the motion carried. The location of the meeting will be appropriately advertised when known.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chairwoman, made a motion to authorize Director Penny Ingham to refill a supervising public health nurse position that will be vacant as of 10/26/17, seconded by Legislator King and carried.

Legislator Moroughan made a motion to authorize advertising for applicants to fill the vacant Office For the Aging Director position, seconded by Legislator King and carried.

Legislator Moroughan announced a proclamation would recognize 10/22-10/28/17 as òNational Lead Prevention Weekö. Public Health staff will administer employee flu vaccinations at the Court House and DSS buildings.

Legislator Moroughan reported that Director of Community Services Patricia Fralick has returned to the office with regular hours. The South Lewis Girls Varsity Soccer team and the South Lewis Chapter of Sources of Strength recently co-sponsored a charity event that raised \$500 for Suicide Prevention. Information materials had been distributed to enhance awareness.

Legislator Moroughan relayed that Congresswoman Elise Stefanik had announced the YEAH Coalition was awarded a \$125,000 drug free communities support program grant to support substance abuse prevention programs. The Lewis County Chamber of Commerce had recognized Mountain View Prevention Services (MVPS) for providing prevention services for 30 years; and former Jefferson County Mental Health Association Executive Director Korin Scheible, had been appointed MVPS Executive Director.

SPECIAL REPORTS:

Chairman Tabolt reported that he, Legislator Brennan, Ryan Piche and Joan McNichol had attended the NYSAC conference. Although it is yet unknown how the vehicles will interact with pedestrians or other obstructions, they heard about near future driverless cars that will travel inches apart at speeds up to 90 mph. A test was conducted with a driverless tractor trailer that delivered cargo 150 miles away, with plans to parlay this technology to school buses and snow

PROCEEDINGS OF THE BOARD OF LEGISLATORS

plows. Lieutenant Governor Kathy Hochul had told of being a passenger in a driverless car on two occasions, with certain implications to replace taxi services.

The Chairman and Legislator Brennan toured the Johnson Lumber Company expansion with Lieutenant Governor Hochul; and he had attended the 9/30/17 Hospital Foundation Gala, along with Ryan Piche.

Chairman Tabolt reported that Vice-Chairman Dolhof would appear in his stead tomorrow in Watertown to hear Governor Cuomo's announcement, along with Legislator Fawcett and Ryan Piche.

Chairman Tabolt reiterated the invitation to attend the 10/11/17 Hudson River Black River Regulating District (HRBRRD) meeting and lunch at Stillwater Hotel followed by a tour of the Stillwater dam and power plant.

Chairman Tabolt posed the issue of wind turbines, affirming the Board's wholehearted support of Fort Drum, while taking exception for one faction dictating an automatic ban on new projects. Several Legislators had toured the airfield and heeded General Piatt's desire to work together, agreeing to timely share proposed new wind projects for their consideration. He invoked related comments to a letter composed by Ryan Piche and Atty. McNichol purporting the Board's collective stance on wind energy.

Referring to regional Boards and organizations that have publicly shared their respective position, Mr. Piche strongly encouraged the Board to do likewise. The referenced letter-to-the-editor articulates a concise stance and would be published in the Watertown Daily Times and forwarded to pertinent stakeholders and other media sources. He distinguished that Lewis County has more to gain or lose than any other faction.

Terming the letter factual and void of demands, Legislator Hathway expressed his support, while voicing displeasure with Assemblywoman Addie Jenne's statement to prohibit wind projects without consideration or outreach for other opinions. He directly correlates the County's tax rate being 30 cents less per thousand dollars of assessed value from that of 10 years ago, to wind turbine revenues. These funds make special projects possible, such as the radio communications upgrades. Legislator Hathway agrees with fostering good relations with Fort Drum officials as understood by the meeting with General Piatt.

Legislator Hathway made a motion to forward the letter to the Watertown Daily Times, seconded by Legislator Dolhof.

Legislator Moser suggests the letter also be forwarded to the FDRLO, Congresswoman Stefanik, City of Watertown Mayor and every other entity that has publicly stated their opposition to new wind projects. He submits the letter is meant to invoke discussion by all entities to identify viable solutions that benefit everyone.

Legislator Dolhof understood the General is not opposed to wind power projects, but asks to be involved at project inception to afford Fort Drum an opportunity to weigh in, with those

present in agreement to work toward that effort. He termed it a good exchange with the General and awaits their ultimate decision in regard to the air space. Legislator King concurred, understanding the General awaits the joint land use study report. If indicated, the County would heed concerns when considering future projects, while he asserts rightful inclusive discussion.

Legislator Chartrand referred to the 2-year wind project sighting process, reaffirming the Board's intention to consider Fort Drum's input and/or concerns. He opined that "Some anti-wind energy people are using some well-intentioned people wrongly, to support their initiative to do away with all of it! He favors the letter that confirms unwavering support for Fort Drum.

Legislator Moser changed his suggestion into an amending motion to forward the letter to all his aforementioned entities, seconded by Legislator King and carried.

In response to Legislator Brennan's concern to assure that Fort Drum officials receive information in a timely manner, Atty. McNichol confirmed they receive all mailings as a listed interested party in the Article X sighting process. Additionally, she added, the Department of Defense Clearinghouse also examines the effect of wind projects on behalf of military installations.

Regardless of the State and Federal bureaucracies, Mr. Piche reported direct communication with Fort Drum Lt. Col. Polk, with ongoing contact and access through IDA Director Eric Virkler and Planning Director Frank Pace.

The motion to forward the letter was then unanimously carried.

COUNTY MANAGER REPORT:

Ryan Piche cited the 6-month interval 10% health insurance premium increases and wages were the primary 2018 County Budget considerations. He and Patricia O'Brien have compiled 95% of the budget and will devise a meeting schedule with the Ways and Means Committee to relate their mitigating recommendations for deliberation.

Mr. Piche is handling requisitions for the Office For the Aging during the absence of a Director, and HR Director Chris Boulio and DSS Commissioner Jennifer Jones regularly check in to assist personnel with daily operations.

Mr. Piche awaits the executed Mohawk Networks contract now that final changes have been agreed upon. The original prediction of 23 repeater towers has expanded to 55 to bolster the 9-1-1 signal throughout the County.

He had attended the Cream Cheese Festival, Hospital Gala, the REDC meeting in Potsdam, the NYSAC conference in Syracuse, OFA's sponsored Octoberfest, and he and Frank Pace had attended the ASUA breakfast to hear General Piatt's informative speech about overall Fort Drum operations.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Mr. Piche and Hospital CEO Gerald Cayer had a joint introductory meeting with County and Hospital union representatives. He cited Mr. Cayer's desire to report monthly to the Board, specifically today to respond to Legislator Moser's inquiry posed at the last meeting.

SPECIAL REPORT:

Mr. Cayer distributed information and explained he had been evaluating hospital, nursing home, home health and hospice systems during his first eight weeks. He reiterated Legislator Moser's question of why a retiree went to an outside facility for a diagnostic test so that the County health insurance plan would not have to pay as much.

The charge master is essentially the hospital price list of 8,206 items that is competitive with area facilities, but some may be comparatively higher or lower than regional facilities. Mr. Cayer had met with insurance representatives to review participant utilization numbers for domestic, as well as other institutions. The domestic claims do not reflect non-employed doctor visits or respective ancillary tests for non-hospital employed physicians.

Mr. Cayer explained the retiree paid \$350 for an out-of-network test and the County insurance plan paid \$340 of the total \$690 cost. Pursuant to the County health plan, the same test at our hospital would cost \$980 and be entirely borne by the plan, which he labeled a flaw. It's a health insurance plan design issue, as opposed to a pricing issue. All health insurance program participants should be responsible for some level of co-payment, such as invoked by the Affordable Care Act (ACA). He proposes to redesign the plan in conjunction with union representatives and members.

Mr. Cayer was pleased to report that of the 761 July participant visit claims, 696 or 91% were doctor visits, as opposed to emergency room, in-patient or diagnostic procedures, declaring it a testament the County health insurance plan is working very well.

Contrary to private clinics that may refuse to treat non-private payors, Lewis County General Hospital-owned clinics must serve all prescribed diagnostics as a vendor receiving Medicare and Medicaid payments. This increases overhead costs, and has been a contentious issue for nearly two decades. Mr. Cayer recited a quote from professional acquaintance Leah Binder, president and CEO of the Leapfrog Group, a non-profit organization that advocates for improved safety and quality at hospitals. "To achieve true value, you have to have high-quality care at a good price," he quoted. Rather than giving preference to free-standing imaging centers, Ms. Binder proposes that payments should be based by judging the quality of imaging diagnoses, similar to the existing Delivery Systems Reform Incentive Payment (DSRIP) program.

Mr. Cayer cited a distributed article about the challenges of the ACA, asserting his belief not to repeal without replacement that would otherwise risk catastrophic impact.

The Board of Managers has modernized the organizational chart and is formulating a new Mission Statement to recognize the future of Lewis County healthcare and the impacts well

beyond the hospital walls. A stated goal is to optimize services to include persons beyond the county borders to support the infrastructure and enhance future facility viability.

In response to Legislator Chartrand, Mr. Cayer recommends forgoing the customary annual nursing home rate increase, preferring instead to identify and implement efficiency opportunities, while optimizing resources. Increasing rates would invoke higher private source payments, negatively impacting those who are already challenged to meet their needs, because Medicare and Medicaid reimbursement rates are not proportionately increased.

In response to Legislator Hathway, Mr. Cayer reported the preliminary 2018 budget was pared down from the initial \$5 million deficit. Contractual agreements and the entire workforce, including non-filled positions, have all been evaluated, and all historical trending data has been applied. He is cautiously optimistic to meet the break-even goal, dependent upon stabilization of orthopedic services and general surgery. Moreover, knowledgeable that ancillary services are dependent upon doctor visits and orders, long-term planning and full recruitment efforts are critical to enable timely replacement of impending physician retirements.

Ryan Piche referenced the data sheet provided by the health insurance consultants indicates 38% of the total July 2017 claims were for hospital services with attendant cost to the plan of 38.1%, indicating the overall plan is viable.

COUNTY TREASURER REPORT:

Patricia O'Brien recited the current fund balance of the Special Legislative Contingency Fund - \$388,154.14; Contingency Fund-\$323,924.27; Capital Data Processing Fund-\$117,770.63 and Capital Equipment Fund - \$404,883.73, of which \$142,434.52 is the Highway portion, year-to-date sales tax revenues are above budget at \$7,266,703.01; and current Hospital debt is on schedule at \$1.5 million.

The 8/31/17 Internal Service Fund balance of \$1,952,602.62 reflects an increase of \$193,130.57. Ms. O'Brien relayed optimism for continuing increases.

In response to Legislator Moser, Ms. O'Brien stated the same businesses customarily make late bed tax payments, with one outstanding delinquent exception.

In response to Legislator Chartrand, Mr. Piche reported there were no additional Hospital or County allocations requested for the Internal Service Fund at this time, instead opting for continual review for timely recommendations if deemed necessary.

PUBLIC HEARING (cont'd)


Chairman Tabolt declared the hearing closed at 6:53 p.m. after no one wished to speak.

REPORT OF THE WAYS AND MEANS COMMITTEE:

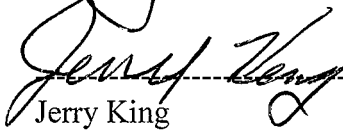
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

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 \$ 1,169,683.60 and recommend that they be audited and allowed for the amounts claimed.



Craig Brennan Chair



Jerry King Committee



Richard Chartrand Committee

Dated: October 3, 2017

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

OCTOBER 3, 2017

**RESOLUTION NO. 364 - 2017
AUDITING AND ALLOWING CLAIMS**

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

RESOLVED that the claims presented for payment in the total amount of \$ 1,169,683.60 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Brennan, seconded by Legislator Dolhof, and adopted by the following roll call vote:

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

NAYS: None

ABSENT: None

**RESOLUTION NO. 365 - 2017
RESOLUTION SUPPORTING STATEWIDE BALLOT PROPOSAL NUMBER #3
THAT WILL CREATE A LAND ACCOUNT TO ADDRESS SPECIFIC PUBLIC
HEALTH AND SAFETY CONCERNS FOR USE BY TOWNS, VILLAGES, AND
COUNTIES HAVING NO VIABLE ALTERNATIVE OTHER THAN USING FOREST
PRESERVE LAND.**

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

WHEREAS, the State Forest Preserve lands, in many instances, border local and state highways where local government needs to use a portion of that land to straighten a dangerous road, replace a culvert to prevent floods, create a safer bike path, drill a water supply well or install broadband and other critical infrastructure; and

WHEREAS, the proposed Amendment will create a land account with up to 250 acres of Forest Preserve land eligible for use by towns, villages, and counties that have no viable alternative to using Forest Preserve land to address specific public health or safety concerns; and

WHEREAS, as an exchange for the land removed from the Forest Preserve, another 250 acres of land will be added to the Forest Preserve, subject to Legislative approval; and

WHEREAS, the proposed Amendment will also allow bicycle trails and certain public utility lines to be located within the width of specified highways that cross the Forest Preserve while minimizing removal of trees and vegetation; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the State Constitution has been amended to allow such projects in the past requiring approval by two separately elected state legislatures and a statewide referendum; and

WHEREAS, there currently exists a NYS DOT Landbank for State Road projects with a long standing track record of success; and

WHEREAS, If approved by voters, Ballot Proposition #3 would eliminate the time-consuming and costly bureaucratic process for completing important road maintenance, utility installation and bicycle path creation projects in the Adirondacks and Catskills, a process not faced by communities in any other part of the state; and

WHEREAS, the Amendment has wide bi-partisan support from local governments, environmental protection organizations, business groups, recreational enthusiasts and others for two simple reasons: It's for the public good and it's rooted in plain old common-sense; and

WHEREAS, this Amendment represents the best possible solution to long standing or continuing issues which local Government leaders have worked for many years to resolve; and

WHEREAS, Ballot Proposal #3 warrants the support of the voters of New York State.

NOW, THEREFORE, BE IT RESOLVED, that the Lewis County Board of Legislators does hereby support Ballot Proposal Number #3, which is deemed critically important to our communities, the Forest Preserve, the environment, and the People of the State of New York; and

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to NYSAC, Adirondack Inter-County Committee, Western Inter-County Committee, and all 16 Counties of the Adirondacks and Catskills.

Moved by Legislator King, seconded by Legislator Brennan.

Legislator Brennan expressed support for this initiative, citing many times there is no other alternatives for projects. He encouraged everyone to look at the back of the general election ballot for the propositions.

Chairman Tabolt stated this action was put forth for public notification about Ballot Proposition Number 3 and to encourage a "yes" vote.

The resolution was then adopted.

**RESOLUTION NO. 366 - 2017
RESOLUTION TO INCREASE STATE SUPPORT FOR CORNELL
COOPERATIVE EXTENSION COUNTY ASSOCIATIONS
IN THE STATE OF NEW YORK**

OCTOBER 3, 2017

Introduced by Legislator Bryan Moser, as the Board's representative on the Lewis County Cornell Cooperative Extension Board of Directors.

WHEREAS, Cornell Cooperative Extension is a formal collaboration between the National Institute of Food and Agriculture at USDA, New York State, County Governments and the Citizens of the State, that has served to apply unbiased, research-based knowledge from Cornell, New York's Land Grant University, to the needs of New Yorkers and their communities for over 100 years; and

WHEREAS, local Extension educators are key community partners in helping to implement State initiatives including maximizing agriculture and local food systems, strengthening the economy, promoting healthier eating habits and access to good nutrition, fighting poverty particularly in rural areas, protecting water quality and stewardship of New York's natural resources, building opportunity through STEM-based youth education and leadership skills in 4-H, promoting renewable energy options while protecting farmland resources, and partnering where appropriate in Taste NY initiatives to promote tourism and local food and farm businesses, and

WHEREAS, support from Federal, State and County sources are essential to the continued success of locally-governed county Cooperative Extension Associations; and

WHEREAS, State appropriations for County Cooperative Extension Associations, to be matched by county government appropriations as authorized by Section 224 (8) of the County Law, have remained stagnant for seventeen years; and

WHEREAS, State funding is needed to ensure that the Cornell Cooperative Extension system can equitably work for all New York residents through increased resources to support rural, suburban, and urban community development needs.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators supports increasing the State appropriation for Cornell Cooperative Extension Associations to \$8 million, with said funds to be distributed directly to the associations through Cornell University as the agent for the State as provided by law.

Section 2. That the Clerk of the Board is hereby directed to forward a certified copy of this resolution to Governor Andrew M. Cuomo, NYS Senator Joseph Griffo and NYS Assemblyman Kenneth Blankenbush.

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

**RESOLUTION NO. 367 - 2017
RESOLUTION TO TRANSFER FUNDS
DISTRICT ATTORNEY**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

BE IT RESOLVED, as follows:

Section 1. That the following transfer is hereby approved from Contingency to the District Attorney Prosecution Fund account to reimburse costs paid from the DA Trust Account:

<u>From:</u>	<u>Amount</u>
A0199000 499900 Contingency	\$1,750.00

<u>To:</u>	
A0116500 493600 Pros Fund	\$1,750.00

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

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

**RESOLUTION NO. 368 - 2017
RESOLUTION TO TRANSFER FUNDS
ECONOMIC DEVELOPMENT**

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

BE IT RESOLVED, as follows:

Section 1. That the following transfer is hereby approved in the Economic Development account from Special Legislative Contingency to cover the Leadership Academy Scholarship:

<u>From:</u>	<u>Amount</u>
A0101000 419900 Sp Contingency	\$1,000.00

<u>To:</u>	
A0641300 450200 Eco Dev	\$1,000.00

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

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

**RESOLUTION NO. 369 - 2017
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND NYS DIVISION**

OCTOBER 3, 2017

OF HOMELAND SECURITY & EMERGENCY SERVICES

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

WHEREAS, the County of Lewis has been awarded a grant through the New York State Division of Homeland Security and Emergency Services in the amount of \$54,984.00, to purchase equipment and software maintenance to enhance the Emergency Operations Center.

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 in the amount of \$54,984.00 to purchase equipment and other items to enhance the Emergency Operations Center.

Section 2. That the term of said Agreement shall be from 9/1/2017 through 8/31/2020.

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

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

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

**RESOLUTION NO. 370 - 2017
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 [EM17-1012-D00] for funding in the amount of \$30,160.00, requiring 50% local matching funds or \$15,080.00, to support management of the Emergency Operations Center.

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 \$30,160.00, hereby committing the 50% local matching funds of \$15,080.00 for the grant period from 10/1/2016 to 9/30/2018 for Emergency Operations Center management

PROCEEDINGS OF THE BOARD OF LEGISLATORS

responsibilities to include review of the Comprehensive Emergency Management Plan and Hazard Mitigation Plan.

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 Kulzer, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 371 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND TETRA TECH, INC. TO PROVIDE ENGINEERING
AND CONSULTING PROFESSIONAL SERVICES FOR THE LEWIS COUNTY
MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE**

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

WHEREAS, the Federal Disaster Mitigation Act of 2000 (DMA 20) and 44 CFR Part 201.6 and 201.7 require that each county and local municipality adopt a Multi-Hazard Mitigation Plan, reviewed by the State Emergency Management Office (SEMO) and approved by the Federal Emergency Management Agency (FEMA); and

WHEREAS, the County, under the Lewis County Emergency Management Department (LCEM), developed the Lewis County Multi-Jurisdictional Hazard Mitigation Plan (LCHMP) in November, 2010, with said plan now expired; and

WHEREAS, the New York State Division of Homeland Security and Emergency Services (NYS DHSES) advised the Director of Fire & Emergency Management that Lewis County was awarded grant funds under the Federal Emergency Management Agency's (FEMA) FY2015 Pre-Disaster Mitigation Competitive Grant Program for sub-application PDMC-PL-02-NY-2015-003 for updates to the County's Hazard Mitigation Plan in accordance with the Scope of Work set forth by the County in its sub-application for this grant; and

WHEREAS, FEMA awarded Lewis County \$150,000.00 in total costs for this sub-grant, with a Federal Share of \$112,500.00 and a local matching share of \$37,500.00 (which may include in-kind services), with allowable costs identified within 44 CFR § 206.439, which the Lewis County Board of Legislators approved and accepted by Resolution No. 62-2017; and

WHEREAS, LCEM distributed a Request for Proposals (RFP) to qualified Professional Service firms to provide engineering and consulting services in connection with development of the County's (and its 26 municipalities) Multi-Jurisdictional Hazard Mitigation Plan Update that will satisfy the requirements of 44 CFR 201; and

WHEREAS, the County received two (2) bid proposals in response to the RFP, reviewed the proposals together with the assistance of County staff and the County's technical consultants; and

WHEREAS, upon a full review and analysis of the bid proposals received, the Courts & Law Committee finds that the Tetra Tech, Inc. proposal to be the lowest, flat- rate responsible bidder to have submitted a proposal that meets the County's performance specifications and requirements as outlined in the Request For Proposal issued; and therefore the Committee recommends to the full Board of Legislators to award the contract for professional engineering and consulting hazard mitigation planning services for the Lewis County Multi-Jurisdictional Hazard Mitigation Plan Update to Tetra Tech, Inc. in accordance with its Proposal dated August 15, 2017; and

WHEREAS, the Board of Legislators wishes to award the contract for professional engineering and consulting hazard mitigation planning services for the Lewis County Multi-Jurisdictional Hazard Mitigation Plan Update to Tetra Tech, Inc.

NOW, THEREFORE, be it resolved as follows:

Section 1. The Board of Legislators hereby determines that Tetra Tech, Inc.'s bid proposal and plan is the "best value" for the County as that term is defined by Local Law No. 7 ó 2013, in that, *inter alia*, it best optimizes quality, cost and efficiency at a firm price, and therefore is in the best interest of the County of Lewis, and awards the contract to Tetra Tech, Inc.

Section 2. That the Board of Legislators hereby authorizes entering into a contract with Tetra Tech, Inc. for professional engineering and consulting services to update the 2010 Lewis County Hazard Mitigation Plan (HMP) that will satisfy the requirements under 44 CFR 201, FEMA and NYS DHSES, and as outlined in the RFP, at a total cost not to exceed \$103,035.00, inclusive of all work, time, reports, printing charges, etc., and with all delivery of services to be provided by November 1, 2018, unless extended by the County.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form(s) as may be approved by the County Attorney.

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

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

RESOLUTION NO. 372 - 2017
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 775374)
KNOWN AS CR 48 (HIGHMARKET ROAD) OVER NORTH BRANCH SUGAR RIVER**

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

WHEREAS, a Project for the Bridge Replacement on Highmarket Road over North Branch Sugar River (PIN 775374; BIN 3340360) (the "Project") in the Town of West Turin, 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 federal and 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 \$203,000.00 is hereby appropriated from County general funds, and made available to cover the cost of participation in the above Preliminary Engineering/Design and Right Of Way Incidentals Phases of the Project, with the federal share being \$162,400.00 and non-federal local cost share being \$40,600.00.

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 Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 373 - 2017
RESOLUTION TO APPROPRIATE FUNDS
MACHINERY**

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 Machinery accounts for insurance recovery funds for a damaged Highway vehicle.

Increase Revenues

DM513000 326800 Insurance Recoveries \$4,438.22

Increase Expense

DM513000 470100 Vehicle Repairs \$4,438.22

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

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

**RESOLUTION NO. 374 - 2017
RESOLUTION TO APPROPRIATE FUNDS
TRANSPORTATION DEPARTMENT**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation of Capital Equipment funds is hereby approved into the Highway Department accounts to cover the Enterprise Fleet Management lease payments for 3 pickup trucks from June through December 2017; HAD Capital Equipment account H0990100 499900, balance \$ 404,831.73:

Increase Revenue:

DM513000 350310	\$11,554.67
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Increase Expense:

DM513000 223400	\$11,554.67
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 375 - 2017
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 of Capital Equipment funds is hereby approved into the Highway Department accounts to purchase a Western Star Tandem Truck; HAD Capital Equipment account H0990100 499900, balance \$ 404,831.73:

Increase Revenue:

DM513000 350310	\$123,500.00
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Increase Expense:

DM513000 223300	\$123,500.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 376 - 2017
RESOLUTION TO TRANSFER FUNDS
LEGISLATIVE**

Introduced by Chairman Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer is hereby approved in the Legislative account and Special Legislative Contingency to cover the cost of the Space & Building Conditions Study:

<u>From:</u>	<u>Amount</u>
A0101000 419900 Sp Contingency	\$48,000.00

<u>To:</u> A0101000 490100 Prof Serv	\$48,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Fawcett, and adopted. Legislator Kulzer was opposed.

**RESOLUTION NO. 377 - 2017
RESOLUTION TO TRANSFER 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 transfer is hereby approved from Contingency to the Office for the Aging account for 2017 budget to cover additional client legal services:

<u>From:</u>	<u>Amount</u>
A0199000 499900 Contingency	\$1,200.00

<u>To:</u> A0677200 490200 Prof Serv secondary	\$1,200.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 378 - 2017
RESOLUTION AUTHORIZING OFFICE FOR THE AGING
TO RETAIN OUTSIDE COUNSEL**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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, Lewis County 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 Lewis County 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, 2018 through December 31, 2018. The County share amount is 25% and the State/Federal share amount is 75%.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as may be approved 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. 379 - 2017
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, 2018 and terminating on December 31, 2018 at the cost of \$9.00 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. 380 - 2017
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, 2018 and terminating on December 31, 2018 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.	\$1,200.00 per month

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 Moroughan, seconded by Legislator Chartrand.

Legislator Fawcett cited the \$100/month increase for Maple Ridge Center, Inc., reporting that all of the cooking is done at that facility for the meal sites located in the central region of the County. Chairman Tabolt had spoken with their facility manager who related "They were just trying to meet expenses".

Legislator Fawcett asked that a letter of thanks be forwarded to the Croghan Housing Development for providing their meal site at no charge.

Legislator Hathway also cited the amount for Harris Courts represents a substantial reduction from their initial charge.

The resolution was then adopted.

**RESOLUTION NO. 381 - 2017
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, for the rental of Suite D in the Lowville Commons owned by Transitional Living Services of Northern New York 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 Fawcett.

Legislators King and Moser each queried the need for additional conference space, above and beyond the office space lease agreement.

County Manager Ryan Piche explained the justifiable expense was for viable purposes of the Community Services Board, Office For the Aging and the Board of Elections, asserting "We are getting our money's worth."

The resolution was then adopted.

**RESOLUTION NO. 382 - 2017
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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

U.S. Care Systems, Inc. (Caregiver Services)	Respite	\$23.39 per hr. for Level II
U.S. Care Systems, Inc. (EISEP/CSEM Program)	Housekeeping	\$23.39 per/hr. for Level I
	(In-Home Personal Care)	\$23.39 per hr. for Level II

Section 2. That the term of said Agreements shall be the period from January 1, 2018 through December 31, 2018. The County share amount is 25% and the State/Federal share amount is 75%.

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

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

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

**RESOLUTION NO. 383 - 2017
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN OFFICE FOR THE AGING AND VOLUNTEER TRANSPORTATION
CENTER OF JEFFERSON COUNTY, INC.**

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis by and through the Lewis County Office For The Aging and Volunteer Transportation Center of Jefferson County, Inc., to provide transportation services to certain elderly residents of Lewis County for the term commencing January 1, 2018 through December 31, 2019 at a cost of \$875.00 per month, not to exceed \$21,000.00 for the two year term. The County share amount is 25% and the State/Federal share amount is 75%.

OCTOBER 3, 2017

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such from as may be approved 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. 384 - 2017
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 Timothy Petersen of 6041 Houseville Road, Turin, New York 13473, as a member of the Lewis County Planning Board.

Section 2. That the term of said appointment shall be effective January 1, 2018 through December 31, 2020.

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

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

**RESOLUTION NO. 385 - 2017
RESOLUTION APPROVING AGREEMENT BETWEEN LEWIS COUNTY
PUBLIC HEALTH AGENCY AND THE KELBERMAN CENTER
FOR PRESCHOOL TUITION-BASED SERVICES**

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

WHEREAS, the County of Lewis, by and through the Lewis County Public Health Agency wishes to enter into an Agreement with The Kelberman Center for pre-school tuition-based services for children with special education and health care needs; 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 approves the agreement between Lewis County Public Health and The Kelberman Center for preschool tuition-based services for

PROCEEDINGS OF THE BOARD OF LEGISLATORS

children with special education and health care needs in accordance with the rates set forth by the State Education Department.

Section 2. That this is for the term beginning September 1, 2017 through June 30, 2018 at a County share cost of 40.5% after the State Education Department payment.

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. 386 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND
NYS EMPIRE PLAN**

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

WHEREAS, NYS Empire Plan is a New York State Employee Insurance Plan. The plan is fully self-insured and the professional portion is administered by United Health Care; and

WHEREAS, NYS Empire Plan provides benefits for the provision of medically necessary health care services that are authorized for payment under the applicable members benefit plan under their certificate of coverage (öCovered Servicesö); and

WHEREAS, Lewis County Public Health desires to provide certain Covered Services to individuals who are eligible to receive benefits from NYS Empire Plan; and

WHEREAS, Lewis County, acting by and through the Lewis County Public Health Agency, desires to enter into an agreement with NYS Empire Plan.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Public Health Agency, and NYS Empire Plan for the provision of administrative services, at no local cost.

Section 2. That the term of this Agreement shall commence on the date that all parties have executed the agreement and will automatically renew every year or either party may terminate this agreement upon sixty (60) days written notice.

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 Kulzer, seconded by Legislator King, and adopted.

**RESOLUTION NO. 387 - 2017
RESOLUTION TO APPROPRIATE FUNDS
TRAIL MAINTENANCE**

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

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Trail Maintenance Department to appropriate funds received through ATV Permits to be used for payroll expense:

<u>Increase Revenues</u>	
A0799000 320010 ATV Permits	\$13,500.00
<u>Increase Expense</u>	
A0799000 110100 ATV Pers Serv	\$13,500.00

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

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

**RESOLUTION NO. 388 - 2017
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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

WHEREAS, the Board of Cooperative Educational Services (øBOCESö) 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 (øMOUö).

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, 2017 and continue through August 31, 2018.

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 King, and adopted.

RESOLUTION NO. 389 - 2017

OCTOBER 3, 2017

**RESOLUTION REGARDING SEQRA REVIEW OF A
NEW TRAIL TO BE ADDED TO THE LEWIS COUNTY ATV
TRAIL SYSTEM AND DECLARING NO SIGNIFICANT IMPACT
(MICHAEL WILK & JULIE PAINTER PROPERTIES)**

Introduced by Legislator Lawrence Dolhof, Chairman, 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 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. 262009, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM" (herein, "Local Law No. 26"); 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

WHEREAS, the Director of Recreation, Forestry and Parks has presented the Board of Legislators with a request to add off-road trails on properties owned by Michael Wilk and Julie Painter, which are located on 1466 Osceola Road in the Town of Osceola, (South of County Route 46), identified as parcel number 395.00-02-12.314; and 1545 Florence Road, (West of County Route 78 and South of Barker Road) in the Town of Osceola, identified as parcel number 413.00-01-01.310; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 the Michael Wilk and Julie Painter properties, in the Town of Oseola, 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 Michael Wilk and Julie Painter properties, in the Town of Osceola, known as tax map parcel 395.00-02-12.314 and tax map parcel 413.00-01-01.310 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 Brennan, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 390 - 2017
RESOLUTION TO INCORPORATE
MICHAEL WILK & JULIE PAINTER PROPERTIES
INTO THE LEWIS COUNTY ATV TRAIL SYSTEM**

Introduced by Legislator Lawrence Dolhof, Chairman, 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. 262009, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM" (herein, "Local Law No. 26"); 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 properties owned by Michael Wilk and Julie Painter which are located on 1466 Osceola Road in the Town of Osceola, (South of County Route 46), identified as parcel number 395.00-02-12.314; and 1545 Florence Road, (West of County Route 78 and South of Barker Road) in the Town of Osceola, identified as parcel number 413.00-01-01.310 to the Lewis County 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 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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the owner of the properties, Michael Wilk and Julie Painter have 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 properties, owned by Michael Wilk and Julie Painter, which are located on 1466 Osceola Road in the Town of Osceola, (South of County Route 46), identified as parcel number 395.00-02-12.314; and 1545 Florence Road, (West of County Route 78 and South of Barker Road) in the Town of Osceola, identified as parcel number 413.00-01-01.310 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 Michael Wilk and Julie Painter properties 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 King, seconded by Legislator Fawcett, and adopted.

RESOLUTION NO. 391 - 2017
RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN
THE LEWIS COUNTY SHERIFF'S DEPARTMENT AND MORPHO TRUST USA, LLC
TO PROVIDE SECURE CREDIT CARD SERVICES FOR FINGERPRINTS
REQUIRED UNDER THE NY CIVIL FINGERPRINT
VENDOR-MANAGED NETWORK PROGRAM

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

WHEREAS, the County of Lewis, by and through the Lewis County Sheriff's Department, desires to enter into an agreement with Morpho Trust USA, LLC (δMorphoö), with offices located at 6840 Carothers Parkway, Suite 650, Franklin, TN 37067 to provide a secure

credit card service for fingerprint applications under the NY Civil Fingerprint Vendor Network enrollment platform; and

WHEREAS, Morpho provides secure credit card services for fingerprinting, and offers a new service to its customers known as a "No-Charge Authorization Codes" (NCAC) for distribution to applicants who are required to submit fingerprints as part of background checks. During the fingerprint application registration process, when NCAC is selected as the payment method, the applicant will be prompted to enter the NCAC code assigned by Morpho. Only when the applicant is fingerprinted and the NCAC is redeemed, will the Sheriff Department's credit card be charged; and

WHEREAS, under this service contract, there will be a \$1.00 fee charged to the credit card for each applicant who redeems the NCAC assigned.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes the Agreement between the County of Lewis, by and through the Lewis County Sheriff's Department and Morpho Trust USA, LLC to provide No-Charge Authorization Codes (NCAC) to customers for distribution to applicants required to submit to a fingerprint-based background check through the NY Civil Fingerprint Vendor-Managed Network Program.

Section 2. That the Lewis County Sheriff's Department account will be secured by the sheriff department's credit card, and will only be charged when an applicant is fingerprinted and a NCAC is redeemed, when the applicant is prompted to enter the NCAC. A \$1.00 fee will be charged to the account for each applicant who redeems the NCAC assigned.

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. 392 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT
AND THOMSON REUTERS FOR AN ON-LINE SUBSCRIPTION SERVICE TO
WESTLAW CORRECTIONAL FOR THE JAIL

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Lewis County Sheriff's Department entered into an Agreement with Thomson Reuters for subscription services for mandated legal materials (CD/DVD) for the jail, for a three (3) year term beginning September 1, 2016 pursuant to Resolution No. 313-2016. The Department now desires to change to an on-line subscription plan known as Westlaw Correctional which will meet the requirements of mandated legal materials for inmates at a lesser cost; and

WHEREAS, the subscription will be changed to a web based plan with one access terminal and will be for a term of three (3) years, at a monthly cost of \$492.00 for the first year and an increase of 1% in years two and three. The Department will receive a credit of \$500.00 upon the transfer from DVD's to this on-line account. This program will result in cost savings of over \$6,000.00 annually from the prior plan; 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 a three-year Agreement between the County of Lewis, by and through the Lewis County Sheriff's Department with Thomson Reuters for subscription services for on-line legal materials access known as Westlaw Correctional for the jail.

Section 2. That this is for the term beginning October 4, 2017 for three years at a cost of \$492.00 per month in the first year. The term increases 1% in year two and 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 Dolhof, seconded by Legislator King, and adopted.

RESOLUTION NO. 393 - 2017
RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN
THE LEWIS COUNTY SHERIFF'S DEPARTMENT AND FORT DRUM TO SAFELY
AND SECURELY CONFINE MILITARY PRE-TRIAL AND POST-TRIAL SOLDIERS

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

WHEREAS, the County of Lewis, by and through the Lewis County Sheriff's Department, desires to enter into an agreement with Fort Drum for the purpose of boarding military pre-trial and post-trial soldiers stationed on Fort Drum for up to thirty (30) days, on an as needed basis, as long as space is available; and

WHEREAS, the Lewis County Sheriff's Department would provide the facility, equipment, supplies and personnel to safely and securely confine these soldiers in accordance with the standards of treatment specified in Army Regulation 190-47.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Sheriff's Department and Fort Drum to board military pre-trial and post-trial soldiers stationed on Fort Drum for up to thirty (30) days, on an as needed basis, as long as space is available for the term commencing September 27, 2017 through September 28, 2022 at a cost of \$90.00 per day. The costs of medical care of the military prisoner will be the responsibility of the Federal Government and/or military prisoner consistent with existing TRICARE coverage.

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. The Sheriff is hereby authorized to create the required "wide area workflow", an electronic invoicing system used by Fort Drum for submission of invoices.

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

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

**RESOLUTION NO. 394 - 2017
RESOLUTION TO TRANSFER FUNDS
E-911 RADIO COMMUNICATIONS PROJECT**

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

BE IT RESOLVED, as follows:

Section 1. That the following transfer is hereby approved from Contingency to the E-911 account to cover the cost of EF Johnson's annual maintenance agreement for the towers:

<u>From:</u>	Amount
A0199000 499900 Contingency	\$30,108.00
<u>To:</u>	
A0302000 490100 Prof Serv	\$30,108.00

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

Moved by Legislator Moser, seconded by Legislator King.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

In response to Legislator Hathway, Legislator King affirmed the charge is annual, and that the expense was not covered by grant funds.

The resolution was then adopted.

RESOLUTION NO. 395 - 2017
RESOLUTION AUTHORIZING A RENEWAL 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 (öDSSö) 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. (öTLSö) has the experience in case management and supportive housing services to vulnerable adults and families; and

WHEREAS, DSS wishes to renew 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 authorizes the renewal Memorandum of Agreement between Lewis County Department of Social Services and Transitional Living Services of Northern New York, Inc. (öTLSö) 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 said agreement is for the period of January 1, 2018 through December 31, 2018 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.

OCTOBER 3, 2017

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

**RESOLUTION NO. 396 - 2017
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.

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, 2018 through December 31, 2018 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 is approximately 37.5% for residential/foster care and is based on the eligibility of the client. The State share is approximately 25% and the Federal share is approximately 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 Moroughan, and adopted.

**RESOLUTION NO. 397 - 2017
RESOLUTION AUTHORIZING EXTENSION/MODIFICATION TO THE
AGREEMENT BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
DENO PROTECTIVE SECURITY SERVICES, INC.**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the County of Lewis (öCountyö), on behalf of the Lewis County Department of Social Services, entered into an agreement dated October 17, 2016 with Denog Protective Security Services, Inc. (öDenogö) to provide armed security guard services for the Department of Social Services building on Outer Stowe Street, Lowville, New York in the amount of \$61,050.00 for a twelve (12) month period; and

WHEREAS, the term commenced on November 1, 2016, and ends October 31, 2017, and may be renewed and extended in one year increments over the following four (4) years commencing November, 2017 upon the same terms and conditions; and

WHEREAS, due to a change in the New York State Department of Labor prevailing wage rates for guardsmen in Lewis County, the County desires to amend the annual compensation amount to a not-to-exceed amount of \$64,395. This annual compensation amount includes providing the services to Lewis County Department of Social Services for 2,385 regular hours at \$27.00 per hour and any overtime which may be incurred during the annual term; and

WHEREAS, the Board of Legislators wishes to accept such extension/modification to the agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an extension/modification to the agreement between the County of Lewis, by and through the Department of Social Services, and Denog Protective Security Services, Inc. to provide armed security guard services for the Department of Social Services building on Outer Stowe Street, Lowville, New York by increasing the annual compensation for all services to a not-to-exceed maximum annual fee of \$64,395 commencing November 1, 2017. Said annual fee is inclusive of 2,385 regular hours at \$27.00 per hour and any overtime which may be incurred.

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

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

Moved by Legislator Brennan, seconded by Legislator Fawcett.

Legislator Kulzer relayed that he had entered the Social Services main entrance, witnessed the security person standing in the doorway to the security office, but was not öwandö searched nor spoken to. He merely approached the receptionist window and was directed where to go for his intended purpose. For these reasons, he portrayed no confidence there is any örealö or worthwhile security provided, specifically referencing the substantial expense.

The resolution was then adopted. Legislator Kulzer was opposed.

RESOLUTION NO. 398 - 2017
RESOLUTION AUTHORIZING EXEMPTION FROM TAXATION FOR CERTAIN
REAL PROPERTY OWNED BY THE TOWNS AND VILLAGES IN LEWIS COUNTY
AND USED FOR PRODUCTION AND TRANSMISSION OF PUBLIC WATER AND
SEWER IN LEWIS COUNTY

Introduced by Legislator Richard Chartrand, Legislative District #5 Representative.

WHEREAS, Real Property Tax Law § 406(3) provides that municipal property located outside such municipality's boundaries which is used as a public sewage disposal or water plant or system, may be deemed partially or wholly exempt from taxation by any municipal corporation where the property is located provided that the governing board thereof shall so agree in writing; and

WHEREAS, Board of Legislators had adopted Resolution No. 74 ó 1997 on April 1, 1997 whereby the then Board of Legislators authorized a written agreement declaring Tax Parcel No. 182.00-03-01.12 owned by the Village of Lowville and located in the Town of Watson to be wholly exempt from County taxation for so long as the property is used for a public purpose satisfying the requirements of Real Property Law § 406; thereafter, an agreement was entered into with the Village of Lowville to declare this parcel exempt from County taxation pursuant to RPTL § 406; and

WHEREAS, on February 16, 2011, the Board of Legislators adopted Resolution 47 ó 2011, applicable to the tax roll established as of March 1, 2011, whereby the Board established a uniform tax exemption policy and procedure to authorize a 100% exemption from County real property taxes for a town or village facility used for the production and transmission of public water or for the treatment and disposal of sewage, where such facilities were located outside the town's or village's boundaries, upon the written request of the applicant-town or village; and

WHEREAS, the Taxation Committee of the Board of Legislators thereafter conducted an extensive review of the tax exemptions granted under this policy and determined that it was in the public interest of Lewis County taxpayers that such exemption be phased out entirely over the four years (2012-2015), and recommended to the Board of Legislators that the exemption policy be modified accordingly; and

WHEREAS, on August 2, 2011, the Board of Legislators adopted Resolution 268 ó 2011 whereby the Board authorized a reduction in the foregoing tax exemption by 25% per year commencing with the tax roll established as of March 1, 2012, with no exemption for municipal facilities used for the production and transmission of public water or for the treatment and disposal of sewage, where such facilities are located outside such municipality's boundaries effective March 1, 2015 and thereafter; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, on March 6, 2012, a Resolution was introduced to have Tax Parcel 182-03-01.12 owned by the Village of Lowville located in the Town of Watson, be wholly exempt from County taxation and be an exception to the phase out of exemption for municipal facilities as was set forth in Resolution No. 268-2011. Said Resolution was defeated; and

WHEREAS, the Lewis County Board of Legislators supports economic development in Lewis County and recognizes the importance of infrastructure systems such as water, sewer and energy that are capable of upgrades, expansion and efficient maintenance and operation, to attract potential businesses to the County; and

WHEREAS, the County has witnessed from various studies, including the Southern Lewis County Water Study and the recently formed Central Lewis County Water Study, that these basic resources must be able to expand and be maintained in order to attract viable businesses to our County, with the County tax on municipal facilities not to be a disincentive to towns and villages to expand and properly maintain their systems and work cooperatively in support of the County's Economic Development efforts; and

WHEREAS, the Lewis County Board of Legislators seeks to treat the towns and villages equally and fairly with respect county real property tax exemptions for their respective facilities used for the production and transmission of public water and/or for the treatment and disposal of sewage, where such facilities are located outside the town/village boundaries and remain public systems which can expand to support growth and aid in economic development in Lewis County; and

WHEREAS, the Lewis County Board of Legislators finds that it is in the public interest for the Board to establish and set forth its position and policy with respect to granting the exemption to such towns and villages in Lewis County who own real property outside its boundaries to which this exemption would apply. The County acknowledges that this policy and decision equates to an annual County tax loss of \$66,000.00.

NOW, THEREFORE, be it resolved that:

Section 1. All prior Resolutions pertaining to the grant or termination of the county real property tax exemption to Lewis County Towns and Villages for their facilities owned outside their boundaries and used for the production and transmission of public water and/or sewer treatment and disposal, are hereby rescinded.

Section 2. The Board of Legislators hereby establishes the following exemption policy with respect to Lewis County towns and villages who own real property located outside the municipality's boundaries; with such exemption to only apply with respect to County taxes on same:

1. The exemption from County taxation shall apply in whole or in part, at the discretion of the County, to the real property owned by a Lewis County Town or Village and located outside that municipality's boundaries for which an exemption is eligible pursuant to RPTL §406 (3) .

2. The municipality seeking the exemption must be a Lewis County town or village, and the property must be classified and used in whole or in part by the municipality for the production, storage and/or transmission of public water or the treatment and/or disposal of public sewage which services the residents and businesses of Lewis County. The municipality must properly and regularly service and maintain its system(s).

3. The exemption shall remain in effect for all future years, so long as there is no change in the use and maintenance of the subject properties as described in subparagraph 2 above, and subject to the County's continuing right to review and take further, different action on these properties and the exemption.

4. The County of Lewis, acting by and through the Taxation Committee of the Board of Legislators, shall review the exemptions granted pursuant to this uniform tax exemption policy in order to assure that the policy is being applied appropriately by the local assessing unit. The County expressly reserves its rights to challenge and, if necessary, to take corrective action with regard to any exemption granted heretofore or hereafter to a Lewis County local municipality property should the Taxation Committee determine that the exemption was unlawful or in contravention of the foregoing policy.

Section 3. The County of Lewis hereby grants an exemption from County taxes for Lewis County local municipal properties that meet the eligible requirements set forth above as of March 1, 2018, and each tax year thereafter, unless amended or rescinded by formal action of the Lewis County Board of Legislators.

Section 4. The Chairman, or the Vice-Chairman, of the Board of Legislators be and the same are hereby authorized to execute and deliver such documents, instruments or writings as may be necessary to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

Section 5. The Real Property Director shall cause a copy of this Resolution to be sent to the effected taxing units as soon as practical.

Section 6. The policy set forth in this Resolution shall be deemed to constitute the agreement of this governing board to authorize such exemptions to each Lewis County Town and Village who meet the criteria as provided in Real Property Tax Law § 406(3). This Resolution shall remain in full force and effect unless or until it is amended or rescinded by formal action of the Board of Legislators.

Section 7. This Resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Moser.

Legislator Brennan made a motion to table the resolution, seconded by Legislator Kulzer.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Chartrand wanted discussion on the issue, and took exception the matter was subject to attorney-client discussion.

County Attorney Joan McNichol said she would update the Board as an Attorney-Client privilege subject matter.

Chairman Tabolt invoked the matter had been discussed at intervals during the past couple of years. He questioned the merits of the taxation and urged a decision on the matter.

Legislator Moser did not believe there was any reason not to have an open discussion.

Adversely, Legislator Hathway expressed concern about serious financial implications referencing ongoing litigation.

Legislator Kulzer asserted there may be other ways to resolve the taxation issue.

The vote to table the resolution was carried by a 7 to 3 roll call vote as follows:

YEAS: Brennan, Dolhof, Fawcett, Hathway, King, Kulzer, Moroughan

NAYS: Chartrand, Moser, Tabolt

ABSENT: None

**RESOLUTION NO. 399 - 2017
RESOLUTION AUTHORIZING APPLICATION TO
NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR APPROVAL OF
THE PURCHASE OF A BUS SHELTER FOR THE LEWIS COUNTY
TRANSPORTATION SYSTEM BY UTILIZATION OF THE COUNTY'S 2017
ACCELERATED TRANSIT CAPITAL FUND**

Introduced by Lawrence Dolhof, Chairman of the Planning Committee.

WHEREAS, the Accelerated Transit Capital (ATC) program administered by the New York State Department of Transportation (NYSDOT), provides state capital funding for upstate public transportation sponsors to rehabilitate, restore and modernize public transit assets; and

WHEREAS, under the Lewis County Transportation System, the Planning Department seeks to submit an application to NYSDOT under ATC funding for the purchase of a bus shelter to be placed at the Lewis County General Hospital, the cost of which is approximately \$10,500. It is proposed that this cost be paid out of 2017 ATC funds; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this application and approve said purchase of said bus shelter at the Lewis County General Hospital bus stop upon NYSDOT acceptance.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes an application to the NYSDOT for use of 2017 Accelerated Transit Capital funds for the purchase of a bus shelter to be located at the Lewis County General Hospital under the Lewis County Public Transportation System.

Section 2. That upon the NYSDOT approval of this application, the Lewis County Board of Legislators hereby authorizes the purchase of said bus shelter at the Lewis County General Hospital bus stop location with funds from the 2017 ATC account.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Application and other required agreements for this funding, upon such form as may be approved by the County Attorney.

Section 4. That a certified copy of this Resolution shall be filed with the New York State Department of Transportation by attaching it to the Application.

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

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

RESOLUTION NO. 400 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND JOHNSON NEWSPAPER CORPORATION
FOR 2018 LEWIS COUNTY PUBLIC TRANSPORTATION BUS ADVERTISING

Introduced by Legislator Lawrence Dolhof, Chairman of Planning Committee.

WHEREAS, Lewis County Public Transportation will begin leasing space on the exterior of its two (2) County-owned buses. There are a total of eight (8) advertising opportunities between the two (2) buses and they include curb-side, street-side and rear showcase options; and

WHEREAS, the County of Lewis, acting by and through the Lewis County Planning Department desires to enter into an Agreement with Johnson Newspaper Corporation on behalf of the Journal and Republican local paper for street-side bus advertising space on a Lewis County Public Transportation bus. The newspaper seeks to lease one (1) street-side space in exchange for the paper providing four (4) color advertisements for Lewis County Public Transportation over the 2018 year at an equal cost value, i.e., \$480.00.

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 Planning Department, and Johnson

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Newspaper Corporation on behalf of the Journal and Republican for the lease of one (1) street-side space on a Lewis County bus in exchange for four (4) color advertisements for Lewis County Public Transportation at an equal cost value of \$480.00, for the term beginning January 1, 2018 through December 31, 2018.

Section 2. That the Chairman of the Board of Legislators or the Vice-Chairman be and the same is hereby authorized to execute, seal and deliver such Agreement 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 Dolhof, seconded by Legislator King, and adopted.

**RESOLUTION NO. 401 - 2017
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 Planning Committee.

WHEREAS, the County of Lewis, acting by and through the Lewis County 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 182 commercials on WWNY (CBS); at least 160 commercials on WNYF (Fox 28) television stations; at least 20 commercials in sporting events; and at least 315 commercials on Me TV Super Hero Sponsorship, for a total of at least 677 commercials. This also includes digital platforms consisting of website pre-rolls and banner advertisements on WWNYTV.COM, and a mobile application sponsorship, at a total cost not to exceed \$18,088.00, inclusive of production investment.

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 Department of Planning 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 will run from January 1, 2018 through December 30, 2018, with at least 677 commercials, website pre-rolls and banner advertisements on WWNYTV.COM, and a mobile application sponsorship, all as set forth in the advertising summary proposal, at a cost not to exceed \$18,088.00, inclusive of the following:

OCTOBER 3, 2017

Television Campaign	\$12,723.00
Website Pre-Rolls	\$2,700.00
Mobile App. Sponsor Campaign	\$2,565.00
Production Fee	\$100.00

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

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

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

RESOLUTION NO. 402 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND LEWIS COUNTY INDUSTRIAL
DEVELOPMENT AGENCY (IDA) FOR 2018 LEWIS COUNTY PUBLIC
TRANSPORTATION BUS ADVERTISING OF THE “NATURALLY LEWIS “LOGO

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

WHEREAS, Lewis County Public Transportation will begin leasing space on the exterior of its two (2) County-owned buses. There are a total of eight (8) advertising opportunities between the two (2) buses and they include curb-side, street-side and rear showcase options; and

WHEREAS, the County of Lewis, acting by and through the Lewis County Planning Department desires to enter into an Agreement with Lewis County Industrial Development Agency (IDA) to promote the “Naturally Lewis” logo and marketing program by the lease of one (1) street-side bus advertising space on a Lewis County Public Transportation bus.

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 Planning Department and Lewis County Industrial Development Agency (IDA) to lease one (1) space of street-side bus advertising space for the “Naturally Lewis” logo and marketing program on a Lewis County Public Transportation bus.

Section 2. That the term of this lease will be from January 1, 2018 through December 31, 2018, at a cost not to exceed \$480.00.

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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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

**RESOLUTION NO. 403 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND SPECTRUM REACH
FOR A MOBILE DIGITAL AUDIENCE NETWORK CAMPAIGN**

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

WHEREAS, the County of Lewis, acting by and through the Lewis County Planning Department desires to enter into an Agreement with Spectrum Reach for a Mobile Digital Audience Network campaign designed to serve and promote public transportation services throughout Lewis County; and

WHEREAS, that this campaign will use Lowville Academy Central School as a geographic target area to market Lewis County Public Transportation on mobile devices.

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 Planning Department, and Spectrum Reach for a Digital Audience Network campaign designed to promote and serve the Lewis County Public Transportation System on mobile devices.

Section 2. That the advertising plan and schedule will run from January 1, 2018 through December 31, 2018, at a cost not to exceed \$3,600.00.

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 King, and adopted.

**RESOLUTION NO. 404 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY TREASURER'S OFFICE
AND SYSTEMS EAST, INC.**

Introduced by Legislator Philip Hathway, Chairman of the Taxation 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 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 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, 2018 through December 31, 2018, at a cost not to exceed \$7,896.00.

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 Moser, seconded by Legislator King, and adopted.

**RESOLUTION NO. 405 - 2017
RESOLUTION TO TRANSFER FUNDS
TREASURER'S OFFICE**

Introduced by Legislator Craig Brennan, 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 Office for the purchase of a laptop utilizing Project HAE Capital Data Processing H0990100 499900 balance \$ 117,770.63:

Increase Revenue:

A0100000 350310 Interfund transfers \$1,141.90

Increase Expense:

A0132500 221700 Computers \$1,141.90

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

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

**RESOLUTION NO. 406 - 2017
RESOLUTION TO TRANSFER FUNDS
HUDSON RIVER BLACK RIVER REGULATING DISTRICT**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfers are hereby approved from Contingency to the Non-Departmental Taxes account to cover the cost of Hudson River Black River Regulating District Assessment:

<u>From:</u>	Amount
A0199000 499900 Contingency	\$19,294.00
 <u>To:</u>	
A0871000 440000 Taxes	\$19,294.00

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

Moved by Legislator Brennan, seconded by Legislator King, and adopted. Legislator Hathway and Legislator Chartrand were opposed.

**RESOLUTION NO. 407 - 2017
RESOLUTION RE-APPOINTING MEMBERS TO
JUNKYARD REVIEW BOARD**

Introduced by Legislator Bryan Moser, Chairman of the Junkyard Committee.

WHEREAS, the term of Paul Dickinson, Joseph Chaisson and Paul Kafline as members of the Lewis County Junkyard Review Board will expire on 12/31/2017; and

WHEREAS, each of these gentlemen have expressed a desire to continue serving on the Review Board; and

WHEREAS, the Junkyard Review Board recommends that they each be re-appointment by the Board of Legislators.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints the following individuals to the Lewis County Junkyard Review Board:

Paul Dickinson of Post Office Box 172, Turin, New York 13473

OCTOBER 3, 2017

Joseph Chaisson of Post Office Box 145, West Leyden, New York 13489

Paul Kafline of 6731 Snell Road, Lowville, New York 13367

Section 2. That the term of said appointments shall be effective from January 1, 2018 through December 31, 2020.

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

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

RESOLUTION NO. 408 - 2017
RESOLUTION URGING THE U.S. CONGRESS TO CONTINUE
AND FULLY FUND THE 340B DRUG PRICING PROGRAM

Introduced by Legislator Richard Chartrand, Chairman of the Hospital Committee.

WHEREAS, in 1992, Congress extended to safety-net providers, the same kind of relief from high drug costs that Congress provided to the Medicaid rebate with the Medicaid rebate law of 1990. Created under Section 602 of the Veterans Health Care Act of 1992, Congress enacted Section 340B of the Public Health Service Act to require pharmaceutical manufacturers to enter into an agreement with the Department of Health and Human Services (DHH), to provide front-end discounts on covered outpatient drugs purchased by covered entities that serve the nation's vulnerable patient populations; and

WHEREAS, according to congressional report language, the purpose of this extension of the 340B program is to enable covered entities to stretch scarce federal resources as far as possible, reaching more eligible patients and providing more comprehensive services. Pharmaceutical prices available under the 340B program are significantly lower than both retail and wholesale prices, with participants able to save an estimated 20-50% off drug costs; and

WHEREAS, under 340B's definition of a covered entity, the Lewis County General Hospital (LCGH) is and has been such a covered entity facility that meets the criteria and successfully participates in this program; and

WHEREAS, in 2016, the 340B program and the savings generated therein, had a positive net gain/savings to LCGH of approximately \$1,758,000.00; and an approximately \$1,140,00.00 positive net gain/savings realized for the first eight (8) months of 2017; and

WHEREAS, the 340B program and the funds that are generated by these savings and rebates, assists our county-owned, rural community hospital with the ability to offer many basic programs and services to our county residents in general, and in particular, its vulnerable members; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Federal Government is proposing a 30% or more reduction in the 340B prescription drug reimbursement program, which will have a devastating negative impact upon LCGH and the programs, services and support it will be able to provide to our residents and their medical needs; and

WHEREAS, the Board of Legislators of the County of Lewis hereby calls upon Senators Charles Shumer & Kristen Gillibrand, Congresswoman Elise Stefanik and other New York representatives to advocate on behalf of the residents of Lewis County to prevent the proposed reduction in funding of this vital program in which the LCGH is an eligible covered entity.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators of the County of Lewis urges continued and full funding of the 340B prescription drug reimbursement program for covered entities.

Section 2. That the Board of Legislators of the County of Lewis calls upon Senators Shumer & Gillibrand, Congresswoman Stefanik and other New York representatives to advocate on behalf of the residents of Lewis County and prevent the proposed reduction in funding of this vital program, which provides the vulnerable residents of Lewis County with vital health programs and services as a result of the reimbursements and savings realized from the 340B program.

Section 3. That the Board of Legislators of the County of Lewis authorizes the Chairman or the Vice-Chairman to forward this Resolution to NY Senators Shumer & Gillibrand, Congresswoman Stefanik, the US Secretary of the Department of Health and Human Services, and any other appropriate representatives and parties, to urge that no reduction in the 340B reimbursement program be made.

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

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

OTHER BUSINESS:

Chairman Tabolt reported that after learning about Copenhagen residents who had collectively responded to save a neighbor's life, he directed that a commending Proclamation be composed. Legislator Brennan will present the Proclamation at a 10/8/17 scheduled event to be held in Copenhagen.

A Proclamation was read to commend several persons who rendered life-saving assistance to Croghan resident Kevin Ardison. County employees Warren Shaw and John Reed were present to accept a copy of the document. Steven Monnat accepted the document on behalf of the Croghan Fire Department and Lewis County Search & Rescue. Citing his 40 years as an EMS responder, Mr. Monnat said, "This is why we do this." He expressed appreciation

OCTOBER 3, 2017

for employers who allow responders to wear their assigned pagers so they may assist in times of need, concluding that good things happen when we work together.

Others that were recognized for their part to assist Mr. Ardison were his son Bryan, daughter Kiley, and Deputy Sheriff Richard Knight.

A third Proclamation was also read in recognition of "National Lead Poisoning Prevention Week" from October 22-28, 2017.

At 7:35 p.m. the Board recessed to a separate room for ongoing litigation update from Atty. McNichol.

After reconvening at 8:04 p.m., Legislator Chartrand made a motion to adjourn, seconded by Legislator Moser and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**FIRST DAY
ANNUAL SESSION
November 7, 2017**

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

Roll Call: All Legislators were present, except Legislator Fawcett whom had been excused.

Legislator Hathway offered the Invocation, calling for a moment of silence in memory of those who had passed. Chairman Tabolt then led the Pledge of Allegiance to the Flag

There were 21 persons present.

Chairman Tabolt declared the October 3, 2017 meeting minutes were approved by general consent after no corrections were noted.

The Clerk read a prepared statement to recognize Diana resident Chad Sullivan for his conscientious and goodwill actions that saved a man's life last November. Chairman Tabolt and Legislator Hathway presented the original document to Mr. Sullivan as those present applauded.

Chairman Tabolt thanked Legislator Hathway for arranging the tour at the Viking Cives plant, and for everything he had done on behalf of his constituents. Harrisville resident Kelly Ritz expressed gratitude to Legislator Hathway for his great representation of the residents and thanked the Board for their financial assistance with the Village of Harrisville dissolution study.

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.

Signed by: Lawrence Dolhof, Chairman
Craig Brennan
Bryan Moser

Dated: November 7, 2017

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

PRIVILEGE OF THE FLOOR:

Carrie Tuttle of the Development Authority of the North Country distributed and reviewed summary reports on the Village of Harrisville Dissolution Study and alternatives compiled by the 10-local person panel. A NYS Department of State \$15,000 grant covers half of the plan cost that will increase to 90% if dissolution is approved by Harrisville voters, augmented by up to \$5,000 from Lewis County toward the study.

After a year-long analysis of all services provided by the Village, a draft dissolution report indicates a 57% Harrisville property tax reduction, as well as a 2% reduction for Town of Diana taxpayers. An implementation plan will soon be put forth to the Village Board of Trustees. Pending their approval, a vote could be set, or the plan may be sent back to the panel for revisions. If the plan is outright rejected, Village residents may petition the Board to force a voter referendum.

Diana would be required to form a water district and consider forming a light district for continued services, while also assuming fire protection costs. Pending dissolution, the Town would be eligible for an Annual Citizens Empowerment Tax Credit estimated at \$109,376 that would be received in perpetuity and annually applied to reduce the tax levy.

Legislator Dolhof inquired the advantage to the State, citing the additional tax credits to be paid in perpetuity. Ms. Tuttle said, "There are a lot of layers of government in NYS that add costs." The programs are to incentivize entities to consolidate or reorganize service delivery to include water, sewer or fire districts, as well as courts or any services. The goal is to reduce administrative oversight, reporting and billing for all levels of government. The grants finance the studies in whole or in part, with ultimate applied incentives.

An example is mandatory County Real Property Tax administration to account for every municipality and special district tax levies and billings, and likewise at the State level that must track thousands of taxing jurisdictions. Although very small, some townships have several fire and rescue districts that have expanded over time, where consolidation would reduce the personnel burden for all government levels.

To Ryan Piche's inquiry as to whether the State could promise tax credits in perpetuity, Ms. Tuttle clarified that budget appropriations across the board are annually at the discretion and approval of the State Legislature and governor. However, considering the nominal comparative budget impact, the Department of State predicts that many other initiatives would be terminated before these local government tax credits. For instance, municipalities that dissolved twelve years ago continue to receive their tax credit appropriation. The tax credits are nominal compared to available State allocations, she concluded.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Town of Lewis Board, and the Essex and Warren County Legislatures have each adopted resolutions in support of Statewide Ballot Proposal Number Three that will create a land account for use by Towns, Villages and Counties having no viable alternative other than using Forest Preserve Land, to address public health and safety concerns.

The NYS Office of Parks, Recreation and Historic Preservation informed they have listed the Talcottville Cemetery on the NYS Register of Historic Places and have nominated it to the Keeper of the National Register in Washington, D.C.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

The Cattaraugus, Erie and Livingston County Legislatures have each enacted a resolution to support increasing the State appropriation for Cornell Cooperative Extension Associations.

The Erie and Greene County Legislatures have each adopted resolutions urging the NYS Congressional Delegation to preserve the Federal Income Tax Deduction for State and Local taxes.

The Cattaraugus and Orleans County Legislatures had also adopted a resolution to honor 2017 as the 100th anniversary of the passage of the Suffrage Act in New York State, which granted women the right to vote in State and local elections.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

The Clerk reported that Legislators had received copies of the 2018 Tentative County Budget, County Treasurer's October report; the 10/18 and 10/24/17 Solid Waste and Highway Audit reports; and the minutes of the 9/21/17 and 10/19/17 Planning Board and 10/18/17 Youth Bureau Advisory Board meetings.

The October monthly report of Director of Weights and Measures James A. Richmire has been received and placed on file with the Clerk of the Board.

The semi-annual mortgage tax report was submitted by the County Clerk and County Treasurer. The amounts to be apportioned to each of the Towns and Villages are as follows:

**APPORTIONMENT OF MORTGAGE TAX
April 1, 2017 through September 31, 2017**

	<u>KEY</u>	<u>VALUATION</u>	<u>AMOUNT</u>
Town of Croghan		372,663,282	\$18,472.15
Village of Croghan	.025309389	18,863,760	<u>479.66</u>
			\$18,951.81
Town of Denmark		180,810,463	\$13,171.34
Village of Castorland	.043609913	15,770,257	680.47
Village of Copenhagen	.112265392	40,597,515	<u>1,751.74</u>
			\$15,603.55
Town of Diana		181,459,743	\$10,403.17
Village of Harrisville	.062799510	22,791,166	<u>697.09</u>
			\$11,100.26
Town of Greig		225,547,776	\$13,631.39
Town of Harrisburg		273,795,859	\$ 3,514.65
Town of Lewis		73,770,509	\$ 3,315.48

NOVEMBER 7, 2017

Town of Leyden		104,553,452	\$ 8,118.44
Village of Port Leyden	.078151279	16,341,972	<u>688.25</u>
			\$ 8,806.69
Town of Lowville		457,443,050	\$19,183.86
Village of Lowville	.283787520	259,633,257	<u>7,601.29</u>
			\$26,785.15
Town of Lyonsdale		113,066,613	\$ 6,079.44
Village of Lyons Falls	.039064790	8,833,847	254.22
Village of Port Leyden	.026734236	6,045,499	<u>173.98</u>
			\$ 6,507.64
Town of Martinsburg		400,790,483	\$ 9,752.16
Town of Montague		38,281,354	\$ 1,485.73
Town of New Bremen		178,085,304	\$23,020.21
Village of Croghan	.036286169	12,924,067	<u>866.77</u>
			\$23,886.98
Town of Osceola		51,748,372	\$4,223.26
Town of Pinckney		37,415,630	\$3,986.40
Town of Turin		79,246,117	\$4,910.92
Village of Turin	.077862320	12,340,573	<u>414.66</u>
			\$ 5,325.58
Town of Watson		210,412,592	\$15,327.54
Town of West Turin		141,217,808	\$ 8,693.44
Village of Constableville	.049130496	13,876,202	504.87
Village of Lyons Falls	.104875626	29,620,612	<u>1,077.70</u>
			\$10,276.01

GRAND TOTAL \$182,480.27

To County of Lewis \$97,168.43

Philip Hathway, Chairman
Bryan Moser
Lawrence Dolhof

Taxation Committee

Dated: November 7, 2017

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 \$182,480.27 from the tax on mortgages from April 1, 2017 through September 31, 2017 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 7th day of November 2017.

Michael A. Tabolt, Chairman
Teresa K. Clark, Clerk of the Board

REPORTS OF STANDING COMMITTEES:

Legislator Philip Hathway, Taxation/Elections/Information Technology Committee Chairman, reported the Mohawk Networks contract had been fully executed so an analysis of all towers has begun to determine weight and wind loads for broadband expansion.

The new civil service software is working as predicted to reduce required personnel time. The State will purchase required personal computers for Social Services personnel for the newly implemented server-based virtual desktop information system. New software will also be acquired that will greatly assist assessors.

Legislator Hathway reported that Real Property Tax Director Candy Akin has obtained guidelines for solar projects and related PILOT agreements. There are 49 properties that have a veterans exemption. Upon request from eligible persons, the State approved increased exemption from \$5,000 to \$7,500 will be applied. There are 22 identified parcels in Brantingham for possible 9-1-1 address changes. Ms. Akin will proceed as was done for changes in the Lake Bonaparte area.

Legislator Andrea Moroughan, as a member of the Social Services/Office For Aging/Youth Committee Chairman, reported the HEAP program would begin 11/13/17, and pre-approved applicants will receive a reverse 9-1-1 call to inform they do not need to apply or phone the office. Also, persons may phone the Office For the Aging for assistance with Medicare health insurance enrollment. There are many navigators in the area to assist with health insurance options. The furniture donated by the Development Authority of the North Country is available for eligible applicants through a voucher system.

Legislator Moroughan reported that she, Ryan Piche and Kraft Heinz employees had recently assisted OFA staff to package and deliver their donations of 130 shelf-stable meals to senior citizens.

Legislator Bryan Moser, County Officers/Junkyards/Veterans Services/ Human Resources Committee Chairman, reported that of the total 450 veterans enrolled at JCC, 54 are Lewis County veterans or family members. Director Stephen Kilionski had apprised that the Veterans Administration has reduced wait times for veteran health visits by allowing those residing outside a 40-mile radius from a veteran clinic to be treated by their primary care physician. Congressional Acts have provided additional funding to enhance timely treatment and payments to providers.

Legislator Moser also cited his sponsored resolution to make a title change in the Social Services Department.

Legislator Jerry King, Courts and Law Enforcement/Fire & Emergency Services/Building Codes Committee Chairman, reported that both companies that submitted proposals for the Public Safety Radio System Interoperability Base Stations have been forwarded clarifying inquiries.

Legislator King reported that Director Robert MacKenzie and Ryan Piche traveled to Albany for Incident Command System training. He also reported the paging system is working well since the background noise was substantially reduced. They await delivery of two antennas to be placed on the No. 3 Road and Lyons Falls towers to optimize communication.

Legislator Lawrence Dolhof, Economic Development/Recreation, Forestry and Parks, Committee Chairman, announced the 11/14 Business Leaders Breakfast to be held at the Maples Ranch Restaurant on Route 12 between Lowville and Copenhagen. All area schools had participating students for Manufacturing Day hosted at five local businesses, including 60 students at Viking Cives, to inform about employment opportunities.

Legislator Dolhof reported that the Lyons Falls mill redevelopment, Snow Ridge expansion and Village of Lowville wastewater system upgrade grant applications were chosen as priority projects by the Regional Council, and await official REDC grant announcements in December.

Legislator Dolhof informed the JCC annual telephonic community survey is underway encouraging everyone contacted to participate. Skewed Brewing has moved into the Trinity Avenue building and have made their initial payment to the IDA. Also, the IDA has received a counter-offer from the owner for purchase of the Climax Manufacturing building.

Legislator Craig Brennan, Ways and Means/Buildings and Grounds Committee Chairman, commended Budget Officer Ryan Piche, Treasurer Patricia O'Brien and all Department Heads for holding the line on proposed spending encompassed in the 2018 Tentative Budget. He noted the challenge to attain the goal of \$4 million reserve in the health insurance fund. The proposed budget equates an eleven-cent per thousand dollars of assessment increase, which remains within the 2% tax cap.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Brennan reported that maintenance personnel have completed the sally port repairs, roof repairs at the Highway sign shop, installed fans in the Court House lobby and assisted with the Highway diesel system filters and cleaning. Use of an alternative fueling system being installed by a local business is being explored for Highway vehicles, which would negate purchase and construction of a new fueling system.

Legislator Brennan commended Planning Director Frank Pace for his consistent reports to apprise the Board on the solar project progress. The transformers will be delivered when the inter-connectivity is ready, projected by the end of December.

Legislator Brennan was pleased to report that discussions continue with JCC representatives for curriculum development for the proposed Lewis County extension center.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman, made a motion to authorize the County Superintendent of Highways to charge Towns within Lewis County a \$5.00 surcharge for each sign, effective November 1, 2017. The motion was seconded by Legislator Brennan and carried.

Legislator Kulzer reported a total of 91 bridges in the county, four of which are 3-Ton bridges, plus one historical bridge. Although 5.5% of the bridges are deemed structurally deficient, all are safe if posted limits are adhered. The State deems the County responsible for Town-owned bridges as well. The fueling depot being installed at Tops Plaza may be a viable alternative for larger equipment, which, as earlier noted by Legislator Brennan, would avoid substantial cost to replace the aged County fueling system.

Legislator Kulzer reported the Committee had approved to request bids for a replacement compactor box; and that recyclables and trash volumes both continue to increase.

As the representative on the Double Play Community Center Board, Legislator Kulzer reported that 36 middle school students and 14 high school students are enrolled in the South Lewis after school staffed program held at the church across from the school. There are also 7 students in the youth soccer program. None of the students are charged for these programs.

Legislator Kulzer termed the recent "Comedy Night" fund raiser event as very successful. Legislator Moser asked whether Double Play was tracking how many more youths are being served, considering the shorter commute to attend programs in the outlying southern and northern areas. He inferred those programs may cease, if a centrally located center becomes a reality. Legislator Kulzer is unaware of any intention to terminate the outreach programs, although efforts continue for a Lowville center.

Legislator Richard Chartrand, Hospital Committee Chairman, announced the August employee-of-the-month was physical therapist Angela Millard, and certified nursing assistant Rebecca Mothersell for September.

Legislator Chartrand reported the facility is transitioning to Meditech 6.1 to help doctors with billing, and 2018 budget appropriations cover the \$1.6 million cost. There was a September

gain of \$60,636 compared to a budgeted loss of \$161,000 with a year-to-date surplus of \$3,299,000. He then deferred to Hospital CEO Gerald Cayer, who was happy to relay that he and his family are Lowville residents.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chairwoman, reported Director Penny Ingham had presented the third quarter Board of Health report, Improvement Plan Update, Quality Assurance and Corporate Compliance reports. The Public Health Strategic Plan will be presented to the Board in February 2018. She further reminded everyone to get their flu shot.

Legislator Moroughan made a motion to authorize motion to authorize Director of Community Services Patricia Fralick to fill the vacant part-time Keyboard Specialist position up to 17.5 hours/week, effective immediately, seconded by Legislator Chartrand and carried.

Legislator Moroughan reported the Planning Department is assisting to mitigate transportation challenges for those seeking behavioral health and substance abuse treatment. Local groups continue to hold public forums focused on the opiate crisis, are establishing recovery self-help groups in outlying areas, as well as holding fund raisers to support their initiatives.

The NYS Department of Health first quarter 2017 statistics for Lewis County: 3 overdose deaths from heroin and opiate pain relievers; and 64 admissions to OASAS chemical dependence treatment programs. As of 11/1/17 there were ten confirmed deaths from opiate overdose and two pending results.

Legislator Moroughan reported that in response to the epidemic, the Credo Community Center is offering walk-in screening visits during business hours; NRCIL and the Recovery Center established an after-hours phone line that guides persons to support and treatment; and Mountain View Prevention Services is providing information to connect persons with appropriate services.

SPECIAL REPORTS:

Chairman Tabolt was accompanied by Legislator Dolhof, Ryan Piche and Eric Virkler for the 10/11/17 Hudson River Black River Regulating District (HRBRRD) meeting and lunch at Stillwater Hotel followed by a tour of the Stillwater dam and power plant.

He had also attended the Inter-County Legislative Committee of the Adirondacks meeting hosted by Hamilton County where a NYSAC representative gave an in-depth review of the Propositions on the upcoming November ballot.

If successfully approved by the electorate, Chairman Tabolt suggests a Constitutional Convention that would include three elected delegates from each Senatorial District would not bode well for the North Country. During the last convention held in 1967 there had been a referendum for State takeover of Medicaid. However, the delegates chose to combine this issue

PROCEEDINGS OF THE BOARD OF LEGISLATORS

with eight other proposals into one ballot. Owing to some of the coagulated controversial issues, delegates resoundingly defeated the ballot.

NYSAC representatives are exuding confidence with the supportive momentum from State representatives for UTV legislative bills.

Chairman Tabolt plans to attend the 11/16/17 Inter-County Legislative Committee of the Adirondacks meeting in St. Lawrence County. He was pleased they had taken his suggestion to plan a tour of the Curran Renewable Energy Pellet Plant.

Chairman Tabolt reported that he, Legislator Dolhof, Ryan Piche and Eric Virkler had a very cordial meeting with Fort Drum General Walter Piatt and Lt. Col. Polk to enhance our communications about future wind tower projects. General Piatt affirmed his substantial agreement with the Board's stance for a compromise as it relates to radar interference.

Legislator Hathway took grave exception to a Watertown Daily Times editorial he felt was disrespectful of the Board. He refuted its inference this Board would approve any wind tower project regardless of Fort Drum impact, while reiterating the Board's wholehearted support of Fort Drum, recognizing its regional value.

Legislator Chartrand stated the Board responded to the General's request by assuring that Fort Drum was listed as an involved party in the wind tower sighting process, and that we would consider any adverse affects with future projects. Fort Drum was appreciative and relayed these points to the other agencies that are spewing false accusations about our Board. He concluded his desire to see due diligence for all parties during the review process.

Legislator Moser urged that relative questions be posed to those who directly operate the radar and weather systems, being most knowledgeable, some that claim the known stationary towers pose less risk than an unknown flock of geese entering from any direction.

COUNTY MANAGER/BUDGET OFFICER REPORT:

Budget Officer Ryan Piche read his following 2018 Tentative County Budget Message:
Honorable Members of the Board of Legislators

Enclosed for your review and consideration is the 2018 tentative budget for Lewis County. This year's challenge is to balance our commitment to conservative fiscal management against rising costs driven largely by personnel benefit increases. A budget is, above all, a plan, and with your input and leadership, I have little doubt that this plan will guide us through another successful year in Lewis County.

2018 Budget Summary

The 2018 budget proposes a 1.16% increase in spending, resulting in an increase in the millage rate from 7.23 to 7.34 per \$1,000 of assessed value. A property valued at \$100,000 will receive a tax bill of \$734, an increase of \$11 from 2017. Importantly, the tentative budget proposes zero cuts to services, zero fee increases, and remains under the State-imposed property tax cap.

NOVEMBER 7, 2017

	2017 Adopted Budget	2018 Tentative Budget	Year-Over-Year Difference
Total Revenue	\$28,788,105	\$28,848,485	Revenues increase by \$60,380
Total Appropriations	\$44,946,294	\$45,468,424	Expenses increase by \$522,130
Balance Raised by Taxes	\$16,158,189	\$16,619,939	Net increase of \$461,750
Less Applied Fund Balance	\$820,000	\$820,000	No reduction in fund balance use
Real Property Tax	\$15,338,189	\$15,799,939	Net increase of \$461,750
Taxable Value	\$2,121,128,953	\$2,151,941,662	\$30.8M increase in taxable value
County Tax Rate	7.23	7.34	1.54% tax increase

The tentative budget proposal also continues the County's commitment to our stated financial guidelines for long-term fiscal sustainability. The tentative budget:

- Continues to target a general fund balance of \$11M, or 10% of our combined hospital and County operating budget;
- Maintains our A+ credit rating; and
- Maintains current County service levels.

The budget, however, fails to reduce our year-over-year dependence on fund balance. \$820,000 of fund balance was used in 2017, and \$820,000 is recommended in 2018 as well. Our goal remains to reduce overall fund balance use to \$500,000 or less by 2021 to account for the loss of windmill revenue.

Closing the Gap

To operate exactly as we have in 2017, that is, without expanding a single service or adding a single position, the 2018 budget would exceed the property tax cap by \$1.4M. To get under the tax cap, our budget team deployed a variety of cost shifting and cutting.

First, we are recommending \$363,000 of one-time expenses requested for 2018 to be paid using 2017 year-end surplus.

One-Time Items to be Paid with 2017 Surplus	
Annual Highway Building Capital Contribution	\$200,000
Two Sheriff Dept. Cruisers	\$78,000
Highway Dept. Vehicle Equipment	\$59,461
Two Voting Machines	\$26,000
Total One-Time Items	\$363,461

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Additionally, our team trimmed several line items from 2017 levels. The largest reduction came from contingency funds. In 2017, \$870,000 in contingency was budgeted; recommended in 2018 is just \$250,000. This will tighten additional spending throughout the year, but we are confident that \$250,000 will be enough to cover regular County operations.

Revenue

The County continues to cultivate diverse revenue sources; however, revenue is generated primarily by three sources: sales tax, state aid, and federal aid. Sales tax is notoriously volatile, and determined by economic factors out of our control as a County, so it's important to remain conservative in our projections. That said, sales tax numbers continue to come in above projections. Therefore, we are advising an increase of \$150,000 for 2018. Even with this increase, we are comfortable with this projection. Total sales tax revenue for 2018 is projected to be \$10,975,000. As in years past, sales tax will account for about 38% of County revenue. State and federal aid vary in accordance with expenditures. Both are projected to hold fairly steady year-over-year, with a slight drop in federal aid due to lower expenditures at DSS. Overall, state aid accounts for 24% of total revenue, and federal aid accounts for an additional 15%. A complete revenue breakdown is found on page one of the tentative budget.

Expenditures

With the exception of employee wages and fringes, expenditures have been held to very modest year-over-year increases. Most departmental line-items show no increase, however there are some unavoidable contract increases, and some adjustments to reflect past spending.

The most prominent increase in this year's budget is employee health insurance premiums. County Manager Liz Swearingin wrote in her 2015 budget message, "The single biggest risk in the county budget for 2016 and beyond is the dramatically rising cost of healthcare – we are not on a sustainable or fiscally sound path." And in 2017 she wrote, "In the last three 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 continues to be the case. This year's health insurance premium *increase* is projected to be over \$700,000, bringing the total health care cost to the County to \$4.2M. Since last year, we have introduced two new health insurance plans, and we continue to explore options in partnership with the union. I am confident that we will work towards a solution in 2018, but in the meantime, there is no denying the weight of health insurance premiums on our budget. Health insurance cost increases alone are almost double the State-imposed tax cap.

Despite rising personnel costs, Lewis County has done a great job of generating long-run savings through employee attrition. Since 2008, Lewis County (excluding the hospital) has reduced its staff by 23%. Because of health insurance premiums, we aren't seeing the effectiveness of these reductions right now, but we should continue to pursue employee attrition as this trend will pay-off in the long-run. The 2018 Budget funds 308 total positions.

Year	008	009	010	011	012	013	014	015	016	017
Employees										

	79	87	69	66	23	87	98	78	70	92
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State Mandates

We are all aware of the impact of New York State mandates on the County budget, but in a year with a tax increase, a brief reminder is appropriate. In Lewis County, 77% of every property tax dollar goes directly to New York State for the following programs:

State Mandated Program	Budgeted Expense	County Share
Indigent Defense	\$404,200	\$404,200
Probation	\$582,551	\$464,752
Pre-K	\$1,785,795	\$707,619
Early Intervention	\$222,876	\$119,774
Medicaid	\$6,040,605	\$5,050,000
Pension	\$1,918,722	\$1,918,722
Foster Care	\$2,942,541	\$230,085
Safety Net	\$517,970	\$443,781
Youth Detention	\$91,778	\$2,100
IGT/Lewis County Support for LCGH	\$2,800,000	\$2,800,000
Total State Mandated Costs	\$17,311,038	\$12,141,033
Total Tax Levy		\$15,799,939
% of County Share Supporting Mandated Programs		76.8%

Capital Expenditures

Absent from the 2018 spending plan are any large capital improvement projects. Basic maintenance of the Courthouse and other facilities is included, but our larger capital improvement needs are not addressed. With the results of the BCA Strategic Facilities Plan expected early in the new year, 2018 will be a good time to plan a concrete capital improvement program. Lewis County has done well to reserve funds for specific projects, and maintain an appropriate fund balance, but few can doubt that our physical plant has some serious needs. Over the next five years, we need to make necessary investments in capital improvement projects. A million-dollar project today will cost \$1.2M five years from now. Where else can we put our savings and earn a 20% return over five years? Even though 2018 does not propose any large capital projects, we need to begin preparing for large expenses in the near future.

Conclusion

Proposed is a responsible spending plan given the State-imposed property tax cap. Unfortunately, this plan fails to address several departmental requests, and doesn't provide the flexibility the Board of Legislators may be used to in regard to contingency funds. This is unfortunate, but it is the reality of budgeting under an arbitrary spending cap. It's important that we don't confuse the pressures of the tax cap with the County's overall financial health. The tax cap is an arbitrary, State-designed mechanism with little applicability to the operational needs of individual counties. We should be more focused on providing long-term value to our tax-payers than meeting arbitrary regulations established in Albany. Despite this year's challenges, the County remains in an excellent financial position, and there is no reason that will change in 2018.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

On a personal note, I would like to extend a sincere thank you to our budget team. Our department heads are professional and reasonable, and they have been a pleasure to work with throughout this process. Thank you to the Ways & Means Committee for providing guidance and feedback as the budget was coming together. Thank you to Terry Clark and Cassandra Moser for their organization and support. And most of all, thank you to Patty O'Brien; without her expertise and patience this plan would not be possible.

The 2018 Lewis County budget is respectfully submitted for public comment and approval.

Ryan Piche
Budget Officer

COUNTY TREASURER REPORT:

Patricia O'Brien reported the current fund balance of the Special Legislative Contingency Fund - \$388,154.14; Contingency Fund-\$271,572.27; Capital Data Processing Fund-\$116,643.30 and Capital Equipment Fund - \$269,819.70, of which \$7,379.85 is the Highway portion, year-to-date sales tax revenues are above budget at \$8,418,280.17; and current Hospital debt is on schedule at \$1.4 million.

The recent Inter-governmental Transfer (IGT) receipt for the Hospital was \$600,000 less than anticipated, resulting cost saving for the County.

The 9/30/17 Internal Service Fund balance of \$1,962,314.84 reflects a decrease of \$277,851.55.

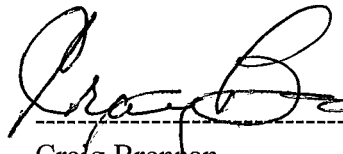
REPORT OF THE WAYS AND MEANS COMMITTEE:

NOVEMBER 7, 2017

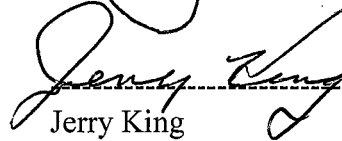
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

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 \$ 1,356,902.04 and recommend that they be audited and allowed for the amounts claimed.



Craig Brennan Chair



Jerry King Committee



Richard Chartrand Committee

Dated: November 7, 2017

Approved on motion by Legislator Moser, seconded by

Legislator Brennan, and carried.

**RESOLUTION NO. 409 - 2017
AUDITING AND ALLOWING CLAIMS**

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

RESOLVED that the claims presented for payment in the total amount of \$ 1,356,902.04 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

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

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

NAYS: None

ABSENT: Fawcett

**LOCAL LAW (INTRODUCTORY NO. 4 - 2017)
COUNTY OF LEWIS**

Introduced by Legislator Craig Brennan, 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 2018 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 2018 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 2018 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 2018 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. 410 - 2017
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 4 - 2017), COUNTY OF LEWIS**

Introduced by Legislator Craig Brennan, 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 7, 2017 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 2018 BUDGET."

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on November 16, 2017 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, 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 Kulzer, and adopted.

**RESOLUTION NO. 411 - 2017
RESOLUTION AUTHORIZING RETAINER AGREEMENT WITH THE AYERS LAW
FIRM, PLLC FOR PROFESSIONAL CONSULTANT AND LEGAL SERVICES**

WITH RESPECT TO RECREATION TRAILS, ATV AND UTV ACCESS, PUBLIC ACCESS EASEMENTS, RIGHTS OF WAY AND LAND PURCHASES PERTAINING TO PROPERTIES (PRIVATE AND STATE) IN LEWIS COUNTY AND THE LEWIS COUNTY RECREATION TRAIL SYSTEM

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development and Recreation, Forestry & Parks Committees.

WHEREAS, Kenneth L. Ayers, Esq., partner in The Ayers Law Firm, PLLC, has expertise in providing legal advice and guidance on issues involving public access easements and rights of way acquired by the State of New York over private and state lands under the jurisdiction of the NYS Department of Environmental Conservation which effect the County's recreational trail system and its desire to expand the system with additions to the trail system that add critical connections. Mr. Ayers has particular legal expertise in reviewing conservation easements and State rights therein, as well as rights under ATV and UTV laws and regulations; and

WHEREAS, the Board of Legislators approved a purchase option for lands known as the Molpus Property, as requested by the Recreation, Forestry and Parks Department in order to acquire the land which would provide critical connections to the County's recreational trail system. Said parcel may contain conservation easements which may have an adverse effect upon the purposes for the County acquiring same. In addition, the Department seeks expertise in evaluating all laws and regulations pertaining to ATV and UTV uses on the County's public trail system; and

WHEREAS, the Recreation, Forestry and Parks and Economic Development Committee believes the expertise and legal assistance of Kenneth L. Ayers in these matters will benefit the County's recreational and tourism endeavors; and

WHEREAS, the Board of Legislators seeks to secure the legal services of Kenneth L. Ayers to assist the County in the legal review and options pertaining to the acquisition of the Molpus Property Purchase Option and any recreational easements therein contained, and to assist the County in legal analysis and evaluation of ATV and UTV laws and regulations and the effects of same upon the Lewis County Recreational Trail System; and

WHEREAS, the Board of Legislators seeks to secure said legal services.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes a contract to retain the legal services of Kenneth L. Ayers, Esq., of The Ayers Law Firm, PLLC, at a cost not to exceed \$10,000.00 and at an hourly rate of \$225.00 plus reasonable expenses, for the legal consultation and advice pertaining to review and analysis of the Molpus Property purchase option and title search, and steps to be taken upon said review; and legal consultation pertaining to ATV and UTV laws and regulations.

Section 2. That the payment of fees to The Ayers Law Firm, PLLC shall be made from the Legislators Professional Services account at the rate of \$225.00 per hour plus approved expenses, all not to exceed the sum of \$10,000.00.

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

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

Moved by Legislator Dolhof, seconded by Legislator King.

In response to Legislator Hathway, Legislator Dolhof stated the Committee's recommendation was to pay the expense from the Legislative account. Citing the references to ATV's, Legislator Kulzer inquired why it would not be paid from the Trails account.

County Attorney McNichol explained the law firm has expertise in the complex State access easements encompassed within the respective property. They would also review and consider ATV and UTV laws, as well as the relativity of the County's local law to glean possible alternatives or feasible options related to the State laws.

Legislator Moser favors retention of the law firm, citing the necessity to use Town roads to connect the off-road Molpus properties. If a loophole could be identified that would allow the County to acquire the property and legally connect to the trail system respective to the easements, then he suggests the County advantage that option.

The resolution was then adopted.

**RESOLUTION NO. 412 - 2017
RESOLUTION TO SET PUBLIC HEARING ON
2018 TENTATIVE LEWIS COUNTY BUDGET**

Introduced by Legislator Craig Brennan, 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 2018 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 16th day of November, 2017 to begin at 5:00 p.m.

Section 2. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 413 - 2017
RESOLUTION AUTHORIZING RENEWAL PERIOD FOR
AGREEMENT BETWEEN COUNTY OF LEWIS AND
UNIFIED COURT SYSTEM**

Introduced by Legislator Craig Brennan, Chairman of the Buildings and Grounds Committee.

WHEREAS, the County of Lewis and the Unified Court System, Fifth Judicial District, have an existing Agreement for the purpose of providing cleaning services and minor repairs of the Lewis County court facilities and wish to establish a renewal period for such services for the period from April 1, 2017 through March 31, 2018.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the renewal Agreement between the County of Lewis, by and through the Buildings and Grounds Department, and the Unified Court System, Fifth Judicial District, for the provision of cleaning services and minor repairs, as well as preventative building and property maintenance of the Lewis County court facilities for the period from April 1, 2017 through March 31, 2018, at a cost not to exceed \$84,214.00.

Section 2. That during the 2017-2018 renewal period, all terms and conditions of the original Agreement shall continue to apply, except for the compensation amount of \$84,214.00 which is hereby set and accepted as revised Appendix B for the 2017-2018 renewal period.

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 King, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 414 - 2017
RESOLUTION TO SET A PUBLIC HEARING FOR PUBLIC INPUT
ON THE GRANT OF A WAIVER FOR A CONFLICT OF INTEREST BETWEEN
SNOW BELT HOUSING COMPANY, INC. VICE-CHAIRMAN AND AN ELIGIBLE
REHABILITATION GRANT RECIPIENT**

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

WHEREAS, Lewis County (County) is a recipient of a Small Cities Community Development Block Grant (Lewis County 636HR334-16) which provides rehabilitation assistance to income eligible homeowners in the County; and

WHEREAS, Snow Belt Housing Company, Inc. (õSnow Beltö) is a not-for-profit corporation organized under the laws of New York State, with offices located at 7500 South State Street, Lowville, New York 13367, who acts as a sub-recipient to the County by administering said Grant; and

WHEREAS, the Board of Legislators wishes to obtain the views of citizens on a potential conflict of interest that is present between Dennis Mastascusa, the Vice-Chairman of the Board of Directors of Snow Belt and an applicant for housing rehabilitation assistance who is otherwise eligible for the grant funds but for the family relationship between them; and

WHEREAS, the Office of Community Renewal (OCR) Grant Manual requires that under the CDBG program, an applicant who may have a conflict of interest may need a waiver in order to participate in the CDGB funded activity. Where the municipality that has received CDBG assistance determines, after a public hearing, that a conflict of interest exists but authorizes a waiver, a request for the waiver must be submitted by the local municipality to OCR prior to undertaking any activity on the application under the Grant funds; and

WHEREAS, the Lewis County Board of Legislators seeks to set the public hearing to consider the conflict of interest and determine whether a waiver should be requested.

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 citizens regarding the potential conflict of interest and requested waiver posed by Dennis Mastascusa, the Vice-Chairman of the Board of Directors of Snow Belt Housing Company, Inc. and the otherwise eligible CDGB housing rehabilitation applicant, to be held on Thursday, November 16, 2017 at 5:00 p.m. at the Lewis County Courthouse, Legislative Chambers, Second Floor, 7660 North State Street, Lowville, New York 13367.

Section 2. That public notice of the hearing shall be advertised in accordance with law at least five (5) days prior to the hearing date.

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

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

RESOLUTION NO. 415 - 2017
RESOLUTION AUTHORIZING LEWIS COUNTY COMMUNITY SERVICES TO
ENTER INTO A PROFESSIONAL SERVICES RENEWAL AGREEMENT WITH
COORDINATED CARE SERVICES, INC. (CCSI)
FOR SPECIALIZED FINANCIAL MANAGEMENT SERVICES

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the County of Lewis (öCountyö), through Lewis County Community Services (öLCCSö), is a Local Government Unit (öLGUö), tasked with fiscal auditing responsibilities and management of State OMH, OASAS, and OPWDD programs. With management of complete and accurate documentation and timely reports in compliance with NYS auditing requirements for the various programs managed, the Director of Lewis County Community Services ensures that the LGU will maximize state aid and be in compliance with required Consolidated Fiscal Reporting (öCFRö); and

WHEREAS, the Director of the Lewis County Community Services Board seeks to renew the contract with COORDINATED CARE SERVICES, INC., (öCCSIö), a professional management services organization with specific expertise in community-based services in the areas of behavioral health and human services and state agencies, to assist with technical information systems support in the complex area of NYS required financial reporting and compliance; and

WHEREAS, CCSI has offered to provide such professional and specialized financial management and technical services that will assist the Director of Lewis County Community Services in the complex fiscal auditing documents and reports required for NYS deliverables and Federal Medicaid Cost Reporting requirements; and

WHEREAS, CCSI has the expertise to provide such financial management and technical services to the LCCS Director for ongoing specialized financial management services including but not be limited to: meeting all LGU requirements of OMH, OASAS, & OPWDD; NYS Deliverables; NYS State Aid letter review and allocation management; NYS Advance Payments Management; Providersø Claims Review; NYS Closeout Reconciliation; County & Provider contracts, payments and reconciliations; Communication between NYS and provider agencies; Federal Medicaid Administration cost and random time study roster reporting; Collection and compilation of all necessary data according to CFR guidelines, alignment of funding allocations to programs, completion of the CFR and submission of same with follow-up responses to county auditors and NYS CFR unit; all at an annual cost not to exceed \$17,000.00, based upon an hourly professional billing rate of \$100.00.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes a renewal Agreement with Coordinated Care Services, Inc., (CCSI) and Lewis County Community Services for professional, specialized financial management services for Fiscal Officer Support including but not limited to Ongoing LGU Management Services and Federal Medicaid Administration Cost Reporting and Consolidated Fiscal Reports at \$100.00 per hour basis, at a total annual cost not to exceed \$17,000.00.

Section 2. That the term of this Agreement shall be from January 1, 2018 through December 31, 2018, and subject to annual renewal authorization.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators, and the Director of Community Services are hereby authorized to make, execute, seal and deliver such Agreement with CCSI, upon such terms as may be approved by the County Attorney.

Section 4. This Resolution shall take effect immediately.

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

RESOLUTION NO. 416 - 2017
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY SERVICES DEPARTMENT AND CREDO
COMMUNITY CENTER FOR THE TREATMENT OF ADDICTIONS

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

WHEREAS, Lewis County Community Services Department wishes to enter into a renewal Agreement with Credo Community Center for the Treatment of Addictions (öCredoö) to provide outpatient substance abuse treatment services; and

WHEREAS, the Community Services Board (öCSBö) is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Article 41 of the Mental Hygiene Law and CSB recommends that the County enter into a contract with Credo for such services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a renewal Agreement between the County of Lewis, by and through the Lewis County Community Services Department, and Credo Community Center for the Treatment of Addictions, Inc. to provide outpatient substance abuse treatment services.

Section 2. That this is for the period beginning January 1, 2018 through December 31, 2018 at a cost not to exceed \$19,577.00.

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

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

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

**RESOLUTION NO. 417 - 2017
RESOLUTION AUTHORIZING RENEWAL AGREEMENTS BETWEEN
LEWIS COUNTY COMMUNITY SERVICES
AND MOUNTAIN VIEW PREVENTION SERVICES, INC.,
ONEIDA-LEWIS NYSARC, AND
NORTHERN REGIONAL CENTER FOR INDEPENDENT LIVING**

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

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

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

WHEREAS, the Community Services Board has reviewed the proposals for the following providers of mental health services and has determined that these services are necessary to meet the needs of the community and the costs are reasonable for servicing such needs; and

WHEREAS, the Community Services Board receives state aid funding for such agreements which provides mental health services, and during 2018, may receive adjustments to the state aid funding for each provider agency based upon a Cost Of Living Adjustment (COLA) determined by the state; and

WHEREAS, the Community Services Board has heretofore duly met to consider the contracts for the following service providers and recommends the Board of Legislators enter into such contracts to include a provision to accept any COLA adjustment granted by the state during 2018.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the following renewal agreements for fiscal year 2018, the term of these services are beginning January 1, 2018 and ending December 31, 2018, at initial amounts set opposite to each, respectively, and subject to any financial adjustment(s) made by the state to each agency contract, including any COLA for 2018:

ENTITY	AMOUNT
Mountain View Prevention Services, Inc.	\$ 233,423.00
Oneida-Lewis NYSARC	\$ 99,630.00
Northern Regional Center for Independent Living (NRCIL)	\$ 782,193.00
• Family Support Services - \$170,284.00	

- Mental Health Advocacy & Psychosocial Club - \$251,462.00
- Peer Recovery Services - \$247,748.00
- Outreach Peer Advocate - \$46,925.00
- MICA - \$60,350.00
- Transition Management - \$5,424.00

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement(s) and any amendment(s) thereto as a result of any financial adjustment made to same by the State in 2018, 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. 418 - 2017
RESOLUTION AUTHORIZING LOCUM TENENS RENEWAL AGREEMENT
BETWEEN LEWIS COUNTY COMMUNITY SERVICES DEPARTMENT
AND ONE PATH CAREER PARTNERS

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

WHEREAS, the Lewis County Community Services Department desires to enter into a renewal Agreement with One Path Career Partners with offices located at 859 Penfield Road, Rochester, New York 14625; and

WHEREAS, One Path Career Partners shall provide psychiatric services pursuant to NYS Mental Health Law § 9.60 for Assisted Outpatient Treatment evaluations and court testimony and Criminal Procedure Law § 730 evaluation to determine the mental capacity of a criminal defendant as ordered by the court.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a renewal Agreement between the County of Lewis, by and through the Lewis County Community Services Department with One Path Career Partners to provide the services of Steven M. Fogelman, MD for psychiatric services pursuant to Mental Health Law § 9.60 for Assisted Outpatient Treatment evaluations and court testimony and for Criminal Procedure Law § 730 evaluations to determine the mental capacity of a criminal defendant as ordered by the court.

Section 2. That this is for the term beginning January 1, 2018 and ending December 31, 2018 at a cost of \$325.00 per hour.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

RESOLUTION NO. 419 - 2017
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN LEWIS
COUNTY COMMUNITY SERVICES DEPARTMENT AND RUBENZAHL, KNUDSEN
& ASSOCIATES PSYCHOLOGICAL SERVICES, P.C.

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

WHEREAS, Lewis County Community Services Department is lawfully required pursuant to Criminal Procedure Law Article 730.00 to ensure that adequate psychiatric examiners are available to conduct psychiatric examinations when it is of the opinion that the defendant may be an incapacitated person; and

WHEREAS, Lewis County Community Services Department wishes to enter into a renewal Agreement with Rubenzahl, Knudsen & Associates Psychological Services, P.C. to conduct these examinations.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a renewal Agreement between the County of Lewis, by and through the Lewis County Community Services Department, and Rubenzahl, Knudsen & Associates Psychological Services, P.C. for the purpose of conducting psychological examinations as needed for defendants when it is of the opinion that the defendant may be an incapacitated person.

Section 2. That the term of this Agreement shall be from January 1, 2018 through December 31, 2018 for an amount not to exceed \$110.00 per hour for psychological examinations and \$135.00 per hour for expert court testimony, with all said sums not to exceed \$400.00 per examination, unless the Director agrees otherwise.

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

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

Moved by Legislator Chartrand, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 420 - 2017
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY SERVICES DEPARTMENT
AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK**

Introduced by Legislator Andrea Moroughan, Chair of the Community Services Committee.

WHEREAS, the Community Services Board is a local governmental unit established by the Lewis County Board of Legislators pursuant to the authority granted in Mental Hygiene Law § 41.05; and

WHEREAS, the Lewis County Community Services Department wishes to enter into a renewal Agreement with Transitional Living Services of Northern New York (TLSö) to perform certain community based programs for the period beginning January 1, 2018 through December 31, 2018 for an amount not to exceed \$655,740.00; such services to include: Crisis Intervention; Client Transportation; Supported Housing Rental Assistance and Supported Housing Community Services; Case Management ó Non Medicaid Care Coordination; Blended Case Management; and SPOA Case Management; and

WHEREAS, the Community Services Board has reviewed the contract between Transitional Living Services Of Northern New York and Lewis County Community Services Department and has determined that these services are necessary and appropriate to meet the needs of the community and the costs are reasonable for servicing such needs and recommends to the Board of Legislators to enter into such Contract and said payments are contingent upon receipt of state aid by Community Services; and

WHEREAS, the Community Services Board receives state aid funding for such agreements which provides mental health services, and during 2018, may receive adjustments to the state aid funding for each provider agency based upon a Cost Of Living Adjustment (COLAö) determined by the state; and

WHEREAS, the Community Services Board has heretofore duly met to consider the contract for the following service providers and recommends the Board of Legislators enter into such contracts to include a provision to accept any COLA adjustment granted by the state during 2018.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the renewal agreement between Transitional Living Services of Northern New York and the Lewis County Community Services Department for the term January 1, 2018 through December 31, 2018 for an amount not to exceed \$655,740.00, except for and subject to any financial adjustment(s) made by the State to said contract(s), including any COLA for 2018.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement(s) and any amendment(s) thereto as a result of any financial adjustment made to same by the State in 2018, 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. 421 - 2017
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY SERVICES BOARD
AND TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK**

Introduced by Legislator Andrea Moroughan, Chair of the Community Services Committee

WHEREAS, the Lewis County Community Services Department desires to enter into a renewal Agreement with Transitional Living Services of Northern New York (öTLSö); and

WHEREAS, TLS wishes to provide comprehensive out-patient clinic services to the residents of Lewis County to those who have mental illness, behavior problems, emotional distress and co-occurring disorders and to directly bill Medicaid/Medicare and other third party insurers for eligible services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a renewal Agreement between the Lewis County Community Services Board and Transitional Living Services of Northern New York to provide out-patient clinic services.

Section 2. That this is for the term commencing January 1, 2018 through December 31, 2018, with no fees and expenses payable by the County to TLS for the out-patient clinic services.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Contract, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 422 - 2017
RESOLUTION AUTHORIZING AGREEMENT WITH**

TRANSITIONAL LIVING SERVICES OF NORTHERN NEW YORK

Introduced by Legislator Andrea Moroughan, Chair of the Community Services Committee.

WHEREAS, Transitional Living Services of Northern New York (TLS) provides comprehensive out-patient clinic services to the residents of Lewis County who have mental illness, behavior problems, emotional distress and other disorders; impacting the patient/client's ability to function in the home, workplace and community.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes an Agreement with TLS to provide a one-time payment of \$20,000 from the County's 2017 general fund account, to be paid over and used by TLS for the balance of 2017 to provide mental health management services for its clinical services to Lewis County residents.

Section 2. That the Chairman or the Vice-Chairman of the Board of Legislators be and the same are hereby authorized to execute and deliver such agreement upon such form as approved by the County Attorney.

Section 3. That the within Resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 423 - 2017
RESOLUTION TO 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:

<u>Decrease Revenue</u>	
A0431800 334915 TLS	\$1,881.00
<u>Decrease Expense</u>	
A0431800 422200 TLS Health Home	\$1,129.00
A0431800 422400 TLS Kids HH Care	\$ 752.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Kulzer , seconded by Legislator Chartrand , and adopted.

**RESOLUTION NO. 424 - 2017
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY CLERK AND INFO QUICK SOLUTIONS (“IQS”)
FOR COMPUTER SERVICES**

Introduced by Legislator Craig Brennan, Chairman of the County Clerk Committee.

WHEREAS, the County of Lewis, through the County Clerk wishes to renew the agreement with Info Quick Solutions (øIQSö) to provide continuing professional services to provide for all hardware and support for database, server, workstations, as well as recording software and pistol permit software and related support and maintenance in order to assure that the public documents and records are adequately stored, retained and accessible; and

WHEREAS, IQS also provides web services, support, billing and collections for the County Clerk’s web Revenue Sharing Plan.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the renewal Agreement by and between the County of Lewis acting by and through the County Clerk, with Info Quick Solutions (øIQSö) to provide services for records management, which includes hardware, software, support and maintenance for a term commencing January 1, 2018 and continuing through December 31, 2022 at a cost of \$3,620.00 per month (\$43,440.00 annually).

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as may be approved by the County Attorney.

Section 3. That the within Resolution shall take effect immediately.

Moved by Legislator Kulzer , seconded by Legislator Brennan , and adopted.

**RESOLUTION NO. 425 - 2017
RESOLUTION TO TRANSFER FUNDS
DISTRICT ATTORNEY**

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfers are hereby approved from Contingency to District Attorney accounts to cover invoices for appellate services and West Law and Clear program:

<u>From:</u>	Amount
A0199000 499900 Contingency	\$9,600.00
<u>To:</u>	
A0116500 490100 Prof Serv	\$7,513.64
A0116500 450500 Dues/Subs/Bks	\$2,086.36

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator King, and adopted.

**RESOLUTION NO. 426 - 2017
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 FY17 Homeland Security Grant:

<u>Increase Revenue</u>	
A0342100 343068	FY17 HL EM CFDA#97.067 \$41,238.00
A0312200 343067	FY17 HL SH CFDA#97.067 \$13,746.00

<u>Increase Expense</u>	
A0342100 291000	FY17 HL EM CFDA#97.067 \$41,238.00
A0312200 291000	FY17 HL SH CFDA#97.067 \$10,695.00
A0312200 499900	FY17 HL SH CFDA#97.067 \$ 3,051.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator King, and adopted.

**RESOLUTION NO. 427 - 2017
RESOLUTION TO APPROPRIATE FUNDS
HIGHMARKET ROAD OVER SUGAR RIVER**

Introduced by Legislator Craig Brennan, Chairman of Ways and Means Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BE IT RESOLVED as follows:

Section 1. That funds shall hereby be appropriated in the Capital Bridge Program to facilitate the Agreement PE/Design Phase and ROW Incidentals and Construction Phases of the Bridge on Highmarket Road over North Branch Sugar River.

Section 2. The following accounts shall be recognized to facilitate the funding of this project:

Revenue:

H0512000 345970 FEDERAL	\$162,400.00
H0512000 350310 LOCAL	\$ 40,600.00

Project HAO

Expense:

H0512000 499900	\$203,000.00
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Project HAO

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 428 - 2017
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 changes are hereby approved in the Highway Department accounts for retirement payment and increase payroll overtime lines.

From:

D0550000 491520 Bridge Material	\$15,000.00
D0511000 495110 Misc Other	\$ 3,000.00
D0515000 495150 Paving Material	\$60,000.00

To:

D0501000 801000 Retirement	\$18,000.00
D0514200 110300 Snow OT	\$25,000.00
D0515000 110300 Paving OT	\$35,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

**RESOLUTION NO. 429 - 2017
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, for the following:

Convert (1) Part time Director of Emergency Preparedness to a (1) Full Time Director of Emergency Preparedness and Security

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Chartrand.

Legislator Chartrand explained the full-time director would be responsible for cyber security, as well as physical facility security.

The resolution was then adopted.

**RESOLUTIO NO. 430 - 2017
ESTABLISHING NEW SALARY GRADE PLAN
FOR MANAGEMENT LEVEL EMPLOYEES**

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, the County of Lewis lacks a structured salary range schedule for its exempt management level employees; and

WHEREAS, the County Manager and Human Resources Committee believe a salary grade range would be beneficial to the County and its employees in hiring and evaluating employees in said positions; and

WHEREAS, the County contracted with CITEC Corporation to conduct a compensation analysis of management level employees. The results of the analysis and report by CITEC were

PROCEEDINGS OF THE BOARD OF LEGISLATORS

reviewed and considered by the Human Resources Committee, who recommend to the Board of Legislators that the salary grade level plan and schedule set forth below be approved and adopted for management level employees in Lewis County; and

WHEREAS, the Board of Legislators seeks to approve the salary schedule recommended by Human Resources.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the recommendations submitted by the Human Resources Committee and establishes the following 2017 Management Salary Schedule:

LEWIS COUNTY MANAGEMENT SALARY SCHEDULE 2017

TITLE	DEPARTMENT
GRADE V	(\$90,000-\$115,000)
County Attorney County Manager	Law/County Attorney County Manager
GRADE IV	(\$70,000-\$89,500)
Commissioner of Social Services County Treasurer Director of Community Services Director of Human Resources Director of Information Technology Highway Superintendent Public health Director Sheriff	DSS Treasurer's Office Community Services Human Resources Information Technology Highway Public Health Sheriff

TITLE	DEPARTMENT
GRADE III	(\$58,000-\$74,000)
Assistant County Attorney Assistant District Attorney Building Superintendent Director of Economic Development Director of Planning Probation Director Supervising Public Health Nurse Undersheriff	Law/County Attorney District Attorney Maintenance Economic Development Planning Probation Public Health Sheriff
GRADE II	(\$51,000-\$65,500)
Building Codes-Senior Officer Clerk to the Board/Workers Comp Coordinator County Clerk Deputy Highway Superintendent	Building Codes Board of Legislators County Clerk Highway

Director of Emergency Services	Fire & Emergency Management
Director of Real Property	Real Property
Director of Social Services	DSS
Director of Office For The Aging	OFA
Fiscal Manager	DSS
Fiscal Manager	Public Health
Health Planner	Public Health
Recreation, Forestry & Parks Director	Recreation, Forestry & Parks
Solid Waste Coordinator	Solid Waste
GRADE I	(\$41,000-\$52,500)
Coordinator, Programs Children Special Needs	Public Health
Deputy County Clerk	County Clerk
Deputy Treasurer	Treasurer's Office
Director of Veterans Services	Veteran's Service Agency
Election Commissioner(s)	Board of Elections

Section 2. That this Management Salary Schedule shall be reviewed annually for any cost of living adjustments or grade modifications that may be recommended by the County Manager and approved by the Board of Legislators.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 431 - 2017
RESOLUTION RESCINDING RESOLUTION NO. 407-2017 TO
CORRECT TERM OF RE-APPOINTMENTS TO
JUNKYARD REVIEW BOARD**

Introduced by Legislator Bryan Moser, Chairman of the Junkyard Committee.

WHEREAS, pursuant to the By-Laws of the Junkyard Review Board Article 2, Part 2 the terms of Review Board members shall be five years; and

WHEREAS, Resolution No. 407-2017 inadvertently set the re-appointments for three year terms.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby rescinds Resolution No. 407-2017; and hereby re-appoints the following individuals to the Lewis County Junkyard Review Board for a five-year term to expire December 31, 2022:

Paul Dickinson of Post Office Box 172, Turin, New York 13473

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Joseph Chaisson of Post Office Box 145, West Leyden, New York 13489

Paul Kafline of 6731 Snell Road, Lowville, New York 13367

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 432 - 2017
RESOLUTION RESCINDING RESOLUTION NO. 381-2017
AND 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 Board of Legislators desires to rescind Resolution No. 381-2017, as the lease extension dates set forth therein are incorrect, and to set forth and approve the following agreement for the term beginning January 1, 2018 through December 31, 2018; and

WHEREAS, the Lewis County Office for the Aging (öOFAö) and Lewis County Community Services (öCSö) Departments are located in the Lowville Commons Building owned by Transitional Living Services of Northern New York (öTLSö) located at 7550 South State Street, Lowville, New York 13367; and

WHEREAS, OFA and CS desire to renew the 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 rescinds Resolution No. 381-2017 and the same shall be deemed null and void and no longer in effect.

Section 2. 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 Lewis County Community Services, for the rental of Suite D in the Lowville Commons owned by Transitional Living Services of Northern New York for a shared conference and training room.

Section 3. That this is for the period beginning January 1, 2018 through December 31, 2018 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 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 this Resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Dolhof, and adopted.

RESOLUTION NO. 433 - 2017
RESOLUTION AUTHORIZING SPECIAL COUNSEL AGREEMENT WITH
SIMMONS HANLY CONROY, LLC TO BRING A LAWSUIT AGAINST
PHARMACEUTICAL COMPANIES ON BEHALF OF THE COUNTY OF LEWIS TO
RECOVER DAMAGES AND COSTS ASSOCIATED WITH OPIOID EPIDEMIC

Introduced by Legislator Craig Brennan, Chairman of the Ways and Means Committee.

WHEREAS, the opioid epidemic has grown considerably across the nation, causing local municipalities like Lewis County to invest significant resources to combat opioid abuse and addiction. Some of the economic resources and costs to our community attributed to this epidemic include, but are not limited to lost productivity, costs of training and addiction programs; equipment purchases for first responders; increased costs to our Social Services staff and programs to aide residents and families impacted by these addictions; increased health treatment and substance abuse treatment costs. More than six (6) county departments are involved and strained in multiple ways with the opioid epidemic, including the sheriff-law enforcement, district attorney, probation, county attorney, social services, community services, and public health; and

WHEREAS, the statistical information shows that there is no typical path to addiction, but pharmaceutical companies knowingly pushed for and recommended overuse of highly addictive opiates as and for pain medication and management, while deliberately hiding or down-playing the highly addictive nature of these painkillers. When a patient's prescription expires, oftentimes the patient is already addicted and turns to other drugs, legal and illegal (such as heroin, fentanyl and other derivatives) to satisfy the addiction. The result has been more drug-related deaths, overdoses, crime, family neglect and related addiction problems in our communities; and

WHEREAS, the National Institutes of Health identified drug companies' aggressive marketing as a major contributor to the nation's opioid crisis. There is indication that pharmaceutical companies have benefited financially from the opioid crisis by misleading doctors, patients and the medical community in the nature and effects of their products while marketing these highly addictive drugs as long-term pain management solutions; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, a September, 2016 study by the US Centers for Disease Control and Prevention estimated the economic burden of prescription opioid and heroin abuse in the United States to be \$78.5 billion annually, with nearly 25% of that number shouldered by public sources. Nationally, opioids have caused approximately 60% of drug overdoses in recent years. In Lewis County, emergency department visits with a diagnosis of opiate poisoning have more than doubled between 2010-2014 (from 15 to 32); and

WHEREAS, the intent of the County litigation against manufacturers of these addicting painkillers is to hold opioid manufacturers responsible for their fraudulent marketing tactics, declaring opioids safe for pain management, despite contrary medical statistics and studies. This deliberate and misleading marketing is a contributing cause to this crisis and the increased costs the County has incurred and continues to incur as a result of this crisis in our communities.; and

WHEREAS, the national law firm Simmons Hanly Conroy, LLC (with offices in New York, NY) is handling such pharmaceutical litigation on behalf of numerous municipalities both in New York and other States. Other New York counties who have commenced such litigation through the Simmons Hanly Conroy law firm include, but are not limited to Cayuga, Columbia, Fulton, Greene, Oswego, Rockland, Ulster, Wyoming, Broome, Dutchess, Erie, Orange, Schenectady, Seneca, St. Lawrence, Suffolk and Sullivan; and

WHEREAS, the County Attorney has researched the above firm and the other firm who is representing Counties in this litigation, and she recommends that the County of Lewis engage Simmons Hanly Conroy on behalf of Lewis County against the pharmaceutical companies manufacturing opioids in an effort to recover costs incurred by the County from increased emergency room admissions, increased Medicaid and other health costs, increased law enforcement and EMS costs, increased social services and community services costs, increased probation and other department costs.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby agrees and authorizes a retainer agreement between the County of Lewis and Simmons Hanly Conroy, LLC, of New York, NY to bring a lawsuit on behalf of the County of Lewis, and to so join any joint municipal lawsuit against manufacturers of prescription opiates.

Section 2. That the Lewis County Board of Legislators hereby directs that said agreement include terms and conditions which provide that there will be zero cost to Lewis County if there is no settlement, award or judgment; and that counsel shall advance any and all costs and disbursements associated with the litigation, and shall receive 25% of any recovery after reimbursement of costs and disbursements.

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 immediately.

Moved by Legislator Chartrand , seconded by Legislator Brennan .

Legislator Hathway voiced his objection was because he feels the FDA and Federal Government had total control over approving the drugs after a two-and-a-half year process, and should be held accountable. Nor does he take solace in joining a lawsuit by the State Attorney General, citing his historical consistent and constant filing of lawsuits.

Legislator Chartrand holds big pharmacies accountable upon learning of their excessive drug deliveries to small towns with scant populations.

Legislator Brennan suggests that pharmacies convincingly lobby physicians to prescribe the drugs without regard to patient impact, urging a change in marketing practices. He supports the lawsuit for an opportunity to recover a portion of County cost expended to combat opioid overuse.

Chairman Tabolt exclaimed that physicians should be held accountable. Most of those affected, he added, start with overuse of alcohol, querying the validity of suing breweries and distilleries. He does not support lawsuits, instead urging people to take responsibility for their own actions and personal health.

Atty. McNichol relayed that pharmaceuticals were knowledgeable of the highly addictive nature of the prescriptions, yet aggressively marketed them to doctors, some providing erroneous information for their own financial gain. She further referenced the young girl who had publicly divulged her personal story of becoming addicted to prescribed pain medications that had devastating effect on her and her family. The girl ultimately overcame her addiction and was compelled to help others.

Moreover, Atty. McNichol reminded the Board they had previously joined a class action lawsuit against pharmaceuticals for over-billing Medicaid claims. She advised the Board to take necessary action to recoup potential revenue to offset the various County departmental expenditures that assisted addicted persons.

Chairman Tabolt noted recent State Legislation limiting the number of pain pills that doctors may prescribe to legally hold them accountable.

Legislator Brennan termed the lawsuit as one of a multi-faceted approach to stop the overuse of drugs any way possible. Legislator Dolhof expressed his opinion and concern the pharmaceuticals would just increase the cost of their drugs to cover any punitive amount.

At the request of Chairman Tabolt, the following roll call vote resulted in defeat of the resolution:

YEAS: Brennan, Chartrand

NAYS: Hathway, King, Kulzer, Moroughan, Moser, Tabolt

ABSTENTION: Dolhof

ABSENT: Fawcett

**RESOLUTION NO. 434 - 2017
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 budget transfer is hereby approved from Contingency to the Public Defender's account to cover Assigned Counsel expenses:

<u>From:</u>	Amount
A0199000 499900 Contingency	\$20,000.00
<u>To:</u>	
A0117000 493400 Prof Serv Assigned Counsel	\$20,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 435 - 2017
RESOLUTION TO AUTHORIZE A PROJECT AGREEMENT
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND
CENTRAL NEW YORK CARE COLLABORATIVE, INC.
FOR PERFORMANCE ACTIVITIES FUNDING**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, Central New York Care Collaborative, Inc. (CNYCC) is a New York not-for-profit corporation with whom the County of Lewis, through Lewis County Public Health, became a Partner Organization by Resolution No. 351-2015; and

WHEREAS, the Board of Legislators authorized a Letter Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency, and CNYCC, to perform the identified Performance Activities as outlined in the Agreement's Performance Activities Table, and authorized Lewis County Public Health to receive \$25,000.00 in funding from CNYCC's Performance Activity Fund in accordance with the terms and provisions of said Agreement pursuant to Resolution No. 221-2017; and

WHEREAS, Lewis County Public Health is now eligible to receive a next-phase Project Agreement governing the distribution of DSRIP funds for Performance Activities completed between July 1, 2017 and June 30, 2018 and improvement of related DSRIP Performance Outcome Measures; and

WHEREAS, the County of Lewis, by and through the Lewis County Public Health Director, desires to enter into Appendix One to the Project Agreement (an Addendum to the CNYCC Partner Organization Agreement) in order for Lewis County Public Health as a PPS Partner Organization to earn and receive up to \$89,027.00 in total eligible allocation in payment performance activities and performance outcome measures in DSRIP Projects; and

WHEREAS, in order to receive payment, CNYCC requires Lewis County Public Health as a Project Participant to submit the Project Agreement no later than December 31, 2017 in order to receive payment.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a next-phase Project Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency, and Central New York Care Collaborative, Inc., governing the distribution of DSRIP funds for Performance Activities and perform outcome measures completed between July 1, 2017 and June 30, 2018.

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 Dolhof, and adopted.

**RESOLUTION NO. 436 - 2017
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 \$17,724.00 with a maximum reimbursable amount of \$8,862.00 available from June 30, 2017 through June 29, 2018 for the purpose of an integrated breast, cervical and colorectal cancer screening program; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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.

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, 2017 and ending June 29, 2018 in the amount of \$17,724.00 with a maximum reimbursable amount of \$8,862.00 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 Moser, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 437 - 2017
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY
AND JEFFERSON COUNTY PUBLIC HEALTH SERVICE**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, The New York State Department of Health Municipal Public Health Services Plan requires that Lewis County possess a system to minimize the incidence of sexually transmitted disease (STD) and human immunodeficiency virus (HIV); and

WHEREAS, the current levels of such diseases in Lewis County are insufficient to warrant the establishment of a STD/HIV Clinic; and

WHEREAS, Jefferson County Public Health Service is duly licensed and has the facilities, certified personnel, equipment, supplies and capability required to and desires to render such clinic services to the Lewis County Public Health Agency on an as needed basis to persons residing in Lewis County; and

WHEREAS, the County of Lewis, acting by and through the Lewis County Public Health Agency wishes to enter into an Agreement with Jefferson County Public Health Service for diagnosis and treatment of sexually transmitted diseases, including human immunodeficiency virus counseling and testing for Lewis County residents.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Agreement between the County of Lewis, acting by and through the Lewis County Public Health Agency, to enter into an Agreement with Jefferson County Public Health Service for diagnosis and treatment of STDs including HIV counseling and testing for Lewis County residents.

Section 2. That this is for the period commencing January 1, 2018 through December 31, 2020 at the following costs:

STD/HIV Diagnostic and Treatment Center Clinic	\$ 55.00 per visit
Gonorrhea Culture through Center for Disease Detection	\$ 2.50 per test
Gonorrhea Culture through Carthage Area Hospital	\$ 20.00 per test - backup
Syphilis Serologic Testing	\$ 10.00 per test
Trichomonas Vaginalis ó Female	\$ 45.00 per test
Trichomonas Vaginalis ó Male	\$ 45.00 per test
Amplified CT/GC Rectal Swab	\$ 15.50 per combo
Amplified CT/GC Throat Swab	\$ 15.50 per combo

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 438 - 2017
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.

WHEREAS, Community Action Planning Council recognizes and responds to the needs of the community with specialized programs and services; one service in particular is the Jefferson-Lewis Child Care Project which implements Health Care Consultant Services; and

WHEREAS, the Jefferson-Lewis Child Care Project provides information for child care needs in the Jefferson and Lewis County areas. They assist in locating high-quality child care, guide providers through the licensing and registration process, and assist child care providers by offering education, start-up grants and quality improvement materials; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Lewis County Public Health Agency desires to enter into a Memorandum of Understanding with the Community Action Planning Council (Jefferson-Lewis Child Care Project) for Lewis County Public Health to provide site visits to childcare programs, review, approve and sign childcare programs Health Care Plan, and verify childcare staff's certificates of training.

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 Community Action Planning Council (Jefferson-Lewis Child Care Project) for the purpose of Lewis County Public Health implementing the Council's Child Care Project by providing health care consultant services to review, verify and approve child care program's compliance with NYS Health Care Plan regulations.

Section 2. That the term of this Memorandum of Understanding shall be from October 1, 2017 through September 30, 2018 with Lewis County Public Health to be compensated 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 Moser, seconded by Legislator Chartrand, and adopted.

**RESOLUTION NO. 439 - 2017
RESOLUTION APPOINTING MEMBER 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 Jennifer Nightingale, DVM and Rabies Control Officer, of 7364 Utica Boulevard, Lowville, New York 13367 to the Lewis County Health Services Advisory Board:

Section 2. That the term of said appointments shall be effective from January 1, 2018 through December 31, 2021.

Section 3. That the within resolution shall take effect immediately

Moved by Legislator Hathway, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 440 - 2017
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 is hereby approved from Contingency to the Sheriff's Department account to cover the increase in inmate food expense:

<u>From:</u>	Amount
A0199000 499900 Contingency	\$10,000.00
<u>To:</u>	
A0315000 42370000 Kitchen/Food	\$10,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator King.

Legislator King responded to Legislator Hathway's inquiry, that the Sheriff had stopped using the "Cook-N-Chill" food option after the first quarter of the year, reasoning there was too much waste.

Legislator Moser cautiously defended the Sheriff, citing attributable savings for the initial \$83,000 allocation being reduced to \$40,000. At the same time, the commissary food product sales increased because inmates were displeased with the Cook-N-Chill food. These revenues are discretionary County funds.

The resolution was then adopted.

**RESOLUTION NO. 441 - 2017
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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

into a Memorandum of Understanding with the Lewis County General Hospital (öLCGHö) 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.

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 (öDSSö), and Lewis County General Hospital (öLCGHö) 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, 2018 through December 31, 2018 at a cost of \$125.00 for each initial Functional Evaluation performed; \$225.00 per Physical (as needed); and \$118.00 per unit (billable up to 6 units for testing totaling \$708.00) to perform a Functional Capacity Examination.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement, pending approval by the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator King, and adopted.

**RESOLUTION NO. 442 - 2017
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, in accordance with the Domestic Violence Prevention Act, Lewis County Opportunities, Inc. furnishes non-residential domestic violence services to victims of domestic violence, either directly or through a purchase of service agreements; and

WHEREAS, the Department of Social Services (öDSSö) wishes to enter into an agreement with Lewis County Opportunities, Inc. for these services; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Department of Social Services, and Lewis County Opportunities, Inc. for the purpose of providing non-residential services to victims of domestic violence.

Section 2. That the term of this Agreement shall be from January 1, 2018 through December 31, 2018 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 Dolhof, and adopted.

RESOLUTION NO. 443 - 2017
RESOLUTION AUTHORIZING RENEWAL 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 renew an agreement with Lifeline Systems, Inc. for personal emergency response services to Medical Assistance Recipients.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the renewal contract with Lifeline Systems, Inc. for personal emergency response services to Medical Assistance Recipients for the period of January 1, 2018 through December 31, 2018 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 Brennan, and adopted.

RESOLUTION NO. 444 - 2017
RESOLUTION AUTHORIZING THE RECLASSIFICATION OF VACANT POSITIONS
IN THE DEPARTMENT OF SOCIAL SERVICES

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, two (2) Senior Social Welfare Examiners in the Department of Social Services have announced their retirement; and

WHEREAS, the Commissioner of Social Services and the County Personnel Officer recommend a change in classification to a more appropriate job title, which provides for greater staffing flexibility, promotion opportunities and retention protections; and

WHEREAS, the reclassification and subsequent filling of the positions through promotions, will result in two (2) Social Welfare Examiner vacancies.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators of the County of Lewis hereby authorizes the reclassification of two (2) Senior Social Welfare Examiner positions to a more appropriate title of "Senior Social Services Program Examiner" in the Department of Social Services.

Section 2. That the Board of Legislators hereby authorizes the Commissioner of Social Services to fill the two Senior Social Services Program Examiner positions reclassified by this Resolution, and two Social Services Program Examiner positions due to impending promotions.

Section 3. That the Board of Legislators authorizes the Director of Human Resources/Personnel Officer to reclassify future positions in this civil service job series as they become vacant in the Department of Social Services.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Dolhof, and adopted.

RESOLUTION NO. 445 - 2017
RESOLUTION AUTHORIZING RENEWAL 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 renew an agreement with Life Net (S.T.A.T. Communications) for personal emergency response services to Medical Assistance Recipients.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the renewal contract with Life Net (S.T.A.T. Communications) for personal emergency response services to Medical Assistance Recipients for the period of January 1, 2018 through December 31, 2018 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 King, and adopted.

**RESOLUTION NO. 446 - 2017
RESOLUTION TO TRANSFER 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 transfers are hereby approved in the Social Services Department for the purchase of a new laptop, utilizing Project HAE Capital Data Processing funds H0990100 499900 balance \$116,643.30:

Increase Revenue:

A0100000 350310(Inter-fund transfers)	\$147.31
A0601000 336100 DSS State Admin	\$147.31
A0601000 346100 DSS Fed Admin	\$294.61

Increase Expense:

A0601000 221700 Computers	\$589.23
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 447 - 2017
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 (öCenterö) provides crisis intervention, shelter admission, emotional support, advocacy, information and referrals; and

WHEREAS, the Lewis County Department of Social Services (öDSSö) 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.

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, 2018 and ending December 31, 2018 at a cost of \$108.96 per person per night. The local share is 25% to 100% depending on the eligibility of the client, federal share is 50% and the state share 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. 448 - 2017
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 (öDSSö) 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.

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, 2018 and ending December 31, 2018 to reimburse Volunteer Transportation Center, Inc. for such transportation services in accordance with rates set forth in the relevant programs in which the DSS client participates. The local share cost is from 0% to 13%, depending upon eligibility of the client and of the specific program. Mileage reimbursement is equal to federal IRS rates (53.5 cents), dispatch and administration costs compensation is \$5.00 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 Dolhof, seconded by Legislator Chartrand, and adopted.

RESOLUTION NO. 449 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS
ON BEHALF OF THE LEWIS COUNTY PUBLIC HEALTH DEPARTMENT
TO LEASE ADVERTISING SPACE ON THE
LEWIS COUNTY PUBLIC TRANSPORTATION BUS

Introduced by Legislator Lawrence Dolhof, Chairman of Economic Development Committee.

WHEREAS, Lewis County Public Transportation will begin leasing space on the exterior of its two (2) County-owned buses. There are a total of eight (8) advertising opportunities between the two (2) buses and they include curb-side, street-side and rear showcase options; and

WHEREAS, the County of Lewis, acting by and through the Lewis County Planning Department desires to enter into an Agreement with Lewis County Public Health to lease one (1) 18 x 60 curb side advertising space and one (1) 12 x 22 rear showcase advertising space on a Lewis County Public Transportation bus.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 Planning Department and Lewis County Public Health to lease one (1) 18 x 60 curb side advertising space and one (1) 12 x 22 rear showcase advertising space on a Lewis County Public Transportation bus.

Section 2. That the term of this lease will be from January 1, 2018 through December 31, 2018, at a cost not to exceed \$480.00 for the 18 x 60 curb side advertising space and at a cost not to exceed \$360.00 for the 12 x 22 rear showcase advertising space.

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 Brennan, seconded by Legislator King, and adopted. Legislator Hathway opposed.

**RESOLUTION NO. 450 - 2017
RESOLUTION TO TRANSFER FUNDS
WORKFORCE INVESTMENT ACT**

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 Workforce Investment Act accounts for the Summer Youth:

<u>From</u>	<u>Amount</u>
CD629000 499900 Youth Expenditures	\$23,442.36
<u>To</u>	
CD629000 110100 Personal Services Youth	\$21,438.36
CD629000 801000 Retirement Youth	\$ 2,004.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Chartrand, and adopted.

NOVEMBER 7, 2017

**RESOLUTION NO. 451 - 2017
RESOLUTION APPOINTING MEMBERS TO
LEWIS COUNTY YOUTH BUREAU**

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 from their respective School District, as members of the Lewis County Youth Bureau Advisory Board:

Kimberlena Sue Dolan ó Copenhagen Central School
9304 Woodbattle Road
Copenhagen, NY 13626

Annabelle Atnip ó Copenhagen Central School
17707 Archer Road
Watertown, NY 13601

Section 2. That the term of said appointments shall be effective on November 8, 2017 and shall terminate either on the date of their High School Graduation, or upon ceasing to be a full-time high school student.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Moser, and adopted

OTHER BUSINESS:

The Clerk announced Chairman Tabolt's appointment of Brien Tabolt to the Lewis County Agriculture and Farmland Protection Board as an Organization Representative for a term to expire 12/31/2018.

Legislator Moser had confirmed with Congresswoman Stefanik the validity of an invitation to the White House on 11/16/17 to join local community leaders from across the country to discuss tax reform. He is considering attending the event and asked his colleagues to relay their opinions and/or concerns.

At 7:04 p.m., Legislator Chartrand made a motion to adjourn, seconded by Legislator Dolhof and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**SECOND DAY
ANNUAL SESSION
November 15, 2017**

The meeting was called to order at 2:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislators King and Moser.

Legislator Tabolt offered the Invocation then led the Pledge of Allegiance to the Flag.

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.

Signed by: Lawrence Dolhof, Chairman
Craig Brennan

Dated: November 15, 2017

Legislator Brennan made a motion to waive the rules, seconded by Legislator Dolhof and carried.

Chairman Tabolt clarified the reason for cancelling the November 16, 2017 Legislator meeting and public hearing was because the Watertown Daily Times had neglected to publish the hearing notices that they had acknowledged timely received. The purpose of the meeting today is to re-schedule the public hearings and, again, request the legal publications.

RESOLUTIONS:

**RESOLUTION NO. 452 - 2017
RESOLUTION TO SET PUBLIC HEARING ON
2018 TENTATIVE LEWIS COUNTY BUDGET**

Introduced by Legislator Craig Brennan, 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 2018 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 21st day of November, 2017 to begin at 5:00 p.m.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 453 - 2017
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 4 - 2017), COUNTY OF LEWIS**

Introduced by Legislator Craig Brennan, Chairman of the Ways and Means Committee.

WHEREAS, there was presented and introduced at a meeting of this Board of Legislators held on November 7, 2017 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 2018 BUDGET."

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on November 21, 2017 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, 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 Brennan, seconded by Legislator Fawcett, and adopted.

**RESOLUTION NO. 454 - 2017
RESOLUTION TO SET A PUBLIC HEARING FOR PUBLIC INPUT
ON THE GRANT OF A WAIVER FOR A CONFLICT OF INTEREST BETWEEN
SNOW BELT HOUSING COMPANY, INC. VICE-CHAIRMAN AND AN ELIGIBLE
REHABILITATION GRANT RECIPIENT**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, Lewis County ("County") is a recipient of a Small Cities Community Development Block Grant (Lewis County 636HR334-16) which provides rehabilitation assistance to income eligible homeowners in the County; and

WHEREAS, Snow Belt Housing Company, Inc. ("Snow Belt") is a not-for-profit corporation organized under the laws of New York State, with offices located at 7500 South State Street, Lowville, New York 13367, who acts as a sub-recipient to the County by administering said Grant; and

WHEREAS, the Board of Legislators wishes to obtain the views of citizens on a potential conflict of interest that is present between Dennis Mastascusa, the Vice-Chairman of the Board

PROCEEDINGS OF THE BOARD OF LEGISLATORS

of Directors of Snow Belt and an applicant for housing rehabilitation assistance who is otherwise eligible for the grant funds but for the family relationship between them; and

WHEREAS, the Office of Community Renewal (OCR) Grant Manual requires that under the CDBG program, an applicant who may have a conflict of interest may need a waiver in order to participate in the CDGB funded activity. Where the municipality that has received CDBG assistance determines, after a public hearing, that a conflict of interest exists but authorizes a waiver, a request for the waiver must be submitted by the local municipality to OCR prior to undertaking any activity on the application under the Grant funds; and

WHEREAS, the Lewis County Board of Legislators seeks to set the public hearing to consider the conflict of interest and determine whether a waiver should be requested.

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 citizens regarding the potential conflict of interest and requested waiver posed by Dennis Mastascusa, the Vice-Chairman of the Board of Directors of Snow Belt Housing Company, Inc. and the otherwise eligible CDGB housing rehabilitation applicant, to be held on Tuesday, November 21, 2017 at 5:00 p.m. at the Lewis County Courthouse, Legislative Chambers, Second Floor, 7660 North State Street, Lowville, New York 13367.

Section 2. That public notice of the hearing shall be advertised in accordance with law at least five (5) days prior to the hearing date.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Moroughan, and adopted.

OTHER BUSINESS:

Legislator Hathway congratulated his elected successor John Lehman as District No. 1 Legislator Representative.

Legislator Hathway relayed that a Harrisville resident had expressed interest for more in-depth information than is reported by Legislators about their jurisdictional committees at Board meetings.

Legislator Dolhof favored the idea because it would provide more detail to the public, and may consequently reduce Legislator reports at Board meetings.

Legislator Chartrand was unsure of the timing for Hospital Board of Manager minutes availability.

Legislator Kulzer noted that the Solid Waste and Highway Committee meeting minutes are customarily received just prior to the monthly board meeting.

Clerk of the Board Teresa Clark agreed with County Manager Ryan Piche that there would be no issue with putting the minutes on the website. All minutes shall be labeled as "Draft".

Legislator Hathway made a motion to have the Clerk of the Board place all Legislative Committee meeting minutes on the County website, seconded by Legislator Brennan and carried.

Chairman Tabolt informed that Ryan Piche would accompany him tomorrow to the Inter-County Legislative Committee of the Adirondacks meeting hosted by St. Lawrence County.

Ryan Piche reminded Legislators that the annual Thanksgiving dinner would be served at all senior meal sites tomorrow.

At 2:14 p.m., Legislator Brennan made a motion to adjourn, seconded by Legislator Chartrand and carried.

**THIRD DAY
ANNUAL SESSION
November 21, 2017**

The meeting was called to order at 5:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislators Brennan, Fawcett and Moser whom had each been excused.

Legislator Tabolt offered the Invocation then led the Pledge of Allegiance to the Flag.

There were 10 persons present.

Legislator Dolhof made a motion to waive the rules to allow action on late resolutions presented this evening, seconded by Legislator Chartrand and carried.

Chairman Tabolt opened the public hearing for comments on the 2018 Lewis County Tentative Budget; Local Law Intro. No. 4-2017 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 2018 budget"; and on the grant of waiver for a conflict of interest between Snow Belt Housing Company, Inc. vice-chairman and an eligible rehabilitation grant recipient.

PRIVILEGE OF THE FLOOR:

Snow Belt Housing Executive Director Cheryl Shenkle-O'Neill explained that housing grant recipients must meet income guidelines. Board of Directors Vice-Chairman Dennis Mastascusa's daughter has applied for a \$33,525 grant for electric, plumbing, outside painting, deck and rail and interior repairs. The Snow Belt Board of Directors had approved the grant as presented, and Dennis Mastascusa had abstained from the vote. Pursuant to Federal regulatory requirements, a public hearing and waiver approval are necessary to allay any perception of a conflict of interest. The applicant is bound to all requirements as any other applicant. Ms. O'Neill recommends approval of the waiver.

County Attorney Joan McNichol reported her review of all related documents, assuring that Snow Belt Housing had adhered to all Office of Community Renewal requirements. Upon the Board's approval, she would prepare and file the waiver documents.

District Attorney Leanne Moser prefaced that she would be reiterating her persistent statements and request for an additional full-time Assistant District Attorney as made to the Legislative Courts and Law Enforcement Committee for the past several months. She exclaimed being "Beyond Overwhelmed" pleading with the Board to approve the additional position.

She distributed a listing indicating Hamilton County as the sole exception having a part-time District Attorney (DA), asserting the average is one DA per every 10,000 population; as well as clandestine laboratory statistics indicating substantial increased testing from 2014 to 2017. This morning there was a clean-up of two local meth labs resulting in three felony arrests,

equating a total of ten during the past week. They all must be prepared and presented to a Grand Jury.

Year-to-date there has been 54 deaths of which 11 were due to overdoses, with one determination pending. Ms. Moser reports a caseload increase of 25-30%. In 2015 there were 21 felony meth-related arrests that increased to 47 in 2016 and the number continues to climb, along with sex offender arrests. Investigators from all law enforcement sectors are reaching their case limit.

Legislator Hathway recognized the DA as only one of several affected County Departments related to the heroin and opiate crisis. He recommends a holistic and cohesive approach to review and consider the affect on all County personnel for a conclusive resolve within County budgetary constraints. Ms. Moser invoked she could not speak for other departments, while asserting the requirement to meet imposed justice system deadlines, ultimately conceding to Legislator Hathway's statement.

Legislator Hathway applauded Budget Director Ryan Piche and Treasurer Patricia O'Brien for their proposed budget, while relating concern the substantially reduced Contingency appropriations would be inadequate to address unforeseen expenditures such as the plight of the DA and/or other operational and personnel needs.

Mr. Piche reported recent State notification the 2018 nursing home IGT payment would be \$2 million, instead of the projected \$2.2 million. However, he cautioned the unknown Hospital IGT figure. Legislator Hathway inquired whether the \$200,000 surplus could be appropriated to Contingency.

Legislator Dolhof referenced sales tax receipts that have historically exceeded appropriations that could be used to offset unknown expenditures. Legislator King favored holding all departments accountable to their budgeted appropriations, generally objecting to a Contingency increase, meanwhile referencing historical line item year-end balances that are rolled into the fund balance and available to cover unknown expenditures.

As an example, Legislator Hathway cited the \$30,108 Contingency transfer this year to cover unexpected E-911 project costs. Legislator King reminded of the \$450,000 initial radio project budget funding that was transferred when the account was closed that, otherwise, would have covered all project costs. He added that annual PSAP grant funding would cover ongoing radio communication costs.

Legislator Hathway shared another example, citing line item appropriations for inmate boarding required a \$40,000 Contingency transfer, while not confident that respective 2018 appropriations are adequate. He is also concerned that Public Defender costs will increase due to the opioid crisis. Legislator Hathway insists the Contingency appropriations should be increased, although not to historic levels, thereby creating transparency by a required Board vote for all transfers.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator King referenced funds received throughout the year that are appropriated upon receipt, in essence non-appropriated fund balance; affirming his support for a lower Contingency level.

Mr. Piche conceded that some line item expenditures will exceed educated projections. The inmate boarding line was impacted by one case, and public defender expenditures escalated due to billing issues. Considering categorical trends, he remains comfortable with a \$250,000 Contingency, which does not reflect what he termed unnecessary expenditures, including outside agency or other one-time requests.

Legislators generally agreed there are legitimate unforeseen circumstances and projects that are addressed by Contingency throughout the year. Mr. Piche concluded that appropriation of fund balance is always available, if necessary, at the Board's discretion.

At 5:58 p.m. Chairman Tabolt closed the public hearing.

STANDING COMMITTEE REPORTS:

Legislator Philip Hathway, Information Technology Committee Chairman, commended Adam Zehr for his USA weight lifting record.

He also announced implementation of the new County website at www.lewiscounty.org.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, made a motion to authorize Sheriff Carpinelli to fill a Part-time Dispatcher due to a resignation; a Full-time Deputy Sheriff Sgt. due to the Undersheriff appointment; and a Full-time Deputy Sheriff due to a promotion to Deputy Sheriff Sgt. The motion was seconded by Legislator Hathway and carried.

Legislator Andrea Moroughan, Public Health Committee Chair, made a motion to authorize Director Penny Ingham to fill the vacant Public Health Planner position, effective immediately, seconded by Legislator Dolhof and carried.

SPECIAL REPORTS:

Chairman Michael Tabolt reported that he and Ryan Piche had attended the 11/16/17 Inter-County Legislative Committee of the Adirondacks meeting sponsored by St. Lawrence County that included a tour of the Curran pellet plan.

Mr. Piche announced the NYSAC conference is scheduled for 1/29 ó 1/31/2018.

Legislator Chartrand relayed recent comments from Senator Griffo, who continues to advocate and is encouraged with progress on the State legislation to allow registration of UTV's.

RESOLUTIONS:

**RESOLUTION NO. 455 - 2017
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 5 – 2017, COUNTY OF LEWIS**

Introduced by Legislator Craig Brennan, Chairman of the Ways and Means Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on November 15, 2017, directing that a public hearing be held by said Board on November 21, 2017, 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 2018 BUDGET"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, 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. 4 of 2017), 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 2018 BUDGET"; be and the same hereby is designated as Local Law No. 5 of 2017, County of Lewis.

Section 2. That Local Law No. 5 of 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 King, and adopted.

YEAS: Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, and Tabolt.

NAYS: None.

ABSENT: Brennan, Fawcett, and Moser.

**LOCAL LAW (INTRODUCTORY NO. 5 - 2017)
COUNTY OF LEWIS**

Introduced by Legislator Bryan Moser, Chairman of the Junkyards Committee.

**A LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 2-2015 - THE
COUNTY OF LEWIS JUNKYARD LAW**

BE IT ENACTED by the Board of Legislators of the County of Lewis as follows:

ARTICLE A. INTRODUCTION

Section 1. AUTHORITY

This law is adopted pursuant to the authority granted in the County in Articles 2 and 3 of the Municipal Home Rule Law.

Section 2. TITLE

This Local Law shall be known as the "County of Lewis Junkyard Law".

Section 3. PURPOSE OF THE JUNKYARD LAW

By adoption of this Law, the County of Lewis declares its intent to regulate and control the storage or keeping of junk, and to regulate junkyards whether operated for commercial profit or otherwise. The Lewis County Legislature hereby declares that a clean, wholesome, and attractive environment is of vital importance to the continued general welfare of its citizens, and that junk and junkyards can constitute a hazard to property and persons and can be a public nuisance. Such materials may be highly flammable, sometimes explosive, and harmful to the environment. Junk and particularly junked vehicles can constitute attractive nuisances to children and certain adults. The presence of junk and junkyards is unsightly and tends to detract from the value of surrounding properties unless properly screened from view.

ARTICLE B: DEFINITIONS

For purposes of this Law, the following words and phrases shall have the meaning ascribed to them in this Article.

Code Enforcement Officer: Any County Building Codes Department officer or any person proposed by and approved by the Lewis County Board of Legislators to represent the Junkyard Review Board in particular matters pertaining to this Local Law.

Junk: Materials and/or items which are discarded on one's property, and in such condition to be regarded as trash, refuse or debris.

Junk Storage Area: The areas of any parcel of land or water used, or intended to be used for the placement or storage of junk and/or junkyard items.

Junk Vehicles: Any motor vehicle whether automobile, bus, trailer, truck, tractor-trailer, motor home, motor cycle, bicycle, mini-bicycle, snowmobile, or any other device originally intended for travel on the public highways which meets any of the following conditions:

- 1) One (1) or more is unlicensed, and
- 2) Is either abandoned, wrecked, stored, discarded, dismantled, partly dismantled; or
- 3) Is not in any condition for legal use upon the public highway.
- 4) With respect to any motor vehicle not required to be licensed, or any motor vehicle not usually used on public highways, the fact such motor vehicle has remained unused for more than six (6) months and is not in condition to be removed under its own power shall be presumptive evidence that such motor vehicle is a junk motor vehicle.

Junk Appliance: A household appliance, including but not limited to, washing machine, dryer, dishwasher, stove, furnace, water heater, refrigerator, freezer, television, or computer that is stored outside of any residence or structure.

Junk Items: Any junk, junk vehicles, parts of a junk vehicle, or junk appliance.

Junkyard: The outdoor storage or deposit of any of the following:

- 1) Two (2) or more junk vehicles.
- 2) Three (3) or more junk appliances including but not limited to washing machines, dryers, dishwashers, stoves, furnaces, refrigerators, freezers, televisions, computers, scrap parts of junk vehicles, and metals.
- 3) Any combination of the above that totals three or more items.

Junkyard Review Board: Any board appointed or designated by the County Legislature to administer this Law. Also referred to herein as "JRB".

Person: A person, firm, partnership, association, corporation, company, or organization of any kind.

Right-of-Way Line: Line forming boundary of the right of way of a street, road, or highway as dedicated by a deed of record. Where the width of the right-of-way is not established, the right-

of-way line shall be considered to be twenty-five (25) feet from the center line of the road pavement.

ARTICLE C: JUNKYARD REGULATIONS

Section 1. LOCATION

No junk storage area shall be located within:

- A. Fifty (50) feet of any adjoining property line.
- B. Five hundred (500) feet of any public park, church, educational facility, nursing home, public building, or other place of public gathering.
- C. One hundred (100) feet of any stream, lake, pond, wetland, or other body of water.
- D. One hundred (100) feet from the right-of-way line of any public street, road, or highway.

Section 2. SCREENING

- A. Where a junkyard is or would be visible from a public highway or from neighboring properties, there shall be erected and maintained an eight (8) foot high opaque fence to screen the junk storage area. All junkyard items dealt with by the operation of the junkyard shall be kept within such screening at all times so that the junkyard items are not visible from the public highway or from neighboring properties. The applicant may secure waivers from any and all neighboring property owners with respect to requirement of the eight (8) foot high fence to screen. However, if the Junkyard is still visible from a public highway, the eight (8) foot high screening is still required.
- B. The fence provided for in this section shall be of wood or other materials as required by the Junkyard Review Board to totally screen the junk storage area from view.
- C. As an alternative, the Junkyard Review Board may permit or require such other screening by adequate planting of evergreen trees and shrubbery in place of or in addition to an eight (8) foot high fence. The following requirements shall apply in those cases where this alternative is permitted or required:
 - 1. The applicant shall provide evidence that within five (5) years of the issuance of the initial license the proposed method of screening will provide a year-round opaque screen of the junk storage area from public highways and from neighboring properties.

2. The screening shall be opaque, and remain opaque and attain a height of five (5) feet within five (5) years of the issuance of the initial license. If such requirement is not met within five (5) years of the issuance of the initial license, the applicant shall be required to install an eight (8) foot high fence approved by the Junkyard Review Board pursuant to this Section.

3. Prior to the Junkyard Review Board approval of the license renewal, the junkyard owner shall be required to provide evidence of compliance with this section of the law. In addition, the junkyard owner shall be required to provide evidence that all dead trees and shrubbery constituting the screen have been replaced with flora of the same species as the approved screen. Such replacements shall be planted at a height sufficient to maintain an opaque screen. Replacements shall be planted prior to application for renewal.

Section 3. BURNING

No materials shall be burned in a junkyard except in compliance with the New York State Outdoor Burning Law (see 6 NYCRR 215).

Section 4. BURYING

No junkyard items shall be buried in a junkyard except in compliance with the New York State Solid Waste Disposal Law (see 6 NYCRR 360).

Section 5. APPROVED JUNKYARD ITEMS

No junkyard items shall be stored in any junk storage area other than those items specified on a junkyard license approved by the Junkyard Review Board pursuant to this Law.

ARTICLE D: JUNKYARD LICENSE

Section 1. LICENSE REQUIRED

- A. No person shall establish or maintain a junkyard within the County of Lewis unless a license has first been issued for such junkyard pursuant to this Law.

- B. No person owning, having any right to, or any interest in any real property within the County of Lewis shall license, rent, lease, or otherwise permit the use of such real property or any part thereof to be used for a junkyard unless a license has first been issued for such junkyard pursuant to this Law.

- C. All licenses shall be issued for a period of four (4) years, after which time, renewal shall be required.

- D. Any modification to an existing license requires a new application.

ARTICLE E: APPLICATION PROCEDURE

Section 1. APPLICATION

The applicant for a junkyard license shall obtain application from the County Code Enforcement Officer. The completed forms, along with one copy of the proposed site plan, and the appropriate fees, shall be returned to the County Clerk. The County Clerk shall notify and provide the application materials to the Code Enforcement Officer. The Code Enforcement Officer shall submit the application materials to the Junkyard Review Board.

Section 2. SITE PLAN CONTENTS

The site plan shall be drawn to scale or indicate all dimensions and show:

- A. All existing and proposed structures, including fences;
- B. All property lines including the names of owners of adjacent property;
- C. All streams, lakes, wetlands, floodplains, and other water bodies;
- D. All wells and sanitary facilities;
- E. All roads and easements;
- F. All existing and proposed junk storage areas;
- G. All existing and proposed access ways, and parking and loading areas.

Section 3. ENVIRONMENTAL IMPACT STATEMENT

An Environmental Assessment Form (EAF) shall be completed and submitted with all applications pursuant to the provisions of the State Environmental Quality Review Act (SEQRA) (see 6 NYCRR 617). If the EAF indicates that the proposed activity may have significant environmental consequences, the Junkyard Review Board shall require that a Draft Environmental Impact Statement (DEIS) be submitted with the application. The application shall not be considered complete until the DEIS has been accepted by the Junkyard Review Board.

Section 4. FEES

The application fee shall be in the minimum amount of ONE HUNDRED DOLLARS (\$100.00) and must accompany all applications. A license fee shall be in the minimum amount of FIFTY DOLLARS (\$50.00). The Junkyard Review Board is, in its discretion, empowered to set a higher application fee and license fee, and may also set such other fees and charges as it shall determine appropriate. All fees shall be collected by the Lewis County Clerk for and on behalf of the Lewis County Junkyard Review Board.

Section 5. PUBLIC HEARING

The Junkyard Review Board shall conduct a public hearing within forty-five (45) days of the date a complete application is received by the Review Board. Notice of the hearing shall be made in the official newspaper of the County at least five (5) days prior to the date thereof. At the hearing, the Junkyard Review Board shall hear the applicant and all other persons wishing to be heard on the application for a junkyard license.

Section 6. JUNKYARD REVIEW BOARD ACTION

Within forty-five (45) days of said hearing, the Junkyard Review Board shall render a decision to approve, to approve with conditions, or to disapprove the application for a junkyard license. The forty-five (45) day period may be extended by mutual consent of the applicant and the Junkyard Review Board. All findings of the Junkyard Review Board shall be entered into the Junkyard Review Board minutes. The decision of the Junkyard Review Board shall immediately be filed in the office of the County Clerk. The applicant shall be notified of the decision and the reasons for such decision within ten (10) days of the decision of the Board. Upon approval of the site plan and application, and payment of all fees and reimbursable costs due the County, the Junkyard Review Board shall endorse its approval upon a copy of the final site plan and application.

Section 7. ISSUANCE OF LICENSE

- A. If the application is approved by the Junkyard Review Board, a Junkyard License shall be issued by the Enforcement Officer upon presentation of a paid receipt from the County Clerk with respect to payment of the license fee.
- B. If the application is approved with conditions by the Junkyard Review Board, the Enforcement Officer shall issue a Junkyard License only upon completion of an on-site inspection verifying conditions at the proposed site are compliant with the Board's conditions and this law, and upon presentation of a paid receipt from the County Clerk with respect to payment of the license fee.
- C. If the application is approved with conditions and if the Enforcement Officer determines that the conditions have not been met, the Enforcement Officer shall issue a report to the Junkyard Review Board describing how the conditions are not compliant and that the Enforcement Officer did not issue a license. The Junkyard Review Board shall notify the applicant, in writing, of non-compliance with the conditions and provide up to thirty (30) days for the applicant to meet the conditions. The JRB may, in its sole discretion, extend the period of time for compliance upon written request of the applicant for good cause shown. The JRB will provide the applicant with further Notice that if after said time there is no compliance with the conditions, the application is deemed denied and the applicant is deemed to be in violation of this Law, with the right of the JRB to pursue further legal action and proceedings hereinafter set forth for said violation.

Section 8. LICENSE RENEWAL

Applications for renewal shall be approved by the Junkyard Review Board upon notification by the Code Enforcement Officer that the junkyard remains in compliance with this Law. Upon receipt of a copy of the Board's approval, and presentation of a paid receipt from the County Clerk with respect to payment of the application and license fees, the Code Enforcement Officer shall issue the Junkyard License Renewal.

Section 9. BY-LAWS, RULES, DIRECTIVES, AND REGULATIONS

There is hereby delegated to the Junkyard Review Board, full power and authority to adopt and enact any and all by-laws, rules, directives, and regulations necessary or appropriate in furtherance of carrying out its duties and responsibilities under this Local Law.

ARTICLE F: GENERAL CONSIDERATIONS

Section 1. AESTHETIC CONSIDERATIONS

In granting or denying a license, the Junkyard Review Board shall take the following aesthetic factors into consideration:

- A. Type of road servicing the junkyard or from which the junkyard can be seen.
- B. Natural or artificial barriers protecting the junkyard from view.
- C. Proximity of the site to established residential or recreational areas or main access routes thereto.

Section 2. LOCATIONAL CONSIDERATIONS

In granting or denying a license, the Junkyard Review Board shall take the following locational factors into consideration:

- A. The nature and development of surrounding property, such as the proximity of public parks, churches, educational facilities, nursing homes, public buildings, or places of public gathering.
- B. Whether or not the proposed location can be reasonably protected from affecting the public health and safety by reason of offensive or unhealthy noise, odors, smoke, or of other causes.
- C. The proximity of streams, lakes, wetlands, flood plains, groundwater supplies, and public water supplies.
- D. Local drainage patterns.

- E. Long range comprehensive plans for the County or local municipality.
- F. Proximity of the site to established residential or recreational areas.
- G. Availability of other suitable sites for the junkyard.

ARTICLE G. ADMINISTRATION AND ENFORCEMENT

Section 1. WAIVERS

Where a Junkyard Review Board finds that due to special circumstances of a particular case, a waiver of certain requirements as stated in Article C herein is justified, a waiver may be granted. No waiver shall be granted, however, unless the Junkyard Review Board finds and records in its minutes that:

- A. Granting the waiver would be in keeping with the intent and spirit of this law, does not violate the granting of a variance (which is the domain of the local Planning and/or Zoning Boards), and is in the best interest of the community.
- B. There are special circumstances in the particular application, which the JRB shall set forth in its decision to grant the waiver.
- C. Denial of a waiver would result in undue hardship to the applicant, provided that such hardship has not been self-imposed by the applicant and/or based upon circumstances known to the applicant.
- D. The waiver is the minimum necessary to accomplish the purpose, without violation of any local Planning or Zoning Board requirements.

Section 2. ENFORCEMENT OFFICER DUTIES AND RIGHTS

- A. The Enforcement Officer shall make inspections of any junkyard for which application for a license has been made, or any other readily or commonly observed existing property within the County which appears to constitute a junkyard as defined in this local law. The enforcement officer shall report to the Junkyard Review Board on the conditions of such junkyard.
- B. The Enforcement Officer shall conduct annual inspections of licensed junkyard properties in the County to ensure compliance with the law and the license issued for same. Any observed violations shall be reported to the Junkyard Review Board together with the Enforcement Officer's recommendation(s) for compliance.
- C. The Enforcement Officer shall have the right to enter onto a property which is the subject of this Local Law as an invitee. It shall be the responsibility of an applicant or license holder to arrange for any additional access by the enforcement officer to

PROCEEDINGS OF THE BOARD OF LEGISLATORS

inspect the premises prior to license issuance and during the licensing process, during a license renewal period, and for other reasonable periodic inspections, including but not limited to the annual inspection. By submission of an application for a license or renewal license, the applicant is deemed to have consented to the enforcement officer's access to his/her property to inspect the premises in the licensing process. In addition, if the JRB grants a license, the license holder is deemed to have consented to the enforcement officer's right of access to the property in order to conduct the annual inspection and for inspections pertaining to any reported complaints with respect to this Local Law.

- D. The Enforcement Officer shall investigate and report to the Junkyard Review Board, with respect to properties to which the officer has received any written complaints of any alleged violation of this law, as well as to any commonly and readily observed properties within the County alleged to be in violation of this law.

Section 3. DIRECTIVES BY JUNKYARD REVIEW BOARD & REVOCATIONS

- A. If the Enforcement Officer reports a violation of this law to the Junkyard Review Board, and the Review Board determines that a violation is present, the Review Board shall direct the Enforcement Officer to issue a Notice of Violation(s) and Compliance Order to the property owner, setting forth the following:
- (1) address of the property;
 - (2) specific statements and particulars of the violation(s);
 - (3) a compliance order outlining specific steps or actions to be taken to remedy the violation(s) for the property to be in compliance with the law;
 - (4) a statement setting forth that the steps or actions to remedy the violations shall commence within thirty (30) days of service of the Notice, and shall be completed within sixty (60) days thereafter, unless otherwise extended by the Junkyard Review Board for good cause shown;
 - (5) issuance of an appearance ticket to the property owner/license holder, containing a date, time and location for the property owner/license holder to appear before the Junkyard Review Board to answer the alleged violations set forth in the Notice of Violation(s) and Compliance Order.
- B. The aforesaid Notice of Violation(s) and Compliance Order and Appearance Ticket shall be served:
- (1) by delivering a copy of the Notice & Order and Appearance Ticket by regular mail and by certified mail- return receipt requested directed to the property owner(s), his executor, administrator or agent's last known address as shown on the records of the receiver of taxes, and any other address which may be known to the enforcement officer as the owner's address. If regular mail is returned undeliverable and if certified mail -RRR is returned unsigned, the enforcement officer shall effect service by nail and mail posting of a copy of the documents on the property, and shall attempt personal service upon the property owner(s) with due diligence (at least three (3) separate attempts).

- (2) In addition, service by certified mail and regular mail upon any other person having a vested interest in the property as shown by the records of the receiver of taxes (for example, a mortgage lender) shall be undertaken.
- C. After a Notice of Violation and Compliance Order and Appearance Ticket have been issued, and close to the date that the matter is to appear before the JRB, the Enforcement Officer shall reinspect and/or observe the property so that the Enforcement Officer may report an update on the condition of the property to the Junkyard Review Board for further action and direction.
- D. Where there is an existing license, the Junkyard Review Board may revoke a Junkyard License upon reasonable cause, should the applicant/license holder fail to comply with any provision of this law. Before a license may be revoked, a public hearing shall be held by the Junkyard Review Board. Notice of the hearing shall be made in the official newspaper of the County at least five (5) days prior to the date thereof. Service of a copy of the Notice of the Hearing shall be mailed to the license holder/applicant by certified mail and regular mail at least fourteen (14) days prior to the hearing. At the hearing, the Junkyard Review Board shall hear the license holder and all other persons wishing to be heard on the revocation of the junkyard license. Should the Junkyard Review Board decide to revoke a license, the reasons for such revocation shall be stated in the Junkyard Review Board minutes. The license holder shall be notified of the revocation and the reasons for same, by certified mail and regular mail within ten (10) days of the completion of the hearing.

A copy of the Notices served upon an applicant or property owner as hereinabove set forth shall be filed in the office of the County Clerk of Lewis County.

Section 4. FAILURE TO COMPLY, ENFORCEMENT AND PENALTY OPTIONS

In the event of the failure or refusal of the property owner(s)/responsible person(s) so notified to comply with a Compliance Order or other directive of the Junkyard Review Board through its Enforcement Officer, either for noncompliance with the application and licensing process or for a violation of this Local Law, the Junkyard Review Board may recommend and direct that the matter be turned over to the County to initiate any and all of the following enforcement proceedings:

- A. Criminal Proceeding and Penalties: Any person who shall violate any provisions of this law may be subject to criminal prosecution, and if convicted of a criminal violation for failure to comply with this Local Law shall, for a first conviction thereof, be punished by a fine of not more than TWO HUNDRED FIFTY (\$250.00), or by imprisonment for not more than fifteen (15) days, or by both such fine and imprisonment; for a second such conviction within thirty-six (36) months thereafter, such person shall be punished by a fine of not more than FIVE HUNDRED DOLLARS (\$500.00), or by imprisonment for not more than forty-five (45) days or by both such fine and imprisonment; upon a third or subsequent conviction within thirty-six (36) months after the first conviction, such person shall be punished by a

PROCEEDINGS OF THE BOARD OF LEGISLATORS

fine of not more than ONE THOUSAND DOLLARS (\$1,000.00), or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment. Every such person shall be deemed guilty of a separate violation for each week such violation, disobedience, omission, neglect, or refusal shall continue. Any reference for legal assistance in connection with criminal enforcement or prosecution herein shall be made to the District Attorney of the County of Lewis, or by delegation from the District Attorney to County Attorney of Lewis County for prosecution.

- B. Civil Proceeding and Penalties: Any person who shall violate any of the provisions of this Local Law may be subject to a civil action to be found guilty of a violation of this law, and if so found shall be subject to a civil penalty of FIVE HUNDRED DOLLARS (\$500.00), to be recovered by the County in the civil action. Every such person shall be deemed guilty of a separate violation for each week such violation, disobedience, omission, neglect, or refusal shall continue. Any reference for legal assistance in connection with enforcement (assistance) or prosecution herein shall be made to the County Attorney of the County of Lewis.
- C. Order for Removal of Junk and Assessment of Expenses: In addition to the above proceedings and penalties, in the event of the refusal or neglect of the property owner so notified to comply with the directives and orders of the Junkyard Review Board as hereinabove set forth, the JRB shall refer the matter to the Lewis County Board of Legislators for further and additional action to be taken in the name of the County, including but not limited to the removal of said Junk either by County employees or by contract, upon the following procedure:
- (1) The Enforcement Officer, in consultation with the County Attorney, shall gather all information from his/her investigation and the steps followed with the Junkyard Review Board as hereinabove set forth, and report in writing to the Board of Legislators his documentation of the procedures and steps taken, his findings and recommendations to the Board of Legislators as to whether removal of the Junk should be undertaken. In the report, the Enforcement Officer is to advise the Board of any known hazardous materials, and confirm that the NYS Department of Environmental Conservation (NYS DEC) has been contacted for input on taking appropriate action if hazardous materials were found;
 - (2) The Enforcement Officer shall provide the property owner(s) with a copy of the Report and any other documents he/she provides to the Board of Legislators. In addition, the Enforcement Officer will provide the property owner(s) with Notice of the monthly Board of Legislators meeting when the Board will consider such report and take any action by Resolution.
 - (3) The Board of Legislators shall, at a public meeting, consider such report and by resolution, determine:
 - i. If in its opinion such property is a junkyard under the provisions of this Law;
 - ii. If in its opinion the Enforcement Officer and Junkyard Review Board followed the steps and procedures outlined in this Law to provide the property owner

with the ability to address the matter and remedy the matter with and before the Junkyard Review Board;

iii. Whether to order the removal of the Junk and assess expenses against the violator; and

iv. Direct that a notice of its decision be served upon the property owner(s) and any other persons with interest in the property by the methods set forth in Article G Section 3 above.

(4) Notice of the Board's Decision shall be given as set forth in Article Section G (3) B. above, and contain the following:

i. a description of the property;

ii. a statement of the particulars in which the property is deemed to be a junkyard and in violation of this Local Law;

iii. an order outlining the manner in which the property is to be made compliant with the law, or its removal together with a date as to such steps are to be completed;

iv. a statement that in the event of neglect or failure to comply with the order of the Board of Legislators to comply with the Law or remove the Junk, the Board of Legislators is authorized to access the premises to provide for removal of the Junk, to assess all expenses thereof against the land on which it is located, and in addition, to institute a special proceeding to collect the costs of removal and enforcement, including legal expenses;

v. a date, time and place for a final hearing before the Board of Legislators in relation to such violations of this Local Law and the remedies the Board may order. Said hearing shall be scheduled not less than seven (7) business days from the date of service of the Notice.

vi. A copy of the Notice served shall be filed with the Lewis County Clerk.

ARTICLE H: REFUSAL TO COMPLY AND ASSESSMENT OF EXPENSES

A. In the event of the refusal or neglect of the property owner so notified to comply with said order(s) of the Board of Legislators and after final hearing, the Board of Legislators shall provide for the removal of such Junk either by County or Town employees (or a combination of said employees as they may agree), or by private contract. Any private contract for removal of Junk in excess of \$20,000.00 shall be awarded through competitive bidding.

B. All expenses incurred by the County in connection with the proceedings to remove the Junk, and all reasonable and necessary legal expenses incidental thereto, shall, at the option of the Board of Legislators, either

(1) Be assessed against the land on which such Junk is located and shall be levied and collected in the same manner as provided in Section 270 of the County Law for the levy and collection of a special ad valorem levy, or

(2) Be collected by commencement of a special proceeding against the owner(s) of said property in the Supreme Court, County of Lewis.

ARTICLE I: REMEDIES AT LAW

Notwithstanding the above administrative procedures, the County may maintain an appropriate action or proceeding in a court of competent jurisdiction for enforcement and to recover costs and expenses incurred by the Junkyard Review Board and County to remedy a violation and to compel compliance with the law, or to restrain by injunction the violation of any article of this Local Law.

The appropriate remedy for an applicant who disputes a finding and decision of the Junkyard Review Board or the Board of Legislators is an action brought in a court of competent jurisdiction at the applicant's sole cost and expense.

ARTICLE J: APPLICABILITY

This Local Law shall not apply to any city, village, or town during such time as such city, village, or town is regulating or licensing junkyards.

ARTICLE K: SEVERABILITY

If any clause, sentence, paragraph, section or article of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or article thereof directly involved in the controversy in which such judgment shall have been rendered.

ARTICLE L: EFFECTIVE DATE

This Local Law shall be effective immediately upon all legal requirements being met.

ARTICLE M: PRIOR JUNKYARD LAWS

This Local Law replaces Local Law No. 2 -2015, which amended and repealed all former Junkyard Laws (Local Law No. 3-2001, No. 3-2011, No. 7-2014).

**RESOLUTION NO. 456 - 2017
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 5 - 2017), COUNTY OF LEWIS**

Introduced by Legislator Bryan Moser, Chairman of the Junkyard Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on November 21, 2017 a proposed Local Law entitled "A LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 2-2015 - THE COUNTY OF LEWIS JUNKYARD LAW."

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on December 5, 2017 from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York to hear all persons for or against such local law.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Chartrand, seconded by Legislator King, and adopted.

RESOLUTION NO. 457 - 2017
RESOLUTION AUTHORIZING A WAIVER REQUEST FOR A CONFLICT OF
INTEREST BETWEEN SNOW BELT HOUSING COMPANY, INC. VICE-CHAIRMAN
AND AN ELIGIBLE REHABILITATION GRANT RECIPIENT

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, Lewis County (öCountyö) is a recipient of a Small Cities Community Development Block Grant (Lewis County 636HR334-16) which provides rehabilitation assistance to income eligible homeowners in the County; and

WHEREAS, Snow Belt Housing Company, Inc. (öSnow Beltö) is a not-for-profit corporation organized under the laws of New York State, with offices located at 7500 South State Street, Lowville, New York 13367, who acts as a sub-recipient to the County by administering said Grant; and

WHEREAS, the Office of Community Renewal (OCR) Grant Manual requires that under the CDBG program, an applicant who may have a conflict of interest may need a waiver in order to participate in the CDGB funded activity. Where the municipality that has received CDBG assistance determines, after a public hearing, that a conflict of interest exists but authorizes a waiver, a request for the waiver must be submitted by the local municipality to OCR prior to undertaking any activity on the application under the Grant funds; and

WHEREAS, in accordance with the procedures outlined in the OCR Grant Manual for exceptions to conflicts of interest, the local government entity, i.e. the County of Lewis Board of Legislators authorized by Resolution, a Notice of a Public Hearing to be held on November 21, 2017 to receive public comment on a conflict of interest posed by Dennis Mastascusa as the Vice- Chairman of the Board of Directors of Snow Belt Housing Company, Inc., and a family member who has applied for and is otherwise financially eligible for a CDBG housing rehabilitation grant, but for the conflict of interest with the Vice-Chairman of said Board; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, in further accordance with the Grant Manual procedures, the Lewis County Board of Legislators advertised the Notice of the Public Hearing in the official paper of the County and posted said Notice in the County building. On November 21, 2017 at 5:00 pm, the Board held the public hearing. During the public hearing, the Board considered the comments of those wishing to be heard; and

WHEREAS, the Lewis County Board of Legislators has considered any comments from the public together with the information provided by Snow Belt Housing Company, Inc., the opinion of the County Attorney, and the factors to be considered by OCR for exceptions and makes the following Findings and Conclusions in determining that a waiver should be requested.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators, in accordance with the OCR CDBG Grant Manual procedures, advertised the Notice of the Public Hearing in the official paper of the County and posted said Notice in the County building. On November 21, 2017 at 5:00 pm, the Board held the public hearing. During the public hearing, the Board considered the comments of those wishing to be heard and considered all steps to mitigate same, namely:

i. Snow Belt requires all Directors, Officers, Board committee members, etc., to review and execute their Conflict of Interest/Confidentiality Policy. Said policy requires Board members to disclose conflicts and to fill out an annual conflict of interest questionnaire.

ii. Snow Belt's policy provides for a Board member who has a conflict of interest on a matter to disclose same to the rest of the Board and not vote on the matter or to use personal influence on the matter. The Vice Chairman disclosed the conflict and has not participated in any way with the matter, either by vote or by use of personal influence. In fact, the Vice Chairman is not assigned to the sub-committee in charge of reviewing said application.

iii. Snow Belt requires CDBG applicants to fill out conflict of interest disclosure forms (using sample forms provided by OCR) to further identify any potential conflicts. In this matter, the applicant filled out the form and disclosed her relationship to the Vice-Chairman of the Board of Snow Belt.

Section 2. That the Lewis County Board of Legislators, in accordance with the OCR Grant Manual, specifically addressed and considered the applicability of each enumerated factor set forth in subparagraph (5) of 24 CFR 570.489(h) in determining whether a waiver should be requested and ultimately granted by the State, and finds:

i. The waiver would provide a significant cost benefit to the rehabilitation program and project in Lewis County;

ii. Open competitive bidding for rehabilitation of the property is provided and not affected by the requested waiver;

iii. The person affected is a low or moderate- income person intended to benefit from this grant program. The waiver/exception will permit the person to be considered and potentially receive generally the same benefit being made available to the same eligible class of citizens in Lewis County. In fact, to deny the exception/waiver would punish the eligible person, but for her familial relationship to the Vice-Chairman of the Board at Snow Belt;

iv. The Vice-Chairman is not a member of the Snow Belt sub-committee charged with the review and decision recommendation on this application. The Vice-Chairman will recuse

himself from any discussion, decision-making and ultimate vote on this application by the Board of Directors.

v. The Vice-Chairman was already an officer of the Board of Directors before an application was contemplated by the family member.

vi. Undue hardship will result not only to the otherwise eligible applicant and to the CDBG grant programs in Lewis County in general, if such a waiver is not considered and granted. Lewis County is a small, rural County with familial relationships in all sectors of Government. This program is designed to assist residents based upon income eligibility and need. The applicant satisfies all eligibility requirements of the Grant and should not be disadvantaged because of the long established, community-minded efforts of her relative. The general public interest served by attempting to avoid conflicts of interest is not served in this instance and in fact creates undue hardship.

vii. The procedures and policies adopted by Snow Belt Housing Company, Inc. to identify and address potential conflicts of interest are consistent with the County's ethics procedures. The benefit of the financial assistance to this otherwise eligible applicant far outweighs the conflict of interest posed by the family relationship, especially with the Vice-Chairman recusing himself in any discussion and decision making on the application.

Section 3. That the Lewis County Board of Legislators authorizes the Chairman of the Board or the Vice-Chair in his absence, to execute a formal, written request, together with any other required documents, to OCR as set forth in 24 CFR 570.589(h) (4), for a waiver of the conflict of interest posed by the family relationship between Dennis Mastascusa as Vice-Chairman of the Snow Belt Housing Company, Inc. Board of Directors (the County's sub-recipient administrator under the CDGB program) and the family applicant for a housing rehabilitation assistance grant under the CDBG program.

Section 4. That the Lewis County Board of Legislators directs the County Attorney to submit an opinion letter to OCR stating that the interest for which the exception/waiver is sought does not violate state or local law.

Section 5. That the Lewis County Board of Legislators directs that the Clerk of the Board provide to OCR the minutes of the public meeting and hearing at which disclosure of the conflict was discussed and decided, a copy of the notice of the public hearing, together with a certified copy of this Resolution.

Section 6. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Dolhof, and adopted.

RESOLUTION NO. 458 - 2017
RESOLUTION TO TRANSFER FUNDS
ELECTIONS

Introduced by Legislator Philip Hathway, Chairman of the Elections Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BE IT RESOLVED, as follows:

Section 1. That the following transfer is here by approved in the Elections Accounts to cover line item expense:

Decrease Expense

A0145000 490100 Inspectors \$1,500.00

Increase Expense

A0145100 221100 Machines \$1,500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

**RESOLUTION NO. 459 - 2017
RESOLUTION TO RE-APPOINT
SUPERINTENDENT OF HIGHWAYS**

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation Committee.

WHEREAS, the term of Lewis County Superintendent of Highways David L. Becker will expire on December 31, 2017; and

WHEREAS, the Board of Legislators wishes to re-appoint him to said position.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints David L. Becker of 4572 Flatrock Road, Lowville, New York 13367, as the Lewis County Superintendent of Highways.

Section 2. That the term of said appointment shall commence January 1, 2018 and terminate on December 31, 2021.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Dohof, and adopted.

**RESOLUTION NO. 460 - 2017
RESOLUTION APPOINTING
OFFICE FOR THE AGING DIRECTOR**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Office For the Aging Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Kelly Hecker of 36901 County Route 136, Theresa, New York 13691, as the Lewis County Office For Aging Director, effective November 27, 2017.

Section 2. That the annual salary is hereby set at \$52,000.00.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan , seconded by Legislator King , and adopted.

**RESOLUTION NO. 461 - 2017
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 increase the regular work week of all Probation Officers to 40 hours effective November 27, 2017.

Section 2. That said work week will continue until such time as amended by the Board of Legislators.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator King , seconded by Legislator Moroughan , and adopted.

**RESOLUTION NO. 462 - 2017
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:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Sr. Probation Officer	Temporary Full-time	Grade B30

Section 2. That Director MaryJo Burkhard is hereby authorized to fill the position effective immediately for a period up to six (6) months.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 463 - 2017
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 Enforcement Committee.

WHEREAS, the Lewis County Probation Department (öLCPDö) wishes to enter into an Agreement with Rubenzahl, Knudsen & Associates Psychological Services, P.C., to provide sex offender evaluations and counseling services for individuals and also to provide psychological evaluations and treatment for juvenile delinquents/adolescent offenders when required; and

WHEREAS, LCPD was approved for an STSJP Grant which provides \$12,000 for juvenile delinquents/adolescent offenders funds for psychological evaluations and treatment. 62% of these costs are reimbursed by the state with the local share being 38%.

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 sex offender evaluations and counseling services for individuals and also to provide psychological evaluations and treatment for juvenile delinquents/adolescent offenders when required.

Section 2. That the term of this agreement shall be January 1, 2018 through December 31, 2018 at the following fees:

SEX OFFENDER ASSESSMENT AND THERAPY	PSYCHOLOGICAL SERVICES FOR JUVENILE DELINQUENTS
\$45.00 per session for group therapy	\$75.00 per hour for therapy
\$75.00 per hour for individual therapy	\$110.00 per hour for psychological evaluations
\$500.00 per completed adult	\$65.00 per hour for clients receiving group

sex offender assessment	Treatment
\$300.00 per completed youth sex offender assessment	\$135.00 per hour for expert court testimony
	\$75.00 per session, to include RKPS presence at monthly clinical treatment team meeting if applicable

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 Moroughan, and adopted.

**RESOLUTION NO. 464 - 2017
RESOLUTION AUTHORIZING AMENDMENT TO EXTEND CONTRACT
WITH THE COUNTY OF LEWIS AND NEW YORK STATE
OFFICE OF INDIGENT LEGAL SERVICES FOR DISTRIBUTION # 5**

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 entered into a contract pursuant to Resolution No. 394-2016 to receive 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 said Grant Contract. The Grant term covers January 1, 2015 through December 31, 2017; and

WHEREAS, the County of Lewis desires to extend the term of the contract with New York State Office of Indigent Legal Services to December 31, 2018.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the extension of the contract by and between the County of Lewis and New York State Office of Indigent Legal Services that provides grant funds under Distribution # 5 in the amount of \$113,928.00 to assist the County in improving the quality of indigent legal services provided to December 31, 2018.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 Dolhof, seconded by Legislator King, and adopted.

**RESOLUTION NO. 465 - 2017
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 of donated funds is hereby approved in the office of the Sheriff's Department for the Shop with a Cop program:

Increase Revenues

A0731000 327053 (Donations Shop w/a Cop)	\$3,350.00
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Increase Expense

A0311000 490900 (Misc Expense)	\$3,350.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 466 - 2017
RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR
COMMENCING JANUARY 1, 2018 MAKING APPROPRIATIONS
FOR THE CONDUCT OF COUNTY GOVERNMENT AND
ESTABLISHING RATES OF COMPENSATION FOR OFFICERS
AND EMPLOYEES FOR FISCAL YEAR 2018**

Introduced by Legislator Craig Brennan, Chairman of the Ways and Means Committee.

WHEREAS, the governing body has met and considered the 2018 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, 2018.

Legislator Hathway made a motion to table the resolution, seconded by Legislator Moroughan. The motion was defeated by the following roll call vote:

YEAS: Hathway, Moroughan
NAYS: Chartrand, Dolhof, King, Kulzer, Tabolt
ABSENT: Brennan, Fawcett, Moser

Legislator Dolhof moved the resolution, seconded by Legislator King.

Legislator Chartrand expressed support for the budget as proposed by Budget Officer Ryan Piche, while recognizing Treasurer Patricia O'Brien and committee deliberations. He would like time to review the information and comments made earlier tonight. He is not in favor of exceeding the Tax Cap. Legislator Chartrand took exception to the Board's objection to join the opiate class action lawsuit as Jefferson and St. Lawrence County had, which may have ultimately provided additional County revenue.

Legislator Dolhof doubted the class action lawsuit would be resolved in 2018.

Legislator Hathway inquired support to transfer known excess Nursing Home IGT monies into contingency. Legislator Chartrand acquiesced.

Legislator Kulzer cited \$134,000 he feels could be cut from the proposed budget to lower the tax rate, but did not cite particular line items.

Legislator Chartrand opined the nominal tax rate increase of eleven cents/thousand dollars of assessed property value was minimal compared to the cost of living and meeting obligations to provide services.

The resolution was then adopted by the following roll call vote:

YEAS: Chartrand, Dolhof, Hathway, King, Moroughan, Tabolt
NAYS: Kulzer
ABSENT: Brennan, Fawcett, Moser

**RESOLUTION NO. 467 - 2017
ASSESSING AND LEVYING AMOUNT OF TAX CALLED FOR
UNDER THE COUNTY BUDGET AS ADOPTED BY THE BOARD OF
LEGISLATORS ON THE 21st DAY OF NOVEMBER 2017**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

AS PROVIDED FOR UNDER COUNTY LAW

Introduced by Legislator Craig Brennan, Chairman of the Ways and Means Committee.

WHEREAS, the Board of Legislators of the County of Lewis by Resolution No. 466-2017 adopted on the 21st day of November 2017, has adopted a County Budget for fiscal year 2018; and

WHEREAS, the said Board of Legislators by Resolution No. 466- 2017 adopted on the 21st day of November 2017, has made appropriations for the conduct of Lewis County Government for fiscal year 2018.

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 \$ 15,799,939.00.

Moved by Legislator Dolhof , seconded by Legislator King , and adopted by the following roll call vote:

YEAS: Chartrand, Dolhof, Hathway, King, Moroughan, and Tabolt.

NAYS: Kulzer.

ABSENT: Brennan, Fawcett, and Moser.

**RESOLUTION NO. 468 - 2017
FIXING DATE OF PUBLIC HEARING ON AN ADDITION
TO THE ATV TRAIL SYSTEM**

Introduced by Legislator Lawrence Dolhof, Chairman, Economic Development Committee.

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on November 21, 2017, proposed additions of off road trails to the Lewis County ATV Trail System pertaining to the following properties:

- David & Laura Descoteau - State Route 26 and Zimmer Road in the Town of West Turin, identified as parcel numbers 378.00-01-16.600 & 378.00-01-16.220.
- Nowwhac, LLC - 5169 Zimmer Road in the Town of West Turin, identified as parcel number 378.00-01-16.100.
- Raynard & Robin Gagnon - State Route 26 in the Town of West Turin, identified as parcel number 378.00-01-16.210.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on December 5, 2017 at 5:00 p.m. at the Lewis County Courthouse, Legislative Chambers, 7660 North State Street, Lowville, New York 13367, Second Floor, for the purpose of receiving public comment regarding the addition to Lewis County ATV 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 King, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 469 - 2017
FIXING DATE OF PUBLIC HEARING ON AN ADDITION
TO THE ATV TRAIL SYSTEM**

Introduced by Legislator Lawrence Dolhof, Chairman, Economic Development Committee.

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on November 21, 2017, proposed additions of off road trails to the Lewis County ATV Trail System pertaining to the following properties:

- Lawrence Williams - State Route 12 in the Town of West Turin, identified as parcel numbers 322.00-01-17.100 & 322.14-03-10.000.
- Mark D. Kovach, Jr. - State Route 12 in the Village of Lyons Falls, identified as parcel numbers 322.14-01-17.310 & 322.14-03-08.120.
- Mike & Tracy Hurilla - State Route 12 in the Village of Lyons Falls, identified as parcel numbers 322.00-01-35.000; 322.14-03-08-110 & 322.18-01-10.212.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on December 5, 2017 at 5:00 p.m. at the Lewis County Courthouse, Legislative Chambers, 7660 North State Street, Lowville, New York 13367, Second Floor, for the purpose of receiving public comment regarding the addition to Lewis County ATV 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 King, and adopted.

OTHER BUSINESS:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

At 6:26 p.m., Legislator Dolhof made a motion to adjourn, seconded by Legislator Kulzer and carried.

**FOURTH DAY
ANNUAL SESSION
December 5, 2017**

The meeting was called to order at 5:00 p.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislators Chartrand and Fawcett, whom had each been excused.

Legislator Tabolt offered the Invocation then led the Pledge of Allegiance to the Flag.

There were 20 persons present.

Chairman Tabolt declared the minutes of the November 7th and November 15, 2017 meeting minutes approved by general consent after no corrections were noted.

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.

Signed by: Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

Dated: December 5, 2017

Legislator Dolhof made a motion to waive the rules, seconded by Legislator Moser and carried.

A Proclamation commending the Beaver River Central School Varsity Boysø Cross Country Team was presented by Chairman Tabolt and Legislator Bryan Moser, to team members and their coach for garnering their 16th New York State Title.

Chairman Tabolt introduced newly appointed Office For Aging Director Kelly Hecker.

At 5:11 p.m., the Chairman opened the public hearing for comments on Local Law (Intro. No. 5-2017), ðA LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 2-2015 - THE COUNTY OF LEWIS JUNKYARD LAWö; and proposed additions of off-road trails to the Lewis County ATV Trail System pertaining to the following properties: David & Laura Descoteau - State Route 26 and Zimmer Road in the Town of West Turin, identified as parcel numbers 378.00-01-16.600 & 378.00-01-16.220, Nowwhac, LLC - 5169 Zimmer Road in the Town of West Turin, identified as parcel number 378.00-01-16.100, Raynard & Robin Gagnon - State Route 26 in the Town of West Turin, identified as parcel number 378.00-01-16.210, Lawrence Williams - State Route 12 in the Town of West Turin, identified as parcel numbers 322.00-01-17.100 & 322.14-03-10.000, Mark D. Kovach, Jr. - State Route 12 in the Village of Lyons Falls, identified as parcel numbers 322.14-01-17.310 & 322.14-03-08.120, and Mike & Tracy Hurilla - State Route 12 in the Village of Lyons Falls, identified as parcel numbers 322.00-01-35.000; 322.14-03-08-110 & 322.18-01-10.212.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

PRIVILEGE OF THE FLOOR:

Erik Griffin of Lowville, reminded the County Planning Board had previously denied Walmart's request to construct gasoline pumps adjacent to their Lowville store location, citing several existing gasoline stations in the immediate area. Subsequently, however, that board had approved the Utica Boulevard Nice N Easy construction, he said, and most approved gasoline pumps at the Tops Plaza. Mr. Griffin feels the location of the pumps will cause pedestrian and vehicular safety issues, due to the close proximity to the bank and other businesses at that end of the plaza. He further referenced a water system under the proposed site, purporting the Planning Board should solve problems, not create them.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The NYS Office of Parks, Recreation and Historic Preservation informed the First Lewis County Clerk's Office located in Martinsburg has been listed on the National Register of Historic Places.

The Chemung County Legislature enacted a resolution to support increasing the State appropriation for Cornell Cooperative Extension Associations.

The Essex County Legislature adopted a resolution to honor 2017 as the 100th anniversary of the passage of the Suffrage Act in New York State, which granted women the right to vote in State and local elections.

The Schuylar County Legislature adopted a resolution to urge the Governor to advance funding and expedite completion of the "Daniel Patrick Moynihan" interstate 86 projects in Broome, Delaware, Sullivan and Orange Counties.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the County Treasurer's November report; the 11/28, 11/29 and 12/5/17 Solid Waste and Highway Audit reports; and the minutes of the 10/10/17 Community Services Board, 11/16/17 Planning Board and the 11/15/17 Youth Bureau Advisory Board meetings.

STANDING COMMITTEE REPORTS:

Legislator Philip Hathway, Information Technology Committee Chairman, reported the Information Technology budget was on track. Mohawk Network representatives have met with various municipal officials to inform their need to erect 50-60 repeater towers ranging from 180-199' tall throughout the County to expand broadband services. The respective landowner lease agreements will be for 25 years and Mohawk Networks has agreed to pay respective property taxes.

Legislator Hathway reported a proposed Facebook page for the Real Property Tax Department. A County policy will be devised for compliance by all Departments. He also reported the 49 Lewis County veterans with existing property exemptions are being notified of the increased \$7,500 amount and advised to contact the County office to effectuate their exemptions.

Legislator Hathway posed that property owners having a PILOT agreement should be prohibited from filing an assessment challenge, while recognizing the agreements are under the purview of the Industrial Development Agency (IDA). Legislator Hathway made a motion for the County Attorney to draft a resolution that would record the Board's recommendation and urge the IDA to include language in their agreements to prohibit respective assessment challenges while a PILOT agreement is in effect. The motion was seconded by Legislator Brennan.

Legislator King was assured that a Town-wide revaluation would have no impact for negotiated PILOT agreements.

Attorney McNichol deemed no legal issues with urging the IDA to consider the County's policy when negotiating agreement terms.

Legislator Dolhof agreed philosophically, while referencing a particular business that was negatively affected by low electric rates, and without a reduced assessment and a PILOT agreement, the struggling industry could not be salvaged.

The motion was then unanimously carried.

On behalf of Committee Chairman Roscoe Fawcett, Jr., DSS Commissioner Jennifer Jones reported an on-site visit by NYS Commissioner Samuel Roberts, who met with Legislators Moroughan and Kulzer and representatives of Senator Griffo and Assemblyman Blankenbush. It had been 15 years since a State Commissioner had visited. Discussion focused on the SNAP, HEAP, Temporary Assistance and Housing Programs.

Ms. Jones reported there have been 1,479 HEAP applications processed and release of \$979,737. She encouraged everyone to be cognizant and alert the DSS office of anyone they suspect is homeless so that proper outreach and shelter can be provided.

A Work For Success Program representative is at the local One Stop office one day per month to assist those with a criminal history to attain employment.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, agreed that District Attorney Leanne Moser had made some valid points earlier today, but has been asked to forward more statistical case information to facilitate an informed decision.

Legislator King reported that antennas are to be installed at the Lyons Falls and No. 3 Road towers to reduce radio background noise. He expects to make a vendor contract recommendation for the Interoperable channel overlay project at the next meeting.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Lawrence Dolhof, Economic Development, Recreation, Forestry and Parks Committee Chairman, deferred relative discussion until his sponsored resolutions are later presented.

Legislator Craig Brennan, Ways and Means, Buildings and Grounds Committee Chairman, reported departmental budgets are within budgetary appropriations, and sales tax receipts were on course to meet projections.

Legislator Brennan reported that Buildings and Grounds maintenance personnel have completed public safety building repairs, and the sally port gate is working properly. They had also installed a blower motor for heat in the Highway Sign Shop.

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman, reported construction on the Sears Pond Road, and repair of the No. 4 Road culvert that is 120ø long and 22ø deep were completed.

Legislator Kulzer reported that Solid Waste Director Pete Wood was authorized to purchase a 50-yard compactor; and that trash and recycling volumes both continue to increase.

On behalf of the Martinsburg Historical Society, Legislator Kulzer relayed a funding request to offset repairs to the First Lewis County Clerk's Office located in Martinsburg and maintained by their group. A specific appropriation will be proposed to the Board at the next meeting.

Legislator Kulzer relayed a request from Highway Superintendent Association President Tyler Jones for an unspecified per mile County appropriation from ATV and/or snowmobile revenues to repair/maintain Town roads that are opened to recreation traffic. This issue was referred to the Recreation, Forestry and Parks Committee for consideration.

Legislator Richard Chartrand, Hospital Committee Chairman, deferred to Hospital CEO Gerald Cayer, who recited the Board of Managers' recently endorsed Vision and Mission Statements to send a clear message of their greater purpose. They continue to work to increase patient access to primary and surgical physicians. To that end, another orthopedic physician will join the Hospital practice in January 2018 that will enhance surgical volumes. They are also evaluating expanded surgical options such as laparoscopic and hysterectomy. Growth is seen in the Home Health and Hospice programs, sustained census at the residential healthcare facility, as well as stabilized emergency room and hospitalist coverage.

Mr. Cayer and the Board of Managers continue to refine their key initiatives, while promoting a culture of holistic system thinking in the best interest of patients. Priorities are for aggressive recruitment of primary physicians in recognition of the age of existing practitioners; endeavor to facilitate specialty clinical affiliations to provide local access to high-end specialty care; substantially reduce crippling employee and dependent health insurance costs; and negotiate a multi-year bargaining unit agreement.

In response to Legislator Hathway's inquiries, Mr. Cayer reported plans to increase two operating rooms from 3 to 4 days per week; related that the key to Hospice services is physician and community education, primarily through the Friends of Hospice group, to commence timely palliative care discussion with prospective patients resulting in earlier access and increased volumes. Lastly, he cited efforts to increase local access to cardiology, behavioral health and orthopedic specialty services.

Legislator Hathway recognized the three proposed Board of Manager appointees, none of which are from his Legislative District. Mr. Cayer respectfully offered his insightful participation with future member selections, affirming that having representation from throughout the hospital service area is an industry standard.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported ongoing efforts to address transportation challenges for those seeking behavioral health and substance abuse treatment. Several local groups were cited that have sponsored informational events to assist with public understanding and education on opiate substance use.

Legislator Moroughan recognized and thanked long-term Community Service Board members John Waterhouse, Jane O'Connor and Thomas Yousey for their time and commitment to Lewis County residents. They have each chosen not to extend their terms.

SPECIAL REPORTS:

At this time, Chairman Tabolt presented a commending proclamation to Town of Watson Supervisor Virgil Taylor to recognize his 44 years tirelessly serving in the best interest of his constituents. Chairman Tabolt declared that "In all that time he had never heard anything bad said about this gentleman."

Chairman Michael Tabolt reported that Legislator Chartrand and Ryan Piche joined him at the 12/3/17 Fort Drum holiday social, proudly relaying General Walter Piatt's public appreciative comments for the cooperation of Lewis County officials. This was followed up by a local luncheon today with Lt. Col. Todd Polk and Andrew Kennedy from the Garrison Commander's office. They informed Fort Drum's desire to retain a corridor, encompassing a portion of northern Lewis County, for their air training. There are no existing wind projects in that area. Mr. Piche was pleased to relay the cooperative relationship being forged; and Legislator Dolhof remains confident that Fort Drum and County officials each recognize respective goals and will be mutually supportive.

COUNTY MANAGER REPORT:

Ryan Piche reported intent to implement the contract management phase of the Tyler Munis software.

Collaborative discussion continues with Hospital and County management and union representatives to devise recommended employee health insurance plan changes to lower the unsustainable and escalating costs for the County, Hospital and employees alike.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Mr. Piche reported that Mohawk Networks has a list of targeted properties for tower locations with determined optimum signals to expand broadband services. Each Town has been assigned one of five Mohawk Network representatives to enhance communication and progress.

Budget and programming discussion continues with JCC representatives for the Extension Education Center. However, Mr. Piche will be meeting with Mohawk Valley Community College and SUNY Canton representatives to discern their interest in the initiative.

Mr. Piche informed that he, Chairman Tabolt, Eric Virkler and Michele Ledoux would attend the Regional Economic Development Council (REDC) award announcements in Albany on 12/13/17.

COUNTY TREASURER REPORT:

Patricia O'Brien reported the current fund balance of the Special Legislative Contingency Fund - \$339,154.14; Contingency Fund-\$231,972.27; Capital Data Processing Fund-\$116,514.91 and Capital Equipment Fund - \$262,487.84, of which \$7,379.85 is the Highway portion, year-to-date sales tax revenues are above budget at \$9,252,475.56; and current Hospital debt is on schedule at \$1.3 million.

Ms. O'Brien stated the October Internal Service Fund report is not yet available.

Chairman Tabolt closed the public hearing at 6:07 p.m.

REPORT OF THE WAYS AND MEANS COMMITTEE:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 470 - 2017
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Craig Brennan, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 876,226.33 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 the following roll call vote:

YEAS: Brennan, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, and Tabolt.

NAYS: None.

ABSENT: Chartrand and Fawcett.

**RESOLUTION NO. 471 - 2017
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 6 - 2017, COUNTY OF LEWIS**

Introduced by Legislator Craig Brennan, Chairman of the Ways and Means Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on November 21, 2017, directing that a public hearing be held by said Board on December 5, 2017, 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, ðA LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 2-2015 - THE COUNTY OF LEWIS JUNKYARD LAWö; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on November 29, 2017, 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. 5 ó 2017), County of Lewis, being ðA LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 2-2015 - THE COUNTY OF LEWIS JUNKYARD LAWö; be and the same hereby is designated as Local Law No. 6 ó 2017, County of Lewis.

Section 2. That Local Law No. 6 ó 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 King, seconded by Legislator Moser.

Legislator Moser explained the primary amendment to the law was to authorize municipal clean up of identified properties and impose the cost upon the property owner's next tax bill. He reminded fellow Legislators to expect phone calls from some constituents. Legislator Brennan thanked him for initiating the amendment, terming it a useful enforcement tool.

The resolution was then adopted by the following roll call vote:

YEAS: Brennan, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, and Tabolt.

NAYS: None.

ABSENT: Chartrand and Fawcett.

LOCAL LAW (INTRODUCTORY NO. 6 - 2017)
COUNTY OF LEWIS

Introduced by Legislator Craig Brennan, Chairman of the Ways and Means Committee.

**A LOCAL LAW (INTRODUCTORY NO. 6-2017) RESCINDING LOCAL LAW NO. 5 -
2017 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL
MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2018
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 ðA **LOCAL LAW RESCINDING LOCAL LAW NO. 5-2017 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2018 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 2018 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 2018 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. 5-2017.

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

**RESOLUTION NO. 472 - 2017
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 6 - 2017), COUNTY OF LEWIS**

Introduced by Legislator Craig Brennan, 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 December 5, 2017 a proposed Local Law entitled “LOCAL LAW (INTRODUCTORY NO. 6-2017) RESCINDING LOCAL LAW NO. 5-2017 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2018 BUDGET.”

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on December 21, 2017, from 10:00 a.m. to 10:30 a.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 Kulzer, seconded by Legislator King, and adopted.

**RESOLUTION NO. 473 - 2017
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, 2018 through December 31, 2018 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 King, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 474 - 2017
RESOLUTION REGARDING SEQRA REVIEW OF A
NEW TRAILS TO BE ADDED TO THE LEWIS COUNTY ATV
TRAIL SYSTEM AND DECLARING NO SIGNIFICANT IMPACT
(NOWWHAC, DESCOTEAU & GAGNON PROPERTIES)**

Introduced by Legislator Lawrence Dolhof, Chairman, 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 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. 262009, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM" (herein, "Local Law No. 26"); 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

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 Nowwhac, LLC, which is located at 5169 Zimmer Road in the Town of West Turin, identified as parcel number 378.00-01-16.100; 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 owned by David & Laura

Descoteau, which are located on State Route 26 and Zimmer Road in the Town of West Turin, identified as parcel numbers 378.00-01-16.600 & 378.00-01-16.220; 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 Raynard & Robin Gagnon, which is located at State Route 26 in the Town of West Turin, identified as parcel number 378.00-01-16.210; 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 received a report from the Soil and Water Conservation District detailing their investigations and findings with respect to the proposed trails on the Nowwhac, LLC, David & Laura Descoteau, and Raynard & Robin Gagnon properties in the Town of West 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 following properties in the Town of West Turin owned by Nowwhac, LLC, known as tax map parcel 378.00-01-16.100; David & Laura Descoteau properties, known as tax map parcel 378.00-01-16.600 and tax map parcel 378.00-01-16.220; and Raynard & Robin Gagnon, known as tax map parcel 378.00-01-16.210 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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 475 - 2017
RESOLUTION TO INCORPORATE
NOWWHAC, DESCOTEAU & GAGNON PROPERTIES
INTO THE LEWIS COUNTY ATV TRAIL SYSTEM**

Introduced by Legislator Lawrence Dolhof, Chairman, 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. 262009, "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 Nowwhac, LLC, which is located at 5169 Zimmer Road in the Town of West Turin, identified as parcel number 378.00-01-16.100 to the Lewis County Trail System; and

WHEREAS, the Recreation, Forestry and Parks Director has presented the Board of Legislators with a request to add properties owned by David & Laura Descoteau, which are located on State Route 26 and Zimmer Road in the Town of West Turin, identified as parcel numbers 378.00-01-16.600 & 378.00-01-16.220 to the Lewis County Trail System; and

WHEREAS, the Recreation, Forestry and Parks Director has presented the Board of Legislators with a request to add property owned by Raynard & Robin Gagnon, which is located at State Route 26 in the Town of West Turin, identified as parcel number 378.00-01-16.210 to the Lewis County 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 contemporaneously herewith completed its review under SEQRA with respect to the properties and trail 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 trail to the Lewis County Trail ATV System will not result in a significant environmental impact; and

WHEREAS, the owners of the properties, Nowwhac, LLC; David & Laura Descoteau and Raynard & Robin Gagnon 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 properties 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 properties in the Town of West Turin, owned by Nowwhac, LLC, which is located on 5169 Zimmer Road, identified as parcel number 378.00-01-16.100; David & Laura Descoteau, which is located on State Route 26 and Zimmer Road, identified as parcel numbers 378.00-01-16.600 & 378.00-01-16.220; and Raynard & Robin Gagnon, which is located on State Route 26, identified as parcel number 378.00-01-16.210 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 additions of the Nowwhac, LLC; David & Laura Descoteau and Raynard & Robin Gagnon properties 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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 King, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 476 - 2017
RESOLUTION REGARDING SEQRA REVIEW OF A
NEW TRAILS TO BE ADDED TO THE LEWIS COUNTY ATV
TRAIL SYSTEM AND DECLARING NO SIGNIFICANT IMPACT
(WILLIAMS, KOVACH & HURILLA PROPERTIES)**

Introduced by Legislator Lawrence Dolhof, Chairman, 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 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. 262009, "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

WHEREAS, the Director of Recreation, Forestry and Parks has presented the Board of Legislators with a request to add off-road trails on properties owned by Lawrence Williams, which are located on State Route 12 in the Town of West Turin, identified as parcel numbers 322.00-01-17.100 & 322.14-03-10.000; 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 owned by Mark D. Kovach, Jr., which are located on State Route 12 in the Village of Lyons Falls, identified as parcel numbers 322.14-01-17.310 & 322.14-03-08.120; 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 owned by Mike & Tracy Hurilla, which are located at State Route 12 in the Village of Lyons Falls, identified as parcel numbers 322.00-01-35.000; 322.14-03-08-110 & 322.18-01-10.212; 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 received a report from the Soil and Water Conservation District detailing their investigations and findings with respect to the proposed trails on the Lawrence Williams in the Town of West Turin and Mark D. Kovach, Jr., and Mike & Tracy Hurilla properties in the Village of Lyons Falls 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:

- 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 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 Lawrence Williams properties in the Town of West Turin, known as tax map parcels 322.00-01-17.100 & 322.14-03-10.000; Mark D. Kovach, Jr.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

properties in the Village of Lyons Falls, known as tax map parcels 322.14-01-17.310 & 322.14-03-08.120; and the Mike & Tracy Hurilla properties in the Village of Lyons Falls , known as tax map parcels 322.00-01-35.000; 322.14-03-08-110 & 322.18-01-10.212 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 Brennan, and adopted.

RESOLUTION NO. 477 - 2017
RESOLUTION TO INCORPORATE
WILLIAMS, KOVACH & HURILLA PROPERTIES
INTO THE LEWIS COUNTY ATV TRAIL SYSTEM

Introduced by Legislator Lawrence Dolhof, Chairman, 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. 262009, "A LOCAL LAW ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM" (herein, "Local Law No. 26"); 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 properties owned by Lawrence Williams, which are located at State Route 12 in the Town of West Turin, identified as parcel numbers 322.00-01-17.100 & 322.14-03-10.000 to the Lewis County Trail System; and

WHEREAS, the Recreation, Forestry and Parks Director has presented the Board of Legislators with a request to add properties owned by Mark D. Kovach, Jr., which are located on State Route 12 in the Village of Lyons Falls, identified as parcel numbers 322.14-01-17.310 & 322.14-03-08.120 to the Lewis County Trail System; and

WHEREAS, the Recreation, Forestry and Parks Director has presented the Board of Legislators with a request to add property owned by Mike & Tracy Hurilla, which are located at State Route 12 in the Village of Lyons Falls, identified as parcel numbers 322.00-01-35.000; 322.14-03-08-110 & 322.18-01-10.212 to the Lewis County 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 contemporaneously herewith completed its review under SEQRA with respect to the properties and trail 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 trail to the Lewis County Trail ATV System will not result in a significant environmental impact; and

WHEREAS, the owners of the properties, Lawrence Williams; Mark D. Kovach, Jr. and Mike & Tracy Hurilla 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 properties 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 properties owned by Lawrence Williams, which is located on State Route 12 in the Town of West Turin, identified as parcel numbers 322.00-01-17.100 & 322.14-03-10.000; Mark D. Kovach, Jr., which is located on State Route 12 in the Village of Lyons Falls, identified as parcel numbers 322.14-01-17.310 & 322.14-03-08.120; and Mike & Tracy Hurilla, which is located on State Route 12 in the Village of Lyons Falls, identified as parcel numbers 322.00-01-35.000; 322.14-03-08-110 & 322.18-01-10.212 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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. The Board of Legislators hereby authorizes the additions of the Lawrence Williams; Mark D. Kovach, Jr.; and Mike & Tracy Hurilla properties 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 King, and adopted.

RESOLUTION NO. 478 - 2017
RESOLUTION AUTHORIZING AND ADOPTING PLAN GOVERNING REUSE OF
COMMUNITY DEVELOPMENT BLOCK (CDGB) GRANT PROGRAM INCOME

Introduced by Legislator Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the County of Lewis, by and through the Department of Planning and Community Development receives grant funding under the State's Community Development Block Grant Program (CDGB), which the County authorized Snow Belt Housing Company, Inc. to administer. Under Section 104 (j) of the Federal Housing and Community Development Act as amended in 1992 and 24 CFR 570.489 (e) (3), a unit of local government is permitted to retain program income for CDGB-eligible community development activities so long as the local government adopts an income reuse plan which complies with the Federal and State CDGB guidelines for income generated from the use of CDGB funds and so long as the local government receives approval from the state of a local plan that will govern the expenditure of program income; and

WHEREAS, the Lewis County Planning Department has crafted a proposed income reuse plan, *attached hereto*, which sets forth the policies and procedures for the administration and utilization of program income received as a result of activities funded under the CDGB program and which meets the requirements under the State and Federal regulations for use and reuse of program income.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby adopts the attached "LEWIS COUNTY PROGRAM INCOME REUSE PLAN" to establish the policies and procedures for the

administration and utilization of program income received as a result of its activities funded under the State's CDGB Program.

Section 2. That the Board of Legislators reserves its authority to amend the Plan by Resolution and upon approval by the Office of Community Renewal (OCR).

Section 3. That the Chairman, or the Vice-Chairman of the Board of Legislators be and the same is hereby authorized to execute said proposed Plan.

Section 4. That the County Attorney is directed to submit this Adopted Plan to OCR for approval, and upon said approval, to distribute copies of the Approved Plan to the Director of Planning and the Executive Director of Snow Belt Housing Company, Inc.

Section 5. That the within resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator King, and adopted.

LEWIS COUNTY PROGRAM INCOME REUSE PLAN

The purpose of this plan is to establish guidelines on the policies and procedures for the administration and utilization of program income received as a result of activities funded under the State's Community Development Block Grant Program (CDBG).

Need for Plan Governing Reuse of Program Income: This Reuse Plan is intended to satisfy the requirements specified in Federal statute and regulation at Section 104 (j) of the Housing and Community Development Act ("the Act"), as amended in 1992 and 24 CFR 570.489 (e) (3). These statutory and regulatory sections permit a unit of local government to retain program income for CDBG-eligible community development activities. Under federal guidelines adopted by the New York State CDBG program, local governments are permitted to retain program income so long as the local government has received advance approval from the state of a local plan that will govern the expenditure of the program income. This plan has been developed to meet that requirement.

Program Income Defined: Program Income is defined in federal regulation at 24 CFR 570.489 (e) which specify that program income is the gross income received by the jurisdiction that has been directly generated from the use of CDBG funds. (For those program income-generating activities that are only partially funded with CDBG funds, such income is prorated to reflect the actual percentage of CDBG participation). Examples of program income include: payments of principal and interest on housing rehabilitation or business loans made using CDBG funds; interest earned on program income pending its disposition, and interest earned on funds that have been placed in a revolving loan account; net proceeds from the disposition by sale or long-term lease of real property purchased or improved with CDBG funds; income (net of costs that are incidental to the generation of the income) from the use or rental of real property that has been acquired, constructed or improved with CDBG funds and that is owned (in whole or in part) by the participating jurisdiction or subrecipient.

If the total amount of income generated from the use of CDBG funds (and retained by the County) during a single fiscal year (January 1 through December 31) is less than \$35,000, then these funds shall not be deemed to be program income and shall not be subject to these policies and procedures.

General Administration (GA) Cost Limitation: Up to eighteen percent (18%) of the total program income expended on all activities during a single program year may be used for CDBG general administration and program delivery expenses.

Reuses of Program Income: Program income must be: a) disbursed for an activity funded under an open grant prior to drawing down additional Federal funds; b) forwarded to the State of New York Office of Community Renewal or c) distributed to one or more Revolving Loan Accounts according to this Program Income Reuse Plan after adoption of the plan by Lewis County and approval by HCR.

Planning Activities: The County reserves the option of utilizing program income, within the 18 percent general administration annual cap, to fund planning for CDBG-eligible

activities. Such planning activities may include: fair housing planning activities; environmental reviews or other studies necessary for CDBG-eligible projects or programs; or application preparation for CDBG or other grants/loans to supplement funding for CDBG-eligible activities. The costs of such planning activities may be charged to an RLA if the planning is for the same activity as the RLA.

Reporting and Federal Compliance: The County shall ensure that the use of program income under this Reuse Plan complies with all CDBG program requirements, including citizen participation, environmental review, equal opportunity, Section 3 employment, lead-based paint, labor standards, acquisition and relocation, procurement, property management, and maintenance of adequate accounting and recordkeeping systems. To ensure ongoing compliance with CDBG requirements, the County shall utilize the latest available State CDBG Program Grant Management Manual for guidance on compliance procedures and policies.

Revising This Plan: The Board of Legislators has the authority to amend this document with a properly noticed Board meeting and approval by the Office of Community Renewal (OCR).

Revolving Loan Account: The purposes and allowed uses of funds under the County's RLA is, as follows:

- **Housing Revolving Loan Account**

This fund will be principally used for the purpose of making loans to rehabilitate residential units occupied by households which have an annual income which is 80 percent (80 percent) or less of the county's median income. The fund can also be used to provide down payment and/or closing costs and minimal repair assistance to income eligible first time homebuyers.

No more than eighteen percent of the total amount of PI expended annually may be expended for general administrative and program delivery costs.

The review and funding of requests for CDBG loan or grant assistance under this RLA shall be conducted under the Housing Rehabilitation Program or Homeownership Program Guidelines that have been adopted by the County for other CDBG funded programs. All assistance provided for activities under this RLA shall be made for activities that are located within the County's jurisdiction.

If the activities funded under the RLA are for the same activities as those funded under an open State CDBG grant agreement, then the funds available in this RLA shall be expended prior to drawing down funds from the State CDBG program.

In addition, any activity requesting funding under this RLA shall be deemed to be eligible under Section 570.482 and Section 105 (a) of the Act and shall be determined to provide sufficient public benefit as specified under Section 570.482 (f).

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 479 - 2017
RESOLUTION TO TRANSFER FUNDS IN 2018 BUDGET
CONTINGENCY FUND**

Introduced by Legislator Philip Hathway, District No. 1 Legislator Representative.

WHEREAS, the County share of the LC Nursing Home 2017-2018 IGT payment was estimated and budgeted at \$2.2 million in the 2018 tentative budget; said budget having been approved and adopted by the Board of Legislators on November 21, 2017; and

WHEREAS, the County recently received notice that the County's share of this IGT payment shall be \$2 million; reflecting a \$200,000 excess in that budgeted line; and

WHEREAS, the Board of Legislators seeks to have this \$200,000 budgeted excess in the IGT line transferred to the Contingency fund in the 2018 budget.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That this Board of Legislators hereby approves the following transfer of funds in the 2018 adopted budget: From the Nursing Home IGT budget account number A0610200 461300, the sum of \$200,000.00 shall be transferred to Contingency account number A0199000 499900.

Section 2. That the 2018 adopted budget is to reflect this amendment.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Brennan , seconded by Legislator Hathway , and adopted.

**RESOLUTION NO. 480 - 2017
RESOLUTION TO TRANSFER FUNDS
COUNTY CLERK**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following transfer of funds is hereby approved in the County Clerk accounts to cover line item expenditures:

<u>From:</u>	
A0141000 801000 Retirement	\$1,200.00
<u>To:</u>	
A0141000 440100 Postage	\$ 700.00

A0141000 440700 Supplies \$ 500.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 481 - 2017
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO COUNTY CLERK**

Introduced by Legislator Craig Brennan, Chairman of the Ways and Means Committee.

WHEREAS, County Clerk Linda Hoskins was authorized to assign duties of a Temporary Clerk through December 31, 2017, and wishes 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 County Clerkø Department of Motor Vehicles, to authorize extending the following temporary position for the purpose of assisting with commercial licensing:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Clerk	Temporary Full-Time (up to 35 hrs./wk)	Grade C7-1 (\$13.26/hr.)

Section 2. That County Clerk Linda Hoskins is hereby authorized to extend the Temporary Clerk position for the period through June 30, 2018

Section 3. That the so authorized Temporary Clerk is contingent upon the status of the full-time Motor Vehicle Examiner, who has been on an extended leave of absence. Upon the return of the regular employee, assigned hours of the Temporary Clerk will be at the discretion of the County Clerk and required approval of County Manager Ryan Piche.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator King, and adopted. Legislator Moser was opposed.

**RESOLUTION NO. 482 - 2017
RESOLUTION AND ORDER WITH REFERENCE
TO DOG QUARANTINE**

Introduced by Legislator Philip Hathway, Chairman of the Agriculture Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, this Board of Legislators determines that the deer population in the County of Lewis may suffer 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, 2017 to May 15, 2018.

- a. Pursuant to Agriculture and Markets Law Section 122 (3), a dog shall not be deemed in violation of this order if it is accompanied by, and under the control of its owner.
- b. Pursuant to Agriculture and Markets Law Section 122 (6), this order shall not apply to dogs in special dog training areas or shooting preserves enclosed and licensed pursuant to the environmental conservation law, while such dogs are under the control of the owner or trainer.

Section 2. It is resolved and ordered that notice of this order shall immediately be given by publication in the Watertown Daily Times, as the Board's official newspaper with general circulation in Lewis County.

Section 3. It is resolved and ordered that the Clerk of the Board of Legislators be and she hereby is directed to file a copy of this Order and Resolution in the office of each Town Clerk in the area affected by the order; and that a certified copy of the resolution be forwarded to the NYS Commissioner of Agriculture and Markets.

Section 4. That such order shall be in full force and effect within 24 hours following publication.

Moved by Legislator Dolhof, seconded by Legislator King, and adopted.

**RESOLUTION NO. 483 - 2017
RESOLUTION AUTHORIZING AND ADOPTING A
SPONTANEOUS VOLUNTEER MANAGEMENT PLAN
FOR DISASTER CONDITIONS IN LEWIS COUNTY**

Introduced by Legislator Jerry King, Chairman of the Emergency Services Committee.

WHEREAS, the Spontaneous Volunteer Management Plan (öPlanö) provides guidance for safe, efficient and scalable volunteer management in disaster situations. The Plan includes integration with incident management systems; communication with community members and voluntary organizations; volunteer reception, screening and training; matching and deployment; and volunteer retention; and

WHEREAS, the Plan has been developed to help ensure effective management of spontaneous unaffiliated volunteers during response and recovery for large-scale emergency or disaster. It follows the National Incident Management System and guidance for Emergency Support Function 15 and, as such, is scalable to fit the scope of the event; and

WHEREAS, the Plan provides guidance for departments and agencies within Lewis County to manage spontaneous volunteers during disaster response and recovery. It complements the Lewis County Comprehensive Emergency Management Plan; and

WHEREAS, the Plan is applicable to departments, agencies, and organizations of Lewis County, including the private sector, volunteer organizations, and residents living in Lewis County. It guides support agencies and mutual aid partners who respond within Lewis County who have responsibility for volunteer recruitment, processing, assignment, training, and/or management; and

WHEREAS, the Director of Lewis County Emergency Management recommends implementation of this Plan for the County of Lewis.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes and adopts the Spontaneous Volunteer Management Plan for the Director of Emergency Management to use as a guide for effective management of spontaneous unaffiliated volunteers, support agencies and mutual aid partners who respond within Lewis County and who have responsibility for volunteer recruitment, processing, assignment, training, and/or management for disaster conditions in Lewis County.

Section 2. That this Resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 484 - 2017
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 of Lewis County Ethics Law this Board of Legislators hereby appoints Thomas Gillette of 5137 Old Route 12, Lyons Falls, New York 13368 as a Republican representative on the Lewis County Ethics Board.

Section 2. That the term of said appointment shall be for the period from January 1, 2018 through December 31, 2020.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 485 - 2017
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 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, 2018 through December 31, 2019.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 486 - 2017
RESOLUTION APPOINTING MEMBER TO
REGION 6 FISH AND WILDLIFE MANAGEMENT BOARD**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby re-appoints John Jones of Post Office Box 57, Beaver Falls, New York 13305 as a member of the Region 6 Fish and Wildlife Management Board, as the Lewis County Sportsmen's Representative.

Section 2. That the term of said appointment shall be for the period from January 1, 2018 through December 31, 2019.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

RESOLUTION NO. 487 - 2017

DECEMBER 5, 2017

**RESOLUTION FOR SNOW REMOVAL ON
COUNTY ROAD SYSTEM FOR THE YEAR 2018**

Introduced by Legislator Craig Brennan, 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 for 2018 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 \$ 2,006,951.00 , 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 Brennan , and adopted.

**RESOLUTION NO. 488 - 2017
RESOLUTION FOR MAINTENANCE ON THE
COUNTY ROAD SYSTEM FOR THE YEAR 2018**

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 for 2018 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 \$ 841,196.00 as recommended in the report of the County Superintendent of Highways.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 Moroughan, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 489 – 2017
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 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 January 1, 2018 and expire on December 31, 2022.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 490 – 2017
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 Philip E. McDowell of 7743 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, 2018 and expire on December 31, 2022.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moroughan , seconded by Legislator Moser , and adopted.

**RESOLUTION NO. 491 – 2017
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 Cheryl R. Steckly of 10230 Tannery Lane, Croghan, New York 13327, 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, 2018 and expire on December 31, 2022.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moroughan , seconded by Legislator Kulzer , and adopted.

**RESOLUTION NO. 492 - 2017
RESOLUTION TO TRANSFER FUNDS
HUMAN RESOURCES**

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer is hereby approved in the Human Resources Accounts to cover line item expenses:

Decrease Expense

A143000 801000 Retirement \$9,711.03

Increase Expense

A0143000 110100 Reg Salary \$4,800.00

A0143100 110100 Reg Salary \$4,000.00

A0143000 803000 FICA \$ 500.00

A0143100 803000 FICA \$ 400.00

A0143000 804000 Workerø Comp \$ 11.03

\$9,711.03

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator King, and adopted.

**RESOLUTION NO. 493 - 2017
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 serve as members of the Lewis County Office For Aging Advisory Council:

District No. 2 ó Marietta Virkler of 6489 Swiss Road, Castorland, NY 13620
District No. 6 ó Ann Pominville of 6773 Pine Grove Road, Glenfield, NY 13343
District No. 9 ó Joan Goodfellow of 3772 Hunkins Road, Port Leyden, NY 13433
District No. 10 ó Dona Beyel of 4685 Mud Lake Road, West Leyden, NY 13489
Margaret Grant to represent the Lewis County General Hospital

Section 2. The term of said appointments shall be effective from January 1, 2018 through December 31, 2020.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 494 - 2017
RESOLUTION TO TRANSFER 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 transfer is hereby approved in the Office for the Aging Department to cover Senior Event expenses:

<u>From:</u>	Amount
A0677200 110100 Pers Serv	\$1,000.00
<u>To:</u>	
A0677200 491900 Senior Events	\$1,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 495 - 2017
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 2018, at the amounts set opposite to 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
Railroad Historical Society NNY	1,000.00
Town of Diana Museum	1,000.00
Adirondack North Country Association	1,000.00
Adirondack Park Local Government Review 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

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 Moroughan.

Legislator Dolhof made a motion to amend Section 1 to add an Agreement with the Lyons Falls Historical Society in the amount of \$1,000.00, seconded by Legislator Brennan.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator King suggested, and there was general agreement, for the Budget Officer to annually advise interested outside agencies to submit their budget requests by a provided deadline date.

The motion to amend the resolution was carried.

The resolution was then adopted.

**RESOLUTION NO. 496 - 2017
RESOLUTION AUTHORIZING RECLASSIFICATION OF A
VACANT POSITON IN PUBLIC HEALTH**

Introduced by Legislator Andrea Moroughan, Chair of the Public Health Committee.

WHEREAS, the resignation of an employee in Public Health has created a series of personnel moves resulting in an Account Clerk vacancy, and

WHEREAS, the Public Health Director and the County Personnel Officer have recommended a change in classification to recruit and train a higher-level accounting positon for the department in order to provide for future promotion opportunities and succession planning, and

WHEREAS, the Public Health Committee recommends that the Board approves reclassification of the Account Clerk position.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators of the County of Lewis hereby authorizes the reclassification of an Account Clerk position to Principal Account Clerk in the Public Health Department.

Section 2. That this Resolution shall take effect immediately.

Moved by Legislator Moroughan , seconded by Legislator Dolhof , and adopted.

**RESOLUTION NO. 497 - 2017
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 to cover the cost of Rabies Post Exposure Treatment for 2017:

<u>From:</u>		
A0404200~436700	Rabies Vaccines & Pharm	\$ 15,000.00
A0408900~436700	Immunization Vaccines & Pharm	<u>\$ 5,000.00</u>
		\$ 20,000.00
<u>To:</u>		
A0404200~490100	Rabies Professional Services	<u>\$ 20,000.00</u>
		\$ 20,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 498 - 2017
RESOLUTION TO APPROPRIATE FUNDS
TRAIL MAINTENANCE**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry & Parks Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Trail Maintenance accounts for funds received through the County of Jefferson for the Pratt Northam Careers Here Program.

<u>Increase Revenue</u>	
A0638000 327052 Pratt Northam Revenue	\$2932.61
<u>Increase Expense</u>	
A0799000 110100 Trails Maintenance Personal Svcs	\$2724.21
A0799000 803000 Trails Maintenance Social Security	\$ 208.40

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 499 - 2017
RESOLUTION TO UNAPPROPRIATE FUNDS FOR
SOCIAL SERVICES**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, the County of Lewis has collected Home Energy Assistance Program (HEAP) funds to be returned to the Federal government.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the following funds are hereby un-appropriated to account for HEAP funds to be returned to the Federal government:

<u>Decrease Revenue</u>	
A0614100 346410 Heap	\$41,439.00

<u>Decrease Expense</u>	
A0614100 499900 Heap	\$41,439.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 500 - 2017
RESOLUTION TO TRANSFER FUNDS
DEPARTMENT OF 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 transfer is hereby approved in the Social Services Department for reallocation of funds for vehicle lease payments:

<u>From:</u>	
A0601000 470300 Vehicle Repair	\$1,712.35

<u>To:</u>	
A0601000 223400 Vehicle Lease	\$1,712.35

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Moser, and adopted.

RESOLUTION NO. 501 - 2017

**RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENT
BETWEEN THE DEPARTMENT OF SOCIAL SERVICES AND
CREDO COMMUNITY CENTER
FOR THE TREATMENT OF ADDICTIONS**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Social Services Committee.

WHEREAS, Credo Community Center for the Treatment of Addictions, Inc. (Credo) provides chemical dependency and addictions services within Lewis County; and

WHEREAS, the Lewis County Department of Social Services (DSS) wishes to enter into a Memorandum of Agreement with Credo to use their services for individuals receiving assistance from DSS; and

WHEREAS, the Board of Legislators wishes to accept such services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the Memorandum of Agreement with Credo Community Center for the Treatment of Addictions, Inc. for the period of January 1, 2018 through December 31, 2018. As a payer of last resort, DSS shall be responsible for payment of the actual costs incurred by Credo for addiction assessments at a cost not to exceed the current Medicaid reimbursable rate of \$152.67. Depending upon client eligibility under Medicaid, cost to the County could be 0% to 100%.

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 Dolhof, and adopted.

**RESOLUTION NO. 502 - 2017
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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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, 2018 through December 31, 2018 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, federal share is approximately 50% and the state share 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 Dolhof, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 503 - 2017
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

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, 2018 through December 31, 2018 for an amount not to exceed \$54,499.00.

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 Brennan, and adopted.

RESOLUTION NO. 504 - 2017
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 without limitation those placements that may result from Juvenile Delinquencies (J.D.) and Persons In Need of Supervision (PINS); and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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, 2018 through December 31, 2018 for an amount not to exceed \$193,643.00.

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 Brennan, and adopted.

**RESOLUTION NO. 505 - 2017
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 (öDSSö) 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, 2018 through December 31, 2018 for an amount not to exceed \$64,795.00.

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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Moved by Legislator Brennan , seconded by Legislator King , and adopted.

**RESOLUTION NO. 506 - 2017
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.

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, 2018 through December 31, 2018 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, 55% for federal share and 30% for state 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 King , seconded by Legislator Moroughan , and adopted.

**RESOLUTION NO. 507 - 2017
RESOLUTION TO APPOINT MEMBER TO
SOIL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints Gary Rosiczkowski of 5066 Lee Road, Turin, New York 13473, as the Farm Bureau representative on the Lewis County Soil & Water Conservation District Board of Directors.

Section 2. That the term of said appointment shall be from January 1, 2018 to December 31, 2020.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

RESOLUTION NO. 508 - 2017
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY, BIRNIE BUS TOURS, INC. AND
NYSARC, INC. (ONEIDA-LEWIS CHAPTER) (“ARC”) AND
UPSTATE CEREBRAL PALSY (“UCP”)
FOR 2018 LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM

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 ó 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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the County seeks management, operation and maintenance services for the public transportation system and for the coordination and provision of transportation services for Lewis County; and

WHEREAS, the CARRIER is presently under contract with NYSARC, Inc. (Oneida-Lewis Chapter), (herein, òARCö) to provide transportation services to ARCø 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, òUCPö) to provide transportation services to UCPø 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 renew 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 contract 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 renewal contract with BIRNIE BUS TOURS, INC., with incorporation 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, 2018 through December 31, 2018 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 Brennan , seconded by Legislator King , and adopted.

**RESOLUTION NO. 509 - 2017
RESOLUTION AUTHORIZING AND ADOPTING THE LEWIS COUNTY HUMAN
SERVICES COORDINATED TRANSPORTATION PLAN**

Introduced by Legislator Lawrence Dolhof, Chairman of the Planning Committee.

WHEREAS, in 2007, the Lewis County Transportation Task Force, a group of human services providers, began meeting to discuss the transportation needs within the county. The County assigned the Lewis County Department of Economic Development and Planning to participate in the task force, review the existing transportation programs and identify redundancies and gaps in service; and

WHEREAS, Lewis County Public Transportation (LCPT) was launched in 2009 as a direct outcome of identified needs found in the 2009 Lewis County Human Services Coordinated Transportation Plan, administered by the Lewis County Economic Development and Planning Department; and

WHEREAS, the Lewis County Planning Department and the Lewis County Transportation Task Force have prepared an updated Plan to provide information on past and current efforts of a public transit-human services transportation coordinated plan, and to provide an outline for future efforts to improve community mobility and quality of life for the residents of Lewis County. The Plan prepared is in accordance with the regulations of the Federal Transportation, Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA) mandate, which requires establishment of a locally developed, coordinated public transit-human services transportation plan for all FTA programs for underserved populations; and

WHEREAS, the proposed Plan will assist various human resource public and private agencies in Lewis County (such as Public Health, DSS, the Hospital, OFA) to service their clients; will assist all such agencies in Grant Funding application requirements; and will assist the Planning Department's requirements with the NYS DOT; and

WHEREAS, the Legislative Planning Committee recommends adoption of the updated Lewis County Human Services Coordinated Transportation Plan, as was prepared by the Planning Department and the Lewis County Transportation Task Force.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby adopts the 2017 "Lewis County Human Services Coordinated Transportation Plan", prepared by the Lewis County Planning Department and the Lewis County Transportation Task Force as its updated Plan to improve community mobility and quality of life for the residents of Lewis County.

Section 2. That the Planning Department is directed to distribute the Plan to all appropriate human services organizations and agencies in Lewis County and to post a copy of the Plan on the Lewis County website.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator King, and adopted.

RESOLUTION NO. 510 - 2017

**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 of ATC monies is hereby approved in the Bus Operations accounts:

Increase Revenue:

A0563000 335941 ATC State Funds	\$48,998.00
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Increase Expense:

A0563000 223300 Vehicles	\$29,385.00
A0563000 290900 Misc Equip	\$19,613.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 511 - 2017
RESOLUTION AUTHORIZING ACCEPTANCE OF BID AND PURCHASE OF A 2018
RAV4 HYBRID SUV AS THE LEWIS COUNTY TRANSPORTATION SYSTEM
MOBILITY MANAGEMENT VEHICLE SYSTEM BY UTILIZATION OF THE
COUNTY'S 2015/2016 ATC GRANT FUNDS**

Introduced by Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, under Resolution 316 - 2017, the Lewis County Board of Legislators authorized the Lewis County Planning Director to submit a state mini-bid for a Toyota RAV 4 Hybrid SUV, with a ten year warranty, to serve as the Lewis County Transportation System's Management Vehicle which also complies with the County's Clean Energy Communities Program; and

WHEREAS, the Planning Department submitted the mini-bid application to the State Office of General Services. One bid was received in response by Carbone Toyota of Bennington, 751 North Bennington Road, Bennington, VT, in the amount of \$32,050.00 for a 2018 RAV4 Hybrid AWD SUV, which the Planning Department seeks to accept and thereafter purchase.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes acceptance of the bid from Carbone Toyota of Bennington for the 2018 RAV4 Hybrid AWD SUV, Model 4444A with a ten year/100,000 mile warranty at a total price, including delivery, of \$32,050.00 to be used by the Planning Department as its public transportation mobility management vehicle.

Section 2. That the Lewis County Board of Legislators hereby approves the above purchase of \$32,050.00 by payment of \$29,385.00 from the 2015/2016 ATC grant funds and the balance of \$2,665.00 from the Planning Department budget.

Section 3. That the Planning Director is authorized to submit the proper purchase order documents for this purchase.

Section 4. That the Chairman, or Vice-Chairman of the Board of Legislators is authorized to make, execute, seal and deliver any approval or purchase agreement required, upon review of the County Attorney.

Section 5. That the within Resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator King, and adopted.

**RESOLUTION NO. 512 – 2017
RESOLUTION AUTHORIZING COUNTY TREASURER
TO CORRECT ERRORS ON TAX ROLLS**

Introduced by Legislator Craig Brennan, 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 2018.

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 2018.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 Brennan, seconded by Legislator King, and adopted.

**RESOLUTION NO. 513 - 2017
RESOLUTION AUTHORIZING COUNTY TREASURER
TO MAKE NECESSARY BUDGET TRANSFERS**

Introduced by Legislator Craig Brennan, 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 2017 fiscal year.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator King, and adopted.

**RESOLUTION NO. 514 - 2017
RELEVYING UNPAID SCHOOL TAXES AND
VILLAGE TAXES ON ASSESSMENT ROLLS**

Introduced by Legislator Philip Hathway, 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 2017 Assessment Rolls for the seventeen (17) Towns in Lewis County.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator King, and adopted.

**RESOLUTION NO. 515 - 2017
RESOLUTION AUTHORIZING THE SUPERVISOR
OF EACH TOWN IN THE COUNTY OF LEWIS TO ADD
TO THEIR TAX WARRANT THE 2018 COUNTY TAX
APPORTIONED TO EACH**

Introduced by Legislator Philip Hathway, 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 2018 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 Brennan, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 516 - 2017
RESOLUTION DIRECTING LEWIS COUNTY GENERAL HOSPITAL TO
REIMBURSE PENALTY IMPOSED UPON THE LEWIS COUNTY SELF-
INSURANCE PLAN FOR LATE FILING OF A CLAIM**

Introduced by Legislator Lawrence Dolhof, Chairman of the Insurance and Workersø Compensation Committee.

WHEREAS, the County of Lewis (öCountyö) is duly qualified as self-insured under the Workersø Compensation Law of the State of New York and is known as Lewis County Self-Insurance Plan; and

WHEREAS, the Lewis County General Hospital (öLCGHö) is a participant of said plan; and

WHEREAS, the County enacted Local Law 8-2015 which provides in Section 2 (H) for plan participants to, *inter alia*, promptly file all required reports on claims. If the plan participant fails to do so, the Board of Legislators may, by resolution, impose a penalty upon any participant equal to the amount imposed upon the Lewis County Self-Insurance Plan by the NYS Workersø Compensation Board (öNYSWCBö) for a respective claim due to non-compliance with the Payor Compliance Policy; and

WHEREAS, the Lewis County Self-Insurance Plan has incurred two (2) penalties of \$50.00 each for a total of \$100.00 from the NYSWCB for late filing reports for one (1) claim

PROCEEDINGS OF THE BOARD OF LEGISLATORS

pertaining to the LCGH and seeks to have the penalties reimbursed by LCGH to the Lewis County Self-Insurance Plan by Resolution of the Board of Legislators.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby directs reimbursement of \$100.00 from the LCGH, as penalties incurred by the Lewis County Self-Insurance Plan for late filing of reports to the NYSWCB for one (1) claim pertaining to LCGH matters.

Section 2. That the Clerk of the Board is hereby authorized to make, execute and deliver a reimbursement invoice to the CEO of the LCGH for the late filing penalties for one (1) claim, 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. 517 – 2017
RESOLUTION TO UN-APPROPRIATE FUNDS
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Employment and Training Committee.

NOA # PY17-02

BE IT RESOLVED as follows:

Section 1. That the following funds be UN-APPROPRIATED for Program Year 2017 for the period April 1, 2017 ó June 30, 2019 for Youth per the Notice of Obligational Authority (NOA), #PY17-01, dated June 30, 2017 through the New York State Department of Labor, in the amount of \$0.07.

<u>Decrease Expense</u>	
CD629000 499900 Youth Expenditures	\$0.07

<u>Decrease Revenue</u>	
CD629300 347910 WIA Revenue	\$0.07

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 518 – 2017

**RESOLUTION TO TRANSFER FUNDS
WORKFORCE INVESTMENT ACT**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Employment and Training Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer is hereby approved in the Workforce Development accounts for the Summer Youth Program:

From:

CD629000 499900 Youth Expenditures \$3,036.24

To:

CD629000 110100 Personal Services Youth \$2,776.63
CD629000 801000 Youth Fringes \$ 259.61

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 519 - 2017
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#PY17-3

Section 1. That the following funds be appropriated for the Program Year 2017, 7/1/17-6/30/19, Adult and Dislocated Worker, per the Notice of Obligational Authority (NOA), #17-3, dated 10/31/17 through the New York State Department of Labor, as indicated below:

Adult

CD629200.110100 \$ 19,750.00
CD629200.490900 \$ 4,950.00
CD629200.801000 \$ 8,600.00
CD629200.499900 \$ 22,965.27
Total \$ 56,265.27

WIA Revenue

PROCEEDINGS OF THE BOARD OF LEGISLATORS

CD6293 347910 \$ 56,265.27

Dislocated Worker

CD629100.110100 \$ 12,550.00

CD629100.490900 \$ 4,217.00

CD629100.801000 \$ 5,100.00

CD629100.499900 \$ 15,723.13

\$ 37,590.13

WIA Revenue

CD6293 347910 \$ 37,590.13

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan , seconded by Legislator Dolhof , and adopted.

**RESOLUTION NO. 520 - 2017
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, 2017 through September 30, 2018, in the amount of \$30,200.00

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 Dolhof , seconded by Legislator Brennan , and adopted.

**RESOLUTION NO. 521 - 2017
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, for the following:

To Convert:

- (1) Part-time Certified Nursing Assistant to a Full-time Certified Nursing Assistant (ADHC)
- (3) Full-time Radiologic Technologists to (3) Full-time CT Technologists

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 522 - 2017
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 2017 budget transfer is hereby approved in the Planning/Bus Operations accounts:

From:

A0802000 495500 Planning/Community Projects \$2,665.00

To:

A0563000 223300 Vehicles \$2,665.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

RESOLUTION NO. 523 - 2017

RESOLUTION TO AMEND THE COUNTY'S POLICY FOR CLOSING COUNTY FACILITIES IN THE EVENT OF INCLEMENT WEATHER

Introduced by Legislator Bryan Moser, Chairman of the Human Resources Committee.

WHEREAS, the Board of Legislators has an established policy to provide for the closing of individual departments or County facilities (other than the Lewis County General Hospital) in the event of inclement weather . In 2014, by Resolution No. 115, the Board amended the policy to, *inter alia*, set forth the decision-making rights and procedures as to what operations and which facilities should remain open or closed in the event of inclement weather, and provided for non-exempt employees to have the option to make up time off if the employee did not report or could not report to work when the County remained open during inclement weather; and

WHEREAS, the Board of Legislators finds that the decision as to what operations or facilities should remain open and what operations or facilities should be closed in the event of inclement weather must take into consideration both the safety, health and welfare of the general public who rely upon County services as well as the safety, health, and welfare of the County's employees; and

WHEREAS, in light of these factors, the Board of Legislators finds that the above policy must be amended to update and clarify the policy.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends its "Emergency Weather Closing" policy as the same applies to all County operations and facilities **except** the Lewis County General Hospital, by deleting the existing policy passed by Resolution No. 115-2014 and replacing it with the following:

“Closing of County Facilities During Inclement Weather

I. Designation of Essential Services.

For purposes of this policy, the following departments/administrative units are designated as essential to the safety, health and welfare of the general public.

- a. Essential Services:*
Lewis County Sheriff's Department
Lewis County Highway Department

The department head for each such department providing essential services to the public shall develop its own policies and procedures for continuing operations in the event of inclement weather and shall provide copies to all employees. Such policies and procedures shall incorporate provisions that provide for the coordination of services and regular communication with the County Manager and the Chair of the Board.

b. Non-essential Services:

All other County departments are deemed non-essential for the purposes of this policy.

II. Closing of County Offices/Facilities

a. Decision Making Authority

The County Manager is the designated public official responsible for determining if, and when one or more County departments, offices, buildings or facilities may be closed due to inclement weather. In the absence or incapacity of the County Manager, the Chair of the Board of Legislators or in his or her absence or incapacity, the Vice-Chair shall be responsible for making such decisions. If none of those officials are available, then the County Clerk shall be so designated. For ease of reference throughout this policy, references to the "County Manager" shall be deemed to include all the above potential instances.

If a department head believes that weather conditions are such that its department should be closed for any portion of the usual workday, the department head shall discuss the same with the County Manager. No department may be closed for any portion of the usual work day except upon the order/direction of the County Manager.

b. Communication with the Media

In the event of a closure of a County department, office, building or facility, the County Manager shall be responsible for communicating such emergency closures to the local media.

c. Payroll Issues

1. Employees Providing Essential Services:

All employees who work within a department providing essential services as identified above are required to report to work at their assigned duty station as scheduled or as directed by their department head/manager, even in the event of inclement weather. In the event that an employee is unable to travel to his/her assigned duty station due to inclement weather or is otherwise unable to fulfill his/her scheduled work day, then the employee must immediately inform his or her department head/manager of such circumstances. Any time off from the employee's scheduled work day shall be unpaid. If an employee wishes to be paid for that time, he or she may use vacation or personal time if available.

2. Employees Providing Non-Essential Services:

- (i) In the event that a County department, office, building or facility is closed by order/direction of the County Manager due to inclement

PROCEEDINGS OF THE BOARD OF LEGISLATORS

weather, all employees who were scheduled to work within such department, office, building or facility shall be paid for the hours they were scheduled to work, but were prevented from doing so as a result of such closure(s).

- (ii) In the event that the County Manager has not closed a County department, office, building or facility, and an employee is unable to travel to his/her assigned duty station due to inclement weather or is otherwise unable to fulfill his/her scheduled work day due to inclement weather, then the employee must immediately inform his or her department head/manager of such circumstances. Any time off from the employee's scheduled work day shall be unpaid. If an employee wishes to be paid for that time, he or she may use vacation or personal time if available.

III. Savings Clause

Nothing herein is intended to amend, modify or repeal the County's Emergency Management Plan with respect to emergency closures due to emergencies other than inclement weather. In the event of an emergency other than inclement weather, then the procedures and protocols contained in the Emergency Management Plan shall control.”

Section 2. That the Clerk of the Board Clerk is hereby directed to incorporate the foregoing amended inclement weather policy into the County's Administrative Policy Manual and the Director of Human Resources is directed to incorporate the same into the County's Personnel Handbook.

Section 3. That the foregoing amended County set forth herein shall be deemed effective December 6, 2017.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Moser.

In response to Legislator Kulzer, Legislator Moser clarified the primary change to the policy was elimination of the option for employees to make up time missed due to inclement weather, instead requiring them to use vacation or personal leave time.

The resolution was then adopted. Legislator Hathway was opposed.

OTHER BUSINESS:

Legislator King made a motion to set the date for the Board's final 2017 session for December 21, 2017 to begin at 10 a.m., seconded by Legislator Dolhof and carried.

Legislator Moser made a motion to enter executive session at 6:48 p.m. for an update on union negotiations, assessment challenges and other legal matters, and invited Legislators-elect John Lehman, Randall LaChausse and Ronald Burns who were all present this evening, to attend the session. The motion was seconded by Legislator Dolhof and carried. The session began at 6:55 p.m. following a short recess. Legislator Brennan was excused from the meeting.

At 7:47 p.m. Legislator Hathway made a motion to return to the regular meeting, seconded by Legislator Dolhof and carried.

There being no other business to come before the Board, Legislator Dolhof made a motion to adjourn, seconded by Legislator Kulzer and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**FINAL DAY
ANNUAL SESSION
December 21, 2017**

The meeting was called to order at 10:00.m. by Chairman Michael A. Tabolt.

Roll Call: All Legislators were present, except Legislator Fawcett, whom had been excused.

Legislator Tabolt offered the Invocation then led the Pledge of Allegiance to the Flag.

There were 16 persons present.

Chairman Tabolt declared the minutes of the November 21st and December 5th, 2017 meeting minutes approved by general consent after no corrections were noted.

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.

Signed by: Lawrence Dolhof, Chairman
Bryan Moser
Craig Brennan

Dated: December 21, 2017

Legislator Brennan made a motion to waive the rules, seconded by Legislator Moser and carried.

The Chairman opened the public hearing for comments on Local Law (Intro. No. 5-2017), ðA LOCAL LAW (INTRO. NO. 6-2017) RESCINDING LOCAL LAW NO. 5-2017 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2018 BUDGET.”

PRIVILEGE OF THE FLOOR:

Lowville resident Erik Griffin spoke of his affiliation with the Cole Circus since the age of 12, terming the original owner a ðcircus legendö by bringing elephants under his big top. The circus will entertain in local schools for the 30th year, providing fund raising opportunities, as well as student involvement with the music and media announcements. They are a ðone-of-a-kindö show, he stated. The Lowville Village Board intends to recognize the circus’s 80th anniversary with a proclamation, and Mr. Griffin asked the Board to do likewise.

Chairman Tabolt said the request would be considered.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Clerk read a note from Ray and Kathy Bancroft relating a heart-felt thank you to the Board for their recognition of their Maple Street neighbors in Copenhagen that assisted with saving Mr. Bancroft's life.

The Orange County Legislature enacted a resolution urging State Representatives to exempt County tuition chargeback obligations for the Fashion Institute of Technology

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the 12/18/17 letter from the Ethics Board reporting their activity; and the minutes of the 11/14/17 Community Services Board meeting.

The November monthly report of Director of Weights and Measures James A. Richmire has been received and placed on file with the Clerk of the Board.

STANDING COMMITTEE REPORTS:

Legislator Philip Hathway, Information Technology Committee Chairman, had no report.

On behalf of Committee Chairman Roscoe Fawcett, Jr., Legislator Moroughan made a motion to authorize OFA Director Kelly Hecker to fill an impending Principal Account Clerk vacancy, due to a transfer to another County department, effective immediately. The motion was seconded by Legislator Kulzer and carried.

Legislator Bryan Moser, County Officers/Junkyards/Veterans' Services/ Human Resources Committee Chairman, reported the Committee's recommendation to change some exempt employee designations; and adopt the amended Employment Manual.

Legislator Jerry King, Courts and Law Enforcement Committee Chairman, deferred discussion until his sponsored resolutions are later presented.

Legislator Lawrence Dolhof, Economic Development, Recreation, Forestry and Parks Committee Chairman, made a motion to authorize Jackie Mahoney to purchase an F-550 truck from Nortz & Virkler at the State Bid price; and offer the used F-350 to local municipalities pursuant to the Highway's existing policy. If there is no interested municipality, the vehicle may be auctioned on-line and the proceeds appropriated to offset the new vehicle purchase. The motion was seconded by Legislator Brennan and carried.

Legislator Dolhof informed the NYS Office of Parks and Recreation had approved 2017-2018 snowmobile trail maintenance funds of \$272,051, 70% of which will be distributed to the Lewis County Snowmobile Association upon receipt.

Legislator Dolhof reported Consolidate Funding Application awards of \$350,000 for the Lyons Falls mill demolition project; \$575,000 to Soil & Water Conservation District for storm water upgrades at the Lewis County Fairgrounds; \$200,000 each to the Long Pond Snow Club

PROCEEDINGS OF THE BOARD OF LEGISLATORS

and Turin Ridge Riders for new groomers; \$44,000 to Snow Ridge Ski Resort for an ice rink and tubing center; and \$491,000 to the Town of Lewis for a salt storage facility.

In response to Legislator King, Legislator Dolhof stated that some of the grants reimburse expenditures, while others are first dollar grant awards.

Legislator Craig Brennan, Ways and Means, Buildings and Grounds Committee Chairman, reported the roof of the DSS building has pulled away from the building. Temporary repair will be done, while recognizing the County's impending overall strategic long-term building plan.

Legislator Brennan reported the NYS Office of Court Administration has requested a badge reader upgrade for visiting judges, so they may use a sole badge to access any court facility within the State. The County awaits a response from the State whether they will finance the associated \$5,000 cost.

Legislator Brennan reported department budgets are on track; the 2017 sales tax receipts are \$800,000 in excess of the budgeted level; and the Hospital debt repayments are current with a balance of \$1.2 million. He further reported that connectivity of the solar project will be slightly delayed.

He announced a grant award of \$297,000 for continuation of the Central Lewis County Water Study encompassing the Towns of Watson, Martinsburg, Lowville and Denmark. The Village of Lowville decided to opt out of the consortium and will conduct their study, but may opt into the consortium at a future date.

Legislator Brennan further announced ongoing discussions with all stakeholders are nearing a mutually acceptable agreement for construction and operation of a local JCC education extension center for advanced education opportunities.

In conclusion, Legislator Brennan read a prepared statement he titled "The Setting Sun" grateful and proud for having been a small part of the Board's formidable accomplishments during his 4-year tenure. He leaves a solid foundation of administrative leadership, upgraded technology and renewable energy initiatives that he feels equate new opportunities to keep local families together. Legislator Brennan thanked everyone for the opportunity and wished everyone a Merry Christmas and Happy New Year!

Legislator Gregory Kulzer, Transportation/Solid Waste Committee Chairman, had no report.

Legislator Richard Chartrand, Hospital Committee Chairman, stated he would defer a report until after tonight's Board of Managers' meeting.

Legislator Andrea Moroughan, Public Health/Community Services Committee Chair, reported Public Health nurses have administered 380 flu vaccines, with two locally confirmed diagnoses. Due to a shortage, Yellow Fever and Hepatitis B vaccines will not be available until

mid-2018. Statistics gathered from a cost analysis will be used for quality improvement of the Immunization and Rabies Programs.

Legislator Moroughan announced receipt of a \$5,000 award by Public Health for performance incentive improvement for chronic disease and preparation for accreditation.

SPECIAL REPORT:

Chairman Michael Tabolt reported that Ryan Piche, Eric Virkler and Michele Ledoux had joined him to hear the Governor's Regional Economic Development Council (REDC) award announcements in Albany. The Chairman was grateful for the local awards, while appreciative for the opportunity to personally speak with State Commissioners to relate local issues and initiatives.

COUNTY MANAGER REPORT:

Ryan Piche is very encouraged by the progressive discussions with JCC and other interested stakeholders, relaying confidence that an Extension Education Center will be accomplished.

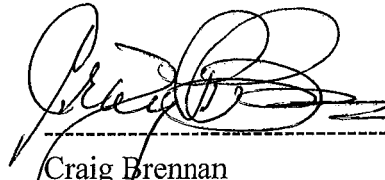
Chairman Tabolt closed the public hearing at 10:26 a.m.

REPORT OF THE WAYS AND MEANS COMMITTEE:

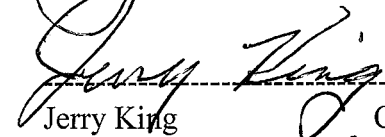
**REPORT OF
WAYS AND MEANS COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

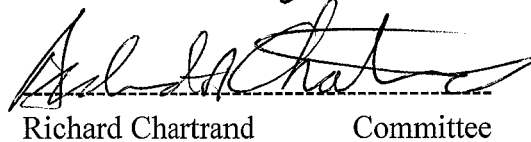
The Ways and Means Committee reports that they have examined the claims presented for payment in the total amount of \$ 660,685.07 and recommend that they be audited and allowed for the amounts claimed.



Craig Brennan Chair



Jerry King Committee



Richard Chartrand Committee

Dated: December 21, 2017

Approved on motion by Legislator Brennan, seconded by
Legislator Moser, and carried.

DECEMBER 21, 2017

**RESOLUTION NO. 524 - 2017
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Craig Brennan, Chairman of the Ways and Means Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 660,685.07 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 Kulzer, and adopted by the following roll call vote:

YEAS: Brennan, Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, and Tabolt.

NAYS: None.

ABSENT: Fawcett.

**RESOLUTION NO. 525 - 2017
RESOLUTION 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 re-appoints Gale Grunert of 6914 William Street, Croghan, NY 13327 to the Alcohol and Substance Abuse Sub-Committee of the Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. The term of said appointment shall be from January 1, 2018 through December 31, 2020.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Hathway, and adopted.

**RESOLUTION NO. 526 - 2017
RESOLUTION APPOINTING MEMBER TO**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**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 Penny Ingham, Public Health Director at 7785 N State Street, Lowville, NY 13367 to the Alcohol and Substance Abuse Sub-Committee of the Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. The term of said appointment shall be from January 1, 2018 through December 31, 2021.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 527 - 2017
RESOLUTION 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 Scott Mathys of 573 South Washington Street, Carthage, NY 13619 to the Alcohol and Substance Abuse Sub-Committee of the Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. The term of said appointment shall be from January 1, 2018 through December 31, 2020.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

DECEMBER 21, 2017

**RESOLUTION NO. 528 - 2017
RESOLUTION TO APPOINT MEMBER TO
LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL
DISABILITIES AND ALCOHOLISM SERVICES BOARD**

Introduced by Legislator Andrea Moroughan, Chair of the Community Services Committee.

BE IT RESOLVED as follows:

Section 1. Pursuant to Mental Hygiene Law Section 41.11, the Board of Legislators hereby reappoints Steven Vance of 5333 Sunset Drive, Lowville, New York 13367, to the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. That the term of said appointment shall be effective from December 1, 2018 through December 31, 2021.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 529 - 2017
RESOLUTION TO APPOINT MEMBER TO
LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL
DISABILITIES AND ALCOHOLISM SERVICES BOARD
DEVELOPMENTAL DISABILITIES SUB-COMMITTEE**

Introduced by Legislator Andrea Moroughan, Chair of the Community Services Committee.

BE IT RESOLVED as follows:

Section 1. Pursuant to Mental Hygiene Law Section 41.11, the Board of Legislators hereby re-appoints Teri Brabant, Executive Director of NNY Cerebral Palsy Association, 714 Washington Street, Watertown, NY 13601, to the Developmental Disabilities Sub-Committee of the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. That the term of said appointment shall be effective January 1, 2018 through December 31, 2021.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Moser, seconded by Legislator King, and adopted.

**RESOLUTION NO. 530 - 2017
RESOLUTION TO APPOINT MEMBER TO
LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL
DISABILITIES AND ALCOHOLISM SERVICES BOARD
DEVELOPMENTAL DISABILITIES SUB-COMMITTEE**

Introduced by Legislator Andrea Moroughan, Chair of the Community Services Committee.

BE IT RESOLVED as follows:

Section 1. Pursuant to Mental Hygiene Law Section 41.11, the Board of Legislators hereby appoints Dixie Lehman of 7416 Snell Road, Lowville, NY 13367, to the Developmental Disabilities Sub-Committee of the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. That the term of said appointment shall be effective January 1, 2018 through December 31, 2021.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 531 - 2017
RESOLUTION TO APPOINT MEMBER TO
LEWIS COUNTY COMMUNITY MENTAL HEALTH, DEVELOPMENTAL
DISABILITIES AND ALCOHOLISM SERVICES BOARD
DEVELOPMENTAL DISABILITIES SUB-COMMITTEE**

Introduced by Legislator Andrea Moroughan, Chair of the Community Services Committee.

BE IT RESOLVED as follows:

Section 1. Pursuant to Mental Hygiene Law Section 41.11, the Board of Legislators hereby re-appoints Stephen Virkler of 4791 State Route 410, Castorland, New York 13620, to the Developmental Disabilities Sub-Committee of the Lewis County Community Mental Health, Developmental Disabilities and Alcoholism Services Board.

Section 2. That the term of said appointment shall be effective January 1, 2018 through December 31, 2021.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 532 - 2017
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 DA Federal Money (T0 000873) to reimburse for the DA Winter Conference airfare for DA Leanne Moser:

Increase Revenue

A0116500 493600 (Prosecution Fund) \$156.40

Increase Expense

A0116500 450700 (Travel) \$156.40

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 533 - 2017
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 to appropriate funds received through DA Proceeds of Arrest (T0 000871) to reimburse for the DA Winter Conference registration for DA Leanne Moser.

Increase Revenue

A0116500 493600 (Prosecution Fund) \$300.00

Increase Expense

A0116500 450700 (Travel) \$300.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Brennan, and adopted.

RESOLUTION NO. 534 - 2017
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY DISTRICT ATTORNEY
AND JOHN A. CIRANDO, ESQ.

Introduced by Legislator Jerry King, Chairperson of the Courts & Law Committee.

WHEREAS, the Lewis County District Attorney's Office wishes to renew an agreement with John A. Cirando, Esq. for the purpose of providing appellate work; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County District Attorney's Office and John A. Cirando, Esq. for the purpose of providing appellate work for the period of January 1, 2018 through December 31, 2018 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 Dolhof, and adopted.

RESOLUTION NO. 535 - 2017
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY DISTRICT ATTORNEY/CORONER'S OFFICE
AND MARK A. TUTTLE

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

WHEREAS, the Lewis County District Attorney/Coroner's Office wishes to enter into an agreement with Mark A. Tuttle for the purpose of assisting the Lewis County Coroner's Office in death investigation services on an as needed and on call basis when the Lewis County Coroner is unavailable, in court or out of town by performing the duties of photographing death scenes; documenting death scenes; obtaining medical and family death information; obtaining police documentation and corroborative medical histories; coordinating and collaborating with medical professionals, police agencies, funeral homes and medical examiner's offices; follow up paperwork with required agencies and filing of necessary documents.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement between the Lewis County District Attorney/Coroner's Office and Mark A. Tuttle for the purpose of assisting the Lewis County Coroner's Office in death investigation services on an as needed and on call basis when the Lewis County Coroner is unavailable or out of town for the period of January 1, 2018 through December 31, 2018 at a cost not to exceed \$5,000.00 annually, by installment payments of \$2,500.00 by June 1, 2018 and December 31, 2018.

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. 536 - 2017
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 in the Emergency Management accounts for a Division of Criminal Justice Services Grant for the purchase of fire protection hoods:

A0341000 330880	EM DCJS Grant	\$7,000.00
A0341000 290700	EM DCJS Grant	\$7,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 537 - 2017
RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 3 TO D034743,
BETWEEN THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION
(NYSDOT) AND LEWIS COUNTY TO THE TRANSPORTATION FEDERAL-AID
BRIDGE REPLACEMENT PROJECT (PIN 775338)
KNOWN AS JERDEN FALLS ROAD OVER W. BR. OSWEGATCHIE RIVER**

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, a Project for the Bridge Replacement and Repair on Jerden Falls Road over the West Branch of the Oswegatchie River (PIN 775338; BIN 3340000) (the "Project") in the Town of Croghan, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, 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. This project is being funded with Federal Surface Transportation Program (STP) and Marchiselli funds; and

WHEREAS, the County of Lewis advanced the Project by authorizing 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 by Resolution 369-2014 adopted November 4, 2014; and

WHEREAS, the Superintendent of Highways received notice from the NYSDOT of its receipt of the approved Marchiselli funding with notice that the County will receive additional funding and full Marchiselli reimbursement for the Preliminary Engineering/Design of this project. Specifically, the County will receive an additional \$113,000.00 for the PE/design phase of this project (\$90,400.00 Federal/\$22,600.00 State); and

WHEREAS, in order for the County to receive the full, additional Marchiselli reimbursement for the PE/Design phase, a Supplemental Agreement titled "Supplemental Agreement No. 3 to D034743" must be executed.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes the Chairman of the Board of Legislators to execute a supplemental agreement to the Jerden Falls Road over the West Branch of the Oswegatchie River Contract with NYSDOT, identified as "Supplemental Agreement No. 3 to D034743" for additional Marchiselli funding for the PE/Design phase of the project.

Section 2. That the Chairman of the Lewis County Board of Legislators, or in his absence, the Vice-Chairman of the Board, is authorized to execute all necessary supplemental agreements on behalf of the Lewis County Board of Legislators with the New York State Department of Transportation in connection with this Project.

Section 3. That a certified copy of this Resolution shall be filed with the New York State Commissioner of Transportation by attaching it to the Supplemental Agreement No. 3 to D034743, in connection with the Project.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Hathway, and adopted.

**RESOLUTION NO. 538 - 2017
RESOLUTION TO APPROPRIATE FUNDS
JERDEN FALLS RD OVER OSWEGATCHIE RIVER**

Introduced by Legislator Craig Brennan, Chairman of Ways and Means Committee.

BE IT RESOLVED as follows:

Section 1. That funds shall be appropriated in the Capital Bridge Program to facilitate the Supplemental Agreement #3 PE/Design Phase and Row Incidentals and Construction Phases of the Bridge on Jerden Falls Road over Oswegatchie River.

Section 2. The following accounts shall be recognized to facilitate the funding of this project:

Revenue:

H0512000 345970 FEDERAL	\$ 90,400.00
H0512000 350310 LOCAL	\$ 22,600.00
Project HAK	

Expense:

H0512000 499900	\$113,000.00
Project HAK	

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator King, and adopted.

**RESOLUTION NO. 539 - 2017
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY GENERAL HOSPITAL
OCCUPATIONAL MEDICINE AND
LEWIS COUNTY HIGHWAY DEPARTMENT**

Introduced by Legislator Gregory Kulzer, Chairman of the Transportation Committee.

WHEREAS, the Lewis County Highway Department wishes to renew an Agreement with Lewis County General Hospital Occupational Medicine for the purpose of random employee drug and alcohol testing.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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, 2018 and ending December 31, 2018 for the Company/Consortium Pricing Package at a rate of \$85.00 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 ó \$71.00; Breath Alcohol Test ó \$22.00; Breath Alcohol Confirmation Test ó \$22.00; and Onsite Testing ó \$40.00.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 540 - 2017
RESOLUTION ESTABLISHING THE COUNTY'S POLICY ON
PROPOSED PAYMENTS IN LIEU OF TAXES (PILOTs) AND COUNTY TAX
ABATEMENTS**

Introduced by Legislator Philip Hathway, Chairman of the Taxation Committee.

WHEREAS, the Lewis County Legislative Board authorized and formed the County of Lewis Industrial Development Agency (IDA) in 1973, which is comprised of five (5) members appointed by the Lewis County Legislative Board; and

WHEREAS, the County of Lewis IDA (LCIDA) provides important services for industrial and economic development in the County, including the grant of real property tax abatements and exemptions from sales, use and mortgage recording taxes to project applicants upon assessment and analysis of the economic benefit and impact of a project upon the County; and

WHEREAS, in December, 2016, the LCIDA revised its COUNTY OF LEWIS IDA UNIFORM TAX EXEMPTION POLICY AND GUIDELINES (UTEP), by which the Agency is governed when assessing a project and determining the grant of a PILOT on a new project or in the renewal or modification of an existing PILOT; and

WHEREAS, pursuant to the LCIDA's stated UTEP guidelines, when an applicant may receive a tax abatement by means of a PILOT, the IDA is to take all steps necessary to notify, and acquaint the affected taxing jurisdictions regarding the parameters of the proposed

agreement, the project developer and operator, the nature of the project and the extent of the economic impact(s) of the Project and any contemplated tax abatement; and

WHEREAS, the Lewis County Board of Legislators is of the opinion that any proposed tax abatement to be issued to a Project in Lewis County by a PILOT Agreement should include a provision that the Applicant/Developer shall not file a tax assessment challenge for any year in which the PILOT is in effect and/or for any year(s) of a renewal or modification the PILOT is in effect.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby sets forth as its general policy with respect to tax abatements under PILOT Agreements to be that the Agreement should contain a provision for the Applicant/Project Developer to agree not to commence any tax assessment challenges for the years in which the PILOT is in effect, or for any years of a renewal, extension or modification of a PILOT that may be negotiated.

Section 2. That the Lewis County Board of Legislators seeks to have this general opinion and policy of the Board of Legislators delivered to the County of Lewis Industrial Development Agency (LCIDA) for their consideration in negotiation of terms and provisions of any PILOTS.

Section 3. That the Lewis County Board of Legislators urges the LCIDA to adopt this opinion and incorporate same in its Uniform Tax Exemption Policy and Guidelines (UTEP).

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Kulzer, and adopted.

RESOLUTION NO. 541 - 2017
RESOLUTION AUTHORIZING PURCHASE OF KNOX PREMIUM- MOBILE DEVICE
MANAGEMENT (MDM) SOFTWARE LICENSES THROUGH LOCAL VERIZON
VENDOR FOR COUNTY ISSUED SMARTPHONES

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, the County of Lewis updated and established its electronic and social media policy in September, 2017. In order to provide the safety and security the policy for which the policy was intended, the County seeks to obtain software which will provide for remote security functions on county-issued cellphones; and

WHEREAS, the program known as the Knox Premium- MDM software program and license is offered through the local Verizon vendor from whom our approximately 55 county-issued cellphones were obtained. The cost of this remote software license for our county-issued cellphones is approximately \$990.00 for two years, or \$18.00/per device; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the County Manager has the funds available for the cost of this two-year remote security software license in his County Manager Miscellaneous Account; and

WHEREAS, the Board of Legislators wishes to authorize the purchase of these Knox Premium ó MDM remote security software licenses for the approximately 55 county-issued cellphones/smartphones.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the purchase of Knox Premium-MDM remote security software licenses through the local Verizon vendor at a cost of \$990.00 (\$18/device) for a two-year period.

Section 2. That the Director of Information Technology shall manage these licenses and software, and be the point person with the Verizon representative for this program on behalf of the County.

Section 3. That the payment of \$990.00 for these 2-year licenses be made from the County Manager's Miscellaneous Account; thereafter, if renewed, payment shall be made from and budgeted in the Data Shared Services Account.

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 Brennan , seconded by Legislator King , and adopted.

RESOLUTION NO. 542 - 2017
RESOLUTION AUTHORIZING AN AGREEMENT WITH
THE MARTINSBURG HISTORICAL SOCIETY

Introduced by Legislator Gregory Kulzer, District # 7 Representative.

WHEREAS, the Martinsburg Historical Society (MHS), serves the Town of Martinsburg and surrounding areas by providing materials and information on the history of the Town and its historic buildings; and

WHEREAS, the MHS is in the process of making needed repairs to the 1847 building on Route 26, which housed the First Lewis County Clerk's Office until it was moved to Lowville in 1864. This Brick Building is in need of repairs, including a new roof, to preserve both its original exterior and the restorations which have been made to the interior. This historic building is listed on the State and National Historical Registries; and

WHEREAS, the Lewis County Board of Legislators seeks to provide a one-time payment of \$5,000.00 to the Martinsburg Historical Society to be used exclusively by MHS toward the repair costs to this building.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement with the Martinsburg Historical Society, to use the one-time payment of \$5,000.00 herein authorized from the County, exclusively for repair costs to the Historic Building that had housed the First Lewis County Clerk's Office, in order to preserve the building and provide benefit to all those who live and visit Lewis County and its historic sites.

Section 2. That the Chairman of the Board of Legislators or the Vice-Chairman be and the same are hereby authorized to execute and deliver said Agreement, pending approval by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 543 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY OFFICE FOR THE AGING AND
VNA HOMECARE OPTIONS, LLC**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Office For The Aging Committee.

WHEREAS, VNA Homecare Options, LLC (öVNAö) has been approved by the New York State Department of Health (öNYS DOHö) to participate in a managed long term care plan to provide a health and long term care services benefit package to eligible enrollees (hereinafter the öProgramö); and

WHEREAS, VNA has entered into an agreement with NYS DOH to participate in the Program; and

WHEREAS, pursuant to the NYS DOH Agreement, VNA is obligated to provide, either directly or through subcontractors, certain medical and health related services and social and environmental supports, collectively known as öCovered Servicesö; and

WHEREAS, the County of Lewis, by and through the Office for the Aging wishes to enter into an Agreement with VNA, with offices located at 1050 W. Genesee Street, Syracuse, New York 13204, for their covered services of home delivered hot meals to eligible elderly residents of Lewis County.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 VNA Homecare Options, LLC for their covered services of home delivered hot meals to eligible elderly residents of Lewis County.

Section 2. That this is for the term commencing on January 1, 2018 and terminating on December 31, 2018 at the cost of \$8.50 per meal.

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. 544 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY OFFICE FOR THE AGING AND
NEW YORK STATE CATHOLIC HEALTH PLAN, INC.
D/B/A FIDELIS CARE NEW YORK**

Introduced by Legislator Roscoe Fawcett, Jr., Chairman of the Office For The Aging Committee.

WHEREAS, New York State Catholic Health Plan, Inc., d/b/a Fidelis Care New York (Fidelis), with offices located at 5010 Campuswood Drive, East Syracuse, New York 13057, is a New York not-for-profit corporation certified as a prepaid health services plan pursuant to Article 44 of the New York State Public Health Law; and

WHEREAS, Fidelis provides ancillary services under their Medicaid Managed Care, Health and Recovery Plan and Managed Long Term Care Programs which includes home delivered meals; and

WHEREAS, the County of Lewis, by and through the Office for the Aging wishes to enter into an Agreement with Fidelis for the service of home delivered meals to eligible elderly residents of Lewis County.

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 New York State

Catholic Health Plan, Inc., d/b/a Fidelis Care New York for the service of home delivered meals to eligible elderly residents of Lewis County.

Section 2. That this is for the term commencing on January 1, 2018 and terminating on December 31, 2018 at the cost of \$10.00 per hot meal and \$8.50 per cold meal that is delivered.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 545 - 2017
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY PROBATION DEPARTMENT AND
THE RESOLUTION CENTER OF JEFFERSON AND LEWIS COUNTIES, INC.

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Resolution Center of Jefferson and Lewis Counties, Inc. (öResolution Centerö) offers several different juvenile justice programs to juvenile delinquents and adolescent offenders; and

WHEREAS, the Lewis County Probation Department wishes to enter into an Agreement with the Resolution Center and to refer youth to these programs during different levels of intervention. These programs will be used at Intake/Diversion to help avoid non-secure detention. An individual may be further implemented during supervision as a graduated sanction to avoid placement. The goal is to assist youth(s) to understand how their behavior impacts the community, their own future and their familyö future.

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 the Resolution Center of Jefferson and Lewis Counties, Inc. to refer youth to different juvenile justice programs.

Section 2. That the term of this Agreement shall be from October 1, 2017 through September 30, 2018 for an amount not to exceed \$12,000.00. The approximate local share is 38% and the state/federal share is 62%.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

RESOLUTION NO. 546 - 2017
RESOLUTION AUTHORIZING COUNTY PARTICIPATION IN TAX ASSESSMENT CHALLENGE AND AN EXPENSE SHARING AGREEMENT WITH THE TOWN OF DENMARK AND LOCAL SCHOOL DISTRICT

Introduced by Legislator Philip Hathway, Chairman of the Taxation Committee.

WHEREAS, in 2012, the County established a policy for County participation in legal challenges to real property tax assessments brought against local Towns, Town Assessors and Town Boards of Assessment Review. The County can play an important and additional role in defending legal challenges to valid real property tax assessment through participation in the defense of said assessments; and

WHEREAS, an assessment challenge has been brought by WGS Copenhagen Housing Associates, LLC against the Town of Denmark, Town Assessor and Board of Assessment Review for property identified as Tax Map No. 123.11-03-03.200, situate in the Town of Denmark, Village of Copenhagen, for review of the assessment for the 2016 year, i.e., \$3,297,000, therein alleging that the assessment should be \$90,000; and

WHEREAS, the Town of Denmark and the Copenhagen Central School District have appeared in the action and have requested that the County move to be included as an Intervenor in the action, and share in the expert and appraisal costs in the action; and

WHEREAS, the Town and School have proposed that the taxing jurisdictions secure the expert appraisal services of John Zukowski, MAI, SRA, IAO, MRICS, and a partner at Emminger, Newton, Pigeon & Magyar, Inc., 950-A Union road, Suite 213, Buffalo, NY, as its expert appraiser in the action, who will deliver a formal appraisal report and provide expert testimony, if required; and

WHEREAS, the Lewis County Board of Legislators has reviewed this assessment challenge and is of the opinion that it meets the criteria set forth in the County's policy, that participation is in the best interests of the County and its taxpayers, and the Board seeks to affirmatively act by resolution to participate in this matter.

NOW THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes the County Attorney to represent the County and appear in the pending tax assessment challenge brought by WGS Copenhagen Housing Associates, LLC against the Town of Denmark, et al, for the 2016 assessment year (and any additional years which may be filed), and to execute an expense sharing agreement with the other taxing jurisdictions affected, whereby the County will pay for its pro rata share of expert fees and appraisals required in the matter.

Section 2. 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 documents or instruments as may be necessary to effectuate such agreement, subject to the approval of 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. 547 - 2017
RESOLUTION AUTHORIZING DIGITAL DATA
RELEASE LICENSE AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND
ABSOLUTE AUCTIONS & REALTY, INC.**

Introduced by Legislator Philip Hathway, Chairman of the Taxation Committee.

WHEREAS, the County is the owner of certain real property tax parcel data in GIS polygon format, including all applicable rights to patents, copyrights, trademarks and trade secrets, if any; and

WHEREAS, the County of Lewis wishes to enter into a Digital Data Release License Agreement with the Absolute Auctions & Realty, Inc. (öAbsoluteö) company, for the purpose of allowing Absolute the nonexclusive, nontransferable, and limited license to use certain real property tax parcel data in GIS polygon format.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with Absolute Auctions & Realty, Inc. for the purpose of allowing Absolute the nonexclusive, nontransferable, and limited license to use certain real property tax parcel data in GIS polygon format for the time period commencing January 1, 2018 and ending December 31, 2019, to be used for the development of a brochure for a real property tax auction of foreclosed properties.

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. 548 - 2017
RESOLUTION AUTHORIZING EXEMPTION FROM TAXATION FOR CERTAIN
REAL PROPERTY OWNED BY THE TOWNS AND VILLAGES IN LEWIS COUNTY
AND USED FOR PRODUCTION AND TRANSMISSION OF PUBLIC WATER AND
SEWER FOR LEWIS COUNTY RESIDENTS AND BUSINESSES

Introduced by Legislator Richard Chartrand, Legislative District #5 Representative.

WHEREAS, Real Property Tax Law § 406(3) provides that municipal property located outside such municipality's boundaries which is used as a public sewage disposal or water plant or system, may be deemed partially or wholly exempt from taxation by any municipal corporation where the property is located, provided that the governing board thereof shall so agree in writing; and

WHEREAS, the Board of Legislators had adopted Resolution No. 74 ó 1997 on April 1, 1997, whereby the then Board of Legislators authorized a written agreement declaring Tax Parcel No. 182.00-03-01.12 owned by the Village of Lowville and located in the Town of Watson to be wholly exempt from County taxation for so long as the property is used for a public purpose satisfying the requirements of Real Property Law § 406. Thereafter, an agreement was entered into with the Village of Lowville to declare this parcel exempt from County taxation pursuant to RPTL § 406; and

WHEREAS, on February 16, 2011, the Board of Legislators adopted Resolution 47 ó 2011, applicable to the tax roll established as of March 1, 2011, whereby the Board established a uniform tax exemption policy and procedure to authorize a 100% exemption from County real property taxes for a town or village facility used for the production and transmission of public water or for the treatment and disposal of sewage, where such facilities were located outside the town's or village's boundaries, upon the written request of the applicant-town or village; and

WHEREAS, the Taxation Committee of the Board of Legislators thereafter conducted an extensive review of the tax exemptions granted under this policy and determined that it was in the public interest of Lewis County taxpayers that such exemption be phased out entirely over the four years (2012-2015), and recommended to the Board of Legislators that the exemption policy be modified accordingly; and

WHEREAS, on August 2, 2011, the Board of Legislators adopted Resolution 268 ó 2011 whereby the Board authorized a reduction in the foregoing tax exemption by 25% per year commencing with the tax roll established as of March 1, 2012 and ending with tax roll March 1, 2015 and thereafter when no exemption would be granted for municipal facilities used for the production and transmission of public water or for the treatment and disposal of sewage, where such facilities are located outside such municipality's boundaries; and

WHEREAS, on March 6, 2012, a Resolution was introduced to have Tax Parcel 182-03-01.12 owned by the Village of Lowville located in the Town of Watson, be wholly exempt from County taxation and be an exception to the phase out of exemption for municipal facilities as was set forth in Resolution No. 268-2011. Said Resolution was defeated; and

WHEREAS, the current County Board of Legislators seeks to revisit this policy in conjunction with its efforts and support for economic development in Lewis County. The Board recognizes the importance of infrastructure systems such as water, sewer and energy that are capable of upgrades, expansion and efficient maintenance and operation, to attract potential businesses to the County; and

WHEREAS, the County has witnessed from various studies, including the Southern Lewis County Water Study and the recently formed Central Lewis County Water Study, that these basic resources must be able to expand and be properly maintained in order to attract viable businesses to our County, with the County tax on local municipal facilities not to be a disincentive to the County's towns and villages to expand, to properly maintain their systems, and to work cooperatively in support of the County's Economic Development efforts; and

WHEREAS, the Lewis County Board of Legislators seeks to treat its towns and villages equally and fairly with respect to county real property tax exemptions for their respective facilities used for the production and transmission of public water and/or for the treatment and disposal of sewage, where such facilities are located outside the town/village boundaries and remain public systems which serve the residents of the County and which can expand to support growth and aid in economic development in Lewis County; and

WHEREAS, the Lewis County Board of Legislators finds that it is in the public interest for the Board to reexamine its position and policy with respect to granting a tax exemption to such towns and villages in Lewis County who own real property outside its boundaries and for which such property is used for the production and transmission of public water and/or sewer treatment and disposal which benefit the residents and businesses in the County of Lewis, to which this exemption would apply. The County acknowledges that this policy and decision equates to an annual County tax loss of \$66,000.00.

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. All prior Resolutions pertaining to the grant or termination of the county real property tax exemption to Lewis County Towns and Villages for their facilities owned outside their boundaries and used for the production and transmission of public water and/or sewer treatment and disposal for Lewis County residents and businesses, are hereby rescinded.

Section 2. The Board of Legislators hereby establishes the following tax exemption policy with respect to Lewis County towns and villages who own real property located outside the municipality's boundaries; with such exemption to only apply with respect to County taxes on same:

1. The exemption from County taxation shall apply in whole or in part, at the discretion of the County, to the real property owned by a Lewis County Town or

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Village and located outside that municipality's boundaries for which an exemption is eligible pursuant to RPTL §406 (3).

2. The municipality seeking the exemption must be a Lewis County town or village, and the property must be classified and used in whole or in part by the municipality for the production, storage and/or transmission of public water or the treatment and/or disposal of public sewage which services the residents and businesses of Lewis County. The municipality must properly and regularly service and maintain its system(s).

3. The exemption shall remain in effect for all future years, so long as there is no change in the use and maintenance of the subject properties as described in subparagraph 2 above, provided that the municipality continues to properly and regularly service, maintain and upgrade its system(s), and subject to the County's continuing right to review and take further, different action on these properties and the exemption at any time.

4. The County of Lewis, acting by and through the Taxation Committee of the Board of Legislators, shall review the exemptions granted pursuant to this uniform tax exemption policy in order to assure that the policy is being applied appropriately by the local assessing unit. The County expressly reserves its right to challenge and, if necessary, to take corrective action with regard to any exemption granted heretofore or hereafter to a Lewis County local municipality property should the Taxation Committee determine that the exemption was unlawful or in contravention of the foregoing policy.

Section 3. The County of Lewis hereby grants an exemption from County taxes for Lewis County local municipal properties that meet the eligibility requirements set forth above as of March 1, 2018, and each tax year thereafter, unless amended, modified or rescinded by formal action of the Lewis County Board of Legislators.

Section 4. The Chairman, or the Vice-Chairman, of the Board of Legislators be and the same are hereby authorized to execute and deliver such documents, instruments or writings as may be necessary to effectuate the purpose of this Resolution upon such form as approved by the County Attorney.

Section 5. The Real Property Director shall cause a copy of this Resolution to be sent to the effected taxing units as soon as practical.

Section 6. The policy set forth in this Resolution shall be deemed to constitute the "agreement" of this governing board to authorize such exemptions to each Lewis County Town and Village who meet the criteria as provided in Real Property Tax Law § 406(3). This Resolution shall remain in full force and effect unless or until it is amended or rescinded by formal action of the Board of Legislators.

Section 7. This Resolution shall take effect immediately.

Moved by Legislator Chartrand. No action taken.

RESOLUTION NO. 549 - 2017
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN TECHNOLOGICAL SERVICES GROUP (TSG) AND
THE COUNTY OF LEWIS DEPARTMENT OF RECREATION FORESTRY & PARKS
FOR MOBILE APP DEVELOPMENT AND MAINTENANCE

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation Forestry and Parks Committee.

WHEREAS, Lewis County (through the Recreation Forestry & Parks and Planning Departments) provides a suite of mobile applications (*Lewis County Summer and Lewis County Winter*) which helps tourists, visitors and residents navigate and explore the trails and other Lewis County features in the summer and winter seasons; and

WHEREAS, the current mobile app developer serving the County's mobile apps will no longer be offering this service. The LCRFP Department received two (2) quotes for transferring, redeveloping, hosting and maintaining the Lewis County Mobile Apps and determined that the quote from TECHNOLOGICAL SERVICES GROUP (TSG) was the least cost to the County while serving the best interests of the County in this project; and

WHEREAS, the County of Lewis through its Department of Recreation Forestry and Parks, desires to enter into an Agreement with TSG to transfer or redesign, redevelop maintain and host the LC Summer and LC Winter mobile apps on a stable platform. TSG will transfer the current data, improve user interface, sustain safety of visitors, preserve and/or increase brand equity in Lewis County, update trail layer updates and provide overall maintenance (hosting and debugging) for an annual fee not to exceed \$2,000.00 payable in quarterly payments of \$500.00, commencing upon execution of the agreement and payable each quarter (90 days) thereafter upon receipt of an invoice.

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 TSG to transfer, redevelop, maintain and host the Lewis County mobile applications known as LC Summer and LC Winter, at a cost not to exceed \$2,000.00 per year, payable in quarterly installments of \$500.00.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 550 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT
& BLACK CREEK INTEGRATED SYSTEMS CORPORATION**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, the Lewis County Sheriff's Department desires to enter into an Agreement with Black Creek Integrated Systems Corporation, (Black Creek) a corporation located at 2900 Crestwood Boulevard, Irondale, Alabama; and

WHEREAS, Black Creek provides computer software support, specifically for the program Sally-Port NY that the Lewis County Jail uses as a management system for the collection of data pertaining to inmates.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Sheriff's Department and Black Creek Integrated Systems Corporation for the purpose of utilizing Black Creek's computer software support for the program Sally-Port NY that the Lewis County Jail uses as a management system for the collection of data pertaining to inmates.

Section 2. That this shall be for the term commencing on January 1, 2018 through December 31, 2018 in an amount not to exceed \$12,108.25.

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 King, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 551 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT
AND ONE PATH CAREER PARTNERS**

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 One Path Career Partners with offices located at 859 Penfield Road, Rochester, New York 14625; and

WHEREAS, One Path Career Partners shall provide locum tenens mental health services through qualified providers to the inmates at the Lewis County Jail.

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 One Path Career Partners to provide locum tenens health services of Lawrence J. Palinski and Steven M. Fogleman, MD for mental health services to the inmates at the Lewis County Jail.

Section 2. That this is for the term beginning January 1, 2018 and ending December 31, 2018 at a cost of \$2,500.00 per month (Physician's Rate) which includes one visit to the work facility per month for a total of four (4) hours per visit and one phone consultation per week for a total of one (1) hour per call. Any additional coverage needed per month shall be charged at \$300.00 per hour to be on-call during a weeknight, and should the Physician be called back to the worksite during the weeknight, Physician will be paid at the rate of \$350.00 per hour. Additionally, \$400.00 per hour to be on call during a recognized holiday and should the Physician be called back to the worksite on the holiday, the Physician will be paid at the rate of \$450.00 per hour; together with such other terms as set forth in the agreement.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, 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 Kulzer, and adopted.

**RESOLUTION NO. 552 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT
AND TRANSITIONAL LIVING SERVICES
OF NORTHERN NEW YORK**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, pursuant to Correction Law § 500-c, the Lewis County Sheriff (the "Sheriff") is responsible for the custody of inmates in the Lewis County Public Safety Building; and

WHEREAS, in such capacity, the Sheriff needs to obtain mental health counseling or other related mental health services for the inmates in the Sheriff's custody; and

WHEREAS, Transitional Living Services of Northern New York ("TLS") has offered to provide those services for the inmates at Lewis County Public Safety Building; and

WHEREAS, the Sheriff has considered the contract for TLS, and recommends to the Board of Legislators to enter into such Contract.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract by and between the County of Lewis and Transitional Living Services of Northern New York, to provide mental health counseling or other related mental health services for the inmates in the Sheriff's custody for the term beginning January 1, 2018 and ending December 31, 2018 at a cost of \$150.00 per hour; together with other terms and provisions set forth in the agreement.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, upon such form as 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, and adopted.

**RESOLUTION NO. 553 - 2017
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 for the Shop with a Cop Program using donated funds.

Increase Revenues

A0731000 327053 (Donations Shop w/a Cop)	\$1,000.00
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Increase Expense

A0311000 490900 (Misc Expense) \$1,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator King, and adopted.

**RESOLUTION NO. 554 - 2017
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 for the Defibrillator Fund.

Increase Revenues

A0311000 327062 (Sheriff's Contribution) \$2274.71

Increase Expense

A0311000 490900 (Sheriff's Misc Expense) \$2274.71

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 555 - 2017
RESOLUTION TO TRANSFER FUNDS
SHERIFF'S DEPARTMENT**

Introduced by Chairman Jerry King, Chairman of the Courts and Law Enforcement Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfer is hereby approved in the Sheriff's Department accounts for new computers:

From: Amount
A0311500 110100 Dispatch Pers Serv \$86,980.27

To:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

A0311000 221700 Computers

\$86,980.27

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Kulzer.

Legislator King explained that the current computers are outdated. A couple of them may be able to be transferred to other Sheriff Department vehicles, but the remainder will be disposed of. These funds will be used to purchase special tablets with scanner capabilities and cameras built in. They will also have docking stations and be inter-changeable for all vehicles.

At the request of County Attorney McNichol, the Board directed a letter be sent to the Sheriff requesting an inventory of the old computers to protect the sensitive information pursuant to HIIPA regulations and assure proper disposition.

The resolution was then adopted.

**RESOLUTION NO. 556 - 2017
RESOLUTION TO APPROPRIATE
FOR SNOWMOBILE TRAIL PROGRAM
For 2017-2018 Season**

Introduced by Legislator Lawrence Dolhof, Chairman of Recreation, Forestry and Parks Committee.

BE IT RESOLVED as follows:

Section 1. That \$272,051.00 be appropriated to Account No.A7141.4999 Snowmobile Trail Program and be offset by State Aid Account A38202.

Section 2. That the funds will be passed on to the Snowmobile Association when received.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator King, and adopted.

**RESOLUTION NO. 557 - 2017
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.

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, (10 participants) Fall Leadership Institute, (10 participants) and Professional Development Workshops (30 participants).

Section 2. The total cost of training is calculated at \$7,200.00 for fifty (50) participants, with \$4,320.00 reimbursable by the Federal and State shares. SUNY Potsdam has agreed to bill and be reimbursed by the County for said services at the \$4,320.00 amount, which is 60% of the total \$7,200.00 cost.

Section 3. That the term of this Agreement shall be from January 1, 2018 through December 31, 2018 with SUNY Potsdam to invoice in three (3) installments payments as follows: March, 2018 - \$2,160.00 (50%); June, 2018 - \$1,080.00 (25%); and October, 2018 - \$1,080.00 (25%) for a total of \$4,320.00.

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 King, seconded by Legislator Brennan, and adopted.

RESOLUTION NO. 558 - 2017
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:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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, 2018 through December 31, 2018, 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 (öDCCSö) 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 Moroughan, seconded by Legislator King, and adopted.

RESOLUTION NO. 559 - 2017
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, the Lewis County Department of Social Services (öDSSö) wishes to enter into a Memorandum of Agreement with Transitional Living Services of Northern New York, Inc. (öTLSö) to renew the terms for TLS to provide the services of psychiatric and/or psychological evaluations of individuals receiving services from DSS.

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. (öTLSö) for the purpose of providing the services of psychiatric and/or psychological evaluations of individuals receiving services from DSS.

Section 2. That the term of this agreement shall be from January 1, 2018 through December 31, 2018 at a cost not to exceed \$158.00 (for those who are not covered by individual insurance) per psychiatric assessment, medical examination for employability assessment, and for any person referred by DSS for an employability assessment that is not under the care of

Behavior Health and Wellness Center (öBHWCö), BHWC will be paid at a rate of \$158.00 per assessment; and travel costs to and from case consultations/treatment plan meetings held outside the TLS office at the IRS rate for business miles. The County amount is approximately 36%; Federal approximately 50%; and State approximately 14%.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Moroughan, and adopted.

RESOLUTION NO. 560 - 2017
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.

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.

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, 2018 and ending December 31, 2018 for the Company/Consortium Pricing Package at a rate of \$85.00 per employee. Additional fees will apply for öpost-accidentö; öreasonable suspicionö; and öfollow-up drug and alcohol testing as well as onsite testingö as follows: DOT Drug Screen ó \$71.00; Breath Alcohol Test ó \$22.00; Breath Alcohol Confirmation Test ó \$22.00; and Onsite Testing ó \$40.00.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Moser, and adopted.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 561 - 2017
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, 2018 through December 31, 2018.

Section 2. That this Board of Legislators hereby approves an agreement between the County of Lewis and Mountain View Prevention Services, Inc. (öMVPSö), pursuant to which MVPS shall provide DWI Coordinator services consistent with Vehicle & Traffic Law § 1197 for the term herein at an annual cost of \$13,000.00.

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 Dolhof, seconded by Legislator Moser, and adopted.

**RESOLUTION NO. 562 - 2017
RESOLUTION APPOINTING MEMBERS TO
TRAFFIC SAFETY BOARD**

Introduced by Legislator Craig Brennan, Chairman of the Transportation Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following individuals to the Lewis County Traffic Safety Board:

Joseph Austin, Lewis County Public Health Planner, 7785 N State Street, Lowville, NY 13367
Sheriff Michael Carpinelli, Outer Stowe St., Lowville, NY 13367
Undersheriff Jason McIntosh, Outer Stowe St., Lowville, NY 13367
Randy Roggie, Lowville Police Chief, 5535 Bostwick Street, Lowville, NY 13367
Ann Wolff, Lewis County Opportunities, Inc., 8265 State Route 812, Lowville, NY 13367
Frank Monnat, Beaver River Central School, P.O. Box 179, Beaver Falls, NY 13305
Casandra Buell, Lewis County Planner

Section 2. That the term of said appointments shall be effective January 1, 2018 and terminate on December 31, 2020.

Section 3. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Brennan, and adopted.

RESOLUTION NO. 563 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND GOOD MORNING REALTY
TO LEASE ADVERTISING SPACE ON THE
LEWIS COUNTY PUBLIC TRANSPORTATION BUS

Introduced by Legislator Lawrence Dolhof, Chairman of Economic Development Committee.

WHEREAS, Lewis County Public Transportation commenced leasing space on the exterior of its two (2) County-owned buses. There are a total of eight (8) advertising opportunities between the two (2) buses and they include curb-side, street-side and rear showcase options; and

WHEREAS, Good Morning Realty desires to enter into an Agreement with the County of Lewis, acting by and through the Lewis County Planning Department, to lease one (1) 18 x 60 curb-side advertising space on a Lewis County Public Transportation bus.

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 Planning Department and Good Morning Realty to lease one (1) 18 x 60 curb-side advertising space on a Lewis County Public Transportation bus.

Section 2. That the term of this lease will be from January 1, 2018 through December 31, 2018, at a cost not to exceed \$480.00 for the 18 x 60 curb-side advertising space.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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. Legislator Hathway was opposed.

**RESOLUTION NO. 564 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND JEFFERSON-LEWIS BOARD OF REALTORS
TO LEASE ADVERTISING SPACE ON THE
LEWIS COUNTY PUBLIC TRANSPORTATION BUS**

Introduced by Legislator Lawrence Dolhof, Chairman of Economic Development Committee.

WHEREAS, Lewis County Public Transportation commensed leasing space on the exterior of its two (2) County-owned buses. There are a total of eight (8) advertising opportunities between the two (2) buses and they include curb-side, street-side and rear showcase options; and

WHEREAS, Jefferson-Lewis Board of Realtors desires to enter into an Agreement with the County of Lewis, acting by and through the Lewis County Planning Department, to lease one (1) 12 x 22 rear showcase advertising space on a Lewis County Public Transportation bus.

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 Planning Department and Jefferson-Lewis Board of Realtors to lease one (1) 12 x 22 rear showcase advertising space on a Lewis County Public Transportation bus.

Section 2. That the term of this lease will be from January 1, 2018 through December 31, 2018, at a cost not to exceed \$360.00 for the 12 x 22 rear showcase advertising space.

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 Brennan, seconded by Legislator Dolhof, and adopted. Legislator Hathway was opposed.

**RESOLUTION NO. 565 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND
ABSOLUTE AUCTIONS & REALTY, INC.**

Introduced by Legislator Philip Hathway, Chairman of the Taxation Committee.

WHEREAS, the County is the owner of certain real property acquired through tax sale proceedings and otherwise, which it desires to sell with reserve at public auction; and

WHEREAS, Absolute Auctions & Realty, Inc. wishes to enter into an agreement with the County of Lewis for the purpose of conducting these auctions of real property.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with Absolute Auctions & Realty, Inc. to conduct these auctions of real property for the time period commencing January 1, 2018 and ending December 31, 2019.

Section 2. The fee for these services and the sole compensation for the services rendered shall be a buyer's premium in the amount of 11% of the bid price, to be added to the buyer's accepted bid price. In addition, the Contractor shall receive an advertising recapture fee equal to 1.5% of the amount of the bid, to be added to the bidder's accepted bid price.

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.

Legislator Hathway was opposed.

**RESOLUTION NO. 566 - 2017
RESOLUTION TO TRANSFER FUNDS
VARIOUS ACCOUNTS**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the following budget changes are hereby approved in the following Various accounts from Fund Balance:

Transfer from:

A0 005990 Fund balance	\$369,961.00
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Transfer to:

A0990100 992600 Cap Hwy	\$200,000.00
A0990100 992500 Cap Equip	\$137,461.00
A0145100 221100 Elections Machines	\$ 26,000.00
A0741400 499900 Turin Library	\$ 1,500.00
A0752300 499900 Martinsburg Hist County Clerk	\$ 5,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 567 - 2017
RESOLUTION TO APPROPRIATE FUNDS
CAPITAL EQUIPMENT**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved from the Capital Equipment account, balance of \$ 269,912.05, funds transferred from A0990100 992500 (To Capital Equipment) :

HAD Cty Share H0990100 350310	\$137,461.00
Project accounting	

HAD Cty Share H0990100 499900	\$137,461.00
Project accounting	

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 568 - 2017
RESOLUTION TO APPROPRIATE FUNDS
CAPITAL HIGHWAY BUILDING**

Introduced by Legislator Craig Brennan, Chairman of the Ways & Means Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved from the Capital County Highway Building account, balance of \$ 856,673.89, funds transferred from A0990100 992600 (To Capital Hwy Bldg) :

HAA Cty Share H0162000 350310	\$200,000.00
Project Accounting	

HAA Contr H0162000 499900	\$200,000.00
Project Accounting	

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted.

**RESOLUTION NO. 569 - 2017
RESOLUTION AUTHORIZING TREASURER
TO CARRY FORWARD APPROPRIATIONS**

Introduced by Legislator Craig Brennan, 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 2018 County Budget.

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator King, and adopted.

**RESOLUTION NO. 570 - 2017
LEVYING TAXES AND ASSESSMENTS FOR
ANNUAL TOWN BUDGETS AND
CORRECTIONS TO TAX ROLLS**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Philip Hathway, 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, 2018.

BE IT 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	\$763,802.33	\$482,080.00
Denmark	623,922.00	295,268.00
Diana	365,863.00	199,339.00
Greig	661,995.00	
Harrisburg	127,133.49	
Lewis	532,220.00	
Leyden	302,683.00	142,290.00
Lowville	641,377.00	237,843.00
Lyonsdale	336,915.00	168,749.00
Martinsburg	324,132.00	
Montague	180,944.00	
New Bremen	583,659.70	358,501.00
Osceola	343,867.00	
Pinckney	353,431.00	
Turin	445,939.00	68,004.00
Watson	990,605.00	
West Turin	455,134.00	142,512.00

BE IT 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	\$130,800.00
Beaver Falls Fire District	33,605.54
Beaver Falls Light District	12,000.00
Relieved Sewer	36,167.04
Denmark:	
Fire Protection District	66,306.00
Relieved Sewer	1,791.96
Diana:	
Fire Protection District	107,280.00

DECEMBER 21, 2017

Natural Bridge Fire District	3,157.00
Natural Bridge Light District	350.00
Greig:	
Fire Protection District ó 3G	70,008.00
Brantingham Water Control	1,800.00
Harrisburg:	
Fire Protection District	56,426.00
Lewis:	
Fire Protection District	38,104.00
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	45,996.53
Lyonsdale:	
Lyons Falls & Port Leyden Fire Protection Districts	37,520.00
Lyonsdale Light District	1,050.00
Martinsburg:	
Fire Protection District	101,577.00
Glenfield Light District	5,800.00
Martinsburg Light District	4,800.00
Martinsburg Water	6,278.66
Water/Sewer Relevies	14,722.37
Montague:	
Fire Protection	7,904.00
New Bremen:	
New Bremen Fire District	69,198.00
Beaver Falls Fire District	23,544.46
New Bremen Fire Protection Dist Lighting District	16,275.00
Water Relevy	10,799.10
	510.50

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Osceola:		
Fire Protection District		45,500.00
Pinckney:		
Fire Protection District & Ambulance		11,900.00
Turin:		
Fire Protection		38,913.00
Watson:		
Fire Protection		42,003.00
Watson Light & Water District		6,091.44
West Turin:		
Turin Fire Protection		14,031.00
Constableville Fire Protection		34,405.00

BE IT 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	\$ 782.54
Denmark	\$ 371.06
Diana	\$ 71.22
Greig	\$ 434.08
Harrisburg	(\$.01)
Lewis	\$ 353.79
Leyden	\$ 393.11
Lowville	\$1,468.57
Lyonsdale	\$ 192.66
Martinsburg	\$ 283.14
Montague	(\$.12)
New Bremen	\$ 441.25
Osceola	(\$.17)
Pinckney	\$.07
Turin	\$.19
Watson	\$ 473.57
West Turin	\$ 360.50

BE IT 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 Hathway, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 571 - 2017
RESOLUTION AUTHORIZING AN AGREEMENT WITH
B. ELIZABETH STRONG MEMORIAL LIBRARY**

Introduced by Legislator Gregory Kulzer, District No. 7 Representative.

WHEREAS, the B. Elizabeth Strong Memorial Library, located at 6312 East Main Street, Turin, New York, serves the Town of Turin and surrounding areas by providing materials and services to help patrons meet their personal, educational and professional needs; and

WHEREAS, the County of Lewis desires to provide a one-time payment of \$1,500.00 to be used by the B. Elizabeth Strong Memorial Library toward technical upgrades.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement with the B. Elizabeth Strong Memorial Library, to use the one-time payment of \$1,500.00 herein authorized from the County to the B. Elizabeth Strong Memorial Library, toward technical upgrades.

Section 2. That the Chairman of the Board of Legislators or the Vice-Chairman be and the same are hereby authorized to execute and deliver said Agreement, pending approval by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 572 - 2017
RESOLUTION TO SCHEDULE
2018 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 2018 Organizational Meeting to be held on Tuesday, January 2, 2018 to begin at 5:00 p.m.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Dolhof, and adopted.

RESOLUTION NO. 573 - 2017

**RESOLUTION AUTHORIZING AGREEMENT WITH
COUNTY OF LEWIS INDUSTRIAL DEVELOPMENT AGENCY (IDA)**

Introduced by Lawrence Dolhof, Chairman of the Economic Development Committee.

WHEREAS, the County of Lewis (öCountyö) and the County of Lewis Industrial Development Agency (öIDAö) entered into an Agreement on December 22, 2014 for the purpose of having the County Director of Economic Development perform and provide shared services on behalf of and for the benefit of the IDA, together with any other services to which both parties mutually agree; and

WHEREAS, the Board of Legislators of Lewis County wishes to renew the agreement between the County and the IDA wherein they will share equally the compensatory time and services of the Director for Economic Development in Lewis County in 2018; and

WHEREAS, the County and IDA acknowledge that the Director's time, including but not limited to administrative and managerial services, for the benefit of the IDA have represented approximately fifty (50%) percent of the Director's compensatory time which is payable in 2017 at the rate of \$51.00 per hour, including all benefits. It is expected and intended that the Director's work and services will continue to be shared equally 50/50 by the County and the IDA.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes a renewal agreement between Lewis County and the County of Lewis Industrial Development Agency (IDA), for the purpose of having the County Director of Economic Development perform administrative and managerial functions and services on behalf of and for the benefit of the IDA, together with any other services to which both parties mutually agree for Economic Development in Lewis County.

Section 2. The Board of Legislators authorizes said agreement to provide for the County to charge the IDA, and the IDA to reimburse the County for fifty (50%) percent of the compensatory time of the Director for his services in 2018, based upon the total hourly compensatory rate incurred in 2018. Said agreement to provide for the Director to continue to record his time and services rendered for the benefit of the IDA.

Section 3. The Chairman or Vice-Chairman be and the same is hereby authorized to negotiate, execute and deliver such agreement as may be necessary to carry out this Resolution subject to review and approval as to form by the County Attorney.

Moved by Legislator Dolhof, seconded by Legislator Brennan, and adopted. Legislator Chartrand and Legislator Kulzer were opposed.

**RESOLUTION NO. 574 - 2017
RESOLUTION ADOPTING AND OTHERWISE TREATING**

LOCAL LAW NO. 7 – 2017, COUNTY OF LEWIS

Introduced by Legislator Craig Brennan, Chairman of the Ways and Means Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on December 5, 2017, directing that a public hearing be held by said Board on December 21, 2017, from 10:00 a.m. to 10:30 a.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, "A LOCAL LAW RESCINDING LOCAL LAW NO. 5-2017 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2018 BUDGET." and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on December 15, 2017, 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 of 2017), County of Lewis, being "A LOCAL LAW RESCINDING LOCAL LAW NO. 5-2017 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2018 BUDGET", be and the same hereby is designated as Local Law No. 7 of 2017, County of Lewis.

Section 2. That Local Law No. 7 of 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 Hathway, seconded by Legislator King, and adopted pursuant to the following roll call vote:

YEAS: Brennan, Chartrand, Dolhof, Hathway, King, Kulzer, Moroughan, Moser, and Tabolt.

NAYS: None.

ABSENT: Fawcett

RESOLUTION NO. 575 - 2017
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND EF JOHNSON FOR AN INTEROPERABILITY BASE
STATION FOR THE LEWIS COUNTY PUBLIC SAFETY 911 RADIO SYSTEM

Introduced by Legislator Jerry King, Chairman of the Courts & Law Enforcement Committee.

WHEREAS, the County of Lewis recently completed the implementation of a modernization of its existing public safety radio communications system. The primary radio system equipment was provided by EF Johnson Corporation and the microwave data system equipment was provided by Aviat Networks; and

WHEREAS, a Request for Proposals (RFP) was issued by the County in the Fall, 2017 to provide Interoperability TAC Channels for frequency bands VHF, UHF, 800 MHz at multiple communication tower sites throughout the County, with updates to dispatch consoles in order to monitor these TAC channels 24X7. In addition, the RFP included upgrading of the VHF transmitters installed at 9 tower sites to be used as countywide mutual aid repeaters utilizing an input frequency of 156.0300 and transmit frequency of 155.190 MHz; and

WHEREAS, in October, 2017, the Courts & Law Enforcement Committee and 911 Communications Team received two (2) proposals in response to the RFP, reviewed the proposals together with the assistance of County staff and the County's technical consultants; and

WHEREAS, upon a full review and analysis of all bid proposals, the Courts & Law Enforcement Committee finds that EF Johnson's bid proposal of \$390,834.87 to be the less costly proposal which meets the County's performance specifications and requirements as outlined in the Request For Proposals issued, together with addendums thereto. The Committee recommends to the full Board of Legislators to award the contract for an Interoperability TAC Channels and Base Station System with Mutual Aid Repeater sites at towers as specified in the RFP, for the Lewis County Public Safety 911 Radio System, to EF Johnson in accordance with its Proposal received by the County; and

WHEREAS, the Board of Legislators wishes to award the contract for an Interoperability TAC Channel and Base Station System for the Lewis County Public Safety 911 Radio System to EF Johnson at a cost of \$390,834.87. The cost of the Interoperability System is fully covered under Grant funding.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby determines that the EF Johnson proposal for an Interoperability TAC Channels and Base Station System is the "best value" for the County as that term is defined by Local Law No. 7 ó 2013, in that, *inter alia*, it best optimizes quality, cost and efficiency at a firm price, with similar experience and services provided by EF Johnson to the County under the 911 upgrade project, and therefore, is in the best interest of the County of Lewis.

Section 2. That the Board of Legislators hereby authorizes entering into a contract with EF Johnson to provide Interoperability TAC Channels for frequency bans VHF, UHF, 800 MHz at multiple communication tower sites throughout the County, with updates to dispatch consoles to monitor these TAC channels 24X7; and to include upgrading of the VHF transmitters installed at 9 tower sites to be used as countywide mutual aid repeaters utilizing an input frequency of 156.0300 and transmit frequency of 155.190 MHz in conjunction with the Lewis County Public Safety 911 Radio System in accordance with the fee descriptions and rate schedules set forth in the proposal, at a total cost not to exceed \$390,834.87, and with project closeout to be September, 2018, with extension of contract completion at the option of 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, upon such form(s) as may be approved by the County Attorney.

Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof , seconded by Legislator Moser , and adopted.

**RESOLUTION NO. 576 - 2017
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 is hereby approved in the Sheriff's Department accounts from Contingency to cover the increase in inmate medical expenses:

<u>From:</u>	Amount
A0199000 499900 Contingency	\$10,000.00
<u>To:</u>	
A0315000 450900 Inmate Medical	\$10,000.00

Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Dolhof , seconded by Legislator King , and adopted.

RESOLUTION NO. 577 - 2017

**RESOLUTION RESCINDING RESOLUTION NO. 266-2017 AND AUTHORIZING THE
OPENING OF A PORTION OF COUNTY ROUTE 46 (OSCEOLA ROAD) IN THE
TOWN OF OSCEOLA
FOR SNOWMOBILE ACCESS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Recreation, Forestry and Parks Committee.

WHEREAS, pursuant to Section 25.09 of the NYS Parks and Recreation Law, county highways within a town, outside of a city or village, may be designated as open to snowmobiles by the governing body, provided that the County Highway Superintendent has issued a prior written approval thereof; and

WHEREAS, the Lewis County Highway Department received a request from the Town of Osceola and the Lewis County Director of Recreation, Forestry and Parks to open a portion of County Road 46 (Osceola Road from the Town of Lewis line to the four corners in Osceola) for snowmobile access; and

WHEREAS, the Lewis County Superintendent of Highways examined the road and notes that pursuant to his shared intermunicipal agreement, the Town of Osceola maintains this portion of the County Road, and that he has no objection to the opening of this portion of County Road Route 46 to snowmobile access; and

WHEREAS, the Lewis County Superintendent of Highways has issued a written approval for the opening of this portion of the Road for snowmobile access; and

WHEREAS, the Lewis County Board of Legislators now seeks to approve this request.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators hereby authorizes the County Highway Superintendent to review, and in his discretion, approve the opening of the following county highways or portions thereof subject to appropriate town action on same for snowmobile access:

A portion of County Road Route 46 (Osceola Road),
from the Town of Lewis line on the Osceola Road
to the four corners in Osceola.

Section 2. That upon the approval of the Lewis County Highway Superintendent, the Lewis County Board of Legislators hereby approves the opening of a portion of County Road Route 46 in the Town of Osceola as hereinabove described, for snowmobile access.

Section 3. That the Lewis County Board of Legislators hereby rescinds Resolution No. 266-2017.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Dolhof, seconded by Legislator King, and adopted.

**RESOLUTION NO. 578 - 2017
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 2017 budget appropriation increase be approved for the 2017-2018 COLA (Cost of Living) Funds:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
A0402000 ~ 334461	COLA-PH	\$ 19,874.00
A0402000 ~ 490900	COLA-Misc.	\$ 19,874.00

Programs providing COLA funds are as follows:

Rabies Program -	\$ 866.00
CSHCN -	\$ 699.00
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 King, signed by Legislator Moser, and adopted.

**RESOLUTION NO. 579 - 2017
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.

WHEREAS, the Commissioner of Social Services of Lewis County is an authorized Social Services official responsible and designated by the New York State Office of Children and Family Services, insofar as funds are available for that purpose, to register and inspect family day care and school aged child care providers in Lewis County; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Community Action Planning Council of Jefferson County, Inc. (CAPC) is qualified by its present established base in the community and is disposed to fulfill the required responsibilities and the Lewis County Department of Social Services (DSS) desires to enter into an Agreement with CAPC.

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 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% federally funded with no local share cost.

Section 3. That the term of this Agreement shall be from January 1, 2018 through December 31, 2018 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 Brennan, seconded by Legislator Moroughan, and adopted.

**RESOLUTION NO. 580 - 2017
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY ON BEHALF OF THE
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 Needy Families (TANF) for Non-Residential Domestic Violence Services, Response and Prevention 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, 2017 through June 30, 2018 for an amount not to exceed \$25,000 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 Moroughan, seconded by Legislator King, and adopted.

**RESOLUTION NO. 581 - 2017
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 (öDSSö) wishes to enter into an Agreement with Rubenzahl, Knudsen & Associates Psychological Services, P.C. (öRKPSö) 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, in accordance with criteria established by Department regulations; and for provision of individual, family, and group counseling to adults and families that are referred by DSS.

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, in accordance with criteria established by Department regulations; and for provision of individual, family, and group counseling to adults and families that are referred by DSS.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the term of this Agreement shall be from January 1, 2018 through December 31, 2018 for an amount not to exceed the following costs with the Local Share Cost being approximately 36%; the State Cost is approximately 14%; and the Federal Share is approximately 50%:

\$75.00 per hour	Therapy
\$110.00 per hour	Psychological Evaluations
\$65.00 per hour	Clients Receiving Group Treatment
\$135.00 per hour	Expert Court Testimony
\$75.00 per session	RKPS Presence at Treatment Team Meeting (if applicable)
\$45.00 per session	Sex Offender Group Therapy
\$500.00 per assessment	Sex Offender Assessment
\$110.00 per hour	Attachment Parenting Therapy
.53.5 cents per mile travel, roundtrip from RKPS office to family's home	

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver said Agreement, pending approval by the County Attorney.

Section 4. That the within Resolution shall take effect immediately.

Moved by Legislator Brennan, seconded by Legislator Dolhof, and adopted.

**RESOLUTION NO. 582 - 2017
RESOLUTION AUTHORIZING CONTRACT WITH
LEWIS DEFENDERS, PLLC**

Introduced by Legislator Jerry King, Chairman of Courts and Law Enforcement Committee.

WHEREAS, County Law §722 directs each county to adopt a plan to provide legal counsel to persons charged with a crime or who are entitled to counsel pursuant to Family Court Act §262 and who are financially unable to obtain counsel (herein "public defense legal services"); and

WHEREAS, County Law §722(2) authorizes a county to provide representation through a corporation, voluntary association, or organization permitted to practice law under the authority of § 495 of the Judiciary Law, which includes organizations which have as their primary purpose the furnishing of legal services to indigent persons.

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:

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, 2018 and continue through December 31, 2018.

Section 2. That the all inclusive annual cost of such services shall not exceed \$244,800.00, and such services shall include but not be limited to, providing a licensed attorney for legal representation for the indigent in Lewis County Family Court, Lewis County Court, and Town and Village Courts throughout Lewis County.

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 Dolhof, seconded by Legislator King, and adopted.

**RESOLUTION NO. 583 - 2017
RESOLUTION AUTHORIZING CONTRACT WITH
MCCLUSKY LAW FIRM, LLC
TO PERFORM CONFLICT DEFENDER SERVICES**

Introduced by Legislator Jerry King, Chairman of the Courts and Law Enforcement Committee.

WHEREAS, County Law §722 directs each county to adopt a plan to provide legal counsel to persons charged with a crime or who are entitled to counsel pursuant to Family Court Act §262 and who are financially unable to obtain counsel (herein "public defense legal services"); and

WHEREAS, contemporaneously herewith, the Board of Legislators is authorizing an agreement to provide indigent legal defense services with Lewis Defenders, PLLC; and

WHEREAS, it is necessary to appoint an attorney/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

PROCEEDINGS OF 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, 2018 and continue through December 31, 2018.

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 \$71,400.00; and such services shall include but not be limited to, providing a licensed attorney for legal representation for the indigent 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.

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 Hathway, seconded by Legislator King, and adopted.

OTHER BUSINESS:

Legislator Dolhof made a motion to enter executive session at 11:07 a.m. for an update on union negotiations, and invited Legislators-elect John Lehman, Randall LaChausse and Ronald Burns to attend the session. The motion was seconded by Legislator Moser and carried. The session began at 11:15 a.m. following a short recess. Legislator Brennan was excused from the meeting.

At 11:56 a.m. Legislator Hathway made a motion to return to the regular meeting, seconded by Legislator Moroughan and carried.

There being no other business to come before the Board, Legislator Kulzer made a motion to adjourn, seconded by Legislator Moser and carried.

CERTIFICATION

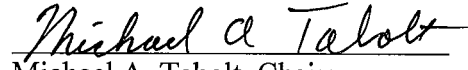
STATE OF NEW YORK

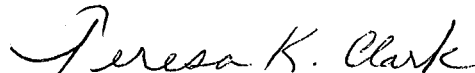
SS:

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 2017.

Dated at Lowville, New York on December 29, 2017


Michael A. Tabolt, Chairman


Teresa K. Clark, Clerk of the Board

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**ANNUAL CASH REPORT
OF
Patricia O'Brien**

**LEWIS COUNTY TREASURER
FOR FISCAL YEAR ENDING
DECEMBER 31, 2017**

GENERAL FUND

Bal on Hand 1/1/17		22,202,833.61	
Cash on Hand	3,594,143.31		
Time Deposits	18,608,690.30		
Plus: Receipts 1/1-12/31/17		81,666,050.00	
Total Receipts+Beg Bal		<u>\$ 103,868,883.61</u>	
Disbursements:1/1-12/31/17		86,307,511.01	82,834,434.80
Bal on Hand 12/31/17		17,561,372.60	(3,473,076.21)
Cash on Hand	2,425,758.51		
Time Deposits	15,135,614.09		
Total 2017 Disb+Ending Bal		<u>\$ 103,868,883.61</u>	86,307,511.01

Includes Reserved Cash for MH/DSS/PH \$2,740,838+

Trail Fund

Bal on Hand 1/1/17		135,640.12	
Cash on Hand	135,640.12		
Time Deposits	-		
Plus: Receipts 1/1-12/31/17		99,293.77	
Total Receipts+Beg Bal		<u>\$ 234,933.89</u>	
Disbursements:1/1-12/31/17		129,782.78	129,782.78
Bal on Hand 12/31/17		105,151.11	0.00
Cash on Hand	105,151.11		0.00
Time Deposits			
Total 2017 Disb+Ending Bal		<u>\$ 234,933.89</u>	129,782.78

ANNUAL CASH REPORT

ANNUAL CASH REPORT

HOSPITAL FUND

Bal on Hand 1/1/17		8,671,004.90	
Cash on Hand	1,355,872.21		
Time Deposits(includes Foundation)	7,315,132.69		
Plus: Receipts 1/1-12/31/17		<u>87,022,699.41</u>	
Total Receipts+Beg Bal		<u>\$ 95,693,704.31</u>	

Disbursements:1/1-12/31/17		76,584,753.38	86,149,360.07
Bal on Hand 12/31/17		19,108,950.93	9,564,606.69
Cash on Hand	2,229,211.55		76,584,753.38
Time Deposits(includes Foundation)	16,879,739.38		
Total 2017 Disb+Ending Bal		<u>\$ 95,693,704.31</u>	

COUNTY ROAD FUND

Bal on Hand 1/1/17		687,497.88	
Cash on Hand	687,148.39		
Time Deposits	349.49		
Plus: Receipts 1/1-12/31/17		<u>6,784,609.30</u>	
Total Receipts+Beg Bal		<u>\$ 7,472,107.18</u>	

Disbursements:1/1-12/31/17		6,779,476.11	6,795,266.21
Bal on Hand 12/31/17		692,631.07	15,790.10
Cash on Hand	676,491.48		6,779,476.11
Time Deposits	16,139.59		
Total 2017 Disb+Ending Bal		<u>\$ 7,472,107.18</u>	

MACHINERY FUND

Bal on Hand 1/1/17		238,119.07	
Cash on Hand	237,983.50		
Time Deposits	135.57		
Plus: Receipts 1/1-12/31/17		<u>1,291,306.04</u>	
Total Receipts+Beg Bal		<u>\$ 1,529,425.11</u>	

Disbursements:1/1-12/31/17		1,362,271.99	1,431,639.09
Bal on Hand 12/31/17		167,153.12	(69,367.10)
Cash on Hand	97,650.45		1,362,271.99
Time Deposits	69,502.67		
Total 2017 Disb+Ending Bal		<u>\$ 1,529,425.11</u>	

PROCEEDINGS OF THE BOARD OF LEGISLATORS

ANNUAL CASH REPORT

SOLID WASTE

Bal on Hand 1/1/17		768,202.73	
Cash on Hand	173,981.62		
Time Deposits	594,221.11		
Plus: Receipts 1/1-12/31/17		<u>2,278,658.89</u>	
Total Receipts+Beg Bal		<u>\$ 3,046,861.62</u>	

Disbursements:1/1-12/31/17		2,274,473.72	1,920,768.09
Bal on Hand 12/31/17		772,387.90	353,705.63
Cash on Hand	531,872.42		
Time Deposits	240,515.48		
Total 2017 Disb+Ending Bal		<u>\$ 3,046,861.62</u>	2,274,473.72

WIA

Bal on Hand 1/1/17		7,413.39	
Cash on Hand	7,413.39		
Time Deposits	-		
Plus: Receipts 1/1-12/31/17		<u>171,354.80</u>	
Total Receipts+Beg Bal		<u>\$ 178,768.19</u>	

Disbursements:1/1-12/31/17		168,751.04	168751.04
Bal on Hand 12/31/17		10,017.15	
Cash on Hand	10,017.15		
Time Deposits	-		
Total 2017 Disb+Ending Bal		<u>\$ 178,768.19</u>	

SELF INSURANCE FUND

Bal on Hand 1/1/17		1,514,758.65	
Cash on Hand	531,460.46		
Time Deposits	983,298.19		
Plus: Receipts 1/1-12/31/17		<u>1,505,800.13</u>	
Total Receipts+Beg Bal		<u>\$ 3,020,558.78</u>	

Disbursements:1/1-12/31/17		1,529,202.84	1,529,322.42
Bal on Hand 12/31/17		1,491,355.94	(119.58)
Cash on Hand	507,938.17		
Time Deposits	983,417.77		
Total 2017 Disb+Ending Bal		<u>\$ 3,020,558.78</u>	1,529,202.84

ANNUAL CASH REPORT

ANNUAL CASH REPORT

INTERNAL SERVICE FUND

Bal on Hand 1/1/17		2,078,826.46	
Cash on Hand-Int Bearing	698,811.64		
Time Deposits	1,380,014.82		
Plus: Receipts 1/1-12/31/17		<u>16,343,178.19</u>	
Total Receipts+Beg Bal		<u>\$ 18,422,004.65</u>	

Disbursements:1/1-12/31/17		15,767,171.52	15,769,236.64
Bal on Hand 12/31/17		2,654,833.13	(2,065.12)
Cash on Hand-Int Bearing	1,272,753.19		15,767,171.52
Time Deposits	1,382,079.94		
Total 2017 Disb+Ending Bal		<u>\$ 18,422,004.65</u>	

TRUST & AGENCY FUND

Bal on Hand 1/1/17		426,608.49	
Trust Cash	422,736.44		
Time Deposit Cash	3,872.05		
Plus: Receipts 1/1-12/31/17		<u>15,318,851.40</u>	
Total 2017 Receipts+Beg Bal		<u>\$ 15,745,459.89</u>	

Disbursements:1/1-12/31/17		15,273,256.58	15,269,384.53
Bal on Hand 12/31/17		472,203.31	3,872.05
Trust Cash (incl Ct & Trust)	472,203.31		15,273,256.58
Time Deposit Cash			
Total 2017 Disb+Ending Bal		<u>\$ 15,745,459.89</u>	

Micro Loan Fund

Bal on Hand 1/1/17		0.00	
Time Deposit Cash	-		
Plus: Receipts 1/1-12/31/17		<u>0.00</u>	
Total 2017 Receipts+Beg Bal		<u>\$ -</u>	

Disbursements:1/1-12/31/17		0.00	0.00
Bal on Hand 12/31/17		0.00	
Trust Cash	-		
Time Deposit Cash			
Total 2017 Disb+Ending Bal		<u>\$ -</u>	

PROCEEDINGS OF THE BOARD OF LEGISLATORS

ANNUAL CASH REPORT

HOSP SP GIFT EXPENDABLE/NON-EXPENDABLE

Bal on Hand 1/1/17		27,466.77	
Trust Cash			
Time Deposit Cash	27,466.77		
Plus: Receipts 1/1-12/31/17			
Total 2017 Receipts+Beg Bal		<u>\$ 27,466.77</u>	

Disbursements:1/1-12/31/17		(5.55)	0.00
Bal on Hand 12/31/17		27,472.32	(5.55)
Trust Cash	-		(5.55)
Time Deposit Cash	27,472.32		
Total 2017 Disb+Ending Bal		<u>\$ 27,466.77</u>	

CAPITAL FUNDS

Bal 1/1/17		1,934,806.11	
Bridges Cash	129,272.75		
Em Radio Cash	-		
Em Radio Time Deposit	14,764.15		
Capital Clean UP	36,753.25		
Utilites 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	655,908.17		
DSS Bldg	-		
DSS Bldg Time Deposit	0.47		
Highway Striping	7,211.75		
Cap Eco Dev	73.99		
Plus: Receipts 1/1-12/31/17		4,290,681.77	
Total 2017 Receipts+Beg Bal		<u>\$ 6,225,487.88</u>	

ANNUAL CASH REPORT

ANNUAL CASH REPORT			
Disb: 1/1-12/31/17		1,355,549.91	3,741,772.72
Bal on Hand 12/31/17		4,869,937.97	(2,386,222.81)
Bridges Cash	116,531.45		1,355,549.91
Em Radio Cash	287,119.80		
Em Radio Time Deposit	9,518.54		
Capital Clean up	73,219.75		
Utilites Cash	52.91		
E911 Cash	55,754.43		
Bld Maint Cash	-		
Bld Maint Time Deposit	531,381.82		
Capital Equipment	137,461.00		
Capital Equipment Deposit	269,957.90		
Data Processing	-		
Data Proc Deposit	116,553.87		
Hwy Bldg Time Deposit	1,056,819.41		
DSS Bldg	-		
DSS Bldg Time Deposit	207,843.44		
Highway striping	7,061.39		
Cap Eco Dev	74.08		
JCC Capital time cash	1,799,625.98		
JCC Cap Cash	200,962.20		
Disbursements:1/1-12/31/17			
Bal on Hand 12/31/17			
Trust Cash			
Time Deposit Cash			
Total 2017 Disb+Ending Bal		<u>\$ 6,225,487.88</u>	

PROCEEDINGS OF THE BOARD OF LEGISLATORS

	ANNUAL CASH REPORT			BALANCE 12/31/2017
	BALANCE 12/31/2016	RECEIVED 2017	DISBURSED 2017	
GENERAL FUND	22,202,833.61	81,666,050.00	86,307,511.01	17,561,372.60
TRAIL FUND	135,640.12	99,293.77	129,782.78	105,151.11
HOSPITAL FUND	8,671,004.90	87,022,699.41	76,584,753.38	19,108,950.93
COUNTY ROAD FUND	687,497.88	6,784,609.30	6,779,476.11	692,631.07
MACHINERY FUND	238,119.07	1,291,306.04	1,362,271.99	167,153.12
SOLID WASTE	768,202.73	2,278,658.89	2,274,473.72	772,387.90
WIA	7,413.39	171,354.80	168,751.04	10,017.15
SELF INSURANCE FUND	1,514,758.65	1,505,800.13	1,529,202.84	1,491,355.94
INTERNAL SERVICE FUND	2,078,826.46	16,343,178.19	15,767,171.52	2,654,833.13
TRUST & AGENCY FUND	426,608.49	15,318,851.40	15,273,256.58	472,203.31
MICRO LOAN PROGRAM	-	0.00	0.00	0.00
HOSP SP GIFT EXP/NON-EXP	27,466.77	0.00	(5.55)	27,472.32
CAPITAL FUNDS	1,934,806.11	4,290,681.77	1,355,549.91	4,869,937.97
TOTAL	38,693,178.18	216,772,483.70	207,532,195.33	47,933,466.55

ANNUAL CASH REPORT

**ANNUAL CASH REPORT
COUNTY INDEBTEDNESS**

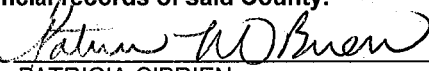
TYPE & PURPOSE	OUTSTANDING 12/31/2017	MATURITY DATE
SERIAL-GENERAL OBLIGATION 2010 RECONSTRUCTION HOSP FACILITES	0.00	2030
2010 GENERAL OBLIGATION COURT HOUSE PROJECT	8,365,000.00	2037
2016 DIALYSIS AND MEDITECH BOND HOSPITAL	0.00	2020

STATE OF NEW YORK}

SS:

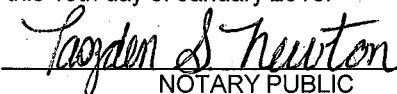
COUNTY OF LEWIS}

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, 2017, as shown by the official records of said County.


PATRICIA O'BRIEN

Subscribed and Sworn to Before Me
this 19th day of January 2018:

Taszden S. Newton
Notary Public, State of New York
Qualified in Lewis County
No. 01NE6366705


NOTARY PUBLIC

My commission expires November 6, 2021

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

ANNUAL CASH REPORT

CAPITAL FUNDS WORKSHEET

	Bal 1/1/16	RECEIPTS	DISB	END BAL 12/31/16
Bridges Cash	129,272.75	188,441.04	201,182.34	116,531.45
Mad River Bridge hah201	-		0.00	0.00
West Road Rehab	-		0.00	0.00
Em Radio Cash	-	406,283.02	119,163.22	287,119.80
Em Radio Time Deposit	14,764.15			9,518.54
Capital Building Cash				0.00
Capital-Building Time Deposit				0.00
Utilities Cash	52.91			52.91
Cap Clean up	36,753.25	40,000.00	3,533.50	73,219.75
E 9ll Cash	55,754.43			55,754.43
Paving Time Deposit	-			0.00
Building Maintenance Cash	12,005.63	39,753.82	51,759.45	0.00
Bldg Maint Time Deposit	567,877.73			531,381.82
Capital Equipment	83,202.33	511,593.20	457,334.53	137,461.00
Capital Equipment Deposit	245,668.23			269,957.90
Data Processing	5,000.83	4,865.40	9,866.23	0.00
Data Processing	121,259.49			116,553.87
Hwy Bldg Time Deposit	455,908.17			1,056,819.41
DSS Bldg	-	1,034,645.29	1,034,645.29	0.00
DSS Bldg Time Deposit	0.47			207,843.44
Deer River Rd	-			0.00
Cap JCC Time Deposit	-			1,799,625.98
Cap JCC Cash		2,000,000.00	1,799,037.80	200,962.20
Co Rd Striping	7,211.75	65,100.00	65,250.36	7,061.39
Cap Eco Dev	73.99			74.08
totals	1,734,806.11	4,290,681.77	3,741,772.72	4,869,937.97

Capital Bridges:	Bal 1/1/17	Receipts	Disb	End Bal 12/31/17
HAFBeaver River	-	17,956.45	17,956.45	-
HAK Jerden Falls	100,351.83		74,844.37	25,507.46
HAM Blue St	28,920.92	129,884.59	108,381.52	50,423.99
HAO Sugar River	-	40,600.00	0.00	40,600.00
	129,272.75	188,441.04	201,182.34	116,531.45

TOWN TAX WARRANTS

TAX WARRANT TOWN OF CROGHAN

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.9416480
Croghan Fire Protection	0.734553	General Tax Key-Outside Town	2.605095
Beaver Falls Fire Dist	2.357239	Highway Tax Key	
Beaver Falls Light Dist	0.920686	County Tax Key Cty	2.981137
<u>Equalization Rate 57</u>		County Tax Key NY	9.900152

STATE OF NEW YORK }
 }
 County of Lewis }

To: Chelsea Cowan

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	\$ 763,802.33		763,802.33
Town Outside Tax Levy General	\$ 2,400.00		2,400.00
Highway Money-Outside Village Item 1 (Donovan Plan)Outside Village Item 1A	\$ 479,680.00		479,680.00

Special District Tax:

Croghan Fire Protection			130,800.00
Beaver Falls Fire District			33,605.54
Beaver Falls Light District			12,000.00
Sewer			36,167.04

TOTAL TO SUPERVISOR \$ 1,458,454.91

TO THE COUNTY TREASURER:

County Tax	\$ 2,413,861.00		
Levy & Assess BR Regulating District	\$		
Workmen's Compensation Insurance	\$ 0.00		
			\$ <u>2,413,861.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 153,728.70		
Returned Village Tax	\$ 10,879.23		
Amount Spread on Town	\$ 782.54		
			\$ <u>165,390.47</u>

TOTAL TO COUNTY TREASURER \$ 2,579,251.47

WHOLE AMOUNT OF WARRANT \$ 4,037,706.38

LESS: Balance Due Town	\$		
Amount Paid County Treasurer	\$		\$ 0.00



NET AMOUNT OF WARRANT \$ 4,037,706.38

AMOUNT OF TAX LIST(Final Recapitulation) \$ 4,037,706.69

Excess/Deficit \$ (0.69)

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 21st day of December, in the year two thousand seventeen.

 Chairman
 Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT
TOWN OF DENMARK**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	4.099867
Denmark Fire Protection	0.561782	General Tax Key-Outside Town	2.590311
<hr/>		Highway Tax Key	
Equalization Rate	100.00	County Tax Key Cty	1.694713
<hr/>		County Tax Key NY	5.642797

STATE OF NEW YORK)
 ss:
County of Lewis }

To: Prudence Greene

Collector of the Town of DENMARK

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$	<u>623,922.00</u>	\$	<u>623,922.00</u>
Town Outside Tax Levy General	\$	<u>0.00</u>	\$	<u>0.00</u>
Highway Money-Outside Village Item 1 (Donovan Plan)Outside Village Item 1A	\$	<u>295,268.00</u>	\$	<u>295,268.00</u>

Special District Tax:

Denmark Fire Protection		66,306.00
RW231		<u>1,791.96</u>

TOTAL TO SUPERVISOR \$ 987,287.96

TO THE COUNTY TREASURER:

County Tax	\$	<u>1,119,885.00</u>	
Levy & Assess BR Regulating District	\$	<u> </u>	
Workmen's Compensation Insurance	\$	<u>0.00</u>	
			\$ <u>1,119,885.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$	<u>93,350.02</u>	
Returned Village Tax	\$	<u>38,157.71</u>	
Amount Spread on Town	\$	<u>371.06</u>	
			\$ <u>131,878.79</u>

TOTAL TO COUNTY TREASURER \$ 1,251,763.79

WHOLE AMOUNT OF WARRANT \$ 2,239,051.75

LESS: Balance Due Town	\$	<u> </u>	
Amount Paid County Treasurer	\$	<u> </u>	\$ <u>0.00</u>

NET AMOUNT OF WARRANT \$ 2,239,051.75

EXCESS/DEFICIT \$ 0.63
\$ 2,239,052.38

AMOUNT OF TAX LIST(Final Recapitulation)

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 21st day of December, in the year two thousand seventeen.

Michael A Talbot Chairman
Peresa Clark Clerk

TOWN TAX WARRANTS

TAX WARRANT TOWN OF DIANA

SPECIAL DISTRICT TAX KEY		
Diana Fire Protection	0.699359	General Tax Key-Town Wide 2.162672
Natural Bridge Fire District	1.689771	General Tax Key-Outside Town 1.315672
Natural Bridge Light District	0.609225	Highway Tax Key
Equalization Rate 100		County Tax Key Cty 1.700508
		County Tax Key NY 5.642927

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>365,863.00</u>	\$	365,863.00
Town Outside Tax Levy General	\$	<u>3,000.00</u>	\$	3,000.00
Highway Money-Outside Village Item 1	\$	<u>196,339.00</u>		
(Donovan Plan)Outside Village Item 1A	\$		\$	<u>196,339.00</u>

Special District Tax:

Diana Fire Protection		107,280.00
Natural Bridge Fire District		3,157.00
Natural Bridge Light District		<u>350.00</u>

TOTAL TO SUPERVISOR \$ 675,989.00

TO THE COUNTY TREASURER:

County Tax	\$	<u>1,159,959.00</u>		
Levy & Assess BR Regulating District	\$		\$	
Workmen's Compensation Insurance	\$	<u>0.00</u>	\$	<u>1,159,959.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$	<u>227,188.65</u>		
Returned Village Tax	\$	<u>25,885.37</u>	\$	
Amount Spread on Town	\$	<u>71.22</u>	\$	<u>253,145.24</u>

TOTAL TO COUNTY TREASURER \$ 1,413,104.24

WHOLE AMOUNT OF WARRANT

LESS: Balance Due Town	\$		\$	
Amount Paid County Treasurer	\$	<u>0.00</u>	\$	<u>0.00</u>

NET AMOUNT OF WARRANT \$ 2,089,093.24

AMOUNT OF TAX LIST(Final Recapitulation) \$ 2,089,093.47

Excess/Deficit \$ 0.23

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 21st day of December, in the year two thousand seventeen.

Michael A. Talbot Chairman
Peressa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT
TOWN OF GREIG**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.069906
Greig Fire Protection	0.315741	General Tax Key-Outside Town	
Brantingham Water Control	0.021901	Highway Tax Key	
Equalization Rate 100		County Tax Key Cty	1.700551
		County Tax Key NY	5.642800

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>661,995.00</u>	\$	<u>661,995.00</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>70,008.00</u>
Brantingham Water Control		<u>1,800.00</u>

TOTAL TO SUPERVISOR \$ 733,803.00

TO THE COUNTY TREASURER:

County Tax	\$	<u>1,569,439.00</u>		
Workmen's Compensation Insurance	\$	<u>0.00</u>		
			\$	<u>1,569,439.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$	<u>165,477.71</u>		
Returned Village Tax	\$	<u> </u>		
Amount Spread on Town	\$	<u>434.08</u>		
			\$	<u>165,911.79</u>

TOTAL TO COUNTY TREASURER \$ 1,735,350.79

WHOLE AMOUNT OF WARRANT

			\$	<u>2,469,153.79</u>
LESS: Balance Due Town			\$	<u> </u>
Amount Paid County Treasurer			\$	<u>0.00</u>

NET AMOUNT OF WARRANT

\$ 2,469,153.79

AMOUNT OF TAX LIST(Final Recapitulation)

Excess/Deficit \$ 0.02
\$ 2,469,153.81

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 21st day of December, in the year two thousand seventeen.

Michael A. Talbot Chairman
Peresa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT
TOWN OF LEWIS**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	7.760972
Lewis Fire Protection	0.543272	General Tax Key-Outside Town	
<hr/>		Highway Tax Key	
Equalization Rate 107.88		County Tax Key Cty	1.576292
<hr/>		County Tax Key NY	5.230450

STATE OF NEW YORK)
 ss:
 County of Lewis }

To : Christina Stinebrickner

Collector of the Town LEWIS

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 532,220.00	\$ 532,220.00
Town Outside Tax Levy General	\$ _____	\$ _____
Highway Money-Outside Village Item 1	\$ _____	
(Donovan Plan)Outside Village Item 1A	\$ _____	\$ _____

Special District Tax:

Lewis Fire Protection	38,104.00
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TOTAL TO SUPERVISOR \$ 570,324.00

TO THE COUNTY TREASURER:

County Tax	\$ 453,631.00	
Workmen's Compensation Insurance	\$ _____	
		\$ <u>453,631.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 85,096.35	
Returned Village Tax	\$ _____	
Amount Spread on Town	\$ 353.79	
		\$ <u>85,450.14</u>

TOTAL TO COUNTY TREASURER \$ 539,081.14

WHOLE AMOUNT OF WARRANT \$ 1,109,405.14

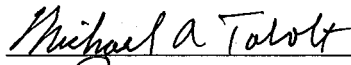
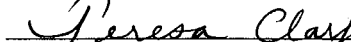
LESS: Balance Due Town	\$ _____	
Amount Paid County Treasurer	\$ _____	\$ <u>0.00</u>

NET AMOUNT OF WARRANT \$ 1,109,405.14

	\$ _____	
	\$ _____	
AMOUNT OF TAX LIST(Final Recapitulation)	Excess/Deficit	\$ <u>0.06</u>
		\$ <u>1,109,405.20</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 21st day of December, in the year two thousand seventeen.

 Chairman
 Clerk

TOWN TAX WARRANTS

TAX WARRANT TOWN OF LEYDEN

SPECIAL DISTRICT TAX KEY		
Leyden Fire Prot & Ambulanc 0.324113	General Tax Key-Town Wide	3.164381
Equilization rate 100	General Tax Key-Outside Town	1.683017
	Highway Tax Key	
	County Tax Key Cty	1.700497
	County Tax Key NY	5.642626

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	\$	<u>302,683.00</u>	\$	<u>302,683.00</u>
Town Outside Tax Levy General	\$	<u>16,550.00</u>	\$	<u>16,550.00</u>
Highway Money-Outside Village Item 1 (Donovan Plan)Outside Village Item 1A	\$	<u>125,740.00</u>	\$	<u>125,740.00</u>

Special District Tax:

Leyden Fire Protection & Ambulance 28,175.00

TOTAL TO SUPERVISOR \$ 473,148.00

TO THE COUNTY TREASURER:

County Tax	\$	<u>706,327.00</u>		
Workmen's Compensation Insurance	\$	<u>0.00</u>	\$	<u>706,327.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$	<u>115,629.08</u>		
Returned Village Tax	\$	<u>31,886.23</u>	\$	<u>147,908.42</u>
Amount Spread on Town	\$	<u>393.11</u>	\$	<u>147,908.42</u>

TOTAL TO COUNTY TREASURER \$ 854,235.42

WHOLE AMOUNT OF WARRANT \$ 1,327,383.42

LESS: Balance Due Town \$ _____
Amount Paid County Treasurer \$ _____

NET AMOUNT OF WARRANT \$ 1,327,383.42

AMOUNT OF TAX LIST(Final Recapitulation) \$ 1,327,383.48

Excess/Deficit \$ 0.06

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 21st day of December, in the year two thousand seventeen.

Michael A. Tolbott Chairman
Peresa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT
TOWN OF LOWVILLE**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	2.351466
Lowville Fire Protection	0.265353	General Tax Key-Outside Town	2.297729
<hr/>		Highway Tax Key	
Equalization Rate 100		County Tax Key Cty	1.700525
<hr/>		County Tax Key NY	5.642701

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	\$ 641,377.00	\$ 641,377.00
Town Outside Tax Levy General	\$ 28,384.00	\$ 28,384.00
Highway Money-Outside Village Item 1	\$ 209,459.00	
(Donovan Plan)Outside Village Item 1A	\$	\$ 209,459.00

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		45,996.53
Lowville Water		

TOTAL TO SUPERVISOR \$ 968,545.53

TO THE COUNTY TREASURER:

County Tax	\$ 2,019,701.00	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ 0.00	
		\$ <u>2,019,701.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 109,826.12	
Returned Village Tax	\$ 62,761.03	
Amount Spread on Town	\$ 1,468.57	
		\$ <u>174,055.72</u>

TOTAL TO COUNTY TREASURER \$ 2,193,756.72

WHOLE AMOUNT OF WARRANT

LESS: Balance Due Town	\$	
Amount Paid County Treasuer	\$	\$ <u>0.00</u>

NET AMOUNT OF WARRANT \$ 3,162,302.25

AMOUNT OF TAX LIST(Final Recapitulation) \$ 3,162,302.25

Excess/Deficit \$ 0.00

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 21st day of December, in the year two thousand seventeen.

Michael A. Talbot Chairman
Peresa Clark Clerk

TOWN TAX WARRANTS

TAX WARRANT TOWN OF LYONSDALE

SPECIAL DISTRICT TAX KEY		
Lyonsdale Fire Protection	0.434304	General Tax Key-Town Wide 4.175716
Lyonsdale Light District	0.529021	General Tax Key-Outside Town 2.298429
Equalization Rate: 89		Highway Tax Key
		County Tax Key Cty 1.911333
		County Tax Key NY 6.342216

STATE OF NEW YORK}

ss:

County of Lewis }

To: Tracy Hoage

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	\$ 336,915.00	\$ 336,915.00
Town Outside Tax Levy General	\$ 3,300.00	\$ 3,300.00
Highway Money-Outside Village Item 1	\$ 165,449.00	
(Donovan Plan)Outside Village Item 1A	\$	\$ 165,449.00

Special District Tax:

Lyonsdale Fire Protection	37,520.00
Lyonsdale Light District	1,050.00
Water Relevy	3,590.65

TOTAL TO SUPERVISOR \$ 547,824.65

TO THE COUNTY TREASURER:

County Tax	\$ 642,693.00	
Levy & Assess BR Regulating District	\$	
Workmen's Compensation Insurance	\$ 0.00	
		\$ <u>642,693.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 84,945.06	
Returned Village Tax	\$ 11,191.31	
Amount Spread on Town	\$ 192.66	
		\$ <u>96,329.03</u>

TOTAL TO COUNTY TREASURER \$ 739,022.03

WHOLE AMOUNT OF WARRANT \$ 1,286,846.68

LESS: Balance Due Town	\$	
Amount Paid County Treasurer	\$	\$ <u>0.00</u>

NET AMOUNT OF WARRANT \$ 1,286,846.68

AMOUNT OF TAX LIST(Final Recapitulation) \$ 1,286,846.75

Excess/Deficit \$ 0.07

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 21st day of December, in the year two thousand seventeen.

Michael A. Tabola Chairman
Peresa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT
TOWN OF MARTINSBURG**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	3.649017
Martinsburg Fire Protection	0.560670	General Tax Key-Outside Town	
Glenfield Light District	0.640006	Highway Tax Key	
Martinsburg Light District	0.767037	County Tax Key Cty	1.700577
Equalization Rate 100		County Tax Key NY	5.642869

STATE OF NEW YORK
 ss:
 County of Lewis }

To: Deanna Doviak

Collector of the Town MARTINSBURG

YOU ARE HEREBY COMMANDED to collect from the persons named in the Assessment Roll annexed hereto, the sums of taxes specified opposite their respective names, together with your legal fees. And you are hereby authorized, in case of any of them shall refuse or neglect to pay such sums, to levy the same by distress and sale of his or her goods or chattels together with the cost and charges of such distress and sale according to law. And you are hereby directed and required to pay over as follows, vis:

TO THE SUPERVISOR

Town Wide Tax Levy General	\$ 324,132.00	\$ 324,132.00
Town Outside Tax Levy General	\$ _____	\$ _____
Highway Money-Outside Village Item 1	\$ _____	
(Donovan Plan)Outside Village Item 1A	\$ _____	\$ _____

Special District Tax:

Martinsburg Fire Protection	53,158.40
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	14,722.37
Martinsburg Water	6,278.66

TOTAL TO SUPERVISOR \$ 457,310.03

TO THE COUNTY TREASURER:

County Tax	\$ 632,419.00	
Levy & Assess BR Regulating District	\$ _____	
Workmen's Compensation Insurance	\$ 0.00	
		\$ <u>632,419.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 59,914.12	
Returned Village Tax	\$ _____	
Amount Spread on Town	\$ 283.14	
		\$ <u>60,197.26</u>

TOTAL TO COUNTY TREASURER \$ 692,616.26

WHOLE AMOUNT OF WARRANT \$ 1,149,926.29

LESS: Balance Due Town	\$ _____	
Amount Paid County Treasurer	\$ _____	\$ <u>0.00</u>

NET AMOUNT OF WARRANT \$ 1,149,926.29

	\$ _____	
	\$ _____	
Excess/Deficit	\$ (0.03)	
AMOUNT OF TAX LIST(Final Recapitulation)		\$ <u>1,149,926.26</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 21st day of December, in the year two thousand seventeen.

Michael A. Tabolt Chairman
Peressa Clark Clerk

TOWN TAX WARRANTS

**TAX WARRANT
TOWN OF OSCEOLA**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	7.657168
Osceola Fire Protection	0.910914	General Tax Key-Outside Town	
<hr/>		Highway Tax Key	
<hr/>		County Tax Key Cty	1.697070
Equalization Rate: 100		County Tax Key NY	5.642624

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	\$	<u>343,867.00</u>	\$	<u>343,867.00</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:

Osceola Fire Protection		<u>45,500.00</u>
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TOTAL TO SUPERVISOR \$ 389,367.00

TO THE COUNTY TREASURER:

County Tax	\$	<u>308,821.00</u>		
Levy & Assess BR Regulating District	\$	<u> </u>		
Workmen's Compensation Insurance	\$	<u>0.00</u>		
			\$	<u>308,821.00</u>

Taxes to be Re-Assessed,viz:

Returned School Tax	\$	<u>53,481.57</u>		
Returned Village Tax	\$	<u> </u>		
Amount Spread on Town	\$	<u>(0.17)</u>		
			\$	<u>53,481.40</u>

TOTAL TO COUNTY TREASURER \$ 362,302.40

WHOLE AMOUNT OF WARRANT \$ 751,669.40

LESS: Balance Due Town	\$	<u> </u>		
Amount Paid County Treasurer	\$	<u> </u>	\$	<u>0.00</u>

NET AMOUNT OF WARRANT \$ 751,669.40

AMOUNT OF TAX LIST(Final Recapitulation) Excess/Deficit \$ 0.10
\$ 751,669.50

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 21st day of December, in the year two thousand seventeen.

Michael A Talbot Chairman
Peresa Clark Clerk

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**TAX WARRANT
TOWN OF PINCKNEY**

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	10.124178
Pinckney Fire Protection	0.336470	General Tax Key-Outside Town	
<hr/>		Highway Tax Key	
<hr/>		County Tax Key Cty	1.700513
Equalization Rate 100		County Tax Key NY	5.642605

STATE OF NEW YORK}

County of Lewis }
ss:

To : Dotty Pearson

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	\$ 353,431.00	\$ 353,431.00
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
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TOTAL TO SUPERVISOR \$ 365,331.00

TO THE COUNTY TREASURER:

County Tax	\$ 217,105.00	
Levy & Assess BR Regulating District	\$ _____	
Workmen's Compensation Insurance	\$ 0.00	
		\$ <u>217,105.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 31,348.42	
Returned Village Tax	\$ _____	
Amount Spread on Town	\$ 0.07	
		\$ <u>31,348.49</u>

TOTAL TO COUNTY TREASURER \$ 248,453.49

WHOLE AMOUNT OF WARRANT \$ 613,784.49

LESS: Balance Due Town	\$ _____	
Amount Paid County Treasurer	\$ _____	\$ <u>0.00</u>

NET AMOUNT OF WARRANT \$ 613,784.49

	\$ _____	
	\$ _____	
AMOUNT OF TAX LIST(Final Recapitulation)	Excess/Deficit	\$ <u>(0.13)</u>
		\$ <u>613,784.36</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 21st day of December, in the year two thousand seventeen.

Michael A. Talbot Chairman
Peressa Clark Clerk

TOWN TAX WARRANTS

TAX WARRANT TOWN OF TURIN

SPECIAL DISTRICT TAX KEY		General Tax Key-Town Wide	6.639850
Turin Fire Protection	0.645998	General Tax Key-Outside Town	1.187601
<hr/>		Highway Tax Key	
<hr/>		County Tax Key Cty	1.696685
Equalization Rate 100		County Tax Key NY	5.642615

STATE OF NEW YORK }
 ss:
 County of Lewis }

To: Sheena Dickinson

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	\$ 445,939.00		\$ 445,939.00
Town Outside Tax Levy General	\$ 4,075.00		\$ 4,075.00
Highway Money-Outside Village Item 1	\$ 63,929.00		
(Donovan Plan)Outside Village Item 1A	\$		\$ 63,929.00

Special District Tax:

Turin Fire Protection			38,913.00
-----------------------	--	--	-----------

TOTAL TO SUPERVISOR \$ 552,856.00

TO THE COUNTY TREASURER:

County Tax	\$ 489,132.00		
Levy & Assess BR Regulating District	\$		
Workmen's Compensation Insurance	\$ 0.00		
		\$	<u>489,132.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 99,003.02		
Returned Village Tax	\$ 10,492.06		
Amount Spread on Town	\$ 0.19		
		\$	<u>109,495.27</u>

TOTAL TO COUNTY TREASURER \$ 598,627.27

WHOLE AMOUNT OF WARRANT \$ 1,151,483.27

LESS: Balance Due Town	\$		
Amount Paid County Treasurer	\$		<u>0.00</u>

NET AMOUNT OF WARRANT \$ 1,151,483.27

AMOUNT OF TAX LIST(Final Recapitulation) \$ 1,151,483.30

Excess/Deficit \$ 0.03

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 21st day of December, in the year two thousand seventeen.

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	5.145756
Watson Fire Protection	0.205223	General Tax Key-Outside Town	
		Highway Tax Key	
		County Tax Key Cty	1.700559
Equalization Rate 100.		County Tax Key	5.642812

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	\$ 990,605.00	\$ 990,605.00
Town Outside Tax Levy General	\$ _____	\$ _____
Highway Money-Outside Village Item 1	\$ _____	
(Donovan Plan)Outside Village Item 1A	\$ _____	\$ _____

Special District Tax:

Watson Fire Protection	42,003.00
Watson Light & Water Districts	6,091.44

TOTAL TO SUPERVISOR \$ 1,038,699.44

TO THE COUNTY TREASURER:

County Tax	\$ 1,424,785.00	
Levy & Assess BR Regulating District	\$ _____	
Workmen's Compensation Insurance	\$ 0.00	
		\$ <u>1,424,785.00</u>

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 110,170.43	
Returned Village Tax	\$ _____	
Amount Spread on Town	\$ 473.57	
		\$ <u>110,644.00</u>

TOTAL TO COUNTY TREASURER \$ 1,535,429.00

WHOLE AMOUNT OF WARRANT \$ 2,574,128.44

LESS: Balance Due Town	\$ _____	
Amount Paid County Treasurer	\$ _____	\$ <u>0.00</u>

NET AMOUNT OF WARRANT \$ 2,574,128.44

AMOUNT OF TAX LIST(Final Recapitulation) \$ 2,574,128.28

Excess/Deficit \$ (0.16)

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 21st day of December, in the year two thousand seventeen.

Michael A Talbot Chairman
Peresa Clark Clerk

TOWN TAX WARRANTS

TAX WARRANT TOWN OF WEST TURIN

<u>SPECIAL DISTRICT TAX KEY</u>	<u>General Tax Key-Town Wide</u>	<u>3.508860</u>
Turin Fire Protection 0.571650	General Tax Key-Outside Town	1.541208
Constableville Fire Protection 0.494753	Highway Tax Key	
<u>Equalization Rate: 100</u>	County Tax Key Cty	<u>1.699752</u>
	County Tax Key NY	<u>5.642777</u>

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	\$ 455,134.00	\$ 455,134.00	
Town Outside Tax Levy General	\$ 4,446.00	\$ 4,446.00	
Highway Money-Outside Village Item 1	\$ 138,066.00		
(Donovan Plan)Outside Village Item 1A	\$	\$ 138,066.00	

Special District Tax:

Turin Fire Protection	14,031.00
Constableville Fire Protection	34,405.00

TOTAL TO SUPERVISOR \$ 646,082.00

TO THE COUNTY TREASURER:

County Tax	\$ 911,289.00		
Levy & Assess BR Regulating District	\$		
Workmen's Compensation Insurance	\$ 0.00		
		<u>911,289.00</u>	

Taxes to be Re-Assessed, viz:

Returned School Tax	\$ 145,211.72		
Returned Village Tax	\$ 55,680.90		
Amount Spread on Town	\$ 360.50		
		<u>\$ 201,253.12</u>	

TOTAL TO COUNTY TREASURER \$ 1,112,542.12

WHOLE AMOUNT OF WARRANT \$ 1,758,624.12

LESS: Balance Due Town \$ _____

Amount Paid County Treasurer \$ 0.00

NET AMOUNT OF WARRANT \$ 1,758,624.12

AMOUNT OF TAX LIST(Final Recapitulation) \$ 1,758,624.71

Excess/Deficit \$ 0.59

And make out your return on or before the first day of February next, for which this shall be your WARRANT, AND HEREOF FAIL NOT.

Given under the Seal of the Board of Legislators of Lewis County and signed by the Chairman and the Clerk of such Board at Lowville, N.Y. this 21st day of December, in the year two thousand seventeen.

Michael A Tololo Chairman
Peresa Clark Clerk

INDEX

-A-

ADIRONDACK NORTH COUNTRY ASSOCIATION

Contract 2018.....629

ADIRONDACK PARK/AP LOCAL GOVERNMENT REVIEW BOARD

Support Ballot Proposal Create Land Account Municipal Use Forest Preserves.....469

Contract 2018.....629

ADMINISTRATIVE MANUAL

Adopt Electronic Communications/Device Use Policy420

Adopt Government Vehicles/Machinery Surplus On-Line Auction421

Adopt Inclement Weather Policy Workplace Closures649

AGRICULTURE AND FARMLAND PROTECTION BOARD

Appoint Board Member Tabolt.....563

AGRICULTURAL SOCIETY

Contract 2018.....629

ALCOHOL & SUBSTANCE ABUSE SERVICES (See Community Services)

AMERICAN MAPLE MUSEUM

Contract 2018.....629

ARC of ONEIDA-LEWIS

Contract 2018.....629

Agreement NYSARC/Upstate Cerebral Palsy Transportation Services.....639

ATV'S

Open Roads Special SNIRT Run Event.....112

Set Hearing Date Trail Additions Bauer Property116

Set Hearing Date Trail Addition Yancey Property117

SEQRA Review Add Bauer Property Trail System171

Incorporate Bauer Property Trail System173

SEQRA Review Add Yancey Property Trail System.....174

Incorporate Yancey Property Trail System.....176

Close Portion West Road SNIRT Run Event178

Comment NYSDEC Recreation Management Plan Croghan/Watson Easements264

Appropriate ATV Permit Revenue Club Membership275

Motion Director Negotiate Land Purchase –Old G&W Railroad.....323

Consolidated Funding Grant Application Trail Development.....330

Set Hearing Date Trail Additions331

No Significant Impact SEQRA Add Barrett Property Trail System.....362

Incorporate Barrett Property Trail System.....364

No Significant Impact Add New Trail Montague/Pinckney.....366

Incorporate Montague/Pinckney Property Trail System.....368

INDEX

No Significant Impact Add Farrell Property Trail System	369
Incorporate Farrell Property Trail System	371
No Significant Impact Add Morgan Property Trail System	373
Incorporate Morgan Property Trail System	375
No Significant Impact Add Mueller Property Trail System	376
Incorporate Mueller Property Trail System	378
Set Hearing Date Additions Trail System Singing Waters.....	380
No Significant Impact Add Singing Waters Park.....	424
Incorporate Singing Waters Park Property Trail System.....	426
Set Hearing Date Add Painter Property Trail System	427
Appropriate ATV Permit Revenue Trail Maintenance	487
No Significant Impact Add Painter Property	489
Incorporate Painter Property	490
Agreement Ayers Law Firm Recreation Trails.....	527
Set Hearing Date Add West Turin Properties Trail System	594
Set Hearing Date Add West Turin/Lyons Falls Properties Trail System	595
Agreement Chamber Commerce ATV Permit Services	607
No Significant Impact Add West Turin Properties Trail System	608
Incorporate West Turin Properties Trail System	610
No Significant Impact Add West Turin/Lyons Falls Properties Trail System	612
Incorporate West Turin/Lyons Falls Properties Trail System	614

-B-

BOARD OF LEGISLATORS

Appoint Temporary Chairman.....	1
Elect Chairman Tabolt	1
Legislative Committee Assignments	1
Newspaper Designations.....	4
Adopt Standing Rules	9
Appoint Vice Chairman	9
Blanket Undertaking	10
Waive Surety Bond.....	11
Newspaper Designation-Democrat	46
Appropriate Contributions Lyons Falls Alive.....	70
Extend Deputy Clerk of Board	103
Honor Legislator Hathway Motion Hold Meeting Harrisville	463
Transfer Contingency Leadership Academy Scholarship.....	472
Motion Post Meeting Minutes County Website.....	567
Schedule 2018 Organizational Meeting.....	697

BROADBAND

Agreement Mohawk Networks Lease County Tower/Shelter Space	222
--	-----

BUDGET

2018 Budget Message	520
---------------------------	-----

INDEX

Local Law Intro. 4-2017 Override Tax Cap	526
Set Hearing Date Intro. 4-2017	527
Set Public Hearing 2018 Tentative Budget.....	529
Reset Public Hearing 2018 Tentative Budget Newspaper Didn't Publish Notice.....	564
Reset Hearing Date Local Law Intro. 4-2017 Override Tax Cap.....	565
Adopt Local Law 5-2017 Override Tax Cap	571
Adopt 2018 Budget.....	592
Levy 2018 Tax Adopted Budget.....	593
Local Law Intro. No. 6-2017 Rescind Local Law No. 5-2017 Override Tax Cap	605
Set Public Hearing Date Intro. No. 6-2017.....	606
Levy Taxes/Assessments Town Budgets & Correct Tax Rolls	693
Adopt Local Law No. 7-2017 Rescind Override Tax Cap	698

BUILDING AND FIRE CODES

Transfer Funds Education Materials.....	117
Transfer Capital Equipment Funds Lease Truck	118

BUILDINGS AND GROUNDS

Agreement Snow Plowing Tower Sites	27
Motion Fill Custodial Worker.....	105
Transfer Funds Utility Expenses.....	119
Motion Fill Building Maintenance Worker	150
Create Temporary HVAC Technician	179
Agreement Advance2000 Telephone System Maintenance	208
Transfer Funds Cover Telephone Maintenance Increase.....	209
Appropriate NYSERDA Incentive Award.....	289
Motion Award BCA Architects & Engineers Facilities Strategic Plan (Tabled)	323-324
Motion Request Senator Griffo Un-encumber JCC Bldg Funds	324
Transfer Contingency Radio/Antenna New Court House	381
Motion Agreement BCA Architects Facilities Plan.....	415
Agreement Siemens Industries HVAC DSS Building.....	429
Agreement Siemens Industries HVAC PSB Building.....	429
Agreement Trane Building Services HVAC Court House430	
Transfer Funds Space & Building Condition Study	478
Agreement Unified Court System Bldg Maintenance	530
Appropriate Capital Highway Building Account	692

-C-

CHAMBER OF COMMERCE

Designate Chamber Tourist Promotion Agency Commit Matching Funds.....	431
Agreement ATV Permit Services	607
Tourism/I Love NY Contracts 2018	629

CHILDREN WITH SPECIAL NEEDS (See Public Health)

INDEX

CIVIL SERVICE

Increase Hours Keyboard Specialist59
Transfer Funds Fee Increases.....119

CLERK OF LEGISLATIVE BOARD (See Board of Legislators)

COMMUNITY DEVELOPMENT BOCK GRANTS (See Snow Belt Housing)

COMMUNITY SERVICES

Appoint Member CSB11
Appoint Member CSB Alcohol Substance Abuse Sub-Committee.....12
Appoint Member CSB Alcohol Substance Abuse Sub-Committee.....13
Agreement Credo Community Center13
Appoint Member CSB Mental Health Sub-Committee14
Appoint Member CSB Mental Health Sub-Committee14
Agreements MVPS/NYSARC/NRCIL.....15
Agreement One Path Career Partners16
Agreement Rubenzahl, Knudsen & Associates Psychological Services17
Agreement Transitional Living Services18
Agreement Transitional Living Services19
Transfer Contingency Funds Credo Expense20
Appropriate Funds TLS/NRCIL Expenses59
Appropriate/Unappropriate State Aid-MVPs60
Appropriate State Fund NRCIL Expense60
Appropriate State Funds TLS Expense.....61
Appropriate State Funds NYSARC Expense.....62
Appoint Member CSB Mental Health Sub-Committee Collete120
Transfer Funds TLS Expense.....120
Agreement Coordinated Care Services Specialized Financial Management.....220
Transfer Funds Financial Management Services Expense222
Appropriate Proceeds Suicide Prevention Walk.....253
Appropriate MH Memorial Savings Suicide Prevention352
Transfer Funds Telephones.....383
Lease Agreement TLS482
Motion Fill Keyboard Specialist.....519
Agreement Coordinated Care Services Financial Management Services.....531
Agreement Credo Community Treatment Center.....533
Agreement Mountain View/NYSARC/NRCIL534
Agreement One Path Career Partners535
Agreement Rubenzhal, Knudsen Assoc. Psychological Services.....536
Agreement Transitional Living Services Community Programs.....537
Agreement Transitional Living Services Out-Patient Clinic Services538
Agreement Transitional Living Services One-time Payment538
Un-Appropriate State Funds Reduced Funding.....539
Amend Agreement Transitional Living Services Lease546
Retain Special Counsel Recover Damages Opioid Edpidemic.....547

INDEX

Appointment CSB Alcohol Substance Abuse Sub-Committee	659
Appointment CSB Alcohol Substance Abuse Sub-Committee	659
Appointment CSB Alcohol Substance Abuse Sub-Committee	660
Appointment Community Services Board Vance.....	660
Appointment CSB Developmental Disabilities Sub-Committee.....	661
Appointment CSB Developmental Disabilities Sub-Committee.....	662
Appointment CSB Developmental Disabilities Sub-Committee.....	662

CONSTABLE HALL ASSOCIATION

Contract 2018.....	629
--------------------	-----

COOPERATIVE EXTENSION

Agreement Dr. Stillman Maintain Bee House County Property.....	254
Support Cooperative Extension Associations.....	470
Contract 2018.....	629

CORONER (See District Attorney)

CORPORATE COMPLIANCE

Adopt HIPAA Policies.....	333
---------------------------	-----

COUNTY ATTORNEY

Motion fill Assistant County Attorney	5
Create Temporary Assistant County Attorney.....	26
Local Law Intro. No. 1-2017 Residency Requirements Asst County Atty	55
Set Hearing Date Local Law Intro. No. 1-2017.....	56
Set Salary Assistant County Attorney.....	70
Adopt Local Law No. 2-2017 Residency Requirements Asst County Atty	111

COUNTY CLERK

Lease Agreement One Day Associates DMV Offices.....	62
Authorize Student Worker DMV.....	63
Urge State Increase County Share DMV Service Fees.....	180
Authorize Temporary Student Worker	181
Increase Hours Temporary Student Intern.....	255
Transfer Capital Funds Purchase Computers.....	256
Motion Fill Motor Vehicle Application Examiner	281
Appropriate Capital Funds Purchase Computers.....	290
Create Temporary DMV Clerk	352
Agreement Elavon Merchant Processing.....	383
Appropriate Capital Funds Purchase Computers.....	407
Appropriate Capital Funds Purchase Computer	432
Agreement Info Quick Solutions Computer Services.....	540
Transfer Funds Postage/Supplies Expense	620
Create Temporary DMV Clerk	621

INDEX

COUNTY MANAGER

Authorize County Manager Approve Budget Transfers Up To \$5,000.....63
Appoint County Manager Piche.....290

- D -

DEVELOPMENT AUTHORITY OF NORTH COUNTRY

Agreement GIS Web-Based Hosting303
Appoint Member DANC Board.....384

DISTRICT ATTORNEY

Agreement Kevin Edmonds Investigator.....20
Agreement Mark Tuttle.....21
Appropriate Forfeiture Funds Conference Expense121
Agreement Robert Ackley Forensic Pathologist.....182
Agreement Vonnice Joels Forensic Communications/Reports.....182
Appropriate Federal Money334
Appropriate Contingency Various Expenses335
Appropriate Forfeiture Proceeds Conference Expense385
Appropriate Federal Money Police Officer Expense.....433
Transfer Contingency Cover Prosecution Expense471
Transfer Contingency Appellate Services541
Agreement NYS Division Criminal Justice Aid-To-Prosecution.....648
Appropriate Federal Money Conference Expense663
Appropriate Arrest Proceeds Conference Expense.....663
Agreement John Cirando Esq. Appellate Services664
Agreement Mark Tuttle Coroner Investigation Services664

DMV (See County Clerk)

DOG QUARANTINE

Dog Quarantine.....621

DOUBLE PLAY COMMUNITY CENTER

Agreement Community Services121

- E -

ECONOMIC DEVELOPMENT

Appointments CEDS Committee.....275
Appropriate Funds Leadership Academy Sponsorships291
Motion Fee Printed Progress Report Regional Council.....461
Transfer Contingency Leadership Academy Scholarship.....472

ELECTIONS

Transfer Funds Voting Machine Expense.....588
Transfer Fund Balance Voting Machines691

INDEX

EMERGENCY MANAGEMENT

Accept FEMA Grant Update Hazard Mitigation Plan	66
Appropriate Homeland Security HazMat Grant Funds	294
Agreement Homeland Security Equipment Operations Center	472
Agreement Homeland Security Support Operations.....	473
Agreement Tetra Tech Update Hazard Mitigation Plan	474
Appropriate Homeland Security Grant Funds	541
Adopt Spontaneous Volunteer Disaster Management Plan	622
Appropriate State Grant Funds Fire Protection Hoods	665

EMERGENCY MEDICAL SERVICES

Appoint Member EMS Regional Council Astafan	122
---	-----

EMPLOYMENT AND TRAINING (See Workforce Investment)

ENERGY

Support State Legislation Large Scale Renewable Energy Resources	256
--	-----

E-911

Appoint Oversight Board Members.....	64
Agreement C&S Engineers Emergency Communications Project.....	73
Agreement NYS Homeland Security Communications System Maintenance	92
Agreement United Radio Preventive Maintenance.....	94
Agreement Aviat Networks Radio System Maintenance	139
Agreement Syracuse University Governance Structure Radio System	140
Agreement Homeland Security Interoperability Grant.....	292
Appropriate Homeland Security Interoperability Grant Funds	293
Appointments E-911 Oversight Board.....	293
Local Law Intro. No. 4-2017 Establish Wireless Surcharge (Procedure Error)	329
Agreement C&S Companies TAC Channel Technical Support	385
Motion Contract EF Johnson Radio Support Services	414
Agreement Cummins Sales Maintain Tower Site Generators	428
Extend Homeland Security Grant Agreement Radio Communications	443
Agreement Deveines Enterprises Snowplow Tower Sites.....	444

ETHICS BOARD

Appoint Member Gillette.....	623
------------------------------	-----

- F -

FIRE ADVISORY BOARD

Authorize Fire Advisory Board Expenses	22
--	----

FIRE DEPARTMENTS/COORDINATOR

Appoint Deputy Fire Coordinators	4
--	---

INDEX

Agreement Lowville Fire Department71
Agreement Harrisville Fire Department Siren County Tower.....138

FISH and WILDLIFE MANAGEMENT BOARD

Appoint Member Dolhof.....624
Appoint Member Jones624

- H -

HEALTH INSURANCE

Authorize Vendor CanaRx Services23
Approve Voluntary Alternative Plans.....386

HIGHWAY

Agreement Shared Highway Maintenance Towns/Villages23
Agreement Hospital Occupation Medicine Drug/Alcohol Testing24
Adjust 2017 Budget Line Accounts25
Create Temporary Deputy Highway Superintendent.....39
Appropriate Capital Funds Road Striping.....56
Appropriate Capital Equipment Funds Truck.....57
Appropriate Capital Highway Building Funds57
Create Account Clerk.....67
Create Motor Equipment Operator124
Agreement NYSDOT Shared Services124
Motion Award Bids Bituminous Oils150
Motion Award Bid Unifirst Uniform Services150
Close Portion West Road Moe.Down Concert Event.....178
Lease-Purchase Agreement Key Government Finance New Int'l Viking Plow.....183
Create Motor Equipment Operator226
Motion Award Bids Hot Mix Pavement/Road Striping.....232
Appropriate Machinery Insurance Recovery258
Transfer Capital Funds Purchase Computers.....259
Appropriate Capital Funds 2016 & 2017 Plow Truck Leases294
Create Laborer295
Agreement Barton & Loguidice Engineers Bridge Rehabilitations336
Motion Fill MEO & HEO356
Appropriate Insurance Recovery Funds Vehicle Repair387
Agreement NYSDOT Bridge Replacement Blue St Over Whetstone Creek388
Appropriate Capital Funds Bridge Over Whetstone Creek433
Appropriate Additional CHIPS Funds Extreme Winter Expense.....434
Agreement NYSDOT Jerden Falls Bridge Over Oswegatchie River434
Appropriate Capital Funds Jerden Falls Bridge Over Oswegatchie River436
Establish Minimum Bridge Right-of-Way Purchases.....436
Motion Fill MEO & HEO462
Bridge Project Highmarket Road over North Branch Sugar River.....475
Appropriate Insurance Recovery Vehicle Repair477
Appropriate Capital Equipment Funds Truck Leases477

INDEX

Appropriate Capital Equipment Funds Purchase Tandem Truck478
Motion Charge Towns For Signs518
Appropriate Funds Highmarket Road Over Sugar River Bridge.....541
Appropriate Funds Retirement/Overtime Expenses542
Appoint Highway Superintendent Becker588
Snow Removal County Road System 2018624
Road Maintenance 2018625
Agreement NYSDOT Jerden Falls Rd. Bridge Over Oswegatchie River665
Appropriate Funds Jerden Falls Rd. Bridge Over Oswegatchie River667
Agreement Lewis County General Hospital Drug/Alcohol Testing.....667
Appropriate Fund Balance Capital Hwy/Capital Equipment Accounts691
Appropriate Capital Highway Building Account692

HISTORICAL SOCIETIES

Contract 2018 Historical Society629
Contract Lyons Falls Historical Society629
Contract 2018 Martinsburg Historical Society670
Transfer Fund Balance Martinsburg Historical County Clerk Building.....691

HOSPITAL

Create LPN's/Computer Systems Support Technician.....40
Create Physician Office Assistants67
Create Clinical Lab Tech/Nurse Case Manager.....227
Transfer Fund Balance Hospital IGT Expense270
Create Social Work Assistant273
Create Positions317
Introduced New CEO Gerald Cayer357
Create Positions407
Urge Congress Fund 340B Drug Subsidy Program.....509
Convert to FT Director Emergency Preparedness Security543
Transfer Excess IGT Funds to Contingency620
Appoint Board Managers Member Mastascusa.....626
Appoint Board Managers Member McDowell626
Appoint Board Managers Member Steckley.....627
Contract 2018 Hospital Foundation629
Adopt Human Services Transportation Plan.....640
Direct Hospital Reimburse Workers' Compensation Penalties645
Convert CAN/CT Technologists.....649

HOUSING

Authorize Planning Director Execute CDBG Documents.....58
Designate Fair Housing Task Force.....123
Set Public Hearing Input CDBG Grant.....253
Appointment Fair Housing Task Force Avallone.....257

HUDSON RIVER BLACK RIVER REGULATING DISTRICT

INDEX

Transfer Contingency HRBRRD Assessment438
Transfer Contingency HRBRRD Assessment508

HUMAN RESOURCES

Agreement Citec Business Solutions25
Reconfigure Human Resources Department.....41
Appoint HR Director Boulio.....68
Correct Term of HR Director Boulio.....91
Transfer Funds Salary Expense125
Adopt Title VI Program Plan Appoint HR Director Coordinator.....184
Create Personnel Assistance208
Agreement Susan Gydesen Staff Development Training227
Create Personnel Assistant.....337
Agreement Pivot Employee Assistance Program338
Appoint Director Boulio389
Establish Management Salary Plan.....543
Transfer Funds Line Item Expenses627

-I-

INDIGENT DEFENSE (See Public Defender)

INDUSTRIAL DEVELOPMENT AGENCY

Motion Urge IDA Board Prohibit PILOT Property Owners File Assessment Challenges....599
Establish PILOT/County Tax Abatement Policy.....668
Agreement IDA Share Director Economic Development697

INFORMATION TECHNOLOGY

Create Temporary Computer Systems Assistant69
Transfer Capital Funds Wireless Audit.....259
Purchase Mobile Device Management/Security Software669

INSURANCE

Motion Renew Liability Policies NYMIR.....149
Motion Purchase Cyber Security Policy323

- J-

JCC EDUCATION CENTER

Appropriate \$4M Building Design/Construction.....65
Transfer Contingency to JCC Capital Project.....87
Appropriate LCGH Repayments to JCC Capital Project.....87

JUNKYARDS

Appoint Member Junkyard Review Board339
Appoint Member Junkyard Review Board439
Appoint Members Junkyard Review Board.....508

INDEX

Correct Term Review Board Appointments545
Local Law Intro. No. 5-2017 Junkyard Law.....572
Set Public Hearing Local Law Intro. No. 5-2017584
Adopt Local Law 6-2017 Junkyard Law604

- L -

LEGISLATION

Support Ballot Proposal Create Land Account Using Forest Preserve Land469

LIBRARIES

Lowville Library President Patricia Burke/Mary Hunyadi Funding Request97
Agreement Lowville Free Library Purchase Laptops/Chromebooks126
Agreement Addendum North Country Library System Additional Allocation.....128
Contract North Country Library System 2018.....629
Transfer Fund Balance Turin Library Allocation691
Agreement B. Elizabeth Strong Memorial Library Turin.....697

LOCAL LAWS

Intro. No. 1-2017 Residency Requirements Assistant County Attorney55
Set Hearing Date Intro. No. 1-201756
Adopt Local Law No. 2-2017 Residency Requirements Asst County Attorney111
Intro. No. 2-2017 State Expedited Unified Solar Permit Process156
Set Hearing Date Intro. No. 2-2017169
Adopt Local Law No. 3-2017 State Expedited Unified Solar Permit Process252
Intro. No. 3-2017 Establish Wireless Communications Surcharges.....287
Set Hearing Date Intro. No. 3-2017289
Adopt Local Law No. 4-2017 Establish Wireless Surcharge (Procedure Error).....329
Intro. No. 4-2017 Override Tax Cap.....526
Set Hearing Date Intro. No. 4-2017527
Reset Hearing Date Local Law Intro. 4-2017 Override Tax Cap565
Adopt Local Law 5-2017 Override Tax Cap571
Intro. No. 5-2017 Junkyard Law572
Set Public Hearing Intro. No. 5-2017584
Adopt Local Law 6-2017 Junkyard Law604
Intro. No. 6-2017 Rescind Local Law No. 5-2017 Override Tax Cap605
Set Public Hearing Intro. No. 6-2017606
Adopt Local Law No. 7-2017 Rescind Override Tax Cap698

- M -

MEMORIAMS

Former Legislator Patrick Wallace237

MENTAL HEALTH/MENTAL HYGIENE (SEE COMMUNITY SERVICES)

INDEX

MOUNTAIN VIEW PREVENTION

Contract 2018.....629

- N -

NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Comments Recreation Management Plan Oswegatchie Easement.....28

NYS RETIREMENT SYSTEM

Standard Workday Resolution311

NURSING HOME (See Hospital)

- O -

OFFICE FOR THE AGING

Create Specialist Services For Aging72
Urge State Restore Funding.....128
Appropriate State Awarded Funds Evidence Based Programs.....209
Create Principle Account Clerk210
Appropriate Alzheimer Association Grant Funds.....296
Agreement Plan It Staffing In-Home Services Program.....296
Motion Fill Aides/Long Term Care Coordinator/EISEP Manager.....321
Create Aging Services Worker340
MOU w/DSS & NRCIL Coordinated Services Network341
Appropriate Evidence Based Program Funds.....439
Motion Fill OFA Director.....463
Transfer Funds Client Legal Services.....479
Outside Counsel Represent Elderly479
Agreement Croghan Adult Care Facility480
Mealsite Agreements 2018481
Lease Agreement TLS482
Agreements Elderly Service Providers483
Agreement Volunteer Transportation Jefferson County.....484
Amend Agreement Transitional Living Services Lease546
Appoint Director Hecker.....588
Appointments Advisory Council628
Transfer Funds Senior Events.....628
Adopt Human Services Transportation Plan.....640
Motion Fill Principal Account Clerk655
Agreement VNA Homecare Options Managed Care.....671
Agreement Fidelis Care NY Home Delivered Meals672

- P -

INDEX

PLANNING

Motion Fill Planner	103
Agreement Clark Patterson Lee Southern LC Water Study	211
Agreement Clark Patterson Lee Central LC Water Study	259
Motion Director Travel Washington, DC Farm Days	322
Appropriate Capital Funds Purchase Computers	440
Appointment Planning Board Petersen	485

PRIVILEGE OF THE FLOOR

Michele Ledoux Cooperative Extension Executive Director Plight of Dairy Farmers	3
Patricia Burkner/Mary Hunyadi Lowville Free Library	98
Dan Myers/Luann Rhone Double Play Community Center	99
Mickey Dietrich RE: Local Law Small Scale Solar Electric Systems.....	145
Kelly Kunz Reprint Flyers Wonder Wednesdays Include Mountain View.....	146
Mountain View Exec Director Arlene Hall NARCAN Training.....	146
Eric Virkler/Aileen Martin CDBG Housing Grant.....	276
Diane Damon Cole-Wireless Surcharges.....	319
DANC Carrie Tuttle Village Harrisville Dissolution	512
Snow Belt Housing Exec Director Cheryl O’Neill CDBG Grant Waiver.....	567
District Attorney Moser Request Additional Assistant DA.....	567
Erik Griffin Opposing Tops Plaza Gas Pumps	598
Erik Griffin Request Proclamation Recognize Cole Circus 80 th Anniversary.....	654

PROBATION

Urge State Fund Costs Raise the Age	129
Appropriate Capital Funds Purchase Computer Software	211
Agreement Pratt Northam Careers Here Youth Intern	261
Create Probation Officer	262
Agreement Greens Non-Secure Detention.....	297
Agreement NYSCJS Pre-Trial Release/Alternative To Incarceration.....	298
Increase Probation Officer Regular Work Week	589
Create Temporary Sr. Probation Officer.....	589
Agreement Rebenzhal, Knudsen Associates Psychological Services.....	590
Agreement Jeff-Lewis Resolution Center.....	673

PROCLAMATIONS

Fair Housing Month.....	144
Harrisville School Varsity Boys Basketball Team & Coaches.....	145
Alcohol Awareness Month/Child Abuse Prevention Month	228
Mental Health Month/Foster Parent Recognition Month	275
Recognition Catherine (Katie) Liendecker	277
Recognition Beaver River School Odyssey of Mind Team.....	277
National Nursing Home Week.....	318
Invasive Species Awareness Week.....	353
Recognize Local Citizens Grassroots Effort Combat Opiate Crisis	354
International Overdose Awareness Day.....	456
Lewis County Night Out.....	456

INDEX

Copenhagen Residents Life Saving Measures510
County Employees/Croghan Fire Dept/Search & Rescue Life Saving Measures510
National Lead Poisoning Prevention Week511
Beaver River School Varsity Boys' Cross Country Team.....597
Watson Town Supervisor Virgil Taylor601

PROCUREMENT

Amend Procurement Policy Name Sole Responsible Purchaser342

PUBLIC DEFENDER

Transfer Contingency Funds Assigned Counsel Expense550
Extend Grant Agreement NYS Indigent Legal Services591
Contract Lewis Defenders Administer Program Services706
Contract McClusky Firm Conflict Defender Services.....707

PUBLIC HEALTH

Motion Authorize Director Travel to Washington.....6
Agreement Gouverneur School PreSchool Services.....72
Transfer Funds Lead Prevention Program73
Transfer Funds Lease Vehicles132
Agreement North Country Health Home212
Student Youth Intern Pratt Northam Careers Here Program213
Agreement NYSDOH Cancer Screening Program224
Agreement NYSDOH Rabies Program263
Agreement Birnie Bus PreSchool Transportation.....298
Agreement CNY Care Collaborative Performance Activities300
Lease LCGH Office Space.....343
Agreement MVP Health Plan Select Affiliates343
Agreement NYSDOH Children w/Special Health Care Needs Program344
Motion Fill Public Health Specialist.....357
Create Public Health Specialist.....390
Agreement South Lewis School District Bioterrorism Plan392
Amend Birnie Bus Service Agreement Half-Day PreSchool440
Agreement Health Research Emergency Preparedness441
Agreement James McGuinness Associates PreSchool Software Training442
Motion Fill Public Health Nurse.....463
Agreement Kelberman Center Pre-School Services485
Agreement NYS Empire Plan Administrative Services486
Agreement CNY Care Collaborative Performance Activities550
Agreement Health Research Cancer Screening Programs.....551
Agreement Jefferson Public Health Clinic Services552
MOU Community Action Planning Council Child Care Project.....553
Appointment Health Services Advisory Board.....554
Lease Exterior Bus Space Advertising561
Motion Fill Public Health Planner570
Reclassify Principal Account Clerk630

INDEX

Transfer Funds Rabies Program Expense630
Adopt Human Services Transportation Plan.....640
Appropriate State Program COLA Funds.....703

- R-

RAILROAD SOCIETY

Contract 2018.....629

REAL PROPERTY TAX

Charge Fee Colored Tax Maps75
Agreement Paul Smith’s College Share GIS Mapping.....391

RECREATION, FORESTRY & PARKS

Agreement Hospital Occupational Medicine Drug/Alcohol Testing.....30
Motion Peter Burkholder Tap Maple Trees Hough Memorial Park.....48
Create Temporary Crew Leader/Crew Worker.....75
Motion Purchase Stump Grinder149
Agreement Bark Eater Events Peak-To-Brew-Relay214
Award Bid Purchase Stump Grinder.....231
Comment NYSDEC Recreation Management Plan Croghan/Watson Easements264
Student Workers Pratt Northam Careers Here Program275
Motion Director Travel New Hampshire National Conference.....323
Motion Director Negotiate Land Purchase ATV Trail323
Create Recreation Crew Worker345
MOU BOCES Student Internships487
Appropriate Pratt Northam Funds Trail Maintenance Personnel631
Motion Purchase New Truck655
Agreement Technological Services Group Mobile App Development679

RESOLUTIONS

Audit Allow Claims9
Adopt Standing Rules9
Appoint Vice-Chairman.....9
Blanket Undertaking10
Bond Waiver BOL Chairman11
Community Services CSB Appointments.....11
Community Services Alcohol & Sub Abuse Sub Comm Appt12
Community Services Alcohol & Sub Abuse Sub Comm Appt13
Community Services Credo Community Center13
Community Services Mental Health Sub Comm Appt.....14
Community Services Mental Health Sub Comm Appt.....14
Community Services Mtn View-NYSARC-NRCIL Agreements15
Community Services One Path Career Partners16
Community Services Rubenzahl Knudsen & Associates Psychological Services17
Community Services TLS - Community Based Programs18
Community Services TLS - Out-Patient Clinic Services.....19

INDEX

Community Services Transfer for CREDO	20
District Attorney Kevin Edmonds	20
District Attorney Mark Tuttle	21
Fire Advisory Board	22
Health Insurance Plan CanaRx	23
Highway Intermunicipal Agreement - Shared Services.....	23
Highway LCGH Occupational Medicine – Highway.....	24
Highway Transfer Funds.....	25
Human Resources CITEC Business Solutions - Supervisor Training Program	25
Law Dept Temporary Asst County Attorney	26
Radio Tower Snowplowing Agreements	27
Recreation Trails Comments on Oswegatchie RMP	28
Recreation Trails LCGH Occupational Medicine.....	30
Snow Belt Housing Agreement NYS Housing Trust Fund Corporation.....	31
Social Services Berkshire Farm Center Services for Youth	31
Social Services Credo	32
Social Services Lewis County Opportunities	33
Social Services Medlab.....	33
Social Services RKPS Training	34
Social Services Rubenzahl Knudsen & Associates	35
Social Services TLS - Psychiatric Psychological Eval.....	37
Soil & Water Bd Appt.....	37
Transportation System WWNY Channel 7 Bus Marketing Plan.....	38
Youth Resource Allocation Plan 2017.....	39
Highway Deputy Supt Position.....	40
Hospital Positions	40
Human Resources RescindRes88-2011 Establish HR Dept	41
Village of Harrisville Dissolution Study.....	44
Audit Allow Claims	55
Local Law Intro No. 1-2017 Assistant County Atty Residency Waiver	55
Set Public Hearing Local Law Intro No. 1-2017	56
Capital County Road Striping.....	56
Capital equip Transfer.....	57
Capital Highway Building	57
CDBG Program Authorize Frank Pace To Sign.....	58
Civil Service Keyboard Specialist	59
Community Services Appropriations TLS to NRCIL	59
Community Services Increase State Aid Mtn View	60
Community Services Increase-Decrease Approp	60
Community Services Reallocation TLS to NRCIL	61
Community Services State Aid Increase.....	62
County Clerk Day One Associates	62
County Clerk Student Worker	63
County Manager - Budget Transfer	63
E-911 Oversight Bd	64
Education Center Appropriation.....	65

INDEX

Emergency Management Hazard Mitigation Plan Update	66
Highway Account Clerk Position	67
Hospital Positions	67
Human Resources Director Chris Boulio Fill unexpired term.....	68
Information Technology Computer Systems Assistant	69
Law Department Asst County Atty Salary	70
Legislative Contribution Lyons Falls Alive.....	70
Lowville Volunteer Fire Department.....	71
Office For Aging Create Specialist.....	71
Public Health Gouverneur Central School- Pre-School Tuition Based Services	72
Public Health Lead Transfer	73
Radio Project CS Companies.....	73
Real Property Tax Charge Fees for Colored Maps.....	75
Recreation & Parks Crew Leader –Workers.....	75
Sheriff Black Creek Integrated Systems Corporation.....	76
Sheriff Jail Physician-LCGH	77
Sheriff NYS DOCCS Cook N Chill.....	78
Sheriff One Path Career Partners.....	79
Sheriff Oneida County - LCSD - Psychiatric Services	80
Snow Belt Housing Sub-Recipient Agreement.....	81
Social Services Agreement Hillside Children's Center Addendum.....	82
Social Services LexisNexis - Accurint for Government.....	83
Solid Waste Roy Teitsworth - Internet Auction	83
Taxation Time Warner Sp Franchise Tax Corr.....	84
Workers Comp Reimbursement Late Filings	85
Youth Bureau Appointment Groman.....	86
Education Center Inter-fund Transfer.....	87
Education Center Appropriate LCGH Repayments.....	87
Treasurer Designation of RBC as Additional Depository	88
Human Resources Correct Date Director Appointment	91
Sheriff PSAP Grant Agreement NYS Homeland Security	92
Sheriff TLS Agreement.....	93
Sheriff Transfer Funds Candidate Room Charges	94
Radio System Maintenance Service Contract.....	94
Audit Allow Claims	111
Adopt Local Law Asst Co Atty Residency.....	111
ATV SNIRT Run	112
ATV Trail Addition James Bauer Public Hearing	116
ATV Trail Addition Gordon Yancey Public Hearing.....	117
Building Codes Transfer Funds	117
Building Codes Transfer Funds Vehicle.....	118
Buildings Transfer Funds Utilities.....	119
Civil Service Transfer Funds	119
Community Services Mental Health Sub Comm.....	120
Community Services Transfer Funds TLS	120
District Attorney Appropriate NYS Reimb Funds.....	121

INDEX

Double Play Community Center - One-Time-Payment.....	121
EMS Council Appt.....	122
Fair Housing Task Force.....	123
Highway MEO Light	124
Highway NYS DOT - Shared Services Agreement.....	124
Human Resources Transfer Contingency	125
Libraries Lowville Free Library.....	126
North Country Library System	127
Office For Aging Urge Governor to Restore Critical Funding.....	128
Probation Oppose Legislation Raise The Age of Criminality	129
Public Health Transfer Funds Vehicles	132
Sales Tax Extension Home Rule Request.....	132
Snowmobile Trail Appropriations	133
Snowmobiles Support Assembly Bill-increase State Aid Enforcement.....	134
Social Services Laboratory Corporation of America Holdings	135
Social Services Transfer funds Vehicles.....	136
Solid Waste Tip Fee Schedule	136
Youth Bureau One-Time Payment.....	137
Harrisville Fire Dept Siren County Tower.....	138
Radio System Aviat Warranty Extension Agreement	139
Radio System Syracuse University Agreement	140
Snow Belt Housing Discharge of Mortgage	142
Transportation System Funding Application	143
Audit Allow Claims	156
Local Law Intro 2-2017 Building Codes Solar Permits.....	156
Local Law Public Hearing Solar Permits.....	169
ATV A Negative SEQRA James Bauer Properties	171
ATV B Add Bauer Properties Trail System	172
ATV C Negative SEQRA Gordon Yancey Property	174
ATV D Add Yancey Property Trail System.....	176
Close West Road for Moe.Down 2017	178
Close West Road for SNIRT Run 2017.....	178
Buildings Create Temporary HVAC Technician.....	179
County Clerk State Legislation Increase County % Retention.....	180
County Clerk Student Worker	181
District Attorney Robert C Ackley	182
District Attorney Vonnice L Joels	182
Highway Lease 2017 International Plow Truck	183
Human Resources Adopting Title VI Program Plan.....	184
Human Resources Create Assistant	208
Information Technology Advance2000	208
Information Technology Transfer Advance 2000.....	209
Office For Aging Appropriate Funds Tai Chi Award.....	209
Office For Aging Principal Acct Clerk.....	210
Planning Extension Clark Patterson Lee – Water Project	211
Probation Transfer Funds Computer software.....	211

INDEX

Public Health CNY HHN - dba North Country Health Home – MOU	212
Public Health Pratt Northam Careers Here Program	213
Recreation Trails Bark Eater Events	214
Sales Tax Extension	215
Sheriff Dept Appro Money K-9	216
Sheriff Transfer Inmate Board	216
Social Services Community Services Worker	217
Treasurer Transfer Fund Balance Various Accounts	218
Workers Comp Penalty Reimbursement Late Filing	218
Workforce Investment Board Appts	219
Community Services CCSI Financial Management	220
Community Services Transfer Contingency	222
Information Technology Mohawk Networks Tower Lease	222
Public Health Cancer Screening Program	224
Solid Waste Municipal Yard Waste	225
Highway MEO	225
Hospital Positions	226
Human Resources Susan Gydesen Staff Training	227
Memoriam Patrick Wallace	237
Audit Allow Claims	237
Local Law REVISED Intro Local Law No 2 Unified Solar Permit Process	239
Adopt Local Law No 3-2017 Unified Solar Permit	252
Community Services Approp Suicide Prevention Walk	253
Economic Development CDBG Public Hearing	253
Cooperative Extension -Agreement Dr. Stillman Beekeeping	254
County Clerk Student Worker	255
County Clerk Transfer Capital Data Processing funds	256
Economic Development Support State Legislation Renewable Energy	256
Fair Housing Task Force Appt	257
Highway Appropriate Insurance Recovery Machinery	258
Highway Transfer Capital Funds Computer	259
Information Technology Transfer Funds Wireless Audit	259
Labor-Safety Committee Appointments	260
Planning Clark Patterson Lee - CFA - Water Study	261
Probation Pratt Northam Careers Here	261
Probation Create Probation Officer	262
Public Health NYS DOH - Rabies Program	263
Recreation Trails RMP Croghan Tract Easement	264
Sheriff Appropriate DWI Crackdown	265
Social Services Cornell Cooperative Extension - Parent Education	266
Social Services Lewis County Opportunities Inc. - Homeless Apartment	267
Social Services Transfer Data Capital Computer	268
Solid Waste Temporary MEO	269
Transportation System Flack Broadcasting	269
Treasurer Appropriate IGT Funds	270
Workforce Development Reduce Appropriation	271

INDEX

Workforce Development.....	272
Youth Bureau Appointments	272
Hospital Position.....	273
Recreation Trails Appropriate ATV Permit Funds.....	273
Student Worker Program Pratt Northam.....	274
Recreation Trails Pratt Northam Careers Here	275
Audit Allow Claims	287
Local Law Impose Wireless Surcharges.....	287
Local Law Public Hearing	289
Buildings Appropriate NYSERDA Grant.....	289
County Clerk Transfer Funds Computer.....	290
County Manager Appointment	290
Economic Development Appropriations.....	291
E-911 Interoperable Agreement NYSHS.....	292
E-911 Interoperable Comm Grant	293
E-911 Oversight Board Appts.....	293
Emergency Management Hazmat Grant Funds	294
Highway Appropriate Funds Truck Lease Payments	294
Highway Laborer	295
Office For Aging Appropriate Alzheimer Grant Funds.....	295
Office For Aging Plan It Staffing	296
Probation Larry & Lucy Green Non-Secure Detention	297
Probation Agreement NYS Div Criminal Justice ATI	298
Public Health Birnie Bus Service Inc. - Pre-School	298
Public Health CNY Care Collaborative \$25000 funding	300
Legislation Oppose Wind Prohibition	301
Real Property GIS Web Hosting DANC	303
Sheriff Appropriate DWI Crackdown Grant.....	304
Sheriff Appropriate Contributions	304
Sheriff Appropriate Funds	305
Sheriff Appropriate Insurance Recovery	306
Sheriff Appropriate K-9 Contributions.....	306
Sheriff Appropriate Snowmobile Club Donations.....	307
Sheriff Parks and Recreation Patrols	307
Sheriff South Lewis School Resource Officer.....	308
Sheriff Transfer Capital Funds Purchase Vehicles	308
Snowbelt Discharge of Mortgage	309
Solar Project Niagara Mohawk Easement	310
Solid Waste Auctions International	311
Standard Work Day & Reporting	311
Tax Auction An Authorization to Clean Up.....	312
Tax Auction Appropriate Clean Up.....	313
Veterans Director Appointment.....	314
Veterans Keyboard Specialist.....	314
Village Lowville Mediator Kraft Heinz expansion	315
Youth Bureau Appointment.....	316

INDEX

Hospital Positions	317
Audit Allow Claims	329
Local Law Wireless Surcharge	329
ATV Trail System CFA Grant Application	330
ATV Trails Public Hearing Add Off-road Properties	331
Capital County Projects Appropriation	331
CDBG Grant Application NRCIL Building	332
Corporate Compliance Adopt HIPAA Policies	333
District Attorney Appropriate Federal Funds	334
District Attorney-Transfer Funds Medical Expenses	334
Federal Legislation Support Property Tax Reduction Act	335
Highway Barton & Loguidice Agreement	336
Human Resources Create Personnel Assistant	337
Human Resources Pivot Agreement EAP	338
Junkyard Review Board	339
Office For Aging Aging Services Worker	340
Office For Aging NY Connects	341
Procurement Policy Appoint Ryan Piche Sole Purchaser	342
Public Health LCGH Lease	343
Public Health MVP Health Plan-MVP Select Care	343
Public Health NYS DOH Children with Special Health Care Needs Grant	344
Recreation & Parks Crew Worker	345
Snowbelt Discharge Mortgage Roes	346
Snowmobile Access County Route 46	346
Social Services Appropriations Non-Res DV	347
Social Services Summer Youth Program	348
Stop DWI Crackdown Grant Funds	348
Workforce Development Appropriation	349
Workforce Development Transfer Funds	349
Workforce Innovation and Opportunity Act Designation	350
Youth Resource Allocation Plan	351
Community Services Memorial Savings to NRCIL	352
County Clerk DMV Clerk	352
Audit Allow Claims	362
Barrett Property SEQRA RESOLUTION-Negative Declaration	362
Add Barrett Property to ATV Trail	364
County Property SEQRA RESOLUTION-Negative Declaration	366
Add County Property to ATV Trail	368
Farrell Property SEQRA RESOLUTION-Negative Declaration	369
Add Farrell Property to ATV Trail	371
Morgan Property SEQRA RESOLUTION-Negative Declaration	373
Add Morgan Property to ATV Trail	375
Daniel and Mueller Property SEQRA RESOLUTION-Negative Declaration	376
Add Daniel and Mueller Property to ATV Trail	378
ATV Trails Set Public Hearing - Add Singing Waters	380
Buildings and Grounds Transfer Contingency Antenna	381

INDEX

CDBG Program Set public hearing.....	381
CDBG Grant Application OCR Housing Program.....	382
Community Services Transfer Funds.....	383
County Clerk Elavon Credit Card Agreement.....	383
Development Authority Appointment.....	384
District Attorney Trust Account Appropriation.....	385
E-911 C&S Companies Agreement TAC Channel.....	385
Health Insurance - Establish Alternative Plans.....	386
Highway Appropriate Insurance Recovery Funds.....	387
Highway Marchiselli Agreement CR 41 - Blue Street over Whetstone Creek.....	388
Human Resources Director Appoint Chris Boulio.....	389
Public Health Specialist Temporary.....	390
Public Health South Lewis School - Public Health Emergency.....	391
Real Property Tax Paul Smith College GIS mapping Adirondacks.....	392
Shared Services Property Tax Plan Opt Out 2017.....	393
Social Services Comm Service Workers.....	394
Social Services Snell Farms Children's Center.....	394
Social Services Multicultural Association of Medical Interpreters.....	395
Social Services Agreement OFA HEAP Program.....	396
Social Services Hand in Hand.....	397
Social Services Berkshire Farm Center Services.....	398
Social Services Cayuga Home For Children.....	399
Social Services Children's Home of Jefferson County.....	399
Social Services U.S. Care Systems Addendum.....	400
Solid Waste MEO Medium.....	401
Solid Waste LCGH Occupational Medicine.....	401
Transportation System Amend Birnie Bus Contract JCC Connector Route.....	402
Transportation System NYS DOT-Application ATC Funds.....	404
Workers Comp Penalty Reimbursement.....	405
Workforce Development WIOA Funds Youth.....	406
Youth Bureau Amend By-Laws.....	407
County Clerk Transfer Funds.....	407
Hospital Positions.....	407
Sales Tax Extension.....	408
Audit Allow Claims.....	420
Admin Manual Amend Electronic Device Policy.....	420
Admin Manual -On-Line Auction Policy.....	421
ATV Trails Negative SEQRA Singing Waters.....	424
ATV Trails Add Singing Waters.....	426
ATV Trails Set Public Hearing Wilk - Painter property.....	427
Buildings Cummins Sales & Service Tower Generators.....	428
Buildings Siemens DSS HVAC.....	429
Buildings Siemens PSB HVAC.....	429
Buildings Trane Court House HVAC.....	430
Chamber of Commerce I Love NY.....	431
County Clerk Transfer Capital Data Processing Funds.....	432

INDEX

District Attorney Transfer Funds Trust Acct	433
Highway Approp Funds Bridge Blue Street over Whetstone Creek	433
Highway Appropriate CHIPS Funds	434
Highway NYSDOT - Jerden Falls Road W Br Oswegatchie River	434
Highway Appropriation Jerden Falls Road Bridge.....	436
Highway Right-of-Way Minimum Compensation Policy	436
Hudson River Black River Regulating District	438
Junkyard Review Board Appointment.....	439
Office For Aging Appropriate Funds.....	439
Planning Approp Capital Data Processing Funds.....	440
Public Health Birnie Bus Service	440
Public Health HRI - Emergency Preparedness	441
Public Health James McGuinness & Associates	442
Radio Interoperable Communications Extend Homeland Security Grant.....	443
Radio Towers Deveines Snowplowing Agreement	444
Sheriff Appropriate Insurance Recovery	445
Sheriff Appropriate DWI Crackdown Funds.....	446
Snow Belt Housing CDBG Grant.....	446
Snow Belt Housing CDBG Public Hearing Homeownership Grant	447
Social Services Elmcrest Children's Center.....	448
Social Services House of the Good Shepherd.....	449
Solar Project NYSDOL Dispensation of Hours.....	449
Stop DWI Appropriate Crackdown Grant Funds.....	450
Transportation Bus Application ATC funds Bus Shelter	451
Workers Compensation Assessment.....	452
Workforce Development Board – MOU.....	453
Workforce Investment Appropriate Funds	454
Workforce Investment Board Appointment.....	454
Youth Bureau Appropriate State Aid.....	455
Audit Allow Claims	469
Ballot Proposal Create Land Bank Municipal Projects	469
Cooperative Extension Urge Increase State Appropriation	470
District Attorney Transfer Contingency DA Forfeiture Account	471
Economic Development Transfer Funds Leadership Academy	472
Emergency Management Homeland Security Grant EOC	472
Emergency Management Performance Grant.....	473
Emergency Management Agreement Tetra Tech Update Hazard Mitigation Plan	474
Highway NYS DOT Highmarket Rd over N Br Sugar River.....	475
Highway Appropriate Insurance Recovery Funds.....	477
Highway Transfer Capital Equipment Machinery Account	477
Highway Transfer Capital Equipment Tandem Truck.....	478
Legislative Transfer Funds Building & Space Study	478
Office For Aging Transfer Contingency Funds Legal Services	479
Office For Aging Company McArdle & Randall PLLC.....	479
Office For Aging Croghan Adult Care Facility	480
Office For Aging Mealsite Rentals	481

INDEX

Office For Aging TLS - Rental of Suite D Lowville Commons.....	482
Office For Aging S.T.A.T. Communications U.S. Care.....	483
Office For Aging Volunteer Transportation Center of Jefferson County.....	484
Planning Board Appointment	485
Public Health The Kelberman Center	485
Public Health NYS Empire Plan.....	486
Recreation Trails Appropriate ATV Permit Funds – Payroll	487
Recreation Trails MOU BOCES Internship	487
Recreation Trails Painter-Wilk Property SEQRA	488
Recreation Trails Add Painter-Wilk Property ATV Trail.....	490
Sheriff Morpho Trust USA	492
Sheriff West Law On-Line Inmates.....	493
Sheriff Fort Drum Boarding Prisoners.....	494
Radio Communications Transfer Contingency -E-911.....	495
Social Services TLS Gateway.....	496
Social Services William George Agency.....	497
Social Services Denog Security Services	497
Taxation Exempt Town and Village Water System	499
Transportation Bus Application ATC Funds Bus Shelter – LCGH.....	502
Transportation Bus Johnson Newspaper Advertising.....	503
Transportation Bus Channel 7 Marketing.....	504
Planning Naturally Lewis Logo	505
Transportation Bus Spectrum Reach Advertising.....	506
Treasurer Systems East Inc	506
Treasurer Transfer Funds Laptop.....	507
Hudson River Black River Regulating District	508
Junkyard Review Bd Appointments	508
Urge Continuation of full 340B Drug Reimbursement Program.....	509
Audit Allow Claims	525
Introductory Local Law Override Tax Cap	525
Local Law Public Hearing	527
ATV Trails Ayers Kenneth Legal Services ATV easements.....	527
Budget Hearing 2018	529
Buildings Unified Court System – Cleaning & Minor Repairs	530
CDBG Snow Belt Set public hearing conflict waiver	530
Community Services CCSI.....	531
Community Services Credo Community Center	533
Community Services NYSARC MVPS NRCIL Contracts	534
Community Services One Path Career Partners	535
Community Services Rubenzahl Knudsen & Associates	536
Community Services TLS - Community Based Programs	537
Community Services TLS - Out-Patient Clinic Services.....	538
Community Services -TLS-one time payment	538
Community Services Unappropriate Funds	539
County Clerk Info Quick Solutions	540
District Attorney Transfer Contingency	540

INDEX

Emergency Management Appropriate Homeland Security Grant	541
Highway Appr Bridge Highmarket Rd over Sugar River	541
Highway Appropriation Retirement Increased Payroll.....	542
Hospital Position Dir Emer Preparedness.....	543
Human Resources Management Salary Grades	543
Junkyard Review Bd Appointments	545
Office For Aging TLS - Rent Suite D Lowville Commons.....	546
Opioid Litigation.....	547
Public Defender Transfer Assigned Counsel Expense	550
Public Health CNY Care Collaborative.....	550
Public Health HRI - Cancer Screening Program	551
Public Health Jefferson Public Health Service STD-HIV	552
Public Health Jefferson-Lewis Child Care Project	553
Public Health Services Advisory Board Appt	554
Sheriff Transfer Contingency Inmate Food	555
Social Services LCGH - Rehabilitation Services.....	555
Social Services Lewis County Opportunities Inc	556
Social Services Life Line Systems.....	557
Social Services Reclassify Welfare Examiners	558
Social Services STAT Communications.....	558
Social Services Transfer Capital Data Processing Funds	559
Social Services Victim Assistance Center	560
Social Services Volunteer Transportation Center Inc.....	560
Transportation Bus Public Health Advertising	561
Workforce Development Transfer Funds WIA	562
Youth Bureau Appointments	563
Budget Hearing 2018	564
Local Law Public Hearing Override Tax Cap	565
CDBG Snow Belt Set public hearing conflict waiver	565
Local Law Adopt Override 2% Tax Cap	571
Local Law Intro No. 5-2017 Junkyards	572
Local Law Public Hearing Junkyards	584
CDBG Snow Belt Waiver of Mastascusa Conflict.....	585
Elections Transfer Funds	587
Highway Superintendent Appt.....	588
Office For Aging Appoint Director	588
Probation Increase PO Workweek to 40 hrs	589
Probation Temporary Sr PO.....	589
Probation Rubenzahl Knudsen & Associates	590
Public Defender NYS Indigent Legal Services	591
Sheriff Approp Donations Shop with a Cop.....	591
Adopt 2018 Budget.....	592
Assessing & Levy Tax 2018 Budget	593
ATV Trail Addition Public Hearing Res Zimmer	594
ATV Trail Addition Public Hearing Cherry Street.....	595
Audit Allow Claims	604

INDEX

Local Law Adopt Junkyard Law.....	604
Local Law Intro No. 6-2017) Rescind Override Tax Cap	605
Local Law Public Hearing Rescind Override Tax Cap	606
ATV Permits Chamber of Commerce Agreement.....	607
ATV Trail SEQRA Nowwhac Descoteau & Gagnon Properties –Negative Declaration	608
ATV Trail Additions Nowwhac Descoteau & Gagnon Properties	610
ATV Trail SEQR Williams Kovach & Hurilla Properties –Negative Declaration	612
ATV Trail Additions Williams Kovach & Hurilla Properties	614
CDGB Program Adopt Income Reuse Plan.....	616
Contingency Fund Amend 2018 Budget \$200,000 from Nursing Home IGT	620
County Clerk Transfer Funds.....	620
County Clerk DMV Temporary Clerk.....	621
Dog Quarantine.....	621
Emergency Management Adopt Spontaneous Volunteer Management Plan	622
Ethics Board Appt.....	623
Fish & Wildlife Bd Appt.....	624
Fish & Wildlife Bd Appointment	624
Highway Snow Removal	625
Highway Road Maintenance.....	625
Hospital BOM Appoint Mastascusa	626
Hospital BOM Appoint McDowell.....	626
Hospital BOM Appoint Steckly.....	627
Human Resources Transfer Funds	627
Office For Aing Council Appts.....	628
Office For Aging Transfer Funds	628
Outside Agency Annual Renewals	629
Public Health Reclassify Account Clerk.....	630
Public Health Rabies Transfer	630
Recreation Trails Appropriate Funds Careers Here.....	631
Social Services Unappropriate HEAP Funds.....	631
Social Services Funds Leased Vehicles.....	632
Social Services Agreement Credo	632
Social Services Hillside Children's Center	633
Social Services Law Department Child Support	634
Social Services Law Department Abuse Neglect Purchase of Services	635
Social Services Law Department Collections & Recoveries.....	637
Social Services Resolution Center Jefferson Lewis Counties Family Meetings	638
Soil & Water Appointment	638
Transportation Bus Agreement Birnie Bus/NYSARC/UCP.....	639
Transportation Bus Adopt Human Services Coordinated Transportation Plan	640
Transportation Bus Appropriate ATC Monies	641
Transportation Bus Purchase RAV4 Hybrid.....	642
Treasurer Correct Tax Rolls.....	643
Treasurer Make Transfers	644
Treasurer Relevying Unpaid Taxes	644
Treasurer Town Tax Warrants	645

INDEX

Workers Comp Penalty Reimbursement LCGH.....	645
Workforce Development Unappropriate Funds.....	646
Workforce Development Transfer Funds	646
Workforce Development Appropriate Funds.....	647
District Attorney Aid-To-Prosecution Grant	648
Hospital Positions	649
Planning Transfer Funds Vehicles	649
Inclement Weather Policy Amended	649
Audit Allow Claims	659
Community Services Alcohol Substance Abuse SubComm-Grunert.....	659
Community Services Alcohol Substance Abuse SubComm-Ingham.....	659
Community Services Alcohol Substance Abuse SubComm-Mathys	660
Community Services CSB Appointment-Vance.....	661
Community Services Devel Disabilities Comm Appt Brabant.....	661
Community Services Devel Disabilities Comm Appt Lehman	662
Community Services Devel Disabilities Comm Appt Virkler.....	662
District Attorney Transfer Funds DA Winter Conference Airfare	663
District Attorney Appropriate Funds DA Winter Conference Registration	663
District Attorney John A Cirando	664
District Attorney Mark Tuttle	664
Emergency Management Appropriate DCJS Grant.....	665
Highway NYSDOT - Jerden Falls Rd over W Br Oswegatchie Bridge	665
Highway Jerden Falls Bridge Appropriation	667
Highway LCGH - Occupational Medicine	667
IDA PILOT-Tax Abatement Policy.....	668
Information Technology Knox Premium cellphone security licenses	669
Martinsburg Historical Society	670
Office For Aging Agreement VNA	671
Office For Aging Fidelis Care New York.....	672
Probation Agreement Resolution Center of Jefferson Lewis Counties	673
Real Property Copenhagen Assessment Challenge Shared Agreement	674
Real Property Tax Absolute Auctions Realty	675
Real Property Tax Exemption Town Village Water-Sewer	676
Recreation Trails Agreement TSG Mobile Apps.....	679
Sheriff Agreement Black Creek Integrated Systems	680
Sheriff Agreement One Path Career Partners	680
Sheriff Agreement TLS.....	681
Sheriff Appropriate Shop with a Cop donations.....	682
Sheriff Appropriation Defibrillator Fund.....	682
Sheriff Transfer Grant Funds Vehicle Computers	683
Snowmobile Trail Money 2017-2018.....	684
Social Services Center of Lifelong Education SUNY Potsdam	684
Social Services NYS OCFS	685
Social Services TLS - Psychiatric Psychological Eval	686
Solid Waste LCGH Occupational Medicine.....	687
Stop DWI Program	688

INDEX

Traffic Safety Bd Appointments	688
Transportation Bus Good Morning Realty	689
Transportation Bus Jefferson-Lewis Board of Realtors.....	690
Treasurer Absolute Auctions Realty	691
Treasurer B Fund Balance Transfers Various Accounts.....	691
Treasurer Capital Equipment Transfer.....	692
Treasurer Capital Highway Bldg Transfer.....	692
Treasurer Carry Forward Certain Funds	693
Treasurer Town Levy Taxes Town Budgets.....	693
Turin B Elizabeth Strong Memorial Library	697
2018 Organizational Meeting	697
Industrial Development Agreement Admin Services	697
Local Law Adopt No. 7 Rescind Override of 2% Tax Cap.....	698
Radio Project EF Johnson- Interopability TAC Channels Contract	700
Sheriff Transfer Contingency Inmate Medical	701
Snowmobiles Rescind Res 266-2017 - Open Osceola Road Snowmobiles	701
Public Health Appropriate COLA Funds.....	703
Social Services Community Action Planning Council Jefferson County.....	703
Social Services Lewis County Opportunities – TANF.....	704
Social Services Rubenzahl Knudsen & Associates	705
Public Defender Lewis Defenders PLLC	706
Public Defender McClusky Law Firm.....	707

- S -

SAFETY COMMITTEE

Committee Appointments	260
------------------------------	-----

SALES TAX

Request Home Rule Legislation Extend 1% Sales Tax	132
Urge Adoption Home Rule Legislation Extend 1% Sales Tax.....	215
Implement Extension 1% Sales Tax	408

SHARED SERVICES

Opt Out State’s Mandated Property Tax Savings Plan.....	393
---	-----

SHERIFF

Motion fill Correction Officer/Correction Officer-Lieutenant	47
Agreement Black Creek Integrated Systems	76
MOU LCGH Jail Physician	77
Agreement NYS Corrections Inmate Food.....	78
Agreement One Path Career Partners Inmate Mental Health Services.....	79
Agreement Oneida County Psychiatric Inmate Services	80
Motion Fill Deputy Sheriff/Criminal Investigator.....	89
Agreement Transitional Living Services Inmate Services.....	93
Transfer Funds Police Academy Expenses.....	94
Motion Fill Correction Officers	103

INDEX

Appropriate Contributions K-9 Expenses	216
Appropriate Contingency Inmate Boarding Expense	216
Appropriate Funds Overtime Expense.....	265
Appropriate DWI Crackdown Grant Funds.....	304
Appropriate NRA Foundation Contributions Purchase Pistols	305
Appropriate Jail Revenue Inmate Supplies.....	305
Appropriate Insurance Recovery Vehicle Repairs.....	306
Appropriate Contributions K-9 Expense	306
Appropriate Snowmobile Club Donations.....	307
Create Summer Recreation Patrols	307
Appropriate South Lewis School Grant Funds Resource Officer Expense	308
Transfer Capital Funds Vehicle Expense.....	309
Motion Fill Dispatcher/Correction Officer	322
Motion Fill Dispatcher/Correction Officer	355
Appropriate Insurance Recovery Vehicle Repair	445
Appropriate DWI Revenue Overtime Expense.....	446
Motion Fill Temporary Jail Nurse Approve Promotions.....	461
Agreement Morpho Trust USA Credit Card Services	492
Agreement Thomson Reuters Westlaw Subscription	493
Agreement Fort Drum Confine Military Soldiers.....	494
Transfer Funds Radio Professional Service Expense	495
Transfer Contingency Funds Inmate Food	555
Motion Fill Dispatcher/Deputy Sheriff Sgt./Deputy Sheriff.....	570
Appropriate Shop w/Cop Donations.....	592
Agreement Black Creek Integrated Systems Corp Sally-Port Management	680
Agreement One Path Careers Inmate Mental Health Services	681
Agreement Transitional Living Services Inmate Psychological Services	681
Appropriate Shop w/Cop Donations.....	682
Appropriate Donations Purchase Defibrillator	683
Transfer Funds Purchase Computer Tablets/Scanner/Camera	683
Agreement EF Johnson Interoperability Radio System.....	700
Transfer Contingency Inmate Medical Expenses	701

SNOWBELT HOUSING

Agreement NYS Housing Trust Fund Corp CDBG Housing Rehab.....	31
Authorize Fair Housing Officer Execute CDBG Housing Documents	58
Sub-Recipient Agreement Snow Belt Housing Administer CDBG	81
Mortgage Subordination Roggie.....	142
Set Public Hearing Input CDBG Application.....	253
Discharge Mortgage Phillips.....	309
CDBG Application Renovate Existing Building	332
Discharge Mortgage Roes.....	346
Set Hearing Date Input CDBG Application.....	381
CDBG Grant Application Homeownership	382
CDBG Grant Application Homeownership	446
Set Public Hearing CDBG Accomplishments	447

INDEX

Set Public Hearing CDBG Grant Conflict Interest Waiver Mastascusa.....530
Reset Hearing Date CDBG Grant Conflict Interest Waiver Mastascusa.....565
Request Conflict Interest Waiver Mastascusa585
Adopt Plan Reuse CDBG Program Income.....616

SNOWMOBILE TRAILS

Motion Support Letter Groomer Long Pond Snowmobile Club45
Appropriate 2016-2017 State Trail Funds133
Urge State Legislation Increase State Aid Snowmobile Enforcement135
Open Osceola Road Snowmobile Access346
Appropriate State Snowmobile Trail Program Funds.....684
Open Osceola Road Snowmobile Access701

SOCIAL SERVICES

Motion fill Caseworker5
Agreement Berkshire Farm Center31
Agreement Credo Community Center32
Agreement Opportunities.....33
Agreement Medlab33
Agreement Rubenzahl, Knudsen & Assoc Psychological Services.....34
Agreement Rubenzahl, Knudsen & Assoc Psychological Services.....35
Agreement Transitional Living Services37
Agreement Addendum Hillside Children’s Center Foster Care Services.....82
Agreement LexisNexis Accurint Government Authenticate Identities83
Motions Fill Caseworker/Social Services Program Examiner.....102
Agreement Laboratory Corp America Holdings.....135
Transfer Funds Lease Vehicles.....136
Motion Fill Caseworker148
Extend Community Services Worker217
Agreement Cooperative Extension Parenting Program266
Agreement Opportunities Homeless Shelter.....267
Transfer Capital Funds Purchase Computers.....268
Motion Fill Caseworker280
Motion Fill Community Services Worker321
Urge State Eliminate Local Share Medicaid Contribution335
Appropriate TANF Funds Domestic Violence Program347
Appropriate TANF Funds Summer Youth Employment Program.....348
Create Community Service Workers394
Agreement Snell Farms Children’s Center394
Agreement Multi-cultural Assoc Medical Legal Interpreters.....395
Agreement OFA HEAP Program.....396
Agreement Hand In Hand Early Childhood Center.....397
Agreement Berkshire Farm Center for Youth398
Agreement Cayuga Home For Children399
Agreement Children’s Home Jefferson County.....399
Addendum Agreement US Care Systems400

INDEX

Agreement Elmcrest Children’s Center Foster Care448
Agreement House of Good Shepherd Foster Care.....448
Agreement Transitional Living Services Homeless Services496
Agreement William George Agency Foster Care Services497
Agreement Denog Protective Security Services497
Urge Congress Fund 340B Drug Subsidy Program.....509
MOU Lewis County General Hospital Claimant Impairment Examinations555
Agreement Lewis County Opportunities Domestic Violence Prevention556
Agreement Lifeline Services Emergency Response557
Reclassify Senior Social Services Program Examiners558
Agreement Lifenet (STAT Communications) Emergency Response.....558
Transfer Capital Funds Purchase Laptop.....559
Agreement Victim Assistance Center Jefferson County Safe Housing.....560
Agreement Volunteer Transportation Center.....560
Un-appropriate Unspent Federal HEAP Funds.....631
Transfer Funds Vehicle Lease632
Agreement Credo Community Treatment Center.....632
Agreement Hillside Children’s Center Foster Care Services633
Agreement Law Department Child Support Enforcement Proceedings634
Agreement Law Department Child Neglect Proceedings.....635
Agreement Law Department Collections/Recoveries.....637
Agreement Jeff-Lewis Resolution Center.....638
Adopt Human Services Transportation Plan.....640
Agreement Center Lifelong Education Recreation SUNY Potsdam684
MOU NYS Office Children Family Services Child Day Care Providers.....685
Agreement Transitional Living Services Psychological Services686
Agreement Community Action Planning Council Child Day Care Providers703
Agreement Lewis County Opportunities Domestic Violence Program Services704
Agreement Rubenzhal, Knudsen Associates Psychological Services705

SOIL and WATER CONSERVATION DISTRICT

Appointment Board of Directors38
Contract 2018.....629
Appointment Board Directors Rosiczkowski638

SOLAR

Local Law Intro. No. 2-2017 State Expedited Unified Solar Permit Process156
Set Hearing Date Local Law Intro. No. 2-2017.....169
Adopt Local Law No. 3-2017 State Expedite Unified Solar Permit Process252
Easement Niagara Mohawk County Solar Project.....310
Certification Extend NYSDOL Work Hours Solar Project449

SOLID WASTE

Agreement Roy Teitsworth Internet Auction84
Motion Award Bid Tracey Westernstar Purchase Dump Truck.....106
Motion Award Sand/Gravel/Crushed Stone Bids106
Motion Award Bid Crushing Stone106

INDEX

Amend Fee Schedule136
Motion Award Bid Unifirst Uniform Services150
Establish Fee Municipal Waste Compost225
Create Temporary Motor Equipment Operator.....269
Agreement Auctions International.....311
Create MEO401
Agreement LCGH Drug/Alcohol Testing.....401
Agreement LCGH Drug/Alcohol Testing.....687

STOP DWI

Appropriate State Funds Traffic Crackdown348
Appropriate State Funds Traffic Crackdown.....450
Agreement Mountain View Prevention Administer STOP DWI Program.....688

STUDENT WORKER PROGRAM

Create/Appropriate Funds Pratt Northam Foundation274

- T -

TAXES AND TAXATION

Approve Tax Bill Correction Time Warner Cable for Towns84
Apportionment Mortgage Tax514
Intro. Local Law 4-2017 Override Tax Cap526
Set Hearing Date Intro. No. 4-2017527
Adopt Local Law 5-2017 Override Tax.....571
Authorize Treasurer Correct Tax Roll Errors643
Authorize Town Supervisors Add 2018 County Tax To Warrants645
Establish PILOT/County Tax Abatement Policy.....668
Join Tax Assessment Challenge Copenhagen Housing Associates Town/School674
Agreement Absolute Auctions Data Release Delinquent Properties675
Agreement Absolute Auctions Delinquent Tax Auction691
Levy Taxes/Assessments Town Budgets & Correct Tax Rolls693

TOWNS

Approve Time Warner Tax Bill Corrections84
Exempt Public Water/Sewer Property499
Contract Town Diana Museum.....629
Authorize Town Supervisors Add 2018 County Tax To Warrants645
Town Denmark Tax Assessment Challenge Copenhagen Housing Associates674
Exempt From Taxation Town Property Public Water/Sewer Infrastructure676
Levy Taxes/Assessments Town Budgets & Correct Tax Rolls693

TRAFFIC SAFETY BOARD

Appoint Safety Board Members688

TRANSPORTATION BUS SYSTEM

INDEX

Agreement WWNY TV7 Advertising	38
Application Federal/State Grant Funding	143
Agreement Flack Broadcasting Advertising Campaign	269
Agreement Birnie Bus Expand System. JCC.....	402
NYSDOT Application Mobility Management Vehicle	404
NYSDOT Application Purchase Bus Shelter	451
NYSDOT Application Purchase Bus Shelter	502
Agreement Johnson Newspaper Advertising.....	503
Agreement WWNY TV Advertising	504
Agreement IDA Advertising Naturally Lewis Logo	505
Agreement Spectrum Reach Mobile Digital Advertising.....	506
Lease Exterior Bus Space Public Health Advertising.....	561
Agreement Birnie Bus Tours Carrier	639
Adopt Human Services Transportation Plan.....	640
Appropriate State Funds Bus Operations.....	641
Purchase Mobility Management Vehicle.....	642
Transfer Funds Bus Operations	649
Agreement Good Morning Realty Exterior Bus Advertising	689
Agreement Jeff-Lewis Realtors Exterior Bus Advertising	690

TREASURER

Designate Depository RBC Wealth Management	87
Transfer Fund Balance 2016 Surplus Various Accounts.....	218
Motion Fill Temporary Account Clerk.....	281
Authorize Tax Foreclosure Proceeds Clean Up Fund Foreclosed Properties.....	312
Appropriate Clean Up Fund Tax Sale Auction Proceeds	313
Appropriate Tax Sale Proceeds Capital Projects	332
Motion Research Assessments Municipal Water Facilities.....	456
Agreement Systems East Software Support	506
Appropriate Capital Funds Purchase Laptop	507
Authorize Treasurer Correct Tax Roll Errors	643
Authorize Treasurer Make Necessary Budget Transfers	644
Relevy Unpaid School Taxes/Village Taxes	644
Appropriate Capital Equipment Funds	692
Treasurer Carry Forward 2017 Appropriations	693
Annual Cash Report.....	710
Town Tax Warrants 2018	719

- V -

VETERANS

Appoint Director Veterans' Services Kilionski	314
Create Keyboard Specialist.....	314

VILLAGES

Agreement Village Harrisville Dissolution Study Cost.....	44
---	----

INDEX

Mediator Assistance Village Lowville Kraft Heinz Facility Expansion315
Exempt Property Public Water/Sewer Property499
Exempt From Taxation Village Property Public Water/Sewer Infrastructure.....676

- W -

WINDMILLS

Oppose Proposal Prohibit Wind Generating Facilities 40-Mile Radius Airbase/Airfield.....301

WORKERS' COMPENSATION

Direct LCGH Reimburse LCSH Penalties Filing Late Reports85
Direct LCGH Reimburse LCSH Penalties Filing Late Reports218
Direct LCGH Reimburse LCSH Penalties Filing Late Reports405
Set 2018 Assessment Apportionment452
Direct Hospital Reimburse WCB Penalties Self-Insured Plan645

WORKFORCE INVESTMENT

Appointments to Board.....219
Modify Youth Services Funding.....271
Transfer Youth Funds272
Appropriate State Funds Dislocated Worker Program349
Transfer Program Funds349
Designate Jeff-Lewis Program Administer WIOA.....350
Appropriate Youth Funds406
MOU Workforce Development Board.....453
Appropriate State Funds Adult/Dislocated Worker Program454
Appoint Member Workforce Investment Board.....454
Transfer WIA Funds Youth Services.....562
Un-Appropriate WIA Funds Youth Programs.....646
Transfer Funds Summer Youth Program.....646
Appropriate WIA Funds Adult/Dislocated Worker Programs.....647

- Y -

YOUTH BUREAU/SERVICES

Approve Resource Allocation Plan 2017.....39
Appointment Youth Bureau Advisory Board Groman86
Agreement Youth Bureau Safe Child ID Cards.....137
Appoint Advisory Board Members.....272
Appointments Youth Bureau Advisory Board.....316
Authorize Resource Allocation Plan.....351
Amend Youth Bureau Advisory Board By-Laws407
Appropriate State Funds Youth Development.....455
Appoint Youth Bureau Members.....563
Transfer WIA Funds Summer Youth Program.....646