

JANUARY 7, 2020

**ORGANIZATIONAL MEETING
January 7, 2020**

The meeting was called to order at 5:00 p.m. by Deputy Clerk of the Board Cassandra Moser.

Roll Call: All Legislators were present.

County Clerk Jake Moser came forward and administered the Oath of Office to each Legislator.

There were 18 persons present.

The Deputy Clerk of the Board called for nominations for a permanent Chair of the Board. Legislator Burns nominated Legislator Dolhof, seconded by Legislator King. There being no other nominations, Legislator Burns made a motion for the deputy clerk to close the polls and cast one ballot for Legislator Dolhof, seconded by Legislator Chartrand. Legislators LaChause and Osborne escorted Chairman Dolhof to the podium.

Chairman Dolhof offered the Invocation, followed buy the Pledge of Allegiance to the Flag.

Chairman Dolhof announced that 2020 Legislative assignments had been made and asked the deputy clerk to distribute the list to each of the Legislators:

GENERAL SERVICES COMMITTEE

Jerry King, Chairman
Andrea Moroughan, Vice-Chair
Ian Gilbert
Richard Chartrand
Ronald Burns

HEALTH AND HUMAN SERVICES COMMITTEE

Randall LaChause, Chairman
Richard Chartrand, Vice-Chair
Andrea Moroughan
Gregory Kulzer
Philip Hathway

FINANCE AND RULES COMMITTEE

Thomas Osborne, Chairman
Ronald Burns, Vice-Chair
Ian Gilbert
Gregory Kulzer
Philip Hathway

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Chairman Dolhof called for nominations for Clerk of the Board for a 2-year term through 12/31/2021. Legislator Burns nominated Cassandra Moser, seconded by Legislator Hathway. There being no other nominations, Legislator King made a motion for the deputy clerk to close the polls and cast one ballot, seconded by Legislator Osborne. County Clerk Jake Moser administered the Oath of Office to Cassandra Moser.

Chairman Dolhof then approved the December 19, 2019 meeting minutes by general consent.

REPORT OF THE RULES AND LEGISLATION COMMITTEE:

Legislator Hathway made a motion to waive the Board's Standing Rule No. VI, to allow action on all resolutions presented this evening, seconded by Legislator Moroughan and carried.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Resolutions were acknowledged from Seneca County to support NYS Bill S1406/A1123 Clara's Law requiring hospitals and health care facilities to report incidents of a sexual offense to the State Departments of Health and Education; and from Orleans County imploring the State of New York to immediately amend or delay implementation of bail and discovery reform laws that will endanger the people of New York and reverse decades of bipartisan progress in reducing crime.

Legislators from all parties, the Republican Party and the Independent Party have each indicated their wish to designate the Watertown Daily Times as their official newspaper for the years 2020 and 2021 which will be placed on file.

TO THE HONORABLE BOARD OF LEGISLATORS OF LEWIS COUNTY:

The people of the County of Lewis being divided into various political parties, 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.

NAME/SIGNATURE

ADDRESS

Philip Hathway

7497 State Route 3, Harrisville, NY 13648

Ronald J. Burns

P.O. Box 102, Copenhagen, NY 13626

Ian W. Gilbert

8634 Artz Road, Castorland, NY 13620

Andrea Moroughan

6697 Pine Grove Road, Glenfield, NY 13343

Gregory Kulzer

7451 Rice Road, Lowville, NY 13367

Lawrence Dolhof

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

Thomas A. Osborne

6202 Pine Grove Road, Glenfield, NY 13343

Jerry H. King

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

TO THE HONORABLE BOARD OF LEGISLATORS OF LEWIS COUNTY:

The people of the County of Lewis being represented by various political parties, namely, the undersigned Legislators of Lewis County elected by the Independent 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 Independent 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.

NAME/SIGNATURE

Randall L. LaChausse

ADDRESS

10454 Monnat School Rd., Castorland, NY 13620

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

All Legislators have received copies of the Treasurer's December 2019 report, the 4th Quarter Bed Tax Revenue report, and the 12/23/19 Highway and Solid Waste Department audit reports.

Director of Fire and Emergency Services Robert Mackenzie, III has informed of his deputy fire coordinators for 2020: Richard Ross, Gary Ashline, Robert Bellinger, Joseph Shue, Jeff Nellenback, and Ronald Gingerich; as well as EMS deputy coordinators Mark Tuttle, David Kuhl, and Matt Yelton.

Legislators have received copies of the Youth Bureau Advisory Board's 2019 annual report. James Richmire submitted the November and December Sealer of Weights and Measures activity reports that were placed on file with the Clerk of the Board.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislator Osborne made a motion to authorize County Clerk Jake Moser to fill a full-time DMV Supervisor position due to a retirement and any associated backfills within the department effective immediately, seconded by Legislator LaChausse and carried.

Legislator Osborne made a motion to authorize Board of Election Commissioner Ann Nortz to appoint a Board of Elections Deputy Commissioner due to a resignation effective January 13, 2020, seconded by Legislator Burns and carried.

REPORTS OF SPECIAL COMMITTEES:

Chairman Dolhof announced that there is an Ad Hoc committee set up for looking into Exempt Employee Salaries which consists of Legislator LaChausse as Chairman, Legislators Moroughan, Chartrand and Osborne and advisors Ryan Piche and Caitlyn Smith.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Chairman Dolhof thanked his fellow Legislators for their support in allowing him to continue as Chair and looks forward to working with everyone to get things accomplished in the upcoming year.

COUNTY MANAGER REPORT:

Ryan Piche reported that the Orientation today covered almost all county departments and went well. He would appreciate any feedback as he would like to continue this in future years. He announced the Capital Planning Session workshop is scheduled for Thursday, January 9, 2020 beginning at 1:30 p.m. in the JCC Education Center conference room and materials have been sent out to all Legislators.

Ryan reported that Bail Reform & Discovery Reform have started as of January 1, 2020. The county jail numbers are down to 20, from the mid 30's, due to a rush to try and clean things up before the end of the year. Discovery Reform mainly affects Law Enforcement and the District Attorney's office.

Foster Care numbers are at 15, which is higher than normal but is projected to remain within budget. Ryan concluded by stating that he is looking forward to working with the Legislators in the New Year and has already begun meeting with each of them to discuss their goals of things they would like to see accomplished in the New Year and will continue to reach out to those he hasn't met with yet.

COUNTY TREASURER REPORT:

Treasurer Eric Virkler expressed looking forward to working with everyone. He recited the December balances of the Special Legislative Contingency Fund - \$65,000.00; Contingency Fund - \$79,000.00; Capital Data Processing Fund - \$49,000.00 and Capital Equipment Fund - \$260,000.00. There were sales tax receipts of \$12,079,000.00 through November 2019, which is roughly \$580,000.00 over the budgeted amount. The Internal Service Fund balance is at \$4,992,000.00 through November.

Legislator Chartrand asked about the December sales tax receipts, which are not included in this report, and Eric responded that there will be receipts that are reported in January and February that are from 2019 collections and will be on future reports.


REPORT OF THE FINANCE AND RULES COMMITTEE:

JANUARY 7, 2020


**REPORT OF
FINANCE AND RULES COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators


The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 784,706.73 and recommend that they be audited and allowed for the amounts claimed.



Ronald Burns Committee



Richard Chartrand Committee



Thomas Osborne Committee

Dated: January 7, 2020

Approved on motion by Legislator Moroughan, seconded by
Legislator Burns, and carried. Legislator Hathway abstained.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 1 – 2020
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Member of the Finance and Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 784,706.73 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 LaChausse, seconded by Legislator Burns, and adopted by the following roll call vote: Legislator Hathway abstained.

YEAS: LaChausse, Burns, Gilbert, Chartrand, Moroughan, Kulzer, Dolhof, Osborne, and King

NAYS: None

ABSENT: None

**RESOLUTION NO. 2 – 2020
RESOLUTION ADOPTING STANDING RULES
OF THE BOARD OF LEGISLATORS OF LEWIS COUNTY**

Introduced by Legislator Lawrence Dolhof, Member 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 October 2, 2019, which be and hereby are adopted as the Standing Rules of the Lewis County Board of Legislators for the year 2020.

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

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

**RESOLUTION NO. 3 – 2020
RESOLUTION APPROVING THE FORM AND THE AMOUNT OF
A BLANKET UNDERTAKING COVERING OFFICERS,
CLERKS AND EMPLOYEES OF LEWIS COUNTY**

Introduced by Legislator Ronald Burns, Member 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 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 Kulzer, seconded by Legislator Burns, and adopted.

RESOLUTION NO. 4 – 2020
RESOLUTION WAIVING THE NEED FOR A SURETY BOND
ON THE PART OF THE CHAIRMAN OF THE
BOARD OF LEGISLATORS

Introduced by Legislator Ronald Burns, Member 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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 Kulzer, seconded by Legislator Osborne, and adopted.

**RESOLUTION NO. 5 – 2020
RESOLUTION WITH REFERENCE TO VICE-CHAIRMAN
OF LEWIS COUNTY BOARD OF LEGISLATORS**

Introduced by Legislator Lawrence Dolhof, Member of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Vice-Chairman shall have and execute all powers and duties of such Chairman over any meeting that he is called to preside over.

Section 2. That the Vice-Chairman shall execute and perform such duties during the absence of the Chairman from the County of Lewis and at such times when the Chairman is physically or mentally unable to perform such duties.

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

Section 4. That this Board of Legislators hereby appoints

LEGISLATOR JERRY KING

to perform the duties of Vice-Chairman of the Lewis County Board of Legislators for calendar year 2020.

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

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

**RESOLUTION NO. 6 – 2020
RESOLUTION RE-APPOINTING LEWIS COUNTY ATTORNEY
AND AUTHORIZING EMPLOYMENT AGREEMENT**

Introduced by Legislator Lawrence L. Dolhof, Member of the Board of Legislators.

BE IT RESOLVED as follows:

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

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

Section 3. That the term of said Appointment shall be effective January 1, 2020 through December 31, 2021.

Section 4. That the annualized salary of said position shall be as set forth in the 2020 adopted budget, subject to any further adjustment(s) upon the approval of the Board of Legislators.

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

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

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

RESOLUTION NO. 7 – 2020
RESOLUTION RE-APPOINTING LEWIS COUNTY MANAGER
AND AUTHORIZING EMPLOYMENT AGREEMENT

Introduced by Legislator Lawrence L. Dolhof, Member of the Board of Legislators.

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

WHEREAS, the Board of Legislators wishes to re-appoint Ryan Piche as County Manager and to enter into an employment agreement to provide for the terms and conditions of said appointed position;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints Ryan Piche of Lowville, New York 13367 to the position of County Manager pursuant to Local Law No. 4-1987, to perform

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 authorizes an Employment Agreement to be entered into by and between the County of Lewis and the County Manager, setting forth the terms and conditions of his employment as County Manager.

Section 3. The term of said Appointment shall be effective January 1, 2020 through December 31, 2021.

Section 4. That the annualized salary of said position shall be as set forth in the 2020 adopted budget, subject to any further adjustments(s) upon the approval of the Board of Legislators.

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

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

Moved by Legislator Osborne , seconded by Legislator Gilbert , and adopted.

**RESOLUTION NO. 8 - 2020
DESIGNATION OF DEPOSITORIES FOR 2020**

Introduced by Legislator Thomas Osborne, Member of the Finance and Rules Committee.

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

NOW, THEREFORE, BE IT RESOLVED as follows:

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

Community Bank N.A.	25,000,000.
Key Bank of Central NY N.A.	25,000,000.
Chase Bank	25,000,000.
Adirondack Bank	25,000,000.
RBC Wealth Management	30,000.000.

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

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

Moved by Legislator Moroughan , seconded by Legislator King .

Legislator LaChausse inquired whether the Carthage Savings & Loan branch office located in Croghan should be added to this list. Treasurer Eric Virkler said he would look into it and report back to the Board. Legislator Hathway asked about the Northern Federal Credit Union branch office in Croghan being a possibility but wasn't sure if credit unions are authorized.

The resolution was then adopted.

**RESOLUTION NO. 9 – 2020
RESOLUTION AUTHORIZING FIRE ADVISORY BOARD
AND PROVIDING FOR PAYMENT OF ALLOWABLE EXPENSES**

Introduced by Legislator Lawrence Dolhof, Member 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, 2020 through December 31, 2020 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.

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

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 10 – 2020
RESOLUTION TO EXTEND AUTHORIZATION TO
CANARX SERVICES, INC. AS
LEWIS COUNTY HEALTH INSURANCE PLAN VENDOR**

Introduced by Legislator Lawrence Dolhof, Member of the Board of Legislators

BE IT RESOLVED as follows:

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

Section 2. That CanaRx Services, Inc. is hereby approved as a vendor for a period of one year to commence January 1, 2020 through December 31, 2020.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 11 – 2020
RESOLUTION APPOINTING AUDITOR OF
COUNTY HIGHWAY FUNDS AND
SOLID WASTE ENTERPRISE FUND**

Introduced by Legislator Lawrence Dolhof, Member of the Board of Legislators.

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

NOW, THEREFORE, BE IT RESOLVED as follows:

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

CASSANDRA MOSER

Section 2. That said appointment shall be in effect for the period from January 1, 2020 through December 31, 2021.

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

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

JANUARY 7, 2020

**RESOLUTION NO. 12 - 2020
RESOLUTION AUTHORIZING RENEWAL AGREEMENTS WITH
E. F. JOHNSON AND AVIAT NETWORKS FOR
REMOTE MAINTENANCE AND SUPPORT SERVICES OF THE
E911 RADIO EMERGENCY COMMUNICATIONS SYSTEM**

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

WHEREAS, the County of Lewis seeks to enter into a renewal Maintenance Agreement with E. F. Johnson Company for remote maintenance services for the 911 system and to provide remote support to Lewis County or its contracted Local Service Provider, United Radio, which includes access to a 24/7 telephone line for answering technical queries and assistance with troubleshooting system hardware and software covered by the support agreement; and

WHEREAS, the County of Lewis seeks to enter into a renewal Agreement with Aviat for the AviatCare remote Maintenance and Support Services for the microwave radio system which includes access to Aviat Networks customer online technical support site, repair services and remote technical support described more fully in the Agreements.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a renewal Agreement with E. F. Johnson Company to provide remote maintenance and support services for the 911 system at a cost not to exceed \$30,409.00; and a renewal Agreement with Aviat Networks to provide remote maintenance and support services for the microwave radio system at a cost not to exceed \$1,620.00.

Section 2. The term of both agreements is from February 1, 2020 through January 31, 2021. There is no County cost, as both service agreements are fully funded by the radio Grant.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreements, 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 Osborne , seconded by Legislator King , and adopted.

**RESOLUTION NO. 13 - 2020
RESOLUTION TO APPROPRIATE
SNOWMOBILE TRAIL PROGRAM FUNDS
2019-2020 SEASON**

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BE IT RESOLVED as follows:

Section 1. That the following appropriation of the 2019-2020 State Snowmobile Trail funds is hereby approved in the Snowmobile Trails account:

Increase Revenue

A0714100 338202 State Aid \$287,844.00

Increase Expense:

A0714100 499900 Expense \$287,844.00

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 LaChausse, seconded by Legislator Kulzer, and adopted.

**RESOLUTION NO. 14 - 2020
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
FOR PROGRAM SERVICES**

Introduced by Legislator Gregory Kulzer, Chairman of the Health and Human Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into agreements for program services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes Agreements between the County of Lewis, by and through the Lewis County Department of Social Services, and the following providers for program services in the amounts herein set forth:

CONTRACTOR	PURPOSE	AMOUNT	TERM DATES
Medlab, Inc.	Purchase of Services (Drug Screening)	<ul style="list-style-type: none">• Each Screening - \$16.50• GC/MS confirmation & DRT - \$35.00 each	1/1/20 to 12/31/22
SUNY Potsdam	Training for DSS Employees	\$4,320.00	2020 spring and fall training sessions

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 Moroughan , seconded by Legislator Kulzer , and adopted.

**RESOLUTION NO. 15 - 2020
LEVYING TAXES AND ASSESSMENTS FOR
ANNUAL TOWN BUDGETS AND
CORRECTIONS TO TAX ROLLS**

Introduced by Legislator Tom Osborne, Member of the Finance and Rules 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, 2020.

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	\$842,596.70	\$443,124.00
Denmark	586,203.00	297,420.00
Diana	635,621.00	
Greig	690,970.65	
Harrisburg	125,258.70	
Lewis	570,618.00	
Leyden	311,355.00	136,094.00
Lowville	681,062.00	216,683.00
Lyonsdale	367,692.00	167,524.00
Martinsburg	343,838.00	
Montague	196,000.00	
New Bremen	645,031.00	354,907.00
Osceola	349,009.00	
Pinckney	374,765.00	
Turin	460,444.00	92,688.00
Watson	1,071,783.00	
West Turin	474,763.00	149,551.00

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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	\$145,800.00
Beaver Falls Fire District	44,091.94
Beaver Falls Light District	13,000.00
Relevied Sewer	51,869.64
Denmark:	
Castorland Fire Protection District	66,300.00
W Carthage Fire	22,000.00
Copenhagen Fire	60,709.00
Relevied Sewer	2,228.38
Diana:	
Fire Protection District	129,466.00
Natural Bridge Fire District	3,252.00
Natural Bridge Light District	325.00
Diana Water	20,794.42
Harrisville Light	14,500.00
Greig:	
Fire Protection District – 3G	74,556.00
Brantingham Water Control	1,800.00
Harrisburg:	
Fire Protection District	37,942.71
Lewis:	
Fire Protection District	41,982.00
Leyden:	
Fire Protection District & Ambulance	29,175.00
Lowville:	
Fire Protection	37,265.00
Water/Sewer Relevy	50,354.75
Lyonsdale:	
Lyons Falls & Port Leyden Fire Protection Districts	38,655.00
Lyonsdale Light	1,050.00
Martinsburg:	
Fire Protection District	104,624.00

JANUARY 7, 2020

Glenfield Light District	5,800.00
Martinsburg Light District	4,800.00
Martinsburg Water	6,952.40
Water/Sewer Relevies	14,668.61
Montague:	
Fire Protection	8,986.00
New Bremen:	
New Bremen Fire District	79,462.00
Beaver Falls Fire District	32,308.06
New Bremen Fire Protection Dist	16,275.00
Lighting District	10,798.25
Water Relevy	4,389.30
Osceola:	
Fire Protection District	45,500.00
Library	7,500.00
Pinckney:	
Fire Protection District & Ambulance	15,000.00
Turin:	
Fire Protection	40,485.00
Watson:	
Fire Protection	49,744.00
Watson Light & Water District	8,135.93
West Turin:	
Turin Fire Protection	15,468.00
Constableville Fire Protection	37,931.00

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	\$ 694.51
Denmark	\$ 159.45
Diana	\$ 84.91
Greig	\$ 576.45
Harrisburg	\$.16
Lewis	\$ 319.41
Leyden	\$ 767.90
Lowville	\$ 335.58
Lyonsdale	\$4,387.89

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Martinsburg	\$ 117.18
Montague	\$ 15.08
New Bremen	\$ 929.85
Osceola	(\$.19)
Pinckney	\$ 373.65
Turin	\$ 75.23
Watson	\$ 373.76
West Turin	\$3,784.07

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 King, seconded by Legislator LaChausse, and adopted.

OTHER BUSINESS:

At 5:32 p.m. Legislator Burns made a motion to enter executive session for an update on Labor Contract negotiations, seconded by Legislator Osborne and carried.

At 6:04 p.m. Legislator Osborne made a motion to re-enter regular session, seconded by Legislator Chartrand and carried.

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

FEBRUARY 4, 2020

**REGULAR MEETING
February 4, 2020**

The meeting was called to order at 5:00 p.m. by the Chairman of the Board Lawrence Dolhof.

Roll Call: All Legislators were present, except Legislator Osborne who had been excused.

Chairman Dolhof offered the Invocation followed by the Pledge of Allegiance to the Flag.

There were 320 persons present.

Chairman Dolhof declared the January 7, 2020 meeting minutes approved by general consent.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: Ronald Burns
Ian Gilbert
Gregory Kulzer
Phil Hathway

Dated: February 4, 2020

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

PRIVILEGE OF THE FLOOR:

Mr. Beau Bailey from Lyons Falls introduced himself. Beau stated “Our Governments were designed of, by and for the people. We the people control the government, not the other way around. Our State’s government has systematically transcended the people’s control and we’re saying enough is enough! ” He is representing thousands of residents of the county who are fed up with this states government.

On January 4th 2020 a social media campaign was kicked off to make Lewis County a 2nd Amendment Sanctuary County. This group believes NYS Government is overstepping their bounds and recklessly violating liberties of the people guaranteed to us by the constitution of the United States. There was a petition that was circulated to adopt the 2nd Amendment Sanctuary Ordinance, also known as SASO, in Lewis County with 2,961 signatures garnered from all legislative districts in Lewis County. The petition was submitted to the Board of Legislators to be placed on file with the Clerk of the Board.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Beau stated that there would be opposition and that their right to voice concerns should be honored, but he cautioned that the data and statistics they provide can be misleading. The details of how data is collected and how the variables are defined can be used to mislead. For instance according to the Department for Criminal Justice in 2016, 2017, and 2018 there were 3 incidents of violent crimes in Lewis County using firearms however these statistics include suicides. Some would argue that a suicide using a personal firearm is not a malicious use of a firearm toward another individual and can hardly be categorized as a violent crime.

Residents have dealt with decades of misrepresentation and lack of representation in State government and as a result have become stoic while their liberties are continually attacked by the power in Albany. The group knows that this stand might come with consequences but that is a risk they are willing to take and are willing to deal with any repercussions. Beau concluded by stating “The right to keep and bear arms shall not be infringed!”

Patrick Morse of New Bremen introduced himself. The 2nd Amendment Sanctuary Ordinance would only affect New York State laws, the county would still abide by all federal laws. Gun owners are already heavily regulated and enough is enough. In New York State there are another 113 laws that deal with firearms, 24 of those are in penal law the most common one being the NYS Safe Act which is 52 pages long and deals with a multitude of regulations. This law was passed without input from gun owners and takes away many of their rights.

In 2019, 8 new gun laws were passed, one of them was the Safe Storage Act which was one page with two paragraphs. The first paragraph dealt with keeping guns out of the reach of children inside the home but the second paragraph dealt with guns outside of the home and took away all youth shooting activities. It wasn't until Mr. Morse and Sheriff Carpinelli got on a NY Times article that the law was changed and by an overwhelming majority. In 2020 there are 56 gun laws that are proposed, these are not common sense gun laws. Lewis County is safe; 2016 crime data from the NYS Department of Criminal Justice ranked Lewis County 58th out of 62 counties for highest crime rate. Why is the County, which has many gun owners putting up with this, we do not need NYC laws and regulations up here.

Patrick went to various law enforcement officers throughout the county and all of them are against NYS gun laws & regulations. In 2013, this board along with 51 other counties and 335 municipalities sent resolutions opposing the NYS Safe Act, but it did nothing. There needs to be more action from this board. The Governor uses NYS resources to go against Federal laws all the time, so this group is asking for this board to do the same thing and not to be afraid of the Governor. Patrick concluded by stating “We can't be bought and we are not afraid.”

Gordon Belair of Montague introduced himself as having 28 years in law enforcement. He believes that what is happening with gun control is a sin, it is only inhibiting good people. He quoted a sign that was on Harry Truman's desk that said “the buck stops here” and that is why this issue was brought forward to the Legislators.

Matthew Meier from Watson introduced himself as originating from Kansas and having been a combat medic for the 10th Mountain Division overseas. He currently is an EMT in Lewis County. He is very familiar with gun violence, having dealt with war casualties. Himself as well

as others in the room took an oath to defend the Constitution of the United States from enemies foreign and Domestic, unfortunately we are facing a domestic enemy now who continues to impose on our rights that we were born with as Americans.

The Red Flag law is based on the assumption that someone “may” commit a crime, where is the due process in that. The 1st, 2nd, 4th, 5th, 6th, and 14th amendments are all violated by the Red Flag law. Saying something on social media can be used against a citizen causing them to be disarmed and their personal property taken from them. Then that person has to go before a judge and prove themselves innocent just to get their personal property back, as opposed to being innocent until proven guilty. Due to the lengthy process to prove your innocence the state sometimes destroys your firearms before you can get them back. Matthew concluded by stating “Our right to due process is real and so is our right to bear arms and it shall not be infringed.”

Judy Bentley from Lyonsdale introduced herself as a retired college professor and having just moved back to Lewis County for retirement because she felt this was a safe community. New York State has the second lowest gun homicide rate in all of the 50 states. The following statistics come from the Center for Disease Control: The US gun homicide rate is 25 times that of other high income countries; 100 Americans are killed with guns every day; the US rate of suicides with guns are 10 times that of other high income countries and tend to concentrate in states with higher rates of firearm ownership and broad access to firearms; 51% of suicides involve a firearm and access to guns triples the rate of suicide; and 1,500 children are shot and killed each year; 4 in .6 million kids live in homes where guns are loaded and accessible; Every year 600 women are shot to death by their intimate partners; gun violence costs the American economy \$229 million a year and each American \$700 a year. Judy concluded by stating “If the petition, which I have read, is allowed to pass then we will become statistics here in Lewis County”.

Mike Mastrogiovanni from Liverpool introduced himself as the president of Gun Owners of America New York. If you take out gang banging, suicides, and misuse of firearms by criminals from the statistics that were just reviewed and you will come down to .0005% of law abiding guns have committed a crime. The statistics are based on all shootings, not just criminal. The second amendment of the United State Constitution uses “shall not be infringed” and NYS Civil Liberties Law, which includes wording from the 2nd amendment uses “cannot be infringed”, and now New York State is trying to say that State law trumps Federal law. The new ammunition laws which are trying to take away ammunition will inhibit people from being able to bear arms, which is unconstitutional. Our Government is out of control, and somebody has to reign them in and stand up for what is right. This affects the kids who participate in trap teams and shooting clubs. We need to take back our rights and support the Sanctuary county movement. Mike concluded by stating “If everyone in this world were armed in our country it would be the most polite society in the world”.

Christine Mooney from Glenfield introduced herself. Felt the need to respond to the comments made about suicide, and feels they are a violent crime and something that needs to be reduced in our area. The problem with guns is that they are very effective when someone wants to commit suicides. There are four school districts in Lewis County that are in charge of the safety of our children and are now training teachers on how to apply tourniquets because 60% of

PROCEEDINGS OF THE BOARD OF LEGISLATORS

deaths from school shootings are due to bleeding out. There are many new regulations and rules to follow in the classrooms to try and save lives during school shootings. New York State is one of the safest states in the country. Christine is married to an avid hunter and he owns many guns but he has never complained about the process to buy a gun. She is concerned about the child safety aspect of it. Kids that have to go through lockdown drills and are afraid which can cause high anxiety and other side effects. Christine concluded by stating “We have a responsibility as leaders in their lives to make sure we are protecting our children number one...number one”.

Legislator Hathway clarified that he was only speaking for himself, not the board. He thanked everyone for coming and voicing their opinions on the matter. He doesn't know what the answer is to the question, maybe a resolution or something in-between but there needs to be an answer, and clearly Albany doesn't know the answer because they continue to pass laws that infringe upon our rights. The Safe Act is a hot button for us because it is taking away our heritage. We should all be able to work together and find some common ground, even with Albany. Legislator Hathway concluded with “Good things happen when people work together.”

Sheriff Carpinelli began by thanking everyone who showed up to show their feelings against the tyrant in Albany. Every time he goes to Albany he tries to have a positive attitude, but things are not good down there. He wants the politicians to start telling the truth, which is that Albany doesn't care about our opinions. He wants more politicians to stand up for their constituents. When New York State can make it legal to kill a nine month old baby that is born, but then turn around and make laws that limit our freedom with guns that cause far less deaths than they do, it is a hypocrisy. Everyone should be heard but that isn't happening in Albany. He will support the oath that he took to support the United States Constitution, way before he supports the State and before he supports county constitution or any other constitution. He does not fear the Governor and nobody should be in fear of their elected officials. This is the fight for your rights in a free republic. He concluded by stating that the Legislators need to listen to the people here tonight.

Rick Byer from West Martinsburg was allowed an opportunity to speak. He pointed out that Governor Cuomo is letting criminals out of prison that are murderers which goes to show that we need guns all the more to defend ourselves.

Chairman Dolhof assured everyone that the board supports the second amendment and understands the concerns and passion on this issue. The board will take under advisement all the opinions expressed here tonight. The board is aware that Wyoming County has moved forward with a resolution and will look into that further. The Safe Act is currently being challenged in court and may end up being repealed and the issue will be decided by the courts. The board moves slowly and deliberately and tries to do what is best for all residents in the county. They will need time to go through all the information and opinions that have been presented and respond accordingly. Chairman Dolhof concluded by thanking everyone for taking the time to come out and let their voices be heard.

At 5:40 p.m. Chairman Dolhof called a 5 minute recess to allow the audience to file out of the room before resuming the meeting.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

All Legislators have received copies of the Treasurer's January report, the January 23rd and 24th Highway and Solid Waste Department audit reports, and the Youth Bureau Advisory Board meeting minutes from January 15th.

Legislators received copies of the 2019 annual reports from the following departments: County Clerk, Community Services, Emergency Management, Highway, Information Technology, Planning, Probation, Public Health, Office For the Aging, Recreation, Forestry & Parks, Real Property Tax Services, Solid Waste, Treasurer, and Veterans' Service Agency which have all been placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator Burns made a motion to fill the Information Technology Director position due to resignation effective immediately, seconded by Legislator Chartrand and carried.

Legislator King made a motion to authorize Buildings & Grounds Supervisor Matt O'Connor to put out an RFP for asbestos removal and window replacement project at the Highway Garage, seconded by Legislator Burns and carried.

Legislator King made a motion to authorize Buildings & Grounds Supervisor Matt O'Connor to put out an RFP for siding project at the Highway Garage, seconded by Legislator Moroughan. Legislator Kulzer asked for clarification if the windows were being removed, which Legislator King explained that there would be new windows, the motion was then carried.

Legislator King made a motion to fill the Probation Director position and any associated backfills in that department due to an impending retirement effective immediately seconded by Legislator Moroughan and carried.

Legislator LaChausse made a motion to authorize Public Health Director Ashley Waite to put out an RFP for transportation needs of children receiving preschool special education services due to upcoming contract expiration, seconded by Legislator Burns and carried.

Legislator LaChausse made a motion to authorize Social Services Commissioner Jenny Jones to refill a full-time Employment & Training Assistant due to a resignation effective immediately, seconded by Legislator Hathway and carried.

Legislator Chartrand reported that the December 2019 Hospital Employee of the month was Tammy Thompson, LPN. The Hospital had a year-end gain of \$191,662.00 which is a pleasure to report.

Jerry Cayer, CEO of Lewis County General Hospital pointed out the display boards with the final drawings for the Lewis County Health System. The project has to go through this board for approval and then through the certificate of need process. The project schedule, projected cost and bonding will be discussed more in depth at an upcoming meeting. The economic

PROCEEDINGS OF THE BOARD OF LEGISLATORS

impact of the hospital in the county is \$115 million, generated 1,000 jobs, payroll expenditures were \$49 million, and tax dollars generated by our employees were \$11 million. This speaks to our important role in the economic vitality of Lewis County. There are two other hospitals besides Lewis County, possibly losing the critical access designation and they are Carthage and Gouverneur.

Critical Access was designated by CMS to improve access to health care in rural America. One of the criteria of this designation is the mileage between hospitals which needs to be 35 miles. In 2015 the designation of Route 26 changed to a primary road, instead of a secondary road, which now means that there are only 15.6 miles between Lewis County General Hospital and Carthage Area Hospital. There are 9 hospitals out of 18 with a critical access designation in New York State that are affected by the 2015 change which now designates certain roads as primary. This change was merely to define wording better, it was not meant to have this kind of an impact. Department of Health in Albany has been working on a resolution to this issue. Mr. Cayer is optimistic that when they go to re-certify in June that this will be taken care of, however with this upcoming capital project he wanted everyone to be aware of the situation. He will be working with several agencies in Albany to try and rectify the situation.

Legislator Hathway asked if the new building project for Carthage Area Hospital would improve the situation with the new location. Jerry Cayer responded that the location should be a little further away but not enough to make a significant difference. Legislator Hathway asked about the financial impact be if the designation was not re-certified, Jerry Cayer explained that it would be roughly \$5.3 million a year which would impact the long term viability of the hospital.

COUNTY MANAGER REPORT:

Ryan reported that he and Legislator LaChausse attended the NYSAC meeting last week. The NYS Executive Budget was released and the major concern is Medicaid. Out of the \$6 billion projected state deficit, \$4 billion is due to Medicaid. The Governor proposes to partially reverse the Medicaid Cap, which currently equates to roughly \$5 million for our Lewis County share each year, to a system that will hold counties responsible for any growth over 3%. The initial calculations show that in 2019 the county would have been responsible for an additional \$419,000 in Medicaid costs which equates to a 4.6% tax increase. This amount may not seem like much but is difficult to come up with when the county faces a 2% tax cap on the annual budget. This topic is something that the county needs to fight and voice our opposition on, NYSAC is putting together an advocacy day on Wednesday, February 12th and all legislators are strongly encouraged to attend.

Another aspect of the proposed budget has the decriminalization of marijuana counted as a revenue source for the budget. One reason that this is not good is because counties will only be receiving 2% of the sales tax, which is far less than the 4% the county currently receives on other goods.

The Ag Sustainability Council has been meeting for the last 6 months and will be having a meeting coming up on Friday, February 14th at 9:00 a.m. in the Lewis County-JCC Education Center and anyone is welcome to attend. On February 18th they will be holding two meetings one

at 1:00 p.m. and another at 6:00 p.m. to discuss solar project information with farmers and landowners. March 3rd at 4:00 p.m. will be the Annual Community Survey presented by Jefferson Community College. The final candidate for Probation Director has been chosen but is waiting on a waiver due to our county having a small department with no supervisor position, this should be a quick process.

COUNTY TREASURER REPORT:

Treasurer Eric Virkler recited the balances of the Special Legislative Contingency Fund - \$100,000.00; Contingency Fund - \$190,000.00; Capital Data Processing Fund - \$99,321.75 and Capital Equipment Fund - \$783,400.00. Total 2019 sales tax receipts were \$12,418,536.78 subject to final adjustment.

Effective 12/31/2019 the Internal Service Fund balance is \$5,915,147.

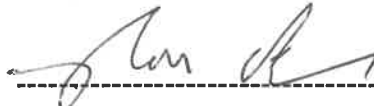
REPORT OF THE FINANCE AND RULES COMMITTEE:

**REPORT OF
FINANCE AND RULES COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,471,898.65 and recommend that they be audited and allowed for the amounts claimed.

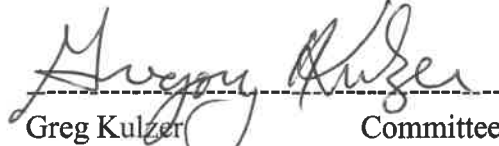
Thomas Osborne Chair



Ronald Burns Vice-Chair



Ian Gilbert Committee



Greg Kulzer Committee



Phil Hathway Committee

Dated: February 4, 2020

Approved on motion by Legislator LaChausse, seconded by
Legislator Burns, and carried.

FEBRUARY 4, 2020

**RESOLUTION NO. 16 – 2020
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$1,471,989.65 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 LaChausse, seconded by Legislator Kulzer, and adopted by the following roll call vote:

YEAS: Hathway, Burns, Chartrand, Kulzer, LaChausse, Gilbert, Moroughan, King, Dolhof

NAYS:

ABSENT: Osborne

**LOCAL LAW (INTRODUCTORY NO. 1 – 2020)
COUNTY OF LEWIS**

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

**LOCAL LAW AMENDING LOCAL LAW NO. 9-2019 PROVIDING
FOR THE PARTIAL EXEMPTION OF CERTAIN REAL PROPERTY
OWNED BY PERSONS 65 YEARS OF AGE OR OVER**

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

Section 1. Legislative Findings.

(a) The Board of Legislators by Resolution No. 22-1989, as amended by Resolution No. 78-1997, enacted a partial exemption for persons 65 years of age or older, based upon certain income qualifications, pursuant to Real Property Tax Law 467.

(b) In 2005, the Board of Legislators found that it was prudent to memorialize its intent to enact partial tax exemption on property owned by persons 65 years or older by adoption of Local Law No. 10-2005.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

(c) In 2019, the Board of Legislators adopted Local Law No. 9-2019 (amending Local Law No. 10-2005 to the extent of adjustment to the income qualification levels to which the partial tax exemption percentage may be applied and granted under Section 3). The NYS Office of Real Property Tax Service (NYS ORPTS) advises that the maximum income limits set forth in Local Law 9-2019 at the 20, 25 and 30 income percentages exceed how the State calculates the maximum incomes allowable at those percentages under RPTL §467.

(d) By this amendment to Local Law No. 9-2019, the Board of Legislators seeks to correct the maximum income limits to which the exemption will apply at the 20, 25, and 30 income percentages set forth in the schedule under Section 3, so as to comply with the State’s accepted calculation of same.

Section 2. Exemption Granted. Real property owned by one or more persons, each of whom is sixty-five years of age or over, or real property owned by husband and wife or by siblings, one of whom is sixty-five years of age or over, shall be exempt from taxation for county purposes up to a maximum of fifty per cent (50%) of the assessed value provided the owner(s) meet the qualifications set forth below. For the purposes of this local law, sibling shall mean a brother or a sister, whether related through half blood, whole blood or adoption.

Section 3. Income Qualifications.

(a) The exemption to be granted hereunder shall be determined by the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application (hereinafter referred to individually or collectively as “income”).

Where the income of the owner(s) is:

Current Exemption Income Limits			Amended/Corrected Exemption Income Limits			State Maximum
Percentage	Minimum Income	Maximum Income	Percentage	Minimum Income	Maximum Income	Income Limits
50	0.00	17,000.00	50	0.00	17,000.00	28,999.99
45	17,000.01	17,999.99	45	17,000.01	17,999.99	29,999.99
40	18,000.00	18,999.99	40	18,000.00	18,999.99	30,999.99
35	19,000.00	19,999.99	35	19,000.00	19,999.99	31,999.99
30	20,000.00	20,999.99	30	20,000.00	20,899.99	32,899.99
25	21,000.00	21,999.99	25	20,900.00	21,799.99	33,799.99
20	22,000.00	22,999.99	20	21,800.00	22,699.99	34,699.99

(b) Income tax year shall mean the twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year.

(c) Where title is vested in either the husband or the wife, their combined income may not exceed such sum, except where the husband or wife, or ex-husband or ex-wife is absent from the property as provided in subparagraph (c)[2] of Section 4 of this local law, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum.

(d) Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, inheritances, and such other forms of income which are excluded under Real Property Tax Law Section 467 (3)[a]. Any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance. The provisions of this paragraph notwithstanding, such income shall not include veteran's disability compensation, as defined in Title 38 of the United States Code. In computing net rental income and net income from self-employment no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income;

Section 4. Additional Qualifications.

No exemption shall be granted hereunder unless

(a) the owner shall have held an exemption under this section for his previous residence or unless the title of the property shall have been vested in the owner or one of the owners of the property for at least twelve consecutive months prior to the date of making application for exemption, provided, however, that in the event of the death of either a husband or wife in whose name title of the property shall have been vested at the time of death and then becomes vested solely in the survivor by virtue of devise by or descent from the deceased husband or wife, the time of ownership of the property by the deceased husband or wife shall be deemed also a time of ownership by the survivor and such ownership shall be deemed continuous for the purposes of computing such period of twelve consecutive months. In the event of a transfer by either a husband or wife to the other spouse of all or part of the title to the property, the time of ownership of the property by the transferor spouse shall be deemed also a time of ownership by the transferee spouse and such ownership shall be deemed continuous for the purposes of computing such period of twelve consecutive months. Where property of the owner or owners has been acquired to replace property formerly owned by such owner or owners and taken by eminent domain or other involuntary proceeding, except a tax sale, the period of ownership of the former

PROCEEDINGS OF THE BOARD OF LEGISLATORS

property shall be combined with the period of ownership of the property for which application is made for exemption and such periods of ownership shall be deemed to be consecutive for purposes of this section. Where a residence is sold and replaced with another within one year and both residences are within the state, the period of ownership of both properties shall be deemed consecutive for purposes of the exemption from taxation by a municipality within the state granting such exemption. Where the owner or owners transfer title to property which as of the date of transfer was exempt from taxation under the provisions of this section, the reacquisition of title by such owner or owners within nine months of the date of transfer shall be deemed to satisfy the requirement of this paragraph that the title of the property shall have been vested in the owner or one of the owners for such period of twelve consecutive months. Where, upon or subsequent to the death of an owner or owners, title to property which as of the date of such death was exempt from taxation under such provisions, becomes vested, by virtue of devise or descent from the deceased owner or owners, or by transfer by any other means within nine months after such death, solely in a person or persons who, at the time of such death, maintained such property as a primary residence, the requirement of this paragraph that the title of the property shall have been vested in the owner or one of the owners for such period of twelve consecutive months shall be deemed satisfied;

(b) the property is used exclusively for residential purposes, provided, however, that in the event any portion of such property is not so used exclusively for residential purposes but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section;

(c) the real property is the legal residence of and is occupied in whole or in part by the owner or by all of the owners of the property: except where,

[1] an owner is absent from the residence while receiving health-related care as an inpatient of a residential health care facility, as defined in section twenty-eight hundred one of the public health law, provided that any income accruing to that person shall only be income only to the extent that it exceeds the amount paid by such owner, spouse, or co-owner for care in the facility, and provided further, that during such confinement such property is not occupied by other than the spouse or co-owner of such owner; or,

[2] the real property is owned by a husband and/or wife, or an ex-husband and/or an ex-wife, and either is absent from the residence due to divorce, legal separation or abandonment and all other provisions of this section are met provided that where an exemption was previously granted when both resided on the property, then the person remaining on the real property shall be sixty-two years of age or over.

(d) the real property otherwise meets the qualifications contained in Real Property Tax Law 467, as the same may be amended from time to time.

Section 5. Administration. Application for such exemption must be made by the owner, or all of the owners of the property upon such forms as may be prescribed from time to time by the NYS Office of Real Property Services. Such applications must be filed with the assessor of the town in which the real property is located on or before the taxable status date.

Section 6. This local law shall take effect immediately upon filing with the Secretary of State and upon all legal requirements being met.

**RESOLUTION NO. 17 - 2020
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 1- 2020), COUNTY OF LEWIS**

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on February 4, 2020, a proposed Local Law entitled "LOCAL LAW AMENDING LOCAL LAW 9-2019 PROVIDING FOR THE PARTIAL EXEMPTION OF CERTAIN REAL PROPERTY OWNED BY PERSONS 65 YEARS OF AGE OR OVER."

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on March 3, 2020, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

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

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

**LOCAL LAW (INTRODUCTORY NO. 2 - 2020)
COUNTY OF LEWIS**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

A LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY

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 REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY**”.

SECTION 2. STATUTORY AUTHORITY

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

SECTION 3. LEGISLATIVE FINDINGS

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

A. Planned special events include but are not limited to sporting events, concerts, parades, walking & running events, bicycle races, motorized vehicle rallies, block parties, family ceremonies, etc. These types of events can have direct and indirect impacts on county properties, roads, trails. There are several events organized and held in Lewis County where county roads, county public rights-of-way, trails, parks, and lands are used for the event, or are adversely affected by the event because of road closure, traffic congestion, parking, etc.

B. The occurrence of such events as described and defined herein may place an unwarranted burden on the County resources related to the provision of emergency services, law enforcement, health and sanitary services, road and property repairs, and similar items, depending upon the special event, its size, and the conduct of participants.

C. The purpose of this law and the requirement for a permit and fee for same, is to enable the county to be able to anticipate the impacts posed by the event and to coordinate efforts of various departments and other municipalities which may be affected by the special event; to take appropriate steps and measures to provide for the safety of event participants and residents; to provide for the least impact on the county’s roads, trails, and lands.

D. When a person(s), corporation(s), organization(s), landowner(s), lessee(s) and others seek to conduct a special event on county roads and/or county property, provision must be made for adequate financial assurance to protect persons and property (both public and private) within the County. The Board of Legislators of Lewis County therefore finds and declares that it is necessary for government protection, order, conduct, safety, health and well-being of persons and county property, that certain rules and regulations be established for special events involving county roads, trails, parks and other lands, and, further, that it is necessary to adopt under the police power of the County, a local law to regulate and license by permit the holding of such special events on or effecting access and use of County roads, trails, parks and other lands.

SECTION 4. DEFINITIONS

A. For purposes of this Local Law, the word “person” shall be deemed to include any person, persons, firm, company, corporation, partnership, association, club, limited liability company, limited liability partnership, joint venture, owner or lessee of real property, promoter, sponsor, or any other group or organization whether formalized or not.

B. For purposes of this Local Law, “special event on county roads and trails” shall mean any outdoor gathering of people and activities involving pedestrians, vehicles, bicycles, skateboards, motorcycles, ATVs, UTVs or other recreational equipment, or any combination thereof which involve:

1. Any organized formation, parade, procession or other event taking place on County roads or trails which may interfere, impede or obstruct the flow of traffic or which do not comply with normal traffic regulations or controls; or

2. Any organized event taking place on private property which may result in momentary traffic delays on County roads or trails, or which may cause safety concerns or damage to County roads, trails or other lands as a result of the event; or

3. Any organized or special event requiring the placement of signage or pavement markings on County roads or trails.

4. Any event intended to include and/or to take place on the Lewis County Off Highway Vehicle Trail System.

C. For purposes of this Local Law, “special event on other county lands” shall mean gatherings of people and activities (such as ceremonies, family reunions) on county-owned lands.

D. For purposes of this Local Law, a special event involving a gathering of people and activities involving snowmobiles shall mean such events which may:

1. interfere, impede or obstruct the flow of traffic or which do not comply with normal traffic regulations or controls on County roads; or

2. snowmobile activity or event on private property which may result in momentary traffic delays on County roads, or which may cause damage to County roads or other County lands as a result of the event; or

3. snowmobile activity or event which requires placement of signage or pavement markings on County roads.

SECTION 5. PERMITS

A. No person may organize, operate, promote, or conduct a special event on a County road, trail, park or other land in Lewis County, nor may a person allow or permit the use of his, her or their real property for the purpose of holding or conducting a special event where a County road, trail, park or other land is adversely impacted, without first obtaining a permit to do so from the Lewis County Director of Recreation, Forestry and Parks (DRFP).

PROCEEDINGS OF THE BOARD OF LEGISLATORS

B. The Director of Recreation, Forestry and Parks will consult with the County Superintendent of Highways, the Emergency Management Director, the Lewis County Sheriff and any other relevant County Department(s), as the event may warrant in processing the permit application.

SECTION 6. PERMIT APPLICATION PROCESS AND FEE

A. All applications shall be made to the Lewis County Director of Recreation, Forestry and Parks, by submission of three (3) copies to the DRFP, by the person(s) sponsoring or running the event involving County roads, trails, park or other lands, or by the duly authorized agent or attorney thereof. The appropriate application fee, as set forth in the fee schedule in effect for said event permit, must be submitted with the application along with all the other documentation required therein. No action will be taken upon any application until it is deemed complete by the Director of Recreation, Forestry & Parks, in consultation with the appropriate County Departments.

B. 1. The non-refundable application fee charged for a special event permit shall be in accordance with the fee schedule set forth under Section 10 of this Local Law. The fee schedule may be amended from time to time, by Resolution adopted by the Lewis County Board of Legislators.

2. A permit application fee shall not be required for any special event that is otherwise licensed, sponsored or organized in whole or in part by the County or any other municipal government located within the County; but said municipality shall submit an application for the event.

C. The application for a permit hereunder shall be made in writing upon such form or forms as may be crafted by the Director of Recreation, Forestry & Parks (DRFP), and shall be submitted to the DRFP at least ninety (90) or more days prior to the first day such special event is anticipated to be held. Such application shall include the following information:

1. The applicant's name, age, and residence address; if the applicant is a corporation, partnership or association, the name of the entity, address for its principal office, together with the names and addresses of its directors, partners or associates. If the applicant is not a resident or have a place of business within Lewis County, the name of a natural person, over the age of eighteen (18) years of age who resides within Lewis County and who is authorized by the applicant and who shall agree by acknowledged statement to accept service of notices and summons on behalf of the applicant with respect to this application, the conduct of the outdoor public assembly or any other matter relating to the enforcement of this Local Law;

2. The name and address of the record owner of any real property(s), where the special event is to be staged and/or where participants will be gathering, (if it is an event on private property which will impact County roads/lands);

3. A description of the nature and interest the applicant has in the property (i.e., owner, lessee, licensee, etc.), if applicable;

4. The proposed dates and hours of operation for the proposed special event, and a description of the event;

5. The expected minimum and maximum number of persons and vehicles, if any, per day of the event to use the roads and/or property(s), if any, per day and collectively;
6. A description of the purpose for the special event and the activities to take place thereat, including without limitation, concessions, entertainment, vehicles, equipment, etc.;
7. The admission/participation fee to be charged, if any.

D. 1. After careful review and consultation with other Departments, the DRFP shall determine whether the permit application will be approved or denied. The DRFP shall communicate her decision on the application in writing, by issuing a permit with any and all conditions to which the applicant may be required to meet prior to and during the event. If denied, the DRFP shall indicate the reason for such denial.

2. Simultaneously with notification of approval/denial of a permit to the applicant, the DRFP shall notify the County Manager, Board of Legislators and any appropriate Departments of the special event permit issued, including any conditions and information on the type of event, date, location, estimated size, and any other relevant information.

E. 1. Depending upon the activities and estimated size of assembly of persons participating in the special event, the applicant shall be required to comply with any and all other applicable State and Local Laws, [including but not limited to NYS Department of Health rules and regulations pertaining to mass gatherings (assembly of 5,000 people or more), Public Health Law §225, and Lewis County Local Law No. 2- 1970 (mass assembly of 10,000 people or more)], with the application reviewed and approved by the Public Health Director, Emergency Management Director, Lewis County Sheriff, Superintendent of Highways, and any other relevant County Department(s) requested by the DRFP.

2. In such cases, the DRFP will notify the applicant of the additional review by relevant County Departments before the application will be deemed fully submitted. The preliminary application may then be reviewed and commented upon by the those appropriate Department Heads/ Directors to determine from the information supplied, the potential effect or impact the proposed special event and assembly will have upon the public health, safety, and welfare of the people and property of Lewis County.

F. The County, through the DRFP, shall have the right, in its sole discretion, at any time to terminate the permit, or any portion thereof, should it be necessary due to county operations, conditions, or other circumstances which may arise. Any termination of the permit shall not constitute a breach of the permit, and no liability shall be incurred by or arise against the County, its agents and employees for loss of profits or any other damages.

SECTION 7. CONDITIONS OF USE AND INSURANCE REQUIREMENTS

A. The County makes no affirmation that the county-owned road/trail/site/property to be used for the special event has been designed, constructed, or maintained for the purpose of the conduct of the event. The applicant and all its participants assume full risk and responsibility for the event. The applicant and its participants assume full risk and responsibility for planning and conducting a safe and orderly event that does not expose participants or the public to any unreasonable hazards, with minimal disruption to normal uses of the county roads, trail system

PROCEEDINGS OF THE BOARD OF LEGISLATORS

and properties. It shall be the sole obligation of the applicant to determine whether the county site(s) is suitable for the purpose of safely conducting the event.

B. The applicant shall exercise due care in its use of the county property and shall upon the expiration, termination or cancellation of the issued permit, surrender the county property/site in as good a condition as on the effective date of the permit. Depending upon the nature of the event and the anticipated number of participants, the issuance of a permit may be conditioned upon an undertaking, bond or guaranteed deposit, to guarantee restoration of the county property to its previous condition.

C. The applicant/permittee agrees to notify the DRFP about any hazardous or unsafe conditions, and about any accidents that occur during the event immediately upon the discovery of such condition or accident.

D. At the time a permit is issued, the DRFP shall provide the applicant/permittee with a statement of responsibilities and obligations of the Applicant/Permittee. Said statement shall be signed by the applicant/permittee and returned to the DRFP forthwith. The statement of responsibilities and obligations shall include the insurance requirements of this local law together with such other itemized responsibilities the DRFP may deem appropriate for the event. The applicant/permittee shall provide the DRFP with proof of insurance prior to the commencement of the event, i.e., a certificate of insurance is required to be in full force and effect prior to and during the event, and shall include but not be limited to the following coverage, if applicable:

1. Workers' Compensation and Disability Insurance as required by New York State for any and all employees.

2. Commercial General Liability Insurance. The applicant shall maintain an occurrence form of commercial liability policy or policies insurance against liability from premises, personal injury or death, advertising injury, liability under an insured contract, negligence, occurring on or in any way related to the premises or occasioned by reason of the operations of the applicant. Such coverage shall be written on an ISO occurrence form (CG 0001 12 07 or equivalent) in an amount not less than \$1,000,000.00 per occurrence and not less than \$2,000,000.00 aggregate. The insurance must be endorsed to provide primary insured coverage to the County of Lewis and all of its Departments, and any other local municipality in which the event is conducted.

3. Automobile and/or other motorized vehicle insurance. The applicant shall maintain automobile, other vehicle and equipment policy(s) insurance against liability for bodily injury, death, damage too property and other coverages relating to the use, operation, loading or unloading of any automobiles, motorized vehicles and other equipment on an around the event site, in an amount not less than \$1,000,000.00. If the event involves participants' use of motorized vehicles (autos, ATVs, UTVs, motorcycles, motorbikes, snowmobiles, etc.) it is the applicant/permittees' responsibility to assure that all participants motorized vehicles are properly licensed, registered and insured, as may be required under the law.

E. In addition to the protection afforded to the County by the insurance provisions hereinabove set forth, the County shall not be liable for any damage or injury to the applicant, employees, event organizers, volunteers, participants, or any other person, or to any property, occurring on the event site covered by the permit. The applicant/permittee agrees to defend, indemnify and hold harmless the County of Lewis, and its agents from and against all claims,

damages, losses and expenses including but not limited to attorneys' fees, arising out of any claim for personal injuries, property damage or wrongful death associated in any way with the applicant's or participants' use of the permitted site/property, or in any way related to the event, no matter how caused.

F. The DRFP, upon prior consultation with and approval of the County Attorney, may adjust the required insurance coverages and amounts, depending upon the nature of the event, i.e., activities, size, duration.

SECTION 8. PENALTIES FOR NON-COMPLIANCE AND ENFORCEMENT

A. If after a permit is issued (but prior to the actual event), the County determines, through its lawful agent(s), i.e., the DRFP, Highway Superintendent, etc., that any of the items required as a condition under the permit is not adhered to or accomplished within the required time limits, then the permit may be immediately terminated by action of the DRFP, after notification to the County Board of Legislators. Notice of such termination shall be in writing and delivered to the applicant at the mail address and e-mail address set forth on the application.

B. 1. Any person (as defined in this Local Law) who shall organize, promote, conduct or cause to be conducted a special event on County roads, trails, or other county property as defined in this Local Law, without having a written permit in accordance with the provisions of this law shall be deemed to have violated this Local Law.

2. Any person violating this Local Law shall be subject to a civil penalty, enforceable and collectible by the County of Lewis, in the amount of \$250.00 to \$750.00, depending upon the violation, the nature and size of the special event which was or is being held without issuance of or compliance with a permit as herein required. Said violation shall be enforced in in any Court of competent jurisdiction within the County of Lewis.

3. In addition to the above penalty, the County of Lewis may maintain an action or proceeding in the name of the County in a Court of competent jurisdiction to compel compliance with or to restrain by injunction, the violation(s) of such local law.

SECTION 9. SEPARABILITY

If any clause, sentence, paragraph, section or part 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 part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 10. FEE SCHEDULE

The following permit application fee schedule shall apply unless and until amended and acted upon by the Lewis County Board of Legislators by an adopted Resolution.

Application Fee Amount

Event Estimated Size (estimate of attendees)

PROCEEDINGS OF THE BOARD OF LEGISLATORS

\$10.00	Up to 100 participants/attendees
\$20.00	101 up to 500 participants/attendees
\$50.00	501 up to 1,000 participants/attendees
\$100.00	1001 or greater participants/attendees**

** If the event involves 10,000 or more, applicant is subject to additional permit fees under Local Law No. 2- 1970.

SECTION 11. EFFECTIVE DATE

This Local Law shall become effective immediately after filing with the office of the New York Secretary of State.

**RESOLUTION NO. 18 - 2020
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 2- 2020), COUNTY OF LEWIS**

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on February 4, 2020, a proposed Local Law entitled “A LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY”.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on March 3, 2020, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

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

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

**RESOLUTION NO. 19 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Capital Buildings & Grounds**

Introduced by Legislator Thomas Osborne, Chairman of the Finance & Rules Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation take place to the Capital Buildings & Grounds account, balance of \$ 323,372.48, funds transferred from A0990100 992300 (To Capital Buildings & Grounds):

Increase Revenue:

H0162000 350310	\$100,000.00
Project HAC	

Increase Expense:

H0990100 499900	\$100,000.00
Project HAC	

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

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

RESOLUTION NO. 20 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Capital County Road Striping

Introduced by Legislator Thomas Osborne, Chairman of the Finance & Rules Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation take place to the Capital County Road Striping account, balance of \$ 168.69, funds transferred from A0990100 992600 (To Capital Hwy):

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

Increase Revenue

H0512000 350310	\$65,100.00
Project HAI	

Increase Expense

H0512000 499900	\$65,100.00
Project HAI	

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

**RESOLUTION NO. 21 - 2020
RESOLUTION TO TRANSFER & APPROPRIATE FUNDS
Capital Data Processing**

Introduced by Legislator Thomas Osborne, Chairman of the Finance & Rules Committee:

BE IT RESOLVED, as follows:

Section 1. That the following budget changes take place in Interfund Transfers for Capital Data Processing, funds from Fund Balance:

Transfer from:

A0 005990 (fund balance)	\$50,000.00
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Transfer to:

A0990100 994000 (To Cap DP)	\$50,000.00
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Section 2. That the following budget appropriation take place to the Capital Data Processing account, balance of \$ 49,313.37, funds transferred from A0990100 994000 (To Capital DP):

Increase Revenue:

H0990100 350310 Project HAE	\$50,000.00
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Increase Expense:

H0990100 499900 Project HAE	\$50,000.00
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Section 3. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 22 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Capital Equipment**

Introduced by Legislator Thomas Osborne, Chairman of the Finance & Rules Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation take place to the Capital Equipment account, balance of \$ 41,689.62, funds transferred from A0990100 992500 (To Capital Equipment):

Increase Revenue:
H0990100 350310 \$523,000.00
Project HAD

Increase Expense:
H0990100 499900 \$523,000.00
Project HAD

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

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

RESOLUTION NO. 23 - 2020
RESOLUTION AUTHORIZING RENEWAL OF LEASE AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND
CORNELL COOPERATIVE EXTENSION OF LEWIS COUNTY

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

WHEREAS, Lewis County desires to renew the Lease Agreement with Cornell Cooperative Extension of Lewis County (“CCE LC”) for lease of 2,000 square feet of office space and approximately 380 square feet of storage space for exclusive use in the Lewis County-Jefferson Community College Education Center (“LC-JCC-EC”) building located at 7395 East Road, Lowville, NY, at a monthly rental of \$2,450.00, (\$29,400.00 per year); said lease agreement to provide for the County to furnish heating, electric, plumbing, parking, cleaning service, and general maintenance and repair as part of the rental fee; and

WHEREAS, the Board of Legislators wishes to renew the lease agreement with CCE LC for the use of this space.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby authorizes to renew the lease agreement by and between the County of Lewis and Cornell Cooperative Extension of Lewis County, to provide CCE LC with 2,000 square feet of exclusive office space and approximately 380 square feet of storage space, and with access to classroom, conference and laboratory space through coordination with the primary lessor of the building, i.e., Jefferson Community College, as described in the Memorandum of Understanding entered into between the parties, in the newly constructed building located at 7395 East Road, Lowville, NY 13367, for a term commencing February 1, 2020 through January 31, 2021, with annual renewals, at a monthly rental of \$2,450.00.

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 Lease Agreement, upon such terms and conditions approved by the County Attorney.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Gilbert, seconded by Legislator LaChausse, and adopted.

**RESOLUTION NO. 24 - 2020
RESOLUTION APPOINTING MEMBER TO
DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby re-appoints Dennis Mastascusa of 7646 Collins Street, Lowville, New York 13367, to the Development Authority of the North Country.

Section 2. That the term of said appointment shall be for a period of four (4) years effective from February 1, 2020 to February 1, 2024.

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

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

**RESOLUTION NO. 25 - 2020
RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS
WITH REFERENCE TO DISTRICT ATTORNEY OFFICE**

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

WHEREAS, as a result of changes to the New York State Bail Reform Law effective January 1, 2020, the District Attorney's Office is tasked with discovery compliance demands at the outset of all criminal matters requiring and causing additional, immediate workloads necessitating part-time assistance;

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 District Attorney's office to create the following

temporary position, effective and retroactive to December 1, 2019 through December 31, 2020 with compensation not to exceed \$8,000:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Intern	Temporary	\$16.00/hour

Section 2. That the Board of Legislators hereby declares that no additional funding for this temporary intern position will be authorized in 2020.

Section 3. That this resolution shall take effect immediately.

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

**RESOLUTION NO. 26 - 2020
RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS
WITH REFERENCE TO DISTRICT ATTORNEY OFFICE**

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

WHEREAS, as a result of changes to the New York State Bail Reform Law effective January 1, 2020, the District Attorney’s Office is tasked with discovery compliance demands at the outset of all criminal matters requiring and causing additional, immediate workloads necessitating part-time legal assistance;

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 District Attorney’s office to create the following temporary position, effective and retroactive to January 1, 2020 through December 31, 2020 with compensation not to exceed \$20,000:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Part-Time Assistant District Attorney	Temporary	\$50.00/hour

Section 2. That the Board of Legislators hereby declares that no additional funding for this part-time, temporary position will be authorized in 2020.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Kulzer, seconded by Legislator Burns, and adopted. Legislator Gilbert abstained.

RESOLUTION NO. 27 - 2020

**RESOLUTION TO TRANSFER FUNDS
District Attorney**

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

BE IT RESOLVED as follows:

Section 1. That the following 2020 budget changes take place in the District Attorney Department for computer equipment related to new discovery legislation, funds to come from Project HAE Capital Equipment H0990100 499900 balance \$49,313.37:

Increase Revenue:

A0100000 350310 Interfund transfers \$3,459.39

Increase Expense:

A0116500 221700 Computers \$3,459.39

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

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

**RESOLUTION NO. 28 - 2020
RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 1
BETWEEN LEWIS COUNTY HIGHWAY DEPARTMENT
AND ENGINEERING SERVICES OF BARTON & LOGUIDICE
(HIGHMARKET ROAD OVER NORTH BRANCH SUGAR RIVER)**

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

WHEREAS, the Lewis County Board of Legislators adopted Resolution No. 372-2017 authorizing a Project for the Bridge Replacement on Highmarket Road over North Branch Sugar River (PIN 775374; BIN 3340360) in the Town of West Turin, County of Lewis for the Preliminary Engineering/Design and Right Of Way Incidentals Phases of the Project; and

WHEREAS, the Lewis County Board of Legislators adopted Resolution No. 79-2018 authorizing professional engineering and design services with Barton & Loguidice (“B&L”), who are approved by New York State Department of Transportation professional engineers on state bridge projects, for the Preliminary Engineering/Design and Right of Way Incidental Phases for the bridge project in the amount of \$179,000; and

WHEREAS, the Lewis County Highway Department desires to have B&L provide additional professional engineering and design services required for the project and as set forth in the Supplemental Agreement No. 1, including the Preliminary Engineering/Design and Construction Phases, of this bridge project (PIN 775374; BIN 3340360); and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a Supplemental Agreement No. 1 between the County of Lewis by and through the Lewis County Highway Department and Barton & Loguidice to provide additional professional engineering and design services required in the amount of \$166,000 for the Preliminary Engineering/Design and the Construction Phases for the bridge replacement project identified as Highmarket Road over North Branch Sugar River (PIN 775374; BIN 3340360).

Section 2. That the term of this Agreement shall be from December 23, 2019 through December 31, 2021, with a revised maximum amount not to exceed \$345,000.00 (80% eligible for federal funds, 15% state funds and 5% local share cost).

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

Section 4. That \$345,000.00 shall be appropriated in the Capital Bridge Program to facilitate the Supplemental Agreement No. 1 for the PE/Design and Constructions Phases for the Bridge Replacement on Highmarket Road over North Branch Sugar River (PIN 775374; BIN 3340360) in the Town of West Turin. The following accounts shall be recognized to facilitate the funding of this project:

Increase Revenues:

H0512000 345970 FEDERAL	\$ 132,800.00
H0512000 335910 STATE	\$ 24,900.00
H0512000 350310 LOCAL	\$ 8,300.00
Project HAO	

Increase Expenses:

H0512000 499900	\$ 166,000.00
Project HAO	

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

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

**RESOLUTION NO. 29 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND STANTEC CONSULTING SERVICES INC. TO
PROVIDE PROFESSIONAL ENGINEERING, DESIGN, CONSTRUCTION**

MANAGEMENT AND ADMINISTRATION FOR A NEW ABOVEGROUND FUEL STORAGE SYSTEM AT THE LEWIS COUNTY HIGHWAY DEPARTMENT

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

WHEREAS, the Lewis County Highway Department recently sent out a Request for Qualifications for Engineering, Environmental and Construction Services for Fueling Facilities under the County's plan to replace and remove two underground petroleum storage tanks at the Highway Garage, which are nearing their useful life; and

WHEREAS, the General Services Committee, along with the County Manager and Highway Superintendent considered the responses to the RFQ and approved Stantec Consulting Services Inc., ("Stantec") to submit a proposal to provide professional engineering evaluations and initial conceptual designs for the replacement of the diesel fueling system at the Highway Garage; that is, removal and replacement of the two underground diesel tanks, to be replaced with either one or two aboveground or underground tanks with a total capacity of 20,000 gallons, and with analysis of potential design alternatives of the foregoing based upon site planning constraints, costs, operational factors, regulatory requirements, and environmental considerations; and

WHEREAS, Stantec provided conceptual fuel system designs, with detailed analysis of costs and other factors for each concept. The General Services committee considered each conceptual design; their pros/cons and costs, and recommend that the County retain Stantec Consulting Services to provide professional engineering final design, construction plans, management and administrative services in accordance with conceptual design identified as Concept # 3 (B); and

WHEREAS, Concept #3 (B) includes, but is not limited to purchase and installation of two-10,000 gallon aboveground diesel fuel storage tanks (overflow protected), on concrete foundation pads, gravel, piping, dispensers, preparation for heating apparatus and other tank accessories for the system; pressurized pumping system; electrical; repaving; bollards; updated software for the monitoring system; all on the east side location, with removal of the existing tanks. In addition, Stantec will prepare contract bid documents, assistance during bidding, construction administration, oversight of removal of existing underground tanks, soil testing and report required by NYS DEC, for an estimated costs of \$\$52,912 total Design and Bidding/Construction Administration fees, \$14,323 in geotechnical fees and \$7,842 in UST Closure Report; all as more fully set forth in their revised Proposal with scope of services dated January 16, 2020, with construction to commence in Summer/Fall, 2020;

WHEREAS, the Board of Legislators seeks to authorize this professional services contract with Stantec.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with Stantec Consulting Services Inc., 61 Commerce Street, Ste 100, Rochester,

NY,14614, to provide professional engineering, consulting, final design, construction management and administrative services for a new diesel fueling system at the Highway Garage (Ease Side Location), for above ground tanks with a total capacity of 20,000 gallons (two – 10,000 tanks) and related accessories required, plus removal of the existing underground tanks at the site, as described in their design proposals dated 10/14/19 and identified as Concept #3 (B); and with the fees and scope of services set forth in their revised professional services proposal dated January 16, 2020.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include Final Design Phase Services, Bidding/Construction and Tank Closure Phases scope of services, with construction to commence in the Summer/Fall of 2020, at a cost not to exceed \$52912 for Design , Bidding and Construction Administration, \$14,323, for Geotechnical costs and services, and \$7,842 for Underground tank removal, closure and required reporting.

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 approved 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. 30 - 2020
RESOLUTION APPOINTING MEMBER TO
PLANNING BOARD

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints John Lehman of 11036 State Route 812, Croghan, New York 13327 as a member of the Lewis County Planning Board.

Section 2. That the term of said appointment shall be effective from February 1, 2020 through December 31, 2022.

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

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

RESOLUTION NO. 31 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Planning Department

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved for payback funds in the CDBG account (CL 069100) to Planning Department for various community projects:

Increase Revenue:

A0100000 327010 Ref of Prior Years	\$10,000.00
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Increase Expense:

A0802000 495500 Planning Projects	\$10,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Gilbert, seconded by Legislator LaChausse. In response to Legislator Kulzer, Planning Director Frank Pace explained that these funds haven't been earmarked for any certain project yet however, there are some ideas that have been brought forward.

The resolution was then adopted.

**RESOLUTION NO. 32 - 2020
RESOLUTION AUTHORIZING A RENEWAL AGREEMENT
BETWEEN THE COUNTY OF LEWIS, ON BEHALF OF THE
LEWIS COUNTY PROBATION DEPARTMENT AND
CAPITAL DISTRICT YOUTH CENTER, INC.**

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

WHEREAS, Capital District Youth Center, Inc. ("Facility") is a not-for-profit corporation organized and existing under the laws of the State of New York, with its principal offices located at One Park Place, Albany, New York 12205. The Facility operates a regional secure detention facility known as the Capital District Juvenile Secure Detention Facility located at 838 Albany-Shaker Road, Albany, New York 12211-1088; and

WHEREAS, new laws and regulations commonly referred to as "Raise The Age" became effective October 1, 2018, which require the County to have a contract in place for access to a secure, certified detention facility for eligible juvenile delinquents, juvenile offenders and adolescent offenders pursuant to County Law § 218-1; and

WHEREAS, the New York State Office of Children and Family Services ("OCFS") has certified said Facility as a secured detention facility and, OCFS and the New York State Commission of Correction has certified the Facility as a specialized secured detention facility, which is co-administered with the Albany County Sheriff; and

WHEREAS, the County of Lewis, on behalf of the Lewis County Probation Department, wishes to utilize this Facility as needed for its eligible juvenile delinquents, as defined in the NYS Family Court Act (“JD”), juvenile offenders, as defined in the NYS Criminal Procedure Law (“JO”) and adolescent offenders, as defined in the NYS Criminal Procedure Law (“AO”, and collectively with JD and JO, “Youth”); 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 Capital District Youth Center, Inc. to utilize their services for the provision of secured detention of juvenile delinquents, juvenile offenders and adolescent offenders if needed, pursuant to and in accordance with County Law § 218-1.

Section 2. That this is for the term beginning January 1, 2020 through December 31, 2020 at a rate determined by OCFS based upon actual costs of care at the Facility. Probation will receive 49% reimbursement from the Department of Criminal Justice Services (“DCJS”) if this service is required.

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 Burns, and adopted.

RESOLUTION NO. 33 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Public Health Department

Introduced by Legislator Randall LaChausse, Chairman of the Health & Human Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the Public Health Department to appropriate grant funds received.

<u>Increase Revenue</u>	
A0401300 327000 Public Health General	\$404.23

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Increase Expense

A0401500 450300 EI Education Material \$404.23

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

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

**RESOLUTION NO. 34 - 2020
RESOLUTION AUTHORIZING AN AGREEMENT WITH
FORT DRUM REGIONAL HEALTH PLANNING ORGANIZATION
AND LEWIS COUNTY PUBLIC HEALTH TO ACCEPT A GRANT AWARD
FOR PREVENTION AND MANAGEMENT OF CHRONIC DISEASE**

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee.

WHEREAS, Fort Drum Regional Health Planning Organization (“FDRHPO”) works to address the health needs of Jefferson, Lewis and St. Lawrence Counties to include prevention and management of chronic disease, recruitment and retention of healthcare workforce and the social determinants of health facing our community members; and

WHEREAS, on December 16, 2019, FDRHPO entered into the Statewide Grant Agreement Mother Cabrini Health Foundation award for the project “Impacting Drivers of Health Care Utilization” for the term January 1, 2020 through December 31, 2020; and

WHEREAS, under this grant award, Lewis County Public Health (“Agency”) will receive \$6,250.00 in funds in consideration of assigning at least one representative from its agency to participate on the grant’s action team, to include participation in and execution of action team deliverables; and

WHEREAS, the deliverables that Lewis County Public Health will commit to are (1) identifying and implementing innovative strategies to bring awareness of chronic disease prevention programs to the dual-eligible beneficiaries participating in the Medicare Shared Savings Program (2) tracking program referrals, attendance, and patient survey data for these beneficiaries (3) develop and implement an approach to identifying and addressing the unmet needs (social determinants of health) for these beneficiaries, and (4) record patient success stories and facilitate collaboration among other chronic disease prevention programs to demonstrate project impact/potential for replication; and

WHEREAS, the Board of Legislators desires to authorize an agreement with FDRHPO and Lewis County Public Health to participate in the project and receive said funding;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement with Fort Drum Regional Health Planning Organization and Lewis County Public Health to receive grant funds in the amount of \$6,250.00 to participate on the grant's action team and execute team deliverables for prevention and management of chronic disease in the community.

Section 2. That the term of the contract period is from January 1, 2020 through December 31, 2020.

Section 3. That the Director of Public Health is hereby authorized to execute any agreements or other documents which may be required to give effect to receipt of these Grant funds.

Section 4. That the following budget appropriation is hereby approved in the Public Health accounts for prevention and management of chronic disease:

Increase Revenue:

A04013000 327000 Public Health General \$6,250.00

Increase Expense:

A0409300 490900 Chronic Disease Miscellaneous \$6,250.00

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

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

**RESOLUTION NO. 35 - 2020
RESOLUTION TO URGE DELAY OF NEW LEAD POISONING REGULATIONS DUE
TO AN UNWORKABLE TIMELINE AND EXORBITANT COST**

Introduced by Legislator Lawrence Dolhof, Chairman of the Board of Legislators.

WHEREAS, protecting children from exposure to lead is a key public health priority. Even low levels of lead in blood have been shown to affect IQ, ability to pay attention, and academic achievement; there is no safe level of lead exposure and the neurological and behavioral effects of lead are believed to be irreversible; and

WHEREAS, New York State has lowered the definition of elevated blood lead level (EBLL) to five micrograms per deciliter to address the long-term health and economic impact that lead poisoning has on individual children and families and our communities as a whole; and

WHEREAS, the change in the law was not accompanied with the resources needed to assure swift and effective implementation; in their recent regulatory impact statement, the New York State Department of Health indicates that lowering the elevated blood lead level will result in a six-fold increase in children requiring public health intervention Statewide; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, counties anticipate that the statutory change will result in renewed efforts to assure compliance with current lead testing requirements on the part of physicians, which may further increase the number of reported cases; and

WHEREAS, the regulatory impact statement provides an average nursing cost of \$713.00 per case and an average environmental management cost of \$2,123.00 per case; and

WHEREAS, based on the average projected number of cases and the average costs provided, the NYS 2019-20 fiscal year investment of \$9.4 million for local health department services leaves approximately \$36.6 million - or 80% - of the costs to be paid by local governments; and

WHEREAS, local health departments report that they will incur additional personnel and non-personnel costs relative to the increased number of lead cases; and

WHEREAS, Article Six State aid reimbursement does not allow for reimbursement of fringe or indirect costs, which are a 100% county cost; and

WHEREAS, the cost associated with this expanded mandate may affect the ability of local governments to stay within the State enacted property tax cap, thus placing a greater tax burden on communities; and

WHEREAS, securing the necessary resources could result in either significant reductions in other critical public health services and staff or the inability to comply with the new requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Lewis County Legislature requests that the New York State Department of Health extend the implementation of the deadline to at least April 1st, 2020 in recognition of the time needs related to budgeting, hiring and purchasing; and

BE IT FURTHER RESOLVED, that the Governor and the New York State Legislature identify and provide additional revenue sufficient to cover the full costs of this expanded mandate to local governments; and

BE IT FURTHER RESOLVED, that this funding be provided through grant mechanisms to allow the needed flexibility to support hiring and non-personnel expenses; and

BE IT FURTHER RESOLVED, that the Lewis County Legislature urges that future savings to government programs from this statutory change be allocated to support primary lead poisoning prevention activities and other public health services; and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Assemblyman Kenneth Blankenbush, Senator Joseph Griffo and the New York State Association of Counties.

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

RESOLUTION NO. 36 - 2020
URGING NEW YORK STATE DEPARTMENT OF HEALTH AND NEW YORK STATE
DIVISION OF BUDGET TO REQUIRE PROVIDERS TO MAXIMIZE
REIMBURSEMENT FROM ALL THIRD-PARTY PAYERS

Introduced by Legislator Lawrence Dolhof, Chairman of the Board of Legislators.

WHEREAS, prior to 2013, counties funded 100% of the cost of the State's Early Intervention Program and then sought reimbursement beginning in the following county fiscal year as required under State law; and

WHEREAS, the State implemented a State Fiscal Agent Administrative Model in April, 2013 that centralized billing and contracting at the State level, rather than at the county level; and

WHEREAS, the State Fiscal Agent used their own administrative and reimbursement information technology system to collect funds from counties and make payments to providers due to limitations with the New York State Department of Health's (NYSDOH's) Early Intervention System (NYEIS); and

WHEREAS, recent problems have arisen under the State Fiscal Agent platform related to the lack of follow through by some service providers when they file for payment from insurance companies in the first instance as the law requires and insurers ask for more information; and

WHEREAS, any extensive delay in providing such information can result in a denial by the insurance company due to untimely filing, causing these claims to fall to the State and counties, forcing both to pay more than they should under the law; and

WHEREAS, we continue to support proposals from the Governor that prioritize and require providers to enforce current insurance regulations regarding payment of Early Intervention service claims in an attempt to increase commercial insurance collections; and

WHEREAS, we also ask that as part of these systems enhancement proposals, Medicaid revisit the retro re-billing process where the State identifies all claims that the counties and State pay, including, but not limited to, waived services, and resubmit those to Medicaid to identify if a child's coverage changed; and

WHEREAS, the State has implemented health insurance benefit changes in its Child Health Plus program that will likely reduce third party billing opportunities, resulting in higher county costs for the Early Intervention Program; and

WHEREAS, under the Statewide fiscal agent model, counties remain concerned about program integrity efforts pursued by the fiscal agent and the NYSDOH through audits, and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

believe that third party collections are not being maximized based on the increasing drawdown of funds out of the escrow for many counties, far in excess of budget allocations or caseload changes suggest should be the case; and

WHEREAS, while counties have been advised by NYSDOH that they may pursue their own audits and collections to ensure program integrity, counties have no effective mechanism under the law, or leverage with providers, to recoup any audit findings as counties do not hold the provider contracts or have the ability to withhold payments as a way to recoup funds.

NOW, THEREFORE, BE IT RESOLVED, that the Lewis County Legislature calls upon the Governor, the New York State Legislature, Assemblyman Kenneth Blankenbush and Senator Joseph Griffo to implement policies and procedures to ensure that initial provider claims, and follow-up response, are filed in a timely manner to commercial insurance providers and Medicaid; and

BE IT FURTHER RESOLVED, that the State require all providers to enroll in 835 electronic remits and a timely filing requirement; and

BE IT FURTHER RESOLVED, that the State Fiscal Agent must implement systematic changes to the billing system to track claims and ensure providers exhaust all appeals in a timely manner before moving on to the next payer of record; and

BE IT FURTHER RESOLVED, that we ask, instead, that Medicaid pay the claims in the first instance, so that counties don't have to pay upfront and then receive these monies many years later; and

BE IF FURTHER RESOLVED, that the State should carefully review all benefit changes in State supported public health insurance programs such as Medicaid and Child Health Plus to ensure new costs are not shifted onto county public health programs when current benefits are eliminated or modified; and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Assemblyman Kenneth Blankenbush, Senator Joseph Griffo and the New York Association of Counties.

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

**RESOLUTION NO. 37 - 2020
URGING GOVERNOR ANDREW M. CUOMO AND NEW YORK STATE
LEGISLATURE TO IMPROVE EARLY INTERVENTION PROGRAM
TO BETTER SERVE CHILDREN AND FAMILIES THROUGH REFORMS
TO ADDRESS LACK OF AVAILABLE PROVIDERS
IN MANY AREAS OF THE STATE**

Introduced by Legislator Lawrence Dolhof, Chairman of the Board of Legislators.

WHEREAS, the Early Intervention Program in New York State is still in need of comprehensive reform to address the concerning issue of provider capacity since the transition to State administered provider agreements in April, 2013; and

WHEREAS, counties are responsible to ensure that services developed in an Individualized Family Service Plan (IFSP) begin within a timely fashion, ie. within thirty (30) days from the date of the authorizing IFSP; and

WHEREAS, counties must assign providers to a child's IFSP that have current provider agreements with the New York State Bureau of Early Intervention and are listed per county in the New York Early Intervention System (NYEIS) database; and

WHEREAS, the existing number of providers are inadequate to meet the needs of the currently enrolled EIP children and their families; and

WHEREAS, providers listed in the NYEIS database are frequently unavailable to service a child due to factors including the area in which the child resides, the provider is only accepting referrals for one (1) or two (2) children enrolled in the Early Intervention Program (EIP) due to other commitments outside of the EIP, provider case load is full and/or the provider no longer works for the EIP although remains listed in the NYEIS; and

WHEREAS, there are many children not receiving the EIP services they are entitled to, and are instead placed on wait lists pending an available provider; and

WHEREAS, some regions of the State don't have providers available that specialize in certain service categories; and

WHEREAS, there is little evidence that the centralization of provider agreements and billing, through the Statewide fiscal agent model, has improved the overall rate of collections from third party private insurance or Medicaid, but may be contributing to a decline in the number of providers willing to participate in the Early Intervention Program.

NOW, THEREFORE, BE IT RESOLVED, that the Lewis County Legislature calls upon the Governor and the New York State Legislature, Assemblyman Kenneth Blankenbush and Senator Joseph Griffo to consider reforms to the Early Intervention Program to ensure sufficient provider capacity is available and that counties will be held harmless for any delays due to a lack of adequate and timely availability of providers; and

BE IT FURTHER RESOLVED, that the State Department of Health should operationalize a robust system of service delivery options for counties to utilize, including teletherapy, to address the lack of available providers in many areas of the State; and

BE IT FURTHER RESOLVED, that the State should adjust the Early Intervention rate structure to improve access to these services for children who live in poverty, via no less than a

PROCEEDINGS OF THE BOARD OF LEGISLATORS

5% rate increase for services provided to children in zip codes where the percentage of the population below poverty is 15% or higher; and

BE IT FURTHER RESOLVED, that the State should cap county costs, ensuring that the counties are held harmless by any increase in provider rates; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and

BE IT FURTHER RESOLVED, that the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, Assemblyman Kenneth Blankenbush, Senator Joseph Griffo and the New York Association of Counties.

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

**RESOLUTION NO. 38 - 2020
RESOLUTION TO TRANSFER FUNDS
Trails Maintenance**

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

BE IT RESOLVED as follows:

Section 1. That the following 2020 budget changes take place in the Recreation Forestry and Parks Department for a computer for Recreational Trails office, funds to come from Project HAE Capital Equipment H0990100 499900 balance \$ 49,313.37 :

Increase Revenue:

A0100000 350310 Interfund transfers \$1,951.80

Increase Expense:

A0798900 221700 Computers \$1,951.80

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

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

**RESOLUTION NO. 39 - 2020
RESOLUTION TO APPROPRIATE FUNDS
E911**

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation take place in the E911 accounts from additional Radio Grant funds for operation costs:

Increase Revenue:

A0302000 331800 Radio Grant \$170,830.00

Increase Expense:

A0302000 292100 Equip \$170,830.00

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

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

**RESOLUTION NO. 40 - 2020
RESOLUTION TO TRANSFER FUNDS
E911**

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

BE IT RESOLVED, as follows:

Section 1. That the following transfer take place in the E911 accounts to correct error in budget line:

From:

A0302000 803000 FICA \$45,000.00

To:

A0302000 496600 PSAP Prof serv \$45,000.00

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

Moved by Legislator Burns, seconded by Legislator Gilbert, and adopted.

**RESOLUTION NO. 41 - 2020
RESOLUTION TO APPROPRIATE FUNDS FOR
Social Services Department**

Introduced by Legislator Randall LaChausse, Chairman of the Health & Human Services Committee:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, DSS has received an allocation in the amount of \$20,000 to support Code Blue funding from October 2019 thru September 2020:

THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the following appropriations are hereby approved for 2020 DSS Budget:

Increase Revenue:

A0614000 336400 Safety Net State Revenue \$20,000.00

Increase Expenses:

A0614000 499900 Safety NetExpense \$20,000.00

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

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

**RESOLUTION NO. 42 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Social Services Department**

Introduced by Legislator Randall LaChausse, Chairman of the Health and Human Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriations are hereby approved in the Social Services accounts for the increase in funds of Medicaid funding for Community First Choice Options meals:

Increase Revenue

A0601000 336100 State \$11,500.00

Increase Expense

A0610100 471800 CFCO \$11,500.00

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

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

**RESOLUTION NO. 43 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Social Services Department**

Introduced by Legislator Randall LaChausse, Chairman of the Health and Human Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved to increase FFY19-20 TANF Non Residential Domestic Violence Services Program funding for Lewis County Opportunities:

Increase Revenue

A0610900 346090 Fed Aid \$25,000.00

Increase Expense

A0610900 460900 Non- Res DV \$25,000.00

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

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

**RESOLUTION NO. 44 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Solid Waste Department**

Introduced by Legislator Jerry King, Chairman of the General Services Committee:

BE IT RESOLVED as follows:

Section 1. That the following 2020 budget appropriation take place in the Solid Waste accounts to fund the Capital Plan purchase of equipment.

Increase Revenue:

ES816000 321302 Invoiced Revenue \$350,000.00

Increase Expense:

ES816000 223300 Equip - Vehicles \$350,000.00

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

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

**RESOLUTION NO. 45 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SOLID WASTE DEPARTMENT
AND BARTON & LOGUIDICE**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

WHEREAS, Lewis County Solid Waste seeks to make improvements to the transfer station on Route 26, to accommodate a change from the current method of a stationary compactor (50 cubic yard roll-off container) to direct-placed waste into 100 cubic yard push-off trailers, designed for better efficiency; and

WHEREAS, the Lewis County Solid Waste Department desires to enter into an agreement with Barton & Loguidice (“B&L”), professional engineers and architectural firm, to provide design and cost options for the proposed changes; and

WHEREAS, B&L will provide two (2) improvement design options with estimated costs. The first option would be to modify and continue using the existing facility; the second option would be to construct a new facility on the site. For each option, B&L will be tasked with 1) providing conceptual site plans with cost estimates; 2) design development and site subsurface investigation; 3) assist with SEQRA compliance; and 4) submit the site plan, along with the registration application to NYS DEC for approval; and

WHEREAS, after review and discussion with the committee on the two options, and upon the committee’s option choice, the scope of services proposed under tasks two (2) through four (4) will be determined, but in no event shall the costs exceed \$105,500.00 if the option for construction of a new facility is chosen; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis by and through the Lewis County Solid Waste Department and Barton & Loguidice to provide professional engineering, planning, and architectural services with respect to proposed changes to the Lowville Transfer Station located at 7652 State Route 26, Lowville, New York, at a cost not to exceed \$105,500.00, as set forth in their proposal.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement and any amendment to the scope of services depending upon the option chosen, pending approval by the County Attorney.

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

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

**RESOLUTION NO. 46 – 2020
RESOLUTION APPOINTING ADMINISTRATOR OF
LEWIS COUNTY SELF-INSURANCE PLAN**

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Cassandra Moser, as Administrator of the Lewis County Self-Insurance Plan, retroactive to January 1, 2020.

Section 2. That CASSANDRA MOSER, shall be paid an annual salary of \$10,000.00, in her position as said Administrator of the Lewis County Self-Insurance Plan.

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

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

**RESOLUTION NO. 47 - 2020
RESOLUTION TO TRANSFER FUNDS
DSS - WIOA**

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2020 budget transfer takes place in the Department of Social Services to reallocate funds for WIOA accounts:

Increase Expense:

CD629200 499900 Adult	\$16,000.00
CD629200 110100 Adult Wages	\$ 8,000.00

Decrease Expense:

CD629100 499900 Dislocated Worker	\$24,000.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 48 - 2020
RESOLUTION TO APPROPRIATE FUNDS FOR
Youth Bureau**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Randall LaChausse, Chairman of the Health & Human Services Committee:

BE IT RESOLVED, as follows:

Section 1. That the following appropriations take place in the Youth Bureau accounts for new State funds for Safe Harbour program:

Increase Revenue:

A0731100 338203 State Safe	\$30,000.00
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Increase Expenses:

A0731100 453000 Safe Harbour	\$30,000.00
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Section 2. That the within resolution shall take effect immediately.

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

**RESOLUTION NO. 49 - 2020
RESOLUTION IN SUPPORT OF FORT DRUM'S
DESIGNATION AS A FOURTH ARMY CORPS HEADQUARTERS**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators

WHEREAS, the County of Lewis is a member of the Fort Drum Regional Liaison Organization; and

WHEREAS, the County of Lewis is aware that Fort Drum is one of thirty-one military bases being considered for stationing and activation of a Fourth Army Corps Headquarters by the US Army to fulfill requirements under the National Defense Strategy. A Fourth Corps Army Headquarters at Fort Drum with its planned Operational Command Post (OCP) would bring approximately 630 soldiers and their families to the North Country (with an additional 200 soldiers in Europe), to conduct operational planning, rotational and permanently-stationed tactical units, and provide mission command of initial combat operations to increase flexibility in support of other theater combatant commands as needed; and

WHEREAS, the Army's stationing criteria, requirements and operational/corps mission considerations as outlined in its January 21, 2020 information paper suggest that Fort Drum is the ideal facility and location, with the necessary space, equipment and capabilities for this important mission and stationing and the ability to support this growth. In addition, the North Country communities, inclusive of Lewis County, have the highest level of community support and effective communication between the installation and its civilian neighbors; and provides unwavering solidarity and commitment to and for Fort Drum operations and expansion; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators of the County of Lewis extends its support for Fort Drum being designated as a Fourth Army Corps Headquarters to fulfill the Army's requirements under its National Defense Strategy.

Section 2. That the Board of Legislators of the County of Lewis, to the best of its ability, pledges to participate in such activities and assessments of Fort Drum's capabilities to be designated as a Fourth Army Corps Headquarters, as the decision-makers deem appropriate.

Section 3. That the Chairman of the Board is authorized to immediately submit a FRDRLO member letter in support of this effort together with a certified copy of this Resolution to Nancy Datoush, Administrative Assistant, Advocate Drum, Fort Drum Regional Liaison Organization for distribution to all appropriate military individuals in the decision process.

Section 4. That the Clerk of the Board is directed to forward certified copies of the this Resolution to New York State Senators Charles Schumer and Kirsten Gillibrand; to US Congresswoman Elise Stefanik, and to Mr. Theodore C. Williams, Senior Liaison, Policy & Readiness, Department of the Army, OCLL 16385, and all others deemed appropriate by the Board of Legislators.

Section 5. That this Resolution shall take effect immediately.

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

RESOLUTION NO. 50 – 2020
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BOARD OF DIRECTORS

Introduced by Legislator Lawrence Dolhof, Chairman of the Board of Legislators.

WHEREAS, pursuant to Section 856 of the General Municipal Law, an Industrial Development Agency shall be a corporate government agency constituting a public benefit corporation; and

WHEREAS, the Industrial Development Agency Board of Directors shall consist of not less than three nor more than seven members, who shall be appointed by the governing Board of Legislators; and

WHEREAS, said members shall serve at the pleasure of the Board of Legislators.

NOW, THEREFORE, BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That this Board of Legislators hereby appoints Darlene Rowsam of 9804 Number Three Road, Copenhagen, New York to the Lewis County Industrial Development Agency Board of Directors, to serve at the pleasure of the Board of Legislators.

Section 2. That said appointment shall be effective February 4, 2020 for an indefinite term.

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

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

OTHER BUSINESS:

Chairman Dolhof announced that the JCC Center for Community Studies will present their 2019 Lewis County Survey results to Legislators at 4:00 p.m. prior to the next Board meeting on Tuesday, March 3rd. Legislator Chartrand reminded everyone to visit the advocate Drum website and sign the petition to support Fort Drum becoming the Army Corps Headquarters.

There being no other business to come before the Board, Legislator Chartrand made a motion to adjourn the meeting at 6:38 p.m., seconded by Legislator LaChausse and carried.

MARCH 3, 2020

**REGULAR MEETING
March 3, 2020**

The meeting was called to order at 5:00 p.m. by the Chairman of the Board Lawrence Dolhof.

Roll Call: All Legislators were present.

Chairman Dolhof offered the Invocation followed by the Pledge of Allegiance to the Flag.

There were 81 persons present.

Chairman Dolhof declared the February 4, 2020 meeting minutes approved by general consent.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: Thomas Osborne
Ronald Burns
Ian Gilbert
Gregory Kulzer
Phil Hathway

Dated: March 3, 2020

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

PRIVILEGE OF THE FLOOR:

Chairman Dolhof opened the public hearing for comments on Local Law (Introductory No. 1-2020) A Local Law Amending Local Law 9-2019 Providing for the Partial Exemption of Certain Real Property Owned by Persons 65 Years of Age or Over; and comments on Local Law (Introductory No. 2-2020) A Local Law Regulating and Permitting Special Events on County Roads, Trails or Other County Property.

Mr. Douglas Dietrich of Brantingham introduced himself. He explained that he was representing the Brantingham Snowmobile Club. Brantingham has had a Winterfest and Parade each winter for the past 30 years and now will be required to register this event and pay a fee. The way the law reads, if someone were to have a Christmas party and had people park along side of the road they would have to get a permit 90 days ahead of time. The law is too inclusive and should be limited down to a few of the larger events like SNIRT and a 90 day notice is far too long. There hasn't been any explanation as to where the money that is collected from the permit fees will be going.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

County Attorney Joan McNichol clarified that the fee is very minimal: \$10.00 for events with up to 100 people; \$20 for events with 101 to 500 people; and \$50 for events with 501 to 1,000 people. Mr. Dietrich reminded everyone that Snowmobile Clubs are made up of volunteers and that this is just another added fee that they will have to pay.

Chairman Dolhof clarified that the purpose of this Local Law is not to make money but to provide the hospital, law enforcement, highway department, and other people that are responsible for infrastructure that there is something going on in the county that they might want to be aware of. In response to Mr. Dietrich's question on who would be policing this law, Chairman Dolhof responded that the county would.

Mr. Dietrich concluded that the whole law is too broad and he is not happy with all the inclusiveness. He then thanked Legislator LaChausse for attending at the Lewis County Snowmobile Association luncheon last week.

Michele Ledoux from Cornell Cooperative Extension and Jen Karelus from the Farm Bureau gave a brief presentation on Agriculture in Lewis County by reading the following statistics: In 2019, 5.7 million gallons of milk were produced which would make 78 million cheese sticks; In 2017 there were 1,542 beef cows which would make 3 million hamburgers; In 2017 4,380 pounds of honey was made and each pound requires bees to gather nectar from 2 million flowers; In an average year 50,000 gallons of maple syrup is produced which would make 17 million maple candies.

Michele Ledoux explained the book that was given out to each legislator "Right This Very Minute – a table-to-farm book about food and farming by Lisl H. Detlefsen" is distributed to local schools and libraries across the state to help children learn about farming and how it relates to the food they eat. Chairman Dolhof read a proclamation commemorating March as Agriculture Month in Lewis County and presented the proclamation to the Lewis County Dairy Princess.

Chairman Dolhof commented that the Ad Hoc Committee for Second Amendment Sanctuary Ordinance research met earlier in the day and looked at various resolutions that have been passed locally and in other states. They have come up with language and will have the attorney work on putting it together and once that has been completed will reach out to the leaders of the S.A.S.O. group to review it. If everyone is in agreement the resolution will be submitted at the Legislative Committee meetings on March 17th so the other legislators, who are not involved in this Ad Hoc committee, can get a better understanding of it. From there it will be presented at the April 7th Board meeting.

Chairman Dolhof reminded everyone that this is not the first time this type of issue has been addressed by the Board, in fact this is the fifth time. There were two resolutions passed in 2013 and two more again last year opposing the Safe Act. This is a State level problem, same as what is happening in Virginia, all three of the executive branches are of the same political party majority. This needs to be addressed by the voters, so make sure when State Representatives are up for election to get out and vote.

Mr. Patrick Morse of New Bremen introduced himself. He asked which Legislative Committee this would be brought up in and Chairman Dolhof responded that it would be both the General Services Committee at 1:00 p.m. and the Finance & Rules Committee at 4:00 p.m. Mr. Morse expressed appreciation that the Legislators are paying attention to this matter and are taking it seriously. The previous resolutions that have been passed had no teeth in them. They were passed and then forgotten about and this group wants to have something long lasting. Some members of this group have been to Albany time and time again but to no avail. The rule book is slanted towards Albany and its time that we throw the rule book back at them. The Lewis County Community Survey showed that 68% of residents are pro second amendment.

Mr. Morse wanted to clarify the misconceptions about what this group wants. The group wants to get rid of some laws that infringe upon the rights of law abiding citizens. They are not saying that felons can have guns, or that people using a gun in a crime won't be arrested and prosecuted, or that people can buy AR15's and run around with them. They are asking that county resources not be used to go against law abiding citizens. They still want the county to continue with the pistol permit process because they need those permits for outside of Lewis County. The current wait time for a pistol permit is up to 22 months, which is a result of Sheriff Carpinelli not having a designated staff member and it is not fair to the taxpayers. There are also only two deputies on duty at a time to cover the entire county which is not enough and the Bonadio audit that was done a few years ago showed that the Sheriff was understaffed. In closing this group has waited patiently for 2 months, the Safe Act took less than 18 hours to pass in NYS, there needs to be something done and not another sorry gram to the Governor, something with teeth.

Mr. Beau Bailey from Lyons Falls introduced himself. Twenty Eight days ago this group presented a petition to the Legislators to adopt the Second Amendment Sanctuary Ordinance that had signed support from nearly 28% of voters in this county. This matter seems to be getting brushed off with little attention but deserves immediate focused attention. Comments have been made that no one comes out for the public budget hearing but when gun rights are on the table for discussion the public comes out in droves, this is because there are direct threats to our liberties which is far more alarming that how money is being spent. Our heritage and traditions are what many hope to pass on but may not get the opportunity with the current and pending legislation regarding gun control. We do not have a gun problem in this county, we have an overregulation problem in this county and an under representation problem.

Mr. Bailey questioned why legislators chose this path, was it for personal gain or to stand up and be a voice? As a legislator you are faced with tough decisions but as a leader you should inspire. Try making an inspiring move and bring this issue to a vote. If you stand for us, we will stand with you and if you don't we will find someone who will. This group wants the Second Amendment Sanctuary Ordinance brought to a vote now.

Mr. Tracy Hand from Port Leyden introduced himself. He recited a portion of the declaration of Independence to show why government was formed and that the legislator's job is to secure our rights and freedoms, not to secure our safety and not to secure state funding. This issue is important to our community and it is evident in the vast number of people who come out

PROCEEDINGS OF THE BOARD OF LEGISLATORS

in support. Our state government is making bad laws for cities on a state level, they don't know us, what we need, or who we are. We elected you because you are us, we trust you. Our county runs fairly well and we believe that you have our best interests at heart. We have stood by as long as we can while our rights have been infringed upon. The state has gone too far, chipping away at our freedoms. This group is not asking anyone to ignore any laws or violate oaths of office. The case of *Norton v. Shelby County* 118US425 found that an unconstitutional act is not a law. It confers no rights, it imposes no duties, it affords no protection, it creates no office, it is in legal contemplation as inoperative as though it had never been passed. These laws passed by the state have far surpassed infringement, the second amendment right to keep and bear arms cannot be infringed. Any law that violates the constitution is not a law at all. Mr. Hand closed by stating "If this is brought up to the Supreme Court, there is no doubt we will be found righteous, the only question is whether you will still hold these seats when that day comes, I hope so".

Ms. Monica Reed from Croghan introduced herself. She has been a competitive trap shooter, working her way up from high school to collegiate level. She would not be the person she is today without this sport. Guns are no different than tools, sure you can hurt someone but you can with a tool too. They can be used for a lot of good as well. Anyone, young and old or even disabled can enjoy this sport and be on a level playing field. Through trap shooting she has met many different people and made life long connections. Thousands of kids participate in this sport each year and not one single injury has occurred. Safety is the number one priority for any shooting sport. Do not believe the media when they say young conservatives do not exist, the fight for freedom and our rights will not die with the older generation. History shows that when something was morally wrong the people that fought against it did not do it quietly. As citizens of Lewis County we are coming here again to tell you that we are fed up with our rights being trampled on and our lifestyles mocked.

Ms. Reed went on to give the following statistics: One in three women will be victims of physical sexual violence; one in five women will be raped; one out of every four women will experience severe physical abuse from their intimate partner; in America 1.2 million people are victims of human trafficking, 70% are women. When will they tell us to take our personal safety into our hands and become a trained firearms owner? Pro-gun is pro-women. "I ask you to take a look around this room as employees of the citizens of this county and ask us what we want and I think the answer will be clear." Most gun laws are not to protect us from criminals but to infringe upon the rights of honest people. Ms. Reed concluded by quoting Thomas Jefferson "Eternal vigilance is the price of freedom".

Mr. Bill Wilmont from Port Leyden introduced himself. If you lose one right you lose them all, history shows this. Let Sheriff Carpinelli do his job, which is to protect the citizens' rights. He is a Federal Officer who is sworn to uphold the constitution of the state but above all uphold the U.S. Constitution. Sheriff Carpinelli goes down to Albany to voice his opinion more than the legislators. Everything the Sheriff does is to protect our due process and our rights. Part of this ordinance is giving the Sheriff back his ability to protect the citizens' rights under the U.S. Constitution. In June, take time to attend and support the Second Amendment Rally. The Sheriff needs you to back him up and go to Albany and fight. Mr. Willmont concluded by stating "Fight for us...save all of our rights not just one"

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Legislators have received many letters and emails from residents, voicing their opinions both for and against the 2nd Amendment Sanctuary Ordinance. Letters and cards of appreciation were received from Town of Diana Historical Museum; William H. Bush Memorial Library Board of Trustees; and the Beaver Falls Fire Department for funding they received in 2020 from the county.

A letter was received from Michael Gille regarding comments on the Local Law (Intro. No. 2-2020) "A LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY" that was distributed to all legislators for their review.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Real Property Tax Director Candy Akin and County Treasurer Eric Virkler have filed approved applications for 2020 corrected tax rolls for property owners: Casey L. and Scott B. Dewey, Scott Halladay, Niagara Mohawk A National Grid Company, Robert & Melissa Uttendorfsky, and Stephen and Janet White.

All Legislators have received copies of the Treasurer's February report, the February 7th and February 26th Highway and Solid Waste Department audit reports, and the Youth Bureau Advisory Board meeting minutes from February 26th.

Legislators received copies of the 2019 annual reports from the following Departments: Civil Service and Self-Insurance. James Richmire submitted the January Sealer of Weights and Measures activity report which has been placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator King made a motion to authorize Buildings & Grounds Supervisor Matt O'Connor to put out an RFP for an impound yard project at the Public Safety Building, seconded by Legislator Osborne and carried.

Legislator King 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 4/1/2020 to 3/31/2021, seconded by Legislator Burns and carried. Legislator Hathway abstained.

Legislator King made a motion to award the low bid for crushing of stone to Lyndaker Excavating in the amount of \$4.00 per Ton for the period 4/1/2020 to 3/31/2021, seconded by Legislator Kulzer and carried.

Legislator King made a motion to award the low bid for Highway and Solid Waste Department uniform services to Unifirst for a term of 36 months, seconded by Legislator Moroughan and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator King made a motion to authorize Sheriff Carpinelli to fill a temporary part-time Jail Nurse effective immediately while recruiting for a full-time Jail Nurse, seconded by Legislator Chartrand and carried.

Legislator King made a motion to authorize Solid Waste Director Kip Turck to fill a full-time Principal Account Clerk due to retirement effective immediately, seconded by Legislator LaChausse and carried.

Legislator King made a motion to fill full-time Planning Director position due to resignation, effective immediately, seconded by Legislator Osborne and carried.

Legislator King explained that there is a resolution in the packet for the Board to urge the DEC to consider ATV access in its plan for the Croghan Easement Tract. In addition to the resolution Legislator King made a motion to authorize Recreation, Forestry and Parks Director Jackie Mahoney to submit written comments to the DEC by March 19th to emphasize and urge inclusion of recreational ATV use and access in this RMP and to provide the DEC with any potential ATV access routes, seconded by Legislator Burns.

Sheriff Carpinelli informed the legislators that they may want to speak with the NYS Police before they take action. He explained that there was a fatal snowmobile accident over the weekend in which road patrol and snowmobile patrol responded. They were on scene and ready to clean up the site when NYS Police came in and took over the scene explaining that it was their jurisdiction. Sheriff Carpinelli called the Lieutenant Colonel of the NYS Police and found out that that the NYS Police were taking over the NYS Park Police. Anytime there is an accident on state land or state parks they will be the ones to take on the investigation. The NYS Sheriff's Association has taken the stance that the local County Sheriffs are the chief law enforcement officers and supersede the NYS Police authority.

Chairman Dolhof explained that this resolution is about an easement on private land, and all the county is trying to do is allow Recreation Forestry and Parks Director Jackie Mahoney to make comments to urge inclusion of ATV access. The DEC is not the NYS Police and it has nothing to do with whether or not the Sheriff's department can respond if there is an accident. The motion then carried.

Legislator LaChausse made a motion to authorize Social Services Commissioner Jennifer Jones to re-fill a full-time Caseworker due to resignation effective immediately, seconded by Legislator Burns and carried.

Legislator LaChausse made a motion to authorize Social Services Commissioner Jennifer Jones to re-fill a Social Services Program Examiner due to vacancy effective immediately, seconded by Legislator Kulzer and carried.

Legislator LaChausse made a motion to authorize Social Services Commissioner Jennifer Jones to re-fill a Fraud Investigator due to vacancy effective immediately, seconded by Legislator Burns and carried.

Legislator LaChausse made a motion to authorize Social Services Commissioner Jennifer Jones to extend temporary HEAP Program Examiner position to fill Employment & Training vacancy pending Civil Service exam results effective immediately, seconded by Legislator Hathway and carried.

Mr. Jerry Cayer, Hospital C.E.O. stated that last Friday the hospital had to go into code gray due to the storm and no one missed a beat. The hospital activated the Emergency Preparedness Plan in response to a carbon monoxide issue in Carthage because there was a possibility of receiving 20 to 40 transfers. This was a good example of our local communities working together to meet the health care needs of our residents. Shawn Thornton, the hospital's Emergency Preparedness coordinator will be leading the COVID19 action team and work with local agencies to prepare for what might happen. There are two new people joining Lewis County General Hospital, Dr. Michelle Johnson who will be doing comprehensive pain management and Deborah Wards who is the new Nursing Home Administrator.

Legislator Moroughan announced that the 10th Annual Black River Watershed Conference will be held on June 3rd and 4th in Watertown and that the Annual Soil & Water meeting will be held at Towpath on March 17th and everyone is invited, just call the office by March 13th.

Chairman Dolhof asked for any other comments on either of the local laws before the public hearing is closed. Legislator Hathway voiced his opinion that Mr. Deitrich had some good points on the Special Permit Local Law and that it should be looked at again. Chairman Dolhof then closed the public hearing on both local laws at 6: 08 p.m.

COUNTY MANAGER REPORT:

County Manger Ryan Piche thanked the county employees who worked hard during the storm last week, especially the highway department who was out in the thick of it. The Hospital Gala is scheduled for March 27th and all Legislators should have received an invitation. The 2020 Budget has passed the 30 day window for changes from the Governor's team with no changes to the Medicaid issue and is now in the hands of the Assembly and Senate.

COUNTY TREASURER REPORT:

Treasurer Eric Virkler stated that he had handed out his report of balances as of March 2nd and there has been limited activity for the month. Legislator Kulzer suggested that the Sales Tax numbers shouldn't get reported until the month is completed because otherwise it causes undue concern with the lower partial month figures.

REPORT OF THE FINANCE AND RULES COMMITTEE:

**REPORT OF
FINANCE AND RULES COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

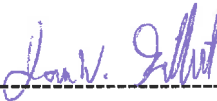
The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 989,629.79 and recommend that they be audited and allowed for the amounts claimed.



Thomas Osborne Chair



Ronald Burns Vice-Chair



Ian Gilbert Committee



Greg Kulzer Committee



Phil Hathway Committee

Dated: March 3, 2020

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

**RESOLUTION NO. 51 – 2020
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Member of the Finance and Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$989,629.79 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Hathway, seconded by Legislator Chartrand, and adopted on the 3rd day of March, 2020 by the following roll call vote:

YEAS: Chartrand, Gilbert, Moroughan, Burns, Kulzer, LaChasusse, Osborne, Hathway, King, and Dolhof.

NAYS: None.

ABSENT: None.

**LOCAL LAW (INTRODUCTORY NO. 3- 2020)
COUNTY OF LEWIS**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

**A LOCAL LAW PROVIDING FOR INCREASES
TO SALARIES FOR CERTAIN LOCAL OFFICIALS**

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

SECTION 1. Commencing and retroactive to January 1, 2020, the Compensation Plan of the County of Lewis shall be amended to provide the following salary for the following County employee appointed to a fixed term of office who is in the middle of his term;

County Manager	\$ 100,284.00
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SECTION 2. Commencing and retroactive to January 22, 2020, the Compensation Plan of the County of Lewis shall be amended to provide the following salary for the following County employee appointed to a fixed term of office who is in the middle of her term;

Director of Human Resources/Personnel Officer	\$ 83,000.00
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PROCEEDINGS OF THE BOARD OF LEGISLATORS

SECTION 3. This Local Law is subject to a permissive referendum and shall take effect 45 days after the adoption hereof and all legal requirements having been met.

**RESOLUTION NO. 52 - 2020
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 3 - 2020), COUNTY OF LEWIS**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on March 3, 2020, a proposed Local Law entitled "A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS."

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on April 7, 2020, 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 LaChausse, seconded by Legislator King, and adopted on the 3rd day of March, 2020.

**RESOLUTION NO. 53 - 2020
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 2 – 2020, COUNTY OF LEWIS**

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on February 4, 2020, directing that a public hearing be held by said Board on March 3, 2020 from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled "LOCAL LAW AMENDING LOCAL LAW 9-2019 PROVIDING FOR THE PARTIAL EXEMPTION OF CERTAIN REAL PROPERTY OWNED BY PERSONS 65 YEARS OF AGE OR OVER"; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on February 26, 2020, and posted on the

bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

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

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

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 1-2020), County of Lewis, being “LOCAL LAW AMENDING LOCAL LAW 9-2019 PROVIDING FOR THE PARTIAL EXEMPTION OF CERTAIN REAL PROPERTY OWNED BY PERSONS 65 YEARS OF AGE OR OVER” be and the same hereby is designated as Local Law No. 2-2020, County of Lewis.

Section 2. That Local Law No. 2-2020, 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 Kulzer, and adopted on the 3rd day of March, 2020 pursuant to the following roll call vote:

YEAS: Gilbert, Moroughan, LaChausse, Osborne, Hathway, King, Chartrand, Kulzer, Burns, and Dolhof

NAYS: None.

ABSENT: None.

**RESOLUTION NO. 54 - 2020
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 3 – 2020, COUNTY OF LEWIS**

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on February 4, 2020, directing that a public hearing be held by said Board on March 3, 2020 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 REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY”; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on February 26, 2020, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

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

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

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 2–2020), County of Lewis, being “A LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY” be and the same hereby is designated as Local Law No. 3-2020, County of Lewis.

Section 2. That Local Law No. 3-2020, 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 Burns , seconded by Legislator Dolhof .

Legislator Hathway voiced his opinion that there should be changes made to this Local Law. Legislator Dolhof thought it would be best to adopt the Local Law and then take it back to committee for further discussion on amendments that need to be made. Legislator Kulzer felt it would be best to just table the issue until changes could be discussed at committee.

Legislator Kulzer made a motion to table this resolution so changes could be made to it, seconded by Legislator Hathway, and carried.

**RESOLUTION NO. 55 - 2020
RESOLUTION AUTHORIZING INTER-MUNICIPAL AGREEMENT BETWEEN THE
COUNTY OF LEWIS AND THE TOWN OF OSCEOLA TO ADMINISTER AND
ENFORCE RECREATIONAL CAMPING VEHICLE LAW**

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

WHEREAS, the Town of Osceola has enacted a local law No. 1-2016, known as the “Recreational Camping Vehicle Law of the Town of Osceola, New York”; and

WHEREAS, General Municipal Law § 119-u [4](d) and in particular, Town Law § 284 [4](d) and Village Law § 7-741 [4](d), authorize a Town or Village to enter into an inter-

municipal agreement with a county to carry out all or a portion of the ministerial functions related to land use regulation within such Town or Village and to provide for a land use administration and enforcement program which may replace individual land use administration and enforcement programs, if any, the terms and conditions of which shall be set forth in such agreement; and

WHEREAS, the County of Lewis wishes to promote inter-governmental cooperation to the extent of offering to participating Towns and Villages the opportunity to have the Lewis County Codes Department perform certain ministerial functions related to the approval of site placement and regulations of use within such participating Towns and Villages; and

WHEREAS, the Town of Osceola wishes to have the Lewis County Codes Department administer and enforce its recreational camping vehicle local law pursuant to an inter-municipal agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Inter-Municipal Agreement between the County of Lewis and the Town of Osceola for the Lewis County Codes Department to be designated as the Town's Enforcement Officer to administer and enforce the Town's Local Law No. 1-2016 known as the "Recreational Camping Vehicle Law."

Section 2. That this is for the term commencing January 1, 2020, through December 31, 2020 and shall automatically renew for additional one year terms unless either party notifies the other in writing of their intent to terminate 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 Burns, seconded by Legislator King, and adopted on the 3rd day of March, 2020.

RESOLUTION NO. 56 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Building and Grounds

Introduced by Legislator Jerry King, Chairman of the General Services Committee

BE IT RESOLVED as follows:

Section 1. That the following 2020 budget change be approved in the Building and Grounds Department for the purchase of a Bobcat Snowblower and bucket (\$33,191.62) and a

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Ferris lawnmower (\$10,699.00) - funds will be transferred from Project HAD Capital Equipment H0990100 499900, balance \$ 783,400.00:

Increase Revenue:

A0100000 350310 Interfund transfers \$43,890.62

Increase Expense:

A0162200 460500 New CH Equip \$33,191.62

A0162100 460500 Stowe St Equip \$10,699.00

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

Moved by Legislator Osborne , seconded by Legislator Burns , and adopted on the 3rd day of March, 2020.

**RESOLUTION NO. 57 - 2020
RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND
THE LOWVILLE VOLUNTEER FIRE DEPARTMENT**

Introduced by Legislator Jerry King, Chairman of the General Services 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 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 for county staff and county buildings at a cost of \$2,000.00, for the period of January 1, 2020 through December 31, 2020.

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

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

Moved by Legislator King, seconded by Legislator Osborne, and adopted on the 3rd day of March, 2020. Legislator Chartrand abstained.

RESOLUTION NO. 58 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Community Services

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the Community Services accounts for funds received through Federal Sharing (A0 063105) for the purchase of office equipment and professional services fees:

Increase Revenue:

A0433500 344901 CS Fed Salary Sharing	\$4,597.46
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Increase Expense:

A0433500 430100 Phone	\$ 216.73
A0433500 490100 Prof Serv	\$4,380.73

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

Moved by Legislator LaChausse, seconded by Legislator Osborne, and adopted on the 3rd day of March, 2020.

RESOLUTION NO. 59 - 2020
RESOLUTION AUTHORIZING FEE FOR
REQUIRED CONVEYANCE NOTICES
BY THE LEWIS COUNTY CLERK'S OFFICE

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

WHEREAS, the NYS Legislature recently passed a law amending Real Property Law § 291 to require that the County Clerk mail a written notice to the owner of record of a conveyance recorded in the Clerk's office; and

WHEREAS, the law states that the clerk of the county is entitled to charge a reasonable fee to cover the cost of this additional notice and mailing; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, in order to keep the fee charged consistent across the state, the New York State Association of County Clerks recommend that the reasonable fee be charged at \$10.00 for the notice for each recording of a conveyance;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes the Lewis County Clerk to charge the party seeking to record such conveyance a fee of \$10.00 to cover the cost of mailing a notice of such conveyance.

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

Moved by Legislator Burns, seconded by Legislator King, and adopted on the 3rd day of March, 2020.

**RESOLUTION NO. 60 - 2020
RESOLUTION TO DESIGNATE NATIONWIDE MUTUAL INSURANCE COMPANY
AS ADMINISTRATOR AND TRUSTEE OF THE LEWIS COUNTY 401(a)
RETIREMENT PLAN**

Introduced by Thomas Osborne, Chairman of the Finance and Rules Committee.

WHEREAS, by Resolution No. 159-2018, the Board of Legislators established a Lewis County 401(a) retirement plan, designated as plan number 003, for the Chief Executive Officer of the Lewis County General Hospital, which was administered through MassMutual; and

WHEREAS, by Resolution No. 385-2019, the Board of Legislators for the County of Lewis awarded and adopted the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the State Plan), for voluntary participation of all eligible Lewis County public employees, to be administered by New York State; thereby terminating the retirement plan services of MassMutual for both the voluntary employee plan and the qualified 401(a) plan; and

WHEREAS, the Lewis County 401(a) plan (plan number 003), a qualified retirement plan, requires a separate Resolution to designate Nationwide Mutual Insurance Company as the administrator and trustee of the Plan;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and names Nationwide Mutual Insurance Company, a deferred compensation insurance provider for the State of New York, to take over administration of the Lewis County 401(a) Retirement Plan, Plan Number 003 for the LCGH CEO, and designates Nationwide Mutual Insurance Company for trustee services, if required under the plan.

Section 2. That the Lewis County Board of Legislators directs that any fees and expenses for this Plan administration change and designation be paid by the Board of Managers of the Lewis County General Hospital.

Section 3. That the Chairman or Vice-Chairman of the Lewis County Board of Legislators is hereby authorized and directed to take such actions and execute all such agreements and documents as are required or necessary for the adoption, transfer, implementation, and maintenance of this Qualified Retirement Plan to be administered by Nationwide Mutual Insurance Company.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Burns, and adopted on the 3rd day of March, 2020.

**RESOLUTION NO. 61 - 2020
RESOLUTION APPOINTING SUCCESSOR TRUSTEE TO
DEFERRED COMPENSATION PLAN
FOR EMPLOYEES OF THE COUNTY OF LEWIS**

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

WHEREAS, the Lewis County Board of Legislators hereby takes the following action with respect to the Deferred Compensation Plan for Employees of the County of Lewis;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators removes Reliance Trust Company as Trustee with respect to the Deferred Compensation Plan for Employees of the County of Lewis effective April 1, 2020.

Section 2. That the Lewis County Board of Legislators appoints State Street Bank and Trust Company, 1 Heritage Drive, North Quincy, Massachusetts 02171 to act as Trustee with respect to the Deferred Compensation Plan for Employees of the County of Lewis effective April 1, 2020.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Osborne, and adopted on the 3rd day of March, 2020.

RESOLUTION NO. 62 - 2020
RESOLUTION IN SUPPORT OF LEWIS COUNTY GENERAL HOSPITAL'S
PRELIMINARY DESIGN PLANS FOR INTENDED CONSTRUCTION OF
A NEW SURGICAL PAVILION AND REVITALIZATION OF THE
EXISTING MEDICAL UNIT

Introduced by Legislator Randall L. LaChausse, Chair of the Health and Human Services Committee

WHEREAS, the Lewis County General Hospital (LCGH) has engaged a professional engineering and consultant firm to explore the options and estimated costs associated with construction of a new LCGH Surgical Pavilion and the revitalization of the existing Medical/Surgical Unit; and

WHEREAS, the CEO of the LCGH provided a preliminary overview of the design plans, intentions for this new addition and renovation of existing space on the campus of the LCGH, and the intention to have the County agree to bond the costs of the project; and

WHEREAS, the initial step in the process is for LCGH to file with and obtain from the New York State Department of Health, a "Certificate of Need"; and

WHEREAS, the LCGH CEO and Board of Managers seek the support of the Lewis County Board of Legislators in obtaining the Certificate of Need from NYS DOH, as well as support for the intended construction and renovation of the Hospital Campus as outlined above.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby supports the Lewis County General Hospital's filing of a Certificate of Need to the New York State Department of Health.

Section 2. That the Lewis County Board of Legislators hereby voices its preliminary support of the proposed design and construction of the intended new Surgical Pavilion and renovations to the existing Medical Unit, subject to more detailed information on the costs, expenses and potential financing of same.

Section 3. That the Board of Legislators acknowledges that its support in concept for this intended project and the initial steps required for same, will be subject to final consideration and more critical financial evaluations of cost analysis and funding streams for the project.

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

Moved by Legislator King, seconded by Legislator Kulzer, and adopted on the 3rd day of March, 2020.

MARCH 3, 2020

RESOLUTION NO. 63 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
COUNTY OF LEWIS AND CSEA EMPLOYEE BENEFIT FUND
(SUNRISE DENTAL PLAN)

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

WHEREAS, the County of Lewis and the CSEA Employee Benefit Fund (hereafter the "FUND") entered into an agreement dated July 19, 1988 for the FUND to provide certain dental plan benefits to the COUNTY's covered employees, which has been extended by three years; and

WHEREAS, the parties desire to continue the provision of said dental plan benefits upon the terms and conditions therein contained, except as may be modified by the Renewal Agreement.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Renewal Agreement between the County of Lewis and the CSEA Employee Benefit Fund, pursuant to which the FUND shall provide the SUNRISE DENTAL PLAN benefits to the County's covered employees, with the COUNTY paying the FUND the monthly amounts per covered employee as set forth in the Agreement.

Section 2. That the term of the renewal agreement shall be in effect retroactive to January 1, 2018 through December 31, 2020.

Section 3. That the Lewis County Treasurer is hereby authorized to make, execute, seal and deliver such Agreement, upon such from as may be approved by the County Attorney.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator LaChausse, and adopted on 3rd day of March, 2020.

RESOLUTION NO. 64 - 2020
RESOLUTION TO REQUEST NYS HOME RULE LEGISLATION
TO CONTINUE SALES TAX INCREASE

Introduced by Legislator Lawrence L. Dolhof, 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, 2020; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, by Resolution No. 322-2017, the Board of Legislators implemented such additional sales tax, which pursuant to §1210 (36) of the Tax Law, will expire on November 30, 2020; 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 wherever 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, 2020 and ending November 30, 2023.

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 2021 budget year.

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

Moved by Legislator Chartrand, seconded by Legislator Osborne, and adopted on the 3rd day of March, 2020.

RESOLUTION NO. 65 - 2020
RESOLUTION TO TRANSFER FUNDS
Legislative

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee

BE IT RESOLVED as follows:

Section 1. That the following transfer take place in the Legislative accounts to cover additional Professional Services expenses incurred:

From:

A0101000 419900 BOL Special Contingency \$1,900.00

To:

A0101000 490100 BOL Prof Services \$1,900.00

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

Moved by Legislator Burns, seconded by Legislator Osborne, and adopted on the 3rd day of March, 2020.

**RESOLUTION NO. 66 – 2020
RESOLUTION APPOINTING MEMBER TO
NORTH COUNTRY HOME CONSORTIUM BOARD**

Introduced by Legislator Lawrence Dolhof, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints Legislator RONALD BURNS, as the Legislator Representative on the North Country Home Consortium Board.

Section 2. That the term of said appointment shall be for the period March 3, 2020 through December 31, 2021.

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

Moved by Legislator Hathway, seconded by Legislator LaChausse, and adopted on the 3rd day of March, 2020.

**RESOLUTION NO. 67 - 2020
RESOLUTION AUTHORIZING CONTINUATION OF AGREEMENTS
BETWEEN LEWIS COUNTY OFFICE FOR THE AGING AND
NASCENTIA HEALTH, INC. AND BETWEEN
LEWIS COUNTY OFFICE FOR THE AGING AND FIDELIS CARE NEW YORK**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee.

WHEREAS, in 2018 the Lewis County Board of Legislators authorized an Agreement with Visiting Nurse Association, d/b/a Nascentia Health, Inc. with Office For The Aging to reimburse for home delivered meals to their eligible elderly clients in Lewis County; and

WHEREAS, in 2018 the Lewis County Board of Legislators authorized an Agreement with New York State Catholic Health Plan, Inc., d/b/a Fidelis Care New York (“Fidelis”) with Office For The Aging to reimburse for home delivered meals to their eligible elderly clients in Lewis County; and

WHEREAS, the 2018 resolutions authorized a one (1) year agreement when the agreements provided for automatic renewals unless terminated by notice; and

WHEREAS, the Board of Legislators wishes to authorize continuation of these agreements;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the continuation of the Agreements between the County of Lewis, by and through the Lewis County Office For the Aging with Nascentia Health, Inc., and with Fidelis Care New York to provide reimbursement of home delivered meals to their respective eligible seniors.

Section 2. That Nascentia Health, Inc. will pay \$8.50 per meal and Fidelis will pay \$10.00 per hot meal and \$8.50 per cold meal to Lewis County Office For the Aging to eligible elderly residents of Lewis County, unless and until terminated by either party pursuant to the notice provisions of the agreements.

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

Moved by Legislator Osborne, seconded by Legislator LaChausse, and adopted on the 3rd day of March, 2020.

**RESOLUTION NO. 68 - 2020
RESOLUTION AUTHORIZING AN AGREEMENT
BETWEEN NEW YORK STATE DEPARTMENT OF TRANSPORTATION
AND THE COUNTY OF LEWIS FOR THE
LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM**

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

WHEREAS, the Lewis County Board of Legislators approved and authorized an application to the New York State Department of Transportation (“NYS DOT”) Modernization

and Enhancement Program (“MEP”) for supplemental funding for the Lewis County Transportation System pursuant to Resolution No. 406-2018; and

WHEREAS, the County of Lewis, by and through the Lewis County Planning Department, was awarded \$980,078.00 in the MEP funds, with no local match required, and desires to enter into an agreement with the NYS DOT to accept the funds; and

WHEREAS, the Planning Department’s described uses of the grant funds, as set forth in the application, include the purchase of five (5) buses, five (5) Wi-Fi modems, one (1) fare box vault, eight (8) fare boxes with the associated GDS System, and six (6) bus stop shelters; after issuing RFPs for those that are required under the Grant; and

WHEREAS, since the 2018 date of application for these MEP projects and grant funds, the costs have increased, causing the Planning Department to seek authorization from the Board of Legislators to submit an application to NYS DOT for Accelerated Transit Capital (ATC) funding to cover any price increases anticipated for the buses, bus stop shelters and fare boxes outlined in the MEP project funds; not to exceed the \$46,298.94 available under the ATC funding;

WHEREAS, the Board of Legislators wishes to accept the grant funds, enter into the agreement for same, authorize the Planning Department to issue the appropriate RFPs for six (6) bus stop shelters, eight (8) fare boxes with associated GDS system, and one (1) fare box vault, and authorize the Planning Department to apply for the ATC funds as set forth above;

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 Planning Department, with New York State Department of Transportation to accept the \$980,078.00 in MEP funds for the Lewis County Transportation System.

Section 2. That the Board of Legislators hereby authorizes the Planning Department to commence the process of purchasing 5 buses, 5 wi-fi modems, one fare box vault, 8 fare boxes with the associated GDS System, and six (6) bus stop shelters with these funds; and to issue the appropriate RFPs which may be required for any of the above in accordance with the Grant requirements.

Section 3. That the Board of Legislators hereby authorizes the Planning Department to apply for available ATC funds, not to exceed \$46,298.94, to be used to cover any price increases for the above purchases which are not covered by the MEP grant funds.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such applications and agreements, and other required documents for this funding and the purchases outlined for the transportation system, pending approval by the County Attorney.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 5. That the following budget appropriation be approved in the Bus Operations accounts to appropriate MEP funds:

Increase Revenue:

A0563000 335943 State MEP Funds	\$980,078.00
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Increase Expense:

A0563000 223301 Vehicles and Equipment - MEP	\$980,078.00
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Section 6. That the within resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Hathway, and adopted on the 3rd day of March, 2020.

**RESOLUTION NO. 69 - 2020
RESOLUTION APPOINTING
LEWIS COUNTY PROBATION DIRECTOR**

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

WHEREAS, upon interview and review of the qualified applicants for the Probation Director position, being vacated March 31, 2020 upon the retirement of Director Mary Jo Burkhard, the Board of Legislators seeks to appoint Matthew Morrow as Lewis County Probation Director effective April 1, 2020; and

WHEREAS, the salary of the newly appointed Lewis County Probation Director is set at an annual rate of \$61,550.00, in accordance with the salary range established under the CITEC study;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Matthew Morrow of Lowville, New York 13367 as Lewis County Probation Director effective April 1, 2020.

Section 2. That the Board of Legislators hereby directs that until the anticipated NYS waiver required under Civil Service H-10 regulations is received, Matthew Morrow will serve as Acting Probation Director effective on the above date.

Section 3. That the annual salary for Matthew Morrow as Probation Director is set at \$61,550.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Moroughan, seconded by Legislator Osborne, and adopted on the 3rd day of March, 2020.

**RESOLUTION NO. 70 - 2020
RESOLUTION AUTHORIZING COUNTY PARTICIPATION IN TAX ASSESSMENT
CHALLENGE AND EXPERT FEES SHARING WITH THE TOWN OF LEWIS AND
ADIRONDACK CENTRAL SCHOOL DISTRICT**

Introduced by Thomas Osborne, Chairman of the Finance and Rules 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, the County participated with the Town of Lewis and Adirondack Central School District in tax assessment challenges brought by the City of Rome challenging the assessments on the Boyd Dam and Reservoir, culminating in a five day trial in October, 2018; with all parties still awaiting a decision by the Supreme Court; and

WHEREAS, additional tax assessment challenges for 2018 and 2019 have been filed by the City of Rome against the Town of Lewis, the Town Assessor and Board of Assessment Review for the properties commonly referred to as the Boyd Dam and Reservoir identified as Tax Map Nos. 416.00-01-27.100 and 416.00-01-04.000; and

WHEREAS, the Town and School District have appeared in the actions and have requested that the County formally appear and share in the expert and appraisal costs in the newly filed actions; and

WHEREAS, the School District has proposed that the taxing jurisdictions secure the expert appraisal services of Todd P. Thurston, MAI, of Thurston, Casale & Ryan, LLC, 1080 State Fair Blvd, Syracuse, NY 13209 as its expert appraiser in the action, who will deliver a formal appraisal report and provide expert testimony, if required in the amount of \$9,500 for a self-contained report and \$150/hr plus customary expenses for court preparation and testimony; 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 challenges brought by the City of Rome against the Town of Lewis, et al, for the 2018 and 2019 assessment years (and any additional years which may be filed), and to execute an expense sharing agreement with the other taxing

PROCEEDINGS OF THE BOARD OF LEGISLATORS

jurisdictions affected, whereby the County will contribute one-third (33%) of the expenses for an expert appraisal, engineer, and any other experts deemed necessary and required in the matter.

Section 2. The County Attorney is authorized to make, execute, seal and deliver the engagement agreement for Thurston, Casale and Ryan, LLC as the expert real estate appraiser and consultant and any other engagement agreement for an expert engineer and others, upon notice to the Board of Legislators.

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

Moved by Legislator King, seconded by Legislator Kulzer.

Legislator Hathway questioned when the decision is anticipated for the 2019 challenge, County Attorney Joan McNichol responded that she was hoping in another month but was not optimistic on the outcome. Legislator Hathway then questioned how many hours the appraiser used in the last case, Joan responded that it was roughly 3 days.

The resolution was then adopted on the 3rd day of March, 2020.

**RESOLUTION NO. 71 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Recreational Trails**

Introduced by Legislator Jerry King, Chairman of the General Services Committee

BE IT RESOLVED as follows:

Section 1. That the following 2020 budget change be approved in the Recreational Trails and Trail Maintenance accounts for the purchase of a Ford F250 truck with a cost of \$32,239.11, with funding shared equally by Project HAD Capital Equipment H0990100 499900, balance \$ 783,400.00 and the Trail Maintenance fund.

Increase Revenue:

A0100000 350310 Interfund transfers	\$16,119.56
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Increase Expense:

A0798900 223300 Trails Veh	\$16,119.56
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Increase Revenue:

A0799000 320010	\$11,119.56
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Increase Expense:

A0799000 223300 Trail Mnt Veh	\$11,119.56
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Section 2. That the within resolution shall take effect immediately.

MARCH 3, 2020

Moved by Legislator Burns, seconded by Legislator Kulzer.

Legislator Chartrand questioned what the Trail Maintenance Vehicle was and Ryan responded that it is currently a smaller pick-up that is being replaced with a larger one so that more equipment can be towed and moved with it.

The resolution was then adopted on the 3rd day of March, 2020.

**RESOLUTION NO. 72 - 2020
RESOLUTION AUTHORIZING RENEWAL AGREEMENT WITH
FRONTIER COMMUNICATIONS OF AMERICA, INC.
FOR THE EMERGENCY 911 PHONE MAINTENANCE SYSTEM**

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

WHEREAS, the County of Lewis, by and through the Lewis County Sheriff's Department and 911 Emergency Operations Unit, desires to renew the agreement with Frontier Communications of America, Inc. to provide updated licenses on enumerated equipment and continuing maintenance service and support for the current Emergency 911 telephone system; 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 renewal agreement between the County of Lewis, by and through the Lewis County Sheriff's Department and 911 Emergency Operations Unit, with Frontier Communications of America, Inc. to provide updated equipment licensing, maintenance and support services for the current Emergency 911 telephone system.

Section 2. That the term of this agreement shall be from June 1, 2020 through May 31, 2021 at a cost not to exceed \$40,383.47

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 LaChausse, seconded by Legislator King, and adopted on the 3rd day of March, 2020.

**RESOLUTION NO. 73 - 2020
RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENTS
BETWEEN THE COUNTY OF LEWIS AND
LOWVILLE ACADEMY CENTRAL SCHOOL
AND SOUTH LEWIS CENTRAL SCHOOL
FOR ACCESS TO THE EMERGENCY COMMUNICATIONS SYSTEM**

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

WHEREAS, Lewis County operates a single public safety answering point, headed by the Lewis County Sheriff's Office through its Emergency 911 system; and

WHEREAS, the Emergency 911 System includes a Lewis County Interoperable Communications System ("LCICS") integrated with equipment and facilities necessary for the provision of county-wide emergency communication services designed for the safety and protection of the public and public safety responders; and

WHEREAS, Lowville Academy Central School ("LACS") and South Lewis Central School ("SLCS") districts are requesting to be "users" on our emergency communications radio system. Both schools' current systems are unreliable with poor coverage in their respective areas; and

WHEREAS, both school districts would be responsible for the cost of the radios, maintenance and all other costs associated therein. The school districts will have radio ID's and two (2) talkgroups for the system, and be given access to countywide channel 13 for necessary and emergency services only; and

WHEREAS, this access and use will result in minor programming updates by the County that will be covered with grant funds; and

WHEREAS, the County wishes to extend user access to the Interoperable Communications System to LACS and SLCS upon each district executing and agreeing to be bound by the terms and conditions set forth in an Emergency Communications System Agreement pertaining to such access and use of the County's system; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves the Emergency Communications System Agreement as proffered by the 911 Operations Coordinator and County Attorney, with the Lowville Academy Central School District and South Lewis Central School District for radio user access to the Lewis County Interoperable Communications System (LCICS).

Section 2. That the term of the Agreement shall be for a period of five (5) years from the User's execution of the Agreement, with automatic five (5) year renewal periods if the school district is in compliance with the terms and conditions 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 King, seconded by Legislator Osborne, and adopted on the 3rd day of March, 2020.

RESOLUTION NO. 74 - 2020
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND
PRATT NORTHAM/CAREERS HERE PROGRAM ADMINISTRATOR AND
LEWIS COUNTY DEPARTMENTS

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee.

WHEREAS, the Pratt Northam Foundation whose mission is to serve the Black River Valley communities from Boonville to South Carthage, established a grant devoted to providing funds for student intern employment positions known as the “Careers Here” Program. The Lewis County Department of Social Services serves as the fund recipient and administrator of the program pursuant to Resolution No. 53-2019; and

WHEREAS, Pratt Northam provides funding for students as interns for a total of 350 hours per student at the current minimum wage rate of \$11.10 per hour, together with applicable FICA expenses at 7.65% for 2019/2020; and

WHEREAS, various Lewis County Departments wish to enter into Agreements with Lewis County Department of Social Services for student intern positions under this program; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes Agreements by and between various Lewis County Departments and Lewis County Department of Social Services, as grant recipient and administrator of the Pratt Northam “Careers Here” Program, for student intern positions.

Section 2. That Pratt Northam will reimburse the County for student interns in the program for 350 hours at the current minimum wage rate of \$11.10 per hour, together with applicable FICA taxes at 7.65% for 2019/2020.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 3. That the Commissioner of Lewis County Department of Social Services is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Chartrand, and adopted on the 3rd day of March, 2020.

**RESOLUTION NO. 75 - 2020
RESOLUTION APPROVING CORRECTION OF TAX BILL**

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

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

Section I. That payment be accepted as follows:

Croghan	#538.00-08-06.000	\$ 2283.31	Charge Town:	597.50
	#538.00-05-06.000	253.70		66.39
	#538.00-08-00.000	133.83		43.45
Denmark	#552.00-03-00.000	237.08		117.52
	#552.00-05-00.000	19.06		9.45
Diana	#552.00-05-08.000	107.55		45.54
	#552.00-05-00.000	128.04		59.24
Greig	#542.02-07-09.000	865.61		328.73
Lewis	#550.00-10-11.000	289.91		306.94
Leyden	#550.00-07-12.000	613.64		195.15
	#550.00-10-12.000	302.23		96.12
	#550.00-07-00.000	218.80		33.47
Lowville	#550.00-05-00.000	705.31		229.92
	#550.00-05-13.000	1140.64		279.18
Lyonsdale	#550.00-07-00.000	53.46		26.05
	#550.00-07-00.000	360.70		175.73
Martinsburg	#542.02-05-15.000	250.25		117.21
New Bremen	#552.00-08-02.000	1020.27		324.85
	#542.05-08-05.000	69.29		24.45
	#552.00-08-00.000	9.85		4.97
Watson	#542.02-08-21.000	129.22		87.09
	#542.02-07-21.000	196.41		132.37
	#542.02-05-21.000	191.25		128.89

MARCH 3, 2020

West Turin	#550.00-07-00.000	84.91	39.17
	#550.00-07-00.000	192.10	88.63

Section 2. That the County Treasurer is hereby directed to adjust, apportion, and charge back such amount in the manner prescribed by law. The amount to charge the Towns is \$3,558.01.

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

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 3rd day of March, 2020.

**RESOLUTION NO. 76 – 2020
RESOLUTION APPOINTING MEMBERS TO
YOUTH BUREAU ADVISORY BOARD**

Introduced by Legislator Randall LaChausse, Chairman of the Health and Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following individuals as Community Members of the Lewis County Youth Bureau Advisory Board:

Eileen Mathys
P.O. Box 191
Lowville, NY 13367

Lisa Peebles
2400 County Route 194
Copenhagen, NY 13626

Section 2. That the term of said appointments shall be effective from March 3, 2020 through March 3, 2022.

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

Moved by Legislator Hathway, seconded by Legislator LaChausse, and adopted on the 3rd day of March, 2020.

**RESOLUTION NO. 77 - 2020
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN THE LEWIS COUNTY YOUTH BUREAU AND
VICTIMS ASSISTANCE CENTER OF JEFFERSON COUNTY**

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Safe Harbour for Exploited Children Act of 2008 provides protections for children who are victims of commercial sexual exploitation and provides for the ability to access specialized services; and

WHEREAS, the New York State Office of Children and Family Services implemented the Safe Harbour: NY Project. This program supports counties in developing their capacity to identify youth who have been trafficked, sexually exploited, or are at risk of victimization and to meet identified service needs of these youth by providing the County with \$30,000.00 in state funds to provide appropriate services under the program; and

WHEREAS, the County of Lewis, by and through the Lewis County Youth Bureau, desires to enter into an agreement for a Safe Harbour Coordinator to facilitate a critical project team for Lewis County. The team will provide guidance and oversight in developing and implementing goals and objectives, develop and promote community outreach and awareness campaigns, provide advocacy and supportive services, and conduct trainings and conferences in the Lewis County community; and

WHEREAS, the Victims Assistance Center of Jefferson County, Inc. (“VAC”) is a well, established not-for-profit agency licensed or otherwise authorized by the New York State Department of Social Services to provide domestic violence services. VAC has a long-standing history of working with victims of abuse, including trafficked and sexually exploited children and youth in Lewis County and has the ability to provide such services; and

WHEREAS, the Board of Legislators wishes to enter into the 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 Youth Bureau, with the Victim Assistance Center of Jefferson County, Inc. to provide a Safe Harbour Coordinator who shall serve as the point of contact related to providing advocacy and supportive services, outreach and awareness of child trafficking and exploitation in Lewis County, as outlined in the Safe Harbour: NY Project.

Section 2. That this agreement is for the period beginning January 1, 2020 and ending December 31, 2020 at a cost not to exceed \$30,000.00. The funds are provided by New York State Office of Children and Family Services to Lewis County under the Safe Harbor: NY Project.

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.

MARCH 3, 2020

Moved by Legislator Burns , seconded by Legislator Osborne , and adopted on the 3rd day of March, 2020.

**RESOLUTION NO. 78 – 2020
RESOLUTION APROVING
2020 RESOURCE ALLOCATION PLAN
WITH NYS OFFICE OF CHILDREN AND FAMILY SERVICES**

Introduced by Legislator Randall LaChausse, Chairman of the Health and Human Services 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 2020 Resource Allocation Plan between the County of Lewis and the New York State Office of Children and Family Services (“OCFS”) for the 2020 program year in the amount of \$21,115.00.

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

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

Moved by Legislator Chartrand , seconded by Legislator LaChausse , and adopted on the 3rd day of March, 2020.

**RESOLUTION NO. 79 - 2020
RESOLUTION PROVIDING COMMENT TO THE DEPARTMENT OF
CONSERVATION (DEC) ON ITS DRAFT RECREATION MANAGEMENT PLAN
(RMP) FOR THE CROGHAN TRACT CONSERVATION EASEMENT (TOWNS OF
CROGHAN AND WATSON IN LEWIS COUNTY)**

Introduced by Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, the Croghan Tract encompasses approximately 13,000 acres of private forestland in the towns of Croghan and Watson, Lewis County. The conservation easement allows for timber production from the forests while also providing for public recreation opportunities. The Department of Conservation (DEC) now seeks comments on its draft RMP for the Croghan Tract Conservation Easement; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, taxpayer dollars are used to purchase conservation easements and should provide for all recreation rights and access, including ATV access, especially in Lewis County which is known for its extensive ATV trail system.

WHEREAS, easement lands are working forest properties with extensive infrastructure and a demonstrated capacity to withstand uses, including recreational use and opportunities for motorized vehicles. In fact the public recreation proposals in the draft RMP include newly opened roads for public passenger vehicles, 28.6 miles of snowmobile trails including alternative routes during logging operations and new trails as re-routes, a car-top boat launch that “meets universal accessibility standards”, and the right to hunt, fish and trap throughout the property “subject to applicable seasons and regulations; 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 including hunting, fishing, trapping, hiking, camping, mountain biking, and motor vehicle access. Noticeably absent from the DEC’s draft RMP is any consideration for ATV access – access which would allow more of the public to enjoy all the recreational activities the DEC highlights in the draft RMP; and

WHEREAS, DEC 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. There is clear precedent for DEC to include these important rights and activities in its RMP for the Croghan Tract, and not continue to exclude ATV recreational uses and users from this Lewis County 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, but subject to specific rules and regulations which the DEC set forth in its Draft RMP to manage public recreational access and activities based upon seasonal conditions, logging activity and harvesting operations;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators urges the DEC to include ATV access and use for recreational or sporting purposes in its RMP for the Croghan Tract Easement,

and again states its opposition to any RMP which fails to include ATV access as a denial of the rights of the residents of Lewis County as taxpayers in the State of New York to have public recreational access to these lands.

Section 2. That the Lewis County Board of Legislators urges the DEC to 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 urges 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; a plan that will enhance the County's trail system and sporting access for ATV users who seek to enjoy the public recreational uses of this Tract like others who are provided access simply because they are in other motorized vehicles.

Section 4. That this Resolution shall take effect immediately.

Section 5. 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, NYS DEC 7327 State Route 812, Lowville, NY 13367; Governor Andrew Cuomo, NYS Senator Joseph Griffo, NYS Assemblyman Ken Blankenbush, and to any other appropriate State and Local agencies, representatives and officials as he may deem appropriate.

Moved by Legislator Hathway, seconded by Legislator King, and adopted on the 3rd day of March, 2020.

RESOLUTION NO. 80 - 2020
RESOLUTION CALLING ON THE GOVERNOR AND NEW YORK STATE
LEGISLATURE TO PRESERVE THE ZERO PERCENT MEDICAID GROWTH CAP
FOR ALL COUNTIES AND NEW YORK CITY

Introduced by Lawrence L. Dolhof, Chairman of the Board of Legislators

WHEREAS, funding to support the Medicaid program is provided by a combination of federal, state and local resources. Spending in New York State for Medicaid is the single largest expense in the State budget; and

WHEREAS, the local share of Medicaid funding paid in New York is the highest of any state in the country and is more than what 43 individual states pay in state share for their Medicaid programs; the required Counties and New York City contribution is \$7.6 billion annually; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, this large local funding share for Medicaid and other state programs is a major contributor to New York's high local tax burden compared to other states; and

WHEREAS, the Governor and legislative leaders recognize the fiscal burden the financing of Medicaid is for local taxpayers and initiated steps to relieve part of that burden by capping the growth in local costs in this program; and

WHEREAS, one of the most prominent property tax reduction and mandate relief initiatives in state history was Governor Cuomo's establishment of the zero percent Medicaid growth cap. This zero percent growth cap enables counties to keep funding for the growing cost of many vital state programs and services, while continuing local quality of life services demanded by taxpayers; and

WHEREAS, the Medicaid budget is facing billions of dollars in annual deficits over the next several years. These Medicaid deficits are contributing to the largest budget deficit the state has faced since the Great Recession; and

WHEREAS, the Governor's Executive Budget Recommendation is proposing a variety of ways to address these combined fiscal shortfalls, one being to push \$150 million in Medicaid program costs onto local taxpayers, including:

- Using county government federal enhanced medicaid match savings;
Losing state Medicaid growth cap if counties breach the state property tax cap;
- Shifting the local share of Medicaid growth above 3% to counties, if counties cannot contain costs under 3%; and

WHEREAS, counties do not have the ability or the tools to control the Medicaid program growth, as counties do not have:

- The ability to audit the Medicaid program;
- The ability to control the cost of perscription drugs;
- The ability to set provider reimbursement rates;
- The ability to modify eligiblity and benefit levels for Medicaid recipients;
- The ability to control changing demographics across the state;
- The ability to control provider contracts; and

WHEREAS, if state experts in the Medicaid program are unable to develop solutions to control growth in the Medicaid program, it will be difficult for counties to do so, since they do not have this authority to control costs.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators joins with the New York State Association of Counties (NYSAC) and urges the Governor and legislative leaders to maintain the zero percent Medicaid growth cap for Counties and New York City as they address state budget shortfalls in order to keep downward pressure on the local tax burden.

Section 2. That the Lewis County Board of Legislators urges the Governor and legislative leaders to “Keep the Cap”, i.e., keep the County’s local share cost of the state Medicaid program at the 2012 cap.

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

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

Moved by Legislator Burns , seconded by Legislator Osborne , and adopted on the 3rd day of March, 2020.

A proclamation was read to recognize Lewis County Office for the Aging Nutrition Program and March for Meals in Lewis County.

At 6:31 p.m. Chairman Dolhof called a 5 minute recess before heading into an executive session. At 6:46 p.m. Legislator Burns made a motion to enter into executive session for the County Attorney to advise Board Members on the legal aspect of the proposed Local Law and for an update on Labor negotiations and a personnel matter, seconded by Legislator LaChausse and carried.

At 7:17 p.m. Legislator Chartrand made a motion to enter back into regular session, seconded by Legislator Burns and carried. The following Resolution was then presented for action:

**RESOLUTION NO. 81 - 2020
AUTHORIZING PUBLIC HEARING FOR
LEWIS COUNTY DIRECT HOMEOWNERSHIP ASSISTANCE
PROGRAM, NYS CDBG PROJECT #636HO345-17**

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 5th day of September, 2017 regarding community development, housing needs and other possible development activities in preparation of a CDBG Application; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the County received an award of \$282,975 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 Lewis County Direct Homeownership Assistance 2017 Program;.

NOW, THEREFORE, BE IT RESOLVED, that

Section 1. That the Board of Legislators of Lewis County authorize a public hearing to be held and set for April 7, 2020 at 5:00 p.m. at the Lewis County Courthouse, Board of Legislators Chambers, 7660 North State Street, Lowville, New York 13367 to provide residents of Lewis County with the opportunity to offer any comments on the accomplishments of the CDBG Lewis County Direct Homeownership Assistance 2017 Program.

Section 2. That the Chairman or the Vice-Chairman of the Board of Legislators, be and the same is hereby is authorized to make, execute, seal and deliver such applications, documents or writing as may be necessary to carry out the terms of this Resolution, pending approval by the County Attorney.

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

Moved by Legislator King, seconded by Legislator Hathway, and adopted on the 3rd day of March, 2020.

OTHER BUSINESS:

There being no other business to come before the Board, Legislator Burns made a motion to adjourn the meeting at 7:18 p.m., seconded by Legislator Osborne and carried.

APRIL 7, 2020

REGULAR MEETING
April 7, 2020

The meeting was called to order at 5:00 p.m. by the Chairman of the Board Lawrence Dolhof.

Roll Call: All Legislators were present.

Chairman Dolhof offered the Invocation followed by the Pledge of Allegiance to the Flag.

There were 20 persons present via video conference.

Chairman Dolhof declared the March 3, 2020 meeting minutes approved by general consent.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: Thomas Osborne
Ronald Burns
Ian Gilbert
Gregory Kulzer
Phil Hathway

Dated: April 7, 2020

Legislator Burns made a motion to waive the rules, seconded by Legislator Osborne, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Dolhof opened the public hearing sessions for the Community Development Block Grant (CDBG) Program for the Lewis County 2017 Direct Homeownership Grant and for the Local Law No. 3-2020 "A Local Law Providing for Increases to Salaries for Certain in Local Officials".

Cassandra Moser, Clark of the Board read the following comment for the CDBG program: "In September of 2017 Lewis County applied for \$282,975 in funding through the Community Development Block Grant Program for the **Lewis County Direct Homeownership Assistance Program 2017**. The first public hearing was held on September 5, 2017 in preparation for the application and a second public hearing is being held today to provide residents with the opportunity to offer any comments on the accomplishments of the grant. The CDBG Program requires two public hearings.

The goal of the program was to assist low- and moderate-income households to purchase their first home by providing a buy-down on the mortgage, payment of most closing costs, and

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).

This application was successful and the County was awarded \$282,975. The Grant Agreement stipulated that all funds must be expended within 24 months (by December 10, 2019) but an extension was granted until March 31, 2020. The application anticipated that seven households would be assisted with estimated program funds of \$175,000 for mortgage buy down and closing costs and \$70,000 for rehabilitation of the purchased homes. An additional \$37,975 was used for administration and program delivery assistance, bringing the total grant amount to \$282,975. The program is now completed with nine homes assisted, two more than projected.

The average down payment and closing costs assistance provided was \$17,767. Two of the closed homes didn't need any repairs including one that was purchased from Habitat for Humanity. The average repair cost was \$9,561 with ranges from \$6,800 to \$20,250. The average total grant provided was \$27,462. The average purchase price was \$74,584 and the average mortgage was \$68,188.

There was no displacement as the homes that were 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 Town of Croghan, one in the Hamlet of Beaver Falls, two in the Town of Diana, two in the Village of Lowville, and two in the Town of Denmark.

Any persons seeking to submit comment may do so by mailing their comments to the Clerk of the Board, Lewis County Courthouse, 7660 N. State Street, Lowville NY 13367, or electronically by email to cassandramoser@lewiscounty.ny.gov. Said comments must be received by the Clerk of the Board on or before May 1, 2020."

Cassandra Moser, Clerk of the Board read the following public comments on the Local Law No. 3-2020 that were submitted:

Gary Rosiczkowski, Town of Martinsburg stated "What are you thinking! Thousands and millions of Americans are laid-off work. Many of their jobs will not be back when the virus has passed. Farmers are dumping milk worth thousands of dollars. There is no way that this economy, after this pandemic has passed, will skyrocket, like our government is saying. I am not sure who is behind pushing for this, but they should be ashamed. Passing this proposed law would be extremely inconsiderate to the general public. We are not in a time of "business as usual." The general public is suffering and I believe they will be outraged if you pass this local law. In addition, I believe that the building projects that you are proposing should be put back on the shelf and leave them there. I propose that you maintain your existing facilities and question yourself "Why weren't they maintained?" Taxpayers are in no position to take on more burdens.

Susan Sauer, Town of New Bremen stated "Honorable Legislators, In regards to the proposed salary increases for County Manager and Human Resource manager, I would urge you to put this and all spending on hold until we see the end of Covid 19. What percentage of our population is without work? How long will it be before they'll be back to work? When will our

children be back in school, and what will the State Aid to schools look like? What will happen to the Star Program? How much revenue will the County lose in sales tax this year? How about CHIPS Funds? How many Tax Payers will die? I don't think the County or any Local Municipalities should be giving ANYONE a raise or voting to purchase ANYTHING that isn't absolutely necessary! Or at least until you can answer these questions. None of us asked for this crisis and we're all in it together, so I hope you Legislators keep that in mind when you make future financial decisions, because it affects all of the residents in the County. I'm sure the County Manager and Human Resource Manager can live on their current salaries for this year, and bite the bullet like the rest of us!"

The Reverend David Mihalyi, Village of Lowville stated "As a senior citizen who recently lost over \$20,000 in the stock market due to the economic downturn. I feel it is important that the Legislative body rescinds all administrative pay increase and nixes the bonding issue in order to start building a new county complex."

Carl Sauer, Town of New Bremen stated "I feel this is not the time to spend tax payer money on salary increases. Many people are out of work and we don't know when this will be over. Until we see where things end up we shouldn't be spending any money unless we have to. Let's deal with this virus now and then look at these types of things when it is over and things are back to normal."

Valerie Getman, Town of New Bremen stated "I cannot believe that anyone at this specific time would vote for anyone to get a raise. People are out of work, either laid off or terminated. Towns and Villages have no idea where they are going to get money for their budget. Businesses are closed so are not collecting sales tax revenue, and you have the nerve to want to give two people a raise at this time. Are you friggin kidding me! We have NO money. I hope enough people have seen this notice to respond. Again. My comment is absolutely NOT. Upset taxpayer."

Tom Freeman, Town of Lowville stated "At a time when people are unemployed and losing their jobs to this virus. How can you justify a raise for these people? And what have they done for this county to deserve the raise. And why is there such a law that a raise is mandatory. Taxpayers should vote on all raises."

Stephen Allen, Village of Lowville stated "I was made aware that at tomorrow's legislative meeting, there will be discussions on proposed raises for the County Manager and HR Director. I presume both are doing a fine job. This, however, isn't the appropriate time to be giving raises to public admin positions. Many tax payers are no longer working or working fewer hours. This certainly wouldn't be the appropriate message to send to them. In addition, the County Manager recently opined about the likelihood of severe budget problems given the sure decline in sales tax revenue. If you're looking for a "compass" to guide you in your public decision making, a good suggestion is to ask yourself what would a private business do with its employees in times such as these? The answer is..." I think we better postpone any increases until we get a better picture of where our budget will be when this turmoil is over". Unfortunate for the County Manager and HR Director....but that's life...particularly in higher compensated positions."

PROCEEDINGS OF THE BOARD OF LEGISLATORS

PRESENTATION OF COMMUNICATIONS AND NOTICES:

Legislators have received several letters and emails from residents, voicing their opinions both for and against the 2nd Amendment Sanctuary Ordinance since the March 3rd Legislative meeting.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

All Legislators have received copies of the Treasurer's March report, the March 13th and March 25th Highway and Solid Waste Department audit reports, and the 1st Quarter Bed Tax Report of 2020.

Legislators received copies of the 2019 annual report from the Department of Social Services. James Richmire submitted the February Sealer of Weights and Measures activity report; and Brian Mooney, the new Director, submitted the March Sealer of Weights and Measures activity report, both have been placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator Osborne made a motion to approve the General Liability Insurance renewal package with Eastern Shore Associates through NYMIR for the period of 4/5/2020 to 4/5/2021 for a total premium of \$212,197.27, seconded by Legislator King. Legislator Burns asked what the increase was over last year and Chairman Dolhof responded that it was a 2.7% increase, which was mostly due to an increase in the number of vehicles. The motion was then carried.

Legislator King made a motion to award bituminous oil bids 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 of 4/1/2020 to 3/31/2021, seconded by Legislator Hathway. Legislator Burns asked if this was based on the lowest bid, Legislator King responded that the vendor chosen is based on the location of the project ensuring the best price. Legislator Kulzer questioned if there was a variable in the awarded bid contracts if the price of oil drops, Legislator King responded that it doesn't because they are bidding off last year's oil but it could change later in the year. The motion was then carried.

Legislator King made a motion to award hot asphalt mix bids 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 of 4/1/2020 to 3/31/2021, seconded by Legislator Burns and carried.

Legislator King made a motion to authorize Buildings & Grounds Supervisor Matt O'Connor to put out an RFQ for a recommission survey on the PSB HVAC system, seconded by Legislator Osborne and carried.

Legislator LaChausse acknowledged all county employees who have met the challenges of this COVID-19 pandemic with personal sacrifices and have gone above and beyond their

APRIL 7, 2020

normal daily routines to meet the needs of all our citizens in Lewis County. This has not been an easy task, especially when the “New Normal” is nowhere near as fun as it used to be, and tempers and tolerance level are at all time lows, and our Front line employees are taking the storm head on! And with no real words to express my true feelings - - THANK YOU for being there for all of us!!

He also reported that April is Child Abuse Prevention and Awareness month and with children at home more than usual he urged everyone, that during this difficult time to call and check in with your neighbors and family members. If there are any issues please call the State Child Abuse and Maltreatment registry hotline number 1-800-342-3720.

Legislator Chartrand stated that there have been daily reports from both Public Health & the Hospital regarding the COVID-19 pandemic. There were a couple resolutions in the packet that pertain to the hospital and can be discussed later in the meeting if there are questions.

COUNTY MANAGER REPORT:

County Manger Ryan Piche reported that the CDC has new guidelines on wearing masks, so the county has implemented a new policy which requires employees to wear masks at all times unless they are at their workstation and all members of the public upon entry into a county owned or operated facility will need to wear a mask.

The Governor’s “Pause NYS” has been extended through April 29th which means no school and all non-essential business will remain closed. The county has adopted the “Take 5 NY” initiative to take 5 minutes each day and reach out by phone to a neighbor or relative and check in to make sure they are doing alright. This is a way to make sure we are staying connected.

There is a really amazing provision in the Stimulus Package called Pay Checks Protection Program which allows small businesses and not for profits to acquire a payroll loan and at the end of this pandemic as long as they maintain the same employees the loan is forgiven. This program is being delivered through local lenders. The information is available on the county website and linkinglewiscounty.com.

The state budget passed and we were able to “Keep the Cap” on counties Medicaid costs which is a really good thing, however there are other things in the state budget that are still of concern. One item is a local hospital aid provision but because we support our local hospital this isn’t something new to us. There is a provision in the budget that stipulates three periods of time in which the Governor will evaluate whether or not the actual revenue meets projections and if it doesn’t then cuts can be made. This gives the Governor extraordinary power to make cuts to local reimbursements and services. The first period is April 1st to April 30th, second period is May 1st to June 30th, and the rest of the year is the last period. This will make it seem like it is budget season year round in Albany, which means we need to stay vigilant on making sure none of our programs get cut.

COUNTY TREASURER REPORT:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Treasurer Eric Virkler stated that he had not handed out statement of balances for the month. He reported that he had looked into Legislator Hathway's question about the possibility of adding Northern Federal Credit Union and Carthage Savings and Loan as depositories for the county but it was not possible as law requires that depositories can only be commercial banks. He concluded his report by stating that the sales tax revenue is up \$200,000 from this time last year which is a good thing and will hopefully give us a cushion in the months ahead. Legislator Kulzer asked when the March and April Sales tax revenue numbers would be in and Eric responded that it would not be until after June.


REPORT OF THE FINANCE AND RULES COMMITTEE:

APRIL 7, 2020

**REPORT OF
FINANCE AND RULES COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,767,529.47 and recommend that they be audited and allowed for the amounts claimed.



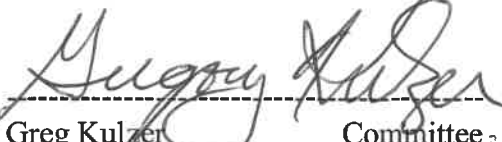
Thomas Osborne Chair



Ronald Burns Vice-Chair



Ian Gilbert Committee



Greg Kulzer Committee



Phil Hathway Committee

Dated: April 7, 2020

Approved on motion by Legislator Osborne, seconded by
Legislator Kulzer, and carried.

**RESOLUTION NO. 82 – 2020
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Member of the Finance and Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 1,767,529.47 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 Burns, seconded by Legislator Kulzer, and adopted by the following roll call vote:

YEAS: King, Kulzer, Chartrand, Burns, Hathway, LaChausse, Gilbert, Moroughan, Osborne, and Dolhof.

NAYS: None.

ABSENT: None.

**RESOLUTION NO. 83 - 2020
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 3 – 2020, COUNTY OF LEWIS**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, a resolution was duly adopted by the Board of Legislators on March 3, 2020, directing that a public hearing be held by said Board on April 7, 2020, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled “A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on April 1, 2020, 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. 3–2020), County of Lewis, being “A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS”, be and the same hereby is designated as Local Law No. 3–2020, County of Lewis.

Section 2. That Local Law No. 3–2020, 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 Burns, seconded by Legislator King.

Chairman Dolhof asked to make some comments on the Local Law No. 3-2020 to clear up some misconceptions and provide clarity on this before moving forward. This Local Law involves three individuals, two of these individuals were supposed to be taken care of in the budget last fall but got missed. The third person is a contract obligations which came from when the person was hired.

Out of the three, two of these people are not really getting a raise. One of the individuals is not receiving an increase it is merely adjusting the vacation accrual. The second person’s salary increase is not really a raise but instead was a contract negotiation for when the probation period was over. The third person is getting a raise. All of these subjects are retroactive to the 1st of January so it doesn’t matter when we take care of this. The amounts will remain the same regardless of when it is taken care of.

Legislator Chartrand agreed with the comments made earlier and apologized for not taking care of this back in January. Legislator Hathway stated that when this was originally discussed the virus was not even an issue but does understand that the optics of taking care of this at the current time aren’t good. Legislator Burns felt that these three individuals are quality people and none of the increases were an exorbitant amount so he would like to see this pass and be taken care of.

County Attorney Joan McNichol stated that it is important to remember that because this deals with appointed officials it requires a local law, which in turn is somewhat of a lengthy process because of needing to set the public hearing a month before.

The resolutions was then adopted pursuant to the following roll call vote:

YEAS: Hathway, Burns, Chartrand, Kulzer, Osborne, LaChausse, Gilbert, Moroughan, King, and Dolhof.

NAYS: None.

ABSENT: None.

**RESOLUTION NO. 84 - 2020
RESOLUTION SETTING ENFORCEMENT HEARING
UNDER LOCAL LAW NO. 10-2019 - JUNKYARD LAW
(6948 WETMORE ROAD, TOWN OF WATSON, NY)**

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

WHEREAS, pursuant to Local Law No. 10–2019, entitled, “A LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 6-2017 – THE COUNTY OF LEWIS JUNKYARD LAW,” (herein “Junkyard Law”), the Board of Legislators is empowered to take certain actions in connection with the investigation and enforcement of regulating and controlling the storage or keeping of junk; and

WHEREAS, the premises known as Tax Map No. 230.00-02-07.200, 6948 Wetmore Road, in the Town of Watson, County of Lewis, currently owned by Derek J. Farr (herein the “Owner”) is in continuing violation of the Junkyard Law, with unlicensed vehicles, other metals and various debris, and causes a public nuisance and a danger to the safety, health and welfare of the community; and

WHEREAS, pursuant to the procedures set forth in the Local Law, the Code Enforcement Officer has issued a full report to the Board of Legislators that the property owner remains in violation of the Local Law, with all attempts for compliance by any other means now exhausted; and

WHEREAS, the Code Enforcement Officer concludes and recommends that the Board of Legislators set a public hearing to determine further action to remedy the violations set forth in the report, including orders for removal of the unlicensed vehicles, other metals and various debris, with charges for the costs of removal assessed against the owner as additional taxes;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby sets a public enforcement hearing under Local Law No. 10-2019, the Junkyard Law, on June 2, 2020 at 5:00 p.m., at the Lewis County Courthouse, Second Floor Board of Legislators Chambers, 7660 North State Street, Lowville, NY 13367, and

ORDERS that Derek J. Farr, (“the Owner”) of said property appear before this Board of Legislators, at the Second Floor Chambers, 7660 North State Street, Lowville, NY 13367 on June 2, 2020 at 5:00 p.m., and Show Cause before this Board why it should not Order said Owner to immediately remove all unlicensed vehicles, other metals and various debris causing violation of Local Law No. 10-2019 located on his property identified as Tax Map No. 230.00-02-07.200 (6948 Wetmore Road, in the Town of Watson); and that in the event that the Owner fails to comply with such Order or fails or refuses to remove same within the time frame the Board may direct, that the Board of Legislators provide for the removal of said unlicensed vehicles, other metals and debris causing said violations in accordance with the remedies set

forth in said Local Law, and to assess all expenses thereof against the land on which it is located, and/or to take such other action or proceeding to collect the costs of removal, including legal expenses.

Section 2. That the Board of Legislators further directs that the property owner be served with Notice of this hearing and the Report upon which it is based, in accordance with the procedures set forth in the Local Law.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator LaChausse, seconded by Legislator Burns, and adopted on the 7th day of April, 2020. Legislator Moroughan abstained.

RESOLUTION NO. 85 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND EVANS CAULKING TO PROVIDE
RE-POINTING SERVICES FOR THE OLD COURTHOUSE BUILDING
AND PUBLIC SAFETY BUILDING

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the Lewis County Building and Grounds recently sent out a Request for Proposals for re-pointing of the brick and mortar of the old courthouse building (CHB) and the public safety building (PSB); and

WHEREAS, the General Services Committee, along with the County Manager and Buildings and Grounds Director considered the responses to the RFP and recommend that the lowest bidder, Evans Caulking, of 24526 County Route 3, LaFargeville, NY 13656, be awarded the bid and enter into a contract to provide said services in the total amount \$81,000.00 (\$68,000 for the CHB and \$13,000 for the PSB for the services outlined in the RFP; and

WHEREAS, the Board of Legislators seeks to award the bid and authorizes a contract for the services requested.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby awards the bid to and authorizes agreements with Evans Caulking, of LaFargeville, NY, to provide services in the re-pointing of brick and mortar on the Old Courthouse Building and Public Safety Building, in accordance with the specifications set forth in the RFP, in consideration of the total payment of \$81,000.00, (\$68,000 for the CHB and \$13,000 for the PSB) to be completed by the end of the summer, 2020.

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 Agreements, as may be approved by the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Chartrand. Legislator Hathway voiced his concern over whether the work will be able to be done by the deadline because of the COVID-19 pandemic. Is this considered essential work or non-essential. County Manager Ryan Piche stated that the contractors could wait for another month or so to start because the end of summer isn't until into September.

Legislator King wanted to make sure we avoid the vendors having to use add-mix to the mortar due to weather situations. Legislator Gilbert questioned if the vendors are required to be bonded at the time of the bids and if that would be affected by delaying the deadline. Legislator Kulzer questioned when they planned on starting the work because if they didn't plan on starting until later it might not even be an issue.

County Attorney Joan McNichol asked that the language at the end of Section 1., last line be changed from "...to be completed by the end of the summer, 2020." to "...with a completion date to be determined after discussion with the vendor, County Attorney, and Building & Grounds Supervisor." This change was moved by Legislator Hathway, and seconded by Legislator Chartrand, and carried.

The resolution was then adopted on the 7th day of April, 2020.

RESOLUTION NO. 86 - 2020
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
THE COUNTY OF LEWIS AND AKTOR CORPORATION TO
PROVIDE PROFESSIONAL SERVICES IN THE ASBESTOS ABATEMENT
AND RE-CAULKING OF GLASS BLOCK WINDOW, AND AGREEMENT
WITH CONTINENTAL CONSTRUCTION, LLC FOR NEW SIDING,
WINDOWS AND OVERHEAD DOOR CANOPY PROJECT AT
COUNTY HIGHWAY GARAGE BUILDING

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the Lewis County Building and Grounds recently sent out a Request for Proposals for: 1) Glass Block Window Caulking and Asbestos Abatement at the County Highway Garage Building, and 2) New siding, windows, rigid insulation and overhead door canopy at the replacement and Canopy at the Highway Garage; and

WHEREAS, the General Services Committee, along with the County Manager and Buildings and Grounds Director considered the responses to the RFQ and recommend that the following be awarded the contracts:

1. For Glass Block Window Caulking Asbestos Abatement at the Highway Garage, the committee recommends a contract with the lowest bidder, Aktor Corporation, 379 N Stafford Ave, Suite 3, Waterville, NY 13480, in the amount of \$13,000.00 for the services outlined in the RFP; and

2. For New Siding, windows, overhead door canopy at the Highway Garage, the committee recommends a contract with the lowest bidder, Continental Construction, LLC, 2125 State Highway 812m Gouverneur, NY 13642, in the amount of \$184,900.00; and

WHEREAS, the Board of Legislators seeks to award these bids and authorize these contracts, as each is the lowest bidder for the services requested.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby awards the bids to and authorizes agreements with:

- A. Aktor Corporation of Waterville, NY, to provide services in the re-caulking and asbestos abatement around the glass block windows at the highway garage building, in accordance with the specifications set forth in the RFP, in consideration of the payment of \$13,000.00, to be completed by the end of the spring, 2020.
- B. Continental Construction, LLC, of Gouverneur, NY to provide services including new siding, windows, rigid insulation and overhead door canopy at the highway garage building, in accordance with the specifications set forth in the RFP, in consideration of the payment of \$184,900.00, with work to commence in late spring, 2020 and be completed by the end of summer, 2020.

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

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

Moved by Legislator Burns, seconded by Legislator Osborne.

County Attorney Joan McNichol asked that a motion be made to change the language in Section 1, A, last line from "...to be completed by the end of the spring, 2020." to "...with a completion date to be determined after discussion with the vendor, County Attorney, and Building & Grounds Supervisor."; and Section 1, B last line from "...with work to commence in late spring, 2020 and be completed by the end of summer, 2020." to "...with a completion date to be determined after discussion with the vendor, County Attorney, and Building & Grounds Supervisor." These changes were moved by Legislator Burns, and seconded by Legislator Osborne, and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

The resolution was then adopted on the 7th day of April, 2020.

**RESOLUTION NO. 87 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY SERVICES AND
COORDINATED CARE SERVICES, INC. (CCSI) FOR
PROVIDER SUPPORT TRAINING**

Introduced by Legislator Randall LaChausse, Chairman of the Health and Human Services Committee.

WHEREAS, Coordinated Care Services, Inc., (CCSI) is a not-for-profit, management services organization with specific expertise in the areas of behavioral health and human services. CCSI provides a broad array of management services and support to behavioral health and human services organizations, which includes contract management, financial services, evaluation and services research, service development and monitoring, cultural competence assessment, training and education, and program and project management; and

WHEREAS, Lewis County Community Services desires to receive provider support training from CCSI that include the following areas: Understanding the role of the Local Government Unit (LGU) and its responsibilities regarding state aid and reporting, review of state reporting systems, review and understanding of required state aid reporting, available resources, spending plan guidelines and other relevant topics; 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 Coordinated Care Services, Inc. to receive provider support training for employees at the Lewis County Community Services Department, Lewis County Treasurer's Department and contract agency fiscal staff for three (3) sessions at a cost not to exceed \$4,380.00.

Section 2. That the Board of Legislators authorizes the Director of Community Services, to execute, seal and deliver said Agreement, pending approval by the County Attorney.

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

Moved by Legislator LaChausse, seconded by Legislator Burns, and adopted on the 7th day of April, 2020.

**RESOLUTION NO. 88 - 2020
RESOLUTION TO APPROPRIATE FUNDS**

Community Service

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee:

BE IT RESOLVED, as follows:

Section 1. That the following appropriation take place in the Community Services Accounts for the increase in funds due to the Healing Communities Study:

Increase Revenue:

A0431700 344902 MH Healing Comm Study \$130,975.08

Increase Expense:

A0431700 423000 MH Healing Comm Study \$130,975.08

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

Moved by Legislator LaChausse, seconded by Legislator Burns, and adopted on the 7th day of April, 2020.

**RESOLUTION NO. 89 - 2020
RESOLUTION CALLING ON MEMBERS OF THE NYS LEGISLATURE
TO REJECT THE GOVERNOR'S 2020-21 EXECUTIVE BUDGET PROPOSAL
TO SHIFT 100% OF THE COST OF MHL 730.20
COMPETENCY RESTORATION SERVICES TO THE COUNTY**

Introduced by Legislator Randall LaChausse, Chair of the Health and Human Resources Committee.

WHEREAS, the derivation of Section 43.03 of Mental Hygiene Law (MHL), dates back to 1907 and allows the State to offset the costs of operating its Forensic Psychiatric Centers at county expense. This statute no longer reflects the current mental hygiene system or the NYS Unified Court System, and needs to be updated to be consistent with other statutes where the State is responsible for its own costs for the treatment of mentally ill individuals in State-operated Forensic Psychiatric Centers; and

WHEREAS, historically, counties have paid 50% of the per diem rate set by OMH, for competency services, which has now reached an unsustainable cost burden on county budgets; and

WHEREAS, despite the fact that the counties pay half of such restoration services, the Governor's executive budget proposal would require counties to pay 100% of the OMH State Operations costs for certain individuals receiving mental health treatment at State-operated

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Forensic Psychiatric Centers (criminal defendants determined to be mentally incompetent to stand trial under MHL §730); and

WHEREAS, OMH has also taken the position that the County Mental Health Commissioner (Lewis County Director of Community Services) is not entitled to any information about the treatment the County is paying for. Other payors for medical services are clearly entitled both under HIPAA and the MHL to receive information about the services for which payment is sought; and

WHEREAS, OMH also indicates counties should be responsible for any medical or hospitalization costs incurred for individuals mandated to competency restoration which, depending on the medical or surgical treatment required, could entail hundreds of thousands of dollars and have devastating impacts on county budgets; and

WHEREAS, in NYS the counties through county tax levy, already bear an overwhelming portion of the financial burden for supporting individuals suffering from serious mental illness. Assuming 100% of competency restoration costs in MHL § 730.20 criminal competency cases will take away taxpayer dollars for critical behavioral health programming in the community; and

WHEREAS, Counties are requesting members of the NYS Senate and Assembly reject the Governor's proposal to shift 100% of the cost of MHL §730.20 competency restoration services to the County in the SFY 2020-21 Enacted State Budget;

NOW, THEREFORE BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators calls on the Governor and the Office of Mental Health to strongly reconsider the enactment of this proposal, which will cripple county budgets and have a devastating impact on the counties' ability to pay for behavioral health programs that are critical for serving the State's most vulnerable populations.

Section 2. That the Lewis County Board of Legislators urges the NYS Senate and Assembly members to reject the Governor's Executive Budget Proposal to shift 100% of the costs of MHL §730.20 competency restoration services to the County.

Section 3. That this Resolution shall take effect immediately.

Section 4. That the Clerk of the Board is directed to send certified copies of this Resolution to Governor Andrew Cuomo, the majority and minority leaders of the NYS Senate and Assembly, the Commissioner of Office of Mental Health, and any others deemed appropriate by the Chairman of the Board.

Moved by Legislator LaChausse , seconded by Legislator Burns , and adopted on the 7th day of April, 2020.

APRIL 7, 2020

**RESOLUTION NO. 90 - 2020
RESOLUTION TO APPROPRIATE FUNDS
District Attorney Department**

Introduced by Legislator Jerry King, Chairman of the General Services Committee

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation be approved in the District Attorney accounts for funds received through NYS Shared Assets (T0 000875) to reimburse for 2020 office and administrative expenses:

Increase Revenue:

A0116500 326260 Forfeiture Proceeds \$ 678.44

Increase Expense:

A0116500 221700 DA Computer \$ 302.60

A0116500 493600 DA Prosecution Fund \$ 375.84

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

Moved by Legislator LaChausse, seconded by Legislator Burns, and adopted on the 7th day of April, 2020. Legislator Gilbert abstained.

**RESOLUTION NO. 91 - 2020
RESOLUTION APPROVING AGREEMENT BETWEEN
LEWIS COUNTY HIGHWAY DEPARTMENT AND BARTON & LOGUIDICE
FOR PROFESSIONAL ENGINEERING SERVICES
RIVER ROAD OVER SB KIMBERLY CREEK, TOWN OF HARRISBURG**

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

WHEREAS, the Lewis County Highway Department entered into an agreement with Barton & Loguidice (“B&L”) on December 19, 2019 to provide hydrologic/hydraulic bridge span analysis and required surveys with respect to replacement options for the existing bridge known as River Road over SB Kimberly Creek (BIN 3340140), Town of Harrisburg. Phase I of this project is now completed; and

WHEREAS, the Lewis County Highway Department desires to enter into an agreement with B&L for Phase II, which is the final design phase and for regulatory permitting of the River Road bridge replacement; and

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

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 Highway Department and Barton & Loguidice for Phase II, which is the final design phase and for regulatory permitting of the bridge replacement located on the River Road over SB Kimberly Creek in the Town of Harrisburg, at a cost not to exceed \$21,201.00.

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 LaChausse , seconded by Legislator Burns and adopted on the 7th day of April, 2020.

**RESOLUTION NO. 92 - 2020
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>	<u>SALARY</u>
Patient Access Clerk (14)	Full-time	\$14.75 - \$19.48/hr
Patient Access Clerk (4)	Part-time	
Patient Access Clerk (9)	Casual	

Section 2. That the following positions are hereby abolished:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Clerk (14)	Full-time	\$13.46 - \$17.52/hr
Clerk (4)	Part-time	
Clerk (9)	Casual	

Section 3. That the above compensation rate shall go into effect the first full pay period after adoption of this resolution.

Moved by Legislator LaChausse , seconded by Legislator Burns .

APRIL 7, 2020

Jerry Cayer, Hospital CEO explained that this resolution is transitioning a position that has historically been a clerk and recognize its responsibilities. As a health care system we are probably late in doing this. We are creating a new title to reflect the appropriate job duties and classification of the registration and ancillary department. This change would affect the clerk title that handles the beginning of the revenue cycle piece of the hospital. The current clerk position has been difficult to recruit for and once someone is hired they are usually able to move to another position in the hospital with better pay. There are currently three vacancies that have went unfilled, hopefully change will allow better retention of employees. This change will equate to an additional cost of \$60,000 annually but won't impact this year's budget due to the vacancies.

The resolution was then adopted on the 7th day of April, 2020.

RESOLUTION NO. 93 - 2020
RESOLUTION URGING APPROVAL OF HOME RULE REQUEST
AND TO ADOPT NEW YORK STATE SENATE BILL NO. S8072
AND COMPANION ASSEMBLY BILL NO. A10174

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, by Resolution No. 64-2020, the Board of Legislators of Lewis County requested Home Rule Legislation as would allow the County of Lewis to continue to impose an additional one percent (1%) local sales tax for the period beginning December 1, 2020 and ending November 30, 2023; 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. S8072 and Assembly Bill No. A10174, respectively; and

WHEREAS, Article 9, § 2(B) (2) of the New York State Constitution and Section 40 of the Municipal Home Rule Law require a home rule request be made to the State Legislature before the bills may become law;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby makes this Home Rule request to the State Legislature to enact the following: New York State Senate Bill No. S8072 and the companion bill in the Assembly, Bill No. A10174:

TITLE OF BILL: An act to amend the tax law, in relation to extending the authorization granted to the County of Lewis to impose an additional one percent of sales and compensating use taxes.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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, 2023. Effective date is December 1, 2020.

Section 2. The Clerk of the Board is hereby directed to forward certified copies of this Resolution to State Senator Joseph Griffo and Assemblyman Kenneth Blankenbush.

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

Moved by Legislator LaChausse , seconded by Legislator Burns , and adopted on the 7th day of April, 2020.

**RESOLUTION NO. 94 - 2020
RESOLUTION OPPOSING ASSEMBLY BILL NO. A00703
PROHIBITING THE USE OF LEAD AMMUNITION
IN THE TAKING OF WILDLIFE ON STATE-OWNED LAND**

Introduced by Lawrence L. Dolhof, Chairman of the Board of Legislators

WHEREAS, a member of the NYS Assembly has proposed legislation to amend Section 1. subdivision 3 of Section 11-0901 of the environmental conservation law, by adding a new section h which would prohibit the taking of wildlife with the use of lead ammunition (one or more percent of lead by weight) on state -owned land that is open for hunting or land contributing surface water to the NYC water supply; and

WHEREAS, the rationale for this proposed law is an unproven claim that fragments from lead bullets in game that is consumed by humans elevates blood-lead levels to dangerous levels in those who consume this game meat; and

WHEREAS, research and reports from 2008 through 2013, including a 2008 Centers for Disease Control and Prevention (CDC) report, indicates that there is no clear evidence that consumption of game meat has ever caused lead poisoning in humans. In that report, the CDC concluded that hunters' blood-lead levels were significantly less than the levels found in the average American. In fact, all doctors are required to report cases of lead poisoning to their state health agencies and to the CDC, yet there are no cases of lead poisoning traced to wild game meat consumption; and

WHEREAS, hunting in Lewis County is and has been a way of life and a main source of game meat for its residents and visiting hunters. This proposed Bill, lacking in critical analysis of the science and actual truth behind the faulty claims upon which the proponents rely, will cause unjustified hardship to wildlife hunters in the North Country; and

APRIL 7, 2020

WHEREAS, the Board of Legislators seeks to voice its opposition to Assembly Bill No. A00703, which proposes to prohibit the taking of wildlife game with lead ammunition for the reasons set forth above;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby opposes Assembly Bill No. A00703, which proposes to prohibit the taking of wildlife game with lead-based ammunition on state-owned land, based upon a perceived health risk to humans who consume the game meat.

Section 2. That the Lewis County Board of Legislators calls upon the New York State Assembly to vote down this proposed legislation as misguided and ill-advised, and not based upon the research and evidence as set forth in the 2008 report of the CDC.

Section 3. 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, and all others deemed necessary and proper.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator LaChausse, seconded by Legislator Burns, and adopted on the 7th day of April, 2020.

RESOLUTION NO. 95 – 2020
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY OFFICE FOR THE AGING AND
LEWIS COUNTY HEALTH SYSTEM FOR
ADULT DAY HEALTH CARE SERVICES

Introduced by Legislator Randall LaChausse, Chairman of the Health and Human Services Committee.

WHEREAS, Lewis County Office for the Aging (“OFA”) desires to enter into an agreement with Lewis County Health System to provide adult day health care services to respite OFA clients. This allows caregivers to be temporarily relieved from their care giving responsibilities through the provision of scheduled short term care in an adult day health care program; and

WHEREAS, the Board of Legislators wishes to authorize this agreement;

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 with Lewis County Health System for them to provide adult day health care services to respite OFA clients.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the term of this agreement shall be from January 1, 2020 through December 31, 2020 at a daily rate of \$249.96 for an approximate five (5) hour day. The daily rate including roundtrip transportation is \$390.28 and transportation for one way is \$327.79. This agreement may be renewed annually unless and until terminated by either party pursuant to the notice provisions 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 said Agreement, pending approval by the County Attorney.

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

Moved by Legislator LaChausse , seconded by Legislator Burns , and adopted on the 7th day of April, 2020.

**RESOLUTION NO. 96 - 2020
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY OFFICE FOR THE AGING AND
NNY SENIOR SERVICES, INC., D/B/A SENIORS HELPING SENIORS**

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee.

WHEREAS, Lewis County Office for the Aging (“OFA”) is authorized to provide housekeeper/chore services, caregiver support services and respite services to persons eligible to receive said services under the New York State Office for the Aging Expanded In-Home Services for the Elderly Program, and under Titles III-B and III-E of the Older Americans Act; and

WHEREAS, NNY Senior Services, Inc., D/B/A Seniors Helping Seniors has the capability required and desires to provide housekeeping/chore and/or respite services to designated elderly residents in Lewis County that are homebound, ill, or disabled and who have been accepted into care by OFA; and

WHEREAS, the Board of Legislators wishes to authorize this agreement;

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 with NNY Senior Services, Inc., D/B/A Seniors Helping Seniors to provide housekeeping/chore and/or respite services to designated elderly residents in Lewis County that are homebound, ill, or disabled and who have been accepted into care by OFA.

Section 2. That the term of this agreement shall be from January 1, 2020 through December 31, 2020 at a cost not to exceed \$23.50 per hour, and may be renewed annually unless and until terminated by either party pursuant to the notice provisions 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 said Agreement, pending approval by the County Attorney.

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

Moved by Legislator LaChausse , seconded by Legislator Burns , and adopted on the 7th day of April, 2020.

RESOLUTION NO. 97 - 2020
RESOLUTION AUTHORIZING PAYMENT AND AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND THE TOWN OF WATSON TOWARD
THE TOWN'S COMPREHENSIVE PLAN

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the Lewis County Planning Department has 2020 Community Development line item funds (\$19,000) which can be used for various projects to enhance communities in the County; and

WHEREAS, the Town of Watson Planning Board is currently working on a comprehensive plan in conjunction with data compiled by a survey plan completed by JCC. The results of the survey, along with the Board's tasks to save/preserve the natural environment, preserve water and waterways for residents of Watson, while promoting growth and change can now be incorporated in the plan; and

WHEREAS, the Town seeks to engage the services of DANC to assist in completing the comprehensive plan with inclusion of the above identified goals, but needs financial assistance in order to be able to achieve its goal of a comprehensive plan; and

WHEREAS, the Town seeks the assistance of the County, through the Planning Department's 2020 Community Development funds, by contributing 60% of the fees charged by DANC, i.e., for the County to provide \$2,100 toward the \$3,500 fee charged by DANC for its professional services and guidance in completing the Town's Comprehensive Plan; and

WHEREAS, in consideration of the County providing \$2,100 in community development funds, the Town agrees to enter into an Intermunicipal Agreement with the County wherein the County will advance the funds upon commencement of the project, with the Town to provide periodic updates on the progress of the project and plan, and to complete the plan on or before February 28, 2021;

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NOW, THEREFORE, be it resolved as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes an Inter-Municipal Agreement with the Town of Watson Planning Board; for the Town to complete its Comprehensive Plan with the assistance and expertise of DANC, in consideration of the County contributing \$2,100 toward the fee charged by DANC for their services in the project. The Town will provide the County Planning Department with periodic updates on its progress toward completion of the Plan by February 28, 2021.

Section 2. That the Lewis County Board of Legislators authorizes and directs the Lewis County Planning Department to contribute the sum of \$2,100 from its 2020 Community Development fund/account to the Town of Watson Planning Department, when the Plan (with the assistance of DANC) commences and upon receipt of an invoice from the Town for said expense.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Inter-Municipal 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 LaChausse, seconded by Legislator Burns, and adopted on the 7th day of April, 2020.

**RESOLUTION NO. 98 - 2020
RESOLUTION IN OPPOSITION TO NYS ARTICLE 10 SITING BOARD'S ABILITY
TO WAIVE LOCAL LAND USE LAWS AND ORDINANCES
WHEN CONSIDERING RENEWABLE ENERGY PROJECTS**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, under New York State's Article 10 Siting Law, the New York State Board on Electric Generation and the Environment must consider any local law or ordinance, but may disregard such local law or ordinance if the Siting Board finds it unreasonably burdensome; and

WHEREAS, Lewis County is supportive of appropriate renewable energy projects such as wind development, but the unfettered discretion of the Siting Board to waive local laws and ordinances when considering environmental compatibility and public need under Article 10 energy projects flies in the face of local municipalities' right of home rule and the ability to manage land use issues within their borders; and

WHEREAS, at the very least, the NYS Board on electric Generation Siting and Environment should have and make public, exactly what criteria the Board has adopted in determining if a local law or ordinance is to be deemed unreasonably burdensome;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby opposes any attempt by the NYS Board on Electric Generation Siting and the Environment to waive local laws and ordinances when approving/rejecting a proposed renewable energy project under Article 10, as same is a taking of local municipalities' home rule rights and abilities to manage land use issues within their borders.

Section 2. That the Lewis County Board of Legislators calls on the NYS Board on Electric Generation Siting and the Environment to, at the very least, make it publicly known exactly what criteria the board has adopted when determining if a local law or ordinance is deemed unreasonably burdensome, and to provide that information to the locality before rendering a decision to waive a local law or ordinance.

Section 3. That this Resolution shall take effect immediately.

Section 4. That copies of this resolution shall be sent to Governor Cuomo, and the Chairs of the NYS Board on Electric Generation Siting and the Environment and Public Service Commission.

Moved by Legislator LaChausse, seconded by Legislator Burns, and adopted on the 7th day of April, 2020. Legislator Gilbert abstained.

RESOLUTION NO. 99 - 2020
RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY OF LEWIS, ON BEHALF OF THE
LEWIS COUNTY PROBATION DEPARTMENT AND
CORNERSTONE MOBILE COUNSELING

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

WHEREAS, Cornerstone Mobile Counseling (“CMC”), with offices located at 417 East German Street, Herkimer, New York 13350, is a mental health connective company that joins individuals and families in need to NYS licensed mental health professionals across the state, in addition to handling the billing operational and general support needs; and

WHEREAS, many families struggle with the Opioid epidemic, addiction, systemic poverty, patterns of under-employment, chronic domestic violence, difficulty finding stable employment, and lack of affordable housing. Traditional agencies and practices designed to address these problems are often overwhelmed and underfunded; and

WHEREAS, the Lewis County Probation Department desires to enter into a Memorandum of Understanding with CMC to provide assessment, treatment, and case management services to Lewis County Probationers who have qualified for Managed Medicaid insurance; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a Memorandum of Understanding between the County of Lewis, by and through the Lewis County Probation Department, and Cornerstone Mobile Counseling to provide assessment, treatment, and case management services to Lewis County Probationers who have qualified for Managed Medicaid insurance.

Section 2. That there is no cost to the County for this service. The Memorandum of Understanding is effective upon execution by both parties and will remain in effect unless and until terminated by either party.

Section 3. That the Director of Lewis County Probation, 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 LaChausse , seconded by Legislator Burns , and adopted on the 7th day of April, 2020.

**RESOLUTION NO. 100 - 2020
RESOLUTION AUTHORIZING AMENDMENT TO MEMORANDA OF
UNDERSTANDING BETWEEN THE COUNTY AND LEWIS COUNTY SEARCH &
RESCUE, AND THE HARRISVILLE FIRE DEPARTMENT
TO LEASE SPACE ON COUNTY TOWERS AND/OR EQUIPMENT SHELTERS**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, pursuant to Resolution No. 57-2018, the County authorized Lewis County Search and Rescue to lease tower and equipment shelter space at the Number Three Road tower site, in accordance with the restrictions and provisions set forth in the Memorandum of Understanding/Lease Agreement dated May 16, 2018, and in consideration of a payment of \$60.00 per year; and

WHEREAS, pursuant to Resolution No. 56-2018, the County rescinded Resolution 126-2017 and authorized a Memorandum of Understanding/Lease Agreement between the County and the Harrisville Fire Department to lease space on the County's tower which is located on property owned by the Town of Diana, in accordance with the restrictions and provisions set forth in the Agreement and in consideration of a payment of \$60.00 per year; and

WHEREAS, in examining the costs and benefits to both LCSR and HFD against the actual cost to the County, the County has considered: the financial needs of LCSR & HFD; 2) the

public safety benefits and functions provided by these two entities; 3) the reliance by the County on these services, especially in emergency situations; 4) the minimal additional electric cost for these entities on the two sites, with no out of pocket expense to the County since the electric expense and plowing expense is currently covered by 911 grant funds; and 5) in the case of the Diana Tower, the Town of Diana leased the property to the County for ninety-nine years for \$1.00; and

WHEREAS, the County Emergency 911 Committee seeks to have the Agreements with LCSR and HFD amended to eliminate the requirement of an annual payment of \$60.00 to lease the space on the tower and/or in the equipment shed at these sites, but with all other terms, restrictions and provisions of the MOU/Lease Agreement to remain in full force and effect to protect the integrity and functioning of the County's Emergency Communications System;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an amendment to the MOU/lease agreement with Lewis County Search & Rescue, and with the Harrisville Fire Department to lease space on the County's Towers and in its equipment shelters at the Number Three Road tower site (LCSR) and Town of Diana Tower site (HFD), with no annual cost, but subject to the County's right to terminate the Agreement if there is any cost, and if there is any interference with the County's Emergency 911 Communications functioning by LCSR's or HFD's lease of the space at these two sites.

Section 2. That the Chairman or Vice-Chairman is hereby authorized to execute, seal and deliver said amended Agreements, upon such form as approved by the County Attorney.

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

Moved by Legislator LaChausse, seconded by Legislator Burns, and adopted on the 7th day of April, 2020.

RESOLUTION NO. 101 - 2020
RESOLUTION AUTHORIZING AMENDMENT TO THE
INMATE TELEPHONE SERVICES AGREEMENT
WITH GLOBAL TEL LINK CORPORATION

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

WHEREAS, the County of Lewis, by and through the Lewis County Sheriff's Department ("County"), entered into an agreement with GlobalTel Link Corporation ("Company") for inmate telephone services; and

WHEREAS, the amendments include:

- Extending the term for three (3) additional years to April 15, 2023;

PROCEEDINGS OF THE BOARD OF LEGISLATORS

- Domestic call rates will be twenty cents (\$0.20) per minute;
- Commission remuneration shall be 55% of the gross revenue billed or prepaid for inmate telephone calls. Company will encumber 25% of the gross revenue billed or prepaid for inmate telephone calls and issue a monthly check to the County for this amount in the form of a technology grant;
- Company will provide County with tablets; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an amendment to the agreement between the County of Lewis, by and through the Lewis County Sheriff's Department, with GlobalTel Link Corporation for inmate telephone services to extend the term to April 15, 2023, modify the phone commission remuneration percentages, and provide tablets to the County at no charge for content access.

Section 2. That the Lewis County Sheriff 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 LaChausse , seconded by Legislator Burns , and adopted on the 7th day of April, 2020.

**RESOLUTION NO. 102 - 2020
RESOLUTION AUTHORIZING EXTENSION/MODIFICATION AGREEMENT
WITH DAVID F. ROSNER MD, PLLC,
TO PROVIDE MEDICAL/HEALTH SERVICES
TO THE INMATES IN THE LEWIS COUNTY JAIL**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, pursuant to Correction Law § 500-c, the county sheriff is the custodian of the county jail and must receive and safely keep each person lawfully committed to his custody; and

WHEREAS, pursuant to Correction Law § 501, in lieu of a designated Jail Physician, the County Board of Legislators may procure the services of a professional service limited liability company, duly authorized to practice medicine in the State, to provide health services to the inmates of the jail instead of appointing a physician to the jail; and

WHEREAS, pursuant to Resolution No. 186 - 2019, the Lewis County Board of Legislators designated David F. Rosner, MD, a physician with the contracted Professional Service Limited Liability company (David R. Rosner MD, PLLC) to act as the chief medical

officer of the jail under the PLLC; and for the PLLC to deliver medical services to the inmates of the Lewis County Jail, at an annual rate of \$35,172.00 (\$2,931/mo), from June 5, 2019 through June 4, 2020; and

WHEREAS, the contract with the above named PLLC provides for the jail physician to interact, work and coordinate with the County's jail nurse in providing the necessary medical services for the inmates at the LCJ. The County seeks to extend the contract through December, 2020; and

WHEREAS, the jail nurse position is currently vacant, but is advertised as an open position to be filled by qualified person(s). While the position is vacant, the responsibilities of a jail nurse have been falling upon the PLLC physician, who cannot sustain the time and services of both jail physician and jail nurse. The PLLC is willing to provide a qualified physician's assistant under its PLLC to serve the LCJ inmate population on a temporary, part-time basis, providing medical services normally undertaken by a jail nurse. The PLLC will do so under a modification of the existing contract, for an additional amount of \$3,333.00 per month, not to exceed six (6) months, commencing April 7, 2020; and

WHEREAS, the Board of Legislators seeks to enter into a modification/extension Agreement for these professional services and to set forth the responsibilities of the PLLC's physician's assistant in providing temporary, part-time medical services as a jail nurse would provide;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves and authorizes an extension Agreement by and between the County of Lewis o/b/o the Lewis County Sheriff and the David F. Rosner MD, PLLC, as a Professional Service Limited Liability company and independent contractor, to continue to provide medical services to the inmates in the Lewis County Jail, in accordance with Correction Law § 501 2, through December 31, 2020, at the rate of \$2,931.00 per month; and with David F. Rosner, MD designated as the physician from the PLLC to act as the chief medical officer of the jail and the PLLC.

Section 2. That the Board of Legislators hereby approves and authorizes a modification to the agreement with the PLLC to provide a qualified physician's assistant on a part-time, temporary basis, who will, *inter alia*, perform the duties of a part-time jail nurse at the LCJ, including all required paperwork and reporting requirements, together with such other relevant provisions deemed appropriate and necessary by the County Attorney. For these additional services, the PLLC shall be paid an additional \$3,333.00 per month, commencing April 7, 2020 through September 7, 2020, or sooner terminated upon the County filling the position of jail nurse.

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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

Moved by Legislator LaChausse , seconded by Legislator Burns , and adopted on the 7th day of April, 2020.

RESOLUTION NO. 103 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND LIBERTY TRANSLATIONS & INTERPRETERS, LLC

Introduced by Legislator Randall LaChausse, Chairman of the Health and Human Services Committee.

WHEREAS, the Lewis County Department of Social Services (“DSS”) wishes to enter into an agreement with Liberty Translations & Interpreters, LLC (“LTI”) to provide 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 between the County of Lewis, by and through the Lewis County Department of Social Services with Liberty Translations & Interpreters, LLC to provide trained on-site interpreter services, telephonic and translation services to the Lewis County Department of Social Services.

Section 2. That said agreement is for the period of March 1, 2020 through March 2, 2021 at the following rates: Spoken Language-Pre-booked - \$50.00 per hour; Spoken Language-Same Day - \$60.00 per hour; Client No Show or Cancellation without 24 hours’ notice for Spoken Language - \$50.00 per hour; Telephonic - \$1.50 per minute; and Telephonic Cancellation \$1.50 per minute. Additionally, if LTI travels more than 15 miles from the nearest LTI location, or 30 miles roundtrip, there is a mileage charge of \$0.58 per mile. The local share is 25%, federal share is 50% and state share is 25%.

Section 3. That the Commissioner of Lewis County Department of Social Services is hereby authorized to make, execute, seal and deliver such Agreement, pending approval by the County Attorney.

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

Moved by Legislator LaChausse , seconded by Legislator Burns , and adopted on the 7th day of April, 2020.

APRIL 7, 2020

**RESOLUTION NO. 104 – 2020
RESOLUTION AUTHORIZING A MODIFICATION
AGREEMENT TO THE MEMORANDUM OF UNDERSTANDING
BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND
NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES**

Introduced by Legislator Randall LaChausse, Chairman of the Health and Human Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into an agreement with New York State Office of Children and Family Services for the purpose of registration and inspection of child day care providers; 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 Modification Agreement to the Memorandum of Understanding between the County of Lewis, by and through the Lewis County 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, 2020 through December 31, 2020, 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 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 LaChausse , seconded by Legislator Burns , and adopted on the 7th day of April, 2020.

**RESOLUTION NO. 105 - 2020
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN DEPARTMENT OF SOCIAL SERVICES AND
COMMUNITY ACTION PLANNING COUNCIL
OF JEFFERSON COUNTY, INC.**

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

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 of the Local Commissioner, and the Lewis County Department of Social Services (“DSS”) desires to enter into an Agreement with CAPC to provide such services; and

WHEREAS, the Board of Legislators wishes to authorize 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, 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 cost 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, 2020 through December 31, 2020 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 LaChausse, seconded by Legislator Burns, and adopted on the 7th day of April, 2020.

RESOLUTION NO. 106 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Department of Social Services

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee

BE IT RESOLVED as follows:

Section 1. That the following 2020 budget change be approved in the Department of Social Services accounts for the purchase various computer equipment with a cost of \$20,049.90, with funding to come from Project HAE Capital Equipment H0990100 499900 balance \$93,918.94:

Increase Revenue:

A0100000 350310 Interfund transfers	\$ 5,012.48
A0601000 336100 DSS State Admin	\$ 5,012.48
A0601000 346100 DSS Fed Admin	\$10,024.94

Increase Expense:

A0601000 221700 DSS Computer	\$20,049.90
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator LaChausse , seconded by Legislator Burns , and adopted on the 7th day of April, 2020.

RESOLUTION NO. 107 - 2020
RESOLUTION AUTHORIZING PRIVATE SALE OF
COUNTY OWNED PROPERTIES FROM TAX FORECLOSURE

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

WHEREAS, the County of Lewis owns certain real property acquired through the tax foreclosure process which did not sell at the County public auction. These properties are small vacant parcels and are “landlocked”, with no egress or ingress access and of no public use to the County; and

WHEREAS, pursuant to Local Law No. 6-2004, a private sale may be authorized on a case-by-case basis by Resolution of the Legislature upon recommendation of the Real Property Advisory Board;

WHEREAS, the Real Property Advisory Board has reviewed two parcels, parcel Nos. 419.01-01-26.200 and 338.12-01-05.000, (one in the Town of Lewis and one in the Town of Lyonsdale) which are landlocked and of no public use, and recommend that the Board of Legislators authorizes the county attorney to take all steps to offer these parcels by private sale;

NOW, THEREFORE, BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Lewis County Board of Legislators hereby authorizes the County Attorney to take all steps to offer the two County-owned, landlocked parcels identified from the prior tax foreclosure proceedings for private sale in accordance with Local Law No. 6-2004

Section 2. That the Chairman or Vice-Chairman, in his absence, is hereby authorized to execute any and all documents required in any sale and transfer of title of these parcels, subject to review by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator LaChausse , seconded by Legislator Burns , and adopted on the 7th day of April, 2020.

**RESOLUTION NO. 108 - 2020
RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS
WITH REFERENCE TO TREASURER'S OFFICE**

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

WHEREAS, the newly elected Treasurer is tasked with preparing the 2019 county audit and completing the NYS Audit Report for 2019. The annual audit is a comprehensive and time-consuming endeavor and process which must be ready for the auditor's arrival in April; and

WHEREAS, the Treasurer seeks to employ the temporary/part-time accounting assistance and services of Patricia O'Brien in 2020, at the rate of \$50.00 per hour, not to exceed the amount of \$2,000.00. The Department has sufficient funds available in its 2020 budget for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Treasurer's office to create the following temporary position, effective immediately through December 31, 2020 with compensation not to exceed \$2,000:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Part-Time Accounting Assistant	Temporary	\$50.00/hour

Section 2. That this resolution shall take effect immediately.

Moved by Legislator LaChausse , seconded by Legislator Burns , and adopted on the 7th day of April, 2020.

**RESOLUTION NO. 109 - 2020
RESOLUTION TO TRANSFER FUNDS WIOA**

Introduced by Legislator Randy LaChausse, Chairman of the Health & Human Service Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2020 budget transfer take place in the WIOA accounts to reallocate funds:

<u>From:</u>	
CD629000 499900 Youth Expense	\$1,124.11
<u>To:</u>	
CD629000 110100 Wages	\$1,033.66
CD629000 803000 Youth FICA	\$ 79.08
CD629000 804000 Comp	\$ 11.37

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

Moved by Legislator LaChausse, seconded by Legislator Burns, and adopted on the 7th day of April, 2020.

RESOLUTION NO. 110 - 2020
RESOLUTION AUTHORIZING DSS COMMISSIONER TO REALLOCATE
WORKFORCE INVESTMENT OPPORTUNITIES ACT (WIOA) FUNDS
WITHIN THE BUDGET ALLOCATION FOR SAME

Introduced by Legislator Randall LaChausse, Chair of the Health and Human Resources Committee and Legislator Thomas Osborne, Chair of the Finance and Rules Committee.

WHEREAS, Jefferson and Lewis Counties are designated as a multi-jurisdictional workforce development area under the Workforce Innovation and Opportunity Act (WIOA), and established the area to 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 enter into an agreement to organize and implement activities pursuant WIOA, as proposed by the Governor of the State of New York; and

WHEREAS, the Lewis County Board of Legislators assigned and designated the Lewis County Commissioner of Social Services to receive and expend the annual WIOA allocated funds in accordance with workforce development activities approved under WIOA; and

WHEREAS, in order to be improve efficiencies and streamline the process of moving funds within the WIOA budget lines, the Board seeks to authorize the Commissioner to move

PROCEEDINGS OF THE BOARD OF LEGISLATORS

funds within the WIOA budget lines, provided that said transfers/reallocations do not exceed the Lewis County WIOA annual budget allocation.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes, the Lewis County Commissioner of Social Services to move funds within the WIOA budget lines, provided that said amounts do not exceed the overall annual WIOA budget allocation to Lewis County, and provided that the Commissioner advises the Treasurer of the amounts and the WIOA accounts reallocated.

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

Moved by Legislator LaChausse , seconded by Legislator Burns , and adopted on the 7th day of April, 2020.

**RESOLUTION NO. 111 - 2020
RESOLUTION EXEMPTING LEWIS COUNTY GENERAL HOSPITAL
EMPLOYEES AND EMERGENCY FIRST RESPONDERS
FROM THE FMLA AND EMERGENCY PAID LEAVE PROVISIONS
OF THE FAMILY FIRST CORONAVIRUS RESPONSE ACT**

Introduced by Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, on or about March 13, 2020, President Trump declared a national emergency regarding the outbreak of the COVID-19 virus; and

WHEREAS, on or about March 17, 2020, the Families First Coronavirus Response Act (“Act”), which included a temporary expansion of the FMLA and emergency paid leave provisions, was signed into federal law; and

WHEREAS, the Act is due to take effect April 1, 2020; and

WHEREAS, the Act permits covered employers, including public employers, to exclude emergency responders and health care providers from the applicable FMLA and emergency paid leave provisions of the Act; and

WHEREAS, the County of Lewis (the “County”) and the Lewis County General Hospital also operating and doing business as Lewis County Health System (the “Hospital”) recognize that its health care providers deliver critical public health and safety emergency services to the Hospital’s patients;

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That effective immediately, and to the extent it may be required by federal law or regulation, the Lewis County Board of Legislators hereby exempts and excludes employees of the Hospital as health care providers, and any emergency responders, including such employees whose services are essential to the continued operation of the hospital and to maintaining its ability to effectively provide health care to its patients subject to any existing and future guidance and/or regulations as may exist, from any applicable FMLA and emergency paid leave provisions of the Act.

Section 2. That the County reserves the right to modify or terminate this Resolution at any time in order to meet the needs of the Hospital and its employees in providing essential services.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator LaChausse , seconded by Legislator Burns , and adopted on the 7th day of April, 2020.

RESOLUTION NO. 112 - 2020
RESOLUTION AUTHORIZING AND RATIFYING
MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF LEWIS AND THE
SHERIFF'S ROAD PATROL UNIT REPRESENTED BY THE UNITED PUBLIC
SERVICE EMPLOYEES UNION (UPSEU).

Introduced by Legislator Thomas Osborne, Chair of the Finance and Rules Committee.

WHEREAS, the existing contract between the County of Lewis and the Sheriff's Road Patrol Employees Unit in Lewis County, represented by the United Public Service Employees Union (UPSEU), expired on December 31, 2019; and

WHEREAS, the negotiating teams representing the County of Lewis and UPSEU, proposed a Memorandum of Agreement for a one year successor collective bargaining agreement, a copy of which is attached hereto, which has been executed by the UPSEU chief negotiator, and has been ratified by the UPSEU membership vote on April 3, 2020; and

WHEREAS, upon approval of the Lewis County Board of Legislators by Resolution, the one-year agreement will become effective for the period of January 1, 2020 to December 31, 2020, with all other provisions of the Agreement ending December 31, 2019 remaining in full force and effect, except as set forth in the Memorandum of Agreement; and

WHEREAS, the County negotiating team recommends and requests that the Lewis County Board of Legislators approve and adopt the terms of the Memorandum of Agreement, and authorize the Director of Human Resources to execute same on behalf of the County;

NOW, THEREFORE, BE IT RESOLVED as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Lewis County Board of Legislators hereby approves the modification terms to the Collective Bargaining Agreement which expired on December 31, 2019, as developed by the negotiating teams, and as memorialized in the Memorandum of Agreement, as a one-year successor Agreement, executed by the UPSEU representative on March 31, 2020, and accepted and ratified by the UPSEU membership by vote on April 3, 2020.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Director of Human Resources to execute, seal and deliver the Memorandum of Agreement between the County of Lewis and the United Public Service Employees Union (UPSEU); said MOA to be in effect for the period January 1, 2020 through December 31, 2020, as therein set forth.

Section 3. That a copy of the final executed MOA shall be filed in the Office of the Clerk of the Board of Legislators, with copies of same delivered to the UPSEU representative for distribution to the members of UPSEU.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator LaChausse, seconded by Legislator Burns, and adopted on the 7th day of April, 2020.

**RESOLUTION NO. 113 - 2020
RESOLUTION AUTHORIZING RENEWAL AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND ADVANCE2000
FOR SUPPORT AND MAINTENANCE SERVICES FOR THE
LEWIS COUNTY TELEPHONE SYSTEM**

Introduced by Legislator Thomas Osborne, Chair of the Finance and Rules 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 Legislators wishes to authorize said renewal 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 and retroactive to January 1, 2020 through December 31, 2023 at a cost of \$20,217.28 per year.

APRIL 7, 2020

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

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

Moved by Legislator LaChausse, seconded by Legislator Burns, and adopted on the 7th day of April, 2020.

OTHER BUSINESS:

Cassandra Moser, Clerk of the Board read the following proclamations on behalf of the board: Proclamation to Commend Mary Jo Burkhard, Lewis County Probation Director; Proclamation Commemorating “April as Child Abuse Prevention and Awareness Month”; and Proclamation Commemorating “April as Fair Housing Month”.

There being no other business to come before the Board, Legislator Burns made a motion to adjourn the meeting at 6:10 p.m., seconded by Legislator Kulzer and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

REGULAR MEETING

May 5, 2020

The meeting was called to order at 5:00 p.m. by the Chairman of the Board Lawrence Dolhof.

Roll Call: All Legislators were present via video conference.

Chairman Dolhof offered the Invocation followed by the Pledge of Allegiance to the Flag.

There were 19 persons present via video conference.

Chairman Dolhof declared the April 7, 2020 meeting minutes approved by general consent.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: Thomas Osborne
Ronald Burns
Ian Gilbert
Gregory Kulzer
Phil Hathway

Dated: May 5, 2020

Legislator Burns made a motion to waive the rules, seconded by Legislator Osborne, and carried.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Clerk reported a resolution was received from Seneca County for Supervisors to call on New York State to release enhanced federal Medicaid matching funds to counties and New York City. Schoharie County submitted a resolution requesting New York State to restore state retirement service credits to Schoharie County workers who temporarily lost those service credits due to the County's temporary workforce reduction.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the Treasurer's April report, the April Highway and Solid Waste Department audit reports; minutes of the April 22nd Youth Bureau Advisory Board meeting; and the following apportionment of mortgage tax report:

MAY 5, 2020

**APPORTIONMENT OF MORTGAGE TAX
October 1, 2019 through March 31, 2020**

	<u>KEY</u>	<u>VALUATION</u>	<u>AMOUNT</u>
Town of Croghan		376,893,835	\$21,958.95
Village of Croghan	.025058464	18,888,761	<u>564.40</u>
			\$22,523.35
Town of Denmark		311,553,184	\$17,545.90
Village of Castorland	.025710426	16,020,330	496.57
Village of Copenhagen	.065831361	41,019,940	<u>1,271.46</u>
			\$19,313.93
Town of Diana		194,955,006	\$ 9,054.52
Town of Greig		242,040,866	\$18,729.63
Town of Harrisburg		163,887,096	\$15,623.65
Town of Lewis		71,019,500	\$ 4,275.54
Town of Leyden		111,847,833	\$ 8,720.11
Village of Port Leyden	.073382848	16,415,425	<u>690.58</u>
			\$ 9,410.69
Town of Lowville		441,099,273	\$28,466.43
Village of Lowville	.294540118	259,842,864	<u>11,885.17</u>
			\$40,351.60
Town of Lyonsdale		126,499,078	\$ 2,371.20
Village of Lyons Falls	.03791251	9,591,795	96.12
Village of Port Leyden	.026833377	6,788,795	<u>68.03</u>
			\$ 2,535.35
Town of Martinsburg		264,029,024	\$ 8,223.41
Town of Montague		38,701,769	\$ 3,259.35
Town of New Bremen		187,279,400	\$18,942.06
Village of Croghan	.036758426	13,768,192	<u>722.85</u>
			\$19,664.91
Town of Osceola		53,020,482	\$ 2,508.85
Town of Pinckney		39,405,837	\$ 3,482.62

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Town of Turin		87,162,310	\$ 3,149.02
Village of Turin	.074494463	12,986,219	<u>253.47</u>
			\$ 3,402.49
Town of Watson		223,209,336	\$11,869.75
Town of West Turin		148,858,880	\$ 4,375.86
Village of Constableville	.047961264	14,278,920	247.47
Village of Lyons Falls	.103980747	30,956,915	<u>536.53</u>
			\$ 5,159.86

GRAND TOTAL \$199,389.50

To County of Lewis \$99,775.21

Thomas Osborne, Chairman
Ronald Burns
Ian Gilbert
Gregory Kulzer
Philip Hathway
Finance & Rules Committee

Dated: May 5, 2020

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 \$199,389.50 from the tax on mortgages from October 1, 2019 through March 31, 2020 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 6th day of May 2020.

Signed By: Lawrence L. Dolhof, Chairman
Cassandra Moser, Clerk of the Board

REPORTS OF STANDING COMMITTEES:

Legislator King made a motion to award the bid for all roadway markings to Seneca Pavement Markings in accordance with the 4/7/2020 Bid Summary Sheet on file with the Clerk of the Board, seconded by Legislator Burns and carried.

Legislator King made a motion to name Casandra Buell as Interim Director of Planning at a salary of \$61,550.00 effective retroactively to March 9, 2020, seconded by Legislator Burns and carried.

Legislator LaChausse stated “I am appreciative for all of the efforts and sacrifices of our county employees during this COVID-19 issue and want to give an expression of gratitude to our Lewis County residents and businesses who have been both innovative and generous to help meet the needs of our citizens during this time of crisis whether it involved mass production of PPE and hand sanitizer, hand sewing masks, donations to our local food pantries and charities, providing meals to those in need or on the front lines, getting take-out to keep a local small business afloat, or something as simple as reaching out to a friend or relative with kind words and compassion just to name a few, however any and all gestures are greatly appreciated when we are all completely out of our normal daily routines. We have gotten this far with many sacrifices and changes, so with perseverance, common sense, and a little more patience moving forward we are on the road to getting our lives back to normal and getting Lewis County reopened. With that I give my sincerest and most grateful thank you to each and every one in Lewis County.”

Legislator Chartrand yielded the floor to Jerry Cayer, Lewis County General Hospital C.E.O. for an update. Jerry stated that the hospital recently purchased an analyzer that will allow them to test for the COVID-19 virus locally. It is a \$60,000 piece of equipment which was funded through their capital budget and with the help of the LCGH Foundations upcoming virtual auction proceeds. A furlough was implemented recently at the hospital with the cooperation of the CSEA Union. This should save roughly \$250,000 a month for the period of the furlough. There will some additional federal resources coming to help with the lost revenue but an exact amount has not been stated. The hospital did receive 1.5 million when this pandemic started which will help offset the \$2 million to \$2.5 million total loss for the months of March & April.

The hospital continues to meet with the Department of Health every day for updates. Elective surgeries will begin happening on Thursday and Friday this week with the anticipation that they will be back to a normal schedule next week. One of the limitations to surgery is that there will have to be a certain level of PPE available, number of beds, and that every patient is COVID tested no earlier than 3 days prior to surgery.

Legislator Hathway inquired about the process that is needed to start testing locally using the new equipment. Jerry explained that there are three criteria that have to be met. The first is that the equipment needs to come in which should be by the end of next week, the second is that the machine will need to be calibrated by running between 40 to 80 tests, and lastly the re-agents will need to be received for use during the testing process. Jerry is concerned that they may not receive the re-agents until June. Currently the test kits and re-agents are received by the DOH from the federal government but there is no guidance on how they are distributed among counties. There has been a conversation with Representative Stefanik about the frustration of not being able to get these needed items and she is working on it.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Burns asked what the intent is when the machine is up and running. Jerry replied that in order for the North Country to be able to re-open we have to complete 810 tests per month in Lewis County. This machine would be able to process 1,800 tests per month if it was running each of the three shifts per day. The idea of these tests is to get a snapshot of the county which will require testing to be done in all areas of the county not just Lowville. The testing will start with priority workers like individuals in the health care field, first responders, educators, and other essential workers in industry. The testing could take place in various locations or health centers in the county.

Legislator Kulzer questioned whether going into Kraft and testing the workers of all three shifts could be done to boost the numbers to what is needed. Jerry responded by explaining that the guidance/directives from the DOH need to be looked at and followed, which means that certain groups of people are a higher priority for testing. Ryan expanded on that by going over the list from the state in the order of priority. Essential employees in the manufacturing field would be fourth on the list.

COUNTY MANAGER REPORT:

Ryan began his report by outlining the Regional Re-Opening plan which the Governor had laid out as a 12 point plan that can be broken down into 3 main categories. The first category is testing numbers over a certain period of time, which isn't a problem for Lewis County because our number of cases has been low right from the beginning. The second category is excess capacity in our Health Care System which is also not a problem because we have the beds and the PPE available that is necessary. The third category is the tough one and that is the testing quantity of 810 tests per month. Our struggle is getting the equipment necessary to administer these tests. We are a small enough county that it would be relatively easy to meet those numbers but as Jerry relayed the ability to get the testing kits and re-agents is not in our favor. So unless the state steps up in a big way or our local manufacturers can produce these items then that is going to be the issue that will hold us back.

Legislator Kulzer inquired about the testing that is going to be done on the Nursing Home staff and residents, Jerry Cayer responded that the DOH had reached out to him on Sunday and said they wanted the counts for both of those populations and the kits are going to be coming in today which will be administered and shipped out for results. There will be enough supplies for 140 residents and 200 staff. Ryan explained that there will need to be another 500 tests completed and we only have 200 test kits left. This will be the biggest hurdle for our region to get over in order to re-open. Legislator voiced his opinion that we should just re-open anyway because the inability to get test kits is the Governors fault not the counties.

Ryan suggested that if we can get a local manufacturer to start making the tests kits which cost around \$2.00 and consist of a long cotton swap and saline we could really ramp up testing and with the hospitals machine we would have results much faster. This testing hurdle isn't something that will be required just to get us re-opened it will probably be a requirement for Public Health to handle over the next 18 months. This will require a steady supply of testing supplies and whether it comes from the federal or state government or right here locally it is something that will need to be figured out.

MAY 5, 2020

Legislator Kulzer asked Jerry Cayer if the piece of equipment that the hospital purchased is only for COVID or if it can be used on other viruses and Jerry responded that it will be able to be used on other viruses that are currently sent out to another lab.

Ryan explained that the Governor has laid out a preliminary plan of what state funding cuts will look like and it is going to be up to a 50% cut. Ryan and Eric estimate that it will likely be around a \$2 million cut for Lewis County. What is most surprising about all of this is that we have received zero dollars from the state government and zero dollars from the federal government to help offset these losses. In any other State of Emergency there would be assistance from both entities to local governments/counties. There is a bill that is being worked on by Senator Schumer that would give some aid to smaller counties. Lewis County would receive roughly \$1.9 million which would help.

Legislator King asked about the difficulty to generate the test kits, Ryan responded that the CDC has put guidelines out on their website about how to manufacture them. Ryan hopes that someone locally or a combination of producers would be interested in doing that which would help out tremendously. Legislator LaChausse asked about what the compound is for the re-agents that would be needed as well and Ryan nor Jerry knew for sure. Jerry pointed out that the test kits would have to be manufactured in a sterile environment which would be a hurdle for anyone locally.

COUNTY TREASURER REPORT:

Eric reviewed his report. He has been busy with auditors over the last few weeks. The annual audit report have been submitted to the state. The annual tax auction that was scheduled for tomorrow has been delayed but not yet re-scheduled, still waiting for the court system to re-open in order to proceed with that.

REPORT OF THE FINANCE AND RULES COMMITTEE:

**RESOLUTION NO. 114 – 2020
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Member of the Finance and Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$1,659,119.77 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 Burns, seconded by Legislator Kulzer, and adopted by the following roll call vote:

YEAS: Chartrand, Gilbert, Moroughan, Burns, Kulzer, LaChausse, Osborne, Hathway, King, Dolhof

NAYS:

ABSENT:

**LOCAL LAW (INTRODUCTORY NO. 4 - 2020)
COUNTY OF LEWIS**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

**A LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY
ROADS, TRAILS OR OTHER COUNTY PROPERTY**

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 REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY**”.

SECTION 2. STATUTORY AUTHORITY

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

SECTION 3. LEGISLATIVE FINDINGS

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

A. Planned special events include but are not limited to sporting events, concerts, parades, walking & running events, bicycle races, motorized vehicle rallies, block parties, family events, etc. that use county facilities. These types of events can have direct and indirect impacts on county properties, roads, trails. There are several events organized and held in Lewis County where county roads, county public rights-of-way, trails, parks, and lands are used for the event, or are adversely affected by the event because of road closure, traffic congestion, parking, etc.

B. The occurrence of such events as described and defined herein may place an unwarranted burden on the County resources related to the provision of emergency services, law enforcement, health and sanitary services, road and property repairs, and similar items, depending upon the special event, its size, and the conduct of participants.

C. The purpose of this law and the requirement for a permit and fee for same, is to enable the county to be able to anticipate the impacts posed by the event and to coordinate efforts of various departments and other municipalities which may be affected by the special event; to take appropriate steps and measures to provide for the safety of event participants and residents; to provide for the least impact on the county’s roads, trails, and lands.

D. When a person(s), corporation(s), organization(s), landowner(s), lessee(s) and others seek to conduct a special event on county roads and/or county property, provision must be made for adequate financial assurance to protect persons and property (both public and private) within the County. The Board of Legislators of Lewis County therefore finds and declares that it is necessary for government protection, order, conduct, safety, health and well-being of persons and county property, that certain rules and regulations be established for special events involving county roads, trails, parks and other lands, and, further, that it is necessary to adopt under the police power of the County, a local law to regulate and license by permit the holding of such special events on or effecting access and use of County roads, trails, parks and other lands.

SECTION 4. DEFINITIONS

A. For purposes of this Local Law, the word “person” shall be deemed to include any person, persons, firm, company, corporation, partnership, association, club, limited liability company, limited liability partnership, joint venture, owner or lessee of real property, promoter, sponsor, or any other group or organization whether formalized or not.

B. For purposes of this Local Law, “special event on county roads and trails” shall mean any outdoor gathering of people and activities involving pedestrians, vehicles, bicycles, skateboards, motorcycles, ATVs, UTVs or other recreational equipment, or any combination thereof which involve:

1. Any organized formation, parade, procession or other event taking place on County roads or trails which may interfere, impede or obstruct the flow of traffic or which do not comply with normal traffic regulations or controls; or

2. Any organized event taking place on private property which may result in significant traffic delays on County roads or trails, or which may cause safety concerns or damage to County roads, trails or other lands as a result of the event; or

3. Any organized or special event requiring the placement of signage or pavement markings on County roads or trails.

4. Any event intended to include and/or to take place on the Lewis County Off Highway Vehicle Trail System with twenty-five (25) or more concurrent vehicle units or fifty (50) or more concurrent participants. (Some events on the County Trail System may also include use of Town roads which are subject to other requirements by the local municipality and its own local laws pertaining to same.)

C. For purposes of this Local Law, “special event on other county lands” shall mean gatherings of people and activities (such as ceremonies, family reunions) on county-owned lands.

D. For purposes of this Local Law, a special event involving a gathering of people and activities involving snowmobiles shall mean such events which may:

1. interfere, impede or obstruct the flow of traffic or which do not comply with normal traffic regulations or controls on County roads; or

2. snowmobile activity or event on private property which may result in significant traffic delays on County roads, or which may cause damage to County roads or other County lands as a result of the event; or

3. snowmobile activity or event which requires placement of signage or pavement markings on County roads.

SECTION 5. PERMITS

A. No person may organize, operate, promote, or conduct a special event on a County road, trail, park or other land in Lewis County, nor may a person allow or permit the use of his, her or their real property for the purpose of holding or conducting a special event where a County road, trail, park or other land will be adversely impacted, without first obtaining a permit to do so from the Lewis County Director of Recreation, Forestry and Parks (DRFP).

B. The Director of Recreation, Forestry and Parks will consult with the County Superintendent of Highways, the Emergency Management Director, the Lewis County Sheriff and any other relevant County Department(s), as the event may warrant in processing the permit application.

SECTION 6. PERMIT APPLICATION PROCESS AND FEE

A. All applications shall be made to the Lewis County Director of Recreation, Forestry and Parks, by submission of three (3) copies to the DRFP, by the person(s) sponsoring or running the event involving County roads, trails, park or other lands, or by the duly authorized agent or attorney thereof. The appropriate application fee, as set forth in the fee schedule in effect for said event permit, must be submitted with the application along with all the other documentation required therein. No action will be taken upon any application until it is deemed complete by the

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Director of Recreation, Forestry & Parks, in consultation with the appropriate County Departments.

B. 1. The non-refundable application fee charged for a special event permit shall be in accordance with the fee schedule set forth under Section 10 of this Local Law. The fee schedule may be amended from time to time, by Resolution adopted by the Lewis County Board of Legislators.

2. A permit application fee shall not be required for any special event that is otherwise licensed, sponsored or organized in whole or in part by the County or any other municipal government located within the County; but said municipality shall submit an application for the event.

C. The application for a permit hereunder shall be made in writing upon such form or forms as may be crafted by the Director of Recreation, Forestry & Parks (DRFP), and shall be submitted to the DRFP at least sixty (60) or more days prior to the first day such special event involving less than 200 persons is anticipated to be held, or at least ninety (90) days or more in advance of the first day of a proposed special event involving 201 or more persons. Such application shall include the following information:

1. The applicant's name, age, and residence address; if the applicant is a corporation, partnership or association, the name of the entity, address for its principal office, together with the names and addresses of its directors, partners or associates. If the applicant is not a resident or have a place of business within Lewis County, the name of a natural person, over the age of eighteen (18) years of age who resides within Lewis County and who is authorized by the applicant and who shall agree by acknowledged statement to accept service of notices and summons on behalf of the applicant with respect to this application, the conduct of the outdoor public assembly or any other matter relating to the enforcement of this Local Law;

2. The name and address of the record owner of any real property(s), where the special event is to be staged and/or where participants will be gathering, (if it is an event on private property which will impact County roads/lands);

3. A description of the nature and interest the applicant has in the property (i.e., owner, lessee, licensee, etc.), if applicable;

4. The proposed dates and hours of operation for the proposed special event, and a description of the event;

5. The expected minimum and maximum number of persons and vehicles, if any, per day of the event to use the roads and/or property(s), if any, per day and collectively;

6. A description of the purpose for the special event and the activities to take place thereat, including without limitation, concessions, entertainment, vehicles, equipment, etc.;

7. The admission/participation fee to be charged, if any.

D. 1. After careful review and consultation with other Departments, the DRFP shall determine whether the permit application will be approved or denied. The DRFP shall communicate her decision on the application in writing, by issuing a permit with any and all conditions to which the applicant may be required to meet prior to and during the event. If denied, the DRFP shall indicate the reason for such denial.

2. Simultaneously with notification of approval/denial of a permit to the applicant, the DRFP shall notify the County Manager, Board of Legislators and any appropriate Departments of the special event permit issued or denied, including any conditions and information on the type of event, date, location, estimated size, and any other relevant information.

E. 1. Depending upon the activities and estimated size of assembly of persons participating in the special event, the applicant shall be required to comply with any and all other applicable State and Local Laws, [including but not limited to NYS Department of Health rules and regulations pertaining to mass gatherings (assembly of 5,000 people or more), Public Health Law §225, and Lewis County Local Law No. 2- 1970 (mass assembly of 10,000 people or more)], with the application reviewed and approved by the Public Health Director, Emergency Management Director, Lewis County Sheriff, Superintendent of Highways, and any other relevant County Department(s) requested by the DRFP.

2. In such cases, the DRFP will notify the applicant of the additional review by relevant County Departments before the application will be deemed fully submitted. The preliminary application may then be reviewed and commented upon by the those appropriate Department Heads/ Directors to determine from the information supplied, the potential effect or impact the proposed special event and assembly will have upon the public health, safety, and welfare of the people and property of Lewis County.

F. The County, through the DRFP, shall have the right, in its sole discretion, at any time to terminate the permit, or any portion thereof, should it be necessary due to county operations, conditions, or other circumstances which may arise. Any termination of the permit shall not constitute a breach of the permit, and no liability shall be incurred by or arise against the County, its agents and employees for loss of profits or any other damages.

SECTION 7. CONDITIONS OF USE AND INSURANCE REQUIREMENTS

A. The County makes no affirmation that the county-owned road/trail/site/property to be used for the special event has been designed, constructed, or maintained for the purpose of the conduct of the event. The applicant and all its participants assume full risk and responsibility for the event. The applicant and its participants assume full risk and responsibility for planning and conducting a safe and orderly event that does not expose participants or the public to any unreasonable hazards, with minimal disruption to normal uses of the county roads, trail system and properties. It shall be the sole obligation of the applicant to determine whether the county site(s) is suitable for the purpose of safely conducting the event.

B. The applicant shall exercise due care in its use of the county property and shall upon the expiration, termination or cancellation of the issued permit, surrender the county property/site in as good a condition as on the effective date of the permit. Depending upon the nature of the event and the anticipated number of participants, the issuance of a permit may be conditioned upon an undertaking, bond, performance bond or a guaranteed deposit, to insure restoration of the county property to its previous condition.

C. The applicant/permittee agrees to notify the DRFP about any hazardous or unsafe conditions, and about any accidents that occur during the event immediately upon the discovery of such condition or accident.

D. At the time a permit is issued, the DRFP shall provide the applicant/permittee with a statement of responsibilities and obligations of the Applicant/Permittee. Said statement shall be signed by the applicant/permittee and returned to the DRFP forthwith. The statement of responsibilities and obligations shall include the insurance requirements of this local law together with such other itemized responsibilities the DRFP may deem appropriate for the event. The applicant/permittee shall provide the DRFP with proof of insurance prior to the commencement of the event, i.e., a certificate of insurance is required to be in full force and effect prior to and during the event, with the County named as an additional, primary insured, and shall include but not be limited to the following coverage, if applicable:

1. Workers' Compensation and Disability Insurance as required by New York State for any and all employees.
2. Commercial General Liability Insurance. The applicant shall maintain an occurrence form of commercial liability policy or policies insurance against liability from premises, personal injury or death, advertising injury, liability under an insured contract, negligence, occurring on or in any way related to the premises or occasioned by reason of the operations of the applicant. Such coverage shall be written on an ISO occurrence form (CG 0001 12 07 or equivalent) in an amount not less than \$1,000,000.00 per occurrence and not less than \$2,000,000.00 aggregate. The insurance must be endorsed to provide primary insured coverage to the County of Lewis and all of its Departments, and any other local municipality in which the event is conducted.
3. Automobile and/or other motorized vehicle insurance. The applicant shall maintain automobile, other vehicle and equipment policy(s) insurance against liability for bodily injury, death, damage to property and other coverages relating to the use, operation, loading or unloading of any automobiles, motorized vehicles and other equipment on an around the event site, in an amount not less than \$1,000,000.00. If the event involves participants' use of motorized vehicles (autos, ATVs, UTVs, motorcycles, motorbikes, snowmobiles, etc.) it is the applicant/permittees' responsibility to assure that all participants motorized vehicles are properly licensed, registered and insured, as may be required under the law.

E. In addition to the protection afforded to the County by the insurance provisions hereinabove set forth, the County shall not be liable for any damage or injury to the applicant, event organizers and any employees, volunteers, participants, or any other person, or to any property of the above, occurring on the event site covered by the permit. The applicant/permittee agrees to defend, indemnify and hold harmless the County of Lewis, and its agents from and against any and all claims, damages, losses and expenses including but not limited to attorneys' fees, arising out of any claim for personal injuries, property damage or wrongful death associated in any way with the applicant's or participants' use of the permitted site/property, or in any way related to the event, no matter how caused.

F. The DRFP, upon prior consultation with the County Manager and County Attorney, may adjust the required insurance coverages and amounts, depending upon the nature of the event, i.e., the activities, size, duration.

SECTION 8. PENALTIES FOR NON-COMPLIANCE AND ENFORCEMENT

A. If after a permit is issued (but prior to the actual event), the County determines, through its lawful agent(s), i.e., the DRFP, Highway Superintendent, etc., that any of the items required as a

condition under the permit is not adhered to or accomplished within the required time limits, then the permit may be immediately terminated by action of the DRFP, after notification to the County Board of Legislators. Notice of such termination shall be in writing and delivered to the applicant at the mail address and e-mail address set forth on the application.

B. 1. Any person (as defined in this Local Law) who shall organize, promote, conduct or cause to be conducted a special event on County roads, trails, or other county property as defined in this Local Law, without having a written permit in accordance with the provisions of this law shall be deemed to have violated this Local Law.

2. Any person violating this Local Law shall be subject to a civil penalty, enforceable and collectible by the County of Lewis, in the amount of \$250.00 to \$750.00, depending upon the violation, the nature and size of the special event which was or is being held without issuance of or compliance with a permit as herein required. Said violation shall be enforced in any Court of competent jurisdiction within the County of Lewis.

3. Any person violating this Local Law shall be subject to law enforcement shutting down the event and dispersing persons from the site. In addition, the County of Lewis may maintain an action or proceeding in the name of the County against the applicant in a Court of competent jurisdiction to compel compliance with or to restrain by injunction, the violation(s) of such local law.

4. Any person violating this Local Law shall be subject to any other applicable action or proceeding brought by the County for any and all damages, County costs and expenses associated and incurred as a result of the violation(s) of this local law.

SECTION 9. SEPARABILITY

If any clause, sentence, paragraph, section or part 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 part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 10. FEE SCHEDULE

The following permit application fee schedule shall apply unless and until amended and acted upon by the Lewis County Board of Legislators by an adopted Resolution:

<u>Application Fee Amount</u>	<u>Event Estimated Size (estimate of attendees)</u>
No fee	up to 50 participants/attendees
\$10.00	51 to 100 participants/attendees
\$20.00	101 up to 500 participants/attendees
\$50.00	501 up to 1,000 participants/attendees
\$100.00	1001 up to 2,500 participants/attendees
\$200.00	2,501 up to 5,000 participants/attendees

\$300.00

5,000 or more participants/attendees**

** If the event involves 10,000 or more, applicant is subject to additional permit fees under Local Law No. 2-1970.

SECTION 11. EFFECTIVE DATE

This Local Law shall become effective immediately after filing with the office of the New York Secretary of State.

**RESOLUTION NO. 115 - 2020
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 4- 2020), COUNTY OF LEWIS**

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on May 5, 2020, a proposed Local Law entitled “A LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY”.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on June 2, 2020, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

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

Moved by Legislator Burns, seconded by Legislator Gilbert.

County Attorney Joan McNichol pointed out a typographical error on page 2, Section 4, B4, second line should read “...Vehicle Trail System with twenty-five (25) or more concurrent vehicles units or fifty (50) or more concurrent participants.” A revised copy will be sent to all Legislator immediately following this meeting so we are in compliance.

Legislator Kulzer voiced his opinion that he doesn't feel this is a necessary law with the way it is written because we are restricting citizens from parades and special events on their own property, especially when vehicle and traffic law plays a role in whether someone can park along the side of a road. This was meant for ATV's but it has ballooned to restrict too many things. Legislator Osborne agreed that it has gotten carried away.

Joan clarified what a special event is and that it doesn't apply to everything. It only applies to organized events not groups of people who just want to go out for a walk or run. Legislator Kulzer questioned who is going to enforce this? Legislator Gilbert suggested that the law get revised to apply only to ATV trails, which Legislator Kulzer agreed would be a great idea. He feels that we are restricting our citizens with the way it is currently written.

Legislator Hathway questioned if this pandemic continues and we are still holding meetings through video conference is it even possible to hold a public hearing. Joan would not recommend holding a public hearing until things are back to normal, but pointed out that it could be done as long as we give the public ample time to respond in writing or by email with any concerns they might have and to read those into the record of the meeting. Joan said we could proceed and then if it looks like things won't be open we can just postpone the public hearing for another month.

Legislator Osborne offered to table this issue until we know we are back to regular meeting in the board room to set a public hearing. Joan pointed out that there is a chance that we would be back to normal for the June meeting. Larry asked how hard it would be to table this issue if it was moved forward for public hearing at the June meeting, rather than starting all over again. Joan responded that it could just be tabled at the June meeting if we were not able to have a regular meeting and the Notice would just get republished.

Legislator Chartrand felt that there should be an explanation of why this local law was put together to help clarify things. Larry responded that over the years he has had a lot of requests from various Towns that the county move something like this forward. It is meant for larger events like moe.down and ATV events. It has been revised to try and take the burden off smaller gatherings like the Brantingham parade and events on anyone's personal property but then there is push back from other residents who want that language in there.

Ryan pointed out that an ATV event like the SNIRT run doesn't run on the ATV trail system they run on local roads so if the local law is revised to just pertain to ATV trails there would be no guidance for an event like the SNIRT Run. This issue has gone through committee several times and it keeps get pushed back down. Legislator Kulzer feels that it has been pointed out several times that it should pertain to only ATV and UTVs but that doesn't seem to get addressed in the local law. He also felt that the Towns should make their own laws for their own roads to help control the issue. Larry said the Town of Martinsburg is looking for the county to pass a local law that they can then mirror.

Ryan stated that if we want Lewis County to become a premier destination for outdoor recreation we need to have something to allow us to know what events are happening within the county. Currently there is nothing that requires anyone to sit down in the same room to discuss what the event is and what safety measures are in place. If we want to continue to push Lewis County as a destination we have to take a professional approach to the way we handle events in our community.

Legislator King wondered if it wouldn't be better to make the local law aimed more at the really large events like moe.down and SNIRT and then if we need to add to it down the road we

can instead of making it a burden on the smaller events. Legislator Gilbert voiced his opinion that over the last few weeks there have been changes made to the intro law to really reduce the class of people who would need to apply for an application. There was discussion on the insurance requirements in the law, Joan explained that there is clause that you can get a waiver.

Legislator Osborne made a motion to rescind the prior motion to set the public hearing on this introductory local law and to send this intro law back to the General Services Committee for further revisions/discussion, seconded by Legislator Kulzer and carried.

**LOCAL LAW (INTRODUCTORY NO. 5-2020)
COUNTY OF LEWIS**

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

**A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON
APPROXIMATELY .65 MILES OF CERTAIN PORTIONS OF
BURDICK’S CROSSING ROAD (CR 36)**

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

SECTION I. TITLE.

This Local Law shall be known as “A Local Law Permitting All-Terrain Vehicle Operation on approximately .65 miles of certain portions of Burdick’s Crossing Road (CR 36)”.

SECTION II. PURPOSE.

The purpose of this Local Law is to amend the designation of certain highways or portions thereof within the County Highway system as being open for travel by all-terrain vehicles pursuant to the authority granted in Section 2405 of the Vehicle and Traffic Law of the State of New York.

SECTION III. DEFINITIONS.

For purposes of this Local Law, the terms hereinafter identified shall have the meanings indicated:

- (a) The term “County” shall refer to the County of Lewis.
- (b) The term “ATV” shall refer to an “all-terrain vehicle” as defined in Section 2281(1) of the Vehicle and Traffic Law of the State of New York. The term “OHV” shall refer to off-highway vehicle and shall have the same meaning as set forth in Local Law No. 3-2019.

- (c) The term “Trail System” shall refer to the Lewis County Trail System, as adopted and administered pursuant to Local Law No. 3-2019, entitled, “**A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 AND RE-ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM**”, and as the same may be amended from time to time.
- (d) The term “ATV Code” shall refer to the Lewis County ATV Code which sets forth the local rules and regulations pertaining to the operation of ATV’s on public property pursuant to Local Law No. 3–2009, entitled “**A LOCAL LAW ESTABLISHING THE LEWIS COUNTY ATV CODE,**” and as the same may be amended from time to time.
- (e) The term “CR” shall mean County Route, and is used to describe or designate the highway as owned by the County of Lewis and maintained by the Lewis County Highway Department.

SECTION IV. LEGISLATIVE FINDINGS.

The Board of Legislators hereby makes the following findings:

1. That Board of Legislators has carefully reviewed a Memorandum from the County Attorney detailing the legal obligations of the Board when considering opening a County highway or portion thereof to ATV use.
2. The Board of Legislators has also reviewed a report from the Director of Recreation, Parks and Forestry which Described the Amended Designation of ATV Trails and Interconnecting County Roads for Use by ATV’s dated April 21, 2020, which has been submitted to the Board of Legislators identifying the segments of CR 36 that are proposed to be opened to ATV traffic and providing a description of the trails or areas that are adjacent to such road portions and the justification for same as required by Vehicle & Traffic Law § 2405.
3. The Board of Legislators has conducted a review of the potential adverse impacts the opening of the proposed interconnecting portions of this County Road, consistent with Article 8 of the Environmental Conservation Law of the State of New York, as amended, and Title 6, Part 617 of the New York Codes, Rules and Regulations (“NYCRR”) implementing Article 8 (collectively referred to hereinafter as “SEQRA”) and after an investigation and analysis conducted by the Director of Soil & Water, has found and determined that adding these portions of CR 36 to the Lewis County Trail ATV System will not result in a significant environmental impact.
4. The Board of Legislators has also reviewed the most recent annual ATV Activity Report as compiled by the Lewis County Sheriff’s Department, indicating a high level of usage for this part of the ATV trail system.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

5. The County Highway Superintendent has reviewed the portions of CR 36 that are proposed to be opened to ATV traffic, and has provided the Board with his written opinion that such road portions thereof are presently opened to all classes of motor vehicle traffic and that opening said road portions hereof to ATV traffic will not significantly impact traffic safety at this locality.
6. In light of all the information submitted, reviewed and/or received during the public hearing, the Board of Legislators hereby determines and finds that as the result of a private property owner determining to no longer provide trail access on his/her property along Burdick's Crossing Road, it is otherwise impossible for ATV's to gain access from Route 12 to the Lewis County Off Road Trail System (290.00-04-17) to the property owned by Pominville (290.00-01-3.171), without opening certain portions of CR 36; a total distance of .65 as hereinafter described in this Local Law.

SECTION V. AMENDED DESIGNATION OF HIGHWAYS.

The following portions of County Highway 36 are hereby designated as OPEN to travel by ATV's, and/or as subsequently amended thereto:

- a. That certain portion of Burdick's Crossing Road (CR 36), beginning at the intersection of State Route 12 then easterly a distance of approximately .07 miles to the off-road recreational trail on property now owned by Dorothy Dekin (290.00-04-15.0);
- b. That certain portion of Burdick's Crossing Road (CR 36), beginning at the Lewis County Off-Road Recreational Trail (290.00-04-17.00), then easterly a distance of approximately .24 miles to the off-road trail on property now owned by Zumean LLC. (290.00-04-9.2);
- c. That certain portion of Burdick's Crossing Road (CR 36), beginning at the off-road recreational trail on property now owned by Jack Mezey, Jr. (290.00-04-9.111), then easterly a distance of approximately .34 miles to the off-road recreational trail on property now owned by Darren Pominville (290.00-01-3.171).

SECTION VI. CONDITIONS AND RESTRICTIONS.

- A. All of the conditions, restrictions, rules and regulations contained in or adopted pursuant to Article 48-C of the Vehicle and Traffic Law of the State of New York shall apply with respect to the operation of ATV's within the areas designated in the preceding Section V.
- B. The road segments set forth above shall be deemed incorporated into the Lewis County ATV Trail System and subject to the conditions, restrictions, rules and regulations set forth in Local Law No. 3-2019 entitled, "A LOCAL LAW

AMENDING LOCAL LAW NO. 2-2009 AND RE-ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM”, as well as Local Law No. 3–2009, entitled, **“THE LEWIS COUNTY ATV CODE”,** as the same may be amended from time to time.

- C. The road segments set forth above shall have signage posted to direct ATV riders to ride on the paved road and not on the stone shoulder of the road.

SECTION VII. SEPARABILITY.

In the event that any part or provision of this Local Law or the application thereof to any person or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of the Local Law or the application thereof to other persons or circumstances. Moreover, the Board of Legislators of the County of Lewis hereby declares its intent that it would have passed this Local Law or the remainder thereof had such invalid provision or invalid application been apparent.

SECTION VIII. EFFECTIVE DATE.

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

**RESOLUTION NO. 116 - 2020
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 5- 2020), COUNTY OF LEWIS**

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on May 5, 2020, a proposed Local Law entitled “A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON APPROXIMATELY .65 MILES OF CERTAIN PORTIONS OF BURDICK’S CROSSING ROAD (CR36) ”.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on June 2, 2020, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 Osborne, and adopted on the 5th day of May, 2020.

**RESOLUTION NO. 117 - 2020
RESOLUTION AWARDED BID AND AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND ROBERT F. STANFORD EXCAVATING &
TRUCKING TO BUILD AND INSTALL A NEW IMPOUND YARD WITH SECURE
FENCING AT THE AT THE PUBLIC SAFETY BUILDING IDENTIFIED SITE**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the Lewis County Buildings and Grounds Department, in consultation with the Lewis County Sheriff's Department, recently sent out a Request for Proposals for the installation of a new impound yard with secure fencing, to be located at a particular site adjacent to the Public Safety Building, according to the terms and specifications as set forth in the RFP; and

WHEREAS, the General Services Committee, along with the County Manager and Director of Buildings and Grounds considered the four (4) responses to the RFP, opened on April 16, 2020 at 1:05 pm, and seek to award the bid to Robert F. Stanford Excavating & Trucking ("Stanford"), the lowest bidder, who proposes to provide the labor, equipment and materials to complete the job described in the RFP in consideration of the payment of \$18,700.00, exclusive of any sold rock excavation or core drilling/blasting; and

WHEREAS, the Board of Legislators seeks to award the bid to Stanford and authorize an agreement for the specified services to be provided in accordance with the RFP;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves an Agreement with Robert f. Stanford Excavating & Trucking, 6767 Number Four Road, Lowville, NY 13367, to build, install and fence a new impound yard adjacent to the Public Safety Building, in accordance with the specifications and requirements set forth in the RFP.

Section 2. That the Lewis County Board of Legislators authorizes said agreement to include all conditions and requirements set forth in the RFP together with inclusion of any and all additional terms and conditions recommended by the County Attorney, at a cost of \$18,700.00. The price excludes costs for excavation, drilling or blasting of any large boulders or sold rock; the cost of same to be addressed if incurred.

MAY 5, 2020

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

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

Moved by Legislator Burns seconded by Legislator Kulzer and adopted on the 5th day of May, 2020.

RESOLUTION NO. 118 - 2020
RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT BETWEEN
LEWIS COUNTY COMMUNITY SERVICES DEPARTMENT AND
FORT DRUM REGIONAL HEALTH PLANNING ORGANIZATION

Introduced by Legislator Randall LaChausse, Chairman of the Health and Human Services Committee.

WHEREAS, the Lewis County Community Services Department, working in partnership with Columbia University, entered into an Agreement with Fort Drum Regional Health Planning Organization “FDRHPO”) as part of the Healing Communities Study (“HCS”) project activities in Lewis County, working towards the identified primary and secondary outcomes; and

WHEREAS, the primary outcome is a 40% reduction in opioid-related overdose deaths in each selected county over the course of the study. The secondary outcomes include enhanced numbers of providers treating opioid use disorder with medication for opioid use disorder (MOUD) including buprenorphine, methadone and naltrexone; increased number of people and community-based organization trained to administer naloxone and provide overdose education; reduced number of non-fatal overdoses; increased numbers of people accessing MOUD and other drug treatment; increased identification of people with opioid use disorder and reduction in number of people progressing to opioid use disorder; and

WHEREAS, the Lewis County Director of Community Services as the lead coordinator of county-wide project activities, contracted with FDRHPO to assist in conducting HCS project activities designed to address the primary and secondary outcomes in the study. The HCS now require an amendment to the Agreement with FDRHPO to revise the statement and scope of work provided by FDRHPO in year 2 of the Healing Communities Study in order to work toward the identified primary and secondary outcomes;

WHEREAS, the Board of Legislators wishes to authorize the amendment and any additional amendment which may be required to give effect to Lewis County Community Services effectiveness in the HCS project;

NOW, THEREFORE, BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Lewis County Board of Legislators hereby authorizes amendments to the Agreement with Fort Drum Regional Health Planning Organization under the Healing Communities Study (“HCS”) project activities in Lewis County, working towards the identified primary and secondary outcomes by revisions to the scope of services and work undertaken by FDRHPO in year 2 of the HCS project.

Section 2. That the Lewis County Director of Community Services is hereby authorized to make, execute, seal and deliver such amendments to the Agreement as may be required to give effect to the HCS project, pending approval by the County Attorney.

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 5th day of May, 2020.

RESOLUTION NO. 119 - 2020
RESOLUTION AUTHORIZING AMENDMENTS TO AGREEMENTS BETWEEN
LEWIS COUNTY COMMUNITY SERVICES DEPARTMENT AND
VARIOUS PROVIDERS FOR PROGRAM SERVICES

Introduced by Legislator Randall LaChausse, Chair of the Health and Human Services Committee.

WHEREAS, Lewis County Community Services Department (“CS”) entered into agreements with Northern Regional Center for Independent Living, Mountain View Prevention Services, Credo Community Center for the Treatment of Addictions, Oneida-Lewis Chapter, NYSARC, and Transitional Living Services of Northern New York to provide program services pursuant to Resolution No. 382-2019 for the term beginning January 1, 2020 through December 31, 2020; and

WHEREAS, CS received the Consolidated Fiscal Reporting and Claiming Manual (CFR) for the current reporting year from Office of Mental Health (OMH), Office of Persons with Developmental Disabilities (OPWDD) and Office of Addiction Services and Support (OASAS), which include guidance, departmental expectations, and reporting responsibilities to be included in the existing contracts and wishes to append the 2020 agency contracts to reflect the updated guidance, departmental expectations, and reporting responsibilities; and

WHEREAS, the Board of Legislators wishes to authorize such addendums/amendments;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes amendments to the 2020 Agreements between the County of Lewis, by and through the Lewis County Community Services Department and the various contract agencies with whom CS is engaged to incorporate 2020 CFR updated guidelines and state aid fiscal guidelines.

MAY 5, 2020

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 addendums to the agreements upon such form as approved by the County Attorney.

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 5th day of May, 2020.

**RESOLUTION NO. 120 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Community Service**

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee:

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation take place in the Community Services Accounts for the increase in funds for year 2 of the Healing Communities Study:

Increase Revenue	
A0431700 344902 MH Healing Comm Study	\$389,309.36
Increase Expense	
A0431700 423000 MH Healing Comm Study	\$378,890.35
A0433500 110100 MH Pers Serv	\$ 10,419.00

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 5th day of May, 2020.

**RESOLUTION NO. 121 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND
FOOD BANK OF CENTRAL NEW YORK**

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

WHEREAS, the County of Lewis, by and through the Emergency Management Department, desires to enter into an agreement with the Food Bank of Central New York ("Food

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Bank”) to set forth terms by which the Food Bank and Lewis County will cooperate in disaster preparedness, mitigation, response and recovery in order to work most effectively; and

WHEREAS, the Board of Legislators wishes to accept such agreement; 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 Emergency Management Department, and Food Bank of Central New York to cooperate in disaster preparedness, mitigation, response and recovery in order to work most effectively, for the term beginning on the date the agreement is signed by the parties through June 30, 2023.

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

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 5th day of May, 2020.

**RESOLUTION NO. 122 - 2020
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN COUNTY OF LEWIS AND NYS DIVISION
OF HOMELAND SECURITY & EMERGENCY SERVICES
STATE HOMELAND SECURITY PROGRAM AND
EMERGENCY MANAGEMENT PERFORMANCE GRANT AWARD**

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

WHEREAS, the County of Lewis, through the Emergency Management Director has received notification of a FY2020 State Homeland Security Program (SHSP) grant award in the amount of \$52,504.00, to assist in security efforts and programs in the county; this award is provided by the U.S. Division of Homeland Security and Federal Emergency Management Agency (FEMA) to be administered through the NYS Homeland Security and Emergency Services (DHSES); and

WHEREAS, the SHSP Grant guidelines require at least 25% (\$13,126) of the award be directed towards law enforcement activities. The Director of Emergency Management has identified specific funding for law enforcement to meet these requirements, including but not limited to, the purchase of a laptop for IT cyber security, a tablet and related IT equipment for patrol vehicles, locked cargo boxes for patrol vehicles, automated external defibrillators, personal protective equipment, and a one year maintenance contract to support law enforcement LE fingerprinting technology; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a SHSP Agreement between the County of Lewis and NYS Division of Homeland Security and Emergency Management as administrator of these FEMA Grant awards of \$52,504.00 to the Lewis County Emergency Management Department.

Section 2. That the terms of the performance periods are from September 1, 2020 through August 31, 2023.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to execute said Agreements and any other documents and/or extension/modification agreements required to give effect to this Grant award.

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 5th day of May, 2020.

RESOLUTION NO. 123 - 2020
RESOLUTION TO TRANSFER FUNDS
County Road

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer take place in the County Road accounts to cover additional Professional Services expenses. The department has three small bridge projects planned for this year and the budgeted amount for professional services needs to be supplemented to cover the engineering fees. This funding is necessary specifically to cover expenses for the River Road over Kimberly Creek (BIN 3340140) project;

Increase:

D0550000 491501 Bridge insp/Eng	\$10,000.00
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Decrease:

D0550000 491520 Bridge material	\$10,000.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 5th day of May, 2020.

**RESOLUTION NO. 124 - 2020
RESOLUTION OPPOSING ASSEMBLY BILL A-8123A
TO AMEND THE EXECUTIVE LAW IN RELATION TO PRESERVING
ECOLOGICAL INTEGRITY, WILDLIFE AND OPEN SPACE
IN THE ADIRONDACK PARK**

Introduced by Lawrence L. Dolhof, Chairman of the Board of Legislators

WHEREAS, certain members of the NYS Assembly from Long Island, Manhattan and Brooklyn have proposed legislation to amend the executive law to add and expand land use and development regulations pertaining to property in the Adirondack Park; and

WHEREAS, this proposed law attempts to expand the already overly conservative and restrictive land use development regulations under the 1973 Adirondack Park Land Use and Development Plan under the pretense of curtailing “**rural sprawl**” in the Adirondack Park; and

WHEREAS, land use areas defined under the current law already provide for Low Intensity, Rural Use, and Resource Management designations. Under these land use designations, lot sizes are restricted to 3.2 acres (low intensity), 8.5 acres (rural use) and 42.7 acres (resource management) for single family home construction in the Park. Anyone who owns property in the Park already understands the restrictions on owning, building, developing and selling property in the Park; most owners would refute the notion that more land use restrictions are necessary to “*curtail rural sprawl*”; and

WHEREAS, this proposed new law adds environmental studies requirements for subdivision proposals in any of the three defined land use areas in order to assess comprehensive analysis of economic impact, ecological site analysis, an open space management and stewardship plan, and small cluster development zone plan under a “*conservation subdivision*” concept. These additional requirements will not only adversely impact the cost of ownership and development of land in the Park, but will have a negative impact on property values, will preclude development, and diminish the value of large acreage plots because of the *small cluster development* plan requirements envisioned under the *conservation subdivision* concept; and

WHEREAS, experienced tax assessors in local Towns within the Park have studied this proposed legislation and opine that the provisions of this law will adversely impact the tax base for towns within the park, and end up shifting taxes to existing homeowners. As an example, in the town of Stony Creek, there is a 1,000 acre parcel used mostly for forestry, but with eight hunting camps leased on the lot. The camps are widely dispersed over the parcel, primarily using the town highway which traverses the parcel for access. Under this proposed law, these camps would have to be clustered in a small area of this acreage, defeating the purpose of hunting camps being far apart and in open spaces. This will lessen the value of the owner’s property; and

WHEREAS, the portions of Lewis County which fall within the Adirondack Park should not be subject to any further, unnecessary regulation in land use and development which may adversely impact the tax base of its Towns within the Park; and

MAY 5, 2020

WHEREAS, the Board of Legislators seeks to voice its opposition to Assembly Bill A-8123A which proposes to expand land use and development restrictions on property owners and developers in the Adirondack Park;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby opposes Assembly Bill A-8123A as too restrictive, too costly, and with negative impacts on the tax base for the Towns, landowners and developers in the Adirondack Park.

Section 2. That the Lewis County Board of Legislators calls upon the New York State Assembly to vote down this proposed legislation as unnecessary, misguided, ill-conceived and without any evidence of *rural sprawl* within the Park, which is expressed as a reason for the legislation.

Section 3. 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), the InterCounty Legislative Committee of the Adirondacks, and all others deemed necessary and proper.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 5th day of May, 2020.

**RESOLUTION NO. 125 - 2020
RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT
BETWEEN LEWIS COUNTY OFFICE FOR THE AGING AND
NASCENTIA HEALTH, INC.**

Introduced by Legislator Randall LaChausse, Chairman of the Health and Human Services Committee.

WHEREAS, in 2018 the Lewis County Board of Legislators authorized an Agreement with Visiting Nurse Association, d/b/a Nascentia Health, Inc. with Office For The Aging to reimburse for home delivered meals to their eligible elderly clients in Lewis County; and

WHEREAS, Nascentia seeks to amend the termination provisions of the agreement to allow, *inter alia*, for either party to terminate the agreement without cause upon sixty (60) days prior written notice, and sixty (60) days prior notice before the end of the annual term of intent not to renew; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Board of Legislators wishes to authorize the amendment to this agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an amendment to the Agreement between the County of Lewis, by and through the Lewis County Office For the Aging with Nascentia Health, Inc. with respect to the terminations provisions therein, with either party having the right to terminate upon sixty (60) days prior written notice.

Section 2. That the Director of Lewis County Office for the Aging is hereby authorized to execute said amendment upon review and approval of the County Attorney.

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 5th day of May, 2020.

**RESOLUTION NO. 126 - 2020
RESOLUTION AUTHORIZING ADDENDUM TO CONTRACT BETWEEN
LEWIS COUNTY AND BIRNIE BUS TOURS, INC.
FOR 2020 LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM**

Introduced by Legislator Jerry King, Chairman of the General Services 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 adopted Local Law No. 4 – 2009, entitled, “A LOCAL LAW AUTHORIZING PUBLIC TRANSPORTATION SYSTEM WITHIN LEWIS COUNTY,” whereby the County of Lewis has authorized the Board of Legislators to enter into a contract or contracts for a fair and reasonable consideration for mass transportation services to be rendered to the public by a privately-owned or operated mass transportation facility; and

WHEREAS, the BIRNIE BUS TOURS, INC. (herein, the “CARRIER” and/or “BIRNIE BUS”) is such a privately owned or operated mass transportation facility described in Section 119-r of the General Municipal Law and that it holds certificates of public convenience and necessity issued by the New York State Department of Transportation necessary and appropriate for the rendition of the services to be performed by it hereunder and with costs reimbursable to the County from Federal and State Transportation Programs; and

WHEREAS, the County has entered into a contract with BIRNIE BUS to provide such services for Lewis County in 2020. One of the tasks and services provided by BIRNIE BUS is to

operate the JCC connector, which provides bus stop locations in Lewis County to locations in Jefferson County to connect our residents with employment, education and access to essential needs in Jefferson County. The JCC Connector also allows Jefferson County residents to use this bus service along the route at the bus stop locations in Jefferson County to destinations in Jefferson County; and

WHEREAS, in order to be in compliance with NYS DOT regulations, BIRNIE BUS and the County must enter into an addendum to the existing contract to describe the extended service of the JCC Connector which provides for bus stop service locations in Jefferson County to other bus stop locations within Jefferson County; both the origin and destination of bus service within Jefferson County by a neighboring county's transportation service, i.e., Lewis County Transportation; and

WHEREAS, the County wishes to authorize the addendum to the contract in order to submit same to the NYS DOT and be in compliance with its regulations and requirements for this particular extended service in Jefferson County;

NOW THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes an addendum to the 2020 contract with BIRNIE BUS TOURS, INC to address the extended service between bus stop locations in Jefferson County on the JCC Connector Route in order to be in compliance with NYS DOT regulations.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such addendum and any other required documents to give effect to this Resolution, upon approval by the County Attorney as to form.

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

Moved by Legislator Burns , seconded by Legislator Kulzer , and adopted on the 5th day of May, 2020.

RESOLUTION NO. 127 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN COUNTY OF LEWIS AND
NEW YORK STATE HOUSING TRUST FUND CORPORATION
(CDBG PROJECT GRANT NO. 636MH353-19) AND NAMING SNOWBELT HOUSING
AS ADMINISTRATOR AND SUB-RECIPIENT

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis applied to the New York State Housing Trust Fund Corporation (HTFC) for Community Development Block Grant (CDBG) funds to finance community housing opportunities and activities (NYS CDBG Project No. 636MH353-19); and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, HTFC has awarded the County of Lewis \$510,000.00 in Community Block Grant funds for a manufactured housing replacement program (MMHR); and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves the Grant Agreement (Project No. 636MH353-19) between the County of Lewis and the New York State Housing Trust Fund Corporation, pursuant to which the County of Lewis shall receive \$510,000.00 in Community Development Block Grant funds for activities involving manufactured housing replacement.

Section 2. The Board of Legislators hereby authorizes and approves Snowbelt Housing Company, Inc. to serve as administrator of these grant funds and hereby names Snowbelt as the County's sub-recipient of the Grant.

Section 3. The Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal and deliver said Grant Agreement and any related and necessary supplemental documents, pending approval of the County Attorney.

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

Moved by Legislator Burns , seconded by Legislator Kulzer , and adopted on the 5th day of May, 2020.

RESOLUTION NO. 128 - 2020
RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENTS WITH CERTAIN TOWNS WHERE LEWIS COUNTY BUS STOP SHELTERS WILL BE PLACED

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the Lewis County Planning Department was awarded Modernization and Enhancement Program (MEP) supplemental funding from the NYS Department of Transportation, which included the purchase and installation of bus stop shelters in locations along the Lewis County transportation route system; and

WHEREAS, the Planning Department has identified and been in contact with the municipalities in which preliminary shelter sites have been identified, including locations in the Town of Diana, Village of Croghan, Village of Lyons Falls, Village of Lowville and Village of Copenhagen; and

WHEREAS, the intent of the IMAs with each municipality is for the County to install pre-fabricated bus stop shelters at particular site locations (to be ADA compliant), to include, but not be limited to, any easement agreement which may be required, and for the municipality to agree to provide maintenance of the shelter and five feet radius of same, for the life of the shelter, and to provide the County with periodic reports on the condition of the shelter, any vandalism, damage, etc. with an annual assessment of the overall condition of the shelter; and

WHEREAS, in consideration of the local municipality's agreement to provide maintenance of the shelter located in its jurisdictions, the County agrees to prepare the site work, install a pre-cast concrete slab and install the bus stop shelter; all of which is to improve and enhance the Lewis County Transportation System for the residents of Lewis County;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes Inter-Municipal Agreements with each local municipality the Planning Department identifies as appropriate for installation of County bus stop shelters, in consideration of the local municipality's agreement to provide maintenance of the installed bus stop shelter for the life of the shelter, and to render periodic reports of its condition to the Department of Planning together with an annual assessment of the overall condition of the shelter.

Section 2. That the Lewis County Board of Legislators authorizes easements on private or public properties to be entered where required to give effect to the optimum placement and location of these bus stop shelters.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Inter-Municipal Agreements and any easement required, 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 Burns, seconded by Legislator Kulzer, and adopted on the 5th day of May, 2020.

RESOLUTION NO. 129 - 2020
RESOLUTION AUTHORIZING AMENDMENT TO GRANT CONTRACT WITH
NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES
UNDER THE FIVE-YEAR STATEWIDE EXPANSION OF
***HURRELL-HARRING* TO ACCEPT BUDGET AND WORKPLAN**
FOR YEAR TWO FUNDING

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

WHEREAS, County Law Article 18-B directs each county to adopt a plan to provide legal counsel to persons charged with a crime or who are entitled to counsel pursuant to Family Court Act § 262 and who are financially unable to obtain counsel; and

WHEREAS, the County of Lewis received a five-year Statewide Expansion of *Hurrell-Harring* grant award from the New York State Office of Indigent Legal Services in the amount of \$2,160,347.43, (Contract Number CSTWIDEHH23), for the provision of funds to assist the

PROCEEDINGS OF THE BOARD OF LEGISLATORS

County in improving the quality of indigent legal services according to the Budget and Work Plan schedules set forth in the Grant Contract.

WHEREAS, this grant money reflects the total funding for Lewis County to supplement and not to supplant any state and local funds for three written plans (counsel at arraignment, quality improvement and caseload relief) submitted by the Office of Indigent Legal Services (ILS) on December 1, 2017 pursuant to the 2017 amendment to County Law § 722-e and enactment of Executive Law § 832 (4) (“Statewide Expansion of *Hurrell-Harring* Reform”); and

WHEREAS, the initial contract contained a line item Budget and Work Plan for the first year of this five-year contract. The year one budget provides financial reimbursement to Lewis Defenders, PLLC, McClusky Law Firm, LLC (Conflict Defender’s Office), and specialized service funding for the Assigned Counsel Program (18-b), for a total of \$144,023.16 for such services provided from April 1, 2018 to March 31, 2019; and.

WHEREAS, the County has received an amendment to the five year contract which reflects the approved budget and work plan for Year Two, providing funding of \$288,046.32 to implement the plans, covering the period of April 1, 2019 to March 31, 2020; and

WHEREAS, the Board of Legislators seeks to accept this budget and work plan for Year Two and execute the amendments required to give effect to the five year Grant Agreement with NYS Office of Indigent Legal Services;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby authorizes the amendment to the grant contract by and between the County of Lewis and New York State Office of Indigent Legal Services to accept year two funds in the amount of \$288,046.32 under the five-year Statewide Expansion of *Hurrell-Harring* grant award (Contract Number CSTWIDEHH23) to assist the County in improving the quality of indigent legal services provided.

Section 2. That the year two funds are for the term commencing and retroactive to April 1, 2019 and ending March 31, 2020 as set forth in the second year Budget Plan attachment.

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 and any amendments and/or extensions thereto 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 Burns, seconded by Legislator Kulzer.

Legislator Hathway asked for clarification on the funding, if it was in addition to what the county has already committed to them. Ryan answered that this is in addition to that because this funding cannot replace our contracted amount. There are only certain categories that this money

MAY 5, 2020

can be used for which requires complete documentation. The State approves each of the yearly plans.

The resolution was then adopted on the 5th day of May, 2020.

**RESOLUTION NO. 130 - 2020
RESOLUTION AUTHORIZING LEASE AGREEMENT
WITH ED & ED BUSINESS TECHNOLOGY, INC.
FOR NEOPOST DS-64i FOLDER INSERTER MACHINE**

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

WHEREAS, the Lewis County Office of Real Property and Tax Services Agency wishes to enter into a lease agreement with Ed & Ed Business Technology, Inc. for the purpose of leasing a Neopost DS-64i two station model folder inserter machine; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes the Lewis County Office of Real Property and Tax Services Agency to enter into a lease agreement with Ed & Ed Business Technology, Inc. for the purpose of leasing a Neopost DS-64i two station model folder inserter machine.

Section 2. That this is for the term commencing upon delivery of the equipment at a cost of \$285.10 per month for a total of 63 months, at a total cost of \$18,056.30 inclusive of the document fee.

Section 3. That the Chairman or Vice Chairman of the Board 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 Burns, seconded by Legislator Kulzer, and adopted on the 5th day of May, 2020.

**RESOLUTION NO. 131 - 2020
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO MARK AND ROSE ROWAND)**

Introduced by Lawrence L. Dolhof, Chairperson of the Lewis County Board of Legislators.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, Mark Rowand and Rose Rowand executed a Mortgage in favor of the County of Lewis dated December 22, 2015, and recorded in the Lewis County Clerk's Office on October 11, 2016 as Instrument Number 2016-005264 to secure payment of a loan in the amount of \$12,799.83 pursuant to a program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforementioned Mortgage.

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 5th day of May, 2020.

**RESOLUTION NO. 132 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND ST. ANNE INSTITUTE FOR
FOSTER AND RESIDENTIAL CARE SERVICES**

Introduced by Legislator Randall LaChausse, Chairman of the Health and Human Services Committee.

WHEREAS, St. Anne Institute ("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 and residential 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 St. Anne Institute for the provision of foster and residential care services.

MAY 5, 2020

Section 2. That the term of this agreement shall be from April 1, 2020 through April 1, 2021 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 costs exceed the foster care block grant and then the local share is approximately 25% for foster/residential care and is based on the eligibility of the client. The State share is approximately 25% and 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 Agreements, pending approval by the County Attorney.

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

Moved by Legislator Burns , seconded by Legislator Kulzer , and adopted on the 5th day of May, 2020.

RESOLUTION NO. 133 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND
CORNELL COOPERATIVE EXTENSION
OF LEWIS COUNTY

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee.

WHEREAS, the Lewis County Department of Social Services (“DSS”) wishes to enter into an Agreement with Cornell Cooperative Extension of Lewis County (“Cooperative Extension”) 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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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, 2020 through May 31, 2021 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 Burns, seconded by Legislator Kulzer, and adopted on the 5th day of May, 2020.

OTHER BUSINESS:

Cassandra Moser, Clerk of the Board read the following proclamations on behalf of the board: Proclamation Commemorating May as Foster Parent Recognition Month; Proclamation Commemorating May as Infant Safe Sleep Month; and Proclamation Commemorating May as Mental Health Month.

At 6:15 p.m. Legislator Osborne made a motion to enter into executive session for personnel discussion, seconded by Legislator LaChausse and carried.

At 7:17 p.m. Legislator Hathway made a motion to enter into regular session, seconded by Legislator Kulzer and carried.

Legislator Hathway made a motion to authorize County Manager Ryan Piche to proceed with the plan that he has presented to Legislators regarding furloughs, seconded by Legislator Osborne and carried.

Legislator Hathway made a motion to cut legislators pay 10% for the period of May 18th to July 31st, 2020, seconded by Legislator Burns and carried.

There being no other business to come before the Board, Legislator Burns made a motion to adjourn the meeting at 7:20 p.m., seconded by Legislator Kulzer and carried.

MAY 13, 2020

**SPECIAL MEETING
May 13, 2020**

The meeting was called to order at 5:00 p.m. by the Chairman of the Board Lawrence Dolhof.

Roll Call: All Legislators were present via video conference.

Chairman Dolhof led the Pledge of Allegiance to the Flag.

There were 19 persons present via video conference.

Chairman Dolhof declared the May 5, 2020 meeting minutes approved by general consent.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: Thomas Osborne
Ronald Burns
Ian Gilbert
Gregory Kulzer
Phil Hathway

Dated: May 13, 2020

Legislator Burns made a motion to waive the rules, seconded by Legislator Hathway, and carried.

REPORTS OF STANDING COMMITTEES:

Legislator Chartrand, Hospital Board of Managers Legislative representative, reported that the testing for the hospital was going well and responded to Legislator Hathway's question that the testing equipment ordered by the hospital had been delivered.

COUNTY TREASURER REPORT:

Eric stated he had sent out the most updated sales tax figures prior to the meeting and welcomed any questions.

RESOLUTIONS:

**RESOLUTION NO. 134 - 2020
RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENTS
BETWEEN LEWIS COUNTY AND CSEA LOCAL 825
FOR COVID-19 TEMPORARY LEAVE AND SHARED WORK PLANS**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

WHEREAS, the current COVID-19 pandemic and its effects on the State of New York has resulted in an unprecedented economic impact to all businesses and public entities in Lewis County; and

WHEREAS, due to COVID-19 pandemic, it is likely that the County's 2020 budget will face significant revenue shortfalls, necessitating the County to take measured steps, including implementation of voluntary temporary employee furloughs and shared work plans in order to realize savings while still providing services and accomplishing necessary tasks; and

WHEREAS, these temporary employment reduction plans require the County to work with the CSEA bargaining unit for the covered employees in the County Unit; and

WHEREAS, the County management team has met with CSEA representatives and developed the attached Memorandum of Agreement ("MOA"), to address the procedure and consent to implementation of voluntary temporary leave through July 31, 2020, as set forth in the MOA; and

WHEREAS, the management team is working through similar terms and conditions of an MOA with CSEA which would also terminate on July 31, 2020, and which will be applicable to a shared work plan for other employees, recognized by NYS Department of Labor; and

WHEREAS, the County seeks to approve the MOA with CSEA for covid-19 temporary furloughs, and to authorize and approve the County management team to develop a shared work plan to be incorporated into a MOA with CSEA;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes and approves the attached MOA between the County of Lewis and CSEA, with respect to implementing a temporary volunteer leave (furlough) program offered by the NYS DOL for designated employees within the collective bargaining unit served by CSEA for the County General Employees.

Section 2. That the term of the MOA shall be in effect upon full execution of the agreement and continue through July 31, 2020, unless revised or extended by written mutual agreement of the parties. Employees identified and accepted for temporary furlough are authorized to commence such temporary leave on May 18, 2020, or as soon thereafter upon completion of all necessary signed documents for same.

Section 3. That the Lewis County Board of Legislators hereby authorizes the County Manager, in consultation with the Human Resources Director, to extend temporary volunteer leave (furlough) and/or shared work plans for non-union employees as they may identify and

determine to be appropriate to provide financial savings while still delivering County services, effective May 18, 2020, and as soon thereafter upon completion of all necessary signed documents for same.

Section 4. That the County Manager, Human Resources Director and County Attorney are authorized to negotiate the terms and conditions of an additional MOA with CSEA with respect to the shared work plan recognized by the NYS DOL for appropriate employees.

Section 5. That the Lewis County Board of Legislators hereby authorizes the Chairman, or the Vice-Chairman in his absence, to make, execute and deliver the Memorandum of Agreements between the County and CSEA, upon such form as may be approved by the County Attorney.

Section 6. That this Resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 13th day of May, 2020. Legislator LaChausse was opposed.

RESOLUTION NO. 135 – 2020
RESOLUTION CALLING ON CONGRESS TO PROVIDE DIRECT AID TO
COUNTIES TO SUPPORT COVID-19 RESPONSES AND EFFORTS

Introduced by Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, the COVID-19 pandemic has impacted every aspect of our society, government and the economy, unlike any other event in the past 50 years. The New York State Association of Counties (NYSAC) has released an economic impact report detailing revenue loss projections for counties across the state; and

WHEREAS, counties face an unprecedented threat of fiscal stress as revenues, especially from sales tax, hotel occupancy taxes, mortgage recording taxes, and others have plummeted while counties are experiencing continued demand for services, and at the same time anticipating the loss of state reimbursement; and

WHEREAS, Lewis County relies on the economic activity of a robust tourist industry to generate sales tax and occupancy taxes to provide the services expected by its residents, businesses and visitors; and

WHEREAS, the NYS Division of Budget announced that budget shortfalls resulting from COVID-19 could result in cuts of up to 50% in State aid to local governments, stating that “The scope and depth of the reductions to local aid programs needed to balance the FY2021 Budget have no precedent in modern times” and that “In the absence of Federal aid, nearly every activity funded by state government in the aid to localities budget.... will face steep cuts; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, Lewis County is the primary governmental unit responsible for delivering services to county residents and businesses during this pandemic. These vital services, include but are not limited to: maintaining public facilities; providing disease surveillance, monitoring, testing and education through Public Health services; providing and coordinating the acquisition of PPE and other equipment through Emergency Response Departments and LCGH; providing mental health educational resources, ensuring access to counseling and substance abuse services; staffing and managing emergency operations center and 9-1-1 systems; providing families in need with services like child care, cash assistance, emergency housing, child and adult protective services, SNAP, HEAP, foster care, employment training; assistance to veterans and small businesses; ensuring vulnerable seniors continue to receive essential services and meals, medical supplies and prescriptions. The healthy function of our democratic society depends on effective and responsive local government in or der to provide necessary services and resources; and

WHEREAS, local property taxpayers cannot absorb the costs of these services while loss of revenues and state aid cuts are experienced as a result of this pandemic; and

WHEREAS, New York State residents paid \$22 billion more to the Federal Government than the State got back in Federal spending in 2019. New York pays more to the Federal Government than the next two largest donor states combined;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators calls on our United States Congressional Representatives to demand direct assistance to County and Local Governments as they negotiate further COVID-19 response packages.

Section 2. That the Lewis County Board of Legislators calls upon the US Government and its legislative representative bodies crafting federal stimulus legislation, to grant counties who receive funding under the Coronavirus Relief fund (part of CARES Act), the ability to use these funds to supplant projected revenue loss.

Section 3. That the Clerk of the Board shall forward copies of this Resolution to US Senators Charles E. Schumer and Kirsten Gillibrand, to US Congresswoman Elise Stefanik, to Governor Andrew M. Cuomo, to the majority and minority leaders of the NYS Legislature, and all others deemed necessary and proper.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 13th day of May, 2020.

OTHER BUSINESS:

There being no other business to come before the Board, Legislator Hathway made a motion to adjourn the meeting at 5:09 p.m., seconded by Legislator King and carried.

JUNE 2, 2020

**REGULAR MEETING
June 2, 2020**

The meeting was called to order at 5:00 p.m. by the Chairman of the Board Lawrence Dolhof.

Roll Call: All Legislators were present. There were 20 additional persons present.

Chairman Dolhof offered the Invocation followed by the Pledge of Allegiance to the Flag.

Chairman Dolhof declared the May 13, 2020 meeting minutes approved by general consent.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: Thomas Osborne
Ronald Burns
Ian Gilbert
Gregory Kulzer
Phil Hathway

Dated: June 2, 2020

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

Chairman Dolhof opened up the public hearing for comments on Local Law No. 5-2020 – “A Local Law Permitting All-Terrain Vehicle Operation on approximately .65 miles of certain portion of Burdick’s Crossing Road (CR 36)”. The Clerk read the following comments which were received by mail:

Douglas Dietrich wrote “Dear Legislators, I am writing concerning the opening of a section of the Burdick’s Crossing Road that connects Brantingham to the Tug Hill. This is a very important connection because in the past years when businesses were selling the permits, Brantingham was the largest seller of these. Hopefully, you will open that section of the road and add signage to clarify the new trail. This will prevent people from tearing down fencing and riding on private property. It might be nice at the Route 12 – Burdick’s Crossing intersection to have a sign telling them to ride on the black top. Thank you for considering this request to open that section of the Burdick’s Crossing Road.”

Ron Holt wrote “Dear Board Members, Please consider opening the Burdick’s Crossing for ATV/UTV vehicles. I’ve always enjoyed the Brantingham ride and their businesses!”

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Chairman Dolhof gave privilege of the floor over to County Attorney Joan McNichol to proceed with the Junkyard Enforcement Hearing for Derek J. Farr, who failed to appear. Due to a conflict Legislator Moroughan was excused from the room.

Ms. McNichol discussed the 3 exhibits that she prepared for the Board. Exhibit A was the original notice of hearing dated May 6, 2020; Report from Senior Code Official Ward J. Dailey dated February 27, 2020; Resolution No. 84-2020 which set the Enforcement Hearing tonight; a copy of Local Law No. 10-2019 “A Local Law Amending and Replacing Local Law No. 6-2017 – The County of Lewis Junkyard Law.” All of these documents were sent to Mr. Farr by regular mail, certified mail, served to him personally by the Deputy Sheriff, and the property in question was posted with notices.

Exhibit B was the affidavit of personal service; affidavit of service posting on property; and an email from Mr. Farr showing receipt of the original notice of hearing and a picture of him using this notice as a place mat for his dog to eat off. Ms. McNichol also reported that she had received three separate phone calls from Mr. Farr over the last few weeks regarding the notices. She had recorded the messages and forwarded them on to the Sheriff’s Department due to the threatening nature of the calls.

Exhibit C was Senior Code Official Ward J. Dailey’s updated report and 8 Photographs of Mr. Farr’s property from Monday, June 1, 2020. Ms. McNichol called Mr. Dailey up to testify to the following: He confirmed he was the Code Enforcement Officer assigned to the Farr property in Watson, NY; He confirmed he filed violations of the Junkyard Law against this property; He confirmed he provided a report to the Board of Legislators that this hearing should be held; He confirmed he visited the property again on Monday, June 1, 2020 and submitted an updated report to the Board with 8 pictures showing the condition of this property; He confirmed his findings still show that Mr. Farr’s property in Watson is still in violation of the Junkyard Law; He confirmed that it is in violation due to three (3) unlicensed & unregistered vehicles, three (3) campers, lots of scrap and lots of bicycles, which by definition makes it a junkyard; He confirmed that the debris and junk begins at the road and continues further back on his property; He confirmed that to remedy this situation Mr. Farr could put in a junkyard; He confirmed that in order to have a junkyard in compliance Mr. Farr would have to apply for a license, move all material fifty (50) feet back from the property line, and construct an 8 foot high fence so that the junk is not visible from the roadway; He confirmed that Mr. Farr was physically given an application for a junkyard license and the SEQRA form that would be involved but has yet to receive it back from Mr. Farr; He confirmed that the initial complaint was filed on April 29, 2015; He confirmed that Mr. Farr has been brought to the local courts and fined many times; He confirmed that it is his opinion that the Board should take action to remedy this problem.

Ms. McNichol informed the Board of their options to move forward on Mr. Farr’s property. They could direct Ms. McNichol to bring further action to the Supreme Court for a special proceeding; they could render a finding and direct that Mr. Farr be given additional time to remedy the situation; and/or they could direct our county departments or an outside agency to clean up the property to bring it in compliance and then charge his property taxes accordingly for the expenses incurred. Legislator Hathway inquired whether Ms. McNichol recommended going to Supreme Court, she responded that at this point in time with the pandemic it may take

additional time to get a hearing before the Supreme Court but she would recommend giving Mr. Farr another 30 days to see if he is willing to remedy the situation and if this Board doesn't want to make a finding of their own then she would recommend bringing this matter to the Supreme Court due to the nature of Mr. Farr.

Legislator King made a motion to give Mr. Derek Farr a thirty (30) day extension to clean up his property and to give Ms. McNichol the authority to proceed with taking this matter to the Supreme Court if Mr. Farr does not successfully remedy the issue at hand, seconded by Legislator Hathway and carried.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Clerk reported the following resolutions were received: A resolution to call on New York State to release enhanced federal Medicaid matching funds to counties and New York City from Greene County & Schuyler County; A resolution requesting New York State to restore state retirement service credits to Schuyler County workers who temporarily lost those service credits due to the County's temporary workforce reduction from Schuyler County; A resolution calling on the Congressional Delegation to provide counties with Direct Federal Aid to support counties COVID-19 response and reopening economic activity efforts from Columbia County, Greene County, and Essex County; and A resolution joining Assembly Minority Leader Will Barclay in calling the Legislature back into session to return to its basic principle of Representative Democracy from Greene County.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the Treasurer's May report; the May Highway and Solid Waste Department audit reports; and minutes of the May Youth Bureau Advisory Board meeting.

Brian Mooney submitted the April and May Sealer of Weights and Measures activity report which has been placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator King reported that there were some questions on replacing the trachoe and the gradall from the Highway Department. The trachoe has over 10,000 hours on it and it is getting to the point where the engine could be an issue. The gradall had the hydraulic pump go up on it which caused further damage and although it was repaired it is showing a lot of wear.

Legislator Chartrand reported that the following individuals were "Employee of the Month" at the Lewis County General Hospital and if you see them around thank them for the wonderful job they are doing: February was Tina Dicob, R.N.; March was Joanne Dickinson, Phlebotomist; and April was Mackenzie Bellinger, Adult Day Care.

Chairman Dolhof stated that it was nice to be back together in the Courthouse and in Phase 2 of reopening. He went on to discuss the Ad Hoc Committees that were put together

PROCEEDINGS OF THE BOARD OF LEGISLATORS

prior to Covid-19 but haven't met since the pandemic began. The Ad Hoc Committee for Management Exempt Compensation will plan on meeting again in the near future and the Ad Hoc Committee for Capital Planning will be put on hold until there is a better understanding of the county's finances after the pandemic is completely over. In the mean time there are a few projects that will be going forward at the Highway Department and the boiler replacement at the Public Safety Building.

COUNTY MANAGER REPORT:

Ryan began by echoing Chairman Dolhof's statement that it is good to be back to meeting in person. A big thank you to the staff for working so well through this pandemic and a special thank you to the Public Health staff for doing a phenomenal job!

In Phase 2 there are more business that are open to the public including the Courthouse. There are measures in place to ensure personal protection and social distancing. The Public Transportation system has a plan to fully reopen. There have had some local routes during the pandemic but now they will include routes outside the county. Bus fares were suspended due to additional revenue from the CARES Act but starting in July there will be fares again.

Phase 3 has no time line yet but will include the reopening of the DMV to in person transactions. It is imperative that we continue to keep an eye on the financial situation of the county. We continue to wait for Federal Aid and to date have only received a minimal amount. New York State is projecting a \$63 billion budget deficit so there could be upcoming program cuts by the Governor.

The State Legislature is pushing for a 120 day delay on property tax payments for property owners, which is good for them but not good for the Towns, Villages and Schools who need that money to continue providing services. The County has always made the Towns, Villages and Schools whole and then collects any delinquent taxes. It would be a lot of extra work for the Treasurer's Department because of the volume of bills that could be delinquent.

There is still no commitment letter from the State on CHIPS funding, Early Intervention and Pre-school programs through Pubic Health are being looked at because the State is requiring us to continue to pay tuition based payments to vendors even though we haven't been sending anyone because of state wide closures, some larger counties are starting to see Social Service program reimbursements delayed; and there still has been no FMAP funding disbursements since 2015.

Legislator King asked for more clarification on the 120 delay on property tax payments. Ryan responded that hopefully the Governor vetoes it, but as a county we have always made Town, Villages, and School Districts whole. As long as we continue to do that, which is possible because of the counties fund balance, it won't likely affect them much. The biggest burden will fall on the County because of the sheer volume of bills that will have to be tracked to make sure all delinquent payments are received.

COUNTY TREASURER REPORT:

JUNE 2, 2020

Eric provided all Legislators with a report on fund balances, which have little activity to date. There will be another payment later this week for the Sales Tax Revenue, which will be reported when received and he will continue to track those number closely through the remainder of the year. The Internal Services Fund balance of \$5.2 million is a healthy amount. The growth in that fund this year has been slower than last year so that trend is softening.

Something to think about regarding the impact of Covid-19 are the interest rate earnings, which are down significantly compared to last year. Eric has been looking into a company called Three Plus One which helps maximize their interest earnings. They would do a detailed summary of all the cash balances and other finances to see where things could be maximized. There would be an annual fee around \$35,000 but under normal circumstances you would likely recoup that plus more in the first year. The counties budgeted amount for interest in 2020 was \$220,000 but with interest rates so low it will likely only be \$20,000. Legislator Hathway asked if this company Eric was looking into was being utilized by any other counties, Eric responded that he would gather more information for the board. Ryan stated that NYSAC sponsors them.


Chairman Dolhof closed the public hearing on Local Law No. 5-2020.

REPORT OF THE FINANCE AND RULES COMMITTEE:


**REPORT OF
FINANCE AND RULES COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

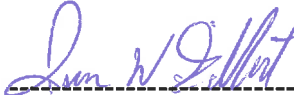
The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 684,389.02 and recommend that they be audited and allowed for the amounts claimed.



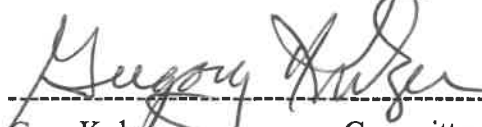
Thomas Osborne Chair




Ronald Burns Vice-Chair



Ian Gilbert Committee



Greg Kulzer Committee



Phil Hathway Committee

Dated: June 2, 2020

Approved on motion by Legislator _____ King _____, seconded by
Legislator _____ Burns _____, and carried.

JUNE 2, 2020

**RESOLUTION NO. 136 – 2020
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Member of the Finance and Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 684,389.02 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 LaChausse , seconded by Legislator Burns , and adopted on the 2nd day of June, 2020 by the following roll call vote:

YEAS: Gilbert, Moroughan, LaChausse, Osborne, Hathway, King, Burns, Chartrand, Kulzer, Dolhof

NAYS: None

ABSENT: None

**RESOLUTION NO. 137 – 2020
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 4 – 2020, COUNTY OF LEWIS**

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

WHEREAS, a resolution was duly adopted by the Board of Legislators on May 5, 2020, directing that a public hearing be held by said Board on June 2, 2020 from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled “A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON APPROXIMATELY .65 MILES OF CERTAIN PORTIONS OF BURDICK’S CROSSING ROAD (CR 36)”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on May 27, 2020, 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 and due to the temporary restrictions on public access to Lewis County Courthouse Building due to COVID-19, the public was permitted an opportunity to submit comments on this proposed Local Law by email or regular mail to the

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Clerk of the Board on behalf of or in opposition to said proposed Local Law, or any part thereof, on or before June 2, 2020 at 3:00 p.m.; and

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

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 5–2020), County of Lewis, being “A LOCAL LAW PERMITTING ALL-TERRAIN VEHICLE OPERATION ON APPROXIMATELY .65 MILES OF CERTAIN PORTIONS OF BURDICK’S CROSSING ROAD (CR 36)” be and the same hereby is designated as Local Law No. 4-2020, County of Lewis.

Section 2. That Local Law No. 4-2020, 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 Burns, and adopted on the 2nd day of June, 2020 pursuant to the following roll call vote:

YEAS: King, Kulzer, Chartrand, Burns, Hathway, LaChausse, Gilbert, Moroughan, Osborne, Dolhof

NAYS: None

ABSENT: None

**RESOLUTION NO. 138 - 2020
RESOLUTION AUTHORIZING AN AGREEMENT AND FUNDING IN THE FIRST
INSTANCE FOR THE CONSTRUCTION PHASE OF BRIDGE REPLACEMENT
PROJECT (PIN 775374) KNOWN AS CR 48 (HIGHMARKET ROAD)
OVER NORTH BRANCH SUGAR RIVER**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, a Project for the Bridge Replacement known as CR 48 (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 95% federal funds and 5% non-federal funds; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the Federal (95%) and Non-Federal share (5%) costs of the Construction & Construction Inspection Phases of the Project. These Phases will utilize Surface

Transportation Program (STP) funds through the Bridge NY Program, and requires the execution of this Agreement to enable the County to receive reimbursement; and

WHEREAS, the LC Superintendent of Highways was notified that the Construction Phases of this bridge project will utilize Surface Transportation Program (STP) funds through the Bridge NY Program and therefore requires an agreement with NYS DOT under Comptroller's Contract No. D040145 with specific language in the Resolution to be eligible for covered costs; and

WHEREAS, the Board of Legislators seeks to authorize this Bridge NY Local Project Agreement with NYSDOT in order to be in compliance with requirements for eligible costs under the Construction Phases of this bridge Project; and

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

Section 1. That the Lewis County Board of Legislators hereby approves the above-subject Project and authorizes the Bridge NY Local Project Agreement with NYS DOT under the Construction Phases of the CR 48 (Highmarket Road) over North Branch Sugar River Project, identified as Comptroller's Contract No. D040145.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Chairman of the Lewis County Board of Legislators, to pay in the first instance 100% of the federal and non-federal share of the cost of the Construction Phases work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds.

Section 3. That the sum of \$1,332,060.00 is hereby appropriated from County general funds, and made available in the Capital Bridge Program to facilitate the funding of costs of participation in the Construction & Construction Inspection Phases of the Project:

Increase Revenues:

H0512000 345970 FEDERAL	\$ 1,265,457.00
H0512000 350310 LOCAL	\$ 66,603.00

Project HAO

Increase Expenses:

H0512000 499900 CAPITAL EXPENSE	\$ 1,332,060.00
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Project HAO

Section 4. That in the event the Project costs not covered by federal-aid, state-aid or NY Bridge funding 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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 5. That the Lewis County Board of Legislators hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within THREE years of commencing construction.

Section 6. That the Chairman of the Lewis County Board of Legislators, be and he hereby is authorized to execute on behalf of the Lewis County Board of Legislators, all necessary Agreements, certifications or reimbursement requests for Federal Aid, and/or State-Aid 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 Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs within appropriations therefore that are not so eligible.

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

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

Moved by Legislator Hathway, seconded by Legislator Kulzer, and adopted on the 2nd day of June, 2020.

**RESOLUTION NO. 139 - 2020
RESOLUTION TO AWARD BID TO ING CIVIL, INC.
FOR THE REPLACEMENT OF CR 48 (HIGHMARKET ROAD)
OVER NORTH BRANCH SUGAR RIVER IN THE TOWN OF WEST TURIN**

Introduced by Legislator Jerry King, Chairman of the General Services Committee

WHEREAS, the County has commenced a project known as the replacement of the CR 48 (Highmarket Road) over North Branch Sugar River (PIN 775374; BIN 3340360) in the Town of West Turin, and published a Request for Proposals for the bridge replacement. The County received six (6) sealed bid proposals for the replacement of the bridge. The sealed bids were publicly opened on April 28, 2020 at 10:00 a.m.; and

WHEREAS, after a detailed review of the bids, the engineering consultant, Barton & Loguidice recommends that the County award the bid to ING Civil, Inc. to perform the services in the amount of \$1,264,600.00; the lowest bidder to serve the best interests of the County for this project; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby awards the bid to and authorizes a contract with ING Civil, Inc. in the amount of \$1,264,600.00, for the replacement of CR 48 (Highmarket Road) over North Branch Sugar River in the Town of West Turin.

JUNE 2, 2020

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

Section 3. That payment for services under this contract shall be paid from the Capital Bridge Program.

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

Moved by Legislator Hathway, seconded by Legislator Kulzer, and adopted on the 2nd day of June, 2020.

**RESOLUTION NO. 140 - 2020
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 775395)
KNOWN AS CR 21 OVER GULF STREAM**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, a Project for the Bridge Replacement known as CR 21 over Gulf Stream (PIN 775395; BIN 1039780) (the “Project”) in the Town of Pinckney, County of Lewis, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such a program to be borne at the ratio of 80% federal funds and 20% non-federal funds; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering/Design and Right-Of-Way (ROW) 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 and upon its approval (if approved) will be applied to the appropriate phases by means of a supplemental agreement; and

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 (ROW) Incidentals Phases work for the Project or portions thereof.

Section 3. That the sum of \$158,000.00 is hereby appropriated from County general funds, and made available to cover the cost of participation in the above Preliminary Engineering/Design Phase (\$150,000.00) and the Right-Of-Way (ROW) Incidentals Phase (\$8,000.00).

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 is hereby 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 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 \$158,000.00 shall be appropriated in the Capital Bridge Program to facilitate the Preliminary Engineering/Design and Right-Of-Way (ROW) Incidentals Phases for the Bridge Replacement on CR 21 over Gulf Stream (PIN 775395; BIN 1039780) in the Town of Pinckney. The following accounts shall be recognized to facilitate the funding of this project:

Increase Revenues:	
H0512000 345970 Federal	\$126,400.00
H0512000 350310 Local	\$ 31,600.00
Project HAG	

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Town of Lowville and Village of Lowville have been consulted as other potential involved agencies concerning lead agency status under SEQRA, and neither object to the County's designation as lead agency;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby declares itself as lead agency of the project known as the "LCGH New Operating Room and Clinic Addition Project" under SEQRA.

Section 2. That the Board of Legislators, having reviewed the data and information provided by the engineer as contained in the Part 1- Full Environmental Assessment Form (FEAF), hereby issues a Finding of No Significant Impact (FONSI) and declares that it will not prepare an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA, 42 USC 4321).

Section 3. That the Lewis County Board of Legislators hereby determines and issues a Negative Declaration for this unlisted action.

Section 4. That the Lewis County Board of Legislators hereby authorizes the Chairman or the Vice-Chairman, to execute the Full Environmental Assessment Form and any related SEQRA forms to give effect to this resolution, upon review by the County Attorney.

Section 5. That the Clerk of the Board is directed to provide a copy of the FEAF form to the CEO of the LCGH, and any other person who may request a copy.

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

Moved by Legislator Hathway, seconded by Legislator Kulzer, and adopted on the 2nd day of June, 2020.

**RESOLUTION NO. 142 - 2020
RESOLUTION ESTABLISHING AND ADOPTING
TELECOMMUTING/TELEWORK GUIDELINES AND POLICY**

Introduced by Legislator Thomas Osborne, Chair of the Finance and Rules Committee.

WHEREAS, as a result of COVID-19 pandemic and executive orders affecting the Lewis County government workforce, a number of employees have been teleworking from home; and

WHEREAS, the attached policy, which addresses guidelines and protocols for employees to follow while temporarily telecommuting/teleworking from home has been created 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 policy;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves and adopts the Temporary Telecommuting/Telework Guidelines and Protocols Due to Unprecedented Emergent Events Policy as presented to the Board of Legislators by the Director of Human Resources.

Section 2. That the Director of Human Resources is hereby directed to distribute copies of same to all employees by email or hard copy.

Section 3. That the Clerk of the Board is directed to add the policy to the Administrative Manual and Personnel Handbook, and any other appropriate manual, 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 Kulzer, and adopted on the 2nd day of June, 2020.

**TEMPORARY TELECOMMUTING/TELEWORK
GUIDELINES AND PROTOCOLS
DUE TO UNPRECEDENTED EMERGENT EVENTS**

Purpose and Scope

Temporary Telecommuting/Telework is an arrangement whereby, during a crisis or emergency situation, an employee can be approved to telecommute/telework because his or her job responsibilities must still be fulfilled to provide for continuity of operations. Examples of a crisis or emergency situation are a pandemic, natural disaster, building shut-down, or other situation that presents a significant overall threat to Lewis County Offices continuity of operations.

To provide

- Guidelines governing staff telecommuting/telework.
- Best practices when authorizing and making arrangements for an employee to telecommute/telework.

Definitions

Telecommuting: A flexible work arrangement that allows an employee to work at home or elsewhere for part or all of their regular work schedule.

Telecommuter: An employee who has been approved for alternate work arrangements, other than working from the primary office.

Telework: A work arrangement in which supervisors direct employees to perform their job duties away from their central workplace, in accordance with their same performance expectations and other approved or agreed-upon terms. It does not include work performed at a temporary worksite for limited duration.

General Guidelines

- Telecommuting/Telework determinations will be made by Department Head or his/her designee for review. Approval will be determined by Department Head and County Manager.
- Telecommuting/Telework is not appropriate nor available to all employees and jobs, nor all employees in the same or similar jobs, and will be considered and approved on a case- by-case basis under special circumstances in an emergency situation.
- Telecommuting/Telework is not an employee right, even if the employee is considered "eligible" by the Department Head, HR standards, and the negotiated union agreement.
- Telecommuting/Telework will be used when appropriate to the particular needs of the Department and employee.
- Telecommuting/Telework may be approved on a time-limited basis and exceptions may be required to meet departmental needs.
- Denial and termination of this agreement and arrangement is based on business needs or performance, not personal reasons.
- Individual approved telecommuting/telework arrangements will be reviewed every two weeks, to determine whether the arrangement should continue. The decision to continue is within the discretion of the Department Head and the County Manager.
- Supervisors are responsible to develop a means of evaluating employee hours worked and work performance, and holding the employee accountable, as they would normally do for staff working in the office.
- The policies and procedures that normally apply to the central workplace shall remain the same for teleworking employees. This shall include but not be limited to performance management. Telecommuting/Teleworking assignments do not change the conditions of employment or required compliance with policies and procedures.

Terms and Conditions of Telecommuting/Teleworking Arrangements

All telecommuting/teleworking arrangements shall be in writing and include the responsibilities of both the department and the employee. Each participant in a teleworking arrangement must sign the document that contains the terms of the teleworking arrangement.

At a minimum, the telecommuting/teleworking arrangement shall comply with the policy provisions below:

1. Compensation and Benefits: An employee's compensation and benefits will not change when he/she teleworks.
2. When working at home or elsewhere the telecommuter/teleworker is responsible for establishing and maintaining an adequate, confidential, secure, and safe work environment.
3. When working at home or elsewhere, the telecommuter is responsible for establishing a work environment free of interruptions and distractions that would affect performance.
4. The total number of hours that employees are expected to work will not change (7/8 hour day; 35/40 hour work week), whether they are worked at the primary work location or at the alternate work location. This does not, however, restrict the use of alternative work schedules.
 - Employees are expected to perform their work during standard business hours with reasonable amounts of time for breaks and lunch allotted.
 - If the employee does not complete a full workday, accruals will be required to be charged.
 - The Department Head, in consultation with HR and County Manager, will determine the number of days of telecommuting allowed each week, the work schedule the telecommuter will customarily maintain, and the manner and frequency of communication.
 - The telecommuter/teleworker must be accessible by phone or electronically within a reasonable time period during the agreed upon work schedule.
 - All work-related communications identified by a supervisor as necessary information must be sent to the supervisor as requested.
5. Just as the employee would do at the primary work location, the telecommuter/teleworker is responsible for recording hours worked, vacation, sick or other leave in Tyler Munis and recording same in the employee's Outlook calendar.
6. Time at home or elsewhere spent in activities other than work must **not** be submitted as work-time; such a circumstance would constitute falsification of time records to receive pay for time not worked (theft of time) and could be grounds for discipline up to and including termination of employment.
7. In addition to the daily time log, each day the telecommuter/teleworker will email his/her immediate Supervisor to confirm the start of the workday. At the end of the workday the final transaction will be to submit the Daily Work Log (see 8 below). Telework times should generally conform to an 8:30-4:30 workday as if in the office setting, unless a different schedule is agreed upon.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

8. Staff are required to clearly document and log all work activities that are completed along with daily work hours. Employees will submit this completed and signed log at the end of each day.
9. If an employee falsifies time documents or is not performing work at the expected level, the telecommuting/telework agreement may be revoked and the employee may be subject discipline. If a union member, discipline is per the Collective Bargaining Agreement.
10. Telecommuting/Telework is not intended to permit employees to have time to attend to personal business, such as performing outside employment or providing regular dependent care.
11. The Telecommuter/Teleworker and the Department enter into a good faith arrangement when permitting an employee to perform their work assignments off site. If for any reason the Department has reason to believe the Telecommuter/Teleworker is not acting in good faith in their performance of work during the employee's documented work hours, the Department may request further documentation and/or information regarding the employee's alternate work site environment and its suitability to perform the employee's work assignments.
12. Performance standards for off-site employees are the same as performance standards for on-site employees.
13. Supervisor expectations of a teleworker's performance and work assignments should be clearly outlined, agreed to, and understood, in advance of the start of the telecommute/telework event. As with on-site employees, teleworkers must, and can, be held accountable for the results they produce.

Supervisors will:

- Remain equitable in assigning work and recognizing performance.
 - Avoid distributing work based on "availability" as measured by employee presence in the office.
 - Avoid the pitfall of assuming that employees who are present are actually accomplishing more work than employees who are not on-site.
 - The Supervisor will set up regular discussions during which the supervisor and employee can review completed items and the status of items in progress.
 - Give feedback as you would with any employee. It should be direct and offer examples of where the employee is meeting, or failing to meet, expectations. Feedback should also give the employee an opportunity to seek clarification.
 - Address problems and resolve quickly before they escalate to the detriment of the telecommuting/telework arrangement.
14. The County has a limited amount of equipment available for telecommuters/teleworkers. If available, the County will have the telecommuter/teleworker sign out available equipment for utilization. The following are the rules related to equipment and costs:

- Employees who are approved for telecommute/telework will be provided VPN access to his/her County desktop so work can continue to be done as if he/she were working on the computer in the office. This is so all work completed, saved and downloaded will remain on the County system. Employees are not authorized to save any work documents, emails, etc. to his/her own personal equipment's internal or external hard drive or desktop.
 - An employee who uses his/her own personal equipment for telecommuting/telework acknowledges and releases the County and his/her Department from any and all liability.
 - If County equipment is used, the employee must exercise reasonable care for the equipment. If the employee causes damage to the County equipment as a result of carelessness, intentional acts or recklessness, the employee will be responsible for the cost of repair or replacement of the equipment.
 - County equipment should not be used for personal or other non-county work purposes.
 - Damage to any personal equipment being used for telecommuting/telework is generally the responsibility of the telecommuter.
 - Normal wear and tear on personal equipment being used for telecommuting is the responsibility of the telecommuter/teleworker. Normal wear and tear (as determined by appropriate County administration) on County equipment being used for telecommuting/telework is generally the responsibility of the Department/County.
 - Internet costs which are necessary for email and search functions are paid for by the telecommuter/teleworker.
15. There should be no work-related phone expenses incurred by an employee that telecommute as employees should be using DISA (Direct Inward System Access) to access the county phone system. Employees assigned a county cell phone may also use that device for telephonic or message communications.
16. To be reimbursed for any business expenses that may arise, the telecommuter/teleworker will need the Department Head and/or designee's approval before incurring them and have proper documentation to support the expenses.
17. Employees must take responsibility for the security of the data and other information that they handle while telecommuting/teleworking. This means they need to safeguard information and data including:
- Be familiar with, understand, and comply with all HIPAA and Confidentiality policy and security protocols for accessing any local and state systems remotely.
 - Maintain security of any relevant materials, including files, correspondence and equipment, separating them from personal property and equipment.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

- No Protected Health Information or otherwise confidential information should be kept on personal electronic equipment, in accordance with HIPAA and other confidentiality rules.
 - Have a private space when conducting business discussions via the telephone with individuals, clients, supervisors, etc.
 - Assure that no other members of their household views or has access of any kind to any client materials or information. Breach of confidentiality is grounds for discipline.
18. Telecommuting/Teleworking employees must report their inability to conduct work due to illness or personal issues just as they would on a non-telecommuting/non-telework day. If over a reasonable period of time a pattern of usage of unscheduled absences in connection with telecommuting/teleworking days becomes noticeable and the Department suspects abuse, the Department will address the situation with the employee. If the situation is not resolved to the Department's satisfaction, the telecommuting/teleworking agreement can be revoked and the employee may be subject to discipline. If a union member, discipline is pursuant to the CBA.
19. The department may terminate the teleworking agreement at its discretion and at any time. The Department may determine that it is no longer in the best interest of the County to continue the telecommuting/telework arrangement. For example, the Department might deem that an employee's tasks are no longer suitable for telecommuting/telework; find that work product, productivity, or accountability standards are not being met; or a short-term need or other premise that gave rise to the telecommuting/telework arrangement may no longer exist. When the Department determines to terminate the Telecommuting/Telework Agreement it will provide a minimum of 24 hours' notice for the employee to return back to the office for all work activities.

LEWIS COUNTY EMPLOYEE STATEMENT

EMPLOYEE NAME:

DEPARTMENT/UNIT:

As an employee of Lewis County who has been approved to temporarily telecommute/telework, I have received and read the Temporary Telecommuting/Telework Guidelines Due To Unprecedented Emergent Events, and I understand my obligations as an employee to adhere to these guidelines and protocols.

EMPLOYEE SIGNATURE: _____

DATE _____

DEPARTMENT HEAD SIGNATURE: _____

DATE: _____

**TEMPORARY TELECOMMUTE/TELEWORK
APPROVAL FORM**

Employee Name:

Department:

Immediate Supervisor:

Department Head: _____

REASON FOR TELECOMMUTE/TELEWORK:

Will the employee have a full day of work that can be completed during telecommute/telework? _____

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Work to be Completed During Telecommute/Telework:

DEPARTMENT HEAD SIGNATURE: _____

DATE: _____

All approvals to work remotely should be looked at on a case by case basis and submitted to Human Resources for review. Below is a framework for this review.

The following must first be considered for all requests:

1. Does the employee have a medical reason/condition that would qualify them for a reasonable accommodation to work remotely under the current emergent situation?
2. Can the employee's current work assignments be performed remotely?
3. If not, why? Could different work be temporarily assigned?
4. If so, what IT or other assistance do we need to set the employee up to work remotely.

This information may not include all information needed for this review. However, once it is has been determined that the employee can work remotely, they SHALL submit a daily timecard with work detail. Exact hours worked must be punched in the Tyler Munis payroll system. Employees needing to use accruals should continue to do so, even while working remotely. Supervisors are still required to supervise all employees who are working remotely. All remotely working employees must show work product in order to continue in this capacity.

Telecommute/Telework Approval

1. Does the employee have a medical reason/condition that would qualify them for a reasonable accommodation to work remotely under the current emergent situation?

Yes

No

2. Can the employee's current work assignments be performed remotely?

Yes

No

If No, why not?

3. Could different work be temporarily assigned?

Yes

No

4. If so, what IT or other assistance do we need to set the employee up to work remotely.

APPROVED

DENIED

DATES APPROVED TO TELECOMMUTE/TELEWORK (max. of 2 weeks):

DEPARTMENT HEAD AND OR DESIGNEE APPROVAL

SIGNATURE

DATE

COUNTY MANAGER AND OR HUMAN RESOURCES APPROVAL

SIGNATURE

DATE

Extension of Telecommute/Telework Dates Approval

Approved (max. of 2 weeks)

Denied Extension

Dates Approved: _____

DEPARTMENT HEAD AND OR DESIGNEE APPROVAL

SIGNATURE

DATE

COUNTY MANAGER AND OR HUMAN RESOURCES APPROVAL

SIGNATURE

DATE

**RESOLUTION NO. 143 - 2020
RESOLUTION AUTHORIZING THE SALE OF CERTAIN
COUNTY REAL PROPERTY ON ROUTE 12
TO TERRENCE THISSE AND MINETTE THISSE**

Introduced by Legislator Thomas Osborne, Chair of the Finance and Rules Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the County of Lewis is the owner of a certain vacant parcel, approximately 0.476 acres of land known and identified as Tax Map No. 213.17-01-01.000, located on the east side of Utica Boulevard (Route 12) near the corner of the Ross Road, Lowville, NY (herein, the “Property”); and

WHEREAS, the County obtained this property by a taking for a highway project public use in 1932, described as Map 12-R (1932) aka CH 1936 (later SH1936). The NYS Department of Transportation subsequently took over the road project and retained maintenance and jurisdiction interests over the parcel while the County retained fee title ownership; and

WHEREAS, by Resolution No. 562-2013, the Board of Legislators requested New York State formally abandon its maintenance and jurisdiction of the property. In 2016, the NYS DOT executed Map 80-C for the Release of Maintenance jurisdiction for the parcel, thereby conveying all its interests in the parcel to the County; and

WHEREAS, pursuant to procedures set forth in Lewis County Local Law No. 1-1991 and County Law §215, the Board had the property appraised in 2018, with the appraiser determining a potential value \$68,000.00. Subsequently a Request for Bids was advertised and published for the purchase of the property, with the County seeking a minimum bid of \$50,000.00. One bid on behalf of Terrence Thisse, a contiguous landowner, in the amount of \$36,000.00 was received; and

WHEREAS, upon the direction of the Board, the County Attorney negotiated with the bidder who agreed to purchase the property for \$45,000.00; with the renegotiated offer deemed to be fair and adequate consideration for said parcel, under all circumstances presented;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby finds and declares that the said identified County parcel of land, Tax Map No. 213.17-01-01.000, is not necessary for public use and therefore desires to grant, sell, convey and transfer the same pursuant to Local Law No. 1-1991 and County Law §215.

Section 2. That the Lewis County Board of Legislators hereby authorizes and approves the sale of the Property, identified as Tax Map No. 213.17-01-01.000, and located at near the corner of the Ross Road on Route 12, Lowville, NY for the sum of FORTY-FIVE THOUSAND (\$45,000.00) DOLLARS to Terrence Thisse and Minette Thisse.

Section 3. That the transfer of title shall be by quitclaim deed and shall take place as soon as reasonably possible after the execution of a Contract of Sale, but shall not be consummated until such time as the transfer documents are satisfactory to the County Attorney as to form.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver any and all contracts, deeds or other papers and documents necessary to complete the transaction.

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

Moved by Legislator Hathway, seconded by Legislator Kulzer, and adopted on the 2nd day of June, 2020.

**RESOLUTION NO. 144 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Office for the Aging Department**

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the Office for the Aging Department to appropriate funds for additional revenues and expenditures anticipated related to the Covid 19 pandemic.

Increase Revenue

A0677200 340006 OFA Federal Sources – CARES	\$98,806.00
A0677200 340006 OFA Federal Sources – FFCRA	\$28,272.00

Increase Expense

A0677200 490905 OFA Misc Covid expenses	\$127,078.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Kulzer, and adopted on the 2nd day of June, 2020.

**RESOLUTION NO. 145 - 2020
RESOLUTION APPOINTING THE PLANNING DIRECTOR AS THE
CERTIFYING OFFICER FOR ENVIRONMENTAL REVIEW OF THE
NYS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, AS
THE LEWIS COUNTY FAIR HOUSING OFFICER AND
HUD SECTION 3 COORDINATOR**

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

WHEREAS, the County of Lewis applied to the New York State Housing Trust Fund Corporation (“Corporation”) for Community Development Block Grant (“CDBG”) funds to finance community development activities (Project No. 636HR353-19), in which the Corporation awarded the County of Lewis \$510,000.00 to be used for manufactured housing replacement

PROCEEDINGS OF THE BOARD OF LEGISLATORS

activities to income eligible recipients in Lewis County. This project is subject to environmental review under the National Environmental Policy Act (NEPA) and State Environmental Quality Review Act (SEQRA); and

WHEREAS, the designation of a Certifying Officer to sign the Environmental Review is required under the terms of the Grant Agreement. Pursuant to 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 Lewis County Planning, who works with various CDBG programs, is the appropriate County officer to be designated as the approved certifying officer and signatory on CDBG program documents and environmental review requirements. In addition, the Director is the appropriate County officer to continue as the Board’s appointment to serve as the Lewis County Fair Housing Officer and HUD Section 3 Coordinator in order to authorize the Director to engage in activities required to maintain compliance with HUD regulations and implementation of fair housing education and enforcement resources; and

WHEREAS, the Board of Legislators recently appointed Casandra Buell as the Interim Planning Director for Lewis County, and seeks to authorize the Interim Director and any Permanent Director of Planning to serve as the officer for the above named tasks.

NOW, THEREFORE BE IT RESOLVED, that

Section 1. That the Lewis County Board of Legislators appoints and designates the Lewis County Planning Director, or any Interim Planning Director designated by the Board, as the Certifying Officer for environmental review of the New York State Community Development Block Grant programs, as well as the Lewis County Fair Housing Officer and HUD Section 3 Coordinator, to engage in activities required to maintain compliance with HUD regulations and implementation of fair housing education and enforcement resources.

Section 2. That the Lewis County Planning Director or Interim Planning Director so designated, is authorized to be the approved signatory on all documents required under the above programs and activities.

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

Moved by Legislator Hathway, seconded by Legislator Kulzer, and adopted on the 2nd day of June, 2020.

JUNE 2, 2020

**RESOLUTION NO. 146 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Planning Department**

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation take place for payback funds in the CDBG account (CL 069100) to the Planning Department to be used for various community projects:

Increase Revenue:

A0100000 327010 Ref of Prior Years \$7,364.42

Increase Expense:

A0802000 495500 Planning Projects \$7,364.42

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

Moved by Legislator Hathway, seconded by Legislator Kulzer, and adopted on the 2nd day of June, 2020.

**RESOLUTION NO. 147 - 2020
RESOLUTION AUTHORIZING RENEWAL AGREEMENT
BETWEEN LEWIS COUNTY PROBATION DEPARTMENT AND
AUTOMON, LLC FOR SOFTWARE MAINTENANCE**

Introduced by Legislator Jerry King, Chairman of the General Services Committee

WHEREAS, AutoMon, LLC (“AutoMon”), provides case and data management solutions to City, County and State Probation, Pretrial, Specialty Court and Corrections agencies throughout North America. The Lewis County Probation Department (“Licensor”) desires to renew the Software Maintenance Agreement with AutoMon to use the Caseload Explorer software; and

WHEREAS, AutoMon will continue to provide technical support services and assist with the on-going use of the licensed software, repair of software errors and provide software updates to enhance and improve Caseload Explorer and any local interfaces supported by Licensor; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the renewal of the software maintenance agreement between the County of Lewis, by and through the Lewis County

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Probation Department, and AutoMon, LLC, for the technical support services for the probation case management software.

Section 2. That this is for the term commencing August 14, 2020 for twelve (12) consecutive months expiring August 13, 2021, and may be extended by mutual written agreement of the parties. The cost for the Maintenance and Support Fee is not to exceed \$5,921.74 (\$4,576.90 base plus \$224.14 for each of the six [6] actual or registered users) to the Licensor for Caseload Explorer Software.

Section 3. That the Director of Probation 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 Kulzer, and adopted on the 2nd day of June, 2020.

RESOLUTION NO. 148 - 2020
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND
BEAVER RIVER CENTRAL SCHOOL, LOWVILLE ACADEMY CENTRAL SCHOOL
AND COPENHAGEN CENTRAL SCHOOL
FOR PRESCHOOL SPECIAL EDUCATION PROGRAM

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee.

WHEREAS, pursuant to Section 4410 of the New York State Education Law, Lewis County Public Health is tasked with providing certain Preschool Tuition-Based Services for children with disabilities defined in the Program; and

WHEREAS, the Commissioner of Education requires a contract between the County and the Agency(s) who will be providing such services under the Program; and

WHEREAS, the Lewis County Board of Legislators seeks to approve and authorize said agreements;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes agreements between Lewis County Public Health ("Public Health") with the following school districts: Beaver River, Copenhagen, and Lowville Academy. The schools will subcontract with the Lewis County Health System for evaluation services under the Preschool Special Education Program for children with special education and health care needs.

Section 2. That this is for the period beginning May 1, 2020 and ending June 30, 2021, at a cost in accordance with the rates set forth by the State Education Department. The schools will send an invoice to Public Health for the services rendered, including LCHS as subcontractor, and Public Health will reimburse the schools.

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators 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 Hathway, seconded by Legislator Kulzer, and adopted on the 2nd day of June, 2020.

RESOLUTION NO. 149 – 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS
AND NEW CINGULAR WIRELESS PCS, LLC
TO ALLOW LIMITED ACCESS TO AND ON THE MONTAGUE 911 TOWER AND
SITE TO DETERMINE VIABILITY OF AN AT&T LEASE OF SPACE

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County has a ninety-nine year lease from the landowner for its 911 Tower and Equipment Shelter at 6478 Sears Pond Road, Lowville, NY, (“Montague Tower”).

WHEREAS, AT&T, through its subsidiary, New Cingular Wireless PCS, LLC, seeks to enter into an agreement with the County for access to the Montague Tower site for testing and analysis to determine the feasibility and viability of the property for use as a tower and antenna site for the receipt and transmission of wireless communications signals for AT&T and First Net; and

WHEREAS, AT&T provided Airosmith Development with agency authorization to contact the County and negotiate the terms of access agreements and any lease agreement which may be feasible after the tower site analysis; and

WHEREAS, the proposed access and testing agreement would provide for AT&T, through New Cingular, its employees, agents and independent contractors to enter upon the Montague Tower site to conduct and perform survey analysis, radio studies, and such other tests and inspections of the property necessary to determine the viability and feasibility of the property as a tower or antenna site for transmission of wireless communications, without interference with the County’s equipment and transmission of its 911 system. AT&T and its subsidiary will be responsible for any and all costs related to the permitted activities and access, and will be solely liable and responsible for any damage to property and person during this access and testing; and

WHEREAS, the County of Lewis seeks to allow AT&T through New Cingular Wireless, for this limited access to the Montague Tower site leased by the County at 6478 Sears Pond

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Road, Lowville, NY to inspect, climb, test and survey the property and tower to determine the feasibility of leasing space on the tower after analysis by the County and its experts.

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 AT&T, through its subsidiary, New Cingular Wireless PCS, LLC, and its named subcontractors for access, testing and climbing the 911 tower located at 6478 Sears Pond Road, Lowville, NY (Montague Tower) in order to determine the feasibility of a lease of space on the tower by AT&T to support its transmission of wireless communications signals without interference to the County's 911 system and equipment.

Section 2. That the Agreement allowing access and testing shall provide for AT&T/New Cingular Wireless, to be solely liable and responsible for any and all costs and damages associated with said access and testing, and for AT&T and any of its authorized subcontractors to provide proper insurance and certificates of insurance, with the County named as primary additional insured, together with any other terms and conditions to protect the County's interests and property.

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

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

Moved by Legislator Hathway, seconded by Legislator Kulzer, and adopted on the 2nd day of June, 2020.

**RESOLUTION NO. 150 – 2020
RESOLUTION AUTHORIZING MORTGAGE SUBORDINATION AGREEMENT
(COUNTY OF LEWIS TO HEATHER MATUSZCZAK)**

Introduced by Lawrence L. Dolhof, Chairman of the Lewis County Board of Legislators.

WHEREAS, Heather N. Matuszczak (the "Borrower") received a housing Grant in the amount of \$41,268.74, secured by a mortgage for the benefit of the County of Lewis, recorded in the Lewis County Clerk's Office on December 8, 2011 as Instrument Number 2011-006010. The mortgage provides for recapture obligations, pursuant to the Grant program administered by Snow Belt Housing Company, Inc. The mortgage is subject to the lien of a first mortgage held by Community Bank, N.A. also recorded in 2011; and

WHEREAS, the Borrower seeks to refinance the existing loan with Community Bank for home improvements, by execution of a new mortgage in the amount of \$53,500.00. The new Community Bank mortgage requires the County to subordinate its housing grant mortgage, currently reduced to \$4,126.87; and

JUNE 2, 2020

WHEREAS, a recent appraisal of the property indicates that the outstanding interest of the County in this reduced mortgage amount is secured by the appraised value of the property;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby authorize the Chairman of the Board to execute and issue a Mortgage Subordination Agreement in favor of Community Bank's new mortgage of \$53,500.00, upon such terms as may be acceptable to the County Attorney.

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

Moved by Legislator Hathway, seconded by Legislator Kulzer, and adopted on the 2nd day of June, 2020.

RESOLUTION NO. 151 - 2020
RESOLUTION RE-APPOINTING JENNIFER JONES AS COMMISSIONER OF THE
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES

Introduced by Legislator Randall LaChausse, Chair of the Health and Human Services Committee and Legislator Thomas Osborne, Chair of the Finance and Rules Committee.

WHEREAS, the term of the Lewis County Commissioner of Social Services is five (5) years, by appointment of the Board of Legislators; and

WHEREAS, the term of the current Commissioner, Jennifer Jones will expire on July 7, 2020, and the Board seeks to re-appoint her to another five (5) year term;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby re-appoints Jennifer Jones of Beaver Falls, New York 13305, as Commissioner of the Lewis County Department of Social Services for An additional five (5) year term commencing on July 8, 2020 and terminating on July 7, 2025, subject to approval by the New York State Department of Social Services.

Section 2. That the Board of Legislators hereby confirms and establishes the current annual salary for Jennifer Jones, in her capacity as Commissioner of Social Services, at \$79,591.00.

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

Moved by Legislator King, seconded by Legislator Hathway.

County Manger Ryan Piche made note that a couple of weeks ago Ms. Jones hit her 30 year mark working for Lewis County. Chairman Dolhof opined that she has done a very

PROCEEDINGS OF THE BOARD OF LEGISLATORS

excellent and commendable job. Ms. Jones responded by thanking Legislators for her re-appointment and stating it is a wonderful privilege to work in Lewis County even though there certainly have been some challenges over the last 30 years.

The resolution was then adopted on the 2nd day of June, 2020.

**RESOLUTION NO. 152 - 2020
RESOLUTION APPOINTING STUDENT REPRESENTATIVES
LEWIS COUNTY YOUTH BUREAU ADVISORY BOARD**

Introduced by Legislator Randy LaChausse, Chairman of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following school student representatives to serve on the Lewis County Youth Bureau Advisory Board:

David Fayle - Lowville Academy School District
7636 Park Avenue
Lowville, NY 13367

Amy Manchester - Harrisville Central School District
25219 Waddingham Road
Evans Mills, NY 13637

Nathan Schmitt – Harrisville Central School District
13526 Middle Branch Road
Harrisville, NY 13648

Section 2. That the term of said appointments shall be effective July 1, 2020 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 Hathway, seconded by Legislator Kulzer, and adopted on the 2nd day of June, 2020.

OTHER BUSINESS:

Legislator Hathway expressed his gratitude towards the residents of Lewis County for following the Covid-19 guidelines. This is the behavior that has allowed us to move into Phase 2. Chairman Dolhof echoed Legislator Hathway's sentiments and reported that there are currently zero hospitalizations in the North Country which is truly remarkable.

Legislator Moroughan personally thanked the front-line workers, factory workers, and everyone who has been working diligently every day.

There being no other business to come before the Board, Legislator Burns made a motion to adjourn the meeting at 5:46 p.m., seconded by Legislator Chartrand and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

REGULAR MEETING

July 7, 2020

The meeting was called to order at 5:00 p.m. by the Chairman of the Board Lawrence Dolhof.

Roll Call: All Legislators were present, with the exception of Legislator Burns who joined the meeting at 5:19 p.m. There were 14 additional persons present.

Chairman Dolhof offered the Invocation followed by the Pledge of Allegiance to the Flag.

Chairman Dolhof declared the June 2, 2020 meeting minutes approved by general consent.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: Thomas Osborne
Ronald Burns
Ian Gilbert
Gregory Kulzer
Phil Hathway

Dated: July 7, 2020

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

Chairman Dolhof opened up privilege of the floor to Reverend David Mahayli. Rev. Mahayli was the director of St. Paul's Episcopal Church of Waterloo NY in Seneca County for 32 years. For 28 out of those 32 years he worked closely with law enforcement. He also worked closely with the Honorable retired, three term County Court Judge Dennis Bender. When he attended the Honorable Judge Bender's retirement dinner, he was approached by a BCI Investigator, now retired, who gave him an honorary NYS Police Shield on behalf of law enforcement in Seneca County. He is also a member of the Policeman's Benevolent Association of NYS Police.

Rev. Mahayli voiced his concerns that the Sheriff refuses to wear a mask both professionally and privately and claims that it is unconstitutional. He felt the Sheriff is ignorant of the fact that the NYS Assembly, the NYS Senate, and the Courts have upheld executive orders by the governor during this pandemic to be considered as law. In his opinion the Sheriff has taken an oath of office and intentionally and deliberately violated it.

The most glaring case of misconduct and arrogant dereliction of duty was surrounding the New Bremen Stuck in the Muck event when the Sheriff stated that it was Public Health's job

to disperse unruly gatherings. Rev. Mahayli pointed out that this is absolutely false, as the only authority given to disperse unruly gatherings are to law enforcement members.

He asked the Legislators if he, as a private citizen, had the right to pick and choose what laws he wanted to follow and didn't want to follow? Or is it exclusively the prerogative of elected or appointed officials to choose which laws they want to follow and/or enforce and ignore the ones they don't? It was brought to Rev. Mahayli's attention that behind the scenes the Sheriff has been encouraging the Board of Legislators to create illegal legislation by creating a sanctuary county because he is opposed to the Safe Act. He warned the Board that if they create this kind of illegal legislation there would be serious consequences. He also reminded them that both the Jefferson County and St. Lawrence County Sheriffs were faced with the same options publicly and stated that they could not and would not support this kind of legislation because it was unlawful, and they will follow their oath of office and enforce the laws of NYS.

A few weeks ago, the Board of Legislators were presented with evidence of financial mismanagement in the Sheriff's Department. Rev. Mahayli couldn't put into words how he felt the Board of Legislators responded to the Sheriff other than they became "chickens" and in the course of that response, they failed in their fiduciary responsibility to the taxpayers of Lewis County. Rev. Mahayli has already been in touch with the Attorney General's office and had a lengthy conversation with a member of that staff and was directed to pursue two other courses of action which Rev. Mahayli intends on doing regarding this kind of misconduct by the Sheriff.

In conclusion, Rev. Mahayli stated that he will submit a resolution at the next board meeting, with hopes of getting a Legislator to sponsor it and another to co-sponsor it, stating that as of January 1, 2021 through December 31, 2021 the Sheriff's salary will be reduced by 25%. It will also state that at the end of each month the Sheriff will be required to submit in writing to the Board justification of his expenditures and in the event that he refuses to do so his salary will be cut by another 5% each month until he complies. In Rev. Mahayli's opinion if the Sheriff cannot and will not obey his oath of office, he should resign and run for NYS Governor on a full-time basis.

Sheriff Michael Carpinelli then asked for privilege of the floor which was granted by Chairman Dolhof. Sheriff Carpinelli read a statement from the NYS Sheriff's Association and their counsel. This statement addressed the Governor's 203 Executive Order demanding reform of all law enforcement agencies or they will lose funding. This Executive Order implies that all police agencies and police officers are racist and abusive to the public. Sheriff Carpinelli clearly stated that the Governor is wrong in that implication and wrong to threaten us with financial ruin. Working on improvements in the law enforcement community happens every day without the Governor's misinformed bullying.

Sheriff Carpinelli pointed out a few things about the Governor's Executive Order that should be considered. NYS doesn't have a dictatorship, it is a constitutional form of government where the laws are passed by the Legislative branch and carried out by the Executive branch. State funds are allocated by the Legislature, not by the Governor. Perhaps there should have been public input, discussion and due deliberation instead of this rushed Executive Order. It is wrong the way the Governor continues to issue sweeping impactful changes to law enforcement

PROCEEDINGS OF THE BOARD OF LEGISLATORS

policy without talking or communicating with law enforcement. This is discouraging for police professionals and detrimental to public safety. Sheriff Carpinelli continued to impress this Executive Order was a missed opportunity for law enforcement to work with and collaborate with the Governor on ideas to improve law enforcement operations and procedures. Law Enforcement is now being forced to react when they should have been invited to participate.

What happened to Mr. Floyd was indefensible and the people across the nation have a right to feel angry and question the state of law enforcement across America. The notion that all Law Enforcement are racists is simply not true or supported by facts. It is true that there are some, very few, police officers who do not deserve to wear the uniform but that doesn't justify the statement that all police officers are like that. There are 95,000 police officers serving in New York and in a number that large there are bound to be some bad apples but there are far more that are good. There should be more work done to get the bad ones out before they do harm and this requires changes in Law and Order which is something the Sheriff's Association has strongly supported for some time.

Sheriff Carpinelli pointed out that the Governor addressed 8 fatal shootings by police that happened over the past 25 years in New York state but failed to mention they all happened in New York City and that is where the issue needs to be addressed. Only two police officers were convicted for any crimes involved in the 8 shootings. If there is a major problem with Law Enforcement then where was the Governor 9 years ago when he was first elected to office, why wasn't anything addressed then? It wasn't until the current band wagon came along and the Governor jumped on that this was a problem.

The Governor needs to lead with the facts not with emotions, the facts are on the side of law enforcement in NYS. The Governor doesn't need to order law enforcement to examine operations, this is something that is being looked at all the time and continually worked on. Sheriff Carpinelli isn't going to accuse any other law enforcement agencies of anything as he and his deputies work with them every day but he will accuse the Governor of hypocrisy for pointing a finger at law enforcement and exempting himself from the same scrutiny because he is above it and thinks he must be obeyed. Sheriff's are constitutional officers and do not answer to the Governor but to the people. Sheriff Carpinelli concluded by stating that he hoped someday the Governor would take the time to sit down with Law Enforcement to find out all the good things that have been going on and perhaps work together.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Clerk reported the following resolutions were received from the Adirondack Park Local Government Review Board: A resolution requesting review and change of APA policy on agency review of proposals for new telecommunications towers and other tall structures in the Adirondack Park; and a resolution recommending actions to strengthen the clean drained and dry aquatic invasive species (AIS) spread prevention law.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators have received copies of the Treasurer's June report; the June Highway and Solid Waste Departments audit reports; minutes of the June Youth Bureau Advisory Board meeting; and the second Quarter Bed Tax report.

REPORTS OF STANDING COMMITTEES:

Legislator Osborne made a motion to authorize Treasurer Eric Virkler to refill one (1) Senior Account Clerk position due to vacancy effective immediately, seconded by Legislator Chartrand and carried.

Legislator King made a motion to authorize Building & Grounds Supervisor Matt O'Connor to put out an RFP for 911 Tower road repair for six (6) towers, seconded by Legislator Osborne and carried.

Legislator King made a motion to authorize Highway Superintendent Warren Shaw to refill one (1) full-time MEO position due to resignation effective immediately, seconded by Legislator Moroughan and carried.

Legislator King made a motion to authorize Sheriff Carpinelli to refill one (1) part-time Dispatcher position due to resignation effective immediately, seconded by Legislator Chartrand and carried.

Legislator Chartrand announced that Jaqueline Demush, Respiratory Therapist was the hospital employee of the month for May. Deborah Wurst was named as the new Nursing Home Administrator. She brings a fresh perspective and is a good addition to the team. Legislator Chartrand has received several calls from hospital employees who have expressed their appreciation for appointing Ms. Wurst. The hospital had a gain of \$4,037,428.00, which was because of three stimulus payments that totaled \$5.2 million that was used to offset many of the COVID-19 expenses incurred. Physician recruitment has six (6) new providers; four (4) physicians and two (2) nurse practitioners who will be phased in over a period of time. Jerry Cayer and Ryan Piche had an interview on linkinglewiscounty.com where they discussed specifics about the upcoming Community Covid-19 Testing Program, which will have locations in Harrisville, Lowville, and Lyons Falls. Also, in that interview Jerry and Ryan suggested everyone wear masks when they can. Legislator Chartrand felt that he and the other legislators should show support and lead by example.

Legislator Chartrand made a motion to encourage everyone to wear masks to help prevent the spread of Covid-19, seconded by Legislator Osborne and carried.

Dr. Harney and Dr. Luenberger are going to be involved in the Clinic Teaching Physician program which is partnering with Faxton-St. Luke's. This enables Lewis County General Hospital to bring in physicians during their residency and allows them to experience working here in Lewis County in both the hospital setting and a clinic setting. It helps with recruitment of future physicians by showing them the benefit of our rural county versus a large city.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Lewis County General Hospital Jerry Cayer explained that the Community Covid-19 testing program will be getting 300 test kits a week from the state, along with PPE for all of the staff who will be administering the tests. The contract for the lab work is with Bio Reference Lab. There will be three (3) clinics a week, starting on Thursday, July 16th on the Lowville campus near the Emergency Department. After that the clinics will be held on Monday, Wednesday and Thursdays. Mondays and Thursdays will be clinics in Lowville and Wednesdays will be clinics in the outlying parts of the county; Harrisville, Beaver Falls, and Lyons Falls. The hospital was fortunate enough to receive some rural health designation funding which will cover the costs of the staff at the clinic, the supplies, and the postage to send test kits to the lab.

There is some concern as to whether there will be an adequate number of residents and employees of the county who want to be tested. It may start out good with a steady flow of people but then the appeal could wear off. Residents will simply drive up and fill out some paperwork asking for certain demographics for data purposes. If you are negative the Lewis County General Health system will notify you and if you test positive Public Health will contact you and initiate contact tracing. There will also be opportunity for large employers to set up a date and time to have the clinic come to their location to test employees. There is no cost to the public for this testing because it would cost more to bill insurance companies than the little reimbursement that would be received by them.

Jerry felt that in NYS, Health Systems are working together with counties and Public Health agencies much better than on a national level. This is perhaps why NYS isn't experiencing the rapid spread that is occurring in other states across the country. Legislator Hathway thanked Mr. Cayer for his efforts to increase testing to the rest of the county and asked if it was on a first come basis. Jerry explained that it would because to have a registration process would require more manpower. He went on to explain the first clinic will be a good indicator of how much time they will need to administer the tests and there will be some adjusting on the fly. The testing will continue until they run out of tests and they have some stock already, so they don't intend to set a certain number of tests for each location but just use what they have until the test everyone or run out.

Residents who are close to the Lewis County border will be allowed to be tested as well because the funding is coming from outside of our county and in the past some residents were encouraged to get tested in the surrounding counties as well. Legislator Hathway offered his assistance to set something up for Viking due to the number of employees. Jerry stated that the first clinic will be Thursday, July 16th however they still haven't received the PPE or test kits that the state is sending but feel like they have enough to get started. Legislator Osborne questioned whether seasonal residents would be able to be tested. Jerry responded that they would be and from a Public Health standpoint it would be beneficial for residents who might have come from hot spots.

Chairman Dolhof asked if this was the antibody test or just the virus test, Jerry responded that it was just testing if you have the virus because the antibody test isn't being used as much. It is just a test that shows a moment in time because you may test negative but in a couple days you could have contracted the virus. The test results should be received in 2 to 4 days. The hospital

is still waiting for reagents for the analyzer that was purchased which could take a few more weeks due to the vast shortage across the country. There is another process that can be used to get results quickly but that is being saved for surgery patients.

Jerry gave a brief update on the Copenhagen Clinic which has been closed for over a year now. The Certificate of Need was submitted and last week there were some additional questions that came up about the fire rating of the building. Once the Certificate of Need response comes back it is ready to go out to bid. There is already a Nurse Practitioner lined up to work form this clinic when it is opened.

Jerry thanked Legislator Chartrand for bringing up the partnership with Faxton-St. Lukes because one of the obstacles that rural hospitals face is recruiting physicians. This affiliation and working with students during their residency will help solve that problem. The best recruit is someone who will spend the next 20 years here. Jerry commended Dr. Harney and Dr. Luenberger for their efforts over the past year and a half to accomplish this partnership. The first student will arrive in 18 months and then over the next 4 to 5 years we should see the fruits from having this program.

COUNTY MANAGER REPORT:

Ryan reported that he is keeping an eye on the state budget to see if there are any further cuts being made to counties. The budget director had until June 30 to announce the second round of cuts. There was no big announcement but some folks across the state saw their checks fall a little bit short. Cities were cut 15% to 20%, Towns were not cut but they are receiving AIM payments which come out of the county's sales tax revenue. He did receive a notice that our CHIPS funding could be cut up to 20% and expects that it will be, so projects are being done accordingly. There was another 20% cut across the board for Mental Health OASIS funding.

Ryan is keeping an eye on the Federal Stimulus in hopes that there would be something done to help out counties. To date there has been very little stimulus money sent to Lewis County, just a small amount for Office For the Aging and the Public Transportation System. In talking with North Country Representatives, they felt that there would be a 4th Stimulus package by the end of July. That is hopeful news, but the timing isn't great because we should start budgeting in July. The budget process will start later this year, so we have time to have a better understanding of what we are facing financially. There are three questions that need to be answered: State cuts, where and how much; Federal funds, are we going to receive any; and Sales Tax, which luckily isn't as bad as predicted. Sales Tax Revenue to date is only \$60,000.00 behind last year's figure.

Ryan concluded his report by stating that he has asked Department Heads to send in nominations for any staff members that went above and beyond during the Covid-19 pandemic so they can be recognized at the August board meeting. Legislator Hathway asked about the FMAP funds that were already approved and if they would be sent to the county? Ryan responded that it wasn't coming in the form of funding but instead our weekly share to the state for Medicaid was reduced by a percentage. Jenny Jones stated that we were paying in \$93,027/week and now it is only \$87,000/week, which should equate to a savings of \$240,000 over the 40 weeks.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Ryan concluded that it was a good thing that we were collecting internet sales tax this year because if it wasn't for that we could be in a much worse situation.

COUNTY TREASURER REPORT:

Eric provided all Legislators with a newly formatted report showing Reserve Balances; Sales Tax Collections; Covid-19 Revenues; Fund Balances; and Mid-Year Expenses. Legislator Kulzer asked Eric to go back to the way the Sales Tax Collections were reported so it shows each month, not just the current amount compared to the same time period last year. He likes to see each month broken out to have a better comparison. Legislator Kulzer voiced his appreciation for the Mid-Year Expenses section of the report stating that it was helpful to see where some of the larger Departments budgets were at.

Legislator Chartrand pointed out that the Health Insurance fund balance is very healthy right now and he would like to have discussion between now and the next Legislative committee meeting as to what options we have to offer incentives to employees. Chairman Dolhof stated he believes it is on the agenda for discussion.


REPORT OF THE FINANCE AND RULES COMMITTEE:

JULY 7, 2020


**REPORT OF
FINANCE AND RULES COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

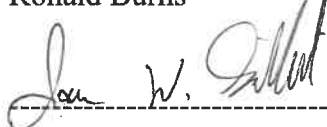
The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 618,566.78 and recommend that they be audited and allowed for the amounts claimed.



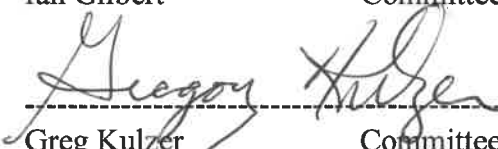
Thomas Osborne Chair



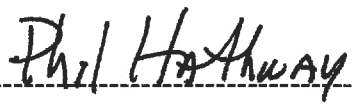
Ronald Burns Vice-Chair



Ian Gilbert Committee



Greg Kulzer Committee



Phil Hathway Committee

Dated: July 7, 2020

Approved on motion by Legislator Kulzer, seconded by
Legislator Burns, and carried.

**RESOLUTION NO. 153 – 2020
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Member of the Finance and Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 618,566.78 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 LaChausse, seconded by Legislator King, and adopted on the 7th day of July, 2020 by the following roll call vote:

YEAS: Hathway, Burns, Chartrand, Kulzer, Osborne, LaChausse, Gilbert, Moroughan, King, Dolhof

NAYS: None

ABSENT: None

**LOCAL LAW (INTRODUCTORY NO. 6 - 2020)
COUNTY OF LEWIS**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

**A LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY
ROADS, TRAILS OR OTHER COUNTY PROPERTY**

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 REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY**”.

SECTION 2. STATUTORY AUTHORITY

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

SECTION 3. LEGISLATIVE FINDINGS

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

A. Planned special events include but are not limited to sporting events, concerts, parades, walking & running events, bicycle races, & motorized vehicle rallies. These types of events can have direct and indirect impacts on county properties, roads, trails. There are several events organized and held in Lewis County where county roads, county public rights-of-way, trails, parks, and lands are used for the event, or are adversely affected by the event because of road closure, traffic congestion, parking, etc.

B. The occurrence of such events as described and defined herein may place an unwarranted burden on the County resources related to the provision of emergency services, law enforcement, health and sanitary services, road and property repairs, and similar items, depending upon the special event, its size, and the conduct of participants.

C. The purpose of this law and the requirement for a permit and fee for same, is to enable the county to be able to anticipate the impacts posed by the event and to coordinate efforts of various departments and other municipalities which may be affected by the special event; to take appropriate steps and measures to provide for the safety of event participants and residents; to provide for the least impact on the county's roads, trails, and lands.

D. When a person(s), corporation(s), organization(s), landowner(s), lessee(s) and others seek to conduct a special event on county roads and/or county property, provision must be made for adequate financial assurance to protect persons and property (both public and private) within the County. The Board of Legislators of Lewis County therefore finds and declares that it is necessary for government protection, order, conduct, safety, health and well-being of persons and county property, that certain rules and regulations be established for special events involving county roads, trails, parks and other lands, and, further, that it is necessary to adopt under the police power of the County, a local law to regulate and license by permit the holding of such special events on or effecting access and use of County roads, trails, parks and other lands.

SECTION 4. DEFINITIONS

A. For purposes of this Local Law, the word "person" shall be deemed to include any person, persons, firm, company, corporation, partnership, association, club, limited liability company, limited liability partnership, joint venture, owner or lessee of real property, promoter, sponsor, or any other group or organization whether formalized or not.

B. For purposes of this Local Law, "special event on county roads and trails" shall mean any outdoor gathering of TWO HUNDRED FIFTY (250) or more people and activities involving pedestrians, vehicles, bicycles, skateboards, motorcycles, ATVs, UTVs, or other recreational equipment, or any combination thereof which involve:

1. Any organized formation, parade, procession or other event taking place on County roads or trails which may interfere, impede or obstruct the flow of traffic or which do not comply with normal traffic regulations or controls; or

2. Any event intended to include and/or to take place on the Lewis County Off Highway Vehicle Trail System.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

C. For purposes of this Local Law, “special event on other county lands” shall mean gatherings of TWO HUNDRED FIFTY (250) or more people and activities on county-owned lands.

D. For purposes of this Local Law, a special event involving a gathering of TWO HUNDRED FIFTY (250) or more people and activities involving snowmobiles shall mean such events which may:

1. interfere, impede or obstruct the flow of traffic or which do not comply with normal traffic regulations or controls on County roads; or
2. snowmobile activity or event on private property which may result in damage to County roads or other County lands as a result of the event; or
3. snowmobile activity or event which requires placement of signage or pavement markings on County roads.

SECTION 5. PERMITS

A. No person may organize, operate, promote, or conduct a special event on a County road, trail, park or other land in Lewis County, without first obtaining a permit to do so from the Lewis County Director of Recreation, Forestry and Parks (DRFP).

B. The Director of Recreation, Forestry and Parks will consult with the County Superintendent of Highways, the Emergency Management Director, the Lewis County Sheriff and any other relevant County Department(s), as the event may warrant in processing the permit application.

SECTION 6. PERMIT APPLICATION PROCESS AND FEE

A. All applications shall be made to the Lewis County Director of Recreation, Forestry and Parks, by submission of three (3) copies to the DRFP, by the person(s) sponsoring or running the event involving County roads, trails, park or other lands, or by the duly authorized agent or attorney thereof. The appropriate application fee, as set forth in the fee schedule in effect for said event permit, must be submitted with the application along with all the other documentation required therein. No action will be taken upon any application until it is deemed complete by the Director of Recreation, Forestry & Parks, in consultation with the appropriate County Departments.

B. 1. The non-refundable application fee charged for a special event permit shall be in accordance with the fee schedule set forth under Section 10 of this Local Law. The fee schedule may be amended from time to time, by Resolution adopted by the Lewis County Board of Legislators.

2. A permit application fee shall not be required for any special event that is otherwise licensed, sponsored or organized in whole or in part by the County or any other municipal government located within the County; but said municipality shall submit an application for the event.

C. The application for a permit hereunder shall be made in writing upon such form or forms as may be crafted by the Director of Recreation, Forestry & Parks (DRFP), and shall be submitted to the DRFP at least ninety (90) or more days prior to the first day such special event is anticipated to be held. Such application shall include the following information:

1. The applicant's name, age, and residence address; if the applicant is a corporation, partnership or association, the name of the entity, address for its principal office, together with the names and addresses of its directors, partners or associates. If the applicant is not a resident or have a place of business within Lewis County, the name of a natural person, over the age of eighteen (18) years of age who resides within Lewis County and who is authorized by the applicant and who shall agree by acknowledged statement to accept service of notices and summons on behalf of the applicant with respect to this application, the conduct of the outdoor public assembly or any other matter relating to the enforcement of this Local Law;

2. The proposed dates and hours of operation for the proposed special event, and a description of the event;

3. The expected minimum and maximum number of persons and vehicles/other equipment, if any, per day of the event to use the roads and/or property(s), if any, per day and collectively;

4. A description of the purpose for the special event and the activities to take place thereat, including without limitation, concessions, entertainment, vehicles, equipment, etc.;

5. The admission/participation fee to be charged, if any.

D. 1. After careful review and consultation with other Departments, the DRFP shall determine whether the permit application will be approved or denied. The DRFP shall communicate her decision on the application in writing, by issuing a permit with any and all conditions to which the applicant may be required to meet prior to and during the event. If denied, the DRFP shall indicate the reason for such denial.

2. Simultaneously with notification of approval/denial of a permit to the applicant, the DRFP shall notify the County Manager, Board of Legislators and any appropriate Departments of the special event permit issued, including any conditions and information on the type of event, date, location, estimated size, and any other relevant information.

E. 1. Depending upon the activities and estimated size of assembly of persons participating in the special event, the applicant shall be required to comply with any and all other applicable State and Local Laws, [including but not limited to NYS Department of Health rules and regulations pertaining to mass gatherings (assembly of 5,000 people or more), Public Health Law §225, and Lewis County Local Law No. 2- 1970 (mass assembly of 10,000 people or more)], with the application reviewed and approved by the Public Health Director, Emergency Management Director, Lewis County Sheriff, Superintendent of Highways, and any other relevant County Department(s) requested by the DRFP.

2. In such cases, the DRFP will notify the applicant of the additional review by relevant County Departments before the application will be deemed fully submitted. The preliminary application may then be reviewed and commented upon by the those appropriate Department Heads/ Directors to determine from the information supplied, the potential effect or impact the proposed special event and assembly will have upon the public health, safety, and welfare of the people and property of Lewis County.

F. The County, through the DRFP, shall have the right, in its sole discretion, at any time to terminate the permit, or any portion thereof, should it be necessary due to county operations, conditions, or other circumstances which may arise. Any termination of the permit shall not constitute a breach of the permit, and no liability shall be incurred by or arise against the County, its agents and employees for loss of profits or any other damages.

SECTION 7. CONDITIONS OF USE AND INSURANCE REQUIREMENTS

A. The County makes no affirmation that the county-owned road/trail/site/property to be used for the special event has been designed, constructed, or maintained for the purpose of the conduct of the event. The applicant and all its participants assume full risk and responsibility for the event. The applicant and its participants assume full risk and responsibility for planning and conducting a safe and orderly event that does not expose participants or the public to any unreasonable hazards, with minimal disruption to normal uses of the county roads, trail system and properties. It shall be the sole obligation of the applicant to determine whether the county site(s) is suitable for the purpose of safely conducting the event.

B. The applicant shall exercise due care in its use of the county property and shall upon the expiration, termination or cancellation of the issued permit, surrender the county property/site in as good a condition as on the effective date of the permit. Depending upon the nature of the event and the anticipated number of participants, the issuance of a permit may be conditioned upon an undertaking, bond or guaranteed deposit, to guarantee restoration of the county property to its previous condition.

C. The applicant/permittee agrees to notify the DRFP about any hazardous or unsafe conditions, and about any accidents that occur during the event immediately upon the discovery of such condition or accident.

D. At the time a permit is issued, the DRFP shall provide the applicant/permittee with a statement of responsibilities and obligations of the Applicant/Permittee. Said statement shall be signed by the applicant/permittee and returned to the DRFP forthwith. The statement of responsibilities and obligations shall include the insurance requirements of this local law together with such other itemized responsibilities the DRFP may deem appropriate for the event. The applicant/permittee shall provide the DRFP with proof of insurance prior to the commencement of the event, i.e., a certificate of insurance is required to be in full force and effect prior to and during the event, and shall include but not be limited to the following coverage, if applicable:

1. Workers' Compensation and Disability Insurance as required by New York State for any and all employees.

2. Commercial General Liability Insurance. The applicant shall maintain an occurrence form of commercial liability policy or policies insurance against liability from premises, personal injury or death, advertising injury, liability under an insured contract, negligence, occurring on or in any way related to the premises or occasioned by reason of the operations of the applicant. Such coverage shall be written on an ISO occurrence form (CG 0001 12 07 or equivalent) in an amount not less than \$1,000,000.00 per occurrence and not less than \$2,000,000.00 aggregate.

The insurance must be endorsed to provide primary insured coverage to the County of Lewis and all of its Departments, and any other local municipality in which the event is conducted.

3. Automobile and/or other motorized vehicle insurance. The applicant shall maintain automobile, other vehicle and equipment policy(s) insurance against liability for bodily injury, death, damage to property and other coverages relating to the use, operation, loading or unloading of any automobiles, motorized vehicles and other equipment on an around the event site, in an amount not less than \$1,000,000.00. If the event involves participants' use of motorized vehicles (autos, ATVs, UTVs, motorcycles, motorbikes, snowmobiles, etc.) it is the applicant/permittees' responsibility to assure that all participants motorized vehicles are properly licensed, registered and insured, as may be required under the law.

E. In addition to the protection afforded to the County by the insurance provisions hereinabove set forth, the County shall not be liable for any damage or injury to the applicant, employees, event organizers, volunteers, participants, or any other person, or to any property, occurring on the event site covered by the permit. The applicant/permittee agrees to defend, indemnify and hold harmless the County of Lewis, and its agents from and against all claims, damages, losses and expenses including but not limited to attorneys' fees, arising out of any claim for personal injuries, property damage or wrongful death associated in any way with the applicant's or participants' use of the permitted site/property, or in any way related to the event, no matter how caused.

F. The DRFP, upon prior consultation with and approval of the County Attorney, may adjust the required insurance coverages and amounts, depending upon the nature of the event, i.e., activities, size, duration.

SECTION 8. PENALTIES FOR NON-COMPLIANCE AND ENFORCEMENT

A. If after a permit is issued (but prior to the actual event), the County determines, through its lawful agent(s), i.e., the DRFP, Highway Superintendent, etc., that any of the items required as a condition under the permit is not adhered to or accomplished within the required time limits, then the permit may be immediately terminated by action of the DRFP, after notification to the County Board of Legislators. Notice of such termination shall be in writing and delivered to the applicant at the mail address and e-mail address set forth on the application.

B. 1. Any person (as defined in this Local Law) who shall organize, promote, conduct or cause to be conducted a special event on County roads, trails, or other county property as defined in this Local Law, without having a written permit in accordance with the provisions of this law shall be deemed to have violated this Local Law.

2. Any person violating this Local Law shall be subject to a civil penalty, enforceable and collectible by the County of Lewis, in the amount of \$250.00 to \$750.00, depending upon the violation, the nature and size of the special event which was or is being held without issuance of or compliance with a permit as herein required. Said violation shall be enforced in any Court of competent jurisdiction within the County of Lewis.

3. In addition to the above penalty, the County of Lewis may maintain an action or proceeding in the name of the County in a Court of competent jurisdiction to compel compliance with or to restrain by injunction, the violation(s) of such local law.

SECTION 9. SEPARABILITY

If any clause, sentence, paragraph, section or part 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 part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 10. FEE SCHEDULE

A permit application fee of \$20.00**, made payable to Lewis County, shall apply, unless and until amended by the Lewis County Board of Legislators by an adopted Resolution.

** If the event involves 10,000 or more participants, applicant is subject to additional permit fees under Local Law No. 2-1970.

SECTION 11. EFFECTIVE DATE

This Local Law shall become effective immediately after filing with the office of the New York Secretary of State.

**RESOLUTION NO. 154 - 2020
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 6- 2020), COUNTY OF LEWIS**

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

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on July 7, 2020, a proposed Local Law entitled "A LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY".

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on August 4, 2020, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

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

JULY 7, 2020

Moved by Legislator Burns , seconded by Legislator Kulzer , and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 155 - 2020
RESOLUTION AFTER HEARING
UNDER LOCAL LAW NO. 10-2019 - JUNKYARD LAW
(6948 WETMORE ROAD, TOWN OF WATSON, NY)**

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

WHEREAS, pursuant to Local Law No. 10–2019, entitled, “A LOCAL LAW AMENDING AND REPLACING LOCAL LAW NO. 6-2017 – THE COUNTY OF LEWIS JUNKYARD LAW,” (herein “Junkyard Law”), the Board of Legislators is empowered to take certain actions in connection with the investigation and enforcement of regulating and controlling the storage or keeping of junk; and

WHEREAS, the premises known as Tax Map No. 230.00-02-07.200, 6948 Wetmore Road, in the Town of Watson, County of Lewis, currently owned by Derek J. Farr (herein the “Owner”) was cited by the Lewis County Code Enforcement Officer as being in continuing violation of the Junkyard Law, with unlicensed vehicles, other metals and various debris, causing a public nuisance and a danger to the safety, health and welfare of the community; and

WHEREAS, pursuant to the procedures set forth in the Local Law, the Code Enforcement Officer a full report to the Board of Legislators that the property owner remains in violation of the Local Law, with all attempts for compliance by any other means now exhausted; and

WHEREAS, by Resolution No. 84-2020, the Board of Legislators ordered and decreed that the Owner of said property appear before this Board of Legislators on June 2, 2020 at 5:00 p.m. and Show Cause why the Board should not Order said Owner to immediately remove all vehicles, appliances, metals, and other items causing violation of Local Law No. 10- 2019; and

WHEREAS, on June 2, 2020 the Board of Legislators convened at 5:00 p.m. to hear the matter of Derek J. Farr and the violations pertaining to the above property under the Lewis County Junkyard Law. Derek J. Farr did not appear. After hearing the testimony of the Code Enforcement Officer, Ward Dailey, and the documentary evidence and submissions of the Lewis County Attorney, including proof of personal service of Notice of the Hearing and the report of the Code Enforcement Officer, the Board made Findings and Recommendations as hereinafter set forth; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

- (a) That Derek J. Farr is the Owner of the property known as Tax Map Parcel No. 230.00-02-07.200, 6948 Wetmore Road, located in the Town of Watson, County of Lewis, State of New York;
- (b) That the Lewis County Code Enforcement Officer duly inspected said property on numerous occasions from April, 2015 through and including June 1, 2020, and declared that the Owner is in continuing violation of the Junkyard Law, with unlicensed and unregistered vehicles, discarded metals, camper, and parts of appliances and other debris, which cause a public nuisance and a danger to the safety, health and welfare of the community. The report indicates that the owner was brought to Town Justice Court and found to be in violation and fined for same;
- (c) That the Board of Legislators received the report of the Code Enforcement Officer, with an update presented at the hearing on June 2, 2020, and after hearing, the Board adopts the findings outlined in the Report;
- (d) That a Notice of Hearing was duly served upon the Owner of record by personal delivery, regular and certified mail, and by posting the Notice on the property. In addition, evidence was presented at the hearing that Mr. Farr had email and telephone messages left with the County Attorney and Code Enforcement Officer in which he acknowledged receipt of the documents so served;
- (e) That the Owner failed to appear for the hearing before the Lewis County Board of Legislators on June 2, 2020. After hearing the testimony and considering the documentary evidence presented at the hearing, the Board determined that Mr. Farr would have until sometime in July, 2020 to bring the property into compliance. Upon his failure to do so, the Board seeks to have the items causing violation of the Law to be removed and/or be in compliance with fencing and set back requirements under the Local Law, if possible.
- (f) The Board finds that the history of violations by the owner and the verbal threats of harm and damage leveled by Mr. Farr toward a number of County employees, requires an additional step of directing the County Attorney to initiate an appropriate special proceeding in the Supreme Court, County of Lewis for an Order of access and relief as this Legislative Board sets forth, together with such other and further relief as may be appropriate.

Section 2. That by reason of such findings, it is hereby

ORDERED AND DECREED that Derek J. Farr, the Owner of premises known as Tax Map Parcel No. 230.00-02-07.200, 6948 Wetmore Road, located in the Town of Watson, County of Lewis, State of New York, shall have the property be in compliance with the Junkyard Law by clean up and/or removal of all items and materials causing said violations on said property by July 15, 2020; and it is further

ORDERED AND DECREED, that in the event that the Owner fails or refuses to complete said cleanup and removal of all items causing violations of the law in accordance with this Resolution, the County Attorney is directed to initiate a special proceeding in the Supreme Court, County of Lewis to obtain access to the property by Court Order in order to enable the Code Enforcement Officer and other Departments of the County of Lewis to enter said property to clear and/or remove any items causing such violations, as set forth under Local Law No. 10-2019, together with an Order directing Derek Farr to pay for the costs and expenses of said clean-up of the property and the costs and expenses of the court proceeding; and it is further

ORDERED AND DECREED, that in the event that the County provides for the cleanup and removal of junk items, all of the costs and expenses of same shall be assessed against the land upon which it 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 special ad valorem taxes; and it is further

ORDERED AND DECREED, that in addition to and as an option to the aforesaid actions, the County Attorney is authorized to collect the costs and expenses of the County's clean up of this property by commencement of a special proceeding against the Owner in the Supreme Court, County of Lewis; and it is further

ORDERED AND DECREED that Notice of this Decision and Order shall be given to the Owner by mailing a certified copy of this Resolution by certified mail to the Owner at his last known address according to the real property tax records; by regular mail; by affixing on the property; and by reasonable attempts at personal service.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Osborne, and adopted on the 7th day of July, 2020. Legislator Moroughan abstained.

RESOLUTION NO. 156 – 2020
RESOLUTION TO TRANSFER FUNDS
Coroner

Introduced by Legislator Tom Osborne, Chairman of the Finance & Rules Committee.

BE IT RESOLVED, as follows:

Section 1. That the following transfers take place from Special Legislative Contingency to Coroner's account to provide funding for additional expenses:

<u>From:</u>	<u>Amount</u>
A0101000 419900 Legislative Contingency	\$7,000.00

To:

A0118500 490100 Coroner Prof Services

\$7,000.00

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 157 - 2020
AUTHORIZING THE ADOPTION OF THE
2019 LEWIS COUNTY HAZARD MITIGATION PLAN**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, all jurisdictions within Lewis County have exposure to hazards that increase the risk to life, property, environment, and the County and local economy; and

WHEREAS, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, the Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs, and requires states and local governments to prepare and update HMPs to remain eligible to receive pre-disaster mitigation grants funding; and

WHEREAS, The County, through the Office Emergency Management along with the assistance from its consultant, Tetra Tech, Inc., engaged in extensive outreach efforts and gathered information and participation from all local municipalities in preparing the 2019 Lewis County Hazard Mitigation Plan (HMP) which is in accordance with the Disaster Mitigation Act of 2000;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby adopts in its entirety, the 2019 Lewis County Hazard Mitigation Plan (HMP) as the jurisdiction's official Hazard Mitigation Plan, and resolves to execute the actions identified in the Plan that pertain to this jurisdiction, and resolves to provide an update to the Plan no less than every five years.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute any document required to give effect to this Resolution, pending review by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

JULY 7, 2020

Moved by Legislator Burns , seconded by Legislator Kulzer , and adopted on the 7th day of July, 2020.

RESOLUTION NO. 158 - 2020
RESOLUTION AUTHORIZING ENGINEERING SERVICES AGREEMENT
BETWEEN LEWIS COUNTY HIGHWAY DEPARTMENT AND
BARTON & LOGUIDICE FOR CR 21 OVER GULF STREAM
(PIN 775395; BIN 1039780)

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

WHEREAS, the Lewis County Board of Legislators adopted Resolution No. 140 - 2020 authorizing a Project for the Bridge Replacement on CR 21 over Gulf Stream (PIN 775395; BIN 1039780) in the Town of Pinckney, County of Lewis for the Preliminary Engineering/Design and Right-Of-Way (ROW) Incidentals Phases of the Project; and

WHEREAS, the Lewis County Highway Department (hereinafter “Highway Department”) desires to enter into an Agreement with Barton & Loguidice (hereinafter “B&L”), engineers, planners and landscape architects for the design phase services; and

WHEREAS, in connection with a federal-aid project funded through the New York State Department of Transportation (“NYSDOT”) identified as CR 21 over Gulf Stream, the Lewis County Highway Department desires to have B&L provide engineering services for the Design Phase regarding the bridge replacement project (PIN 775395; BIN 1039780); and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis by and through the Lewis County Highway Department and Barton & Loguidice to provide engineering services for the Design Phase regarding the bridge replacement project identified as CR 21 over Gulf Stream (PIN 775395; BIN 1039780).

Section 2. That the term of this Agreement shall be from May 19, 2020 through December 31, 2021 for an amount not to exceed \$253,000.00 with 80% eligible for Federal funds and 20% non-federal funds.

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

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

Moved by Legislator Burns , seconded by Legislator Kulzer , and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 159 - 2020
RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT NO. 3 TO THE
CONTRACT BETWEEN THE NEW YORK STATE DEPARTMENT OF
TRANSPORTATION (NYSDOT) AND LEWIS COUNTY FOR THE
TRANSPORTATION FEDERAL-AID BRIDGE REPLACEMENT PROJECT
(PIN 775374) KNOWN AS CR 48 (HIGHMARKET ROAD)
OVER NORTH BRANCH SUGAR RIVER**

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

WHEREAS, a Project for the Bridge Replacement known as CR 48 (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, 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 No. 372-2017 adopted October 3, 2017; and

WHEREAS, the Superintendent of Highways received notice from the NYSDOT that the \$344,000 funding for the Design/Construction/Construction Inspection phases of this project will be reallocated among these phases of the project: \$229,000 is now allocated for the Preliminary Engineering/Design and Right Of Way Incidentals Phases and \$115,000 is allocated for the Construction/Construction Inspection phase; and

WHEREAS, in order for the County to receive the full reimbursement for the Design/Construction/Construction Inspection phases, a Supplemental Agreement titled “Supplemental Agreement No. 3 to D035786” must be executed;

NOW, THEREFORE, BE IT RESOLVED, as follows:

JULY 7, 2020

Section 1. That the Lewis County Board of Legislators hereby approves and authorizes the Chairman of the Board of Legislators to execute supplemental agreement No. 3 to D035786 Bridge Project Contract with NYSDOT, for the Design/Construction/Construction Inspection Phases funding for the project.

Section 2. That the Chairman or Vice-Chairman of the Lewis County Board of Legislators 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 Supplemental Agreement No. 3 to D035786, in connection with the Project.

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 7th day of July, 2020.

RESOLUTION NO. 160 - 2020
RESOLUTION AUTHORIZING MODIFICATION TO AGREEMENT WITH
LEWIS COUNTY CHAMBER OF COMMERCE FOR TOURISM SERVICES

Introduced by Legislator Tom Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis (“County”), entered into an Agreement with the Lewis County Chamber of Commerce (“Chamber”), dated December 4, 2019 to provide various services in the promotion of the benefits of recreation, activities, events and tourism in Lewis County throughout 2020, in consideration of the payment of \$65,000.00 from the County for these services; and

WHEREAS, the agreement’s current terms require the Chamber to submit monthly invoices for the services and expenses incurred and provided. In the midst of the pandemic and the Chamber’s lack of funding, the Chamber seeks to modify the terms of the agreement to allow for a lump sum payment of the balance of the 2020 contracted funds, i.e., \$38,784.56, to enable the Chamber to continue to provide the various services in the promotion of Lewis County for recreation, activities, events and tourism. In addition, the request is for the Chamber to submit bi-monthly detailed reports on the activities, efforts and events engaged in by the Chamber in providing the scope of services identified, together with the costs and expenses incurred by the Chamber in such activities, inclusive of a percentage of operational, administrative and equipment costs related to same; and

WHEREAS, the Board of Legislators wishes to authorize this modification to the current agreement, and incorporate said terms in any annual contract going forward;

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a modification Agreement between the County of Lewis and the Lewis County Chamber of Commerce to provide services and activities in the promotion of the benefits of Lewis County recreation and tourism, and the promotion of and creation of Lewis County community events which will promote activities by residents and visitors to Lewis County.

Section 2. That the agreement shall be modified to authorize an immediate lump sum payment to the Chamber for the balance of the funds (\$38,784.56) remaining under the 2020 contract upon its full execution. In addition, the modification agreement shall require the Chamber to provide the County with bi-monthly detailed reports (commencing August 1, 2020) on its activities, efforts and events undertaken in providing the scope of services, together with description of the costs and expenses incurred by the Chamber in such activities, inclusive of a percentage of operational, administrative and equipment costs related to same.

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

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

Moved by Legislator Kulzer, seconded by Legislator Chartrand.

Legislator Chartrand voiced that he had concerns that the Chamber of Commerce was shut down during the last couple months due to the Covid-19 pandemic but Ryan clarified for him that the Chamber has done quite a bit to promote Lewis County despite the pandemic. He went on to ask that the Chamber include reports of their activities not only going forward but back to the beginning of 2020. Chairman Dolhof chimed in that this isn't any additional money given to the Chamber but just the balance of the current contracted amount.

The resolution was then adopted on the 7th day of July, 2020.

**RESOLUTION NO. 161 - 2020
RESOLUTION CALLING ON THE STATE OF NEW YORK
TO RELEASE ENHANCED FEDERAL MEDICAID MATCHING FUNDS
TO COUNTIES AND NEW YORK CITY**

Introduced by Lawrence L. Dolhof, Chairman of the Lewis County Board of Legislators.

WHEREAS, in response to the COVID-19 pandemic, Congress has enacted extraordinary measures to help states and localities with increased costs and lost revenue. A key action enacted by the federal government was a 6.2 percent increase in the federal medical assistance percentage (FMAP); and

JULY 7, 2020

WHEREAS, Congress has used this mechanism to provide fiscal relief to states and their local government Medicaid funding partners to reduce the financial burden they often experience in an economic downturn; and

WHEREAS, we understand the State of New York has already drawn down about \$2.5 billion for the period January 1, 2020 through June 30, 2020; and

WHEREAS, under federal law a portion of these funds are required to be passed through to counties and New York City. The estimated local share of these funds is approximately 20 percent; and

WHEREAS, counties and New York City are struggling with higher costs associated with responding to COVID-19 and experiencing extensive revenue declines due to the shutdown of large swaths of the economy; and

WHEREAS, in addition to mounting losses in local revenues, counties are also expecting significant cuts in state aid. Many counties, including Lewis County, have enacted plans to reduce non-mandated expenses to the degree they can without sacrificing public health and safety; and

WHEREAS, these expense reductions also require a review of the workforce, including potential layoffs; and

WHEREAS, it is projected that each quarter of enhanced FMAP funding is worth hundreds of millions of dollars for counties and New York City; and

WHEREAS, the State has been holding three years of similar enhanced FMAP payments owed to counties and New York City under the Affordable Care Act that are worth hundreds of millions of dollars. Counties understand the State, as well, is experiencing severe fiscal stress and Counties want to work cooperatively with the State to develop a plan on the release of the withheld federal enhanced Medicaid funds due to counties under the Affordable Care Act and future pandemic FMAP increased funding;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators demands that the State immediately release the first quarter of enhanced Medicaid federal matching funds for the pandemic response to Lewis County to provide some partial fiscal relief to the current conditions.

Section 2. That the Lewis County Board of Legislators calls upon the State to provide a timeline to all counties on the release of the enhanced Federal Medicaid Matching Funds related to the Affordable Care Act that have been withheld for years, and the likely mechanism on how these funds will be delivered to counties and New York City.

Section 3. That this Resolution shall take effect immediately.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 4. That the Clerk of the Board is directed to send copies of this Resolution to Governor Andrew M. Cuomo, the New York State Legislature, the New York State Congressional Delegation, the New York State Association of Counties, and all others deemed necessary and appropriate.

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 162 – 2020
STANDARD WORK DAY AND REPORTING RESOLUTION**

Introduced by Legislator Lawrence L. Dolhof, 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	Standard Work Day	Term Begins/Ends	Days/Month
Elected Officials				
County Clerk	Lyle J. Moser	8	01/01/2020 – 12/31/2023	23.54
County Treasurer	Eric Virkler	8	01/01/2020 – 12/31/2023	23.54
District Attorney	Leanne Moser	8	01/01/2020 – 12/31/2023	22.19
Appointed Officials				
Pathologist	Samuel Livingstone, MD	6	01/01/2020 – 12/31/2020	5.19
Elections Specialist	Mindy Lucas	7	03/16/2020 – 12/31/2020	21.67

JULY 7, 2020

Moved by Legislator Burns , seconded by Legislator Kulzer , and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 163 - 2020
RESOLUTION AUTHORIZING A MODIFICATION AND
EXTENSION AGREEMENT BETWEEN
OFFICE FOR THE AGING AND OPEN SKY WELLNESS, LLC**

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee.

WHEREAS, the County of Lewis (“County”), by and through the Office for the Aging (“OFA”), previously entered into an Agreement with Open Sky Wellness, LLC (“Open Sky”), dated January 16, 2020 pursuant to Resolution No. 398-2019 to provide professional nutrition consultant services on behalf of the Lewis County Office for the Aging’s Nutrition Program; and

WHEREAS, the current agreement’s term is to expire December 31, 2020 at a fee of \$38.00 per hour. OFA desires to modify and extend the agreement through December 31, 2022, and adjust the hourly fee rate to \$38.76 commencing September 1, 2020 through December 31, 2020; to \$40.00 per hour commencing January 1, 2021 through December 31, 2021; at to \$44.00 per hour commencing January 1, 2022 through December 31, 2022; Open Sky to provide up to sixteen (16) hours per week professional nutrition and dietician consultant services as authorized and directed by the Director of Office for the Aging; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a modification and extension Agreement between the County of Lewis, by and through the Lewis County Office for the Aging, with Open Sky Wellness, LLC, to provide professional nutrition consultant services on behalf of the Lewis County Office for the Aging’s Nutrition Program.

Section 2. That the term of the Agreement shall be from September 1, 2020 through December 31, 2022, with the following hourly fee rates: \$38.76 per hour commencing September 1, 2020 through December 31, 2020; \$40.00 per hour commencing January 1, 2021 through December 31, 2021; and \$44.00 per hour commencing January 1, 2022 through December 31, 2022; for up to sixteen (16) hours per week of such nutrition consultant services as authorized and directed by the Director of Office for the Aging.

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

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Moved by Legislator LaChausse, seconded by Legislator Moroughan, and adopted on the 7th day of July, 2020. Legislator Dolhof abstained.

**RESOLUTION NO. 164 - 2020
RESOLUTION APPOINTING PLANNING DIRECTOR AND AMENDING LEWIS
COUNTY COMPENSATION PLAN**

Introduced by Legislator Jerry King, Chair of the General Services Committee, and by Legislator Thomas Osborne, Chair of the Finance and Rules Committee.

WHEREAS, the General Services Committee caused the position of Director of the Lewis County Planning Department to be posted. The Committee, along with the Human Resources Director and County Manager reviewed applicant submissions, conducted interviews and recommends the appointment of Casandra Buell, of Lowville, NY, as Director of Planning; and

WHEREAS, the Board of Legislators wishes to make the appointment to that position and amend the Lewis County Compensation Plan;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints Casandra Buell, of Lowville, NY, as Director of the Lewis County Planning Department, at an annual salary of \$67,000.00, effective July 8, 2020.

Section 2. That is resolution shall take effect immediately.

Moved by Legislator Hathway, seconded by Legislator Chartrand, and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 165 - 2020
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PLANNING DEPARTMENT**

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

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Planning Department to:

ABOLISH

STATUS

SALARY

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the County of Lewis applied to the New York State Housing Trust Fund Corporation (HTFC) for Community Development Block Grant (CDBG) funds to finance community housing opportunities and activities; and

WHEREAS, HTFC awarded the County of Lewis \$510,000.00 in Community Block Grant funds for a manufactured housing replacement program (MMHR, designated as CDBG Project No. 636MH353-19; and

WHEREAS, pursuant to prior Resolutions, the Lewis County Board of Legislators authorized the Chairman to execute the Grant agreement for Project No. 636MH353-19; and authorized Snow Belt Housing Company, Inc. to act as the County's sub-recipient to administer the program and funds in accordance with the grant terms and requirements; and

WHEREAS, CDBG environmental regulations require that the County make a determination as to whether the program and project will have a significant impact upon the environment; and

WHEREAS, the Interim Director of Planning, designated as the certifying officer responsible for all activities associated with the CDBG project, in consultation with the Executive Director of Snow Belt Housing Company, Inc., reviewed the environmental review process outlined under the Grant regulations and consider the program to constitute a Type II action as defined by the regulations, and as such, recommend that the Board conclude that the program and project will not have a significant impact upon the environment, and that as a Type II action, no further procedure under SEQRA is required with respect to the Project.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby determines that the Lewis County CDBG manufactured housing replacement project (CDGB Project No. 636MH353-19) constitutes a Type II action as defined by the regulations promulgated under the State Environmental Quality Review Act (SEQRA) of the State of New York, and as such, the regulations specify that such program and project will not have a significant impact upon the environment, and therefore, that no further procedure under SEQRA is required with respect to the Project.

Section 2. The Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal and deliver any forms and documents related and necessary to give effect to this determination, pending approval of the County Attorney.

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

Moved by Legislator Burns , seconded by Legislator Kulzer , and adopted on the 7th day of July, 2020.

JULY 7, 2020

**RESOLUTION NO. 168 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND THE
COUNTY OF LEWIS FOR THE LEWIS COUNTY PUBLIC TRANSPORTATION
SYSTEM TO UTILIZE SECTION 5311 CARES ACT FUNDING**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, Section 5311 of Title 49, United States Code, provides federal financial assistance for public transportation in rural and small urban areas by way of a formula grant program to be administered by the States; and

WHEREAS, the Governor of the State has designated New York State Department of Transportation (“NYSDOT”) to receive and administer federal funds under this Nonurbanized Area Formula Program; and

WHEREAS, NYSDOT is authorized by Section 14 of the Transportation Law to assist in the operation of transportation facilities and services in the State, including mass transit facilities and services; and

WHEREAS, annual Project Applications are submitted to NYSDOT for approval and approved annual Project Applications are included in the State’s annual 5311 program submitted to the Federal Transit Administration for approval for federal financial assistance; and

WHEREAS, Public Law No. 116-136 (3/27/20), authorized temporary additional funding for operating activities related to COVID-19 (CARES ACT FUNDING) that occur on or after January 20, 2020; and

WHEREAS, NYSDOT and the County desire to enter into a continuing agreement (Contract No. 004173) for the receipt by the County of federal operating assistance payments pursuant to said annual Project Applications, provided that such federal funding is made available by the Federal Transit Administration and the State; and

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 enter into a continuing agreement (Contract No. 004173) for the receipt by the County of additional federal operating assistance payments related to COVID-19 pursuant to Public Law No. 116-136 and the annual Project Application process and program for federal assistance.

Section 2. That this is for the contract period commencing January 20, 2020 through December 31, 2022, and is limited to reimbursement of Project Eligible costs actually incurred, but in no event for such costs to exceed \$1,278,734.00.

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 this Resolution shall take effect immediately.

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 169 - 2020
RESOLUTION TO SET PUBLIC HEARING TO OBTAIN COMMUNITY
COMMENT ON THE LEWIS COUNTY MICROENTERPRISE GRANT PROGRAM,
NYS CDBG PROJECT #636ME181-18 ADMINISTERED
BY THE LEWIS COUNTY IDA**

Introduced by Legislator Jerry King, Chairman of the General Services 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 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 purposes and administration; and

WHEREAS, the Board of Legislators duly held a public hearing on the 3rd day of July, 2018 regarding a CDBG application for \$200,000.00 to be administered by the County of Lewis Industrial Development Agency ("IDA"), under the microenterprise program for small business grant activities in Lewis County; and

WHEREAS, in 2018, the County, through the IDA as sub-recipient, received the CDBG award of \$200,000.00 and now seeks to hold the second public hearing to provide residents with the opportunity to offer any comments on the accomplishments and activities pertaining to CDBG project # 636ME181-18: the Microenterprise grant program for small business activities in Lewis County;

NOW, THEREFORE, BE IT RESOLVED, that

Section 1. That the Lewis County Board of Legislators hereby sets a public hearing to be held on August 4, 2020 at 5:00 p.m. at the Lewis County Courthouse, Legislative Chambers, 7660 North State Street, Lowville, New York 13367, to provide residents of Lewis County with the opportunity to offer any comments on the accomplishments of the current CDBG Project # 636ME181-18; the Microenterprise grant program for small business activities in Lewis County.

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 any documents or writings as

JULY 7, 2020

may be necessary to carry out the terms of this Resolution, pending approval by the County Attorney.

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 170 - 2020
RESOLUTION TO APPROPRIATE FUNDS
PUBLIC DEFENDER**

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

BE IT RESOLVED, as follows:

Section 1. That the following appropriation is hereby approved in the Public Defender accounts for the NYS Office of Indigent Services Statewide Grant for the period 4/1/18 through 3/31/23. The entire amount of this Grant for the five-year period is \$2,160,347.43. The amount below is the appropriation for years 1 and 2 of the grant period.

Revenue:

A0117000 330259 Public Defender Grant Statewide \$432,069.48

Expense:

A0117000 494959 Public Defender Grant Statewide \$432,069.48

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 171 - 2020
RESOLUTION APPROVING AGREEMENT BETWEEN LEWIS COUNTY PUBLIC
HEALTH AGENCY AND BIRNIE BUS SERVICE, INC., FOR TRANSPORTATION
SERVICES REQUIRED FOR PRESCHOOL SPECIAL EDUCATION PROGRAM**

Introduced by Legislator Randy LaChausse, Chair of the Health and Human Resources Committee.

WHEREAS, the Lewis County Public Health Agency (LCPH) is tasked with providing transportation services for eligible pre-school special education children, (with County share being 40.5% of costs); and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, agreements between LCPH and Birnie Bus Service, Inc. (Birnie Bus) to provide these transportation services have existed for nearly ten (10) years. In early spring, LCPH sent out a Request for Proposals for entities to bid on providing these transportation services, and received one bid proposal from Birnie Bus; and

WHEREAS, the Board of Legislators wishes to accept such services from Birnie Bus and to authorize a one year contract for same.

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 Public Health Agency and Birnie Bus Service, Inc. to provide transportation services for pre-school special education children eligible for same.

Section 2. That said Agreement shall be for the period of July 1, 2020 through June 30, 2021, based upon the following fee rates:

<u>Rate Per child:</u>	<u>Caravan Style</u>	<u>Type A Yellow Van</u>	<u>Type A Wheelchair Van</u>
1 st Student	\$495.00	\$514.00	\$558.00
Add'l Students	\$ 30.00	\$ 35.00	\$ 35.00
One-Way Trip	\$100.00	\$130.00	\$130.00

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 Burns , seconded by Legislator Kulzer , and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 172 - 2020
RESOLUTION ACCEPTING PERMANENT TRAIL
EASEMENT TO THE COUNTY FOR ITS TRAIL SYSTEM**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis has developed its ATV/OHV trail system by a combination of trails developed from public and private properties; and

WHEREAS, the Director of Recreation, Forestry and Parks secured an access agreement from Gregory E. Grower and Sharon E. Grower, the owners of approximately 158 acres in the Town of Leyden, known as parcel number 402.00-01-9.110, to have access to the property to

JULY 7, 2020

construct, use and maintain designated trails on the property. By Resolution No. 246-2019, the trails on the Grower property were incorporated into the Lewis County ATV/OHV trail system, subject to the landowner's right to terminate access rights; and

WHEREAS, the owners now seek to gift to the County of Lewis, a small portion of the trail on their property as a permanent right of access and use for the County trail system, by granting a permanent easement for same. This Permanent Easement Area shall consist of a portion of the Grower's land 16 feet in width, comprised of approximately 0.54 acres along the north boundary line of parcel number 402.00-01-9.110 (said boundary line shown abutting the property surveyed by William F. Schnell LS on August 1, 2012, on file in the Lewis County Real Property office); and

WHEREAS, the Lewis County Board of Legislators seeks to accept this permanent easement and formally acknowledge Gregory Grower and Sharon Grower for their generosity and support of the Lewis County Trail System by this gifted easement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby gratefully accepts the gift of a permanent easement which shall run with the land, to the County of Lewis, on a portion of the property identified as parcel number 402.00-01-9.110 in the Town of Leyden, from landowners Gregory Grower and Sharon Grower, to be used, repaired, adjusted and maintained by the County's Recreation, Forestry and Parks Department as part of the County ATV/OHV trail system; said easement area identified as that portion of the trail on the Grower property which is approximately 16 feet in width and comprised of approximately 0.54 acres along the north boundary line of parcel number 402.00-01-9.110 (as shown on the survey by William F. Schnell, LS on August 1, 2012, on file in the Lewis County Real Property office).

Section 2. That the easement shall include provision for the County of Lewis to have the right and access to a 16 foot wide strip as described as the easement area for use as an ATV/OHV trail maintained and used by the County under its Lewis County Trail System.

Section 3. That the easement document shall be duly recorded and appropriately indexed with the Lewis County Clerk's Office upon review by the County Attorney.

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 173 - 2020
RESOLUTION REGARDING SEQRA REVIEW OF
NEW TRAIL ADDED TO THE LEWIS COUNTY TRAIL SYSTEM AND
DECLARING NO SIGNIFICANT IMPACT ON APPROXIMATELY .65 MILES OF
CERTAIN PORTIONS OF BURDICK'S CROSSING ROAD (CR 36)**

Introduced by Legislator Jerry King, Chairman of the General Services 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 ("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. 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, pursuant to Local Law No. 2-2009 and upon completion of its SEQRA review, the Board of Legislators formally established the Lewis County Trail System (herein "Trail System"). The Local Law was amended and re-established pursuant to Local Law No. 3-2019, "A LOCAL LAW AMENDING LOCAL LAW NO. 2-2009 AND RE-ESTABLISHING THE LEWIS COUNTY TRAIL SYSTEM"; and

WHEREAS, the Local Law and Statement of Findings provide for making amendments/additions to the Trail System and for amending the GEIS in compliance with a SEQRA review; and

WHEREAS, the Director of Recreation, Forestry and Parks presented the Board of Legislators with a request to add approximately .65 miles of certain portions of Burdick's Crossing Road (CR 36) to the ATV Trail System on the following properties:

- Certain portions of Burdick’s Crossing Road (CR 36), beginning at the intersection of State Route 12 then easterly a distance of approximately .07 miles to the off-road recreational trail on property now owned by Dorothy Dekin (290.00-04-15.000);
- Certain portions of Burdick’s Crossing Road (CR 36), beginning at the Lewis County Off-Road Recreational Trail (290.00-04-17.000), then easterly a distance of approximately .24 miles to the off-road trail on property now owned by Zumean LLC (290.00-04-09.200);
- Certain portions of Burdick’s Crossing Road (CR 36), beginning at the off-road recreational trail on property now owned by Jack Mezey, Jr. (290.00-04-09.111), then easterly a distance of approximately .34 miles to the off-road recreational trail on property now owned by Darren Pominville (290.00-01-03.171).

WHEREAS, by Resolution No. 137-2020, the Board of Legislators adopted Local Law 4-2020 and added the above properties to the Trail System; and

WHEREAS, the Board of Legislators received a report from the Soil and Water Conservation District detailing its investigations and findings with respect to the proposed trail on the above properties, and with the assistance from County staff and counsel, has reviewed the same and compared it with the GEIS and Statement of Findings, determining that there is no significant environmental impact; 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 trail identified, the Board of Legislators hereby finds and determines that:

- a. The Report adequately sets forth the relevant and material facts necessary for the Board of Legislators to make a decision;
- b. The Report adequately describes the consultant’s investigations and analysis as to 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 properties, in the Town of Turin, known as tax map parcels 290.00-04-15.000; 290.00-04-17.000; 290.00-04-09.200; 290.00-04-09.111 and 290.00-01-03.171 to the Lewis County Trail System does not result in a significant environmental impact.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 Burns , seconded by Legislator Kulzer , and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 174 - 2020
RESOLUTION AUTHORIZING SNOWMOBILE TRAILS 2020-2021
GRANT-IN-AID APPLICATION TO THE OFFICE OF PARKS, RECREATION &
HISTORIC PRESERVATION FOR SNOWMOBILE TRAIL MAINTENANCE
EXPENSES IN LEWIS COUNTY**

Introduced by Legislator Jerry King, Chairman of the General Services Committee

WHEREAS, the NYS Office of Parks, Recreation & Historic Preservation (OPRHP) provides grant-in-aid financial assistance in maintaining snowmobile trails included in the statewide trail system upon submission of an application by the Local Sponsor/Authorized Local Official; and

WHEREAS, under this grant program, if funds are sufficient (accumulated in the Statewide Trail Fund based upon projected registrations), the County, as the Local Sponsor Applicant, may receive a sum not to exceed the prorated amount based upon total trail mileage in the County previously established by OPRHP; and

WHEREAS, the funds made available pursuant to the grant are only for expenditures directly related to snowmobile trails approved by OPRHP. Payment of seventy (70%) percent of the total grant aid is advance to the Local Sponsor upon execution and approval of the grant. The balance is paid to the Local Sponsor upon completion of the project to the satisfaction of OPRHP and submission of proper documentation required; and

WHEREAS, the application requires that the authorized Official for the County of Lewis execute the application and certify that grant funds received will be managed and expended in accordance with the applicable laws, regulations and program guidelines for submission to the OPRHP Director of the program;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators authorizes submission of the 2020-2021 Snowmobile Trails Grant-In-Aid Application through the Director of Recreation, Forestry & Parks.

JULY 7, 2020

Section 2. That the Board authorizes the Chairman of the Board to execute the Local Sponsor Signature Form Application for submission to OPRHP. If awarded grant funds, the Board hereby authorizes the Treasurer as the County's Chief Fiscal Officer, to execute the state aid voucher required to receive such funding and to disburse the funds in accordance with the grant program requirements.

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 175 - 2020
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO LORRIE BODWAY)**

Introduced by Lawrence L. Dolhof, Chairperson of the Lewis County Board of Legislators.

WHEREAS, Lorrie Bodway executed a Mortgage in favor of the County of Lewis dated March 25, 2015, and recorded in the Lewis County Clerk's Office on November 30, 2015 as Instrument Number 2015-005769, to secure payment of a loan in the amount of \$15,203.00 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 Burns, seconded by Legislator Kulzer, and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 176 - 2020
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO SARA HOLUB)**

Introduced by Lawrence L. Dolhof, Chairperson of the Lewis County Board of Legislators.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, Sara Holub executed a Mortgage on property in the Town of Croghan in favor of the County of Lewis dated June 26, 2017, and recorded in the Lewis County Clerk's Office on June 4, 2018 as Instrument No. 2018-002726 to secure payment of a loan in the amount of \$33,485.00 pursuant to a program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforementioned Mortgage.

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 177 - 2020
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO LYDIA ROGGIE)**

Introduced by Lawrence L. Dolhof, Chairperson of the Lewis County Board of Legislators.

WHEREAS, Lydia Roggie executed a Mortgage in favor of the County of Lewis dated September 11, 2014, and recorded in the Lewis County Clerk's Office on January 7, 2015 as Instrument Number 2015-000065 to secure payment of a loan in the amount of \$25,000.00 pursuant to a program administered by Snow Belt Housing Company, Inc.; and

WHEREAS, said loan has been paid in full and a Discharge of Mortgage is now warranted.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Lewis County Board of Legislators is hereby authorized and directed to issue and sign a Discharge of Mortgage for the aforementioned Mortgage.

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

JULY 7, 2020

Moved by Legislator Burns , seconded by Legislator Kulzer , and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 178 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Department of Social Services**

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee

BE IT RESOLVED as follows:

Section 1. That the following 2020 budget change be approved in the Department of Social Services accounts for the purchase of various computer equipment with a cost of \$3,000.00, with funding to come from Project HAE Capital Equipment H0990100 499900 balance \$ 88,920.00 :

Increase Revenue:

A0100000 350310 Interfund transfers	\$3,000.00
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Increase Expense:

A0601000 221700 DSS Computer	\$2,750.00
A0601000 440700 DSS Supplies	\$250.00

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

Moved by Legislator Burns , seconded by Legislator Kulzer , and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 179 - 2020
RESOLUTION AUTHORIZING AGREEMENTS
BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND VARIOUS FOSTER CARE AGENCIES**

Introduced by Legislator Randy LaChausse, Chairman of the Health and Human Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to enter into agreements with various foster care agencies to utilize their services of foster care, emergency respite care, post placement, residential, educational and treatment services; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the following agencies are authorized by the New York State Office of Children and Family Services to provide these services.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes agreements between the County of Lewis, by and through the Department of Social Services, and the following agencies for the provision of foster care services, emergency respite care, post placement, and residential, educational and treatment services;

Berkshire Farm Center & Services for Youth – Located in Canaan, NY
Cayuga Home for Children – Located in Auburn, NY
Children’s Home of Jefferson County – Located in Watertown, NY
Elmcrest Children’s Center – Located in Syracuse, NY
Hillside Children’s Home – Located in Rochester, NY
House of the Good Shepherd – Located in Utica NY
St. Anne Institute – Located in Albany, NY
William George Agency – Located in Freeville, NY

Section 2. That the term of these agreements shall be from January 1, 2021 through December 31, 2021 at a per diem cost not to exceed the Maximum Aid Rate established by the State. There is no local share cost until costs exceed the foster care block grant and then the local share is approximately 25% for residential foster care and is based on the eligibility of the client. The State share is approximately 25% and 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 Agreements, pending approval by the County Attorney.

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 180 - 2020
RESOLUTION TO TRANSFER FUNDS
ENTERPRISE VEHICLE LEASES**

Introduced by Legislator Tom Osborne, Chairman of the Finance & Rules Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers are hereby approved in Department Accounts for annual Enterprise vehicle lease payments, utilizing Project HAD Capital Equipment H0990100 499900 balance \$723,415.00:

Increase Revenue:

A0100000 350310 Inter-fund transfers	\$11,474.00
A0601000 336100 DSS State Admin	\$11,474.00
A0601000 346100 DSS Fed Admin	\$22,948.00
A0100000 350310 Inter-fund transfers	\$4,542.00
A0100000 350310 Inter-fund transfers	\$4,375.00
A0100000 350310 Inter-fund transfers	\$17,864.00
A0100000 350310 Inter-fund transfers	\$14,636.00
A0100000 350310 Inter-fund transfers	\$5,788.00
A0100000 350310 Inter-fund transfers	\$7,618.00
A0100000 350310 Inter-fund transfers	<u>\$7,997.00</u>
	\$108,716.00

Increase Expense:

A0601000 223400 DSS Vehicle Lease	\$45,896.00
A0314000 223400 Probation Vehicle Lease	\$4,542.00
A0101000 223400 Legislative Vehicle Lease	\$4,375.00
A0677200 223400 Office For Aging Vehicle Lease	\$17,864.00
A0401300 223400 Public Health Vehicle Lease	\$14,636.00
A0362000 223400 Building Codes Vehicle Lease	\$5,788.00
A0162000 223400 Bldgs & Grnds Vehicle Lease	\$7,618.00
A0661000 223400 Weights and Measures Veh Lease	<u>\$7,997.00</u>
	\$108,716.00

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

Moved by Legislator Burns, seconded by Legislator Kulzer, and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 181 – 2020
RESOLUTION APPOINTING STUDENT REPRESENTATIVES
LEWIS COUNTY YOUTH BUREAU ADVISORY BOARD**

Introduced by Legislator Randy LaChausse, Chairman of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following school student representatives to serve on the Lewis County Youth Bureau Advisory Board:

Ramsey Metzler – Lowville Academy Central School
Lowville, NY 13367

Emma Leigh Reid – South Lewis Central School
Boonville, NY 13309

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the term of said appointments shall be effective July 8, 2020 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 Burns , seconded by Legislator Kulzer , and adopted on the 7th day of July, 2020.

**RESOLUTION NO. 182 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND E. F. JOHNSON
FOR THE IMPLEMENTATION OF PHASE 2 OF THE E911
RADIO EMERGENCY COMMUNICATIONS SYSTEM**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis seeks to enter into an Agreement with E. F. Johnson Company (“E. F. Johnson”), for the implementation of Phase 2 of the E911 Radio Emergency Communications System; and

WHEREAS, E. F. Johnson, the original vendor for the E911 system, has proposed in Phase 2, to provide eighteen (18) ATLAS 4500 UHF Phase 2 Trunk Simulcast Repeaters with power cords, nine (9) ATLAS 8200 Advanced Trunked Site Interfaces (TSNI), which includes services to stage, install and commission system equipment, etc., as set forth in its proposal; and

WHEREAS, the Board of Legislators seeks to authorize and to enter into the Agreement with E. F. Johnson for Phase 2 of the Radio System and support services for the E911 Radio System;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis and E. F. Johnson Company for the implementation of Phase 2 of the E911 Radio Emergency Communications System.

Section 2. Pricing includes E. F. Johnson equipment identified as needed for the successful completion of the project. Services include E. F. Johnson’s Program Services such as internal program management, system and application engineering (includes equipment installation), internal equipment staging and limited ongoing support activities including the first year of equipment warranty. That the cost shall not exceed \$1,328,057.92, and is funded under the Interoperable Communication Radio Grant, with no County share.

JULY 7, 2020

Section 3. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such Agreement, 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 Burns, seconded by Legislator King, and adopted on the 7th day of July, 2020.

OTHER BUSINESS:

At 6:04 p.m. Legislator Burns made a motion to enter attorney client privilege session for discussion on contractual obligations after a 5-minute break, seconded by Legislator Osborne and carried.

At 6:25 p.m. Legislator Osborne made a motion to enter back into regular session, seconded by Legislator Kulzer and carried.

Legislator Burns made a motion to amend the contract with Aktor Corporation by increasing the amount by \$18,900.00 for additional work, seconded by Legislator LaChausse and carried. Legislator Chartrand was opposed.

There being no other business to come before the Board, Legislator Burns made a motion to adjourn the meeting at 6:27 p.m., seconded by Legislator Kulzer and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

REGULAR MEETING

August 4, 2020

The meeting was called to order at 5:00 p.m. by the Chairman of the Board Lawrence Dolhof.

Roll Call: All Legislators were present. There were 38 additional persons present.

Chairman Dolhof offered the Invocation followed by the Pledge of Allegiance to the Flag.

Chairman Dolhof declared the July 7, 2020 meeting minutes approved by general consent.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: Thomas Osborne
Ronald Burns
Ian Gilbert
Gregory Kulzer
Phil Hathway

Dated: August 4, 2020

Legislator Burns made a motion to waive the rules, seconded by Legislator Kulzer, and carried.

At 5:03 p.m. Chairman Dolhof opened up the public hearing on Microenterprise Grant Program, NYS CDBG Project #636ME181-18 and “A Local Law Regulating and Permitting Special Events on County Roads, Trails or Other County Property”.

Lewis County Industrial Development Agency Director Brittany Davis made the following comment regarding the Microenterprise Grant Program, NYS CDBG Project #636ME181-18: In July of 2018, Lewis County Applied for \$200,000 in funding through the Community Development Block Grant Program for the Lewis County Microenterprise Grant Program, and was awarded the grant on December 18, 2018. The first public hearing was held on July 3, 2018, in preparation for the application and a second public hearing is being held today to provide the public with the opportunity to offer any comments on the accomplishments of the grant. The CDBG Program requires two public hearings.

The Lewis County Industrial Development Agency (IDA) was contracted with by the county as the subrecipient of this grant and is the program and grant administrator. The funds are divided, with \$170,000 being used for grants and \$30,000 for program delivery and grant administration.

The primary goal of the program is to provide grants to eligible microenterprises, emerging and existing businesses that want to locate or expand within Lewis County. Grant awards range from \$5,000 to \$35,000 and can be used to purchase inventory, machinery, equipment, furniture, fixtures or working capital for their new or expanding businesses.

In the application, there are specific business priorities for grant awards, which include dairy and value-added processing, tourism-based businesses, and businesses looking to locate in a downtown area. The IDA does review all business applications. In order to qualify for this grant, businesses must meet the following criteria: Must be a for profit business that has five or fewer employees including the owner; Owner must meet low-to-moderate income guidelines or will create at least one full time job to be made available to a low-to-moderate income individual; grants may not exceed 90% of project cost; a minimum of 10% owner equity must be contributed; and an owner must complete the Watertown Small Business Development Center Entrepreneurial Training Course.

All grant applications go through an extensive internal review process before awards are given. All grants are awarded on a reimbursement basis. The Lewis County Microenterprise Grant Program is currently midway, and we are working with current awarded and future applicants to disperse funds by the end of the year.

So far, there have been four grants awarded to Lewis County businesses, with an average grant of approximately \$32,000 each, for items like value added food processing equipment, refrigeration, tables and chairs, kitchen equipment, and even the creation of a cell phone app to assist customers with ordering products. These businesses are located throughout the county, including the Towns of New Bremen, Osceola, Turin, and Village of Lyons Falls. These specific projects will work to provide 5 new jobs, to be made available to low-to-moderate income individuals in Lewis County.

The IDA is anticipating 2 to 3 more applications within the next month or two for new and expanding businesses, which will help to reach the goal of creating 7 new full-time jobs from this program as was stated in our original application. One of the greatest parts of this program is that these are grants, and the business owner does not have to repay. One of the biggest struggles is that it is hard finding businesses that meet the criteria as it is so specific. Also, the amount of time it takes for reporting to the state and requesting funds has not been easy over the past year due to IDA staff transitions. Overall, it is a great program for Lewis County businesses that have qualified, and the IDA looks forward to continuing the work within this program throughout the rest of the year.

PRIVILEGE OF THE FLOOR:

Reverend David Mahayli addressed the board by reciting 10 NYCRR Subpart 66-3: is intended to codify, and assist in the enforcement of, existing Executive Orders mandating face coverings in public. Businesses, building operators and owners must deny entry and/or remove any person who fails to comply with face covering requirements. During a recent visit to the courthouse he noted at least 20 or 30 individuals not wearing face masks and who were in various offices walking around. The bulk of them were members of law enforcement.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Rev. Mahalyi went on to speak about the two lengthy discussions he had with representatives from the NYS Department of Health regarding if Lewis County continues to allow large gatherings of people. Jefferson County had 26 people test positive for the virus after they attended a large gathering. Large gatherings should not take place under any circumstances.

He went on to state his opinion that there is no rule of law or equal justice under the law in Lewis County. He cited a statement that the Sheriff had made that he was underfunded and understaffed to deal with the rampant crime in Lewis County. There are 27,000 residents in the County with three law enforcement agencies. Rev, Mahayli stated that he was relieved to see that the Sheriff had a deputy parked in front of the Lowville Fire Hall for the sole purpose of issuing tickets, although he thought that due to the underfunded and understaffed Department that the Village of Lowville police might have been better suited to handle that location.

The Broome County Sheriff recently made a statement that he considers NYS to be the Wild, Wild West. What he failed to state is that there are law enforcement personnel that wear black hats and until they are willing to address the violation of law within their own ranks the tensions in this country will certainly continue. The law enforcement officers who do abide by the law and believe in equal justice will suffer because of the black hats in their profession.

Rev. Mahayli concluded by stating that he had the opportunity to talk to a number of people over the last month, which he described as the wringing of hands. He explained that each Legislator has before them a resolution that will only take one person to submit the resolution for discussion and then the public will really see which of them believes in the rule of justice and which of them doesn't.

Chairman Dolhof began the employee recognition ceremony by stating that on March 15th, our vision for what we hoped to accomplish this year changed in an instant. Since then, the last six months have been a time of change, and for many, a time of difficulty. I want to start by saying how proud I am of our entire community for coming together during these difficult times. Our business community, our churches, our schools, our health care system – everyone has contributed to making Lewis County one of the safest communities in New York State thus far.

Though we are certainly not out of the woods yet, I think it's appropriate to take a moment to recognize those in our organization, and our community, who have stepped up to make a difference. First, our County Manager will recognize those staff who have gone above and beyond their job duties during the pandemic response. Then, we will read a proclamation thanking the businesses and community organizations that have made significant contributions during the COVID-19 response.

County Manager Ryan Piche stated that today we are recognizing employees who have gone above and beyond in service to their community. But before we get to that, I would like to take a moment to thank the Chairman, and all of the County Legislators for all of your support over the last six months. I can't tell you how proud I am of how our organization responded. From day one, I felt our mission and values were aligned from top to bottom, starting of course, with the Board of Legislators. You have been unwavering in your support of our staff, and unwavering in your advocacy for the people of Lewis County. Thank you.

Public safety is the most important job of government. It is in times like these that local government matters the most. During a pandemic, local services matter, local communication matters - public service really does matter. Almost without exception, every member of the County staff chipped-in to our disaster response. Some, however, did a little bit more. Every employee we will recognize tonight would probably say they were just doing their job – which is true. Showing up during a pandemic is what public servants do. But when you do your job exceptionally well, you deserve to be recognized. And that is what we are here to do tonight.

Building and Grounds: Richard Ross, Cleaner - Throughout the COVID-19 pandemic, it has been critically important that all our county facilities remain open and safe for workers and visitors. Rich came in early and was sure to wipe down every surface in the courthouse, keeping the building clean and safe at all times. Our administrative team worked in complete confidence knowing our workspace was clean and safe thanks to Rich's diligence and attention to detail. Thank you, Rich.

Department of Social Services: Lisa Hurley, Computer Systems Assistant/ LAN Administrator DSS - In mid-March 2020 the County ordered people to go home to reduce office density as a protective factor for employees. It was a chaotic time trying to determine who had basic infrastructure at home such as; access to the internet, who had equipment, who had space; what about kids and spouses? Lisa worked tirelessly getting DSS staff functional to work from home. She had to educate and advocate all at the same time. Imagine the 1,000s of government employees trying to access a State network that was never designed to have people work from home. Without Lisa's determination, diligence and ingenuity DSS could not have continued to provide our mandated services to our community. Thank you, Lisa.

Lisa Hetzner, Staff and Workforce Development - In March when Governor Cuomo declared a State of Emergency everything changed, and the physical health of the county became paramount. The Lewis County Public Health Department quickly identified the need for additional help and called in retired people as well as recruited other county Departments to assist. Lisa stood up immediately and became the sentinel contact at DSS for Public Health. She worked with Public Health to create a call and quarantine system for DSS employees to use. She also was the first person called to assist Public Health and then used what she learned refine our system and educate DSS staff on the process. Jenny and Lisa have the privilege of working together and Lisa was on the phone with very worried county residents, setting them at ease, defining what was safe to do. She also delivered quarantine orders at a time when we were all hesitant and less educated. Lisa's planning and organizational skills were tested, and they worked. Lewis County has a strong depth of contact tracers available at DSS due to Lisa's hard work. Thank you, Lisa.

Ramona Carpenter, Senior Keyboard Specialist - In March when the State of Emergency was declared; OFA, DSS and the Strong Schools Strong Community program ramped up the Volunteer Delivery Program in an effort to keep our most vulnerable citizens out of public venues. Mona quickly engaged in taking phone calls, delivering items those people in need including those in isolation and in quarantine for the Health Department. As time went on Mona became the point of contact person for the program, sent referrals to schools, checked in with the volunteers and managed the day to day function on the DSS end. She should be commended for

stepping up and stepping out of her title and helping her community when most needed. Mona also volunteered to take phone calls to schedule appointments for the DMV 3 days a week during July. Thank you, Mona.

Jenny Jones, Social Services Commissioner - Jenny's experience in human services as well as her familiarity with the Lewis County Community made her an invaluable asset to our COVID response team. Jenny created the volunteer database that delivered meals, supplies, transportation, and PPE to homebound residents of our community. Jenny also coordinated much of our mask collection and distribution effort. She could be found at public health assisting with contact tracing. Jenny is always one step ahead of me, and her efforts are greatly appreciated. Thank you, Jenny.

Emergency Management: Jennifer Maracchion, Assistant - Outstanding efforts in record keeping and inventory control. Working late nights and weekends to insure receipt and dissemination of supplies. Utilizing personal vehicle to transport essential PPE to first responders. Building databases to ensure prompt contact with essential service providers and to propagate ever changing DOH protocols and information. Working with local schools staff and bus drivers to provide masks and sanitizer supplies so schools can seamlessly reopen. Thank you, Jen.

Information Technology: Doug Nagy and Brandon Bassett, Computer Assistants - Without a department head, Doug and Brandon stepped up to help solve the County's unprecedented IT needs. They never missed a day and were integral to keeping the business of the county moving forward, even as people were transitioning out of the workplace, and into their homes. They set up dozens of chrome books, set up a google VPN account for the County, and rewired the board room so it could be used as a make-shift emergency operations center. They set up additional conference call lines, set up a county zoom account, and got every legislator on board for virtual meetings, which might be the biggest accomplishment of all! Thank you, Doug and Brandon.

Office for the Aging: Vicki Meyer, Nutrition Services Coordinator - As the Meals Program Coordinator at OFA, Vicki ensured that older residents of Lewis County remained in good hands throughout the quarantine. She coordinated the abrupt transition necessary when the six congregate meal sites were closed. March through May saw the addition of approximately 125 people to the home delivered meals program. She rolled up her sleeves and worked at meal sites, assisted with meal delivery, managed volunteers, distributed masks, and worked tirelessly from home solving problems. Thank you, Vicki.

Crystal Collette, Director of Office for the Aging - In her first few months on the job, Crystal stepped up to the plate to help coordinate various aspects of the County's response. Crystal helped expand our in-home meal program for seniors and homebound. She coordinated much of our mask collection and distribution effort. She also assisted public health with contact tracing. She also brings a positive energy to our team that just seems to make everyone smile. Thank you, Crystal.

Planning: Sue Kulzer, Sr. Keyboard Specialist - For her dedication to the Planning Department and willingness to exceed her designated duties throughout this pandemic. From the beginning, she was more than willing to work beyond her 7-hour workday, whether she was in the office or at home, to make sure that all tasks were completed. When the situation created less than ideal conditions for much of our department's daily tasks, she strove for nothing less than perfection. With her assistance in grant administration, PPE procurement and management, municipal public meeting coordination and mobility management, the Lewis County Planning Department was able to fulfill and exceed its mission. Thank you, Sue.

Treasurer: Taszden Newton, Deputy Treasurer - From the time the County decreased on site staffing until we re-opened the doors for regular business, Taszden was the steady influence for the Treasurer's office. I do not think she missed a day of work from about mid-March to mid-May. Our department did reduce to 50% staffing to maintain social distancing, but Taszden was here to make sure everything that needed to get done, did get done. And, it was a critical time for preparation for our annual financial audit and submission of our NYS AUD report. Taszden was invaluable to the Treasurer's Department in completing the work for those requirements. Thank you, Taszden.

Public Health: Marcia Ashline, Supervising Public Health Nurse - Marcia has been the lead in case investigation and contact tracing, putting in countless hours ensuring all cases are thoroughly investigated, all contacts are quarantined and all affected parties are well educated in the expectations of them during isolation or quarantine. She has been the sounding board for many questions and concerns. Marcia has brought organization, knowledge, and great leadership to this pandemic response. Her dedication and commitment to quality work has truly made our pandemic response a success. Thank you, Marcia.

Joe Austin, Public Health Planner - Joe has overseen logistics throughout this response. He has done an excellent job ensuring staff have all that is needed for response activities including personal protective equipment, testing supplies, computers, and cleaning supplies, just to name a few. His public health emergency preparedness knowledge has proven to be valuable throughout this response as he has provided a lot of great input to improve processes. Joe has been a monitoring supervisor throughout this pandemic, overseeing and assigning monitoring duties as well as monitoring himself. Joe has worked many long hours in ensuring this response is smooth, his hard work is greatly appreciated and he is the Village of Lowville Fire Chief. Thank you, Joe.

Cathy Dosztan, Service Coordinator for the Early Intervention program and the Children with Special Healthcare Needs Support Program - Cathy jumped to the front lines and immediately asked "What can I do to help?". She has been reassigned COVID duties as a Lead Monitor for positive cases and quarantined contacts. Cathy has now implemented balancing both her Early Intervention world and her COVID world – she works nights and weekends without complaint. She has put her personal life on hold and has prioritized our COVID duties for the greater good of Lewis County. Thank you, Cathy.

Stephanie Houser Fouse, Service Coordinator for the Early Intervention program - She has been working part time the last few years. When COVID entered our world – she quickly

PROCEEDINGS OF THE BOARD OF LEGISLATORS

and selflessly put her part-time status aside and agreed to work full time. She has become a Quarantine Lead Monitor in her new assigned role and maintains daily contact with our positive cases and countless people under quarantine. She selflessly agreed to work nights and weekends without a complaint – always going above and beyond. Even when a family member had a significant medical event – Stephanie kept up her workflow. She now balances her Early Intervention work and her COVID duties without missing a step. Thank you, Stephanie.

Becky Kelly, Children with Special Needs Program Coordinator - Becky has truly embraced a leadership role during this response. She has been a monitoring supervisor from the start, she has trained staff as the guidelines have changed, she has embraced learning all of the intricacies of the new statewide contact tracing computer system and improved many processes as we have moved through this response. Becky has also helped with quarantining and educating individuals who have been exposed to COVID or may have COVID. Becky's eagerness to help right from the start and countless hours she has put into this response are greatly appreciated. Thank you, Becky.

Mary Kimbrell, Nurse - She came out of retirement to not only work full time to assist in COVID response, but she also assumed weekend on-call responsibilities to lighten the load for the other nurses. She has since taken on the responsibility of testing essential employees weekly as well as testing 2 days/week at the hospital's Drive-Thru Clinics. Mary's willingness to help has provided much-needed assistance to the nursing team. Thank you, Mary.

Temperance Lyndaker, Account Clerk - She has been willing to fill the gaps when needed, accepting any new duty assigned, whether it was delivering orders to quarantined individuals, or monitoring quarantined individuals. Temperance has processed hundreds of employee release from quarantine letters, as well as handled many phone calls. Temperance has been flexible with new processes that at times changed daily. She is without a doubt a valued Public Health Team member and we are blessed to have her. Thank you, Temperance.

Lisa Overton, Clerk - She joined the Public Health team in January this year, just in time to begin responding to a pandemic! She has been the calm voice at the other end of 1000s of phone calls, during this pandemic. She has patiently answered & filtered multiple lines each day with speed and efficiency. She has tracked and recorded 1000s of test results into our online data base. Lisa is without a doubt a valued Public Health Team member and we are blessed to have her. Thank you, Lisa.

Aislinn Peck, Nurse - She has worked from day one with the hospital's Call First Clinic to ensure tested individuals are appropriately quarantined while awaiting test results. She has also spent hours data entering case information into the state reporting system, and worked countless hours, many after hours, conducting case investigations, contact tracing, and quarantines, always with a smile on her face and a skip in her step. Thank you, Aislinn.

Anna Platz, Public Health Specialist - Anna has stayed up to date with the latest guidance from the governor's office and the New York State Department of Health which at times changed by the day. She has worked with our local businesses to ensure they have the information they need to keep our community safe. She has taken hundreds of phone calls with

AUGUST 4, 2020

questions and concerns and responded to each with knowledge and empathy. She has also been an integral part of our quarantine team, providing guidance and education to individuals we are quarantining in the community. Anna's latest responsibilities have included answering the many questions we receive around travel and quarantining the returning of travelers. Anna has graciously worked nights and weekends to accommodate the increased workload and share the burden with other team members. Thank you, Anna.

Nikki Reitema, Fiscal Manager - Nikki and her team have been in charge of responder health and safety throughout this pandemic, ensuring all staff took adequate breaks and had enough to eat and drink while working long strenuous hours. Nikki always sends out words of encouragement and has been a key piece in maintaining the positive morale we have at Public Health. Nikki has also been part of our quarantine team and assisted with training and implementation of a new computer system in the midst of a pandemic. Nikki has worked many nights and weekends and her willingness to help, flexibility and strong work ethic is appreciated. Thank you, Nikki.

Ellen Scanlon, Nurse - She has conducted case investigations, contact tracing, and quarantines, all while continuing to educate the community and medical providers on the importance of immunizations and childhood lead testing. She has scheduled many appointments for each program in between fielding calls for COVID, rabies, and everything in between. She has recently participated in COVID testing at the hospital's Drive-Thru Clinics, always willing to work where her skills are needed. Thank you, Ellen.

Sarah Thomson, Administrative Assistant - She saw many changes this year and handled it with grace. She switched from a part time to a full-time schedule at a moment's notice in order to meet the community's need for information during this pandemic. She fielded thousands of phone calls as well as recorded thousands of test results into our online data base. Sarah is a valued Public Health Team member and we are lucky to have her. Thank you, Sarah.

Maryann Vargulick, Nurse - She has conducted case investigations, contact tracing, and quarantines, all while keeping up with rabies reports and other communicable diseases, including coordinating Hepatitis A vaccines for residents associated with an outbreak in a neighboring community. She has worked many late hours to ensure all individuals are reached and investigations are complete before she even thinks of shutting down for the day. Thank you, Maryann.

Angela Wayte, Public Health Specialist - Angela is also the agency's Public Information Officer, this pandemic has proven just how important that role is. Angela has managed all Public Health Messaging and education that has gone out to community members. She has sent 129 press releases, organized and facilitated 24 Facebook Live Sessions, organized and promoted the #Iwearnymasktoprotect campaign, and worked with other community partners around the importance of messaging during this pandemic. Angela has also been part of the monitoring team that monitors individuals who are quarantined on a daily basis. She has sacrificed nights and weekends with her family in order to meet the increased demands this pandemic has brought us. Thank you, Angela.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Melissa Zehr, Senior Account Clerk - As a relatively new employee, she came on board and graciously learned not only her normal duties but also took on extra COVID response duties. She has assisted with data entry into the NYS database, helped to answer phone calls, and has also assisted with monitoring quarantined individuals. She is a valued Public Health Team member and we are lucky to have her.

There are two more people that deserve an extra special recognition. The first is our Director of Emergency Management, Robert Mackenzie III. Bob is dedicated, it is unbelievable the number of hours he has put in and how he is always available when called upon. He is professional, helps ground our team and makes sure we are following the most up to date protocols. He is both humble and effective in the way he communicates with all fire and ambulance agencies in Lewis County. You have truly been unbelievable so thank you, Bob.

The last person being recognized tonight is Public Health Director Ashley Waite. It's hard to even put into words what Ashley has done for this community over the last 6 months. Her intelligence is fierce, she is the one who keeps us grounded in science, but she is also understanding of state politics. She understands that sometimes we have to live in the gray area because that's where we are. She is incredibly effective at her job.

I just want to point out that JCC did a survey in April 2020 asking residents of the North Country what is your satisfaction with, or confidence in, leadership during this pandemic? The Federal Government and Trump Administration: 50% said they had satisfaction or confidence; New York State Government and Cuomo Administration: 60% said they had confidence; The Center for Disease Control: 67% said they had confidence; Jefferson County Public Health: 63%; St. Lawrence County Public Health: 68%; and Lewis County Public Health: 75% of our residents said they had satisfaction or confidence in the Lewis County Public Health Department, that is by far the highest that anyone scored and I think that is because of Ashley and her leadership. Even though being in the spotlight is not her favorite thing she got in front of the camera and told the people what they needed to know about public health and how to keep our community safe. We are very grateful to have her on our team so thank you, Ashley.

Chairman Dolhof thanked everyone on behalf of the Board of Legislators not only for what they did above the call of duty but what they do everyday to keep this place running as efficiently as it does. He then read a proclamation commending local businesses, organizations and residents during COVID-19 pandemic. The public hearing was closed at 5:45 p.m. after no additional comments were made.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The following resolutions were received from Cattaraugus County: A resolution supporting amendment to Electronic Equipment Recycling and Refuse Act; and a resolution opposing Governor Cuomo's Executive Order 202.52 requiring businesses licensed by the State Liquor Authority to serve an alcoholic beverage only if such alcoholic beverage is accompanied by a food item. Fulton County sent a resolution requesting APA to change policy for siting of Telecommunications Towers.

Legislators received correspondence from the following: Brian Patterson of Greig NY, voicing his support of the Second Amendment Sanctuary Law and his concern with the Board's inaction; Stephen Foley of Catskills NY, regarding Governor Cuomo's Executive Order No. 203: NYS Police Reform and Reinvention Collaborative and two suggestions to ban unrelated questioning at routine stops and to ban or greatly limit consent searches; Jacquelyn Prashaw, owner of Rusty P's, voicing her concern about Governor Cuomo's mandates on bars and asking Legislators to stand up for small businesses.

The following was received from Reverend David Mahayli: Lewis County Board of Legislators; Let it be resolved, that other than contractual expenses and obligations the 2021 Lewis County Sheriff Department's budget shall remain at the same amount as the 2020 Lewis County Sheriff Department's budget; Let it be further resolved, should the Sheriff decide to end services provided for in the budget, the board directs the County Manager to remove the funding for those services, including personnel if necessary.

Chairman Dolhof stated that with respect to Rev. Mahaylis' resolution he would refer the matter to both the General Services Committee and the Finance & Rules Committee for further review.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received copies of the Treasurer's July report; the July Highway and Solid Waste Departments audit reports; and minutes of the July Youth Bureau Advisory Board meeting. Real Property Tax Director Candy Akin and County Treasurer Eric Virkler have filed approved applications for 2020 corrected tax rolls for property owners: David H. Sessions; and David H. Sessions & Eva Sessions.

Brian Mooney submitted the June and July Sealer of Weights and Measures activity report which has been placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator Chartrand announced that The Lewis County testing clinics have administered 120 tests to date with zero positive results and will continue to offer free testing to anyone who is interested.

COUNTY MANAGER REPORT:

Ryan reported that the 2019 Audit was received and commended the Treasurer's office for an audit with no findings material or otherwise which is remarkable and speaks to our system here in Lewis County for checks and balances. The auditors will be here in August to present at the Finance & Rules Committee. The 2020 Budget is underway even though there is no new information from the federal or state governments. The situation with Federal Aid has been watched very closely, there have been calls and resolutions to push the Federal Government to act and support local government that have seen revenues plummet. The House of Representatives passed the HEROES bill which would have provided 187.5 billion dollars in aid to local

PROCEEDINGS OF THE BOARD OF LEGISLATORS

governments, however the Senate passed the HEALS act which provides 0 dollars. Not the best news because we are looking for federal assistance. The Governor stated that if there is no federal aid, programs would be cut by 20% but no information has been released about what programs. There are many county governments out there that will be in trouble without some type of federal aid.

COUNTY TREASURER REPORT:

Eric reported that it was good to have the audit completed. It is because of the systems we have in place and the staff in the Treasurer's office. The NYS AUD has been filed and on the state website. The County Tax Auction is still on hold due to the county court system. If possible, it could be held in October but any later and it might be combined with next year. Legislator Kulzer asked if people are still paying on back due taxes to keep their properties and Eric responded that yes there have been people who have paid, and this reduces the number of parcels for the tax auction.

REPORT OF THE FINANCE AND RULES COMMITTEE:

AUGUST 4, 2020

**REPORT OF
FINANCE AND RULES COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

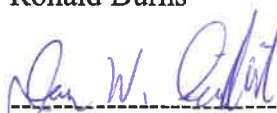
The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 875,374.73 and recommend that they be audited and allowed for the amounts claimed.



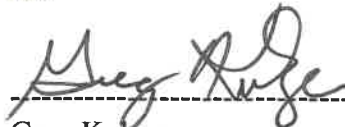
Thomas Osborne Chair



Ronald Burns Vice-Chair



Ian Gilbert Committee



Greg Kulzer Committee



Phil Hathway Committee

Dated: August 4, 2020

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

**RESOLUTION NO. 183 – 2020
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Member of the Finance and Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 875,374.73 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 Burns, seconded by Legislator King, and adopted on the 4th day of August, 2020 by the following roll call vote:

YEAS: Chartrand, Gilbert, Moroughan, Burns, Kulzer, LaChausse, Osborne, Hathway, King, Dolhof

NAYS: None

ABSENT: None

**RESOLUTION NO. 184 - 2020
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 5 – 2020, COUNTY OF LEWIS**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on July 7, 2020, directing that a public hearing be held by said Board on August 4, 2020 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 REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on July 27, 2020, 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

AUGUST 4, 2020

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

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 6-2020), County of Lewis, being "A LOCAL LAW REGULATING AND PERMITTING SPECIAL EVENTS ON COUNTY ROADS, TRAILS OR OTHER COUNTY PROPERTY" be and the same hereby is designated as Local Law No. 5-2020, County of Lewis.

Section 2. That Local Law No. 5-2020, 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 Osborne, and adopted on the 4th day of August, 2020 pursuant to the following roll call vote:

YEAS: Gilbert, Moroughan, Osborne, Hathway, King, Burns, Chartrand, Kulzer, Dolhof

NAYS: LaChausse

ABSENT: None

RESOLUTION NO. 185 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND DEVEINES ENTERPRISES LLC
FOR ACCESS DRIVEWAY REPAIR AT
FIVE (5) LEWIS COUNTY 911 TOWER SITES

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the Lewis County Buildings and Grounds Department recently sent out a Request for Proposal (RFP) to vendors to provide driveway/access road repair at five (5) of the County's 911 Tower sites located in the Towns of Croghan, Leyden, Lyonsdale, Montague, and Turin; and

WHEREAS, pursuant to the terms of the RFP, the County opened the bids duly received on July 20, 2020; and

WHEREAS, the General Services Committee, along with the County Manager and Supervisor of Buildings and Grounds considered the pricing responses in conjunction with the best interests of the County. The Department Head recommends awarding the bid to Deveines Enterprises LLC ("Deveines"), based upon "best value" criteria pursuant to Local Law No. 7-2013 and not the lowest bidder in this instance. Deveines, the second lowest bidder, is a local small business, provides snow removal and plowing at these tower locations, and knows the

PROCEEDINGS OF THE BOARD OF LEGISLATORS

conditions of the driveways/roads to the extent of providing durability, efficiency and quality. The committee supports the recommendation of awarding the bid on the basis of “best value”; and

WHEREAS, the Board of Legislators seeks to award the bid based upon best value criteria and authorize a contract with Deveines Enterprises LLC, of Boonville, NY;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby awards the bid to and authorizes an agreement with Deveines Enterprises LLC, of 3012 State Route 12D, Boonville, NY 13309, based upon best value criteria, to provide driveway/access road repair at the five (5) identified County 911 Tower sites, in accordance with the specifications set forth in the RFP, in consideration of the payment of \$ 45,750.00, to be completed by December 1, 2020.

Section 2. 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 approved by the County Attorney.

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

Moved by Legislator Chartrand , seconded by Legislator Kulzer , and adopted on the 4th day of August, 2020.

**RESOLUTION NO. 186 -2020
RESOLUTION AUTHORIZING A RENEWAL AGREEMENT WITH
J. ARTHUR SEALCOATING & CONTRACTING FOR
SNOW PLOWING AND SANDING OF THE LC-JCC ED CENTER PARKING LOT
FOR THE 2020-2021 SNOW SEASON**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis entered into an Agreement on December 4, 2019 with J. Arthur Sealcoating & Contracting for snow plowing and sanding of the LC-JCC Ed Center Parking Lot for the 2019/2020 snow season; and

WHEREAS, the Board of Legislators desires to authorize a renewal Agreement for the 2020/2021 snow season;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes a renewal agreement with J. Arthur Sealcoating & Contracting, 7550 E. State Street, Lowville, NY, to provide snow plowing and sanding services for the Fall/Winter 2020 – Winter/Spring 2021 snow season for the LC-JCC Ed Center on East Road in the amount of \$6,400.00, with any hauling and dumping of

accumulated snow to be as specifically directed to do so by the Buildings and Grounds Supervisor, at a cost of \$95/hr for the contractor's loader and \$85/hr for his dump truck.

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 terms and provisions as approved by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 4th day of August, 2020.

**RESOLUTION NO. 187 - 2020
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO THE COUNTY CLERK**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules 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 Vehicle to:

<u>ABOLISH</u>	<u>STATUS</u>	<u>SALARY</u>
Clerk	Permanent Part-Time	Grade 7 (\$14.07-\$15.21)
<u>CREATE</u>		
Motor Vehicle Application Examiner	Permanent Full-Time	Grade 15 (\$16.80-\$18.15)

Section 2. That the County Clerk is hereby authorized to fill the Motor Vehicle Application Examiner position effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 4th day of August, 2020.

**RESOLUTION NO. 188 - 2020
RESOLUTION TO TRANSFER FUNDS
Elections**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BE IT RESOLVED as follows:

Section 1. That the following budget transfers are hereby approved in the Elections accounts for new ballot printers. The department has funds available in another account that will be moved to cover the cost.

From:

A0145000 490100 Election Inspectors \$25,000.00

To:

A0145000 450000 Election General Primary \$25,000.00

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

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 4th day of August, 2020.

**RESOLUTION NO. 189 - 2020
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN COUNTY OF LEWIS AND NYS DIVISION
OF HOMELAND SECURITY & EMERGENCY SERVICES
FOR THE FY2020 EMERGENCY MANAGEMENT
COVID-19 SUPPLEMENTAL PROGRAM FUNDING**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis, through the Emergency Management Director has received notification of a FY2020 Emergency Management Performance Grant COVID-19 Supplemental (EMPG-S) program award in the amount of \$10,000.00; and

WHEREAS, funding for this grant is provided by the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA). The New York State Division of Homeland Security and Emergency Services (DHSES) administers this funding on behalf of FEMA for emergency management agencies to prevent, prepare for, and respond to the COVID-19 public health emergency; and

WHEREAS, the Lewis County Board of Legislators seeks to accept the award funding and enter into an agreement for same;

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 NYS Division of Homeland Security and Emergency Management to accept the award of \$10,000.00 for the Lewis County Emergency Management Department under the FY2020 EMPG-S program for COVID-19 related activities.

Section 2. That the term of the performance periods under this supplemental grant funding is from January 27, 2020 through July 31, 2021.

Section 3. That the Director of Lewis County Emergency Management is directed to fill out any and all forms and documents required by DHSES in order for the funds to be delivered.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute said Agreement and any other documents and/or extension/modification agreements required to give effect to this Grant award.

Section 5. That \$10,000.00 shall be appropriated and is hereby approved for the Emergency Management Department to appropriate funds for additional revenue and expenditures related to the Covid 19 pandemic:

Increase Revenue

A0341000 340006 EM FEMA Covid 19 EMPG-S	\$10,000.00
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Increase Expense

A0341000 490905 EM Misc Covid 19	\$10,000.00
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Section 6. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand , seconded by Legislator Kulzer , and adopted on the 4th day of August, 2020.

**RESOLUTION NO. 190 - 2020
RESOLUTION AUTHORIZING BID AWARD AND AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND MJDNY LLC FOR DIESEL FUEL SYSTEM
REPLACEMENT AT COUNTY HIGHWAY GARAGE BUILDING**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the Lewis County Highway Department recently sent out a Request for Proposals (RFP) to qualified vendors to provide Diesel Fuel System Replacement at the County Highway Garage Building located at 7362 East Road, Lowville, NY; and

WHEREAS, pursuant to the procedures set forth in the RFP, on July 15, 2020, the County opened the bids duly received; and

WHEREAS, the General Services Committee, along with the County Manager, Highway Superintendent and contracted engineer reviewed the bid proposals and considered the pricing responses in conjunction with the best interests of the County, and recommend that the lowest bidder, MJDNY LLC dba Docteur Environmental (“Docteur”), located at 33112 NYS Rte 12E,

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Cape Vincent, NY 13618 be awarded the contract for only the base bid being accepted at this time with no add or deduct alternates, in the amount of \$441,900.00 for the services to be provided as outlined in the RFP and addenda thereto; and

WHEREAS, the Board of Legislators seeks to award the bid and authorize a contract with Docteur Environmental in accordance with its bid proposal in response to the County's RFP for base bid outlined services without any add or deduct alternates;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby awards the bid to and authorizes an agreement with MJDNY LLC dba Docteur Environmental located at Cape Vincent, NY 13618 to provide Diesel Fuel System Replacement services at the highway garage building, in accordance with the specifications set forth in the RFP, in consideration of the payment of \$ 441,900.00, and with said project to be completed by November 30, 2020.

Section 2. 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 approved by the County Attorney.

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

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 4th day of August, 2020.

**RESOLUTION NO. 191 - 2020
RESOLUTION TO TRANSFER FUNDS
County Road**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfer take place in the County Road accounts to reflect changes in this year's projects and funding sources given the Covid-19 pandemic. The annual project list has been modified to decrease paving projects and use available funding for equipment purchases and culvert replacement projects. To facilitate these changes, the following budget adjustments are proposed:

Increase:

D0501000 290900 CR Misc Equip	\$637,310.40
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Decrease:

D0515000 495150 Paving Materials	\$637,310.40
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Increase:

D0511000 491040 CR Maint Road items \$200,000.00

Decrease:

D0515000 495150 Paving Materials \$200,000.00

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

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 4th day of August, 2020.

**RESOLUTION NO. 192 - 2020
RESOLUTION TO RESCIND RESOLUTION NO. 138-2020 AND AUTHORIZE AN
AGREEMENT AND FUNDING IN THE FIRST INSTANCE FOR THE
CONSTRUCTION PHASE OF BRIDGE REPLACEMENT PROJECT (PIN 775374)
KNOWN AS CR 48 (HIGHMARKET ROAD)
OVER NORTH BRANCH SUGAR RIVER**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, a Project for the Bridge Replacement known as CR 48 (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 95% federal funds and 5% non-federal funds; and

WHEREAS, the County of Lewis desires to advance the Project by making a commitment of 100% of the Federal (95%) and Non-Federal share (5%) costs of the Construction & Construction Inspection Phases of the Project. These Phases will utilize Surface Transportation Program (STP) funds through the Bridge NY Program, and requires the execution of this Agreement to enable the County to receive reimbursement; and

WHEREAS, the LC Superintendent of Highways was notified that the Construction Phases of this bridge project will utilize Surface Transportation Program (STP) funds through the Bridge NY Program and therefore requires an agreement with NYS DOT under Comptroller's Contract No. D040145 with specific language in the Resolution to be eligible for covered costs; and

WHEREAS, the Lewis County Board of Legislators previously authorized this Bridge NY Local Project Agreement with NYS DOT in order to be in compliance with requirements for eligible costs under the Construction Phases of this bridge Project pursuant to Resolution No. 138-2020. The adopted resolution set forth that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within THREE years of commencing construction. NYS DOT now requires that the agreement and authorizing

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Resolution provide for the Project to begin no later than twenty-four (24) months after award and that the construction phase of the Project be completed within thirty (30) months;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby rescinds Resolution No. 138 -2020.

Section 2. That the Lewis County Board of Legislators hereby approves the above-subject Project and authorizes the Bridge NY Local Project Agreement with NYS DOT under the Construction Phases of the CR 48 (Highmarket Road) over North Branch Sugar River Project, identified as Comptroller’s Contract No. D040145.

Section 3. That the Lewis County Board of Legislators hereby authorizes the Chairman of the Lewis County Board of Legislators, to pay in the first instance 100% of the federal and non-federal share of the cost of the Construction Phases work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds.

Section 4. That the sum of \$1,332,060.00 is hereby appropriated from County general funds, and made available in the Capital Bridge Program to facilitate the funding of costs of participation in the Construction & Construction Inspection Phases of the Project:

Increase Revenues:

H0512000 345970 FEDERAL	\$ 1,265,457.00
H0512000 350310 LOCAL	\$ 66,603.00

Project HAO

Increase Expenses:

H0512000 499900 CAPITAL EXPENSE	\$ 1,332,060.00
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Project HAO

Section 5. That in the event the Project costs not covered by federal-aid, state-aid or NY Bridge funding 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 6. That the Lewis County Board of Legislators hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months.

Section 7. That the Chairman of the Lewis County Board of Legislators, be and hereby is authorized to execute on behalf of the Lewis County Board of Legislators, all necessary Agreements, certifications or reimbursement requests for Federal Aid, and/or State-Aid 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 Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs within appropriations therefore that are not so eligible.

Section 8. 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 9. That the within Resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 4th day of August, 2020.

**RESOLUTION NO. 193 - 2020
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
LEWIS COUNTY GENERAL HOSPITAL**

Introduced by Legislator Richard Chartrand, member of the Lewis County General Hospital Board of Managers.

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:

<u>ABOLISH</u>	<u>STATUS</u>
One (1) Group Practice Administrator	Full-Time
 <u>CREATE</u>	
One (1) Registered Nurse CHHA	Full-Time
One (1) Licensed Practical Nurse CHHA	Part-Time

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 4th day of August, 2020.

**RESOLUTION NO. 194 - 2020
RESOLUTION FIXING DATE OF PUBLIC HEARING ON THE BOARD OF
LEGISLATORS AUTHORIZATION OF THE ISSUANCE OF UP TO \$33,000,000 IN
SERIAL BONDS FOR CONSTRUCTION OF A NEW SURGICAL PAVILION AND
RENOVATIONS TO THE EXISTING MEDICAL UNIT
AT THE LEWIS COUNTY GENERAL HOSPITAL**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, pursuant to Resolution No. 62-2020, the Lewis County Board of Legislators voiced its support in concept to the proposed design and construction of a new surgical pavilion and renovations to the existing medical unit at the Lewis County General Hospital campus located on N. State Street, Lowville, NY, known as the “LCGH New Operating Rooms and Clinic Addition Project”; and

WHEREAS, pursuant to Resolution No. 141-2020, the Lewis County Board of Legislators having reviewed the Full Environmental Assessment Form prepared by the hospital’s engineer, the Board declared a finding of no significant environmental impact for this unlisted action under SEQRA, and declared itself as the lead agency under the SEQRA process; and

WHEREAS, the hospital CEO, CFO, Buildings & Grounds Director, together with the hospital’s professional engineering consultant presented an update on the project status and the projected costs for same at the committee meetings held on July 21, 2020, acknowledging that the funding stream for the project must be designated in order to obtain the “Certificate of Need” status from the NYS DOH; and

WHEREAS, the LCGH executive team seeks to have the Lewis County Board of Legislators confirm its commitment to this project and allow the hospital to submit the Certificate of Need designation to the NYS DOH by the Board authorizing up to \$33,000,000 in serial bonds of the County to finance the project; and

WHEREAS, the Board of Legislators seeks to set a public hearing to receive comment from the residents prior to the Board taking action on the funding for this project;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on September 1, 2020 at 5:00 p.m. at the Lewis County Courthouse, Legislative Chambers, 7660 North State Street, Lowville, New York 13367, to provide residents of Lewis County with the opportunity to offer any comments on the County issuing up to \$33,000,000 in serial bonds in financing the LCGH New Operating Rooms and Clinic Addition Project.

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 Kulzer , and adopted on the 4th day of August, 2020.

AUGUST 4, 2020

**RESOLUTION NO. 195 - 2020
RESOLUTION ADOPTING COMPENSATION POLICY
AND STEP SCHEDULES FOR EXEMPT EMPLOYEES OF LEWIS COUNTY**

Introduced by Randall LaChausse, Chair of the Health & Human Services Committee and Chair of the Ad Hoc Committee for Exempt Employee Compensation.

WHEREAS, the Lewis County Legislative body has worked for some time to develop a comprehensive compensation plan for exempt employees. Exempt employee classifications include Elected Officials (excluding the District Attorney), Appointed Officials, Management Exempt, and Management Confidential employee; and

WHEREAS, commencing in 2016 with the analysis and proposed exempt employee compensation range and grade system proffered by CITEC Business Solutions, four initial concerns identified in the study were highlighted: employees who believed their position was in the wrong grade/band; the establishment of a policy for all supervisors making less than subordinates; addressing specific individual employee salary situation; and establishing a method for the movement within the salary grade/band of a position; and

WHEREAS, the Board continued to wrestle with a management and exempt employee salary plan through the 2020 budget process, prompting the Chairman of the Board to form and appoint an Ad Hoc Committee to study, report and make recommendations on exempt employee compensation; and

WHEREAS, the Ad Hoc Committee has completed its evaluation of exempt employee compensation and submitted a report to the Board of Legislators along with a proposed Exempt Employee Compensation Policy, designed to achieve three major objectives: 1) to provide a system to establish salaries for the County's managerial and confidential employees in a consistent and fair manner, free from favoritism, partiality, or discrimination for improper reasons; 2) to ensure equal salary levels for comparable work determined by an objective point-factor analysis of each job title and prevailing levels of pay for all job titles within the area labor market, as appropriate; and 3) to attract and retain competent managerial personnel; and

WHEREAS, the Committee requests and recommends that the Board of Legislators adopt the attached Exempt Employee Compensation Policy, inclusive of the step and longevity schedules appended thereto.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby accepts and adopts the attached Exempt Employee Compensation Policy, inclusive of the step and longevity schedules appended thereto, as submitted by the Ad Hoc Committee on Exempt Employee Compensation.

Section 2. That this exempt employee compensation policy supersedes and negates any prior management and/or exempt employee compensation/salary grade plan previously adopted by the Board of Legislators.

Section 3. That the County Manager is directed to make adjustments to the exempt employees compensation plans as outlined in this policy, in the preparation of the 2021 County Budget.

Section 4. That this Resolution shall take effect immediately.

Moved by Legislator Chartrand , seconded by Legislator Kulzer , and adopted on the 4th day of August, 2020.

Exempt Employee Compensation Policy

The policy shall establish guidelines for compensation-based decisions related to salary increases, cost of living, and longevity for exempt employees of Lewis County. This policy shall apply to administration, department heads, elected officials, political party appointees, management, and management confidential employees with the exception to the District Attorney.

This plan has been designed to achieve the following major objectives:

1. To provide a system to establish salaries for the County's managerial and confidential employees in a consistent and fair manner, free from favoritism, partiality, or discrimination for improper reasons.
2. To ensure equal salary levels for comparable work as determined by an objective point-factor analysis of each job title and prevailing levels of pay for all job titles within the area labor market, as appropriate.
3. To attract and retain competent managerial personnel.

Annual Salary

All management employees covered by this policy are placed in graded salary schedules which have been adopted by the Board of Legislators as seen in Appendix A, Management Salary Grades, and Appendix C, Management Confidential Salary Grades. Each job title is assigned to a salary grade based upon wage study data as determined by an objective point-factor analysis.

Elected Officials/Political Party Appointed Positions

Salary for elected and political party appointed positions, with exception to the District Attorney whose salary is determined by New York State, will be set by the Board of Legislators by January 1 of an election year, providing candidates timely salary information prior to the opening of petitions. The salary for each position will be determined by using the points assigned to that position.

Step System

The salary plan for the management titles consists of five salary grades, Appendix A. Each salary range includes 13 steps as seen in Appendix B, Management Compensation Plan. Eligibility to move through the steps will be based on a successful performance evaluation completion in each

year. Years 1 – 4 will require an Effective evaluation for an increase each year, Years 5 – 10 will require a Highly Effective evaluation with an increase bi-annually, and Years 11-13 will require an Outstanding evaluation for an increase each year.

New hires, both internal and external, will be able to negotiate their starting salary upon hire which will place them on the step scale accordingly. They will then be eligible for the next step based on meeting the criteria assigned to that step.

The salary plan for the management confidential employees consists of three grades, Appendix C. To mirror their Union counterparts, the steps system includes seven salary steps as seen in Appendix D. Employees are eligible to receive the next step in their grade after receiving an effective or higher rating on the annual performance evaluation.

Step increments can take effect only on the first day of January. An employee must work six months before he/she is eligible to an increment.

Performance Evaluation

Performance evaluations will be given on an annual basis to all employees, with the exception of elected and political appointed officials, using the uniform Employee Performance Evaluation form. Evaluations are to be based on job related performance factors and shall serve as an opportunity to provide an overall assessment of performance from the previous year, including any concerns that were addressed and recognition for accomplishments. The review meeting will allow the employee the chance to provide any input or feedback on their job performance, scope and responsibilities.

The County Manager, supported by the Human Resource Director, will conduct annual performance evaluations of department heads. Each department head, supported by the Human Resource Director, will conduct annual performance evaluations of their management staff. The County Manager, supported by the Chairman of the Board of Legislators, will conduct the annual performance evaluation of the Human Resource Director. The Board of Legislators will conduct the annual performance evaluations of the County Manager, County Attorney, and Clerk of the Board.

Cost of Living

Cost of living adjustment (COLA) for management and management confidential employees is typically tied to the increase set under the CSEA contract but may be set independently by the Board of Legislators to be determined and adopted with the annual budget.

Longevity

All full-time salaried employees, with the exception of elected and politically appointed officials, who have been compensated for full-time and uninterrupted service for the County, shall in addition to their regular compensation schedule, be entitled to an additional increment or increments of \$500 annually effective on the first day of the fiscal year following the completion of 10, 15, 20, 25, 30, and 35 years of service. See Appendix E, Longevity.

If an employee has worked full-time and continuous for at least six months of his/her first year, it shall count as one complete year. Vacation time, sick leave time, and approved leaves of

PROCEEDINGS OF THE BOARD OF LEGISLATORS

absences without pay shall not be considered as interrupted service or as uncompensated service for the purpose of this section.

**RESOLUTION NO. 196 - 2020
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO THE HUMAN RESOURCES
AND COMMUNITY SERVICES DEPARTMENTS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the recent vacancy of the Senior Keyboard Specialist position shared between the Human Resources and Community Services Departments prompted a review of the duties and responsibilities; and

WHEREAS, this review of the duties and responsibilities being performed identified typical work activities which are more appropriately classified as an Administrative Assistant; and

WHEREAS, the review of duties and responsibilities further led to a reallocation of hours per department; and

WHEREAS, the Lewis County Civil Service supports a reclassification;

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 and Community Services Department to:

<u>ABOLISH</u>	<u>STATUS</u>	<u>SALARY</u>
Sr. Keyboard Specialist	M/C Grade III	\$30,576 - \$34,434
HR: 38 hours per pay period (54%)		
CS: 32 hours per pay period (46%)		

<u>CREATE</u>		
Administrative Assistant	M/C Grade III	\$30,576 - \$34,434
HR: 49 hours per pay period (70%)		
CS: 21 hours per pay period (30%)		

Section 2. That the Human Resources and Community Services Directors are hereby authorized to fill the shared Administrative Assistant position effective immediately.

Section 3. That this resolution shall take effect immediately.

AUGUST 4, 2020

Moved by Legislator Chartrand , seconded by Legislator Kulzer , and adopted on the 4th day of August, 2020.

RESOLUTION NO. 197 - 2020
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 Lawrence L. Dolhof, Chairman of the Board of Legislators.

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; and

WHEREAS, 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 periods beginning December 1, 2015 and ending November 30, 2017; and beginning December 1, 2017 and ending November 30, 2020; were amended by Chapter 186 of 2015 and Chapter 61, subpart W of 2017 respectively; and

WHEREAS, a sales tax extender pertaining to the County of Lewis for the additional one percent (1%) rate of sales and compensating use taxes for the period beginning December 1, 2020 and ending November 30, 2023 was included in the Article VII portion of the Transportation Economic and Environmental Conservation budget bill and passed as Senate Bill No. 7508-B; and

WHEREAS, Senate Bill S-7508-B reads: Clause 36 of subparagraph (i) of the opening of section 1210 of the tax law, as amended by section 1 of subpart W of part A of Chapter 61 of the laws of 2017, is amended to read as follows:

(36) the County of Lewis is hereby further authorized and empowered to adopt and amend local laws, ordinances or resolutions imposing such taxes at a rate that is one percent (1%) additional to the three percent (3%) rate for the period ending November 30, 2023;

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 further 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, 2020, and ending November 30, 2023. Such additional taxes shall be identical to the taxes imposed by such sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating or applicable to the administration and collection of the taxes imposed by such sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

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 further amended to read as follows:

(c) With respect to the additional tax of one percent for the period beginning December 1, 2020 and ending November 30, 2023, in respect to the use of property used by the purchaser in this county prior to December 1, 2017.

Section 3. This enactment shall take effect December 1, 2020.

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 4th day of August, 2020.

**RESOLUTION NO. 198 - 2020
RESOLUTION URGING APA TO CHANGE POLICY FOR SITING OF
TELECOMMUNICATIONS TOWERS IN THE ADIRONDACK PARK**

Introduced by Lawrence L. Dolhof, Chairman of the Lewis County Board of Legislators.

WHEREAS, cell phones are an important tool used by emergency response personnel, including forest rangers, police, fire and ambulance services to receive reports of incidents, provide life- saving instructions, and to locate lost or injured people through triangulation or the location feature on their phones; and

WHEREAS, life threatening incidents have occurred in the Adirondack Park during which the lack of cell phone and emergency radio service have led to delays in response, and to worse outcomes for the people involved, including deaths; and

WHEREAS, cell phone service is currently unavailable in many areas of the Adirondack Park, including parts of the Park in the County of Lewis; and

WHEREAS, many communities are now calling for the Adirondack Park Agency (APA) cell tower policy to be amended to promote improved cell phone and emergency radio communications; and

WHEREAS, The Adirondack Local Government Review Board and Adirondack region communities have suggested a more flexible standard for tower siting rather than the current APA Standard of "substantially invisible";

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators urges the APA Board of Directors review and modify its tower policy and adopt "not readily discernible" as the new standard required for siting, and also consider the following incentives and exceptions for specific sites:

- Encourage vertical collocation of carrier's antennas, by offering a height incentive of 10 to 15 feet above the tree height.
- Offer general permits for cell carrier antennas on existing tall structures such as water towers, hotels, ski lift towers, church steeples and on government buildings, provided they meet certain specified conditions.
- Allow cellular service carrier antennas of some height, such as 20 feet above existing structures within the APA Hamlet classification.
- Offer a height bonus of 10 to 20 feet above the tree canopy for new towers serving currently unserved areas.
- Add a requirement to its policy that staff and commissioners ask cell tower applicants for information , including a map, showing how a higher tower would expand coverage and benefit residents and travelers, which would enable APA commissioners to weigh the visibility cost against the public safety benefit.

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

Section 3. That certified copies of this Resolution be forwarded to the Adirondack Park Agency, the Adirondack Local Government Review Board, all counties in the Adirondack Park, NYSAC, and the Inter-County Legislative Committee of the Adirondacks.

Moved by Legislator Chartrand , seconded by Legislator Kulzer , and adopted on the 4th day of August, 2020.

RESOLUTION NO. 199 - 2020
RESOLUTION URGING NEW YORK STATE TO ALLOW FOR FLEXIBILITY IN
EDUCATION PLANS OF LOCAL SCHOOL DISTRICTS FOR REOPENING

Introduced by Legislator Ian Gilbert, District 4 member of the Board of Legislators.

WHEREAS, Lewis County is home to about 4,000 children currently enrolled in local public schools, and many others in private and parochial schools and homeschool co-ops;

WHEREAS, area schools provide an important educational foundation for children, and the interruption of their schooling may have a long-term deleterious effect on the scholastic progress of an entire generation;

WHEREAS, area schools also provide nutrition services, psychological and behavioral development services, and protection and accountability for vulnerable children;

WHEREAS, the negative impacts of continued school closure will be felt most severely by socially and economically disadvantaged families who rely on the public-school system for more than just the educational benefits;

WHEREAS, on June 25, 2020, the American Academy of Pediatrics issued guidance that "strongly advocates that all policy considerations for the coming school year should start with a goal of having students physically present in school.";

WHEREAS, the risk of exposure to COVID-19 by students, staff, and family members, while a very real danger, is one that can never be entirely neutralized, only mitigated through appropriate measures such as masking, daily temperature screening, and social distancing;

NOW, THEREFORE, BE IT RESOLVED, as follows,

Section 1. The State must move with all haste to approve education plans for local schools, or make specific recommendations that can be implemented under the tight timeframe to allow for schooling to commence in accordance with the regular fall schedule and for parents to make fully informed plans in the best interests of their children.

AUGUST 4, 2020

Section 2. State and local officials must consider all relevant factors with respect to reopening, including but not limited to the risks of exposure to COVID-19 and the economic, psychological, and developmental impact of continued closure on children.

Section 3. Given the diversity of New York's schools and regional demographic profiles, the State should entrust the greater share of decision-making authority to school administrators and elected members of the various boards of education, these individuals being in the best position to properly evaluate the risks and best practices for their own particular faculties and students, in addition to the needs of the public.

Section 4. The County of Lewis is determined to provide all available resources and expertise to local schools with respect to testing, distribution of personal protective equipment, and coordination of informational services in the coming school year.

Section 5. That this resolution shall take effect immediately.

Section 6. That the Clerk of the Board is directed to send certified copies of this resolution to NYS Governor Andrew M. Cuomo, NYS Education Department Interim Commissioner Shannon Tahoe, Jefferson-Lewis BOCES Superintendent Stephen Todd, local school district superintendents, and all others deemed necessary and appropriate.

Moved by Legislator King, seconded by Legislator LaChausse.

Legislator Hathway stated that he had forwarded a copy of this proposed resolution to the Superintendent of Harrisville Central School, who was appreciative. Legislator Hathway thanked Legislator Gilbert for putting this together.

Legislator Gilbert stated that after talking with several school personnel he felt it was necessary and clarified that the resources offered in the resolution would be at the same level that have been offered to other local entities.

The resolution was then adopted on the 4th day of August, 2020.

**RESOLUTION NO. 200 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND
BEAVER RIVER CENTRAL SCHOOL DISTRICT
FOR PRESCHOOL SPECIAL EDUCATION
SPEECH LANGUAGE THERAPY SERVICES**

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

WHEREAS, the County of Lewis, by and through the Lewis County Public Health Agency ("County") desires to enter into an agreement with Beaver River Central School District

PROCEEDINGS OF THE BOARD OF LEGISLATORS

(“District”) for the provision of related services to preschool children with a disability residing within the District and attending the District’s preschool program pursuant to Section 4410 of the New York State Education Law and Part 200 of the Regulations of the Commissioner of Education; and

WHEREAS, Section 4410 of the New York State Education Law and Part 200 of the Regulations of the Commissioner of Education of the State of New York authorizes, directs and charges the County to provide payment for related services by a county approved provider to an eligible preschool-aged child with a disability, as recommended by the Committee on Preschool Special Education of the child’s school district, and indicated within the child’s Individualized Educational Plan (“IEP”); and

WHEREAS, approval by the Board of Education from the child’s resident school district, with said services to be provided by the appropriately certified and/or licensed professional(s) consistent with the law and regulations is also required; and

WHEREAS, the County has a scarcity of qualified speech language therapists to meet the needs of all preschool students residing in the County who require said services; and

WHEREAS, the District recognizes the benefit to its school age students to have received speech language services as a preschool child to the extent indicated in the eligible preschool student’s IEP; and

WHEREAS, the District employs speech language therapist(s) certified and/or licensed by the New York State Education Department and is willing to provide speech language therapy to preschool children residing within the District and attending its preschool program in consideration for payment for said services by the County; and

WHEREAS, the Lewis County Board of Legislators seeks to approve and authorize said agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement through Lewis County Public Health Department with the Beaver River Central School District to provide certified and/or licensed speech language therapists and related services for preschool children residing within the District and attending its preschool program for the period beginning July 1, 2020 and ending June 30, 2021, at a cost in accordance with the rates set forth by the New York State Education Department’s Program Services Reimbursement Unit.

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.

AUGUST 4, 2020

Moved by Legislator Chartrand , seconded by Legislator Kulzer , and adopted on the 4th day of August, 2020.

**RESOLUTION NO. 201 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND
HARRISVILLE CENTRAL SCHOOL
FOR PRESCHOOL SPECIAL EDUCATION SERVICES**

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

WHEREAS, pursuant to Section 4410 of the New York State Education Law, Lewis County Public Health is tasked with providing certain Preschool Related Services and Evaluations for children with disabilities defined in the Program; and

WHEREAS, the Commissioner of Education requires a contract between the County and the Agency(s) who will be providing such services under the Program. Lewis County Public Health desires to enter into an agreement with Harrisville Central School to provide these preschool related services; and

WHEREAS, the cost of the program is dependent on the number of children assigned to contracted providers, with rates set and approved by New York State Education Department; and

WHEREAS, the Lewis County Board of Legislators seeks to approve and authorize said agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement with the Harrisville Central School to provide Preschool Special Education related services, special education itinerant teacher (SEIT) and evaluations for preschool children with disabling conditions set forth in Section 4410 of the NYS Education Law, for the period beginning August 1, 2020 and ending June 30, 2021, at a cost in accordance with the rates set forth by the State Education Department dependent on the number of children assigned to contracted providers by the Preschool Municipality Representative and the school district's Committee on Special Education.

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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Moved by Legislator Chartrand , seconded by Legislator Kulzer , and adopted on the 4th day of August, 2020.

**RESOLUTION NO. 202 - 2020
RESOLUTION TO RESCIND RESOLUTION NO. 182-2020 AND
AUTHORIZE AN AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND E. F. JOHNSON
FOR THE IMPLEMENTATION OF PHASE 2 OF THE E911
RADIO EMERGENCY COMMUNICATIONS SYSTEM**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis seeks to enter into an Agreement with E. F. Johnson Company (“E. F. Johnson”), for the implementation of Phase 2 of the E911 Radio Emergency Communications System, for two (2) frequency pairs at all nine (9) towers with the addition of a frequency pair at the Gomer Hill tower site for snowmobile/ATV trails coverage along the back side of the tower site; and

WHEREAS, E. F. Johnson, the original vendor for the E911 system, has submitted a revised quote proposal for Phase 2, to provide eighteen (18) ATLAS 4500 UHF Phase 2 Trunk Simulcast Repeaters with power cords, nine (9) ATLAS 8200 Advanced Trunked Site Interfaces (TSNI), which includes services to stage, install and commission system equipment, etc., as set forth in its proposal, with the addition of the installation of one frequency pair at the Gomer Hill tower site for coverage of snowmobile/ATV trails on the back side of the tower site. This additional feature and service is offered by EF Johnson at a cost of \$159,000.00; and

WHEREAS, at the July meeting, the Board of Legislators authorized an agreement with EF Johnson for implementation of Phase 2 under its original proposal (without the frequency pair at the Gomer tower for snowmobile/ATV coverage), at a cost not to exceed \$1,328,057.92. Under the revised proposal dated July 15, 2020, and additional negotiated discounts, EF Johnson will provide the Phase 2 equipment and services including the installation of the additional one frequency pair at the Gomer Hill tower for coverage of snowmobile/ATV trails, at a total cost of \$1,388,057.92; an increase of \$60,000.00 from the original proposal for this extra service and equipment for the E911 Radio System; and

WHEREAS, the Board of Legislators seeks to rescind Resolution No. 182 - 2020 and authorize an Agreement with E. F. Johnson to provide equipment and services as outlined in its revised proposal for Phase 2 of the E911 Radio System dated July 15, 2020, inclusive of the addition of the installation of one frequency pair at the Gomer Hill tower for snowmobile/ATV trails coverage, for a total cost of \$1,388,057.92;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby rescinds Resolution No. 182 -2020.

Section 2. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis and E. F. Johnson Company for the implementation of Phase 2 equipment and services for the E 911 Radio System as outlined in its Revised Quote Proposal dated July 15, 2020.

Section 3. That the agreement shall provide pricing which includes equipment identified as needed for the successful completion of the project. Services shall include internal program management, system and application engineering (includes equipment installation), internal equipment staging and limited ongoing support activities including the first year of equipment warranty. That the cost, including the additional services for the frequency pair at Gomer Hill for snowmobile/ATV trail coverage along the back of Gomer Hill, shall not exceed \$1,388,057.92. Funding for this contract and services under Phase 2 shall be under the Interoperable Communication Radio Grant, with no County share.

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.

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 4th day of August, 2020.

RESOLUTION NO. 203 - 2020
RESOLUTION AUTHORIZING AN EXTENSION/MODIFICATION AGREEMENT
WITH HARRISVILLE CENTRAL SCHOOL DISTRICT AND THE COUNTY OF
LEWIS, BY AND THROUGH THE LEWIS COUNTY SHERIFF'S DEPARTMENT,
TO PROVIDE A SRO DURING THE 2020/2021 SCHOOL YEAR

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis, on behalf of the Lewis County Sheriff's Department and the Harrisville Central School District (HCSD) entered into an Agreement dated October 3, 2018 to provide HCSD with a School Resource Officer (SRO) during the school term ending June 30, 2019, in consideration of HCSD compensating the County in the amount of \$55,000 toward the annual cost and expense of a Deputy Sheriff so assigned, plus a one-time payment of \$10,000 toward the training costs of a Deputy. The agreement allows for renewal, modification and/or extension of same for additional school year periods upon written agreement; and

WHEREAS, an extension agreement was entered into on September 17, 2019 for the 2019/2020 school term with a School Resource Officer, to cover the period of September 3, 2019 through June 30, 2020, in payment of the sum of \$59,200 for said services; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the HCSD requests an extension of the Agreement to have a Deputy Sheriff assigned as an SRO to HCSD for the 2020/2021 school term; and

WHEREAS, the County seeks to provide the SRO to HCSD for the period on or about September 8, 2020 through June 30, 2021, in consideration of the School District paying to the County the sum of \$60,680 for a Deputy Sheriff to provide SRO services; and

WHEREAS, the Board of Legislators wishes to provide an extension/modification agreement for this SRO service to HCSD in consideration of reimbursement to the County for the aforesaid costs, and for the HCSD to be responsible to reimburse the County for any overtime pay incurred for the SRO during said term;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby approves an Extension/Modification Agreement between the County of Lewis, by and through the Lewis County Sheriff and the Harrisville Central School District to provide for a Deputy Sheriff to serve as the School Resource Officer (SRO) for the period commencing on or about September 8, 2020 through June 30, 2021, at a cost of \$60,680, plus any overtime pay incurred for the SRO during said term, payable by the HCSD to the County toward the compensation expenses of the Deputy Sheriff thereto assigned.

Section 2. That the Chairman of the Board of Legislators, or Vice-Chairman, and the Lewis County Sheriff, are hereby authorized to make, execute, seal and deliver said Extension/Modification 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 Chartrand, seconded by Legislator Kulzer, and adopted on the 4th day of August, 2020.

**RESOLUTION NO. 204 - 2020
RESOLUTION AUTHORIZING EXTENSION AGREEMENT FOR SRO
BY AND BETWEEN THE COUNTY OF LEWIS, ON BEHALF OF THE
LEWIS COUNTY SHERIFF'S DEPARTMENT
AND BOARD OF EDUCATION OF
SOUTH LEWIS CENTRAL SCHOOL DISTRICT**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis, on behalf of the Lewis County Sheriff's Department, and the Board of Education of South Lewis Central School District ("South Lewis") entered into an Agreement dated March 31, 2017 to provide South Lewis with a School Resource Officer ("SRO") during the school term 2017/2018 through school year 2020/2021, pursuant to the four (4) year grant funding awarded to South Lewis for these services. In consideration of South Lewis reimbursing the County the sum of \$58,673 per year toward the costs and expenses of a

AUGUST 4, 2020

Deputy Sheriff, the County and Sheriff agreed to designate a Deputy Sheriff to provide SRO services to South Lewis for the term commencing September 1, 2017 through June 30, 2018, with annual renewals/extensions through school year 2020/2021; and

WHEREAS, an extended agreement was entered into on September 17, 2019 for the 2019/2020 school term with a School Resource Officer, to cover the period of September 3, 2019 through June 30, 2020, in payment of the sum of \$58,673 for said services; and

WHEREAS, the parties seek to extend the agreement to cover the 2020/2021 school term with a School Resource Officer, to cover the period on or about September 8, 2020 through June 30, 2021, in payment of the sum of \$58,673 for said services, plus reimbursement for any overtime pay by the SRO during said term; and

WHEREAS, the Board of Legislators desires to extend the agreement with the Board of Education of South Lewis Central School District for the 2020/2021 school term;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an addendum to extend the term of the agreement for a School Resource Officer for the period on or about September 8, 2020 through June 30, 2021 by and between the County of Lewis, on behalf of the Lewis County Sheriff's Department and the Board of Education of South Lewis Central School District in consideration of South Lewis paying the sum of \$58,673 to the County, plus any overtime pay incurred by said SRO during said term.

Section 2. That the Chairman of the Board of Legislators or the Vice-Chairman and the Lewis County Sheriff be and the same are 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 Chartrand, seconded by Legislator Kulzer, and adopted on the 4th day of August, 2020.

RESOLUTION NO. 205 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE DEPARTMENT OF SOCIAL SERVICES AND
HAND IN HAND EARLY CHILDHOOD CENTER

Introduced by Legislator Randall LaChausse, Chair of the Health & Human 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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with Hand in Hand Early Childhood Center for the period of September 1, 2020 through August 31, 2021 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 2020-2021

Age	5 Days	4 Days	3 Days	2 Days	1 Day
Infant-Pre-K	\$215.25	\$192.00	\$144.00	\$96.00	\$48.00
AM SACC	\$30.00	\$24.00	\$18.00	\$12.00	\$6.00
Afterschool	\$25.00	\$20.00	\$15.00	\$10.00	\$5.00

- AM SACC - In the event of a school closure, rates are \$25.00 if picked up by 11:00 a.m. or \$47.00 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 2020-2021

Class	Tuition
AM/PM Class	\$148.00
Daily Rate	\$33.00
Full Day Care	\$48.00
½ day rate for snow day, ½ day of school	\$15.00

Family Discount

Days Enrolled	Discount
5 full days per week	\$30.00 for second child
4 full days per week	\$25.00 for second child

- There is a one-time registration fee of \$55.00 per child
- A key fob fee of \$7.50 for each fob needed to enter the building

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

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

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 4th day of August, 2020.

AUGUST 4, 2020

**RESOLUTION NO. 206 - 2020
RESOLUTION TO TRANSFER FUNDS
ENTERPRISE VEHICLE LEASE**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers are hereby approved in the Solid Waste accounts for new vehicles under lease through Enterprise. The department has funds available in another account that will be moved to cover the 2020 lease costs.

Increase Expense:

ES 816000 223400 Solid waste vehicle Lease \$4,800.00

Decrease Expense:

ES 816000 470100 Solid waste Oper vehicle repairs \$4,800.00

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

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 4th day of August, 2020.

**RESOLUTION NO. 207 - 2020
RESOLUTION TO APPROPRIATE FUNDS FOR
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Service Committee.

BE IT RESOLVED as follows:

Section 1. That the following funds be appropriated for Program Year 2020 for the period April 1, 2020 – June 30, 2022 for Youth per the Notice of Obligational Authority (NOA), #PY20-1, received June 15, 2020 through the New York State Department of Labor, in the amount of \$72,101.20.

Increase WIOA Revenue:

CD 629300 347910 WIA \$ 72,101.02

Increase WIOA Youth Expense:

CD 629000 110100 Wages \$ 25,000.00
CD 629000 801000 Retirement \$ 2,106.00
CD 629000 803000 FICA \$ 1,600.00
CD 629000 804000 Comp \$ 400.00

PROCEEDINGS OF THE BOARD OF LEGISLATORS

CD 629000 806000 Health	\$ 6,000.00
CD 629000 807000 Dental	\$ 1,000.00
CD 629000 490900 Contractual	\$ 400.00
CD 629000 499900 Misc.	<u>\$ 35,595.02</u>
	\$ 72,101.02

Section 2. That the within shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator Kulzer, and adopted on the 4th day of August, 2020.

**RESOLUTION NO. 208 - 2020
RESOLUTION APPOINTING STUDENT REPRESENTATIVE
LEWIS COUNTY YOUTH BUREAU**

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following high school student representative to serve on the Lewis County Youth Bureau Advisory Board:

Adah Simpson – Beaver River Central School District
Castorland, NY 13620

Section 2. That the term of said appointment shall be effective August 5, 2020 and shall terminate either on the date of her 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 Chartrand, seconded by Legislator Kulzer, and adopted on the 4th day of August, 2020.

**RESOLUTION NO. 209 - 2020
RESOLUTION APPOINTING DIRECTOR OF
INFORMATION TECHNOLOGY**

Introduced by Legislator Thomas Osborne, Chair of the Finance and Rules Committee.

WHEREAS, the Human Resources Director, County Manager and Finance and Rules Legislative Committee members conducted interviews of potential qualified candidates to fill the

AUGUST 4, 2020

open position of Director of Information Technology, and recommend the appointment of Conner J. Biolsi by the Board of Legislators;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Conner J. Biolsi, of Carthage, New York as the Lewis County Director of Information Technology, effective August 31, 2020.

Section 2. That the annual salary for the appointee to this position is hereby established at \$74,285.00.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Hathway , seconded by Legislator Kulzer , and adopted on the 4th day of August, 2020.

OTHER BUSINESS:

The Clerk of the Board read a proclamation commemorating August 2nd through August 8th as Census Week in Lewis County. County Manager Ryan Piche showed a map of Lewis County with each districts number of completed census surveys to date, and asked each Legislator to reach out to their constituents and encourage them to complete the survey so we can reach our goal of at least 75% rate of completion.

Legislator Hathway took a moment to thank Building & Grounds Director Matt O'Connor for putting up the "In God We Trust" lettering in the Legislative Board room.

There being no other business to come before the Board, Legislator Chartrand made a motion to adjourn the meeting at 6:08 p.m., seconded by Legislator Burns and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**REGULAR MEETING
September 1, 2020**

The meeting was called to order at 5:00 p.m. by the Chairman of the Board Lawrence Dolhof.

Roll Call: All Legislators were present. There were 20 additional persons present.

Chairman Dolhof offered the Invocation followed by the Pledge of Allegiance to the Flag.

Chairman Dolhof declared the August 4, 2020 meeting minutes approved by general consent.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: Thomas Osborne
Ronald Burns
Ian Gilbert
Gregory Kulzer
Phil Hathway

Dated: September 1, 2020

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

At 5:02 p.m. Chairman Dolhof opened up the public hearing on Proposed County Bond for Lewis County General Hospital Surgical Building Project.

PRIVILEGE OF THE FLOOR:

Donald Arthur of Lowville, NY came forward and introduced himself as a long-time employee of the hospital. After reviewing the presentations that were given to the Board of Legislators over the last few months, he has some concerns about the information that has been given as being too general, not enough specifics, too many assumptions, and the accuracy of this data. In his opinion the Legislators have not asked all the questions that need to be asked, nor have they been given the answers they need in order to justify moving forward on this project.

He doesn't disagree that the hospital plant as it exists today needs renovations but feels this project as proposed exceeds both the medical needs and financial means of this county. The burden that this project could put on the taxpayers is just too great. He stated that the Critical Access designation given to the hospital in 2014 fits the hospital perfectly by defining that this hospital is for essential services for a rural community. He questions whether this project is addressing the essential needs of this county or exceeding them.

He stated that everyone can see that the financial status of the hospital is favorable right now but questions what has changed because not that long ago the hospital was showing a loss, citing information from 2013, with a total debt to the county of \$5.8 million. Donald went on to question if the recent financial change was due to increased patient volume or improvement to efficiency, instead he explained that it was due to the Critical Access designation which created a windfall of money which the hospital was then eligible for. He had concerns on how tenuous this funding is referring to Senator Schumer's press briefing at the hospital not that long ago with concerns about the designation of Critical Access being removed from the hospital, citing articles stating that Lewis County General Hospital stood to lose \$6 million. Donald asked Legislators to think about how the financial picture of the hospital would change if those funds were to disappear.

Donald questioned the Legislators ability to cite financial statistics from the hospital on patient driven revenue and questioned whether that information has even been provided to them. He went on to question financial statistics that have been reported at Board meetings and the accuracy of them. He feels that there is a fundamental problem with the way the financials are reported and portrayed to the Board of Managers and then to the Board of Legislators, giving the example that monthly reports show either a gain or loss and the yearly reports state a surplus.

Chairman Dolhof politely requested that Donald limit his comments and concerns to 20 minutes to allow time for others to speak. Donald voiced his dismay with limiting his time but reluctantly agreed to do so.

He continued with citing various financial reports from the hospital, showing the lack of explanations on balances. His main concern is the hospitals ability to earn enough income from patient revenue without relying on outside funding through IGT and other state funding. He went on to state his concerns over the idea that our hospital needs to compete with other hospitals for our own Lewis County Residents. He feels that we should only be offering essential services and if residents can go elsewhere for additional services they should.

Legislator Hathway had asked in a previous meeting how the renovation would directly affect physician recruitment, which Jerry Cayer responded that without "a better experience" they just wouldn't come. Donald then asked, "Are we going by the mentality that if we build it they will come?" He then went on to question the ability of the hospital to keep the new physicians once they arrive, referring to the financial packages they might request. He then quoted Senator Schumer as stating in his press relief that the physician services as Lewis County General Hospital practice in a deficit.

Donald concluded by questioning the need for additional OR's stating that he believes there is only one general surgeon and one orthopedic surgeon, therefore they can't be in multiple OR rooms at one time. He feels there are so many questions that are unanswered, and that Legislators need to really look into the ability of the hospital to pay for such a massive project.

Michael Young of Lowville, NY introduced himself as President of the Lewis County Board of Managers. Over the last two years the hospital management has presented a mountain of evidence that supports the proposed project. He feels that without this project the hospital will

PROCEEDINGS OF THE BOARD OF LEGISLATORS

continue to fall even farther behind due to the facility being 19-years-old and the standard being 11. Although he appreciated Mr. Arthur's concerns, he reminded Legislators that you need to look at the whole picture. The hospital is in a sound financial position to take on this project and although there are still certain things that need to be watched like making sure the hospital received the Critical Access designation again, otherwise the whole project will be put on hold.

He pointed out that this is a conservative project and that there have been bigger projects in this community. These are the types of things that need to be done in order to compete and it is important to compete, so we don't continue to lose residents. Mike stated that residents want to be treated here in Lewis County near their families, not at other hospitals. He also explained that there is more than one surgeon and more than one orthopedic surgeon at the hospital. He concluded by stating that this is a good project for this community and hopes the legislators will support it.

John Jones from Beaver Falls, NY introduced himself. He thanked the hospital management team for all the hard work that they have put into this project. He had some questions about the Adult Day Care program. He thought that the project was going to include a new space for them but the recent article in the paper didn't note that. He also questioned the effect that this project would have on the taxpayers. He concluded by stating that he felt this was a well-deserved project.

Donald Arthur stepped forward and voiced his dismay and frustration that he was cut short for the President of the hospital to address the Legislators. Chairman Dolhof responded by stating that the normal protocol is to limit speakers to 5 minutes and that he was awarded 20.

Donald proceeded to explain to Legislators the significance of the Gold Star banner that was given to his mother, who recently had passed away. It was one of her biggest honors to be called a Gold Star Mother for the sacrifice that her son made in Vietnam and that her son's memory lives on. The last Sunday in September is "Gold Star Mother's Day". He asked Legislators to put together a resolution to honor the Gold Star Families in Lewis County.

Chairman Dolhof addressed John Jones and explained that the Privilege of the Floor is not meant as a question and answer time but if he would reach out to Mr. Cayer at the hospital, he would likely receive answers.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Clerk reported the following resolutions were received from Greene County: A resolution opposing Governor Cuomo's Executive Order 202.52 requiring businesses licensed by the State Liquor Authority to serve an alcoholic beverage only if such alcoholic beverage is accompanied by a food item; and a resolution urging Governor Cuomo to sign State Legislative Bill A.9952B/S.7880B to prohibit the incineration of firefighting foam containing per- and poly-Fluoroalkyl substances in Cohoes.

Legislators received correspondence from Scott Connell, Superintendent of Copenhagen Central School District expressing his thanks to the Board of Legislators on their commonsense approach to school re-opening.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

The Clerk reported Legislators received copies of the Treasurer's August report; the August Highway and Solid Waste Departments audit reports; and minutes of the August Youth Bureau Advisory Board meeting

REPORTS OF STANDING COMMITTEES:

Legislator King made a motion to authorize Highway Superintendent Warren Shaw to refill a Mechanic Welder position effective immediately due to resignation, seconded by Legislator Burns, and carried.

Legislator King made a motion to authorize Solid Waste Director Kip Turck to refill a MEO position and all associated backfills effective immediately due to resignation, seconded by Legislator Chartrand, and carried.

Legislator King made a motion to authorize refilling the Highway Superintendent position, due to the impending resignation of Warren Shaw, effective November 27, 2020, seconded by Legislator Kulzer and carried.

Legislator Chartrand announced that the Hospital Employee of the month for July was Bettina Bates, R.N. The Board of Managers has approved a new security camera system for the hospital at a cost not to exceed \$150,000.00 which is coming out of the 2020 capital budget. Steven Lyndaker, MD was appointed as the Lewis County General Hospital Medical Director. The Copenhagen Medical Center building project is moving forward with work to begin in the next month and will be completed by the end of this year. There have been 340 individuals tested at the Covid-19 testing sites with no positive test results so far and the test result turn around time is now down to 5 days. Due to an incident in the Nursing Home there was an MOU put in place with the Lowville Police Department to have an officer at the hospital. Empire Dermatology, which is the new dermatology group at the hospital will be open 2 days a week for patients.

Jerry Cayer, CEO of Lewis County General Hospital reported on the Adult Day Health Care program which has been on hold due to the pandemic. This program is still waiting on guidance from the State, but it looks like if they wanted to resume operations, they would have to reduce their numbers to 5 participants which at this point isn't feasible. There is a need for this program in our community. The renovation project would allow this program to be relocated into the Medical Arts building, where the physician practices are currently, and by closing off the circle driveway it would allow for a much needed outdoor recreation space. The bonding for this project is for 25 years at 2% interest, which is an outstanding rate, making this the right time.

COUNTY MANAGER REPORT:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Ryan reported that last Friday he had met with many of the other county managers throughout the state. According to the Governor there is a \$16 billion budget deficit, but NYSAC is reporting that it is closer to \$8 billion. Many of the third quarter reimbursement payments from the state have been cut by 20% or delayed, some of the aid to schools has been cut as well. If the State is willing to cut aid to schools then they will be more than willing to cut funding for programs like lead prevention and the many other programs the county offers. The savings from school aid and local governments has theoretically brought the \$8 billion deficit down to \$6 billion and the State has taken out a \$5 billion bond which basically closes the gap. If things get worse, they have the ability to borrow up to \$11 billion.

Ryan stated that one of the things he is hearing is that the State may withhold payments until 2022, which is just kicking the can down the road. It is likely that there will be a reduction in state aid in 2021 and the budget needs to reflect that. Departments are being asked to reduce State funding by 20% across the board in their 2021 budget requests. The county receives roughly \$7 million in State funding but even with the 20% cut so far things are balancing out.

Ryan reported that at the September Legislative Committee meeting he will be presenting the 2021 Capital Project & Equipment requests at General Services; State Aid adjustments at Health & Human Services; and 2021 Personnel requests at Finance & Rules. Then the October Legislative Committee meeting will be used for a 2021 Budget workshop where the budget as a whole can be discussed. At the November 3rd Board of Legislators meeting the 2021 Tentative Budget will be presented and from there changes can be made.

The State has passed a bill that will create a Volunteer EMS and Firefighter task force because the State recognizes that there is a huge problem recruiting and retaining these individuals. Ryan concluded that the budget is a problem because of all the uncertainty with the State, however taking a conservative approach should benefit us.

COUNTY TREASURER REPORT:

Eric pointed out the fund balances from his report. The Sales tax Collection data through the second quarter is about 8.5% below last years numbers. The Health Insurance Fund continues to remain healthy with a balance of almost \$6.5 million. Legislator Chartrand asked that at the next Committee meeting there is discussion on this fund balance and the options the county has with it. Eric responded that he will not be present at the September Committee meetings but possibly in October there could be a presentation on a more in depth look at this fund balance.

Chairman Dolhof declared the public hearing closed at 5:46 p.m.

REPORT OF THE FINANCE AND RULES COMMITTEE:

SEPTEMBER 1, 2020

**RESOLUTION NO. 210 – 2020
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$1,557,647.04 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 LaChausse , seconded by Legislator Kulzer , and adopted on the 1st day of September, 2020 by the following roll call vote:

AYES: King, Kulzer, Chartrand, Burns, Hathway, LaChausse, Gilbert, Moroughan, Osborne, Dolhof

NAYS: None

ABSENT: None

**LOCAL LAW (INTRODUCTORY NO. 7 - 2020)
COUNTY OF LEWIS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules 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 2021 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 2021 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 2021 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 2021 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. 211 - 2020
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 7 - 2020), COUNTY OF LEWIS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on September 1, 2020 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 2021 BUDGET.”

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on October 6, 2020 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 on the 1st day of September, 2020.

SEPTEMBER 1, 2020

**RESOLUTION NO. 212 - 2020
RESOLUTION AUTHORIZING MODIFICATION AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND EVANS CAULKING TO PROVIDE ADDITIONAL
WORK ON RETAINING WALL FOR THE OLD COURTHOUSE BUILDING**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis (“County”) previously entered into an Agreement with Evans Caulking dated July 8, 2020, pursuant to Resolution No. 85-2020 for re-pointing of the brick and mortar of the old courthouse building and the public safety building to be completed on or before September 18, 2020; and

WHEREAS, the County desires to modify the agreement to provide additional work at the old courthouse building to repair the retaining wall. The work will consist of removing and replacing all mortar joints, removing and replacing joint sealants at the capstones, caulking the underside of the capstones and patching deteriorated block; and

WHEREAS, the Board of Legislators wishes to accept said modification agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a modification Agreement between the County of Lewis with Evans Caulking to provide additional work to the retaining wall at the old courthouse building as outlined in its proposal, at a cost not to exceed \$8,500.00. This additional work is to be completed on or before September 30, 2020.

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

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

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 213 - 2020
RESOLUTION ADOPTING RETENTION AND DISPOSITION SCHEDULE
FOR NEW YORK LOCAL GOVERNMENT RECORDS (LGS-1)
FOR THE LEWIS COUNTY CLERK**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the State Archives has revised and consolidated its local government records retention and disposition schedules and issued a single, comprehensive retention schedule for all types of local governments on August 1, 2020. The new schedule, Retention and Disposition

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Schedule for New York Local Government Records or LGS-1, will supersede and replace: CO-2 Schedule for use by counties (2006), MU-1 Schedule for use by cities, towns, villages, and fire districts (2003), MI-1 Schedule for use by miscellaneous local governments (2006), and ED-1 Schedule for use by school districts, BOCES, County Vocational Education and Extension Boards, and Teacher Resource and Computer Training Centers (2004); and

WHEREAS, Local governments must adopt LGS-1 prior to utilizing it, even if they adopted and have been using the CO-2, MU-1, MI-1, or ED-1 Schedules. Governing boards of local governments will have a five-month period – between August 1, 2020 when LGS-1 is issued and January 1, 2021 when the four (4) existing schedules expire – to adopt the Schedule by resolution. Local government records may not be legally destroyed after the end of 2020 unless the LGS-1 is formally adopted; and

WHEREAS, the Board of Legislators hereby adopts such Retention and Disposition Schedule for New York Local Government Records;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators adopts the Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records for use by all officers in legally disposing of valueless records listed therein.

Section 2. That in accordance with Article 57-A: (a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein; and (b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

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

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 214 - 2020
RESOLUTION TO TRANSFER FUNDS
County Clerk Department**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2020 budget transfer from Capital Data Processing is hereby approved in the County Clerk accounts for the purchase of various computer equipment; Project HAE Capital Data Processing H0990100 499900 balance of \$ 88,169.00:

Increase Revenue:

A0100000 350310 Interfund transfers \$3,000.00

Increase Expense:

A0141000 221700 Computers \$3,000.00

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

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 215 - 2020
RESOLUTION TO APPROPRIATE FUNDS
District Attorney Department**

Introduced by Legislator Jerry King, Chair of the General Services Committee

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the District Attorney Department accounts to appropriate trust (T0 000873) funds for reimbursement of 2020 DA prosecution expenses:

Increase Revenue:

A0116500 326260 Forfeiture Proceeds \$ 1,635.00

Increase Expense:

A0116500 493600 DA Prosecution Fund \$ 1,635.00

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

Moved by Legislator Kulzer, seconded by Legislator Chartrand, and adopted on the 1st day of September, 2020. Legislator Gilbert abstained.

**RESOLUTION NO. 216 - 2020
RESOLUTION TO TRANSFER FUNDS
District Attorney Department**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BE IT RESOLVED, as follows:

Section 1. That the following 2020 budget transfer from Contingency is hereby approved in the Coroner accounts for increased activity and related expenses:

From:

A0199000 499900 Contingency \$7,840.00

To:

A0118500 490100 Coroner Prof Services \$7,840.00

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

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 217 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Emergency Management Department**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the Emergency Management accounts to appropriate FY2020 NYS Homeland Security Program (SHSP) grant funds for the purchase of various equipment and professional services:

Increase Revenue:

A0341000 330882 Emerg Mgmt SHSP \$52,504.00

Increase Expense:

A0341000 291100 EM Equip SHSP 2020 \$49,453.00

A0341000 490100 SHSP Prof Services \$ 3,051.00

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

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 218 - 2020
RESOLUTION TO TRANSFER FUNDS
County Road Department**

Introduced by Legislator Jerry King, Chair of the General Services committee

BE IT RESOLVED as follows:

Section 1. That the following 2020 budget transfer is hereby approved in the County Road accounts for the net difference of a trade in allowance on the purchase of 2020 equipment.

From:

D0515000 495150 Paving Materials \$4,894.00

To:

D0501000 290900 CR Misc Equipment \$4,894.00

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

Moved by Legislator Chartrand , seconded by Legislator King , and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 219 - 2020
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
LEWIS COUNTY GENERAL HOSPITAL**

Introduced by Legislator Richard Chartrand, Hospital Board of Managers' representative.

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:

ABOLISH:

One (1) Full-time Health Management Transcriptionist at a salary range of \$15.89 - \$20.44 per hour

One (1) Part-time Health Information Management Clerk at a salary range of \$13.46 - \$17.52 per hour.

CREATE:

One (1) Part-time Patient Access Clerk at a salary range of \$14.75 - \$19.48 per hour.

One (1) Full-time Patient Account Clerk at a salary range of \$16.38 - \$21.24 per hour.

One (1) Full-time Health Information Management Coder at a salary range of \$18.57 - \$23.49 per hour.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

One (1) Full-time Health Information Management Clerk at a salary range of \$13.46 - \$17.52 per hour.

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

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 220 – 2020
RESOLUTION APPOINTING MEMBERS TO
LEWIS COUNTY GENERAL HOSPITAL
BOARD OF MANAGERS**

Introduced by Legislator Richard Chartrand, Hospital Board of Managers' representative.

WHEREAS, Donald Musnicki is currently the Vice-President of the Board of Managers', his experience at RBC Wealth Management has given him a deep financial background and calm demeanor allowing him to make informed decisions and give exemplary support to the Hospital; and

WHEREAS, Jennifer Jones is the Social Services Commissioner giving her an overall extensive knowledge of Human Services which allows her to assist with streamlining processes to save time and being a lifelong member of the community has given her a deep appreciation for the Hospital; and

WHEREAS, Susan J. Ross has over 30 years' experience as an employee of the Hospital and has been a lifelong member of the community, which allows her to have a unique viewpoint and incredible enthusiasm for our local Hospital; and

WHEREAS, Board of Managers' President Michael Young has requested that these three individuals serve another term as members of the Board of Managers' and everyone is eager and enthusiastic to do so;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby reappoints the following individuals as members of the Board of Managers of the Lewis County General Hospital:

Donald Musnicki of Watertown, NY 13601
Jennifer L. Jones of Beaver Falls, NY 13305
Susan J. Ross of Lowville, NY 13367

Section 2. That the term of said appointments shall be for a period of five (5) years to commence January 1, 2021 and expire on December 31, 2025.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

RESOLUTION NO. 221 - 2020
RESOLUTION AUTHORIZING THE CONSTRUCTION OF A NEW SURGICAL PAVILION AND RENOVATIONS TO THE EXISTING MEDICAL UNIT AT THE LEWIS COUNTY GENERAL HOSPITAL; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$33,000,000; APPROPRIATING SAID AMOUNT THEREFORE; AND AUTHORIZING THE ISSUANCE OF UP TO \$33,000,000 IN SERIAL BONDS OF THE COUNTY TO FINANCE SAID APPROPRIATION

Introduced by Legislator Thomas Osborne, Chair of the Finance and Rules Committee.

WHEREAS, the Board of Legislators (the “Board”) of Lewis County, New York (the “County”) proposes to authorize the issuance of \$33,000,000 in serial bonds of the County to finance the estimated cost of certain improvements to the Lewis County General Hospital located at 7785 North State Street, Lowville, New York (the “Hospital”), consisting of (i) the construction of an approximately 36,224 square-foot, two-story addition to the Hospital, including four new surgical suites and support areas, clinic, conference room, storage space and loading dock, (ii) the renovation of approximately 18,889 square feet of Medical/Surgical Patient space to provide 25 single bed rooms, and (iii) the construction of a new access road and parking lots (collectively, the “Project”); and

WHEREAS, by Resolution No. 194-2020 adopted by the Board on August 4, 2020, the Board (i) determined that the actions to be undertaken in connection with the Project (collectively, the “Action”) constitute a “Unlisted” action pursuant to the provisions of the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617) (collectively, “SEQRA”), (ii) the Board assumed lead agency status for purposes of conducting a coordinated review of the Action in accordance with SEQRA, and (iii) the Board determined that the Action will not result in any significant adverse environmental impacts and adopted a “Negative Declaration” pursuant to SEQRA with respect thereto; and

WHEREAS, the Board now wishes to approve such public improvements and purposes, appropriate funds therefore and authorize the issuance of the County’s serial bonds or bond anticipation notes to finance said appropriation.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Lewis County Board of Legislators is authorized to undertake the Project, as hereinabove described, and to issue up to \$33,000,000 in serial bonds (including, without

PROCEEDINGS OF THE BOARD OF LEGISLATORS

limitation, statutory Installment bonds) pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the cost of the Project.

Section 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$33,000,000, said amount is hereby appropriated therefore, and the plan for the financing thereof shall consist of (i) the issuance of up to \$33,000,000, in serial bonds of the County authorized to be issued pursuant to Section 1 of this resolution, or bond anticipation notes issued in anticipation of such serial bonds, to finance such appropriation and (ii) the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and bond anticipation notes and the interest thereon as the same shall become due and payable.

Section 3. It is hereby determined that the period of probable usefulness for the aforementioned object or purpose is twenty-five (25) years, pursuant to subdivision 12(a)(1) of paragraph a. of Section 11.00 of the Law.

Section 4. The temporary use of available funds of the County, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The County shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

Section 5. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the real property within the County without legal or constitutional limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Board of Legislators relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Treasurer of

the County, the chief fiscal officer of the County (the “Treasurer”). Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for the object or purpose authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of this Board of Legislators, then the power of the Board of Legislators to determine the “weighted average period of probable usefulness” (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Treasurer, as the chief fiscal officer of the County.

Section 7. The Treasurer of the County is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”) and to designate the bonds authorized by this resolution and any notes issued in anticipating thereof, if applicable, as “qualified tax-exempt obligations” in accordance with Section 265(b)(3)(B)(i) of the Code.

Section 8. The Treasurer is further authorized to enter into continuing disclosure undertakings with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

Section 9. The intent of this resolution is to give the County Treasurer sufficient authority to execute those applications, agreements, instruments, certificates or to do any similar acts necessary or in the opinion of the County Treasurer advisable to effect the issuance of the bonds or bond anticipation notes authorized by this resolution without resorting to further action of the Board of Legislators.

Section 10. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall take effect immediately and the Clerk of the Board of Legislators is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the County for such purpose.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Moved by Legislator Chartrand , seconded by Legislator Gilbert , and adopted on the 1st day of September, 2020 by an affirmative vote of at least two-thirds of all the members of the Board, which resulted as follows:

AYES: Hathway, Burns, Chartrand, Kulzer, Osborne, LaChausse, Gilbert, Moroughan, King, Dolhof

NAYS: None

ABSENT: None

Chairman Dolhof commented that this board has met several times with senior management from the Lewis County General Hospital and have complete confidence in their ability to ascertain whether they have the financial ability to move forward with this. As a business you either invest in your business or it will continue to decline and as previously mentioned now is the time to borrow money to move this forward. If the county wants to continue to have a hospital well into the future it is imperative that this project move forward.

Legislator Chartrand pointed out that the language required for the bonding states that it would be paid from tax payer funds however the consensus from the hospital it that they will have the cash flow to support this project and there will be no cost to the tax payers.

**RESOLUTION NO. 222 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY HUMAN RESOURCES DEPARTMENT AND
MOUNTAIN VIEW PREVENTION SERVICES FOR
EMPLOYEE ASSISTANCE PROGRAM**

Introduced by Legislator Thomas Osborne, Chairman of the Finance & Rules 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 Mountain View Prevention Services (“MVPS”) located at 7714 Number Three Road, Lowville, New York 13367; and

WHEREAS, the purpose of this Agreement is for MVPS 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;

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 Mountain View Prevention Services for the purpose of Employee Assistance Program services for Lewis County employees and their dependents.

Section 2. That this is for the term commencing September 1, 2020 through August 31, 2021, with automatic renewal for successive one year periods unless terminated by the County upon sixty (60) days prior written notice.

Section 3. That the County will pay Mountain View Prevention Services the sum of \$5,670.00, payable quarterly on the last day of the month of each service quarter for Employee Assistance Program services.

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 Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

RESOLUTION NO. 223 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE COUNTY OF LEWIS
AND THE DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY
FOR BROADBAND MAPPING AND INVENTORY IN LEWIS COUNTY

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Development Authority of the North Country (“DANC”), is undertaking a project to inventory and map broadband locations and access in Lewis County. The cost of the project is \$62,000.00; and

WHEREAS, DANC seeks to enter into an agreement with the County of Lewis to provide the inventory and mapping data and reports generated from this project to allow the County to plan infrastructure and targeted expansion in consideration of the County contributing \$31,000.00 to the cost of the project; and

WHEREAS, the County of Lewis wishes to enter into an agreement with DANC to provide this critical data to the County in its continuing commitment to infrastructure expansion for the benefit of Lewis County residents and economic development, and to authorize the payment of \$31,000.00 to DANC for same.

NOW, THEREFORE, BE IT RESOLVED, as follows:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 1. That the Board of Legislators hereby approves an agreement with DANC for the County to pay the sum of \$31,000.00 to DANC toward its costs in the project to inventory and map broadband locations throughout Lewis County in consideration of DANC sharing all such information, reports, data and inventory on broadband in Lewis County with the Board of Legislators.

Section 2. That this agreement is for the period of September 1, 2020 through August 31, 2021.

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 following 2020 budget transfer is hereby approved for Broadband mapping and inventory in Lewis County:

<u>From:</u>	
A0101000 419900 BOL Spec Contingency	\$31,000.00
<u>To:</u>	
A0168000 490100 IT Prof Serv	\$31,000.00

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

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 224 - 2020
RESOLUTION AUTHORIZING UPGRADE PRICE PLAN USER AGREEMENT WITH
VERIZON WIRELESS FOR COUNTY ISSUED CELLPHONES AND OTHER
WIRELESS DEVICES**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis, by and through the Information Technology Department, secured a month to month contract with Verizon Wireless for county-issued cellphones and devices; and

WHEREAS, Verizon seeks to update this account with plan pricing offered through the NYS negotiated Contract plan which will provide the County with provisions including no early term fees, certain free equipment offers, no upgrade or activation fees, and reduced pricing for unlimited minutes and/or data options which will result in annual savings of approximately

\$3,000.00 from the current contract plan. Under the new NYS contract plan, upgrade eligibility will be 24 months as opposed to the current 12 month eligibility; and

WHEREAS, transfer to the NYS Contract pricing plan requires an updated User Agreement; and

WHEREAS, the Board of Legislators wishes to authorize an upgraded agreement for the County's wireless device account with Verizon to the NYS Contract pricing plan and;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an update of the agreement with Verizon Wireless for the county's cellphones and other wireless devices to the newly upgraded NYS Contract pricing plan.

Section 2. That the Director of Information Technology shall manage these devices and account, and be the point person with the Verizon representative for this program on behalf 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 the upgraded price plan user agreement for the NYS Contract pricing retroactive to August 10, 2020, and any modifications or amendments thereto, pending approval by the County Attorney.

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

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

RESOLUTION NO. 225 - 2020
RESOLUTION IN SUPPORT OF LOCAL MUNICIPALITIES ADOPTION OF A
MODEL SOLAR DEVELOPMENT/ZONING LAW AND FOR THE LEWIS COUNTY
PLANNING BOARD TO CONSIDER POTENTIAL COUNTY-WIDE IMPACTS OF
UTILITY SCALE SOLAR ENERGY PROJECTS

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis has been at the forefront of green and renewable energy resources and initiatives in its economic development decisions. Supporting energy independence and renewable energy projects in Lewis County requires consideration of the local and county-wide environmental and visual impacts of utility scale solar projects, especially the impacts upon agricultural land; and

WHEREAS, the Development Authority of the North Country drafted a model Local Law pertaining to the development and regulation of solar energy projects. The Town of New

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Bremen customized the DANC template to fit their local needs and has graciously provided a template of the Law for adoption by other municipalities in Lewis County to balance land use development of utility scale solar projects with preservation of agricultural land and river watersheds; and

WHEREAS, the County is desirous of developing comprehensive siting guidance for solar development in Lewis County which will assist the Lewis County Planning Board in review and consideration of utility scale solar projects and the County-wide impacts of such projects;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby states its support of and recommendation for the Municipal Solar Development Law template developed by the Development Authority of the North County and further customized by the Town of New Bremen, for adoption by all other municipalities in Lewis County.

Section 2. That the Lewis County Board of Legislators calls upon the Lewis County Planning Board to consider utility scale solar projects which come before the Board as having potential County-wide impacts, and to review such proposals in light of the potential impacts on agricultural land, watersheds, and visual impacts in Lewis County.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Burns , seconded by Legislator LaChausse .

Legislator Chartrand stated he originally felt that this was telling farmers what they could and couldn't do with their properties, but it was later pointed out to him that this is guidance on solar development similar to zoning regulations in a municipality. Legislator Hathway agreed that these are just recommendations, not requirements. Legislator King felt the same way that this is a tool to help with solar development and start discussions, allowing the county to look at what the future of solar development here.

Legislator Kulzer appreciated the rewording, making it more of a guidance than a requirement. He doesn't support any form of telling landowners what they can and can't do with their own property. This will give landowners another possible revenue stream for use of their land. Legislator King mentioned that it does give landowners the option of using scrub land over prime land.

The resolution was then adopted on the 1st day of September, 2020. Legislator Gilbert abstained.

**RESOLUTION NO. 226 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
COUNTY OF LEWIS AND NEW YORK STATE OFFICE FOR THE AGING (NYSOFA)**

**FOR THE AGING AND DISABILITY RESOURCE CENTER (ADRC) - COVID-19
SUPPLEMENTAL PROGRAM FUNDING**

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

WHEREAS, the County of Lewis, through the Lewis County Office for the Aging Director has received notification of an ADRC – COVID-19 Grant award in the amount of \$23,069.00; and

WHEREAS, this program is funded under the Coronavirus Preparedness and Response Supplemental Appropriations Act. Funding for this grant is provided by the New York State Office For The Aging (“NYSOFA”) through NY Connects and has no county match required; and

WHEREAS, the Lewis County Board of Legislators seeks to accept the award funding and enter into an agreement for same;

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 New York State Office For The Aging to accept the award of \$23,069.00 for the Lewis County Office for the Aging Department under the ADRC – COVID-19 grant award.

Section 2. That the term of the performance period under this supplemental grant funding is from April 1, 2020 through September 30, 2021.

Section 3. That the Director of Lewis County Office for the Aging is directed to complete any and all forms and documents required by NYSOFA in order for the funds to be delivered.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute said Agreement and any other documents and/or extension/modification agreements required to give effect to this Grant award.

Section 5. That the following budget appropriation is hereby approved in the Office for the Aging accounts to appropriate ADRC - Covid-19 grant funds for additional expenditures related to the pandemic:

Increase Revenue:

A0677200 337706 OFA NY Connects Covid 19 \$23,069.00

Increase Expense:

A0677200 490906 ADRC – Covid 19 \$23,069.00

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

RESOLUTION NO. 227 - 2020
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND THE FLACK BROADCASTING GROUP, LLC
FOR LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM
RADIO STATION ADVERTISING CAMPAIGN

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis, acting by and through the Lewis County 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; and

WHEREAS, the advertisements will consist of 192 thirty second commercials, (16 spots per month) for the term commencing January 1, 2021 through December 31, 2021.

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 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 \$2,000.00, shall include 192 thirty second commercials, (16 spots per month) for the term commencing January 1, 2021 through December 31, 2021.

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 Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 228 - 2020
RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE
AGREEMENTS BETWEEN THE COUNTY OF LEWIS
AND ENTITIES SEEKING TO LEASE ADVERTISING SPACE
ON THE LEWIS COUNTY PUBLIC TRANSPORTATION BUSES
AND BUS STOP SHELTERS**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, Lewis County Public Transportation offers annual leasing space on the exterior and interior of its County-owned buses and bus stop shelters at annual rates. There are presently a total of twenty-two (22) advertising opportunities among the four (4) buses and one (1) bus stop shelter, including curb-side, street-side, rear showcase options, interior showcase options, and bus stop shelter advertising box as indicated herein; and

QUANTITY	LEASING SPACE	RATE
1	18" x 60" Curb-side or Street-side	\$480.00
2+	18" x 60" Curb-side or Street-side	\$400.00 for each additional sign
1	15" x 50" Curb-side	\$480.00
2+	15" x 50" Curb-side	\$400.00 for each additional sign
1	12" x 22" Rear Showcase	\$360.00
1	10" x 20" Rear Showcase	\$360.00
2+	12" x 22" and/or 10" x 20" Rear Showcase	\$300.00 for each additional sign
1	10.25" x 30" Interior Showcase	\$360.00
2+	10.25" x 30" Interior Showcase	\$300.00 for each additional sign
1	44" x 60" Bus Shelter Advertising Box (DSS)	\$250.00

WHEREAS, the County of Lewis, acting by and through the Lewis County Planning Department seeks to have the Chairman of the Board execute any and all agreements with entities who purchase annual advertising space on a Lewis County Public Transportation bus or bus stop shelter; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the Chairman of the Board to execute any and all annual agreements between the County of Lewis, acting by and through the Lewis County Planning Department and entities who lease advertising space on a Lewis County Public Transportation bus or bus stop shelter in accordance with the described space and annual rental fee schedule set forth above.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 Agreements 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 Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 229 - 2020
RESOLUTION AUTHORIZING RENEWAL AGREEMENTS BETWEEN
THE COUNTY OF LEWIS AND SPECTRUM REACH
FOR A MOBILE DIGITAL AUDIENCE NETWORK CAMPAIGN AND
A CABLE TV COMMERCIAL AD CAMPAIGN**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis, acting by and through the Lewis County Planning Department desires to enter into renewal Agreements with Spectrum Reach for a Mobile Digital Audience Network campaign and cable TV commercials, designed to serve and promote public transportation services throughout Lewis County; and

WHEREAS, the Mobile Digital Audience Network campaign will display banners on digital devices and use Lowville Academy Central School, Jefferson Community College, Mohawk Valley Community College and SUNY POLY as geographic target areas. The cable TV commercial ads campaign includes commercial development, 510 spots on E!, 60 spots on the Hallmark Channel, 120 spots on the History Channel, 543 spots on Spectrum News, and 512 spots on TLC over a twelve (12) month period; all of the above to promote Lewis County Public Transportation; and

WHEREAS, the Board of Legislators wishes to enter into the renewal Agreements;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the renewal Agreements between the County of Lewis, acting by and through the Lewis County Planning Department, and Spectrum Reach for a Digital Audience Network campaign and for cable TV commercial ads designed to serve and promote public transportation services throughout Lewis County.

Section 2. That the advertising plan and schedule will run from January 1, 2021 through December 31, 2021 for both campaigns. The cost for the Mobile Digital Audience Network campaign is not to exceed \$3,600.00; and the cable TV commercial ads campaign is not to exceed \$5,102.00.

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 Agreements 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 Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

RESOLUTION NO. 230 - 2020
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND WWNY 7 NEWS / FOX 28
FOR THE LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM
ADVERTISING CAMPAIGN

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis, acting by and through the Lewis County Planning Department desires to enter into a renewal 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 315 commercials on ME TV (Super Hero / Sci Fi) television stations. Due to the current situation and uncertainty of sport seasons, commercials will be placed on future specials and sporting events, for a total of at least 657 commercials. This also includes digital platforms consisting of banner advertisements on www.wwnytv.com mobile application that will link to Lewis County Public Transportation FaceBook page, at a total cost not to exceed \$20,853.00; and

WHEREAS, the Board of Legislators wishes to enter into the renewal 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 Planning Department, and WWNY 7 News / Fox 28 for an integrated media plan designed to promote and serve the Lewis County Public Transportation System.

Section 2. That the advertising plan and schedule will run from January 1, 2021 through December 31, 2021, with at least 657 commercials and banner advertisements on www.wwnytv.com mobile application that will link to Lewis County Public Transportation FaceBook page, all as set forth in the advertising summary proposal, at a total cost not to exceed \$20,853.00.

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 Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 231 - 2020
RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND WWTI – WATERTOWN ABC 50
FOR THE LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM
ADVERTISING CAMPAIGN**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis, acting by and through the Lewis County Planning Department desires to enter into an Agreement with WWTI-Watertown ABC 50 for an integrated media plan designed to serve and promote public transportation services throughout Lewis County; and

WHEREAS, the advertising includes at least forty (40) thirty second commercials per month, which include twenty (20) on ABC 50 and twenty (20) on The North Country CW. This also includes digital display advertising on InformNNY.com, at a total cost not to exceed \$9,468.00, with the ability to cancel service with thirty (30) days' notice; 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 Planning Department, and WWTI ABC 50 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, 2021 through December 31, 2021, with at least forty (40) thirty second commercials per month, which include twenty (20) on ABC 50 and twenty (20) on The North Country CW. This also includes digital display advertising on InformNNY.com at a total cost not to exceed \$9,468.00, and with the ability to cancel service with thirty (30) days' notice.

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 Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 232 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Probation Department**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the STOP-DWI accounts to appropriate State grant funds for 2020 “Crackdown” expenses:

Increase Revenue:

A0331500 333110 Traffic Safety Grant \$14,972.00

Increase Expense:

A0331500 492400 DWI Safety Grant \$14,972.00

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

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 233 – 2020
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PUBLIC HEALTH**

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

BE IT RESOLVED, as follows:

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

<u>ABOLISH</u>	<u>STATUS</u>	<u>SALARY</u>
Administrative Assistant \$18.15/hr.)	Permanent Part-Time (28 hours/week)	Grade 15 (\$16.80-

PROCEEDINGS OF THE BOARD OF LEGISLATORS

<u>CREATE</u>	<u>STATUS</u>	<u>SALARY</u>
Administrative Assistant \$18.15/hr.)	Permanent Full-Time (35 hours/week)	Grade 15 (\$16.80-

Section 2. That Public Health Director is hereby authorized to fill said position effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 234 - 2020
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO PUBLIC HEALTH**

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

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

<u>CREATE</u>	<u>STATUS</u>	<u>SALARY</u>
Public Health Nurse (PHN) \$32.90)	Permanent Full-Time	Grade 35 (\$29.21 -

Section 2. That Public Health Director is hereby authorized to fill said position effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

RESOLUTION NO. 235 - 2020
RESOLUTION APPROVING GRANT AWARDS AND AGREEMENTS BETWEEN
LEWIS COUNTY PUBLIC HEALTH AND HEALTH RESEARCH, INC. (HRI) UNDER
COVID-19 LOCAL HEALTH DEPARTMENT ALLOCATIONS

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

WHEREAS, New York State has provided COVID-19 grant funding for the Lewis County Public Health Department, through its administrator, Health Research, Inc. (“HRI”), a domestic not for profit corporation with offices located at Riverview Center, 150 Broadway, Suite 560, Menands, New York 12204 to perform and develop Public Health emergency preparedness services as required by New York State Department of Health; and

WHEREAS, Lewis County Public Health has been awarded the sum of \$95,373 in funding for Covid-19 Activities (paid in two (2) awards of \$67,490 and \$27,883) under HRI Contract No. 6310-01; and

WHEREAS, Lewis County Public Health was recently advised that additional, enhanced Covid-19 grant funding was awarded in the amount of \$200,945 for expenses related to increased contact tracing, investigations, testing and expansion of flu prevention and vaccinations; and

WHEREAS, the Board of Legislators wishes to authorize said funding and approve said agreements; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes Agreements between Health Research, Inc. and Lewis County Public Health for COVID-19 related grant funds and deliverables required under each grant Contract.

Section 2. That the Lewis County Board of Legislators hereby authorizes the Director of Lewis County Public Health to make, execute, seal and deliver such Agreements, and amendments thereto, pending approval by the County Attorney.

Section 3. That the following budget appropriation is hereby approved in the Public Health accounts to appropriate Covid-19 grant funding Response Activities (\$95,373) and Enhanced Contact Tracing/Flu Prevention expenditures (\$200,945):

Increase Revenue:

A0409200 344895 PHEP HRI Revenue	\$296,318.00
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Increase Expense:

A0409200 490900 PHEP Miscellaneous	\$296,318.00
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Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Chartrand , seconded by Legislator King , and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 236 - 2020
RESOLUTION AUTHORIZING
MEMORANDUM OF UNDERSTANDING
BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND
COMMUNITY ACTION PLANNING COUNCIL
(JEFFERSON-LEWIS CHILD CARE PROJECT)**

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services 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

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; examine and verify childcare staff's certificates of training; review, approve, revise and sign childcare program's Health Care Plan; and notify Jefferson-Lewis Child Care Project if health care plan is revoked; and

WHEREAS, the Board of Legislators wishes to authorize said agreement; and

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 to provide site visits to childcare programs; examine and verify childcare staff's certificates of training; review, approve, revise and sign childcare program's Health Care Plan; and notify Jefferson-Lewis Child Care Project if Health Care Plan is revoked.

Section 2. That the term of this Memorandum of Understanding shall be from October 1, 2020 through September 30, 2021 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 Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 237 - 2020
RESOLUTION TO TRANSFER FUNDS
Real Property**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget transfer is hereby approved from Legislative Contingency to Real Property accounts for expense of new countywide tax collection system approved in Resolution 265-2019:

<u>From:</u>	<u>Amount</u>
A0101000 419900 BOL Special Contingency	\$28,248.00
<u>To:</u>	
A0135500 440900 Data Processing	\$28,248.00

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

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 238 - 2020
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO THE SHERIFF'S DEPARTMENT**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the vacancy for the Jail Nurse has remained open for greater than six months; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the inability to fill the position based on applicant feedback has been related to uniqueness of this nursing service and the rate of compensation; and

WHEREAS, the HR Director has met with CSEA representatives, who are in agreement to develop a Memorandum of Agreement (“MOA”) to address the compensation rate for this position; and

WHEREAS, the County seeks to authorize a MOA with CSEA for a change in grade and increased compensation for the Jail Nurse 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 Sheriff’s Department to:

<u>ABOLISH</u>	<u>STATUS</u>	<u>SALARY</u>
Jail Nurse	Permanent Full-Time	Grade 34 (\$28.11 - \$30.37)
<u>CREATE</u>	<u>STATUS</u>	<u>SALARY</u>
Jail Nurse	Permanent Full-Time	Grade 35 (\$29.21 - \$32.90)

Section 2. That the Sheriff is hereby authorized to fill the Jail Nurse position effective immediately.

Section 3. That the Lewis County Board of Legislators hereby authorizes the Chairman, or Vice-Chairman in his absence, to make, execute and deliver a Memorandum of Agreement between the County and CSEA with respect to the change in grade and compensation for the Jail Nurse position, upon such terms as may be approved by the County Attorney.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 239 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Sheriff Department**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the Youth Program accounts to appropriate funds for School Resource Officer (SRO) training:

Increase Revenue:

A0731000 327058 Youth Aid \$5,000.00

Increase Expense:

A0731000 450300 Youth Prog Educational Mat \$5,000.00

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

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 240 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND AVIAT NETWORKS
FOR PROVISION ALARM SUPPORT SERVICES
ON THE MICROWAVE RADIOS AND ANTENNA SYSTEMS
RELATED TO THE EMERGENCY COMMUNICATIONS SYSTEM**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis upgraded its emergency radio communications system for use by all emergency service agencies with one of the components being upgrades to the Microwave Radio System that meets New York State and local government requirements; and

WHEREAS, the 911 Coordinator seeks to enter into an Agreement with Aviat for its Provision Alarm Support Services which includes access to unlimited priority online and Aviat cloud technical support, software releases and product updates for the Provision Support 21-100 Nodes alarm product during the coverage period of September 15, 2020 through January 31, 2021. This short-term extension will allow for the combination of the annual general support and maintenance agreement with Aviat for the radio microwave system with this additional necessary "Provision" alarm support services agreement into one contract and one bill for both services thereafter; and

WHEREAS, the Board of Legislators seeks to authorize and to enter into this four month Agreement with Aviat for the Provision Support services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a four month Agreement with Aviat Networks to provide the Provision Support Services as set forth in its proposal dated August 14, 2020 at a cost not to exceed \$2,373.00 for the term September 15, 2020 through January 31, 2021. This is 100% funded by the 911 radio grant.

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, pending approval by the County Attorney.

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

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 241 - 2020
RESOLUTION AUTHORIZING A RENEWAL AGREEMENT WITH
ICU SECURITY & PRIVATE INVESTIGATIONS FOR
ARMED SECURITY GUARD SERVICES AT THE
DEPARTMENT OF SOCIAL SERVICES BUILDING**

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

WHEREAS, the County of Lewis (“County”) on behalf of the Lewis County Department of Social Services (“DSS”) desires to enter into a renewal agreement with ICU Security & Private Investigations for armed security guard services for the DSS building located on Outer Stowe Street; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby authorizes a renewal Agreement with ICU Security & Private Investigations for armed security guard services for the DSS building located on Outer Stowe Street, Lowville, NY.

Section 2. That this is for the term commencing November 1, 2020 through October 31, 2021 at a cost not to exceed \$82,836.75, inclusive of 2,232 hours at regular pay and no more than 25 hours overtime pay. DSS will receive 75% reimbursement of this expense through Federal and State funding sources, with the local County share being 25%.

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

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

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

SEPTEMBER 1, 2020

RESOLUTION NO. 242 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Social Services

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

WHEREAS, DSS has received an allocation in the amount of \$76,430.00 to support 2020 Summer Youth Employment (SYEP):

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the following budget appropriations are hereby approved in the Social Services Department accounts for 2020 TANF Summer Youth Employment Program (SYEP):

Increase Revenue:

A0610900 346090 Fed TANF	\$57,819.00
A0610900 346150 DSS Fed FFFS	\$ 8,407.00
A0601000 346100 DSS Fed Admin	\$10,204.00

Increase Expense:

A0610900 110100 Pay – DSS Summer Youth Pay	\$52,872.00
A0610900 803000 Fringes – TANF SYEP Social Security	\$ 4,049.00
A0610900 804000 Fringes – TANF SYEP Compensation	\$ 898.00
A0610900 461000 DSS TANF-Foster Care	\$ 8,407.00
A0601000 110100 Personal SVS Regular Pay	\$10,204.00

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

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

RESOLUTION NO. 243 - 2020
RESOLUTION TO APPROPRIATE FUNDS FOR
WORKFORCE INNOVATION AND OPPORTUNITY ACT

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Service Committee.

NOA#PY-20-2

Section 1. That the following funds be appropriated for Program Year 2020 for the period July 1, 2020 through June 30, 2022 for the Adult and Dislocated Worker programs per the Notice of Obligational Authority (NOA), #PY20-2, dated July 22, 2020 through the New York State Department of Labor.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

DISLOCATED WORKER

Wages	CD629100.110100	\$ 6,346.00
Contractual	CD629100.490900	\$ 100.00
FICA	CD629100.803000	\$ 720.00
Compensation	CD629100.804000	\$ 60.00
Dental Insurance	CD629100.807000	\$ 89.00
OJT/CRT Checkbook	CD629100.499900	<u>\$ 2,910.80</u>
		\$ 10,225.80

ADULT

Wages	CD629200.110100	\$ 8,000.00
FICA	CD629200.803000	\$ 360.00
Compensation	CD629200.804000	\$ 54.00
Dental Insurance	CD629200.807000	\$ 100.00
OJT/CRT Checkbook	CD629200.499900	<u>\$ 3,408.64</u>
		\$ 11,922.64

<u>WIA REVENUE</u>	CD629300.347910	\$ 22,148.44
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Section 2. That the within shall take effect immediately.

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

**RESOLUTION NO. 244 - 2020
RESOLUTION SETTING 2021
WORKERS' COMPENSATION APPORTIONMENT
FOR LEWIS COUNTY SELF-INSURANCE PLAN**

Introduced by Legislator Thomas Osborne, Chairman of the Finance & Rules 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 reported claims experience for employer accountability; 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 for the 2021 workers' compensation participant assessments for the Lewis County Self-Insurance Plan; et al 50% of the assessment shall be apportioned to claims experience based on actual expenses in 2017, 2018 and 2019, hereby capped at \$50,000 for any one claim per annum; 30% shall be based on proportionate 2019-2020 gross payroll figures, and the remaining 20% shall be computed on proportionate full property valuation.

Section 2. That the within resolution shall take effect immediately

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 1st day of September, 2020.

RESOLUTION NO. 245 - 2020
RESOLUTION TO ACCEPT GRANT AND APPROPRIATE FUNDS
Planning Department

Introduced by Legislator Jerry King, Chair of the General Services Committee:

BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby accepts the grant award from NYS Empire State Development with respect to services related to the 2020 United States Census.

Section 2. That the following budget appropriation is hereby approved in the Planning Department accounts to recognize NYS Empire State Development 2020 Census grant funds:

Increase Revenue:

A0802000 339012 NYS 2020 Census Outreach funding \$35,290.00

Increase Expense:

A0802000 495012 2020 Census Outreach \$35,290.00

Section 3. That the Chairman or Vice-Chairman is authorized to execute any agreements or other documents pertaining to said grant award, upon review of the County Attorney.

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

Moved by Legislator LaChausse, seconded by Legislator Kulzer, and adopted on the 1st day of September, 2020.

RESOLUTION NO. 246 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND THREE + ONE, LLC

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Lewis County Treasurer and Finance and Rules Committee secured presentations from entities for the purpose of providing analysis of the County's cash balances and investments in an effort to maximize the return on investments; and

WHEREAS, professionals from Three + One, LLC, presented an overview of their "Cash Vest" program, which provides a liquidity and treasury analysis of the County's cash accounts along with management data to assist in earning the maximum amount of interest possible without sacrificing safety or liquidity; and

WHEREAS, Three + One will provide quarterly liquidity analysis and reports to enable the County to obtain maximum returns on investments and bank products, at a cost of \$15,000.00 per year for a three year term; and

WHEREAS, the Board of Legislators wishes to authorize the agreement for such services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the contract with THREE + ONE, LLC, 180 Office Parkway, Pittsford, NY 14534, to provide liquidity and treasury analysis and management data and programming to assist the County Treasurer with a single point of reference to maximize interest returns on the County's cash investments.

Section 2. That the annual cost of this service is \$15,000.00, payable in four (4) quarterly installments, from the County Treasurer's budget, with the first installment due after the initial cashVest analysis is presented, and quarterly thereafter. This is a three year agreement, with the annual rate remaining the same during the three year term.

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 Burns, seconded by Legislator Osborne, and adopted on the 1st day of September, 2020.

OTHER BUSINESS:

Legislator Hathway voiced his opinion that both the hospital and Public Health have done an awesome job during this pandemic. In his opinion the State policy on Nursing Homes does not take into consideration the human costs, which is a travesty. He went on to share a couple examples, one of a family who's loved one passed away in a Nursing Home and due to the States regulations, they couldn't be there to say a final goodbye. Another situation is a family whose father has been in a Nursing Home and they haven't been able to visit since March 1st, although they get to Skype with him thanks to Mr. Cayer, finds that it has been increasingly difficult for the father and family. He and his wife, who have always celebrated their anniversary together, were unable to this year (first time in 53 years). The last example is of a man in his 80's who has been in the Nursing Home and his wife, who have been married forever, and the depression that is affecting the wife not to mention the depression of the man himself.

Legislator Hathway commends the rally that is scheduled for tomorrow and even though he can't be there in person he hopes the State will get the message and realize the human cost so changes can be made.

There being no other business to come before the Board, Legislator Chartrand made a motion to adjourn the meeting at 6:01 p.m., seconded by Legislator LaChausse, and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**REGULAR MEETING
October 6, 2020**

The meeting was called to order at 5:01 p.m. by the Chairman of the Board Lawrence Dolhof.

Roll Call: All Legislators were present. There were 14 additional persons present.

Chairman Dolhof offered the Invocation followed by the Pledge of Allegiance to the Flag.

Chairman Dolhof declared the September 1, 2020 meeting minutes approved by general consent.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: Thomas Osborne
Ronald Burns
Ian Gilbert
Gregory Kulzer
Phil Hathway

Dated: October 6, 2020

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

At 5:03 p.m. Chairman Dolhof opened the public hearing on Local Law Intro. No. 7-2020 "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 2021 BUDGET"

PRIVILEGE OF THE FLOOR:

Sheriff Carpinelli gave a brief update on his Department by explaining that due to the diligence and hard work of the staff at the Public Safety Building including the Jail, Road Patrol, and Administration, there have been zero positive COVID-19 cases even though they put themselves at risk everyday doing their jobs. He thanked his staff for all their hard work and sacrifice during the pandemic.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The following resolution was received from Greene County: A Resolution Opposing NYS Assembly Bill A.5630-A & NYS Senate Bill S.3923A Relating to Reforming the Statutory Short Form and Other Powers of Attorney for Purposes of Financial and Estate Planning; and to Repeal Certain Provisions of such Law Relating to Statutory Gift Riders. The following

resolution was received from Steuben County: A Resolution Urging the New York State Legislature to Terminate the Emergency Declaration Established to Address the COVID-19 Pandemic.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received copies of the Treasurer's September report and 3rd Quarter Bed Tax report; the September Highway and Solid Waste Departments audit reports; and minutes of the September Youth Bureau Advisory Board meeting.

Brian Mooney submitted the August and September Sealer of Weights and Measures activity reports which have been placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator Osborne made a motion to authorize Information Technology Director Conner Biolsi to send out an RFP for Lewis County Government phone services, second by Legislator Burns, and carried.

Legislator LaChausse thanked everyone in the county along with the Sheriff and his staff for all their hard work and putting themselves out there every day during this pandemic.

Legislator Chartrand reported that the August Employee of the Month was Stephanie Kirkbride, C.N.A working in the Nursing home and the September Employee of the Month was Lorie Peters, Senior Keyboard Specialist. Both the monthly finances and year to date finances showed surpluses. Hospital Board of Managers member Mr. Steve Fuller resigned effective 10/1/2020 due to conflicts.

COUNTY MANAGER REPORT:

Ryan reported that the 2021 Tentative Budget is almost completed, and a Budget Workshop will be given at the October 20th Committee meeting and then the final Tentative Budget will be presented to Legislator at the November Board meeting. There was a kickoff meeting earlier in the day with ECC and DANC for the Broadband Inventory mapping initiative and Market Survey. The Market Survey will allow them to reach out to Lewis County residents asking them what type of service they currently have, what type of service would they be interested in, and optimal price points.

There is not current update for the Budget Crisis in Albany and no news from the Governor about any proposed cuts in 2020 or 2021 which makes budgeting difficult. In response to Legislator Hathway, Ryan explained that the Market Survey will take place in November 2020. Legislator King questioned if they would be listing who owns what infrastructure when they do the mapping portion and Ryan clarified that they would. Ryan further explained that after the inventory mapping is done, they will do the Market Survey which will allow them to cross examine what services they might already have in that area for the homeowner who may not be aware there are other options.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

In response to Legislator Chartrand, Ryan explained that the October 20th Committee meeting will be an overview of each Department and to get feedback on the tax rate, but nothing will be finished enough to send information out beforehand. He is hoping to have something to hand out after the meeting.

COUNTY TREASURER REPORT:

Eric Virkler reported that he handed out a Summary of Key Financial Information. He noted that expenses throughout the year have been tracking lower than in previous years which is a good thing. Sales Tax update shows that we will be 13% higher than last year at this time. The tax auction will be completely online this year and will be held on November 2nd. Three+One has started the initial process of financial review and will be meeting in the upcoming weeks to review information with Eric.

Legislator Chartrand asked for clarification on what type of properties are being auctioned. Joan McNichol stated that they are vacant properties or abandoned properties which she had to verify before adding them to the auction list. Legislator Kulzer asked for the Sales Tax Collection to be reported in detail going forward so he can track each month.

PRIVILEGE OF THE FLOOR:

Chairman Dolhof asked Mr. Cayer to address the Board with any updates from the Hospital. Mr. Cayer reported that they are working on their budget and should be caught up by the end of the week. He is working with Ashley Waite as well as the schools to put rapid testing in place. There have been two more analyzers obtained and 264 tests. There is a process in place for a facility or students to be tested in a timelier manner. The analyzer that the hospital bought back in the spring should have testing capabilities by the end of the month. This machine will be used for testing of surgical patients, emergency department, health system employees, and Nursing Home members. The asymptomatic individuals will still use the lab testing procedure through the state.

Legislator Gilbert questioned what the turn around time would be for a student who would have to get tested after being sent home from school with symptoms. Mr. Cayer responded by outlining the procedure in place which involves a visit to a physician's office who writes an order for the rapid test with the test being given in the early afternoon, the results are produced in 15 minutes and go back to the physician and then on to the school Superintendent. In theory, if the test comes back negative the student should be able to return to school the following day.

Chairman Dolhof asked IDA Executive Director Brittany Davis to address the Board. She briefly explained the resolution supporting the IDA's revised Uniform Tax Exemption Policy. The policy will be adopted at the IDA's November meeting and they continue to look for comments from all the entities involved. She noted that they have received some positive feedback from several individuals on this policy.

Chairman Dolhof called a brief recess at 5:26 p.m. before moving forward due to the Local Law public hearing needing to be open for 30 minutes.

OCTOBER 6, 2020

Chairman Dolhof called the meeting back to order at 5:34 p.m. and the public hearing was closed.

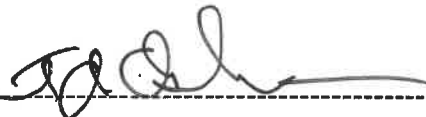
REPORT OF THE FINANCE AND RULES COMMITTEE:

PROCEEDINGS OF THE BOARD OF LEGISLATORS


**REPORT OF
FINANCE AND RULES COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,254,501.93 and recommend that they be audited and allowed for the amounts claimed.



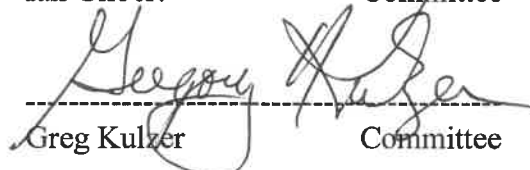
Thomas Osborne Chair



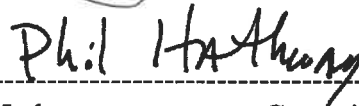
Ronald Burns Vice-Chair



Ian Gilbert Committee



Greg Kulzer Committee



Phil Hathway Committee

Dated: October 6, 2020

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

OCTOBER 6, 2020

**RESOLUTION NO. 247 – 2020
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 1,254,501.93 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Hathway, seconded by Legislator Chartrand, and adopted on the 6th day of October, 2020 by the following roll call vote:

AYES: Chartrand, Gilbert, Moroughan, Burns, Kulzer, LaChausse, Osborne, Hathway, King, Dolhof

NAYS: None

ABSENT: None

**RESOLUTION NO. 248 - 2020
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 6–2020, COUNTY OF LEWIS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on September 1, 2020 directing that a public hearing be held by said Board on October 6, 2020, 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 2021 BUDGET”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County on September 30, 2020, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. This Local Law (Introductory No. 7–2020), 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 2021 BUDGET”; be and the same hereby is designated as Local Law No. 6–2020, County of Lewis.

Section 2. That Local Law No. 6–2020, 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 LaChausse, and adopted on the 6th day of October, 2020 pursuant to the following roll call vote:

AYES: Gilbert, Moroughan, LaChausse, Osborne, Hathway, King, Burns, Chartrand, Kulzer, Dolhof

NAYS: None

ABSENT: None

**RESOLUTION NO. 249 - 2020
RESOLUTION AUTHORIZING CONTRACT WITH STANFORD GREEN WASTE
LLC FOR CLEAN UP OF RAUSCHER PROPERTY, ROUTE 26, WEST LEYDEN, NY
UNDER LOCAL LAW 2-2007 AND LOCAL LAW 6-2017**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, pursuant to Local Law No. 2–2007, entitled, “A LOCAL LAW PROVIDING FOR THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS, UNSAFE EQUIPMENT AND COLLAPSED STRUCTURES,” (herein “Unsafe Building Law”), the Board of Legislators is empowered to take certain actions in connection with the investigation and enforcement of buildings and structures that are deemed to be unsafe; and

WHEREAS, pursuant to Local Law No. 6–2017, commonly referred to as the “Junkyard Law”, the Board of Legislators is empowered to take certain enforcement actions in regulating and controlling the storage or keeping of junk; and

WHEREAS, the premises known as Tax Map Parcel No. 411.00-01-05.200, 1419 State Route 26, West Leyden, NY, Town of Lewis, currently owned by John D. Rauscher (herein the “Owner”) is in continuing violation of the Junkyard Law, with unlicensed and unregistered

motor vehicles, causing a public nuisance and a danger to the safety, health and welfare of the community; and

WHEREAS, pursuant to the procedures set forth in both identified Local Laws, and by Resolution Nos. 330 & 491 - 2019, the Board found and determined that the above parcel is in violation of said Local Laws, with the barn structure being unsafe and directing that it be demolished and removed; and with the numerous unlicensed and unregistered vehicles being in violation of the Junkyard Law; and

WHEREAS, the owner has failed to comply with the Board's Order to demolish and remove the unsafe structure, causing the County to request quotes for the demolition and removal of the barn structure and its contents; and

WHEREAS, Stanford Green Waste, LLC, of Hiawatha Lake Road, Glenfield, NY (Stanford) submitted a quote to demolish the barn structure, and shred the wood on site. He will also separate scrap metals and place onto a trailer provided by Solid Waste for disposal. Stanford will place remaining debris in a dumpster for transfer to the land fill at his cost and expense. For these services, Stanford will be paid \$18,900.00 by the County; and

WHEREAS, pursuant to the Local Laws, all costs and expenses incurred by the County for compliance with the Board's Orders will be assessed against the owner's property as additional taxes owing to the County; and

WHEREAS, the Board of Legislators seeks to authorize an agreement with Stanford for such services;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an agreement with Stanford Green Waste LLC, of Glenfield, NY, to provide demolition and removal services at the Rauscher property located at 1419 State Route 26, West Leyden, NY, Tax Map No. 411.00-01-05.200, by the demolition and removal of the Barn structure located at said site which has been determined to be an unsafe and partially collapsed structure under Local Law No. 2-2007.

Section 2. That the Lewis County Department of Solid Waste shall assist by providing a trailer upon which the Contractor shall place scrap metals to be disposed of by Solid Waste.

Section 3. That the Contractor shall be compensated for such services in the amount of \$18,900.00 and shall undertake these services on or about October 7, 2020 and complete same by November 2, 2020.

Section 4. That the Lewis County Board of Legislators directs that the Sheriff's office provides protection and enforcement services at the site when the County personnel and its Contractor are present.

Section 5. That this resolution shall take effect immediately.

Moved by Legislator LaChausse, seconded by Legislator Kulzer, and adopted on the 6th day of October, 2020.

RESOLUTION NO. 250 - 2020
RESOLUTION AUTHORIZING LEWIS COUNTY DEPARTMENT OF BUILDINGS AND GROUNDS TO ENTER INTO A RENEWAL AGREEMENT WITH DEVEINES ENTERPRISES, LLC FOR PLOWING OF THE ROADS TO EIGHT (8) TOWER SITES IN LEWIS COUNTY FOR THE 2020-2021 SNOW SEASON

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis desires to renew the agreement with Deveines Enterprises, LLC to provide snow plowing services at eight (8) Lewis County 911 Tower Sites located in Montague, Osceola, Denmark, Leyden, Turin, Diana, Lyonsdale and Croghan for the 2020/2021 snow season; and

WHEREAS, the location of the sites are Sears Pond Road (Montague), North Osceola Road (Osceola), Hayes Road (Denmark), Zeigler Road (Leyden), Brenon Road (Turin), State Route 3 (Diana), Marmon Road (Lyonsdale) and Long Pond Road (Croghan); 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 renewal agreement with Deveines Enterprises, LLC to provide snow plowing services at eight (8) Lewis County 911 Tower Sites located in Montague, Osceola, Denmark, Leyden, Turin, Diana, Lyonsdale and Croghan.

Section 2. That the term of this agreement shall be for the 2020/2021 snow season, at a cost not to exceed \$25,000.00, payable in three (3) equal installments on or about October 15, 2020, January 1, 2021 and May 1, 2021.

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 LaChausse, seconded by Legislator Kulzer, and adopted on the 6th day of October, 2020.

OCTOBER 6, 2020

RESOLUTION NO. 251 - 2020
RESOLUTION AUTHORIZING A RENEWAL AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND TRANE BUILDING SERVICES

Introduced by Legislator Jerry King, Chair of the General Services 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 for the time period of January 1, 2021 through December 31, 2023 at the following annual costs:

Year 1	1/1/2021 – 12/31/2021	\$37,980.15
Year 2	1/1/2022 – 12/31/2022	\$37,980.15
Year 3	1/1/2023 – 12/31/2023	\$39,119.55

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 LaChausse, seconded by Legislator Kulzer, and adopted on the 6th day of October, 2020.

RESOLUTION NO. 252 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Bus Operations Department

Introduced by Legislator Jerry King, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Bus Operations Department accounts to recognize additional revenue earned through advertising sales.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Increase Revenue:

A0563000 327074 Bus Advertising	\$2,080.00
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Increase Expense:

A0563000 490700 Bus Advertising exp	\$2,080.00
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Section 2. That the within resolution shall take effect immediately.

Moved by Legislator LaChausse, seconded by Legislator Kulzer, and adopted on the 6th day of October, 2020.

**RESOLUTION NO. 253 – 2020
RESOLUTION TO TRANSFER FUNDS
County Clerk Department**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

BE IT RESOLVED, as follows:

Section 1. That the following 2020 budget transfer from Contingency is hereby approved in the County Clerk accounts for increased expenses due to the pandemic:

<u>From:</u>	<u>Amount</u>
A0199000 499900 Contingency	\$6,000.00

<u>To:</u>	
A0141000 430100 County Clerk Phone	\$2,300.00
A0141000 440100 County Clerk Postage	\$3,700.00

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

Moved by Legislator LaChausse, seconded by Legislator Kulzer, and adopted on the 6th day of October, 2020.

**RESOLUTION NO. 254 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Highway Department**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the Highway Department to appropriate grant funds:

Increase Revenue:

D0501000 347850 CR Disaster Assistance Federal \$22,000.00

Increase Expense:

D0511000 491040 CR Maintenance Road Items \$22,000.00

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

Moved by Legislator LaChausse, seconded by Legislator Kulzer, and adopted on the 6th day of October, 2020.

**RESOLUTION NO. 255 - 2020
RESOLUTION TO TRANSFER FUNDS
County Road Department**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following 2020 budget transfer is hereby approved in the County Road Department accounts for the lease payment of a Mack truck and Viking plow, funds will be transferred from Project HAD Capital Equipment H0990100 499900, balance \$374,289.02:

Increase Revenue:

DM513000 350310 General Fnd \$51,618.35

Increase Expense:

DM513000 223300 Mach Vehic \$51,618.35

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

Moved by Legislator Moroughan, seconded by Legislator Kulzer, and adopted on the 6th day of October, 2020. Legislator Burns abstained.

**RESOLUTION NO. 256 - 2020
RESOLUTION TO TRANSFER FUNDS
County Road Department**

Introduced by Legislator Jerry King, Chair of the General Services Committee

BE IT RESOLVED as follows:

Section 1. That the following 2020 budget transfer is hereby approved in the County

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Road accounts for changes in expenditures to utilize CHIPS funding with revised 2020 work plan. Equipment purchased will include a Dump Truck (\$162,000.00), Skid Steer (\$99,913.40), Roller (\$43,257.00), Truck Lifts (57,663.16) and Culvert Storm linings (58,278.00).

From:

D0550000 491520 Bridge Materials \$421,111.56

To:

D0501000 290900 CR Misc Equipment \$362,833.56

D0511000 491040 Maint Road Items \$ 58,278.00

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

Moved by Legislator LaChausse , seconded by Legislator Kulzer , and adopted on the 6th day of October, 2020.

**RESOLUTION NO. 257 - 2020
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO LEWIS COUNTY GENERAL HOSPITAL**

Introduced by Legislator Richard Chartrand, Hospital Board of Managers' representative.

BE IT RESOLVED, as follows:

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

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Patient Access Clerk (1)	Full-time	\$14.75 - \$19.48/hour
Infection Control Nurse (1)	Full-time	\$65,000 - \$80,000/year

Section 2. That the above shall be effective and retroactive to October 5, 2020.

Moved by Legislator LaChausse , seconded by Legislator Kulzer , and adopted on the 6th day of October, 2020.

**RESOLUTION NO. 258 - 2020
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO LEWIS COUNTY GENERAL HOSPITAL**

Introduced by Legislator Richard Chartrand, Hospital Board of Managers' representative.

BE IT RESOLVED, as follows:

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

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Patient Account Coder (3)	Full-time	\$18.00 - \$22.98/hour

Section 2. That the following positions are hereby abolished:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Physician Office Assistant (2)	Full-time	\$16.43 - \$21.55/hour

Section 3. That the within resolution shall be effective and retroactive to September 21, 2020.

Moved by Legislator LaChausse, seconded by Legislator Kulzer, and adopted on the 6th day of October, 2020.

RESOLUTION NO. 259 - 2020
RESOLUTION SUPPORTING THE REVISED
UNIFORM TAX EXEMPTION POLICY (UTEP)
PROPOSED BY THE COUNTY OF LEWIS INDUSTRIAL DEVELOPMENT AGENCY
FOR LARGE SCALE SOLAR PROJECTS IN LEWIS COUNTY

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the general policy of the County of Lewis Industrial Development Agency (IDA) in accordance with Article 18-A of the New York State General Municipal Law is to grant financial assistance in the forms of real property tax abatements and exemptions from sales, use and mortgage recording taxes which will assist in economic development in Lewis County; and

WHEREAS, in July of 2019, New York State passed the Climate Leadership and Community Protection Act to achieve 100% zero emissions electricity by 2040. The IDA began working with the Lewis County Planning Department, Real Property Tax Service Department, Lewis County Soil & Water and local attorneys to understand the solar process to ensure that the IDA welcomes renewable energy development while preserving the County’s largest industry, agriculture, at the same time; and

WHEREAS, the Board of Legislators adopted Resolution No. 225-2020 stating its support of and recommendation for the Municipal Solar Development Law template developed by the Development Authority of the North County and further customized by the Town of New Bremen, for adoption by all other municipalities in Lewis County pertaining to the development and regulation of solar energy projects. The Board of Legislators called upon the Planning

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Board to consider utility scale solar projects which come before the Board as having potential County-wide impacts, and to review such proposals in light of the potential impacts on agricultural land, watersheds, and visual impacts in Lewis County; and

WHEREAS, simultaneously, the IDA commenced revisions to its UTEP to include language and considerations involved in deciding to grant ‘payments in lieu of taxes’ (PILOT) for large scale solar projects in the County. Each project is considered on a case-by-case basis, with a goal to incentivize developers in the use of marginal agricultural land, versus prime, actively farmed agricultural land, as defined by USDA in the decision to grant a PILOT; and

WHEREAS, the IDA seeks the support of the Lewis County Board of Legislators for the IDA’s revised UTEP;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby states its support for the County of Lewis Industrial Development Agency’s proposed revisions of the Uniform Tax Exemption Policy (UTEF) to include provisions which will incentivize the use of marginal agricultural land versus prime, actively farmed agricultural land in its decisions to provide financial assistance to solar developers seeking real property tax abatements (PILOTS) and exemptions from sales, use and mortgage recording taxes pertaining to large scale solar development projects in Lewis County.

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

Moved by Legislator Hathway, seconded by Legislator Burns.

Legislator Kulzer voiced his disagreement that this resolution should not be passed by this board because this policy is ultimately restricting the landowner on what they can and can’t do with their own land. He went on to explain that if the Solar Developer wants to develop a certain piece of property, they will end up going back to the landowner and offering them a much lower rate due to the increased PILOT. Legislator Kulzer feels very strongly that this will hurt local farmers who have been struggling the last several years. He went on to state that as an elected official he does not feel right going back to his constituents to tell them what they can and cannot do with their own land!

Legislator Hathway pointed out that this is a recommendation not a requirement to his knowledge. Legislator Kulzer disagreed stating that this will be a requirement of the PILOT and will restrict the Developer. Legislator Hathway disagreed. Legislator Kulzer stated that there will be a different PILOT for each type of land used in a solar project which solidifies his point that it is a requirement not a recommendation. Legislator Hathway pointed out that the resolution is only showing support for the policy not adopting it. Legislator Kulzer felt that if we show support all the Towns will end up adopting it, Legislator Hathway responded that it is up to the Town to choose to adopt it.

Chainman Dolhof clarified that this is an IDA policy and all it does is incentivize the developer to use marginal lands. In no way does it regulate the use of the landowner's property. The landowner still has the choice to move forward with the project and it doesn't prohibit the developer from moving forward. The only thing it does is incentivize the developer to use marginal land instead of prime farmland, protecting the counties prime farmland for its largest industry.

Brittany Davis stated the policy has been sent out to every taxing jurisdiction involved and asked them to provide comments and feedback so they can implement the policy in order to move forward with Smart Solar Development. The purpose is to move forward in a way that will not hurt our Agricultural Industry here in the county ensuring that it will be strong and still be here years from now. Most all of the comments received have been positive and their feedback has given the IDA things to think about to make this work for everyone involved.

Legislator Chartrand stated he would be interested in the positive feedback that the IDA is receiving from farmers because he has received a few calls from farmers, and they are not positive. He went on to ask to see how this policy affects the PILOT agreements because if it increases the payments too much, they won't be able to afford to pay them. Legislator Chartrand concluded by stating that before he can vote on this resolution, he needs to know the affect on PILOTS.

The resolution was adopted 6 to 4 with Legislators Kulzer, Chartrand, and Moroughan opposed. Legislator Gilbert abstained.

RESOLUTION NO. 260 - 2020
RESOLUTION CALLING ON THE GOVERNOR AND STATE LEGISLATURE
TO END THE PRACTICE OF DIVERTING LOCAL SALES TAX
FOR STATE RESPONSIBILITIES

Introduced by Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, the State of New York has recently implemented a practice of diverting local sales tax to supplant state funding for state designed and controlled programs that have been the responsibility of the state for decades; and

WHEREAS, local sales tax has become the number one source of revenue for an increasing number of counties. Local sales tax is the primary revenue source available to counties and other local governments to help offset property tax increases and to lower property taxes in many instances; and

WHEREAS, state elected leaders have made controlling and lowering property taxes a key priority in efforts to reduce the tax burden for homeowners and small businesses, and to lower New York's ranking as one of the highest property tax-burden states in the nation; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the state is diverting, or directing local sales tax be used for specific state purposes, taking away more than \$484 million annually in locally raised revenues from counties and New York City; and

WHEREAS, NYSAC estimates for counties, the sales tax being diverted by the state will equal more than two percent of the total county property tax levy in 2020; and

WHEREAS, the county inflation factor for the state property tax cap is expected to be 1.5 percent or lower for 2021; and

WHEREAS, counties are experiencing record revenue losses from the COVID-19 pandemic, including record state reimbursement cuts and payment delays, with no reform of state mandated programs; and

WHEREAS, the diversion of local revenues for state purposes ultimately results in higher property taxes, further damaging New York's economic competitiveness and harming homeowners and small businesses;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators calls on the Governor and State Legislature to end the practice of diverting local sales taxes for state budget purposes.

Section 2. That the Board of Legislators urges the state to reverse the diversion of county sales tax to pay for state programs, and abide by the two-year sunset for the diversion of sales tax that can be used to supplant state funding for distressed health care providers or go directly into the state general fund.

Section 3. That this resolution shall take effect immediately.

Section 4. That the Clerk of the Board is directed to forward copies of this resolution to Governor Andrew M. Cuomo, the leaders of the New York State Legislature, and all others deemed necessary and proper.

Moved by Legislator LaChausse , seconded by Legislator Kulzer , and adopted on the 6th day of October, 2020.

**RESOLUTION NO. 261 - 2020
RESOLUTION CALLING ON THE GOVERNOR AND STATE LEGISLATURE TO
MODIFY ACROSS THE BOARD CUTS IN STATE AID TO LOCALITIES TO
BALANCE THE BUDGET AND REPLACE IT WITH A BALANCED APPROACH**

Introduced by Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, the onset of the COVID-19 pandemic caused monumental personal loss in our daily lives, in addition to imposing significant economic hardships on families, individuals, businesses, and governments at all levels; and

WHEREAS, the State closed a large SFY 2020-21 budget shortfall of \$6.1 billion before the full fiscal and economic impacts of the pandemic could be calculated; and

WHEREAS, closing this initial state fiscal gap was accomplished by a variety of reforms to state programs and state reimbursement cuts that will require the counties outside of New York City to absorb more than \$210 million in new costs compared to the prior state fiscal year; and

WHEREAS, after the budget was adopted the state acknowledged that the shortfall will likely increase by another \$13.3 billion by the end of the fiscal year; and

WHEREAS, the state proposes to close the gap by cutting Aid to Localities state funding by over \$8 billion, requiring a 20 percent or more cut in this funding depending on implementation. This 20 percent across-the-board cut in state aid to localities would cost the counties of New York, outside of New York City, over \$590 million annually; and

WHEREAS, the combined hit for counties, outside of New York City, is state reimbursement cuts, or new required spending, of \$804 million annually (unless this is partially reduced by additional federal COVID disaster aid); and

WHEREAS, on average, about 70 percent of a county budget is mandated spending for state and federal programs, meaning most of these cuts will have to be backfilled with county revenues, potentially on a permanent basis; and

WHEREAS, replacing these state cuts is equivalent to a 14 percent increase in the statewide county property tax levy and represents more than 10 times the allowable county property tax cap inflation growth estimate of \$83 million for 2021; and

WHEREAS, increases in local taxes of this size are not practical, nor sustainable, and will only harm New York's economic competitiveness and reduce opportunities to all New Yorkers; and

WHEREAS, the state budget cuts are likely to become permanent if additional federal assistance is not provided;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators calls on the Governor and State Legislature to modify the across the board cuts in Aid to Localities spending as the primary means to fill the state budget gap, and replace it with a more balanced approach that includes reforming state mandated programs, so they are less costly to state and local tax payers and sustainable even during economic downturns.

Section 2. That this resolution shall take effect immediately.

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

Moved by Legislator LaChausse, seconded by Legislator Kulzer, and adopted on the 6th day of October, 2020.

**RESOLUTION NO. 262 - 2020
RESOLUTION CALLING ON THE GOVERNOR TO IMMEDIATELY COMPLETE
ENHANCED FEDERAL MEDICAID ASSISTANCE PERCENTAGE
RECONCILIATIONS FOR COUNTIES**

Introduced by Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, the funding to support the Medicaid program is provided by a combination of federal, state and local resources; and

WHEREAS, the state-required county and New York City contribution is \$7.6 billion annually; the statutorily-required share of Medicaid funding paid by New York (by localities) being the highest of any state in the country; and

WHEREAS, this large local funding share for Medicaid and other state programs is a major contributor to New York's high local tax burden compared to other states; and

WHEREAS, under the Affordable Care Act the federal government provided an enhanced Medicaid matching share (eFMAP), which has saved the State of New York billions of dollars; and

WHEREAS, under federal law, the state is required to share these savings with counties and New York City based on the proportionate share localities pay of the nonfederal match; and

WHEREAS, the state has used a methodology that provides 80 percent of these estimated federal savings to counties in the year the costs accrue; with the balance of savings owed to counties to be reconciled annually to ensure these savings can benefit local budgets and taxpayers; and

WHEREAS, the last completed reconciliation was for state fiscal year 2015-16; leaving reconciliations more than three years behind, with hundreds of millions of federal dollars being withheld from counties and New York City; and

OCTOBER 6, 2020

WHEREAS, by not providing these federal funds, the State is requiring counties to reserve funds locally to make up for the loss, forcing local taxes to be higher over multiple years; and

WHEREAS, in the years leading up to the last completed eFMAP reconciliation, counties were provided an estimate of their next year Medicaid costs by September, in time to incorporate the savings in their upcoming budget; a practice that ceased when regular reconciliations ended;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators urges the Governor to immediately complete these unfinished reconciliations and to make appropriate adjustments in local weekly shares.

Section 2. That the Board of Legislators calls upon the State to renew its practice of providing timely notice to counties of coming year Medicaid costs so we can appropriately budget those savings for local taxpayers.

Section 3. That the Board of Legislators further states that if New York State is unable to provide timely notice and there is an increase in local Medicaid costs in the subsequent year, all of the increase should be exempt from the property tax cap calculation.

Section 4. That this resolution shall take effect immediately.

Section 5. That the Clerk of the Board is directed to forward copies of this resolution to Governor Andrew M. Cuomo, the leaders of the New York State Legislature, and all others deemed necessary and proper.

Moved by Legislator LaChausse, seconded by Legislator Kulzer, and adopted on the 6th day of October, 2020.

RESOLUTION NO. 263 - 2020
RESOLUTION CALLING ON THE GOVERNOR AND NYS DEPARTMENT OF
HEALTH TO LOOSEN VISITATION RESTRICTIONS AT NURSING HOMES DUE TO
THE COVID-19 PANDEMIC

Introduced by Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, the COVID-19 pandemic has impacted every aspect of our society, government and the economy, unlike any other event in the past 50 years. One of the most notable and heart-breaking negative impacts has been the restriction on visitation by family and friends with loved ones in nursing homes; and

WHEREAS, Lewis County government, its employees and residents recognize the need to adopt and abide by public health safety measures and precautions for the protection of all, but

PROCEEDINGS OF THE BOARD OF LEGISLATORS

safety precautions can be specifically crafted by our Lewis County Health System and its Residential healthcare facility workers to allow for more visitation with residents of our nursing home; and

WHEREAS, this pandemic has demonstrated that “one size does not fit all”; the same is true for the Lewis County Residential Care Facility, with residents whose health is adversely affected by loneliness and the stress of not being able to visit with loved ones; and

WHEREAS, a recent rally at the Lewis County Health System campus demonstrates that our healthcare facility workers and management team are committed to providing a safe way for the nursing home residents to visit with loved ones without an increase in exposure to this novel virus by robust screening for visitors and staff, proper PPE, and designated spaces; and

WHEREAS, the Lewis County Board of Legislators seeks to urge those at the State level to reconsider its blanket restriction on nursing home visitation and allow local healthcare providers to make that decision for its residents;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators calls on Governor Andrew Cuomo and Dr. Howard A. Zucker, Commissioner of Health for New York State to loosen the restrictions on visitations at nursing homes, and allow local healthcare professionals to take the proper steps to protect the residents of local nursing home facilities while they have the opportunity to be with their loved ones.

Section 2. That the Clerk of the Board shall forward copies of this Resolution to Governor Andrew M. Cuomo, to Dr. Howard A. Zucker, Commissioner of Health for New York State, to the majority and minority leaders of the NYS Legislature, and all others deemed necessary and proper.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator LaChausse, seconded by Legislator Kulzer, and adopted on the 6th day of October, 2020.

**RESOLUTION NO. 264 - 2020
RESOLUTION AUTHORIZING AMENDMENTS TO AGREEMENT BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY
AND NYS DEPARTMENT OF HEALTH IMMUNIZATION ACTION PLAN GRANT
(CONTRACT No. C32523GG-3450000)**

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

WHEREAS, in 2018, the Lewis County Public Health Agency (PH) received a multi-year (5) grant award from the New York State Department of Health (Contract Number: DOH01-C32523GG-3450000) in the amount of \$155,250.00 for the purposes of conducting assessments, outreach and education activities to increase pediatric and adult immunization rates to reduce the occurrence of vaccine preventable disease; and

WHEREAS, NYS DOH recently advised PH that this contract is being amended to award supplemental funding in the amount of \$13,566.00 to enhance and expand LHD influenza vaccine outreach, promotion and mass vaccination activities for the 2020-2021 flu season; and

WHEREAS, the Lewis County Board of Legislators seeks to accept this funding on behalf of PH and enter into any amended agreements under this Contract;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby accepts the supplemental funding on behalf of the Lewis County Department of Public Health under contract number C-32523GG-34500, in the amount of \$13,566.00 to enhance and expand LHD influenza vaccine outreach and activities for the 2020-2021 flu season.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver any and all supplemental documents and amendments to the original contract, pending approval by the County Attorney.

Section 3. That the following budget appropriation is hereby approved in the Public Health Department accounts for supplemental grant funds.

Increase Revenue:

A0408900 334089 Immunization State Revenue	\$13,566.00
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Increase Expense:

A0408900 490900 Immunization Miscellaneous	\$13,566.00
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Section 4. That this resolution shall take effect immediately.

Moved by Legislator LaChausse, seconded by Legislator Kulzer, and adopted on the 6th day of October, 2020.

**RESOLUTION NO. 265 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY OFFICE OF REAL PROPERTY TAX SERVICES
AND SYSTEMS EAST, INC.**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, in 2019 the Board of Legislators authorized the Real Property Tax Services Department to enter into an agreement with Systems East, Inc. for the purpose of providing software licensing, support and maintenance services through 2020, and creation of a custom tax bill for its tax bill collection process to streamline property tax collection of Town and County taxes under the newly adopted tax installment payment Local Law; and

WHEREAS, this system requires continuation of annual application software, maintenance and support services which Systems East, Inc. will provide at a cost of \$3,712.00 for the period of January 1, 2021 through December 31, 2021; and

WHEREAS, the Board of Legislators wishes to accept such services and enter into a contract for same;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators authorizes an agreement with Systems East, Inc. to provide application software maintenance and support services for the Tax Collection System for collection of county and town taxes, at a cost of \$3,712.00 commencing January 1, 2021 through December 31, 2021.

Section 2. That the Chairman or Vice-Chairman of the Lewis County Board of Directors is hereby authorized to make, execute, seal and deliver such Agreement, and any modifications/extensions thereto, pending approval by the County Attorney.

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

Moved by Legislator LaChausse, seconded by Legislator Kulzer, and adopted on the 6th day of October, 2020.

**RESOLUTION NO. 266 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
RYAN CHARBONNEAU LOGGING AND
LEWIS COUNTY RECREATION, FORESTRY & PARKS DEPARTMENT**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, Ryan Charbonneau, dba Ryan Charbonneau Logging, PO Box 44, Boonville, NY 13309 owns and operates a logging business; and

WHEREAS, Ryan Charbonneau Logging has requested to use cleared area on the County's property (area to be specifically designated by the Director of Recreation, Forestry & Parks) located on the Cronk Road, Town of Pinckney, Tax Map Parcel No. 137.00-01-22.000 as a timber landing site area associated with the timber harvesting he is undertaking by and for the adjacent neighbor's property; and

OCTOBER 6, 2020

WHEREAS, the County of Lewis, by and through the Lewis County Recreation, Forestry and Parks Department wishes to grant this request and enter into an Agreement with Ryan Charbonneau Logging to allow for the temporary use of a portion of the Lewis County property on the Cronk Road, known as tax parcel number 137.00-01-22.000 in the Town of Pinckney, as a timber landing site area for its timber harvesting on the adjoining property owner's land; the agreement to provide for the Director of Recreation, Forestry & Parks to designate the exact site, for Ryan Charbonneau Logging to be properly insured, and for the Contractor to return the County's property in the same condition in which it was found at the commencement of the temporary use and access; and

WHEREAS, the Board of Legislators wishes to authorize such 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, by and through the Lewis County Recreation, Forestry and Parks Department and Ryan Charbonneau Logging, by its owner Ryan Charbonneau, to allow temporary access and use of the Lewis County cleared portion of property located on the Cronk Road, known as tax parcel number 137.00-01-22.000 in the Town of Pinckney, as a timber landing site area for the timber harvesting undertaken by Ryan Charbonneau Logging on the adjoining property owner's land.

Section 2. That the Board of Legislators directs that the agreement will terminate on or before December 1, 2021, and shall provide for the Contractor to have proper liability and worker's compensation insurance, with the County named as a primary additional insured on the general liability policy. The Contractor is to post a check made payable to the County in the sum of \$2,500.00 to guarantee that the property will be returned to its original condition after this temporary use and access.

Section 3. That the Director of Recreation, Forestry and Parks 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 LaChausse, seconded by Legislator Kulzer, and adopted on the 6th day of October, 2020.

RESOLUTION NO. 267 - 2020
RESOLUTION AUTHORIZING A
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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Jerry King, Chair of the General Services Committee.

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

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

WHEREAS, LCRFP desires to partner with the BOCES program by having LCRFP participate in the BOCES Internship Program for projects, including but not limited to various building, maintenance and forestry activities, under the terms and conditions of BOCES Internship Program. In addition, the LCRFP desires to grant BOCES access to the County’s reforestation property in order to provide 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 accept such program and provide such authorization;

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

Section 2. That the term of this Agreement shall be from September 1, 2020 and continue through August 31, 2021, with annual renewal upon mutual written agreement.

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

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators together with the Director of Recreation, Forestry and Parks are hereby authorized to make, execute, seal and deliver such Agreement and any renewals, upon approval by the County Attorney as to form and content.

Section 5. That this resolution shall take effect immediately.

OCTOBER 6, 2020

Moved by Legislator LaChausse , seconded by Legislator Kulzer , and adopted on the 6th day of October, 2020.

RESOLUTION NO. 268 - 2020
RESOLUTION AUTHORIZING AN AGREEMENT
BETWEEN THE COUNTY OF LEWIS AND JEFFERSON COUNTY
FOR ISSUANCE OF A PROGRAMMING KEY FOR THE LEWIS COUNTY
INTEROPERABLE COMMUNICATIONS SYSTEM

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis (“County”) desires to enter into an agreement with Jefferson County (“Jefferson”) to enable Jefferson County Emergency Management to be issued a “daughter” key to the Lewis County Interoperable Communications System (“LCICS”) to be used for authorized radios deemed necessary for interoperable communication between the two Counties; and

WHEREAS, the Lewis County programming data and keys are in need of protection from misuse and dissemination to those not authorized to possess the data or key to modify radios used by the County on its 911 LCICS, while the ability for interoperable communication between neighboring counties is mutually beneficial; and

WHEREAS, Jefferson County is aware of the strict requirements, conditions and limited authorizations Lewis County will demand of Jefferson in granting them the use of the programming key for restricted Interoperable Communications; and

WHEREAS, the Board of Legislators wishes to enter into the Agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes the County of Lewis to enter into an Agreement with Jefferson County to provide Jefferson with a “daughter” programming key for the Lewis County Interoperable Communications System developed by EF Johnson, to be used by Jefferson County Emergency management for the sole purpose of programming Jefferson responders’ radios approved by Lewis County to operate on the LCICS; said agreement to provide for all restrictions to use, authorized talk groups, authorized vendors and radios as Lewis County 911 demands.

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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Moved by Legislator LaChausse , seconded by Legislator Kulzer , and adopted on the 6th day of October, 2020.

**RESOLUTION NO. 269 - 2020
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO SAMANTHA M. BABCOCK)**

Introduced by Lawrence L. Dolhof, Chairman of the Lewis County Board of Legislators.

WHEREAS, Samantha M. Babcock executed a Mortgage in favor of the County of Lewis dated August 31, 2017, and recorded in the Lewis County Clerk's Office on June 4, 2018 as Instrument No. 2018-002728 to secure payment of a loan in the amount of \$29,400.00 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 LaChausse , seconded by Legislator Kulzer , and adopted on the 6th day of October, 2020.

**RESOLUTION NO. 270 - 2020
RESOLUTION AUTHORIZING DISCHARGE OF MORTGAGE
(COUNTY OF LEWIS TO LEO ROGERS AND BETTE ROGERS)**

Introduced by Lawrence L. Dolhof, Chairman of the Lewis County Board of Legislators.

WHEREAS, Leo Rogers and Bette Rogers executed a Mortgage in favor of the County of Lewis dated July 1, 2015, and recorded in the Lewis County Clerk's Office on January 15, 2016 as Instrument No. 2016-000324 to secure payment of a loan in the amount of \$38,088.00 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 LaChausse, seconded by Legislator Kulzer, and adopted on the 6th day of October, 2020.

RESOLUTION NO. 271 - 2020
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND
LEWIS COUNTY OFFICE FOR THE AGING
REGARDING HOME ENERGY ASSISTANCE PROGRAM (“HEAP”)

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Service Committee.

WHEREAS, the Lewis County Department of Social Services (“DSS”) requires a service agreement with a qualified provider to comply with the Social Services Law of the State of New York and the rules and regulations of Title 18 NYCRR, specifically that the County of Lewis shall provide for a comprehensive program of assistance and care to supply the basic needs of those eligible individuals living within the county who qualify for need assistance and care; and

WHEREAS, DSS desires to enter into an agreement with Lewis County Office for the Aging to provide HEAP outreach and certification services to low-income residents of Lewis County, especially households with elderly and handicapped individuals, with provisions required by Office of Temporary and Disability Assistance in order to be eligible for federal funds; and

WHEREAS, the Board of Legislators wishes to approve such agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes 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, especially households with elderly and handicapped individuals.

Section 2. That the term of this Agreement shall be from October 1, 2020 through September 30, 2021 at a cost not to exceed \$6,000.00, with no local share cost due to the HEAP program being 100% federally funded.

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 LaChausse, seconded by Legislator Kulzer, and adopted on the 6th day of October, 2020.

**RESOLUTION NO. 272 - 2020
RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS
WITH REFERENCE TO DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Department of Social Services (“DSS”) is tasked with providing a comprehensive program of assistance and care to supply basic needs of those eligible individuals living within the county who qualify for need assistance and care. One of those critical programs upon which many Lewis County residents depend is the Home Energy Assistance Program (“HEAP”); and

WHEREAS, the Lewis County Commissioner of DSS relies upon temporary “HEAP” program examiners for six (6) months of the year in order to meet the needs of processing these applications for assistance in compliance with all Federal and State regulations for same. This is a Civil Service tested position which requires two years’ experience in examinations and claims, with no qualified applicants because of the minimum experience requirements for a temporary position; and

WHEREAS, the Board of Legislators seeks to assist DSS in meeting the large demand for HEAP benefits by approving the creation of a temporary Program Examiner Trainee position in order to allow for interested applicants to obtain the experience in examination and claims while serving in the position;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Department of Social Services to create the following annual, temporary position, effective and retroactive to September 16, 2020:

<u>TITLE</u>	<u>STATUS</u>	<u>GRADE/SALARY</u>
Program Examiner (HEAP)	Temporary	Grade 17 (\$17.65-\$19.07/hour)

Section 2. That this resolution shall take effect immediately.

Moved by Legislator LaChausse , seconded by Legislator Kulzer , and adopted on the 6th day of October, 2020.

**RESOLUTION NO. 273 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Solid Waste Department**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following 2020 budget appropriation is hereby approved in the Solid Waste Department accounts to appropriate funds from Development Authority of the North Country for capital equipment reimbursements.

Increase Revenue:

ES816000 327700 SW Op Misc \$66,655.00

Increase Expense:

ES816000 223300 Equip - Vehicles \$66,655.00

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

Moved by Legislator LaChausse , seconded by Legislator Kulzer , and adopted on the 6th day of October, 2020.

**RESOLUTION NO. 274 - 2020
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY TREASURER'S OFFICE
AND SYSTEMS EAST, INC.**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, Systems East, Inc. wishes to enter into a renewal agreement with the Lewis County Treasurer's Office for the purpose of providing software support and maintenance services for its tax collection system, including software application enhancements, revisions, web and cloud based hosting for the Department's data processing plan; 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 a renewal agreement with Systems East, Inc. to provide software support, maintenance services, web and cloud based hosting

PROCEEDINGS OF THE BOARD OF LEGISLATORS

services for the Treasurer's data processing plan and tax collection system, for the period of January 1, 2021 through December 31, 2021, at a cost not to exceed \$8,184.00.

Section 2. That Eric Virkler, 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 LaChausse, seconded by Legislator Kulzer, and adopted on the 6th day of October, 2020.

**RESOLUTION NO. 275 – 2020
RESOLUTION HONORING
“GOLD STAR FAMILIES”
IN LEWIS COUNTY**

Introduced by Lawrence L. Dolhof, Chairman of the Board of Legislators

WHEREAS, under Section 111 of Title 36, US Code, the last Sunday in September is designated as “Gold Star Mother’s Day”, approved June 23, 1936 under Joint Resolution of the US Congress; and

WHEREAS, the members and veterans of the Armed Forces, through their service, bear the burden of protecting the freedom of the people of the United States; and

WHEREAS, a gold star symbolizes a family member who died in the line of duty while serving in the Armed Forces, but except for Gold Star Mothers’ Day, there is no known formal dedication to the families affected by the loss of a loved one who died in service to the United States; and

WHEREAS, the selfless example of the service of the members and veterans of the Armed Forces, as well as the sacrifices made by the families of those individuals, is an inspiration to all individuals in the United States; and

WHEREAS, the sacrifices of the families of the fallen members of the Armed Forces and the families of veterans of the Armed Forces should never be forgotten;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Lewis County Board of Legislators wishes to honor all Gold Star Families by recognizing the sacrifices made by the families of the members of the Armed Forces who made the ultimate sacrifice in order to defend freedom and protect the United States.

Section 2. The Lewis County Board of Legislators encourages the residents of Lewis County to honor Gold Star Families by performing acts of kindness, service, and good will in

their local communities, and to remember the Gold Star families in our Lewis County communities whose loved ones made the ultimate sacrifice so that others could continue to enjoy life, liberty, and the pursuit of happiness. We herein identify Lewis County Gold Star Families known and honor them and all others who may not have been identified:

Judy L. Hoffman and Danny T. Gudridge
Dianne E. Cannan, Jennifer A. Cannan, and James L. St. Lewis
Floyd L. Arthur and Rose E. Arthur Hanno

Section 3. That this resolution shall take effect immediately.

Moved by Legislator LaChausse, seconded by Legislator Kulzer, and adopted on the 6th day of October, 2020.

RESOLUTION NO. 276 - 2020
RESOLUTION AUTHORIZING PRIVATE CONTRACT OF SALE
AND TRANSFER OF A DELINQUENT TAX FORECLOSED PARCEL

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, Real Property Tax Law Section 1166 (RPTL §1166) authorizes the County, to sell and convey real property it acquires by virtue of a foreclosure proceeding brought pursuant to Article 11 of the RPTL upon approval by a majority of the governing body; and

WHEREAS, the County became vested with the title to a vacant parcel in the Town of Diana, New York, identified as Tax Map Parcel No.: 013.18-02-11.200 by judgment dated September 24, 2020, as a result of the County's tax foreclosure proceeding for delinquent taxes on vacant and/or abandoned properties owing in 2017, 2018 and 2019; and

WHEREAS, pursuant to Local Law 6-2004, the County Board of Legislators may exercise its discretion on a case-by-case basis to sell a delinquent tax foreclosed property by private sale instead of by public auction by Board resolution based upon best interest of the County, and after consideration of the recommendation of the Real Property Advisory Board (RPAB); and

WHEREAS, the County received a request from the Harrisville Christian Church ("HCC") to purchase the above identified vacant parcel which adjoins its property on Route 3, Harrisville, NY, with the intention to expand their parking lot behind the building. The RPAB reviewed the information and location of the parcel and recommend that the Board authorize the private sale of this parcel to HCC in consideration of the payment of \$2,700.00 (assessed value), inclusive of all outstanding taxes, penalties, fees and charges, interest owing and including the 2020 School taxes due September, 2020; and

WHEREAS, the Board of Legislators of the County of Lewis seeks to approve this private sale to HCC;

PROCEEDINGS OF THE BOARD OF LEGISLATORS

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves and authorizes the private sale by Quitclaim Deed, of the foreclosed vacant parcel known as Tax Map Parcel No.: 013.18-02-11.200, Town of Diana, County of Lewis, to Harrisville Christian Church for the sum of \$2,700.00, and other valuable consideration to be set forth in a Contract for Sale to be drawn by the County Attorney. All outstanding taxes, interest, penalties, recording fees and charges shall be paid from said amount.

Section 2. That the Lewis County Treasurer is directed to pull this parcel from the tax auction, anticipated to be scheduled on or about November 5, 2020.

Section 3. That the Chairman, or Vice-Chairman of the Board of Legislators be and the same is hereby authorized to execute and deliver said agreement and Quitclaim Deed, together with all other required documents, upon said terms and provisions approved by the County Attorney.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Burns, and adopted on the 6th day of October, 2020. Legislator Hathway abstained.

OTHER BUSINESS:

There was brief discussion on changing the scheduled November meeting due to Election Day. Legislator Osborne made a motion to schedule the next Board of Legislators meeting for Monday, November 2nd at 5:00 p.m., seconded by Legislator King, and carried.

The Clerk of the Board announced that the Second Day of the Annual Session would be scheduled for Thursday, November 19th at 5:00 p.m. and this meeting will be the Public Hearing on the Tentative 2021 budget; the Final Day of the Annual Session will be scheduled for Thursday, December 17th at 10:00 a.m. and this will close out business for the year. She also asked for input from Legislators on whether to hold the Annual Christmas luncheon with Department Heads due to the pandemic. Chairman Dolhof asked to leave it undetermined at this time and as it approaches a decision will be made.

There being no other business to come before the Board, Legislator Burns made a motion to adjourn the meeting at 5:52 p.m., seconded by Legislator Gilbert, and carried.

**FIRST DAY
ANNUAL SESSION
November 2, 2020**

The meeting was called to order at 5:01 p.m. by the Chairman of the Board Lawrence Dolhof.

Roll Call: All Legislators were present. There were 9 additional persons present.

Chairman Dolhof offered the Invocation followed by the Pledge of Allegiance to the Flag.

Chairman Dolhof declared the October 6, 2020 meeting minutes approved by general consent.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: Thomas Osborne
Ronald Burns
Ian Gilbert
Gregory Kulzer
Phil Hathway

Dated: November 2, 2020

Legislator Burns made a motion to waive the rules, seconded by Legislator LaChausse, and carried.

PRIVILEGE OF THE FLOOR:

Chairman Dolhof announced that over the past 9 years the Northern New York Business magazine has held the event “20 under 40” which honors 20 young professionals who are under 40 years old for their leadership, ongoing career growth and community service in the Jefferson, Lewis, and St. Lawrence county areas.

Out of the 20 individuals who received this award 6 of them were from Lewis County: Katherine Bingel Larson, Lowville Academy Central School; Lidia Young, Young Law Firm; Tyler McDonald, Constableville Auction Hall and Adirondack Asset Auctions; Jerian O’Dell, Carthage Area Hospital. Chairman Dolhof thanked them for their hard work, community service, and commitment to Lewis County.

The remaining 2 awardees from Lewis County are Public Health Director Ashley Waite and County Manager Ryan Piche. Since late February when the Covid pandemic initially began, Ashley has shown her superior leadership skills in guiding the county in this unprecedented public health disaster. She has worked selflessly 24/7 since the outbreak, now in its ninth month,

PROCEEDINGS OF THE BOARD OF LEGISLATORS

sacrificing her family life in order to keep the rest of us safe. The County is incredibly fortunate to have Ashley as our Public Health Director.

Ryan Piche's uncanny ability to foresee and predict unknown future problems and then navigate through them as they unfold underscores his visionary management style. Through his guidance this Board has made many policy changes since he came on board all playing a part of making the county government more efficient and cost effective for the benefit of the county residents, without a doubt a truly remarkable leader.

Chairman Dolhof concluded by stating he was both proud and honored to serve with them and that they are both remarkable individuals. The fellow Legislators applauded with a standing ovation in recognition of both Public Health Director Ashley Waite and County Manager Ryan Piche.

Chairman Dolhof also thanked all other county staff who have stepped up to the plate and shared a part in handling all the extra work this pandemic has caused, which makes Lewis County a better place.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The Clerk reported that the following resolutions were received from Seneca County: A Resolution Supporting Bill S113/A4939, An Act to Amend the Public Health Law, in Relation to the "Unpredictable Nursing Home Inspections Act"; and A Resolution Supporting NYS Senate Bill S112 Related to Imposing a Nursing Home Purchase Moratorium on Those Who Own or Have Owned Failing Facilities. Greene County submitted a Resolution Supporting Bill A11245, Product Stewardship Program for Paint.

A letter of appreciation was received from Allen Matuszczak thanking legislators for all their efforts and support in fixing the North Lowville drainage problem which encompassed parts of Route 26 North and Lewis County General Hospital.

Legislator LaChausse, District 2 representative, submitted his official letter of resignation effective November 23, 2020, which the Clerk read as follows:

Please accept this letter as my formal notice of my intention to resign my position as Lewis County Legislator, representing District#2 with an effective date of November 23, 2020.

This decision was very difficult for me to say the least, however circumstances dictate my necessity to relinquish my duties as a Lewis County Legislator, due to residency requirements. Having recently purchased a new home in Cattaraugus County, and upon the sale of our current home in the Town of Croghan, Janice and I will make our primary residence in Cattaraugus County, and therefore I will not be legally able to continue to represent the residents of Lewis County and in particular District #2.

I have spent my entire life as a resident in the Town of Croghan, and therefore Lewis County will always be home.

I have spent the majority of 46 years in community and public service in various capacities both voluntary and elected, and I will cherish these forever. My time as Lewis County legislator has been both rewarding and frustrating to say the least, and I feel grateful for the opportunity to serve the fine people of District #2, whom I hopefully represented to the best of my abilities, and a heartfelt thank you for that trust.

However, I am at a stage in my life where my family deserves my full attention and I also need to truly retire and enjoy what time I have left with them. I have always told people that you will realize when it's time to retire and walk away, and that time is here for me.

So, in conclusion, I want to express my gratitude to my fellow Legislators, it has been an honor to serve with you. County Department heads and employees, it has been a pleasure to work with you. County residents, it has been rewarding to represent you.

I will continue to serve to the best of my abilities until my last minute in office, and I truly am "Naturally Lewis."

Sincerely,
Randall L. LaChausse
Lewis County Legislator – District 2

Chairman Dolhof thanked Legislator LaChausse for his service and wished him well going forward.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received copies of the Treasurer's October report; the October Highway and Solid Waste Departments audit reports; minutes of the October Youth Bureau Advisory Board meeting; and the apportionment of mortgage tax report for the period of April 1, 2020 to September 30, 2020 as follows:

**APPORTIONMENT OF MORTGAGE TAX
April 1, 2020 through September 30, 2020**

	<u>KEY</u>	<u>VALUATION</u>	<u>AMOUNT</u>
Town of Croghan		398,565,656	\$23,180.88
Village of Croghan	.025382309	20,233,033	<u>603.71</u>
			\$23,784.59
Town of Denmark		315,910,857	\$86,263.81
Village of Castorland	.025231844	15,942,027	2,388.07
Village of Copenhagen	.063321865	40,008,129	<u>5,993.10</u>
			\$94,644.98

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Town of Diana		196,851,186	\$ 13,520.96
Town of Greig		242,891,310	\$28,239.45
Town of Harrisburg		124,149,823	\$ 6,365.62
Town of Lewis		83,394,585	\$ 11,627.78
Town of Leyden		118,129,354	\$ 6,494.49
Village of Port Leyden	.073172998	17,287,758	<u>512.74</u>
			\$ 7,007.23
Town of Lowville		459,420,512	\$24,953.76
Village of Lowville	.295477949	271,497,261	<u>10,465.66</u>
			\$35,419.42
Town of Lyonsdale		119,767,805	\$ 3,745.43
Village of Lyons Falls	.039199278	9,389,623	157.37
Village of Port Leyden	.027854689	6,672,190	<u>111.83</u>
			\$ 4,014.63
Town of Martinsburg		223,370,278	\$ 3,656.21
Town of Montague		40,281,978	\$ 650.79
Town of New Bremen		197,338,317	\$18,392.11
Village of Croghan	.036755363	14,506,483	<u>701.80</u>
			\$19,093.91
Town of Osceola		57,085,882	\$ 2,386.69
Town of Pinckney		45,064,702	\$ 3,003.60
Town of Turin		88,648,810	\$ 5,548.24
Village of Turin	.074076195	13,133,533	<u>443.87</u>
			\$ 5,992.11
Town of Watson		224,501,372	\$17,414.12
Town of West Turin		158,263,490	\$ 9,899.79
Village of Constableville	.047526309	15,043,359	554.52
Village of Lyons Falls	.103996455	32,917,684	<u>1,213.40</u>
			\$11,667.71
		GRAND TOTAL	<u>\$288,489.80</u>

To County of Lewis

\$144,734.51

Thomas Osborne, Chairman
Ronald Burns
Ian Gilbert
Gregory Kulzer
Philip Hathway
Finance & Rules Committee

Dated: November 2, 2020

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 \$288,489.80 from the tax on mortgages from April 1, 2020 through September 30, 2020 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 3rd day of November 2020.

Lawrence L. Dolhof, Chairman
Cassandra Moser, Clerk of the Board

County Budget Officer Ryan Piche submitted the 2021 Tentative Lewis County Budget and a 5-year Tentative Capital Improvement Plan to all Legislators accompanied his budget message.

REPORTS OF STANDING COMMITTEES:

Legislator King asked that the Solid Waste bid documents be distributed out to all Legislators and after reviewing, a motion will be made at the next Board meeting to move things forward.

Legislator LaChausse made a motion to authorize Public Health Director Ashley Waite to refill the Clerk position due to an internal promotion, effective immediately, seconded by Legislator King and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Legislator Chartrand announced the employee of the month is Lori Peters, Senior Keyboard Specialist. The Hospital reported a loss of \$1.5 million versus a budgeted loss of \$200,000, which is due to having to book the IGT payment true up in September. Hospital CFO Jeff Hellinger still expects to meet his budget by the end of the year.

Legislator Hathway reported that he had recently used the facilities of Lewis County Health System and that he had a positive experience, crediting the wonderful staff.

COUNTY MANAGER REPORT:

Ryan reported that other Departments outside of Public Health have really stepped up to assist with the pandemic, without any complaints or Union issues. The tentative budget has been put forward and any changes going forward before adoption will need to be made by motion or resolution. After further review of the budget with Eric some changes were made to decrease the tax rate from a 1.38% increase to only a .8% increase. Ryan concluded by offering to help Legislators to formulate resolutions for their budget changes.

COUNTY TREASURER REPORT:

Eric reported that the Tax Auction is live online and will close on November 5th. There are only 13 properties due to restrictions, but the auction should be successful. The Treasurer's office has already started on next year's auction with roughly 205 parcels, which is considerably less than 2019. Three+One is working with banks and other financial institutions to provide us with other investment opportunities.

REPORT OF THE FINANCE AND RULES COMMITTEE:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 277 – 2020
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 1,453,964.41 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 LaChausse, seconded by Legislator King, and adopted on the 2nd day of November, 2020 by the following roll call vote:

AYES: King, Chartrand, Burns, Hathway, LaChausse, Gilbert, Osborne, Dolhof

NAYS: None

ABSENT: Kulzer, Moroughan

**RESOLUTION NO. 278 - 2020
RESOLUTION TO SET PUBLIC HEARING ON
2021 TENTATIVE LEWIS COUNTY BUDGET**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules 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 2021 Tentative Lewis County Budget to be held in the second floor board room of the Lewis County Court House, 7660 State Street, Lowville, New York on the 19th day of November, 2020 to begin at 5:00 p.m.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 279 - 2020
RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENTS BETWEEN
THE COUNTY OF LEWIS AND THE TOWNS OF WATSON AND OSCEOLA
(VARIOUS CODE, LAND USE & ZONING ADMINISTRATION & ENFORCEMENT)**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the Federal Emergency Management Agency (FEMA) and the NYS Department of Environmental Conservation (NYSDEC) have promulgated regulations concerning the National Flood Insurance Program (NFIP), which, inter alia, require Towns to enact a local law adopting certain floodplain management regulations; and

WHEREAS, the local law must include the designation of a “Local Administrator” as defined in such local law to administer and implement the regulations, including enforcement thereof; and

WHEREAS, the Towns of Watson and Osceola have each enacted a local law or ordinance which regulates use of land and construction of structures located within FEMA designated special flood hazard zones within said municipalities. The towns designate the Lewis County Code Enforcement Office as the Local Administrator to administer and implement its floodplain management regulations, by granting or denying Flood Plain Development permits and enforcement in accordance with their provisions and regulations; and

WHEREAS, the Town of Watson (“Watson”) is currently responsible for the administration and enforcement of Uniform Fire Prevention and Building Codes within its boundaries. In accordance with Executive Law § 381, Watson’s intent is to formally “opt-out” of the administration and enforcement of the States Uniform Fire Prevention and Building Codes with enactment and filing with the Secretary of State a local law prior to July 1st of 2021; and

WHEREAS, Watson desires to enter into an Intermunicipal Agreement that cedes authority for the administration and enforcement of the Uniform Codes to the County of Lewis commencing January 1, 2021; and

WHEREAS, the Town of Watson has enacted a zoning law or ordinance which regulates the use of land within said Municipality. General Municipal Law § 119-u [4](d) and in particular, Town Law § 284 [4](d) and Village Law § 7-741 [4](d), authorize a Town or Village to enter into an inter-municipal agreement with a county to carry out all or a portion of the ministerial functions related to land use regulation within such Town or Village and to provide for a land use administration and enforcement program which may replace individual land use administration and enforcement programs, if any, the terms and conditions of which shall be set forth in such agreement; and

WHEREAS, Watson wishes to have the Lewis County Codes Department administer and enforce its zoning and land use laws ordinances via an Inter-municipal Agreement; and

WHEREAS, the County of Lewis wishes to promote inter-governmental cooperation to the extent of offering to have the Lewis County Codes Department perform the above described administrative and enforcement functions as described for the Towns of Osceola and Watson;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes Intermunicipal Agreements between the County of Lewis and the Towns of Watson and Osceola for the Lewis County Codes

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Department to be designated as the Town’s “Local Administrator” under its local law, to administer and implement the regulations of the Towns of Watson and Osceola’s Flood Plain Management Program, including enforcement, together with the Federal and State Floodplain Management Regulations; and to administer and enforce the Uniform Fire Prevention and Building Codes in the Town of Watson together with its zoning and land use regulations.

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

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 280 - 2020
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY AND SIEMENS INDUSTRIES, INC.
FOR THE DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Jerry King, Chair of the General Services 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, 2021 through December 31, 2022; 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, 2021 through December 31, 2022 at the following annual costs:

Year 1	1/1/2021 – 12/31/2021	\$18,760.00
Year 2	1/1/2022 – 12/31/2022	\$19,135.00

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.

NOVEMBER 2, 2020

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 281 - 2020
RESOLUTION AUTHORIZING FUNDING APPLICATION TO
NEW YORK STATE DEPARTMENT OF TRANSPORTATION
ACCELERATED TRANSIT CAPITAL (ATC) PROGRAM FOR THE
LEWIS COUNTY TRANSPORTATION SYSTEM**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the Accelerated Transit Capital (ATC) program administered by the New York State Department of Transportation (NYSDOT) provides funding intended to support capital projects for public transportation to rehabilitate, restore and modernize public transit assets; and

WHEREAS, under the Lewis County Transportation System (LCPT), the Planning Department seeks to submit an application to NYSDOT under the ATC program and apply for \$44,074 from the 2020 ATC funding toward the purchase costs of new LCPT buses, in combination with MEP and 5311 funding previously set forth in Resolution 68-2020; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this application and accept said funding upon approval from NYSDOT;

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 Accelerated Transit Capital (ATC) program for supplemental funding of \$44,074 from the 2020 ATC program toward the purchase costs of new buses for LCPT.

Section 2. That the Chairman, or in his absence, the Vice-Chairman is hereby authorized to make, execute, seal and deliver such online Application and other required documents for this funding; and is authorized to accept the funding upon approval from NYSDOT, upon such forms as may be approved by the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 282 - 2020
RESOLUTION AUTHORIZING RENEWAL AGREEMENTS BETWEEN
LEWIS COUNTY DISTRICT ATTORNEY'S OFFICE**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

AND VARIOUS PROVIDERS FOR SERVICES

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the Lewis County District Attorney's Office wishes to enter into renewal agreements with various providers for 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 renewal Agreements between the County of Lewis, by and through the Lewis County District Attorney's Office, and the following providers for services in the amounts herein set forth:

CONTRACTOR	PURPOSE	AMOUNT
John A. Cirando, Esq.	Provides Appellate Work	<ul style="list-style-type: none">• \$100.00 per hour (plus reasonable & necessary disbursements as defined in the agreement)
Mark Tuttle	Assist in Death Investigations	<ul style="list-style-type: none">• \$2,500.00 Installment payments of \$1,250.00 by 6/1/21 & 12/31/21
Dr. Samuel Livingstone	Forensic pathologist Consultant & Performs Autopsies	<ul style="list-style-type: none">• Not to exceed \$28,500.00• Additionally, during the 2021 year:• If more than 20 autopsies, compensation is \$1,335.00 per autopsy• If more than 12 external autopsies, compensation is \$150.00 per external autopsy

Section 2. That the term of these Agreements shall be from January 1, 2021 through December 31, 2021.

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 any required revisions thereto, pending approval by the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 283 - 2020
RESOLUTION AUTHORIZING AN EXTENSION TO THE**

NOVEMBER 2, 2020

**SHARED SERVICES AGREEMENT BETWEEN
THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION
AND THE COUNTY OF LEWIS**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis (“County”) and New York State Department of Transportation (“NYSDOT”) entered into a shared services agreement (Contract No. C005701) for the term commencing September 1, 2015 to August 31, 2019 pursuant to Transportation Law Sections 14(14) and 14(15) and Section 99-4 of the General Municipal Law; and

WHEREAS, the sharing of such materials and services promotes and assists both the State and County in the maintenance of roads and highways, each municipality’s roads and highways, and provides cost savings by maximizing the effective utilization of both parties’ resources; and

WHEREAS, the original agreement allows for the term to be extended for up to three additional one-year periods. The first of three extensions expired on August 31, 2020, and the NYSDOT and the County wish to extend this agreement to August 31, 2021; and

WHEREAS, the Board of Legislators desires to accept the extension of the shared services agreement; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an extension to the Shared Services Agreement (Contract No. C005701) between the County of Lewis and the New York State Department of Transportation to share certain materials and services to promote and assist in the maintenance of NYSDOT and the County of Lewis roads and highways, and to provide cost savings by maximizing the effective utilization of both parties’ resources.

Section 2. That this Shared Services Agreement is extended to August 31, 2021, with each party contributing no more than \$77,000.00 in costs and services to the other.

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

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

Moved by Legislator Osborne , seconded by Legislator Burns , and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 284 - 2020
RESOLUTION TO APPOINT**

HIGHWAY SUPERINTENDENT

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, pursuant to County Law the Board of Legislators has the exclusive right to appoint a County Highway Superintendent to a four-year term, and to fix the salary and provide for necessary expenses;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints Timothy Hunt, of Cazenovia, New York, who will relocate his residence to Lewis County, New York to accept the appointment as the Lewis County Highway Superintendent.

Section 2. That the term of said appointment shall commence November 16, 2020 and terminate on August 7, 2022, filling the unexpired term of the current Highway Superintendent, at the salary of \$78,883.00.

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 285 - 2020
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY GENERAL HOSPITAL
BOARD OF MANAGERS**

Introduced by Legislator Richard Chartrand, Hospital Board of Managers' representative.

WHEREAS, Steve Fuller has submitted his letter of resignation as a member of the Lewis County General Hospital Board of Managers.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That pursuant to Section 127 of the General Municipal Law, the Board of Legislators hereby appoints Howard Meny, MD of Glenfield, New York 13343 to fill the unexpired term of Steve Fuller, as a member of the Board of Managers of the Lewis County General Hospital.

Section 2. That the term of said appointment shall commence November 3, 2020 and expire on December 31, 2021.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne , seconded by Legislator Burns , and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 286 - 2020
RESOLUTION AUTHORIZING AMENDMENT TO THE FIBER OPTIC
NETWORK SERVICE AGREEMENT BETWEEN DEVELOPMENT
AUTHORITY OF THE NORTH COUNTRY (DANC)
AND LEWIS COUNTY**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the County of Lewis entered into a Service Agreement with the Development Authority of the North Country (DANC) dated August 5, 2014, to install and provide fiber optic data network connectivity for the County's communications and network systems. Under the agreement, DANC provides fiber optics internet connectivity from the PSB building to the County Courthouse at 100 MB, at a cost of \$200/mo. Additional 100 MB service and connectivity is then provided from the Courthouse to Lowville Commons, the JCC Ed Center, each at \$200/mo cost; with service to the Highway Garage of 10 MB at \$80/mo, and 200MG service at \$150/mo to the County's 911 tower and equipment shelter on the Number Three Road; and

WHEREAS, the Director of Information Technology seeks to improve and enhance internet coverage and connectivity by having DANC increase the fiber optic connectivity between the PSB to the Courthouse from 100 MB to 400 MB (DANC Project # 30010), at a monthly cost of \$300.00; and

WHEREAS, the Board of Legislators wishes to authorize an amendment to the continuing service agreement to provide for this upgrade.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators authorizes an amendment to the Service Agreement entered into with the Development Authority of the North Country (DANC) dated August 5, 2014, to increase the fiber optic connectivity between the PSB to the Courthouse from 100 MB to 400 MB (DANC Project # 30010), at a monthly cost of \$300.00, effective upon full execution of the amendment to 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 Amendment and any other documents required, pending approval by the County Attorney.

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

Moved by Legislator Osborne , seconded by Legislator Burns , and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 287 - 2020
RESOLUTION AUTHORIZING PURCHASE OF VERIZON MOBILE DEVICE
MANAGEMENT (MDM) SOFTWARE LICENSES FOR DSS COUNTY-ISSUED
SMARTPHONES**

Introduced by Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the IT Department secured twenty-five (25) cell phone devices through Verizon for a number of DSS employees whose positions require same. In order to provide the maximum safety and security functions on said devices, and for DSS to be in compliance with requirements set by the State, these devices require mobile device management (MDM) licenses offered through Verizon Wireless (VZW) known as “IBM Maas Essential Pricing Plan”; and

WHEREAS, the annual cost of the 25 licenses required for DSS smartphone devices is \$900.00; and

WHEREAS, the Board of Legislators wishes to authorize the purchase of twenty-five (25) MDM security software licenses for the county-issued cellphones/smartphones in the DSS Department;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the purchase of 25 Verizon MDM remote security software licenses for the DSS cellphone/smartphone devices at an annual cost of \$900.00.

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 \$900.00 annual payment for the 25 licenses 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 Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 288 - 2020
RESOLUTION APPROVING SALE OF SURPLUS WIRELESS
TELEPHONE DEVICES PURSUANT TO COUNTY POLICY**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, pursuant to Resolution Nos. 325– 2017 and 422-2019, the Board of Legislators adopted the County’s “ON-LINE AUCTION OF SURPLUS EQUIPMENT POLICY, wherein the Board authorized 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; and

WHEREAS, the Information Technology Director seeks to offer approximately 25-35 surplus wireless phone devices pursuant to the procedures set forth in the policy; and

WHEREAS, in the event any of the surplus phone devices are not sold through the policy process and on-line auction, the Director requests to sell the remaining surplus devices, if any, to PaceButler Corporation, 5915 NW 23rd St., Oklahoma City, Oklahoma, who will purchase each phone at a price between \$35 - \$75, depending upon condition, and who will then donate an educational book to a non-profit organization for each phone. PaceButler has donated over 600,000 books to various organizations and non-profits throughout the country, including schools, churches, veterans, job corps, mentoring programs, junior achievement; and

WHEREAS, the Board of Legislators seeks to authorize the sale of the surplus phone devices in accordance with this procedure.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the sale of the surplus phone devices in the possession of the IT Director in accordance with the County’s On-Line Auction of Surplus Equipment Policy.

Section 2. That the Board of Legislators authorizes the IT Director to sell any remaining surplus devices which do not sell after the procedures are followed under the policy, to PaceButler Corporation, 5915 NW 23rd St., Oklahoma City, Oklahoma, at the maximum price for each device, as set forth in PaceButler’s schedule of rates.

Section 3. That the Director of IT is to take all steps to wipe clean and remove all data from the devices prior to their sale.

Section 4. That the County Manager is authorized to execute any documents required to give effect to this Resolution, upon review and approval of the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 289 - 2020
RESOLUTION TO TRANSFER FUNDS
Information Technology Department**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules committee.

BE IT RESOLVED as follows:

Section 1. That the following 2020 budget transfer is hereby approved in the Information Technology Department accounts for necessary upgrades for staff computer resources utilizing unspent personnel funds.

From:

A0168000 110100 Personnel \$10,000.00

To:

A0168000 221700 Computers \$10,000.00

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 290 - 2020
RESOLUTION AUTHORIZING GRANT FUNDS AND A
SERVICE/ADMINISTRATIVE AGREEMENT WITH THE LEWIS COUNTY
DEVELOPMENT CORPORATION (LCDC) TO PROMOTE LEWIS COUNTY
FALL/WINTER OUTDOOR TOURISM DURING COVID-19 PANDEMIC**

Introduced by Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, Section 224 of the County Law authorizes the County of Lewis (“County”) to promote and publicize the region’s economic businesses and employment opportunities for its citizens, and to enter into contracts to accomplish such purposes; and

WHEREAS, the Lewis County Development Corp. (“LCDC”) is a duly organized domestic, not-for-profit, local development corporation established and operating pursuant to § 1411 of the New York State Not-for-Profit Corporation Law (“N-PCL”), for purposes including but not limited to relief and reduction in local unemployment; to identify, research, fund, develop and manage projects, programs, and businesses that increase economic opportunities for Lewis County residents; to promote Lewis County as a destination for visitors in order to increase local economic development and to promote the quality of life for all people in Lewis County; and

WHEREAS, the Pratt Northam Foundation is providing \$10,000 in GRANT funding to the LCDC to provide financial awards to Lewis County small businesses in the hospitality

industry to assist in renovations and/or development of creative service solutions to accommodate the visitors and customers who will look to Lewis County for Fall and Winter recreational activity and tourism under Covid-19 restrictions and guidelines; and

WHEREAS, the County seeks to promote economic development and the Fall/Winter tourism season unique to Lewis County, which will enable Lewis County small businesses in hospitality, tourism and entertainment industries to remain open and maintain employment opportunities for its citizens under the Covid-10 business restrictions and executive orders mandated by the State; and

WHEREAS, the Board of Legislators seeks to match the Pratt Northam funds by awarding \$10,000 to the LCDC in grant funds to be distributed to Lewis County Businesses in the hospitality, tourism and entertainment industries who apply to the LCDC with specific renovation and/or other creative service solutions to be set up this Fall in order for the business to remain open and service the residents and expected visitors this Fall and Winter seasons. In order for the business to receive any grant funding from the County (capped at \$1,000 per business entity), the business will be required to execute a document agreeing to abide by all State guidelines, mandates and executive orders pertaining to social distancing, size of gatherings, mask wearing, disinfection measures, etc. The intent of the grant funding is to match the amount the business invests in the changes/renovations implemented for this Fall and Winter season.

WHEREAS, pursuant to County Law Section 224, the Board of Legislators wishes to engage the LCDC for the purpose of implementing and administering these Grant funds for small businesses to invest in ideas and modifications to their business during this Fall and Winter in order to remain open, to maintain employment, and to attract residents and visitors to the County while abiding by all business restrictions and executive orders promulgated by NYS during the Covid-19 Pandemic; and

WHEREAS, the LCDC will enter into a contract with the County to administer these funds in accordance with the intent as set forth above and provide the Board of Legislators with periodic updates and reports on the distribution of said matching funds.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators authorizes the appropriation of \$10,000.00 from special contingency to be transferred to the LCDC as business grant funds; for the LCDC to enter into a service agreement with the County to administer and distribute matching grant funds to Lewis County Small Businesses in hospitality, tourism and entertainment industries who invest in modifications and improvements to their business this Fall in order to assist in remaining open for the Fall and Winter seasons in Lewis County for the economic health of the County. A business who seeks to receive grant funds must invest the same amount of its own funds in the business in order to receive matching funds from this Grant.

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 Grant Fund Service and Administration Agreement, upon such terms and conditions as approved by the County Attorney.

Section 3. That the following 2020 budget transfer is hereby approved in the Legislative accounts for transfer to the LCDC upon a fully executed Service Agreement:

From:

A0101000 419900 BOL Special Contingency \$10,000.00

To:

A0641250 499900 LCDC Expense \$10,000.00

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 291 - 2020
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO
OFFICE FOR THE AGING DEPARTMENT**

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

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

<u>ABOLISH</u>	<u>STATUS</u>	<u>SALARY</u>
EISEP Case Manager	Permanent Full-Time	Grade 26 (\$22.32-\$24.11)
<u>CREATE</u>		
Specialist, Services for the Aging	Permanent Full-Time	Grade 20 (\$19.01-\$20.53)

Section 2. That the Office For the Aging Director is hereby authorized to fill the Specialist, Services for the Aging position effective immediately.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 292 - 2020
RESOLUTION AUTHORIZING AGREEMENTS
BETWEEN OFFICE FOR THE AGING AND
VARIOUS PROVIDERS FOR PROGRAM SERVICES**

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Office For The Aging wishes to enter into agreements with various providers to utilize their services for the elderly residents in Lewis County; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes Agreements between the County of Lewis and the following various providers for program services for the elderly in the amounts herein set forth:

CONTRACTOR	PURPOSE	AMOUNT
Campany, McArdle & Randall, PLLC	Legal Services	\$120.00 per hr. (not to exceed \$8,000 annually)
S.T.A.T. Communications	Lifenet Services	\$15.00 monthly per unit
U.S. Care Systems, Inc. (Caregiver Services)	Respite	\$24.62 per hour
U.S. Care Systems, Inc. (EISEP/CSEM Program)	Housekeeping (In-Home Personal Care)	\$24.62 per hr. for Level I \$25.03 per hr. for Level II
Plan-It Staffing	Consumer Directed In-Home Services under EISEP & CSE	\$20.00 per hour
Seniors Helping Seniors	Housekeeping/Chore and/or Respite Services for Homebound, Ill, or Disabled Residents	\$23.85 per hour
Croghan Housing Development Fund Company, Inc.	Meal Site Facility	\$0.00 per month
Harris Courts, Inc.	Meal Site Facility	\$120.00 per month
Maple Ridge Center, Inc.	Meal Site Facility	\$1,200.00 per month
United Church of Copenhagen	Meal Site Facility	\$160.00 per month
Osceola Outpost	Senior Meals for Nutrition Program in Osceola	\$150.00 per month rent \$9.28 per meal
McManus Hotel	Senior Meals for Nutrition Program in Copenhagen, Croghan, Harrisville, Lowville and Lyons Falls	\$9.28 per meal
Double Play	Evidenced Based Physical	\$384.00 per session-Aquatics

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Community Center	Programs and Workshops	\$225.00 per session-Walk w/Ease \$576.00 per session-Tai-Chi (not to exceed \$5,000 annually)
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Section 2. That the Agreements shall be for the term commencing on January 1, 2021 through December 31, 2021; with the exception of Croghan Housing Development Fund Co. which shall be for a three (3) year term commencing on January 1, 2021 through December 31, 2023. The County share amount in all contracts 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 and any amendments thereto, pending approval by the County Attorney.

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

Moved by Legislator Osborne , seconded by Legislator Burns , and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 293 - 2020
RESOLUTION TO AMEND COMPENSATION PLAN
WITH REFERENCE TO LEWIS COUNTY PROBATION DIRECTOR**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, pursuant to Resolution No. 69-2020, the Lewis County Board of Legislators appointed Matthew Morrow as Lewis County Probation Director effective April 1, 2020, at an annual compensation rate of \$61,550.00; and

WHEREAS, the annual compensation rate set forth in the Resolution was incorrect and should be adjusted to an annual rate of \$62,781.00, retroactive to April 1, 2020;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby amends the 2020 Compensation Plan for the County of Lewis as follows:

<u>Position</u>	<u>Salary</u>	<u>Effective Date</u>
Director of Probation	\$62,781.00	April 1, 2020

Section 2. That the Treasurer is directed to make this adjustment and pay any retroactive amounts owing to the Director of Probation in the next scheduled payroll.

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

Moved by Legislator Osborne , seconded by Legislator Burns , and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 294 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Public Health Department**

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

BE IT RESOLVED, as follows:

Section 1. That the following budget appropriation is hereby approved in the Public Health Department to appropriate grant funds received to acquire personal protective equipment:

Increase Revenue:

A0409700 330006 COVID 19 State \$6,785.00

Increase Expense:

A0409700 440700 Public Health supplies \$6,785.00

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

Moved by Legislator Osborne , seconded by Legislator Burns , and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 295 - 2020
RESOLUTION TO RE-APPOINT MEDICAL DIRECTOR
TO LEWIS COUNTY PUBLIC HEALTH DEPARTMENT**

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Public Health Department is responsible to provide medical expertise to the Public Health Director. The Public Health Director relies on the Medical Director for advice and guidance in connection with a variety of medical matters, such as preventive medicine, immunizations, disease outbreaks and other related details, together with performing the following duties:

- Prepare, modify, as needed, non-patient specific standing orders;
- Serve as a member of the Health Services Advisory Committee;
- Participate in and provide consultation on certain Quality Improvement (QI) and Quality Assurance activities;

PROCEEDINGS OF THE BOARD OF LEGISLATORS

- Review cases for appropriateness and authorize services under the Physically Handicapped Children's Program;
- Responsible for signing all standing orders;
- Attend quarterly Internal Quality Assurance/Infection Control Committee meetings;
- Advise the Public Health Director and nursing, nutrition, sanitarian and other staff in a variety of health areas such as disease problems, policies regarding conducting clinics, medical aspects of public or community health nursing, home health care, etc.;
- Aid the Public Health Director in planning, organizing and overseeing a local public health program;
- Interpret health problems and issues to public officials, heads of other governmental agencies and elected and appointed officers of various levels of government in the county;
- Keep the Public Health Director informed on health and medical needs and changes which may involve the department; and advise on policies, procedures and strategies accordingly;
- Aid in overseeing a program for control of communicable diseases by advising investigative staff in detection, treatment and analysis of statistical and other factual data; and
- Supervise the conduct of clinics for the treatment of sexually-transmitted diseases and for prevention and discovery of diphtheria, rubella, mumps, tuberculosis, and other communicable diseases; and

WHEREAS, the Lewis County Public Health Department is mandated by the New York State Department of Health ("NYS DOH") to have a physician licensed to practice medicine in New York State, and who meets the specific requirements of NYS DOH to serve as Medical Director. This appointment is made by the Lewis County Board of Legislators, and is required in order for Public Health to receive state financial aid for mandatory services and County programs; and

WHEREAS, the Director of Public Health has conferred with the Chief Executive Officer of Lewis County General Hospital with respect to the re-appointment of Shereen Palmer, MD to serve as Medical Director for Public Health for a two (2) year term. The Director of Public Health recommends that the Lewis County Board of Legislators makes said re-appointment, which will then be subject to review and approval by New York State Department of Health;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby re-appoints Shereen Palmer, MD of Lowville, New York to serve as Medical Director to the Lewis County Public Health Department for a two (2) year term.

Section 2. That the term of said appointment shall be for the period commencing January 1, 2021 through December 31, 2022.

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

RESOLUTION NO. 296 - 2020
RESOLUTION AUTHORIZING A RENEWAL AGREEMENT WITH
LEWIS COUNTY HEALTH SYSTEM FOR MEDICAL DIRECTOR

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

WHEREAS, Lewis County, acting by and through the Lewis County Public Health Department (“Public Health”) and Lewis County Department of Social Services (“DSS”) desires to enter into a renewal Agreement with Lewis County Health System (“LCHS”) to provide the services of a physician as Medical Director to Public Health and DSS for a two (2) year term; and

WHEREAS, LCHS has a physician employee, Shereen Palmer, MD, who is licensed to practice in New York State and meets the New York State Department of Health requirements to function as Medical Director for the Public Health and DSS Department’s programs; and

WHEREAS, the Board of Legislators wishes to accept such renewal 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, by and through the Lewis County Public Health Department and Lewis County Department of Social Services with Lewis County Health System to provide the services of Shereen Palmer, MD as Medical Director for the Public Health and DSS Department’s programs.

Section 2. That this is for the term commencing January 1, 2021 and terminating on December 31, 2022 at a cost not to exceed \$12,000.00 per year. DSS is responsible for \$4,000.00 of the cost and Public Health is responsible for \$8,000.00.

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 Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 297 - 2020
RESOLUTION AUTHORIZING RENEWAL AGREEMENTS BETWEEN
LEWIS COUNTY PUBLIC HEALTH AGENCY AND
VARIOUS PROVIDERS FOR PROGRAM SERVICES**

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Public Health Agency wishes to renew agreements with the following various providers for program services; and

CONTRACTOR	PURPOSE	AMOUNT
Epoch Health Solutions, LLC	Medical Record Consulting Services	\$150.00 per hour / Not to Exceed \$4,600.00
Jefferson County Public Health Service	STD/HIV Clinic Services	Various Test & Treatment Prices Specified in Agreement
Venesky & Company	Preschool Medicaid Cost Report	\$4,000.00 per year
Way North, Inc.	Naturally Health App (Development & Maintenance)	\$1,000.00 per year

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes renewal Agreements between the County of Lewis, on behalf of Lewis County Public Health, and the following various providers for program services as described above.

Section 2. That the term of said renewal Agreements are for the period from January 1, 2021 through December 31, 2022.

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

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 298 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT
AND LEXIS NEXIS FOR ON-LINE ACCESS TO LEGAL RESEARCH MATERIALS
FOR THE INMATES AT LEWIS COUNTY JAIL**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the Lewis County Sheriff's Department desires to enter into an Agreement with LexisNexis for on-line access to legal research materials mandated for the inmates at Lewis County Jail. This subscription will provide the mandated materials at a lesser cost than the current provider; and

WHEREAS, the Board of Legislators wishes to enter into such agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an Agreement between the County of Lewis, by and through the Lewis County Sheriff's Department with LexisNexis for on-line access to legal research materials mandated for inmates at the Lewis County Jail.

Section 2. That this will be for a term of three (3) years commencing October 7, 2020 through November 30, 2023, at a monthly cost of \$175.00.

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 Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 299 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Sheriff's Department**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2020 budget appropriation is hereby approved in the Sheriff's Department accounts for funds received and held in the Sheriff's federal forfeiture fund (T0 000874) to reimburse for 2020 office and administrative expenses:

Increase Revenue:

A031100 327062 Sheriff's Contributions \$ 995.00

Increase Expense:

A0311000 490900 Sheriff Misc Expenses \$ 995.00

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 300 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Sheriff's Department**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following 2020 budget appropriation is hereby approved in the Sheriff's Department to appropriate funds received from Lewis County Youth Bureau for the purchase of karabiners.

Increase Revenue:

A0311000 327062 Sheriff's Contribution \$1,000.00

Increase Expense:

A0311200 499900 Parks & Recreation Expenditures \$1,000.00

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 301 - 2020
RESOLUTION AUTHORIZING CHAIR OF THE BOARD TO EXECUTE
MORTGAGE DISCHARGE AND/OR SUBORDINATION DOCUMENTS
PERTAINING TO HOUSING GRANTS ADMINISTERED BY
SNOW BELT HOUSING COMPANY, INC.**

Introduced by Lawrence L. Dolhof, Chair of the Lewis County Board of Legislators.

WHEREAS, Snow Belt Housing Company, Inc., (SNOW BELT) administers housing grants awarded to the County of Lewis from Federal and State agencies under various programs pertaining to housing. The grants are provided to eligible Lewis County residents for home repairs, first time homebuyer purchases, and other specific housing grant criteria and requirements, with a mortgage held in the name of the County to secure compliance with the grant requirements. When an eligible recipient has successfully completed the grant requirements evidenced by the mortgage securing the funding, or when a request is made to subordinate the

grant mortgage to another mortgage, a discharge of mortgage or mortgage subordination document is required to be executed by the Chair (or Vice-Chair); and

WHEREAS, when Snow Belt requests one of these documents, the County Attorney reviews the terms of the grant and mortgage requirements to confirm that all terms and conditions have been met; and

WHEREAS, in order to be more efficient in providing these recording documents timely, it is requested that a blanket authorization be approved to allow for the Chair or Vice-Chair to execute the Discharge or Subordination document, provided that the County Attorney has reviewed and confirms that all criteria and provisions required for the discharge or subordination have been met, and provided that the County Attorney maintains a record of same to be provided to the Board of Legislators on a quarterly basis;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Chairman of the Board of legislators, or the Vice-Chair, in his absence, is hereby authorized and directed to issue and execute any Discharge of Mortgage or Subordination Agreement pertaining to mortgages issued by the County through the housing and homeowner grants received and administered by Snow Belt Housing Company, Inc.

Section 2. That the County Attorney is directed to review and confirm that all criteria for discharge or subordination of each mortgage have been met prior to submission to the Chair for execution; and that the County Attorney maintain a record of same to be provided to the Board of Legislators on a quarterly basis.

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 302 - 2020
RESOLUTION AUTHORIZING RENEWAL AGREEMENTS BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND
VARIOUS PROVIDERS FOR PROGRAM SERVICES**

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Department of Social Services wishes to renew agreements with the following various providers for program services; and

CONTRACTOR	PURPOSE	AMOUNT
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PROCEEDINGS OF THE BOARD OF LEGISLATORS

<u>Life Net</u> <u>(S.T.A.T. Communications)</u>	Personal Emergency Response Services to Medical Assistance Recipients	(No Local Share Cost) Billed through Medicaid and rates are set by the State
Lifeline Systems, Inc.	Personal Emergency Response Services to Medical Assistance Recipients	(No Local Share Cost) Billed through Medicaid and rates are set by the State
Credo Community Center for Treatment of Addictions, Inc.	Chemical Dependency and Addictions Services	If client is eligible for Medicaid, no local share cost. If client is not eligible for Medicaid, local share cost could be 0% to 100%
Rubenzahl, Knudsen & Associates	Psychological Services	<ul style="list-style-type: none"> • \$90 per hour for therapy • \$125 per hour for psychological evaluation • \$75 per hour for group treatment • \$150 per hour expert court testimony • \$90 per session for treatment team meeting • \$60 per session for Sex Offender Group Therapy • \$550 per assessment for Sex Offender • \$125 per hour for Attachment Parenting Therapy • 57.5 cents per mile <ul style="list-style-type: none"> • Local: 36% • State: 14% • Federal: 50%
Lewis County Health System	Purchase of Rehabilitation Services	<ul style="list-style-type: none"> • \$125 per initial functional evaluation • \$225 per physical (as needed) • \$118 per unit (billable up to 6 units for testing – totaling \$708) to perform each functional capacity examination <ul style="list-style-type: none"> • Local: 25% • State: 25% • Federal: 50%
Victim’s Assistance Center of Jefferson County, Inc.	Purchase of Shelter Services	\$118.84 per person/ per night
Volunteer Transportation Center	Purchase of Transportation Services	• \$6.00 per unit (unit is 1-way trip)

		• 57.5 cents per mile
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NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes renewal Agreements between the County of Lewis, on behalf of the Department of Social Services, and the following various providers for program services in the amounts herein set forth.

Section 2. That the term of said renewal Agreements are for the period from January 1, 2021 through December 31, 2021.

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

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 303 – 2020
RESOLUTION APPROVING APPOINTMENTS TO
JEFFERSON-LEWIS
WORKFORCE DEVELOPMENT BOARD**

Introduced by Legislator Lawrence Dolhof, Chairman of the Lewis County Board of Legislators.

WHEREAS, pursuant to the Workforce Innovation & Opportunity Act, Public Law 113-128 effective 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 re-appointments of the following listed individuals to serve as members of the Jefferson-Lewis Workforce Development Board for a term from July 1, 2020 to June 30, 2023:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Rod Castillo, Keyes Information Technology
Matthew Cooper, Barton and Loguidice
Marybeth LaVallee, Knowlton Technologies
Shellie Orloff, Qubica AMF
Jody Pettit, Hilton Garden Inn
Lynn Pietroski, The ARC of Jefferson & St. Lawrence
Ty Stone, Jefferson Community College

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 304 – 2020
RE-APPOINTING MEMBERS TO
LEWIS COUNTY YOUTH BUREAU ADVISORY BOARD**

Introduced by Legislator Randall LaChausse, Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints the following individuals to a two-year term on the Lewis County Youth Bureau Advisory Board:

Ward Dailey
Community Member
Port Leyden, NY 13433

Deanna Edick
County Government
Lewis County Department of Social Services
Lowville, NY 13367

Michele Ledoux
Community Member
Croghan, NY 13327

Section 2. That the term of said appointments shall be effective July 1, 2020 through June 30, 2022.

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

Moved by Legislator Osborne, seconded by Legislator Burns, and adopted on the 2nd day of November, 2020.

**RESOLUTION NO. 305 - 2020
FIXING DATE OF PUBLIC HEARING FOR OPENING A
SECTION OF CR 194 FOR THE LEWIS COUNTY SNOWMOBILE TRAIL**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, Barnes Corners Sno Pals requests to open .8 miles of County Route 194 for the Lewis County Snowmobile Trail due to a trail closure; and

WHEREAS, there will be introduced at a meeting of this Board of Legislators to be held on November 2, 2020, a proposed opening of .8 miles of County Route 194 from the intersection of Corey Road, south west to the intersection of the existing snowmobile trail in the Town of Pinckney, for snowmobile access; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The Board of Legislators hereby sets a public hearing to be held on November 19, 2020 at 5:00 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, for the purpose of receiving public comment regarding the opening of .8 miles of County Route 194 from the intersection of Corey Road, south west to the intersection of the existing snowmobile trail in the Town of Pinckney, for snowmobile access.

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 Burns, and adopted on the 2nd day of November, 2020.

OTHER BUSINESS:

At 5:24 p.m. Legislator Burns made a motion to enter Executive Session for discussion on personnel following a 5 minute break, seconded by Legislator Osborne and carried.

At 6:00 p.m. Legislator Burns made a motion to enter back into regular session, seconded by Legislator Osborne and carried.

There being no other business to come before the Board, Legislator Chartrand made a motion to adjourn the meeting at 6:01 p.m., seconded by Legislator King, and carried.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**SECOND DAY
ANNUAL SESSION
November 19, 2020**

The meeting was called to order at 5:07 p.m. by the Chairman of the Board Lawrence Dolhof.

Roll Call: All Legislators were present virtually by Zoom. There were 13 additional persons present virtually.

PRIVILEGE OF THE FLOOR:

At 5:08 p.m. Chairman Dolhof opened the public hearings on “Opening .8 miles of County Route 194 from the intersection of Corey Road, South West to intersection of the existing snowmobile trail in the Town of Pinckney, for snowmobile access” and the “2021 Tentative Lewis County Budget” for comment.

Scott Margeson, President of the Barnes Corners Sno Pals, submitted “This is vital for the connectivity to the snowmobile trail from Copenhagen to Barnes Corners and for the economic impact on businesses in Barnes Corners.”

Paulette Roes, MLS from the North Country Library System, submitted “On behalf of the libraries in Lewis County, I would like to thank the board of legislators for its continued support. The funding provided helps our libraries meet the technology needs of patrons each year. 2020 has shown just how important those needs are – and our libraries rose to the challenge. With public safety at the forefront, during the PAUSE order staff continued services through online book collections, virtual story hours, equipment loan, and free wi-fi. Throughout the remainder of the year, libraries have continued to adapt to safely offer services and meet community needs. All of this would not have been possible without the county's support. Again, thank you for supporting libraries in our county. We look forward to serving our communities in 2021.”

Clerk of the Board, Cassandra Moser read a proclamation commending Randall L. LaChausse for his service to Lewis County as the Legislative Representative for District #2.

Chairman Dolhof declared the November 2, 2020 meeting minutes approved by general consent.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: Thomas Osborne
Ronald Burns
Ian Gilbert
Gregory Kulzer

Dated: November 19, 2020

Phil Hathway

Legislator LaChausse made a motion to waive the rules, seconded by Legislator Kulzer, and carried.

PRESENTATION OF COMMUNICATIONS AND NOTICES:

The following resolution was received from Essex County: A Resolution Calling on the Governor and State Legislative Leaders to restore Reductions to Counties Sales Tax.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Brian Mooney submitted the October Sealer of Weights and Measures activity reports which have been placed on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator LaChausse voiced his admiration for the county team that has been handling the pandemic and their fantastic job. He reminded residents to be respectful of each other and together we can get through this time. He concluded by thanking his fellow legislators and that it has been an honor serving with them.

Legislator Chartrand thanked Legislator LaChausse for his time on the board and being the Chair of the Health & Humans Services Committee.

COUNTY MANAGER REPORT:

Ryan Piche reported that there were 10 additional positive cases for November 19th as well as the 3rd Covid-19 death. Highway Superintendent Timothy Hunt started on Monday, November 16th and today was Warren Shaw's last day. Warren Shaw has been in public service for 27 years. He thanked Legislator LaChausse for his time as a member of the Board of Legislators and hopes he gets involved down in Cattaraugus County.

COUNTY TREASURER REPORT:

Eric Virkler did not have anything to report. Legislator Kulzer asked if he had moved forward with the new depository, Eric responded that he has started the paperwork process, citing that there is a resolution to be presented later tonight. Legislator Kulzer thanked him for the great job he has been doing.

RESOLUTIONS:

**LOCAL LAW (INTRODUCTORY NO. 8 - 2020)
COUNTY OF LEWIS**

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

A LOCAL LAW RESCINDING LOCAL LAW NO. 6-2020 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2021 BUDGET

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

SECTION 1. TITLE

This Local Law shall be known as “**A LOCAL LAW RESCINDING LAW NO. 6-2020 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2021 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 2021 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 2021 that does not exceed the “tax levy limit” as that term is defined and calculated pursuant to the provisions of General Municipal Law § 3-c, and therefore, the Board of Legislators authorize rescission of Local Law No. 6-2020.

SECTION 5. EFFECTIVE DATE

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

**RESOLUTION NO. 306 - 2020
FIXING DATE OF PUBLIC HEARING ON LOCAL LAW
(INTRODUCTORY LOCAL LAW NO. 8-2020), COUNTY OF LEWIS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on November 19, 2020 a proposed Local Law entitled “LOCAL LAW

RESCINDING LOCAL LAW NO. 6-2020 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2021 BUDGET.”

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That a public hearing will be held on December 1, 2020, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York to hear all persons for or against such local law.

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

Moved by Legislator Hathway, seconded by Legislator Chartrand, and adopted on the 19th day of November, 2020.

Chairman Dolhof declared a recess until 5:40 p.m. in order to allow the necessary time for public comment on both hearings before closing them.

Chairman Dolhof called the meeting back to order at 5:42 p.m. and closed both public hearings as there were no further comments.

RESOLUTIONS (Cont'd):

**RESOLUTION NO. 307 - 2020
RESOLUTION AUTHORIZING THE OPENING OF
A SECTION OF COUNTY ROUTE 194 IN THE TOWN OF PINCKNEY
FOR THE LEWIS COUNTY SNOWMOBILE TRAIL**

Introduced by Legislator Jerry King, Chair of the General Services 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 town 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 Barnes Corners Sno Pals and the Lewis County Director of Recreation, Forestry and Parks for .8 miles of County Route 194 to be open for snowmobile access due to a trail closure; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Lewis County Board of Legislators set a public hearing for November 19, 2020 to consider the request to open a portion of County Route 194 to the snowmobile trail; and

WHEREAS, the portion of the trail is an opening of .8 miles of County Route 194 from the intersection of Corey Road, southwest to the intersection in the Town of Pinckney; and

WHEREAS, the Lewis County Superintendent of Highways examined the road and notes that the Town of Pinckney maintains this portion of the County Road, and that he has no objection to the opening of this section of County Route 194 to the Lewis County Snowmobile Trail; 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 Board of Legislators hereby authorizes the County Highway Superintendent to review, and in his discretion, approve the opening of the following county highway or sections thereof subject to appropriate town and/or village action in opening such highways or sections thereof:

- .8 miles of County Route 194 from the intersection of Corey Road, southwest to the intersection in the Town of Pinckney

Section 2. That upon the approval of the Lewis County Highway Superintendent, the Lewis County Board of Legislators hereby approves the opening of a section of County Road Route 194 in the Town of Pinckney as hereinabove described, for snowmobile access.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Osborne, and adopted on the 19th day of November, 2020.

**RESOLUTION NO. 308 - 2020
UPDATED DESIGNATION OF DEPOSITORIES FOR 2020**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, Section 212 of the County Law and General Municipal Law Section 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, upon the recommendation of investment advisors, the County Treasurer requests the Board of Legislators to amend the 2020 authorized designation of depositories to include Chemung Canal Trust Company, of Elmira, NY, to the list of authorized depositories for deposit of County monies received;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the following named banks, banking associations or trust company be designated as depositories for County of Lewis monies up to the maximum amount as set opposite each named:

Community Bank N.A.	\$25,000,000.
Key Bank of Central NY N.A.	\$25,000,000.
Chase Bank	\$25,000,000.
Adirondack Bank	\$25,000,000.
RBC Wealth Management	\$30,000,000.
Chemung Canal Trust Company	\$25,000,000.

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

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

Moved by Legislator LaChausse, seconded by Legislator King, and adopted on the 19th day of November, 2020.

**RESOLUTION NO. 309 - 2020
RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR
COMMENCING JANUARY 1, 2021 MAKING APPROPRIATIONS
FOR THE CONDUCT OF COUNTY GOVERNMENT AND
ESTABLISHING RATES OF COMPENSATION FOR OFFICERS
AND EMPLOYEES FOR FISCAL YEAR 2021**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the governing body has met and considered the 2021 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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

and wages set forth in Schedule 5 of that budget shall be and hereby are fixed at the amount shown therein, or by employees' contracts in effect on January 1, 2021.

Moved by Legislator Chartrand, seconded by Legislator King, and adopted on the 19th day of November, 2020 by the following roll call vote:

AYES: Hathway, Burns, Chartrand, Osborne, Gilbert, Moroughan, King, and Dolhof.

NAYS: Kulzer, and LaChausse.

ABSENT: None.

**RESOLUTION NO. 310 - 2020
ASSESSING AND LEVYING AMOUNT OF TAX CALLED FOR
UNDER THE COUNTY BUDGET AS ADOPTED BY THE BOARD OF
LEGISLATORS ON THE 19th DAY OF NOVEMBER 2020
AS PROVIDED FOR UNDER COUNTY LAW**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Board of Legislators of the County of Lewis by Resolution No. 309 - 2020 adopted on the 19th day of November 2020, has adopted a County Budget for fiscal year 2021; and

WHEREAS, the said Board of Legislators by Resolution No. 309 - 2020 adopted on the 19th day of November 2020, has made appropriations for the conduct of Lewis County Government for fiscal year 2021.

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 \$ 17,700,000.00.

Moved by Legislator Burns, seconded by Legislator Osborne, and adopted on the 19th of November, 2020 by the following roll call vote:

AYES: Chartrand, Gilbert, Moroughan, Burns, Kulzer, Osborne, Hathway, King, and Dolhof.

NAYS: LaChausse.

ABSENT: None.

OTHER BUSINESS:

At 5:49 p.m. Legislator LaChausse made a motion to adjourn the meeting, seconded by Legislator Osborne and carried.

**THIRD DAY
ANNUAL SESSION
December 1, 2020**

The meeting was called to order at 5:02 p.m. by the Chairman of the Board Lawrence Dolhof.

Roll Call: All Legislators were present virtually. There were 9 additional persons present virtually.

Chairman Dolhof declared the November 19, 2020 meeting minutes approved by general consent.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: Thomas Osborne
Ronald Burns
Ian Gilbert
Gregory Kulzer
Phil Hathway

Dated: December 1, 2020

Legislator Hathway made a motion to waive the rules, seconded by Legislator Kulzer, and carried.

PRIVILEGE OF THE FLOOR:

At 5:05 p.m. Chairman Dolhof opened the public hearings on “A Local Law Rescinding Local Law No. 6-2020 to Override the Tax Levy Limit Established by General Municipal Law § 3-C (A/K/A 2% Tax Cap) for the Lewis County 2021 Budget” and the “Proposed Jefferson/Lewis County LED Lighting Upgrade Plan Pursuant to a NYS County-Wide Shared Services Initiative (CWSSI)” for comment.

County Manger Ryan Piche asked Planning Director Casandra Buell to give a brief explanation of the NYS County-Wide Shared Services Initiative. Casandra stated that there were 12 communities in Lewis County & Jefferson County areas that are participating in the NYPA LED Upgrade program to achieve substantial savings, and through the NYS County-Wide Shared Services Initiative there is a potential for these communities to receive a match on the savings received. Any savings that are proven through this upgrade New York State will match. The Shared Services plan needs to be submitted by December 31, 2020 to the state in order to “open” the door for the communities to move forward and complete the upgrade. The upgrade has to be completed in 2021 and the savings need to be proven in that time period as well for the match from New York State.

Mickey Dietrich stated that there was a Shared Services grant applied for and awarded to these communities to cover the cost of the asset management node which gives the LED lights the capability to add Smart City Technology to them. NYPA is providing a \$20,000 no match grant to each community to go towards Smart City Technology also. Chairman Dolhof clarified that the Tug Hill Commission will help guide these communities through the application process.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Legislators received copies of the Treasurer's November report; the November Highway & Solid Waste audit reports; as well as the minutes of the November Youth Bureau Advisory Board meeting.

REPORTS OF STANDING COMMITTEES:

Legislator Osborne asked Information Technology Director Conner Biolsi to give a brief presentation on the phone service bid results. Conner shared a brief presentation on the current phone costs with Frontier and the four bids that were received. The factors that are looked at to determine the overall costs are the PRI (Primary Rate Interface); POT (Plain Old Telephone) or Analog lines; and Internet connections. Current costs are roughly \$60,000 a year with Frontier. Verizon didn't not quote everything that was asked and was higher than current costs. Westelcom came in as the lowest bid at roughly \$27,000 a year.

The bid asked for a three-year contract, which currently costs us \$180,000. Westelcom is roughly \$76,908 which is much lower and offers everything asked for. Our current internet speeds are incredibly slow, Westelcom came in with a great offer of 500 download and upload speeds which was better than any other bid received. Conner recommended accepting the Westelcom bid and moving forward with the contract. Ryan responded to Legislators Gilberts questions about their custom services by explaining that references were contacted and had positive things to say.

Legislator King made a motion to approve separate bid documents for Solid Waste Facility Project and Scale House Project as well as authorize Solid Waste Director Kip Turck to send out the respective RFP's, seconded by Legislator Osborne and carried.

Legislator King made a motion to authorize District Attorney Leanne Moser to backfill a Keyboard Specialist position due to resignation effective immediately, seconded by Legislator Kulzer and carried. Legislator Gilbert abstained.

Legislator Chartrand made a motion to authorize Public Health Director Ashley Waite to refill a per diem Public Health Nurse position due to resignation effective immediately, seconded by Legislator Osborne and carried.

Legislator Chartrand reported that the Hospital Employee of the Month for October was Teresa Allen, Physical Therapist. Dr. Meny was welcomed as the newest Board of Managers member at the last meeting. There was a loss of \$405,209 reported for the hospital but still on target to break even by the end of the year. There are Covid-19 updates happening on a regular

PROCEEDINGS OF THE BOARD OF LEGISLATORS

basis at the hospital. Dr. Harney and his team are supporting the testing clinic at Maple Ridge. There is a limited number of Rapid PCR test kits available and Jerry Cayer is working on getting more. Legislator Chartrand concluded by asking people to talk to their neighbors about following the CDC guidelines to help save lives.

Hospital CEO Jerry Cayer reported that he and his staff have been spending most of their time on COVID-19 related items. They are following the guidelines set forth by the Governor to increase bed capacity by 50% so they will be adding 8 beds on the ground floor and 7 beds on the second floor. There has been an uptick in hospitalizations for Covid positive community members and they have also started seeing the results of the Thanksgiving Holiday. There are several individuals who are transitioning from Covid hospitalization to a recovery area which is a positive sign. There is currently no spread of the virus from the nursing home to the rest of the hospital and the census of the nursing home is at 122 with no more admissions being allowed. Jerry commended his team for being the most transparent hospital in the tri county area, noting that the daily briefings help get information out to the public.

COUNTY MANAGER REPORT:

Ryan Piche reported that COVID-19 has been the forefront of daily business in the county and many departments are assisting Public Health. Area schools continue to meet on a bi-weekly basis to stay informed and try and keep school open for as long as possible. They are also being trained on testing procedures in order to test staff and students to follow guidelines given by the Governor. Regional calls continue to be twice a week. The County hosted a Town Hall style conference call which went well, and many public questions were answered. There is now a graph on the county website that shows active cases, hospitalizations, and deaths that will be updated daily instead of a daily press brief.

COUNTY TREASURER REPORT:

Eric Virkler reported that the Sales tax figure hasn't changed since what had been reported in early November. The Health Insurance Fund is still doing very well as claims have been low this year. Work continues on year end items and closing the books for 2020.

At 5:46 p.m. Chairman Dolhof closed the public hearings with no other comments.

REPORT OF THE FINANCE AND RULES COMMITTEE:

DECEMBER 1, 2020

**REPORT OF
FINANCE AND RULES COMMITTEE
ON THE EXAMINATION OF CLAIMS**

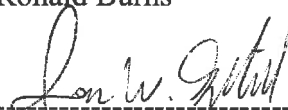
To: The Honorable County Legislators

The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,012,806.70 and recommend that they be audited and allowed for the amounts claimed.

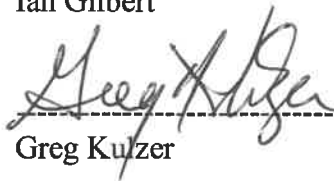


Thomas Osborne Chair

Ronald Burns Vice-Chair



Ian Gilbert Committee



Greg Kulzer Committee



Phil Hathway Committee

Dated: December 1, 2020

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 311 – 2020
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 1,012,806.70 be and each is hereby audited and allowed for the amounts claimed, and that the Clerk is authorized and directed to draw checks for the County Treasurer for the amounts claimed, in favor of each of the claimants or their assigns.

Moved by Legislator Kulzer , seconded by Legislator Chartrand , and adopted on the 1st day of December, 2020 by the following roll call vote:

AYES: Gilbert, Moroughan, Osborne, Hathway, King, Chartrand, Kulzer, Dolhof

NAYS: None

ABSENT: Burns, District 2 Vacancy

**RESOLUTION NO. 312 – 2020
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 7– 2020, COUNTY OF LEWIS**

Introduced by Legislator Thomas Osborne, Chairman of the Finance and Rules Committee.

WHEREAS, a resolution was duly adopted by the Board of Legislators on November 19, 2020, directing that a public hearing be held by said Board on December 1, 2020, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, “A LOCAL LAW RESCINDING LOCAL LAW NO. 6-2020 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2021 BUDGET.” and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on November 24, 2020, 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. The notice provided that as a result of temporary restrictions on public gatherings due to COVID-19, the public was directed to submit comments on the proposed Local Law by email or regular mail to the Clerk of the Board on behalf of or in opposition to said proposed Local Law, or any part thereof, on or before December 1, 2020 at 4:00 p.m.; and that the public could access the live meeting by internet on the county’s youtube link: <https://www.youtube.com/channel/UCPhIjsUZRBjY7KSlQ0ywxkg> ; and

WHEREAS, the public hearing by the above alternative access methods, was duly held with the Board of Legislators acting after receipt of public comment and information;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 8–2020, County of Lewis), being “A LOCAL LAW RESCINDING LOCAL LAW NO. 6-2020 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C (A/K/A 2% TAX CAP) FOR THE LEWIS COUNTY 2021 BUDGET”, be and the same is hereby designated as Local Law No. 7–2020, County of Lewis.

Section 2. That Local Law No. 7–2020, 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 on the 1st day of December, 2020 pursuant to the following roll call vote:

AYES: King, Kulzer, Chartrand, Hathway, Gilbert, Moroughan, Osborne, Dolhof

NAYS: None

ABSENT: Burns, District 2 Vacancy

**LOCAL LAW (INTRODUCTORY NO. 9-2020)
COUNTY OF LEWIS**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

**A LOCAL LAW PROVIDING FOR INCREASES
TO SALARIES FOR CERTAIN LOCAL OFFICIALS**

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

SECTION 1. Commencing and effective January 1, 2021, the Compensation Plan of the County of Lewis shall be amended to provide the following salaries for the following County employees appointed to a fixed term of office, to-wit:

Clerk of the Board	\$ 55,758
Commissioner, Department of Social Services	\$ 81,163
County Attorney	\$113,196
Director of Real Property Tax Service	\$ 57,395

WHEREAS, the resignation of Legislator Randall L. LaChausse has created a vacancy in the office of Legislator for District No. 2; and

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

WHEREAS, Local Law No. 5-1980 further provides that the person so appointed to fill a vacancy shall enter upon his or her oath to faithfully discharge the duties of the office to which he or she is appointed until the office is filled by the next succeeding general election to be held on November 2, 2021; and

WHEREAS, the Lewis County Board of Legislators conducted interviews of interested and qualified candidates to fill the position and seek to appoint Lisa Virkler as Legislator to fill the unexpired vacancy in Legislative District No. 2;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Lisa Virkler of Beaver Falls, New York 13305 as Legislator to fill the vacancy for District No. 2, effective December 2, 2020 and continuing through and including December 31, 2021.

Section 2. That the office of Legislator for District No. 2 shall thereafter be filled pursuant to the official results of the November 2, 2021 general election.

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

Moved by Legislator Hathway, seconded by Legislator Chartrand, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 315 - 2020
RESOLUTION TO AUTHORIZE "I LOVE NY" CAMPAIGN MATCHING FUNDS
AND DESIGNATE LEWIS COUNTY CHAMBER OF COMMERCE
AS THE COUNTY'S AGENT TO SUPERVISE
PROMOTION AND MARKETING OF THE CAMPAIGN**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, in order to enhance and promote tourism within New York State, the NY Empire State Development Corporation offers to match local municipality contributions to the "I Love NY" promotional and marketing campaigns; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Lewis County Board of Legislators seeks to authorize and appropriate \$40,000.00 in matching funds to demonstrate its commitment to the “I Love NY” promotional campaign for 2021; and

WHEREAS, the Lewis County Board of Legislators seeks to designate the Lewis County Chamber of Commerce as the agent to supervise the promotion and marketing of the “I LOVE NY” campaign, and to market the benefits of Lewis County tourism with utilization of the County’s 2021 matching funds as well as the State’s committed funds; and the Board seeks to enter into an Agreement with the LC Chamber of Commerce to provide such services as the designated agent of the County under this State program.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby commits to appropriate \$40,000.00 in matching local funds toward the 2021 “I LOVE NY” promotional and marketing tourism campaign in Lewis County.

Section 2. That the Board of Legislators hereby designates the Lewis County Chamber of Commerce as the County’s agent to supervise and conduct the promotional and marketing programs for Lewis County tourism under the 2021 campaign, with the utilization of the aforesaid County matching funds as well as the State’s committed funds to the campaign, and endorses the application by the Chamber for matching funds under the program.

Section 3. That the Board of Legislators authorizes an Agreement with the Lewis County Chamber of Commerce to act as the County’s agent under the 2021 “I LOVE NY” campaign, and to perform the services of promoting and marketing the benefits of tourism in the County of Lewis with the funds so provided under the campaign, for the period from January 1, 2021 through December 31, 2021.

Section 4. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to execute, seal and deliver said Agreement and any and all other necessary papers and documents in connection with the application and program, pending approval by the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 316 - 2020
RESOLUTION AUTHORIZING AGREEMENTS
BETWEEN LEWIS COUNTY COMMUNITY SERVICES AND
VARIOUS PROVIDERS FOR PROGRAM SERVICES**

Introduced by Legislator Richard Chartrand, Vice-Chair of the Health and Human 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 some of these agreements which provide mental health services. During 2021, Community Services 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 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, if any, by the state pertaining to the 2021 service contracts;

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 in the amounts herein set forth, subject to any financial adjustment(s) made by the State to said contract(s), including any COLA adjustments pertaining to 2021:

CONTRACTOR	PURPOSE	AMOUNT
Transitional Living Services of Northern NY	Community Based Programs	\$701,345.00
<u>Oneida-Lewis Chapter, NYSARC</u>	Vocational Training Services	\$30,076.00
Mountain View Prevention Services	Community Prevention Education	\$242,322.00
NRCIL	<ul style="list-style-type: none"> • Family Support Services • Mental Health Advocacy & Psychosocial Club • MICA • Transition Management • Peer Recovery Services 	\$822,510.00

PROCEEDINGS OF THE BOARD OF LEGISLATORS

	<ul style="list-style-type: none">• Self Help Program and• Outreach Peer Advocate	
Credo Community Center for Treatment of Addictions, Inc.	Outpatient Medically-Supervised Chemical Dependence Treatment Services	\$79,577.00
Coordinated Care Services, Inc.	Professional, Specialized Financial Management Services and Training	\$105.00 per hour (Not to exceed \$20,770.00)
One Path Career Partners, Inc.	Psychological Services - AOT evaluations & Court Testimony	\$325.00 per hour & mileage

Section 2. That the term of said Agreements shall be the period from January 1, 2021 through December 31, 2021.

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

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

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 317 - 2020
RESOLUTION APPOINTING MEMBERS TO
COMMUNITY SERVICES BOARD**

Introduced by Legislator Richard Chartrand, Vice-Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. Pursuant to Mental Hygiene Law Section 41.11, the Board of Legislators hereby appoints the following individuals as members of the Lewis County Community Services Board:

Dr. John Wat, Lewis County Health System, Lowville NY 13367
Karen Boliver, Northern Regional Center for Independent Living, Lowville NY 13367
Scott Mathys, Lewis County Opportunities Inc., Lowville NY 13367

Section 2. That the term of said appointments shall be effective from January 1, 2021 through December 31, 2024.

Section 3. That this resolution shall take effect immediately.

DECEMBER 1, 2020

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 318 - 2020
RESOLUTION TO APPOINT MEMBER TO
DEVELOPMENTAL DISABILITIES SUB-COMMITTEE OF
COMMUNITY SERVICES BOARD**

Introduced by Legislator Richard Chartrand, Vice-Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. Pursuant to Mental Hygiene Law Section 41.11, the Board of Legislators hereby appoints Karen Boliver of the Northern Regional Center for Independent Living, to the Developmental Disabilities Sub-Committee of the Lewis County Community Services Board.

Section 2. That the term of said appointment shall be effective January 1, 2021 through December 31, 2024.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 319 - 2020
RESOLUTION TO APPOINT MEMBERS TO
MENTAL HEALTH SUB-COMMITTEE OF LEWIS COUNTY
COMMUNITY SERVICES BOARD**

Introduced by Legislator Richard Chartrand, Vice-Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Community Services Board Mental Health Sub-committee shall have nine members appointed by the Board of Legislators pursuant to Mental Hygiene Law § 41.11;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following individuals as members of the Mental Health Sub-Committee of the Lewis County Community Services Board:

Crystal Collette, Lewis County Office for the Aging, Lowville NY 13367
Deanna Edick, Department of Social Services, Lowville NY 13367

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Mark Waterhouse of Carthage NY 13619
Randall Clendenning of Lowville NY 13367

Section 2. That the term of said appointments shall be effective January 1, 2021 through December 31, 2024.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 320 - 2020
RESOLUTION APPOINTING MEMBERS TO
SUBSTANCE USE DISORDER SUB-COMMITTEE OF
COMMUNITY SERVICES BOARD**

Introduced by Legislator Richard Chartrand, Vice-Chair of the Health & Human Services Committee.

WHEREAS, the Lewis County Community Services Board Substance Use Disorder Sub-committee shall have nine members appointed by the Board of Legislators pursuant to Mental Hygiene Law § 41.11;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints the following individuals as members of the Substance Use Disorder Sub-Committee of the Community Services Board:

Kyle Chartrand of Lowville, New York
Amanda Martin of Lowville, New York

Section 2. That the term of said appointments shall be effective January 1, 2021 through December 31, 2024.

Section 3. That Matthew Morrow of Lowville, New York is hereby appointed to the Substance Use Disorder Sub-Committee to fill the un-expired term of MaryJo Burkhard, effective December 2, 2020 through December 31, 2022.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 321 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Community Service**

Introduced by Legislator Richard Chartrand, Vice-Chair of the Health & Human Services Committee:

BE IT RESOLVED, as follows:

Section 1. That the following appropriation take place in the Community Services accounts for the increase in funds due to additional State Aid:

Increase Revenue:

A0432400 334902 NRCIL	\$ 14,639.00
A0431800 334915 TLS	\$ 13,248.00
A0432600 334917 ARC OMH	\$ 612.00
A0432500 334914 MVPS	\$ 3,340.00

Increase Expense:

A0432400 422800 NRCIL	\$ 14,639.00
A0431800 422800 TLS	\$ 13,248.00
A0432600 422800 ARC OMH	\$ 612.00
A0432500 422800 MVPS	\$ 3,340.00

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

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 322 - 2020
RESOLUTION AUTHORIZING ADDENDUM TO THE AGREEMENT
BETWEEN LEWIS COUNTY COMMUNITY SERVICES AND
COORDINATED CARE SERVICES, INC.**

Introduced by Legislator Richard Chartrand, Vice-Chair of the Health & Human Services Committee.

WHEREAS, the County of Lewis, by and through Lewis County Community Services entered into an agreement for services with Coordinated Care Services, Inc. (“CCSI”) on November 25, 2019 pursuant to Resolution No. 382-2019 for professional, specialized financial management services at \$105.00 per hour, at a total annual cost not to exceed \$17,850.00; and

WHEREAS, the County of Lewis desires to authorize an amendment to the agreement with CCSI to add an additional sixteen (16) hours to complete the following four (4) tasks set forth below at a cost of \$105.00 per hour for a total cost not to exceed \$1,680.00:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

- 2019 CFR claims Surplus/Deficit Log and Maximization of State Aid funding
- 2019 NYS OMH County Allocation Tracker
- Management and communication of the final State Aid Distributions for 2020
- Review and processing of provider Actual Financial reports and processing of final 2020 vouchers

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an Addendum to the Agreement between Lewis County Community Services and Coordinated Care Services, Inc. by adding an additional sixteen (16) hours to complete additional identified tasks at a cost of \$105.00 per hour, not to exceed \$1,680.00.

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 addendum to the agreement upon such form as approved by the County Attorney.

Section 3. This resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 323 – 2020
RESOLUTION AND ORDER WITH REFERENCE
TO DOG QUARANTINE**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

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, 2020 to May 15, 2021.

- 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 Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 324 - 2020
RESOLUTION RE-APPOINTING MEMBER TO
REGION 6 FISH AND WILDLIFE MANAGEMENT BOARD**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, Title 5, Section 11-0501 of the NYS Environmental Conservation Law established a Fish and Wildlife Management Practices Cooperative Program, which includes the commissioning of a Regional Fish and Wildlife Management Board.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby re-appoints Jacqueline Mahoney of Castorland, New York as a member of the Region 6 Fish and Wildlife Management Board, as the Lewis County Landowner's Representative.

Section 2. That the term of said appointment shall be effective from January 1, 2021 through December 31, 2022.

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

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 325 - 2020
RESOLUTION AUTHORIZING AMENDMENT TO AGREEMENT BETWEEN**

THE COUNTY OF LEWIS AND STANTEC CONSULTING SERVICES INC. FOR THE FUEL STORAGE SYSTEM AT THE LEWIS COUNTY HIGHWAY DEPARTMENT

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis, by and through the Lewis County Highway Department, recently entered into an agreement with Stantec Consulting Services, Inc. (“Stantec”) for professional engineer services pertaining to the removal and replacement of the underground petroleum storage tanks at the Highway Garage located at 7362 East Road, Lowville, New York; and

WHEREAS, Stantec desires to revise the original agreement’s scope of services for the following additional services: Electrical design to provide emergency generator connectivity; supplemental geotechnical design; tank and drive pad revisions; design option changes; and additional contract provisions required for the above; and

WHEREAS, the Board of Legislators seeks to authorize this amendment to the agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes an amendment to the original scope of services with Stantec Consulting Services Inc., to provide the specific professional engineering and administrative services outlined in its “Modification 02” proposal dated October 29, 2020 pertaining to the fuel storage system at the Highway Garage.

Section 2. That the Lewis County Board of Legislators authorizes said amendment to the original scope of services at a total cost of \$5,900, comprised of \$1,500 for electrical design, \$1,300 for supplemental geotechnical design, \$900 for tank and drive pad revisions, and \$2,200 for bid/design option changes and additional contract provisions.

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 approved by the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 326 – 2020
RESOLUTION AMENDING COMPENSATION PLAN
WITH REFERENCE TO LEWIS COUNTY GENERAL HOSPITAL**

Introduced by Legislator Richard Chartrand, Hospital Board of Managers’ representative.

BE IT RESOLVED, as follows:

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

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Dietitian (1)	Part-time	\$28.62 - \$35.91/hour

Section 2. That the following positions are hereby abolished:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Dietetic Technician (1)	Part-time	\$17.91 - \$22.75/hour

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

Moved by Legislator Osborne , seconded by Legislator Kulzer , and adopted on the 1st day of December, 2020.

RESOLUTION NO. 327 - 2020
RESOLUTION TO ADOPT THE NEW YORK STATE CLIMATE SMART
COMMUNITIES PLEDGE AND DESIGNATE KEVIN BROUILLARD
AS THE LEWIS COUNTY COORDINATOR FOR THE
CLIMATE SMART COMMUNITIES AND TASK FORCE

Introduced by Legislator Jerry King, Chairman of the General Services Committee

WHEREAS, the Lewis County Board of Legislators authorized the County of Lewis, through the Lewis County Planning Department, to apply for a Clean Energy Community (“CEC”) grant under NYSERDA funding pursuant to Resolution No. 484-2016. This designation allowed upgrades to the County’s interior and exterior energy-efficient LED lighting fixtures and two (2) electric vehicle charging stations; and

WHEREAS, with this CEC designation, the County is committed to develop and prioritize clean energy goals. The County now seeks additional sustainability opportunities with another New York State Program, Climate Smart Communities (“CSC”); and

WHEREAS, the County of Lewis believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, by becoming a Certified CSC, Lewis County will score higher on grant applications for a variety of New York State funding programs, have state-level recognition for each community's leadership, gain access to resources, training, tools and expert guidance all while leading the way to organize climate action and highlight priorities with municipalities throughout the county; and

WHEREAS, the County's response to climate change provides us with an unprecedented opportunity to save money, to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures. The scale of greenhouse gas emissions reductions required for climate stabilization will require sustained and substantial efforts. Even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come. In order to become a Certified CSC, the County is required to adopt the New York State Climate Smart Communities pledge; and

WHEREAS, the Board of Legislators wishes to adopt the New York State Climate Smart Communities pledge and designate the County's Community Development Specialist, Kevin Brouillard, as the Lewis County Coordinator for Climate Smart Communities (CSC) and the CSC Task Force; and

WHEREAS, one of the mandatory action items certification is creating a CSC Task Force. The CSC Task Force serves as a central body of leadership that promotes and supports climate mitigation and adaption in the community. The role of the CSC Task Force is to assess the status and/or feasibility of action items in the CSC certification program and act as an advisory board;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators, in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities pledge, which comprises the following ten elements:

- 1) Build a climate-smart community.
- 2) Inventory emissions, set goals, and plan for climate action.
- 3) Decrease energy use.
- 4) Shift to clean, renewable energy.
- 5) Use climate-smart materials management.
- 6) Implement climate-smart land use.
- 7) Enhance community resilience to climate change.
- 8) Support a green innovation economy.
- 9) Inform and inspire the public.
- 10) Engage in an evolving process of climate action.

Section 2. That the Lewis County Board of Legislators hereby appoints Kevin Brouillard as the Lewis County Coordinator for Climate Smart Communities (CSC).

Section 3. That the Lewis County Board of Legislators hereby authorizes the formation of a Lewis County CSC Task Force to be coordinated by Kevin Brouillard, comprised of 7 – 10 members to be approved by the Board upon recommendations from the Planning Department.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 328 - 2020
RESOLUTION APPOINTING MEMBER TO
PLANNING BOARD**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

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 from January 1, 2021 through December 31, 2023.

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

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 329 - 2020
RESOLUTION AUTHORIZING FUNDING AND A MEMORANDUM OF
UNDERSTANDING BETWEEN LEWIS COUNTY PUBLIC HEALTH AGENCY AND
LEWIS COUNTY HEALTH SYSTEMS TO ADMINISTER THE SERVICES
OF COVID-19 TESTING AT THE MAPLE RIDGE CENTER**

Introduced by Legislator Richard Chartrand, Vice-Chair of the Health & Human Services Committee.

WHEREAS, Lewis County Public Health (“PH”), as the local agency of the NYS Department of Health and National Centers for Disease Control and Prevention has been working with the Lewis County Health System (“LCHS”) to ensure that there are testing clinics available to residents of Lewis County during the COVID-19 pandemic; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the winter months pose a challenge to the Covid-19 testing clinic being offered at the parking lot of the LCHS campus; and

WHEREAS, LCHS has secured a lease agreement with Maple Ridge Center, to have a portion of that facility be modified to allow for a drive-thru testing clinic during the winter and spring months (approximately 6 months) at a cost of \$1,200/mo (\$100/clinic day with the intention of at least 12 clinic days per month); and

WHEREAS, in consideration of LCHS administering the services at the clinic, the County, through Lewis County Public Health as the local DOH agency, will agree to pay the monthly lease obligation to Maple Ridge, upon receipt of proper invoices and other document which may be required by PH, in support of this shared service and interest in Covid-19 testing and distribution for the entire population of Lewis County; and

WHEREAS, the Board of Legislators wishes to approve such funding and agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes a Memorandum of Understanding by and between the County of Lewis, acting by and through the Lewis County Public Health Agency with the Lewis County Public Health Agency, for PH to pay the monthly lease obligation charged by Maple Ridge Center to LCHS, in consideration of LCHS agreeing to administer and provide the necessary services to operate a COVID-19 testing and distribution clinic at the Maple Ridge Center facility located on the East Road, Lowville, NY, for approximately six (6) months commencing November 16, 2020, at a cost of \$1,200/month (\$100/clinic day, anticipated 12 clinic days per month), as shared services/partnerships in response to the COVID-19 pandemic outbreak.

Section 2. That Lewis County Public Health will pay the lease obligation with available Federal funds.

Section 3. That the Lewis County Public Health Director is hereby authorized to make, execute, seal and deliver said MOU with LCHS, pending approval by the County Attorney.

Section 4. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 330 - 2020
RESOLUTION AUTHORIZING RENEWAL AGREEMENTS WITH
E. F. JOHNSON, UNITED RADIO, INC. AND AVIAT NETWORKS FOR
REMOTE MAINTENANCE AND SUPPORT SERVICES OF THE
E911 RADIO EMERGENCY COMMUNICATIONS SYSTEM**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the Lewis County Sheriff’s Department desires to renew agreements with the following providers regarding remote maintenance and support services of the E911 Radio Emergency Communications System;

CONTRACTOR	PURPOSE	AMOUNT	TERM
United Radio, Inc.	Maintenance & Repair for the Radio System and all Equipment	\$91,434.00	January 1, 2021 – December 31, 2021
E. F. Johnson	Remote Support for the Radio System	\$30,900.00	February 1, 2021 – January 31, 2022
Aviat Networks	Remote Support for the Radio Microwave Network	\$8,818.00	February 1, 2021 – December 31, 2021

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes renewal Agreements between the County of Lewis and the above providers for remote maintenance and support services of the E911 Radio Emergency Communications System as described above.

Section 2. That there is no County cost, as all agreements are fully funded under the Interoperable Communication Radio Grant.

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

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

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

RESOLUTION NO. 331 - 2020
RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING
BETWEEN LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES
AND THE RESOURCE CENTER FOR INDEPENDENT LIVING
FOR CONSUMER DIRECTED PERSONAL ASSISTANCE PROGRAM

Introduced by Legislator Richard Chartrand, Vice-Chair of the Health & Human Services Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, in accordance Sections 365-f and 367-p of the Social Services Law, the Department of Social Services (“DSS”) wishes to enter into a Memorandum of Understanding with the Resource Center for Independent Living (“RCIL”) to enable Medicaid recipients to utilize the Consumer Directed Personal Assistance Program (“CDPAP”); and

WHEREAS, this agreement is for a retroactive term commencing on August 7, 2020 and will be an on-going Memorandum of Understanding unless either party desires to terminate upon a thirty (30) day notice and/or upon notification from the New York State Department of Health or other designated New York State oversight agency that the State and/or Federal funds are unavailable for these services;

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 Lewis County Department of Social Services (“DSS”) and the Resource Center for Independent Living to enable Medicaid recipients to utilize the Consumer Directed Personal Assistance Program, for a retroactive term commencing on August 7, 2020 and continuing unless and until either party terminates.

Section 2. That the Board of Legislators hereby authorizes the Commissioner of Lewis County Department of Social Services to make, execute, seal and deliver said Agreement and any required revisions thereto, pending approval by the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 332 - 2020
RESOLUTION TO RE-APPOINT MEMBERS TO
SOIL AND WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints Ashley Marolf of 10449 Second Road, Carthage, New York 13619 as the Grange Representative on the Lewis County Soil & Water Conservation District Board of Directors and re-appoints Jennifer Myers of 4217 West Road, Turin, New York 13473, as the Member-at-Large to the Lewis County Soil & Water Conservation District Board of Directors.

Section 2. That the term of said appointments shall be from January 1, 2021 to December 31, 2023.

Section 3. That Gary Rosiczkowski of 5066 Lee Road, Turin, New York 13473, is appointed as the Farm Bureau representative on the Lewis County Soil & Water Conservation District Board of Directors for a term of January 1, 2021 to December 31, 2022

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

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 333 - 2020
RESOLUTION TO APPROPRIATE FUNDS
SOLID WASTE**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

BE IT RESOLVED as follows:

Section 1. That the following budget transfers are hereby approved in the Solid Waste accounts for additional costs incurred over the preliminary budget:

Increase Revenue:

ES816000 312310 Finance Charges	\$ 7,500.00
ES816000 321300 Refuse & Garbage	\$40,000.00
ES816000 321301 Recycling Sales	\$45,000.00
ES816000 321302 Refuse Invoiced	\$42,500.00

Increase Expense:

ES 816000 490100 Professional Services	\$130,000.00
ES 816000 490900 Miscellaneous	\$ 5,000.00

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

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 334 - 2020
RESOLUTION APPOINTING MEMBERS TO
TRAFFIC SAFETY BOARD**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BE IT RESOLVED as follows:

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

Joseph Austin, Lewis County Public Health Planner, 7785 N State Street, 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

Cassandra Buell, Lewis County Planning Director, Lowville, NY 13367

Section 2. That the term of said appointments shall be effective January 1, 2021 and terminate on December 31, 2023.

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

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 335 - 2020
RESOLUTION AUTHORIZING COUNTY TREASURER
TO MAKE NECESSARY BUDGET TRANSFERS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules 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 2020 fiscal year.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

**RESOLUTION NO. 336 - 2020
RESOLUTION TO APPROPRIATE FUNDS FOR
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

Introduced by Legislator Richard Chartrand, Vice-Chair of the Health & Human Services Committee:

NOA#PY-20-3

Section 1. That the following funds be appropriated for Program Year 2020 for the period July 1, 2020 through June 30, 2022 for the Adult and Dislocated Worker Programs per the Notice of Obligational Authority (NOA), #PY20-3, dated October 1, 2020 through the New York State Department of Labor, in the amount of \$91,990.39.

Increase WIOA Revenue:

CD629300.347910 WIA \$91,990.39

Increase Dislocated Worker Program expense:

CD629100.110100 Wages	\$ 1,000.00
CD629100.490900 Contractual	\$ 150.00
CD629100.801000 Retirement	\$ 632.00
CD629100.807000 Dental Insurance	\$ 20.00
CD629100.806000 Health Insurance	\$ 2,028.00
CD629100.499900 OJT/CRT Checkbook	<u>\$ 25,929.30</u>
	\$ 29,759.30

Increase Adult Program expense:

CD629200.110100 Wages	\$ 24,000.00
CD629200.490900 Contractual	\$ 110.00
CD629200.801000 Retirement	\$ 500.00
CD629200.803000 FICA	\$ 2,200.00
CD629200.804000 Compensation	\$ 280.00
CD629200.807000 Dental Insurance	\$ 600.00
CD629200.806000 Health Insurance	\$ 6,500.00
CD629200.499900 OJT/CRT Checkbook	<u>\$ 28,041.09</u>
	\$ 62,231.09

Section 2. That the within shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

RESOLUTION NO. 337 - 2020
RESOLUTION AUTHORIZING BID AWARD AND AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND WESTELCOM NETWORK INC. FOR COUNTY
PHONE SYSTEM AND COMPREHENSIVE INTER-OFFICE PHONE SERVICES

Introduced by Legislator Thomas A. Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Lewis County Information Technology Director recently sent out a Request for Proposals (RFP) to qualified vendors to provide a Multi-Location Phone System

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Program and Comprehensive Inter-Office Phone Services for the County's telecommunication technology needs; and

WHEREAS, pursuant to the procedures set forth in the RFP, on November 16, 2020, the County opened four (4) bids duly received; and

WHEREAS, the members of the Finance & Rules Committee along with the IT Director, and County Manager reviewed the bid proposals and considered the pricing responses in conjunction with the best interests of the County, and recommend that the lowest bidder, Westelcom Network Inc. ("Westel"), located at 130 Park Place, Watertown, NY 13601 be awarded a three-year contract for county phone system services including PRI/DID (Primary Rate Interface/Direct Inward Dialing), POTS-(Plain Old Telephone or analog/copper lines) and Internet services as outlined in the RFP, in the amount of \$25,636.00 per year (\$76,908.00 for three-year period), with the cost for the POTS subject to adjustment as to the number of POTS to be transferred determined after set up; and

WHEREAS, the Board of Legislators seeks to award the bid and authorize a three-year contract with Westelcom Network Inc. in accordance with its bid proposal in response to the County's RFP;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby awards the bid to and authorizes a three-year agreement with Westelcom Network Inc. ("Westel"), located at 130 Park Place, Watertown, NY 13601 for a Multi-Location Phone System Program and Comprehensive Inter-Office Phone Services for the County's telecommunication technology needs in accordance with the specifications set forth in the RFP.

Section 2. That the agreement shall provide for such services to be in place and operational by February 1, 2021, and continuing through January 31, 2024 at an annual cost of \$ 25,636.00 (subject to adjustment for POTS to be transferred), payable in monthly installments.

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 approved by the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Kulzer, and adopted on the 1st day of December, 2020.

OTHER BUSINESS:

At 5:52 p.m. Legislator Kulzer made a motion to adjourn the meeting, seconded by Legislator Osborne and carried.

**LAST DAY
ANNUAL SESSION
December 17, 2020**

The meeting was called to order at 10:03 a.m. by the Chairman of the Board, Lawrence Dolhof.

Roll Call: All Legislators were present virtually, except Legislator Virkler who had been excused. There were 8 additional persons present virtually.

REPORT OF THE FINANCE AND RULES COMMITTEE:

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

Signed by: Thomas Osborne
Ronald Burns
Ian Gilbert
Gregory Kulzer
Phil Hathway

Dated: December 17, 2020

Legislator Kulzer made a motion to waive the rules, seconded by Legislator Hathway, and carried.

PRIVILEGE OF THE FLOOR:

At 10:06 a.m. Chairman Dolhof opened the public hearings for comments on Proposed Jefferson/Lewis County LED Lighting Upgrade Plan Pursuant to a NYS County-Wide Shared Services Initiative (CWSSI), as the second hearing on this subject, and Local Law Providing for Increases to Salaries for Certain Local Officials. He explained that the NYS County-Wide Shared Services Initiative are two separate public hearings that will be open for 15 minutes each.

Sheriff Carpinelli was given the floor to address Legislators. He began by stating that they had a Deputy resign and he will be refilling that position but hear that there may be a problem with that and was wondering why. Chairman Dolhof explained that Privilege of the Floor is not meant to be a dialogue or debate but rather a statement that the Board can take into consideration. He further stated that the Deputy position has not been eliminated but due to the ongoing pandemic the priorities for the Board are Public Health and the well-being of the community.

Sheriff Carpinelli stated that he felt he was being silenced and would like to move forward with hiring the Deputy which has been a position filled for the last several years. Ryan Piche clarified that the Sheriff had reached out and asked when he could address the Board and was told he could today, which he has done. Chairman Dolhof stated that the Board would take the Sheriff's comments into consideration at the next Legislative Committee meeting in January.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Sheriff Carpinelli stated that in the meantime he would need to utilize overtime to cover the position being vacant. Chairman Dolhof questioned what the status of the School Resource Officers were, as some of the schools in the county have gone to all virtual learning, that maybe they can be utilized to temporarily fill in. Sheriff Carpinelli stated that it would be up to the schools and the language in the signed contracts to determine that but still felt that he was not getting any answer as to why his force was being decreased. He accused the Board of siding with Black Lives Matter and ANTIFA to defund the police. Chairman Dolhof pointed out that the Board is not defunding the police whatsoever and that given time the position probably would be filled. Sheriff Carpinelli concluded by asking to be given an answer on filling the vacant Deputy position before January.

Legislator Gilbert asked the Sheriff if a Public Health nurse needed to do a wellness check on someone who was not cooperative and could be a potentially dangerous situation, what is his policy on assisting? The Sheriff stated that he will not enforce any pause orders issued by the Governor because some of the Board members and their families have businesses and he is going to treat everyone fairly. Legislator Gilbert clarified his question and the Sheriff responded by stating that he would help anyone in the community who was in fear for their life but would not assist if it was to cover Covid or an unlawful quarantine.

Legislator Gilbert continued by asking the Sheriff if a situation arose where someone who tested positive and was in isolation but was out in the general public infecting other people, would the Sheriff assist? The Sheriff responded that someone would have to prove that the individual is sick and because of HIPAA no one should know that and he would need to have a court order by a judge before he would consider doing anything. Legislator Gilbert stated that individuals have been arrested for reckless endangerment when they have violated isolation orders from Public Health. The Sheriff stated that he could be sued under civil law and therefore would not assist on this. There was further discussion on HIPAA violations and the Aids epidemic and how it relates to this pandemic. Legislator Gilbert clarified the difference between enforcing isolation violations and quarantine violations.

Sheriff Carpinelli asked to address the vehicle situation, Chairman Dolhof stated that once the 6 new vehicles are ready for pick-up we will need a list of 6 old vehicles to be turned in. Sheriff Carpinelli referred to a conversation between the County Manager and himself, in which he was told that he could turn in two vehicles and add an additional four vehicles to his fleet. He currently only has two vehicles to turn in and can probably find two more to turn in. Sheriff Carpinelli suggested that future conversation should be clarified or even recorded as to avoid this confusion and misunderstanding.

Legislator King voiced his opinion that the Sheriff needs to attend Legislative Committee meetings to discuss things with the Board, so everyone is on the same page. Legislator King reiterated that the Board has the final say and they were not aware of what the Sheriff's needs were because there was a lack of communication. Sheriff Carpinelli offered an invitation to all Legislators to meet with him up at his office. Legislator King didn't understand why the Sheriff, who has always been able to turn in old vehicles for new ones couldn't come up with six old vehicles for six new vehicles. Legislator Moroughan stated that she felt the Sheriff needs to attend Committee meetings because that is the place where things are discussed. Legislator King

encouraged the Sheriff to attend the committee meeting for further discussion and clarification on things, and that due to the pandemic the meetings are virtual. Sheriff Carpinelli questioned what is going to happen to the vehicles that are ready for pick-up, they won't be picked up until there are six vehicles ready for turn in. Legislator Dolhof stated that ultimately the Sheriff wants to increase the size of his fleet by four vehicles and that has not been discussed at this point. Ryan Piche stated that if the Sheriff has two vehicles ready for turn in then he can get two new vehicles if they are ready.

Chairman Dolhof asked if there were any comments on the public hearings. Legislator Kulzer asked if any town or village could participate, Casandra Buell responded that only the Towns and Villages that were already working with NYPA could participate in this specific program. There may be future programs open to everyone. Tug Hill Commission has handled the information up to this point and reached out to Towns and Villages. Some of the Towns and Villages that don't work with NYPA still signed up to participate.

At 5:39 a.m. Chairman Dolhof closed the "second" public hearing on the Proposed Jefferson/Lewis County LED Lighting Upgrade Plan Pursuant to a NYS County-Wide Shared Services Plan as well as the Local Law Providing for Increases to Salaries for Certain Local Officials. Chairman Dolhof opened the "third" public hearing on the Proposed Jefferson/Lewis County LED Lighting Upgrade Plan Pursuant to a NYS County-Wide Shared Services Plan.

REPORTS OF COUNTY OFFICERS AND DEPARTMENTS:

Brian Mooney submitted the November Sealer of Weights and Measures activity reports which have been paced on file with the Clerk of the Board.

REPORTS OF STANDING COMMITTEES:

Legislator Osborne made a motion to approve renewal of the Lewis County Workers' Compensation Excess Liability Insurance policy with Midwest Employers Casualty Co. for calendar year 2021 at an annual premium of \$80,321.00, seconded by Legislator Moroughan and carried.

Legislator King made a motion to authorize Sheriff Carpinelli to refill two (2) part-time Correction Officer positions effective immediately, seconded by Legislator Osborne and carried.

Legislator Moroughan reminded the Board that there is a late resolution regarding Public Health.

Legislator Chartrand reported that the Hospital Employee for the Month of November was Whitney Waugh, RN in Med-Surge who went above and beyond to make sure a family was able to see their ailing mother virtually before she passed away. There has been some change in the information that can be reported out to the public about hospitals across the state.

COUNTY MANAGER REPORT:

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Ryan Piche stated his gratitude towards the Department Heads who approach county government as a team, who work together for a common goal, and who have gone above and beyond and given more to the tax payers over the last three months than ever in the past. He concluded by making note that he will work on communication with certain departments going forward.

Legislator Kulzer asked County Attorney Joan McNichol if Legislators could approve their salary increase effective 2021 prior to running for re-election, she responded by clarifying that she looked into it and it is allowed.


REPORT OF THE FINANCE AND RULES COMMITTEE:

DECEMBER 17, 2020

**REPORT OF
FINANCE AND RULES COMMITTEE
ON THE EXAMINATION OF CLAIMS**

To: The Honorable County Legislators

The Finance and Rules Committee reports that they have examined the claims presented for payment in the total amount of \$ 1,411,756.05 and recommend that they be audited and allowed for the amounts claimed.



Thomas Osborne Chair



Ronald Burns Vice-Chair



Ian Gilbert Committee



Greg Kulzer Committee



Phil Hathway Committee

Dated: December 17, 2020

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

PROCEEDINGS OF THE BOARD OF LEGISLATORS

**RESOLUTION NO. 338 – 2020
AUDITING AND ALLOWING CLAIMS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

RESOLVED that the claims presented for payment in the total amount of \$ 1,411,756.05 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 Moroughan , seconded by Legislator Kulzer , and adopted on the 17th day of December, 2020 by the following roll call vote:

AYES: Chartrand, Gilbert, Moroughan, Burns, Kulzer, Osborne, Hathway, King, Dolhof

NAYS:

ABSENT: Virkler

**RESOLUTION NO. 339 - 2020
RESOLUTION ADOPTING AND OTHERWISE TREATING
LOCAL LAW NO. 1 – 2021, COUNTY OF LEWIS**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

WHEREAS, a resolution was duly adopted by the Board of Legislators on December 1, 2020, directing that a public hearing be held by said Board on December 17, 2020 from 10:00 a.m. to 10:30 a.m. to hear all interested parties on a proposed Local Law entitled “A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS”; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on December 10, 2020, 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. The notice provided that as a result of temporary restrictions on public gatherings due to COVID-19, the public was directed to submit comments on the proposed Local Law by email or regular mail to the Clerk of the Board on behalf of or in opposition to said proposed Local Law, or any part thereof, on or before December 17, 2020 at 9:00 a.m.; and that the public could access the live meeting by internet on the county’s YouTube link: <https://www.youtube.com/channel/UCPhIjsUZRBjY7KSlQ0ywxkg>; and

WHEREAS, the public hearing by the above alternative access methods, was duly held with the Board of Legislators acting after receipt of public comment and information;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 9-2020), County of Lewis, being “A LOCAL LAW PROVIDING FOR INCREASES TO SALARIES FOR CERTAIN LOCAL OFFICIALS”, be and the same hereby is designated as Local Law No. 1–2021, County of Lewis.

Section 2. That Law No. 1–2021, 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 Gilbert , seconded by Legislator Osborne , and adopted on the 17th day of December, 2020 pursuant to the following roll call vote:

AYES: Gilbert, Moroughan, Osborne, Hathway, King, Burns, Chartrand, Kulzer, Dolhof

NAYS:

ABSENT: Virkler

RESOLUTION NO. 340 - 2020
RESOLUTION AUTHORIZING A RENEWAL AGREEMENT BETWEEN
THE COUNTY OF LEWIS AND CUMMINS SALES AND SERVICE
FOR GENERATOR MAINTENANCE SERVICES

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis desires to enter into a renewal agreement with Cummins Sales and Service, with office located at 6193 Eastern Avenue, Syracuse, New York 13211, for the purpose of providing maintenance and inspection services for the generators placed at the 9-1-1 tower sites, and all county buildings; 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 renewal contract with Cummins Sales and Service for the purpose of providing maintenance services for the generators located at all 9-1-1 tower sites and county buildings.

Section 2. That the one year service agreement (January 1, 2021 to December 31, 2021) includes annual inspections on all equipment in March and full maintenance service in September, at a total cost of \$18,674.48.

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 Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 341 - 2020
RESOLUTION AUTHORIZING RENEWAL AGREEMENT WITH
THE UNIFIED COURT SYSTEM
FOR COURT CLEANING AND MINOR REPAIR SERVICES**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, counties and cities are required by law to furnish and maintain adequate court facilities for use by trial courts in the State of New York, with the State obligated to compensate the municipality for cleaning, maintenance and repairs of the facilities; and

WHEREAS, in 2018, the County entered into a five (5) year agreement (C300423) with the NYS Unified Court System (“UCS”) the purpose of providing cleaning services for the interior of the Lewis County Court House (“Court Facilities”), as well as minor and emergency repairs, and preventive building and property maintenance services for the facility; and

WHEREAS, the five-year agreement commenced April 1, 2018 and continues through March 31, 2023, with annual agreements as to the maximum amount of reimbursement the UCS will pay to the County for such services; and

WHEREAS, the County has provided and submitted to the State the annual compensation reimbursement budget and scope of services to be rendered for the annual period from April 1, 2020 through March 31, 2021, and UCS agrees to reimburse the County for the cleaning and maintenance services for this period at a cost of \$125,531.00; and

WHEREAS, the Board of Legislators seeks to authorize and approve this annual renewal service at said compensation amount.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes and approves the 2020/2021 renewal amendment to the five-year Agreement between the County of Lewis, by and through the Buildings and Grounds Department, and the NYS Unified Court System, for the provision of cleaning and maintenance services for the interior of the Lewis County Court Facility, as well as preventive building and property maintenance services for the facility, for the period retroactive to April 1, 2020 through March 31, 2021, in consideration of the payment of \$125,531.00.

Section 2. That the Chairman or Vice-Chairman of the Board of Legislators is hereby authorized to make, execute, seal and deliver such renewal agreement, and all additional annual renewal amendments to the five-year Agreement, pending approval by the County Attorney.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

RESOLUTION NO. 342 - 2020
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 Health & Human Services Committee.

WHEREAS, Lewis County Community Services Department is lawfully required pursuant to Criminal Procedure Law Article 730 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; and

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 of defendants as required pursuant to CPL 730.

Section 2. That the term of this Agreement shall be from January 1, 2021 through December 31, 2021 for an amount not to exceed \$125.00 per hour for psychological evaluations, not to exceed \$500.00 per evaluation, unless approved by the Director and \$150.00 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.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Moved by Legislator Osborne , seconded by Legislator Chartrand , and adopted on the 17th day of December, 2020.

RESOLUTION NO. 343 – 2020
RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS
WITH REFERENCE TO DISTRICT ATTORNEY OFFICE

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

WHEREAS, as a result of changes to the New York State Bail Reform Law effective January 1, 2020, the District Attorney’s Office is tasked with discovery compliance demands at the outset of all criminal matters requiring and causing additional, immediate workloads necessitating part-time assistance;

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 District Attorney’s office to create the following temporary position, effective January 1, 2021 through December 31, 2021 with compensation not to exceed \$8,000:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Intern	Temporary	\$16.00/hour

Section 2. That the Board of Legislators hereby declares that no additional funding for this temporary intern position will be authorized in 2021.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne , seconded by Legislator Chartrand , and adopted on the 17th day of December, 2020.

RESOLUTION NO. 344 – 2020
RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS
WITH REFERENCE TO DISTRICT ATTORNEY OFFICE

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

WHEREAS, as a result of changes to the New York State Bail Reform Law effective January 1, 2020, the District Attorney’s Office is tasked with discovery compliance demands at the outset of all criminal matters requiring and causing additional, immediate workloads necessitating part-time legal assistance;

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 District Attorney's office to create the following temporary position, effective January 1, 2021 through December 31, 2021 with compensation not to exceed \$5,000:

<u>TITLE</u>	<u>STATUS</u>	<u>SALARY</u>
Part-Time Assistant District Attorney	Temporary	\$50.00/hour

Section 2. That the Board of Legislators hereby declares that no additional funding for this part-time, temporary position will be authorized in 2021.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 345 - 2020
RESOLUTION APPOINTING DEMOCRATIC
COMMISSIONER OF ELECTIONS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the term of Lindsay Burriss as Democratic commissioner of Elections is due to expire on December 31, 2020; and

WHEREAS, pursuant to New York State Election Law, sections 3-200 and 3-204, Lewis County Democratic Committee Chairwoman Linda Sandri has submitted a certificate of recommendation for her re-appointment.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints LINDSAY BURRISS, a resident and qualified voter of the Town of New Bremen, Lewis County, New York, as the Democratic Commissioner of Elections, in and for the County of Lewis.

Section 2. That the term of said appointment shall commence on January 1, 2021 and terminate on December 31, 2022.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 346 - 2020
RESOLUTION APPOINTING REPUBLICAN
COMMISSIONER OF ELECTIONS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the term of Ann M. Nortz as Republican Commissioner of Elections is due to expire on December 31, 2020; and

WHEREAS, Lewis County Republican Committee Chairman Michael Young has submitted a letter recommending her re-appointment.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints ANN M. NORTZ, a resident and qualified voter of the Town of Lowville, Lewis County, New York as the Republican Commissioner of Elections, in and for the County of Lewis.

Section 2. That the term of said appointment shall commence on January 1, 2021 and terminate on December 31, 2022.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 347 - 2020
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY ETHICS BOARD**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

BE IT RESOLVED as follows:

Section 1. That pursuant to Local Law No. 5-2005 "Lewis County Ethics Law" this Board of Legislators hereby appoints John Scott Markham of 3513 West Road, Constableville, New York 13325, as a Republican representative on the Lewis County Ethics Board.

Section 2. That the term of said appointment shall be effective from January 1, 2021 through December 31, 2023.

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

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 348 - 2020
RESOLUTION APPROVING GRANT OF EASEMENT
TO DAIRY RNG-NY-MARKS FARM, LLC
UNDER EAST MARTINSBURG ROAD, COUNTY ROUTE 22**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, pursuant to Section 136 of the Highway Law, Marks Farm Realty LLC (MARKS FARM), submitted an application and permit for work within the Right-of-Way of County Route 22 (East Martinsburg Road), approximately 1.575 ft North of the NYS Rt 12 intersection to install four(4) manure pipelines, by pipe and casing to be driven under the road from one side of the farm to the other under the road to the proposed anaerobic digesters, gas collection and processing site as set forth in the special use permit and site plan review presented to the Town of Martinsburg Planning Board and County Planning Board; and

WHEREAS, the project and site plans were approved by both the Town Planning Board and the County Planning Board with conditions, including compliance with all Local, State and Federal regulatory requirements for such a facility; and

WHEREAS MARKS intends to install an anaerobic digester for processing of manure which will then be converted to gas as a renewable energy source for the farm, and which will decrease the number of truck runs on said road; and

WHEREAS, the County owns certain real property located in the Town of Martinsburg which includes County Route 22, conveyed from Marks Farms to the County by deed dated June 19, 1998 and recorded in the Lewis County Clerk's office on October 23, 1998 in Liber 630 at Page 345. MARKS has requested permission to construct and install manure pipes and gas line pipes in and under a designated portion of County Route 22 owned by the County, and to secure a permanent easement, approximately 20ft x 50ft, for said piping for as long as the digester or other similar processor remains in usage; and

WHEREAS, the Board of Legislators seeks to authorize the easement for said purpose;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1: That the Board of Legislators hereby authorizes the granting of a permanent easement from the County of Lewis to DAIRY RNG-NY-MARKS FARM, LLC for the construction, installation, maintenance, and repair of underground manure and gas line pipes to be located in a strip of County land approximately 20 feet by 50 feet +/-, approximately 0.02 acres, and being located and more particularly described as property of the County of Lewis in the Town of Martinsburg, State of New York, being in Lot 62 of Township No. 5, Town of Martinsburg, as shown on a map entitled "ALTA/NSPS Land title Survey, Marks Farm Realty

PROCEEDINGS OF THE BOARD OF LEGISLATORS

LLC, 6314 Cannan Road, Lowville, NY 13367” as prepared by LaFave White & McGivern LS PC, Andrew R. Bailey LS, dated June 5, 2020, last revised October 30, 2020; being part of the East Martinsburg Road, County Route No. 22.

Section 2. That the easement shall provide that MARKS shall comply with any and all Federal, State and Local Laws and Regulations, including all DEC requirements for said piping and digester project; that the Grantee shall keep in good repair all appurtenances placed within the bounds of the county highway and property easement; that the Grantee shall indemnify and hold the County harmless from all claim and damages which may accrue and arise by reason on the granting of this easement and the use of the property for the proposed piping; that the Grantee shall be responsible and obligated to reimburse and/or pay for any repairs and damages to the County road, property and right of way at said location to the specifications and requirements of the County Highway Superintendent; together with such other terms and conditions as may be recommended by the County Attorney.

Section 3. That the Chairman, or Vice-Chairman, of the Board of Legislators is hereby authorized to make, execute, seal and deliver such easement for consideration of One Dollar (\$1.00), upon review and approval of the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 349 – 2020
RESOLUTION APPOINTING MEMBER TO
LEWIS COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BOARD OF DIRECTORS**

Introduced by Legislator Lawrence Dolhof, Chairman of the Board of Legislators.

WHEREAS, pursuant to Section 856 of the General Municipal Law, an Industrial Development Agency shall be a corporate government agency constituting a public benefit corporation; and

WHEREAS, the Industrial Development Agency Board of Directors shall consist of not less than three nor more than seven members, who shall be appointed by the governing Board of Legislators; and

WHEREAS, said members shall serve at the pleasure of the Board of Legislators.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby appoints McKenzie Lehman of 9505 Ebersol Circle, Castorland, New York 13620 to the Lewis County Industrial Development Agency Board of Directors, to serve at the pleasure of the Board of Legislators.

Section 2. That said appointment shall be effective December 18th, 2020 for an indefinite term.

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

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

RESOLUTION NO. 350 - 2020
RESOLUTION AUTHORIZING DISTRIBUTION TO CERTAIN VILLAGES TO ASSIST IN WATER/SEWER INFRASTRUCTURE EXPENSES AND IMPROVEMENT COSTS

Introduced by Legislator Richard Chartrand, Representative for Legislative District 5.

WHEREAS, the County is committed to investment in projects which will improve and grow economic development. Maintenance of and improvements to water and/or sewer infrastructure and systems are essential to economic development in Lewis County; and

WHEREAS, the County seeks to consider a distribution to certain Villages in the County who maintain and operate water and/or sewer districts and systems, namely, the Villages of Constableville, Copenhagen, Croghan, Lowville, Lyons Falls and Port Leyden; and

WHEREAS, this payment is proposed in order to assist those named Villages with the expenses associated with each Village's water/sewer infrastructure/system costs of maintenance and upgrades so that overall economic development may improve where water and/or sewer infrastructures are properly maintained;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby approves the following distribution of \$71,514.09 to the following named Villages in the County of Lewis who have water/sewer district infrastructures/systems for the amounts set forth for each:

Village of Constableville	\$ 3,772.96
Village of Copenhagen	1,508.23
Village of Croghan	1,803.14
Village of Lowville	55,307.14
Village of Lyons Falls	3,447.25
Village of Port Leyden	<u>5,675.37</u>
Total:	\$71,514.09

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the Treasurer is directed to make the aforesaid payments from the Lewis County contingency account.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 351 - 2020
RESOLUTION APPOINTING MEMBERS TO
OFFICE FOR AGING ADVISORY COUNCIL**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That this Board of Legislators hereby re-appoints the following individuals to the Lewis County Office For Aging Advisory Council:

District No. 2 – Mariette Virkler of 6489 Swiss Road, Castorland, NY 13620
District No. 9 – Joan Goodfellow of 3772 Hunkins Road, Port Leyden, NY 13433
Hospital Rep. - Margaret Grant of L.C.H.S., 7885 N. State St, Lowville, NY 13367

Section 2. The term of said appointments shall commence January 1, 2021 and expire on December 31, 2023.

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

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 352 - 2020
RESOLUTION AUTHORIZING RENEWAL AGREEMENT BETWEEN
LEWIS COUNTY AND BIRNIE BUS TOURS, INC.
FOR 2021 LEWIS COUNTY PUBLIC TRANSPORTATION SYSTEM**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, Section 119-r of the General Municipal Law of the State of New York authorizes a county to enter into a contract with a privately owned or operated mass transportation facility for mass transportation services to be rendered to the people of Lewis County; and

WHEREAS, the County has adopted Local Law No. 4 – 2009, entitled, “A LOCAL LAW AUTHORIZING PUBLIC TRANSPORTATION SYSTEM WITHIN LEWIS COUNTY,” whereby the County of Lewis has authorized the Board of Legislators to enter into a contract or contracts for a fair and reasonable consideration for mass transportation services to be rendered to the public by a privately-owned or operated mass transportation facility; and

WHEREAS, the BIRNIE BUS TOURS, INC. (herein, the “CARRIER”) represents that it is such a privately owned or operated mass transportation facility described in Section 119-r of the General Municipal Law and that it holds certificates of public convenience and necessity issued by the New York State Department of Transportation necessary and appropriate for the rendition of the services to be performed by it hereunder and with costs reimbursable to the County from Federal and State Transportation Programs; and

WHEREAS, the County seeks management, operation and maintenance services for the public transportation system and for the coordination and provision of transportation services for Lewis County; 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; and

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves a renewal contract with BIRNIE BUS TOURS, INC., 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, 2021 through December 31, 2021 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, and any Amendments for inclusion of the NYSARC, Inc. (Oneida-Lewis Chapter) and United Cerebral Palsy ridership, if and when entities renew contracts with the CARRIER.

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

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

Schedule B: 2021 Public Transportation Rates
Transportation Management Agreement
For Coordinated Public Transportation System
Between the County of Lewis and Birnie Bus Tours, Inc.
January 1, 2021 – December 31, 2021

Contract Rate for Fixed Route Service:

The County shall pay the Carrier \$4,219.74 per month, by monthly invoice with days of service, ridership data by location and route, for daily transit service of six fixed routes*:

- 1) #518 Lowville - Boonville – Lowville
- 2) #630 Lowville – Carthage – Lowville
- 3) #631 Lowville - Constableville – Lowville
- 4) #632 Harrisville – Croghan – Lowville
- 5) #633 Lowville – Watson – Lowville
- 6) #634 Lowville – Martinsburg – Lowville.

* The parties acknowledge that the exact routes may be altered by mutual agreement dependent upon ridership analysis.

The fixed route service begins at approximately 6:15 AM and ends around 5:00 PM. Fixed route service runs Monday – Friday, except the following holidays:

- 1) Memorial Day
- 2) July 4th
- 3) Labor Day
- 4) Thanksgiving
- 5) Day after Thanksgiving
- 6) Christmas
- 7) New Year’s Day

Rate for Managing/Coordinating Transit Services:

The County shall pay the Carrier a flat rate of \$3,111 per month by monthly invoice with monthly administration data. This includes but is not limited to maintaining a customer call center, on demand dispatch service, coordination of NEMT service with the State’s contractor (Medical Answering Services), and management of all bus operations and maintenance of the fleet.

Lowville Loop Expansion Service:

The County shall pay the Carrier \$47.94 per hour for expansion related transit service outside of established routes. The Carrier shall provide cumulative payroll hours in monthly invoices to the County (under separate line items). Presently, the expanded Lowville Loop service includes three loops, Monday – Friday from approximately 9:45 AM to 1:30 PM except the holidays listed under the Fixed Route exclusions. The County also maintains the right to adjust or terminate the Lowville Loop and/or to add additional expanded routes with a thirty day written notice to the Carrier.

Dial-A-Ride Service:

The County shall pay the Carrier \$47.94 per hour for Dial-A-Ride related transit service. This on demand service is by reservation only and is open to the public. The Carrier shall provide cumulative payroll hours in monthly invoices to the County (under a separate line item labeled DAR). Carrier may charge the public double the regular fare for this on demand service.

Demand Response/Medicaid Van for Non-Emergency Medicaid Transportation:

The County shall pay the Carrier \$27.78 per hour for Demand Response/Medicaid Van transit hours. The Carrier shall provide cumulative payroll hours in monthly invoices to the County (under a separate line item labeled Demand Response/Medicaid Van). The County also maintains the right to terminate Demand Response/Medicaid Van service with a thirty day written notice to the Carrier. NEMT service is available Monday – Friday except on the holidays listed under the Fixed Route exclusions. NEMT service is only for Medicaid clients by appointment only.

Route 518 Expansion (Lowville to Boonville):

The County shall pay the Carrier \$1,384 per month for Route 518 expansion (Lowville to Boonville round trip) as part of a three-way partnership with Upstate Cerebral Palsy, Birnie Bus, Inc. and Lewis County. Lewis County will pay for this expanded portion of service while Birnie Bus, Inc, will credit UCP \$16,600 per year as per the agreed upon partnership. The Carrier shall provide a separate line item for Rt. 518 expansion on its monthly invoices to the County. Presently, the expanded service runs Monday – Friday except the holidays listed under the Fixed Route exclusions. The County also maintains the right to adjust or terminate this expanded route with a thirty-day written notice to the Carrier and UCP.

Fare Box:

The Carrier maintains all records regarding fare box revenue. Carrier shall provide the County with a monthly invoice with fare box revenue data and shall credit the County with the fare box revenue towards each route's monthly costs. Monthly passes will be available for purchase through Birnie Bus for \$25. Passes can be used on all routes, except NEMT and DAR. The Carrier will keep the fares from the Fixed Route Services, to include the Lowville Loop and DAR, and the Old Forge Seasonal Route. The County is entitled to all fares collected from the JCC Connector, Utica Connector, Fort Drum Circuit and additional routes, to include day-trips and the Cream Cheese Festival; these fares will be deducted from the associated invoices.

Old Forge Seasonal Route:

The County shall pay the carrier \$471.24 per day per bus for round trip service between Croghan, NY and Old Forge, NY for the summer season. Tentative pick up locations include:

- 1) Croghan
- 2) Lowville
- 3) Glenfield
- 4) Lyons Falls
- 5) Port Leyden
- 6) Boonville
- 7) Woodgate

PROCEEDINGS OF THE BOARD OF LEGISLATORS

The route is subject to change upon written approval of both parties. Service is 7 days per week and the route is open to the public in both directions. This service commences on or about June 5, 2021 and terminates after Labor Day weekend. The Carrier charges \$1.00 fare each way for this service. There will be monthly bus passes available for riders for the cost of \$25.00.

Carrier shall provide two buses during busier times; estimated as June 16, 2021 – August 19, 2021. The parties acknowledge that the exact dates in which the second bus is provided may be altered by mutual agreement dependent upon ridership analysis.

The Carrier shall provide the County with a monthly invoice including but not limited to the number of days of service and ridership data by location and bus, the fare box revenue data. The Carrier shall keep the fare box revenue.

JCC Connector:

The County shall pay the Carrier \$589.50 per day for the use of a Lewis County Public Transportation bus to service the JCC Connector route. The route will service both Lewis County and Jefferson County residents with planned pick up locations in Port Leyden, Lyons Falls, Glenfield, Lowville, Croghan, Carthage, Deer River, Copenhagen, JCC, the Salmon Run Mall, and Fort Drum. Lewis County will submit to New York State Department of Transportation while Birnie Bus is obligated to provide the proper data to the County for submission. Lewis County will retain all STOA money associated with this route. The Carrier shall provide a separate line item for the JCC Connector route on its monthly invoices to the County. The JCC Connector route will run Monday-Friday year-round.

The bus will not run on any of the holidays listed in the Fixed Route exclusions. Lewis County also maintains the right to adjust this route with a 10-day notice. In addition, the County reserves its right to terminate this route upon thirty days prior written notice to the Carrier. Lewis County shall be entitled to the fare box for this route. The Carrier will collect the fares and maintain all records regarding fare box revenue. Carrier shall provide the County with a monthly invoice, including but not limited to the fare box revenue data listed, and shall credit the County with the fare box revenue towards this route's monthly cost. Lewis County shall have the sole right to set the rider fare rates and discounts, if any.

Utica/The College Connector:

The County shall pay the Carrier \$504.84 per day for the Utica route also known as The College Connector in coordination with Oneida County Rural Transit and Birnie Bus Inc. The route will serve both Lewis County and Oneida County residents with planned pick up locations in Lowville, Port Leyden, Boonville, Alder Creek, Remsen, Barneveld, Utica (SUNY Poly, Wal-Mart, Union Station, the Centro Transit Hub and MVCC) and New Hartford (New Hartford Shopping Center and Sangertown Square). Utica College can be served as a "Call Ahead" option. Lewis County will submit to New York State Department of Transportation while Birnie Bus is obligated to provide the proper data to the County for submission. Lewis County will retain all STOA money associated with this route. The Carrier shall provide a separate line item for the Utica/College Connector route on its monthly invoices to the County. The Utica/College Connector service will run Monday – Friday on a flexed schedule which will mirror the college semester schedules, please see service table. The route will run all year long on Tuesdays and

Thursdays. The Monday Wednesday Friday route will not run outside the traditional Spring and Fall college semester time periods.

The bus will not run on any of the holidays listed in the Fixed Route exclusions. Lewis County also maintains the right to adjust this route based upon college schedules with a 10-day notice. In addition, the County reserves its right to terminate this route upon thirty days prior written notice to the Carrier.

Carrier shall provide the County with a monthly invoice, including but not limited to the fare box revenue data listed, and shall credit the County with the fare box revenue towards this route's monthly cost. Lewis County shall have the sole right to set the rider fare rates and discounts, if any.

Utica /The College Connector Route – 2021						
	Monday, Wednesday, Friday			Tuesday & Thursday		
2021	Total Service Days	Service Dates	No Service	Total Service Days	Service Dates	No Service
Jan	5	1/20 - 1/29	1/1 – 1/18	8	1/5-1/28	N/A
Feb	12	2/1 - 2/26	N/A	8	2/2 - 2/25	N/A
Mar	14	3/1 - 3/31	N/A	9	3/2-3/30	N/A
Apr	13	4/2 - 4/30	N/A	9	4/1-4/29	N/A
May	6	5/3 - 5/14	5/17 - 5/31	8	5/4-5/27	N/A
Jun	0	N/A	6/2 - 6/30	9	6/1-6/29	N/A
Jul	0	N/A	7/2 - 7/30	9	7/1-7/29	N/A
Aug	1	8/30	8/2 - 8/27	9	8/3-8/31	N/A
Sep	12	9/1 - 9/29	9/6/20	9	9/2-9/30	N/A
Oct	13	10/1 - 10/29	N/A	8	10/5-10/28	N/A
Nov	13	11/1-11/29	N/A	8	11/2 - 11/30	11/25/20
Dec	8	12/1 - 12/17	12/220 - 12/31	9	12/2 - 12/30	N/A
Totals	97			103		

Route Extensions

In the event that the County would like to extend any of the established routes, the following rates apply:

- \$17.00/quarter hour with the use of a Lewis County Public Transportation owned vehicle
- \$19.50/quarter hour with the use of a Birnie Bus owned vehicle

**RESOLUTION NO. 353 - 2020
RESOLUTION APPOINTING MEMBER TO
PLANNING BOARD**

Introduced by Legislator Lawrence L. Dolhof, Chairman of the Board of Legislators.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby appoints Donald Cook of 575 County Route 194, Barnes Corners, New York 13626, as a member of the Lewis County Planning Board.

Section 2. That the term of said appointment shall be effective from January 1, 2021 through December 31, 2023.

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

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 354 - 2020
RESOLUTION AUTHORIZING HAZARD MATERIAL STUDY AND AGREEMENT
WITH DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY
FOR TURIN BRICK BLOCK BUILDING**

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

WHEREAS, the County of Lewis, by and through the Building and Codes Department, condemned the structure known as the Brick Block Building located at the intersection of State Route 26 and County Road 38 in the Village of Turin as unsafe and a danger to the public; and

WHEREAS, the County, through the Planning Department, desires to enter into an agreement with Development Authority of the North Country (DANC), a public benefit corporation organized and existing under the laws of the State of New York, having an office and principal place of business located at 317 Washington Street, Watertown, New York 13601 to assist the County in a Phase 1 Hazardous Material Assessment by soliciting quotes from firms to complete a Pre-Demolition Hazardous Materials Survey, review the quotes and make a recommendation to the County as to the award of same. In addition, DANC will utilize the results of the survey to develop an overall project scope, budget and schedule to be utilized by the County and Village to solicit funding; and

WHEREAS, DANC estimates that the Hazardous Material Survey will cost \$7,000.00; that DANC's fee to manage this Phase of the project would be \$5,000.00, with a total Phase 1 estimate of \$12,000.00; and

WHEREAS, the Planning Department will cover the costs up to \$12,000.00 for Phase 1 of the project from its 2020 Community Development Fund Account, and recommends that the County invest in this Phase 1 Project and Agreement with DANC;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the County of Lewis, by and through the Planning Department, to implement a Phase 1 Hazardous Materials Assessment Survey on the Brick Block Building in the Village of Turin, New York and authorizes an agreement with DANC to assist in the Phase 1 project for the scope of services therein described, for a total cost of \$12,000.00 for Phase 1 (\$5,000.00 to DANC and estimated \$7,000.00 for the Hazardous Materials Assessment Survey), payable from the Planning Department's 2020 Community Development Funds.

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), pending approval by the County Attorney.

Section 3. That this Resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

RESOLUTION NO. 355 - 2020
RESOLUTION AUTHORIZING APPLICATION FOR 2021
OFFICE OF COMMUNITY RENEWAL NEW YORK MAIN STREET (NYMS)
PROGRAM GRANT DOWNTOWN STABILIZATION PROJECT FUNDING

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis, by and through the Planning Department, desires to apply for 75% of project costs or up to \$500,000 including administrative expenses in financial assistance through the 2021 Consolidated Funding Application (CFA) under the New York State Office of Community Renewal, New York Main Street (NYMS) Program; and

WHEREAS, the application proposes funding to assist property owners to complete building renovations to downtown "main street" buildings on South State Street between Water Street and Elm Street in the Village of Lowville; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts. The grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this application;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the County of Lewis, by and through the Planning Department, to submit the on-line application to the New York State Office of Community Renewal for up to \$500,000.00 in 2021 New York Main Street funding for a Downtown Stabilization project located at 7514 South State Street in the Village of Lowville.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 2. That the Chairman or Vice Chairman of the Board of Legislators be and the same is hereby authorized to sign and submit the application and any contract documents, if awarded the grant.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 356 – 2020
RESOLUTION APPOINTING MEMBERS TO
LEWIS COUNTY FAIR HOUSING TASK FORCE**

Introduced by Legislator Jerry King, Chair of the General Services 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 reaffirm a commitment to equal opportunity for residents to live in safe, decent housing; and

WHEREAS, Britt Abbey, a Realtor, and Kevin McArdle, an Attorney, have indicated interest to serve on the Task Force.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby appoints the following individuals to the Lewis County Fair Housing Task Force as representatives of county members who have affiliated interests in housing and/or assistance to residents with housing needs.

Britt Abbey – Good Morning Realty (Realtor interests)

Kevin McArdle – Company, McArdle & Randall, PLLC (Attorney interests)

Section 2. The term of said appointments shall commence December 18th, 2020 for an indefinite term.

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

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

RESOLUTION NO. 357 - 2020
RESOLUTION AUTHORIZING APPLICATION FOR 2021 OFFICE OF
COMMUNITY RENEWAL NEW YORK MAIN STREET (NYMS) GRANT FUNDING
TO CONDUCT A RE-USE STUDY ON A DECOMMISSIONED SCHOOL

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis, by and through the Planning Department, desires to apply for up to \$20,000 in financial assistance through the 2021 Consolidated Funding Application (CFA) under the New York State Office of Community Renewal, New York Main Street (NYMS) Program; and

WHEREAS, if awarded, the grant requires a commitment of a 5% match from the County, not to exceed \$1,053.00, which will be provided by the Planning Department through its Community Development fund; and

WHEREAS, the application proposes funding to develop an adaptive re-use plan for a school that will be decommissioned in 2021 in the downtown “main street” corridor of Glenfield, located at 5960 Main Street between River Street and Glenfield Road; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts. The grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located; and

WHEREAS, the Lewis County Board of Legislators seeks to authorize this application;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes the County of Lewis, by and through the Planning Department, to submit the on-line application to the New York State Office of Community Renewal for up to \$20,000.00 in 2021 New York Main Street funding for a Technical Assistance project located at 5960 Main Street in Glenfield.

Section 2. That the Chairman or Vice Chairman of the Board of Legislators be and the same is hereby authorized to sign and submit the application and any contract documents, if awarded the grant.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 358 - 2020
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY PROBATION DEPARTMENT AND
CHILDREN'S HOME OF JEFFERSON COUNTY**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, Children's Home of Jefferson County ("Agency") is a private non-profit agency authorized by the New York State Office of Children and Family Services that provides a non-secure detention program; and

WHEREAS, the Lewis County Probation Department wishes to enter into an agreement with this Agency to utilize their services for the provision of non-secure detention services for the temporary boarding and care of juveniles placed into the custody of the Probation Department by the Family Court; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes an agreement between the County of Lewis, by and through the Lewis County Probation Department, and Children's Home of Jefferson County for the provision of non-secure detention services for the temporary boarding and care of juveniles placed into the custody of the Lewis County Probation Department by the Family Court for the term beginning January 1, 2021 through December 31, 2021, at a cost of \$450.00 per day. Upon submission of a voucher, the State may reimburse up to 49% of the cost.

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

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

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 359 - 2020
RESOLUTION AUTHORIZING CONTRACT WITH**

DECEMBER 17, 2020

**MCCLUSKY LAW FIRM, LLC
TO PERFORM CONFLICT DEFENDER SERVICES**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The Board of Legislators hereby approves an Agreement to provide conflict defender services through the McClusky Law Firm, LLC of 8 Main Street, P.O. Box 97, Adams, New York 13605 in those instances where the primary public defense firm is authorized to act, but has an actual conflict of interest (herein, “Conflict Defender”), to commence January 1, 2021 and continue through December 31, 2021.

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 Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 360 - 2020
RESOLUTION APPOINTING MEMBER TO
HEALTH SERVICES ADVISORY BOARD**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby re-appoints the following individuals to serve as members of the Lewis County Health Services Advisory Board:

Shereen Palmer, MD of 5402 Dayan Street, Lowville, NY 13367

Section 2. That the term of said appointments shall be effective from January 1, 2021 through December 31, 2024.

Section 3. That the within resolution shall take effect immediately

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 361 - 2020
RESOLUTION ACCEPTING PERMANENT
EASEMENT TO THE COUNTY FOR ITS TRAIL SYSTEM**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the County of Lewis has developed its ATV/OHV trail system by a combination of trails developed from public and private properties; and

WHEREAS, the Director of Recreation, Forestry and Parks secured an access agreement from Gregory E. Grower and Sharon E. Grower, the owners of approximately 158 acres in the Town of Leyden, known as parcel number 402.00-01-9.110, to have access to the property to construct, use and maintain designated trails on the property. By Resolution No. 246-2019, the trails on the Grower property were incorporated into the Lewis County ATV/OHV trail system, subject to the landowner's right to terminate access rights. By Resolution No. 172-2020, the owners granted a permanent easement to the County of approximately .54 acres of their property to the ATV/OHV trail system; and

WHEREAS, the owners now seek to gift another small portion of their property to the County of Lewis, for the ATV/OHV trail system, for trail use and parking area, as a permanent right of access and use for the County trail system, by granting a permanent easement for same. Attached as Exhibit "A" is a map depicting the additional easement area and location; approximately 3.5 +/- acres; and

WHEREAS, the Lewis County Board of Legislators seeks to accept this additional permanent easement and formally recognize Gregory Grower and Sharon Grower for their generosity and support of the Lewis County Trail System by this additional gifted easement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby gratefully accepts the gift of an additional permanent easement which shall run with the land, to the County of Lewis, on a portion of the property identified in "Exhibit A" located on parcel number 402.00-01-9.110 in the Town of Leyden, from landowners Gregory Grower and Sharon Grower, to be used, repaired, adjusted and maintained by the County's Recreation, Forestry and Parks Department as part of the County ATV/OHV trail system.

Section 2. That the easement shall include provision for the County of Lewis to have the right and access to approximately 3.5+/- acres identified as the easement area for use as an ATV/OHV trail and parking area maintained and used by the County under its Lewis County Trail System.

Section 3. That the easement document shall be duly recorded and appropriately indexed with the Lewis County Clerk's Office upon review by the County Attorney.

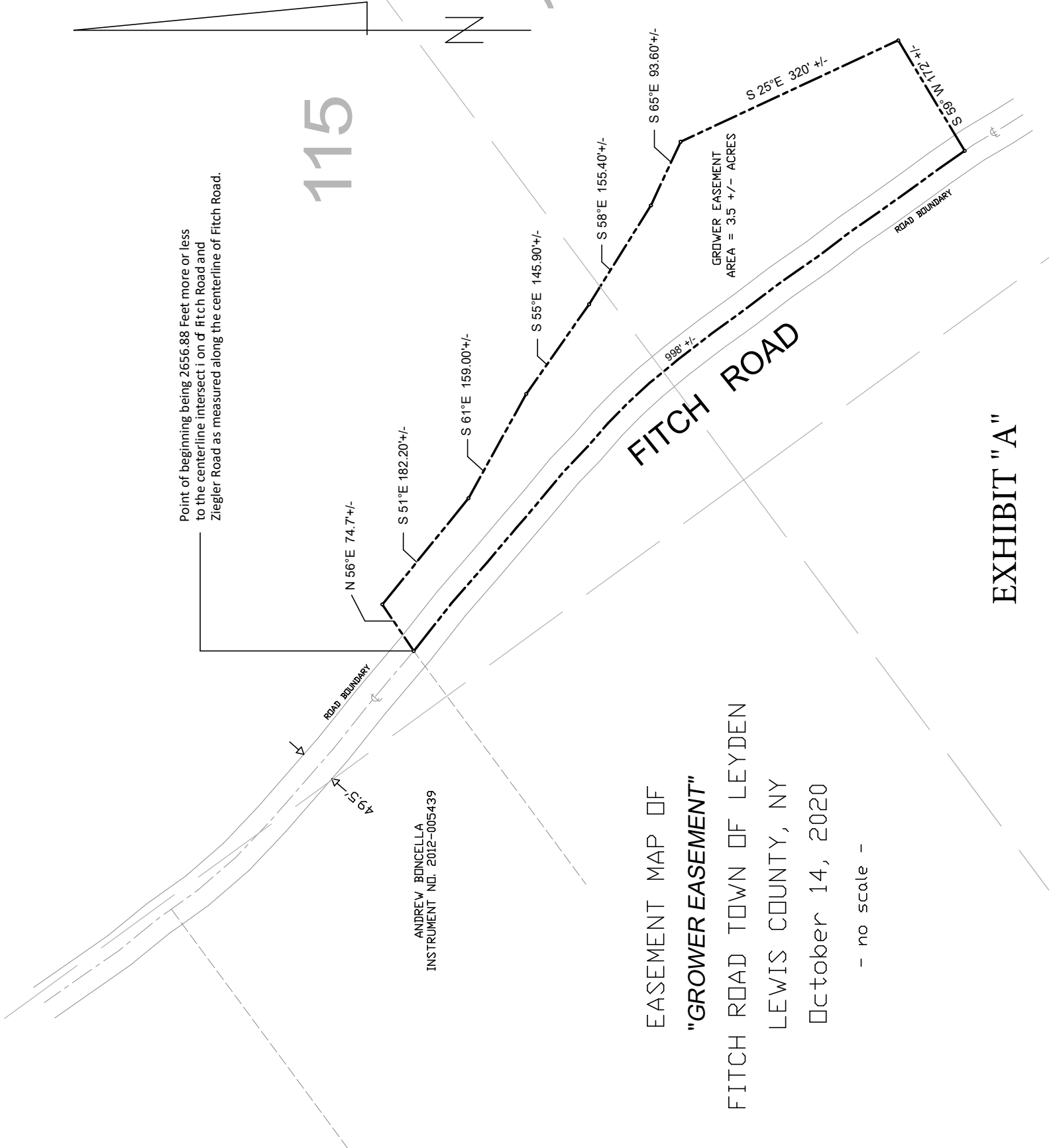
Section 4. That the within resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

114

115

Point of beginning being 2656.88 Feet more or less to the centerline intersect i on of Fitch Road and Ziegler Road as measured along the centerline of Fitch Road.



ANDREW BONCELLA
INSTRUMENT NO. 2012-005439

EASEMENT MAP OF
"GROWER EASEMENT"
FITCH ROAD TOWN OF LEYDEN
LEWIS COUNTY, NY
October 14, 2020

- no scale -

EXHIBIT "A"

DECEMBER 17, 2020

**RESOLUTION NO. 362 - 2020
RESOLUTION APPOINTING MEMBERS TO
LABOR-MANAGEMENT SAFETY COMMITTEE**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Labor-Management Safety Committee created by Resolution 144-2016 provides a forum of communication between public officers and employees, to enhance health and safety procedures through regular review of actual occurrences, identifying hazards and promoting safety throughout the collective workplace operations.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Lewis County Board of Legislators hereby appoints the following individuals to represent Management on the Labor-Management Safety Committee: Workers' Compensation Administrator Cassandra Moser, Human Resources Director Caitlyn Smith, Highway Superintendent Timothy Hunt, Hospital Human Resources Director Jessica Skiff or Hospital Director of Emergency Preparedness & Security Bobbi Jo Kahl, Commissioner of Social Services Jennifer Jones; Vice-President of the Lewis County Town Superintendent's Association Rick Watson or Secretary-Treasurer Patrick Mahar.

Section 2. That the following individuals recommended by union presidents are hereby appointed to represent Labor: CSEA Representative Brenda Harwood, CSEA President Julie Harris, Hospital CSEA Representative Kelly Balash, CSEA Representative Kelly Amidon, and CSEA Representative Cody O'Donnell.

Section 3. That the term of said appointments shall be for a period of two (2) years, effective from January 1, 2021 through December 31, 2022.

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

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 363 - 2020
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
LEWIS COUNTY SHERIFF'S DEPARTMENT
AND VARIOUS PROVIDERS**

Introduced by Legislator Jerry King, Chair of the General Services Committee.

WHEREAS, the Lewis County Sheriff's Department desires to enter into agreements for 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 Agreements between the County of Lewis, by and through the Lewis County Sheriff's Department and the following providers for program services in the amounts herein set forth:

CONTRACTOR	PURPOSE	AMOUNT
One Path Career Partners	Provides Mental Health Services to Inmates	<ul style="list-style-type: none">• \$3,000 per month which includes:• One (1) on site visit per month;• One (1) phone consultation per week;• Plus additional hourly charges as set forth in the agreement
Black Creek Integrated Systems, Corp.	Computer Software Support for the Sally-Port Inmate Management System	\$17,644.50 per year
David F. Rosner, MD, PLLC	Jail Physician	\$35, 172.00 per year (\$2,931.00 per month)

Section 2. That the term of said renewal Agreements are for the period from January 1, 2021 through December 31, 2021.

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 Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 364 - 2020
RESOLUTION TO APPROPRIATE FUNDS
Sheriff's Department**

Introduced by Legislator Jerry King, Chairman of the General Services Committee

BE IT RESOLVED as follows:

Section 1. That the following budget appropriation is hereby approved in the office of the Sheriff's Department to pay for the Shop with a Cop Program using donated funds.

Increase Revenue:

A0731000 327053 Donate Shop w/a Cop	\$6,000.00
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Increase Expense:

A0311000 490900 Misc Expense \$6,000.00

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

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 365 – 2020
RESOLUTION AUTHORIZING AGREEMENT
BETWEEN LEWIS COUNTY AND PROJECT LIFESAVER**

Introduced by Legislator Jerry King, Chair of the General Services Committee and Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, Lewis County Office for the Aging (“OFA”) and Sheriff’s 911 Emergency Service Coordinator have partnered to propose investment in the Project Lifesaver International not-for profit organization radio tracking and locator of at risk individuals program. The program provides law enforcement, fire/rescue and caregivers with a program designed to protect, and when necessary, quickly locate individuals with cognitive disorders who are prone to life-threatening behavior of wandering; and

WHEREAS, under this program, the Lewis County Sheriff’s office will be equipped with necessary technologies and training; community policing courses that provide basic understanding of cognitive conditions to better understand behaviors of individuals; the wearing of small transmitters on the wrist or ankle of at risk individuals who can be quickly located if he/she has gone missing; and

WHEREAS, OFA identified the need in the Lewis County community for this program, as there have been a number of searches since 2015 for individuals who have wandered off , with two deaths in recent years; and

WHEREAS, the start up costs and equipment include 2-day training (7 people), 2 band receivers, 2 omni vehicle antennas, battery testers, 2 headsets, 2 car power adapters and 2 transmitters, at a cost of \$5,120.00; and

WHEREAS, the Board of Legislators wishes to authorize this project and agreement;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes a Membership Agreement between the County of Lewis, by and through the Lewis County Sheriff’s Office with Project Lifesaver International for radio tracing and locator of at risk individuals under its start-up program at a cost of \$5,120.00, payable from the 911 Public Safety Surcharge Funds.

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 said Agreement, pending approval by the County Attorney.

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

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 366 - 2020
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND THE
COUNTY LAW DEPARTMENT FOR LEGAL SERVICES AND
REPRESENTATION IN FAMILY COURT MATTERS,
CHILD SUPPORT ENFORCEMENT PROCEEDINGS AND
PURCHASE OF SERVICES FOR COLLECTION AND RECOVERY MATTERS**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, pursuant to § 397 of the Social Services Law, the Department of Social Services (the “Department”) is responsible to bring cases deemed necessary before the Family Court for adjudication with regard to children considered to be neglected or abused, to institute proceedings against a parent or adult for neglect or abuse of a child, for voluntary placements, foster care placements, extensions of placement, custody determination of placement rights, and placements that may result from Juvenile Delinquencies (J.D.); and

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 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; and

WHEREAS, the Department is also responsible for the collection of overpayments or recovery of assets in certain programs where financial support to Lewis County citizens has been provided; 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, the Law Department is responsible to provide legal representation to the Department in all family court matters and support enforcement proceedings. The County Attorney and Law Department also has the expertise to provide legal collection services on behalf of the Department in its collection and recovery matters; and

WHEREAS, it is economically and organizationally feasible for the Department to contract with the County Attorney's office for the performance of these services and to enter into agreements for same;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators hereby approves the Agreements by and between the Department of Social Services and the County Attorney whereby the County Attorney shall provide legal representation to the Department on family court matters, child support enforcement proceedings, and 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 Agreements shall 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 these Agreements shall be from January 1, 2021 through December 31, 2021. The purchase of services for legal representation on neglect, abuse, foster care, J.D.'s and related Family Court matters shall not exceed the amount of \$159,032.00; child support enforcement legal representation services shall not exceed the amount of \$85,339.00; and the purchase of services for collection and recoveries shall not exceed the amount of \$74,090.00.

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 Agreements.

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

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

RESOLUTION NO. 367 - 2020
RESOLUTION AUTHORIZING RENEWAL AGREEMENTS BETWEEN
LEWIS COUNTY DEPARTMENT OF SOCIAL SERVICES AND
VARIOUS PROVIDERS FOR PROGRAM SERVICES

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the Lewis County Department of Social Services wishes to renew agreements with the following various providers for program services; and

CONTRACTOR	PURPOSE	AMOUNT
<u>Lewis County Opportunities, Inc.</u>	Non-Residential Services for Victims of Domestic Violence	Not to exceed \$24,000
<u>Lewis County Opportunities, Inc.</u>	Residential Services for Victims of Domestic Violence (October 1, 2020 to September 30, 2021)	Daily rate established by NYS OCFS and approved by director of budget of the State of NY
Transitional Living Services of Northern NY	Gateway Project-Case Management Program (Housing)	Not to Exceed \$23,000 (\$1,916.67 per month)
Resolution Center of Jefferson & Lewis Counties, Inc.	Diversion Services	Not to exceed \$12,000 Local: 25% State: 25% Federal: 50%

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby authorizes renewal Agreements between the County of Lewis and the following various providers for program services in the amounts herein set forth.

Section 2. That the term of said renewal Agreements are for the period from January 1, 2021 through December 31, 2021, except as specifically set forth above.

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

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

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 368 - 2020
RESOLUTION AUTHORIZING RENEWAL AGREEMENT WITH
TOSHIBA AMERICA BUSINESS SOLUTIONS, INC. (DBA "TBS")
FOR DOCUMENT MANAGEMENT SOFTWARE AND SUPPORT
MAINTENANCE SYSTEM AT THE DEPARTMENT OF SOCIAL SERVICES**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, the County of Lewis, by and through the Lewis County Department of Social Services, entered into an agreement with Toshiba America Business Solutions, Inc., d/b/a “TBS”, to purchase and implement an electronic document management system, “DocuWare”, to meet the growing document management needs in the Child Support, Child Care and Adult Services units; and

WHEREAS, the Lewis County Department of Social Services desires to renew this annual software agreement; and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Lewis County Board of Legislators hereby authorizes annual renewals of the software agreement with Toshiba America Business Solutions, Inc., d/b/a “TBS” for the electronic document management system, “DocuWare” required by the Lewis County Department of Social Services.

Section 2. That the Commissioner of Social Services is hereby authorized to make, execute, seal and deliver such annual software agreement, upon providing the Health and Human Services Committee with annual updates on the software program.

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

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 369 - 2020
RESOLUTION ADOPTING INVESTMENT POLICY
FOR THE COUNTY OF LEWIS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, pursuant to General Municipal Law and County Law, the Board of Legislators designates a list of depositories for deposit of monies received by the County Treasurer; and

WHEREAS, the Board contracted with THREE + ONE, LLC to consult with the County Treasurer, to provide liquidity and treasurer analysis, management data and programming to assist the Treasurer with maximizing interest returns on cash investments made by the Treasurer with County funds; and

WHEREAS, pursuant to the GML, an investment policy is required in order to provide the guidelines and objectives upon which the County Treasurer can rely for deposit and investment of County funds; and

PROCEEDINGS OF THE BOARD OF LEGISLATORS

WHEREAS, the primary objectives of the County investment policy are to conform with all applicable federal, state and other legal requirements; to adequately safeguard principal; to provide sufficient liquidity to meet all operating requirements; and to obtain a reasonable rate of return; and

WHEREAS, to appropriately meet these objectives, and to advance the professional recommendations of Three + One, LLC, the attached policy is proffered to allow for prudent investment decisions based on categories of cash and liquidity analysis of past and anticipated future financial requirements; and

WHEREAS, the Board of Legislators seeks to adopt this investment policy for the County of Lewis;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. That the Board of Legislators of the County of Lewis hereby adopts the attached investment policy and guidelines for deposits and investments of monies received by the Treasurer for the County of Lewis.

Section 2. That the Clerk of the Board is directed to add the policy to the Administrative Manual and any other appropriate manuals, upon such form as may be approved by the County Attorney.

Section 3. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**INVESTMENT POLICY & GUIDELINES FOR
Lewis County, NY**

November 2020

I. SCOPE

This investment policy applies to all moneys and other financial resources available for deposit and investment by Lewis County ("the County") on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the County investment activities are, in priority order:

- To conform with all applicable federal, State and other legal requirements (legality);
- To adequately safeguard principal (safety);
- To provide sufficient liquidity to meet all operating requirements (liquidity) and
- To obtain a reasonable rate of return (yield).

To appropriately meet these objectives, the County will make investment decisions based on categories of cash with which the time horizon is continually calculated using a liquidity analysis of past and anticipated future financial requirements.

III. DELEGATION OF AUTHORITY

The Treasurer is responsible for administration of the investment program and shall establish written procedures for the operation of the investment program consistent with these investment policies. Such procedures shall include internal controls to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept, and other relevant information. In addition, the internal control procedures shall describe the responsibilities and levels of authority for key individuals involved in the investment program.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County to govern effectively.

Investments shall be made with prudence, diligence, skill, judgment and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived. All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the County to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling. The Board of Legislators ("BOL") establishes the limits of investments. The Treasurer shall establish the appropriate amounts in each investment, not to exceed the limit established by the BOL which can be made with each financial institution or dealer, and shall evaluate this listing and amount at least annually.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

VI. INTERNAL CONTROLS

It is the policy of the County for all moneys collected by any officer or employee of the government to transfer those funds to the Treasurer 's office within ten days of receipt, or within the time period specified in law, whichever is shorter.

The Treasurer is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization, properly recorded, and managed in compliance with applicable laws and regulations.

The Treasurer will provide the BOL with periodic investment reports as part of his/her internal control procedures.

VII. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Treasurer shall maintain a list of financial institutions and dealers which have been approved for investment purposes by the BOL. The Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians, and will provide the listing of proposed depositories, partner and custodians to the BOL as updated for investment.

VIII. COLLATERALIZATION

All demand and time deposits of the County in excess of the amount insured under the provision of the Federal Deposit Insurance Act-

\$250,000 Transaction Accounts

\$250,000 Time Deposits

\$500,000 Total Coverage

shall be secured by eligible collateral, consisting of any one, or combination, of the following outlined in Section IX.

IX. SECURING DEPOSITS AND INVESTMENTS

All deposits and investments at a bank or trust company, including all demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, "deposits") made by the Treasurer that are in excess of the amount insured under the provisions of the Federal Deposit Insurance Act, including pursuant to a Deposit Placement Program in accordance with law, shall be secured by:

1. A pledge of "eligible securities" with an aggregate "market value" (as provided by New York State Law in appendix A) that is at least equal to the aggregate amount of deposits by the Treasurer. See Schedule A of this policy for a listing of "eligible securities."
2. A pledge of a pro rata portion of a pool of eligible securities, having in the aggregate a market value at least equal to the aggregate amount of deposits from all such officers within New York State at the bank or trust

company.

3. An "eligible surety bond" payable to the government for an amount at least equal to 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The BOL as the governing board shall approve the terms and conditions of the surety bond.
4. An "eligible letter of credit," payable to the County as security for the payment of 140 percent of the aggregate amount of deposits and the agreed-upon interest, if any. An "eligible letter of credit" shall be an irrevocable letter of credit issued in favor of the County, for a term not to exceed 90 days, by a qualified bank (other than the bank where the secured money is deposited). A qualified bank is either one whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company's commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization, or one that is in compliance with applicable federal minimum risk-based capital requirements.
5. An "irrevocable letter of credit" issued in favor of the County by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, as security for the payment of 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any.

X. COLLATERALIZATION AND SAFEKEEPING

Eligible securities used for collateralizing deposits made by the Treasurer of the County shall be held by (the depository or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities (or the pro rata portion of a pool of eligible securities) are being pledged to secure such deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities (or pro rata portion of a pool of eligible securities) held may be sold, presented for payment, substituted or released and the events of default which will enable the local government to exercise its rights against the pledged securities.

In the event that the pledged securities are not registered or inscribed in the name of the County, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County or the custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other

PROCEEDINGS OF THE BOARD OF LEGISLATORS

book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the local government in the securities (or the pro rata portion of a pool of eligible securities) as set forth in the security agreement.

The custodial agreement shall provide that pledged securities (or the pro rata portion of a pool of eligible securities) will be held by the custodial bank or trust company as agent of, and custodian for, the County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt, substitution or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of a security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide the County with a perfected security interest in the eligible securities and to otherwise secure the local government's interest in the collateral, and may contain other provisions that the governing board deems necessary.

XI. PERMITTED INVESTMENTS

As provided by General Municipal Law Section 11, the County's governing body (BOL) authorizes the Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected liquidity and cash flow needs in the following types of investments:

1. Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in New York State;
2. Through a Deposit Placement Program, certificates of deposit in one or more "banking institutions", as defined in Banking Law Section 9-r;
3. Obligations of the United States of America;
4. Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America;
5. Obligations of the State;
6. With the approval of the State Comptroller, obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (i.e., Tax Anticipation Notes and Revenue Anticipation Notes) by any municipality, school district or district corporation in the State other than the County;

All investment obligations shall be payable or redeemable at the option of the County within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event at the option of the County within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the moneys were obtained, and shall be secured as provided in Sections IX and X herein.

Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of the County authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of the County within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law Section 11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested.

Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

XII. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

All financial institutions and dealers with which the County transacts business shall be creditworthy, and have an appropriate level of experience, capitalization, size and other factors that make the financial institution or the dealer capable and qualified to transact business with the County. The Treasurer shall evaluate the financial position and maintain a listing of proposed depositaries, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for proposed banks, and security dealers that are not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the Federal Reserve Bank, as primary dealers.

The County shall maintain a list of financial institutions and dealers approved by the BOL for investment purposes and establish appropriate limits to the amounts of investments that can be made with each financial institution or dealer.

XIII. PURCHASE OF INVESTMENTS

The Treasurer is authorized to contract for the purchase of investments:

1. Directly, from an authorized trading partner
2. By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the County by the bank or trust company.

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law Section 10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent

PROCEEDINGS OF THE BOARD OF LEGISLATORS

of, and custodian for, the County, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to secure the local government's perfected interest in the securities, and the agreement may also contain other provisions that the governing board deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide the County with a perfected interest in the securities.

The Treasurer's office, where authorized, can direct the bank or trust company to register and hold the evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit, or arrange for the deposit of any such evidences of investments with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law Section 10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of a nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

XIV. DEFINITIONS

The terms "public funds," "public deposits," "bank," "trust company," "eligible securities," "eligible surety bond," and "eligible letter of credit" shall have the same meanings as set forth in General Municipal Law Section 10.

XV. OPERATIONS, AUDIT, AND REPORTING

By the end of September of each year (approximately 120 days before the end of the fiscal/calendar year), the County Treasurer shall prepare and submit to the BOL through the Finance Committee, an annual investment report; recommendations for change in these Investment Guidelines, if any; the result of the annual independent audit; the investment income record; a list of total fees, commissions or other charges, if any; and any other investment information and data the Treasurer or BOL deem appropriate.

By the end of January of each year, the Treasurer will provide a listing of the unaudited cash on hand, as of the last day of the fiscal/calendar year immediately then ended

Appendix A

Schedule of Eligible Securities for Collateralizing Deposits and Investments in Excess of FDIC Coverage (see Investment Policy, Section VIII and IX):

"Eligible Securities" for Collateral	For purposes of determining aggregate "market value," eligible securities shall be
(i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government-sponsored corporation.	100%
(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank and the African Development Bank.	100%
(iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.	100%
(iv) Obligations issued or fully insured or guaranteed by the State, obligations issued by a municipal corporation, school district or district corporation of this State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.	100%
(v) Obligations issued by states (other than the State) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(vi) Obligations of the Commonwealth of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.
(vii) Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.	100% if rated in the highest category; 90% for 2nd highest; 80% for 3rd highest.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

(viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.	80%
(ix) Any mortgage-related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.	70%
(x) Commercial paper and bankers' acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.	80%
(xi) Zero-coupon obligations of the United States government marketed as "Treasury STRIPS."	80%

**RESOLUTION NO. 370 - 2020
RESOLUTION AUTHORIZING AGREEMENT BETWEEN
LEWIS COUNTY TREASURER
AND BURKE GROUP, INC.**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

WHEREAS, the Lewis County Treasurer's Office wishes to enter into an agreement with Burke Group, Inc. for the purpose of providing actuarial services; and

WHEREAS, these services are for valuation and reporting for Lewis County postretirement healthcare plans for the fiscal year ending December 31, 2020, under Governmental Accounting Standards Board ("GASB" 75); and

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby approves the contract with the Burke Group, Inc. to provide actuarial services for postretirement health care benefits valuation and reporting for fiscal year ending December 31, 2020 under Governmental Accounting Standards Board ("GASB" 75).

Section 2. That this is for the term beginning January 1, 2021 through December 31, 2021 at a cost not to exceed \$10,000.00.

Section 3. That Eric Virkler, Lewis County Treasurer, 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 Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 371 – 2020
RESOLUTION AUTHORIZING COUNTY TREASURER
TO CORRECT ERRORS ON TAX ROLLS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules 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 2021.

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 2021.

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 Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 372 – 2020
RELEVYING UNPAID SCHOOL TAXES AND
VILLAGE TAXES ON ASSESSMENT ROLLS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules Committee.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

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 2020 Assessment Rolls for the seventeen (17) Towns in Lewis County.

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

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 373 - 2020
RESOLUTION AUTHORIZING THE SUPERVISOR
OF EACH TOWN IN THE COUNTY OF LEWIS TO ADD
TO THEIR TAX WARRANT THE 2021 COUNTY TAX
APPORTIONED TO EACH**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules 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 2021 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 pursuant to Law.

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

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 374 - 2020
RESOLUTION TO SCHEDULE
2021 ORGANIZATIONAL MEETING**

Introduced by Legislator Lawrence Dolhof, 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 2021 Organizational Meeting to be held on Tuesday, January 5, 2021 to begin at 5:00 p.m.

Section 2. That this resolution shall take effect immediately.

Moved by Legislator Osborne, seconded by Legislator Chartrand, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 375 - 2020
RESOLUTION AUTHORIZING AGREEMENTS BETWEEN
LEWIS COUNTY AND OUTSIDE AGENCIES**

Introduced by Legislator Lawrence L. Dolhof, 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 2021, 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	65,000.00
North Country Library	30,000.00
Lewis County Historical Society	22,115.00
Constable Hall Association	1,000.00
International Maple Museum Centre	1,000.00
Railway Historical Society NNY	1,000.00
Adirondack Park Local Government Board	800.00
Lewis County Agricultural Society	5,000.00
Lewis County Soil & Water Conservation District	120,000.00
Cornell Cooperative Extension of Lewis County	320,000.00
Town of Diana Museum	1,000.00
Adirondack North Country Association	1,000.00
Lyons Falls Historical Association	1,000.00
Double Play Community Center	20,000.00
County of Lewis Industrial Development Agency	190,000.00
Hand In Hand Early Childhood Center	10,000.00
Lewis County Development Corporation	30,000.00

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 Hathway, seconded by Legislator King, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 376 - 2020
RESOLUTION AMENDING COMPENSATION PLAN OF COUNTY OF LEWIS
WITH REFERENCE TO PUBLIC HEALTH OFFICE**

Introduced by Legislator Andrea Moroughan, Chair of the Health & Human Services Committee.

WHEREAS, as a result of Covid-19 pandemic and the increase in positive cases in Lewis County requiring contact tracing, quarantining and monitoring under the Lewis County Public Health Agency, the Public Health Director requests immediate workload assistance by the hiring of temporary per diem public health program assistants;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. That the Board of Legislators hereby amends the Compensation Plan of the County of Lewis with reference to the Public Health Agency to create the following temporary positions, commencing December 17, 2020 for a period of six months and subject to re-evaluation of need for continuation up to a maximum of eighteen (18) months, with no benefits, at the following compensation rate:

<u>TITLE</u>	<u>STATUS</u>	<u>COMPENSATION RATE</u>
Public Health Program Assistants (5)	Temporary Per Diem	\$18.00/hour

Section 2. That this resolution shall take effect immediately.

Moved by Legislator King, seconded by Legislator Moroughan, and adopted on the 17th day of December, 2020.

**RESOLUTION NO. 377 - 2020
LEVYING TAXES AND ASSESSMENTS FOR
ANNUAL TOWN BUDGETS AND
CORRECTIONS TO TAX ROLLS**

Introduced by Legislator Thomas Osborne, Chair of the Finance & Rules 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, 2021.

DECEMBER 17, 2020

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	\$716,965.00	\$609,362.16
Denmark	607,010.00	319,685.00
Diana	649,285.00	
Greig	715,190.00	
Harrisburg	134,419.18	
Lewis	587,332.00	
Leyden	316,139.00	149,193.00
Lowville	676,691.00	238,401.00
Lyonsdale	366,300.00	181,548.00
Martinsburg	357,591.00	
Montague	200,040.00	
New Bremen	654,433.00	360,660.00
Osceola	354,244.00	
Pinckney	382,567.00	
Turin	473,093.00	102,465.00
Watson	1,081,390.00	
West Turin	479,160.00	157,897.00

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	\$147,800.00
Beaver Falls Fire District	53,349.04
Beaver Falls Light District	8,000.00
Relevied Water and Sewer	52,708.68

Denmark:

Castorland Fire Protection District	66,300.00
W Carthage Fire	22,000.00
Copenhagen Fire	60,709.00
Relevied Sewer	785.84

Diana:

Fire Protection District	133,950.00
Natural Bridge Fire District	3,252.00
Natural Bridge Light District	275.00
Diana Water	18,804.17

PROCEEDINGS OF THE BOARD OF LEGISLATORS

Harrisville Light	16,500.00
Greig:	
Fire Protection District – 3G	76,794.00
Brantingham Water Control	1,800.00
Harrisburg:	
Fire Protection District	28,782.23
Lewis:	
Fire Protection District	41,867.00
Leyden:	
Fire Protection District & Ambulance	29,475.00
Lowville:	
Fire Protection	37,754.00
Water/Sewer Relevy	52,046.85
Lyonsdale:	
Lyons Falls & Port Leyden Fire Protection Districts	38,655.00
Lyonsdale Light	1,050.00
Martinsburg:	
Fire Protection District	107,966.00
Glenfield Light District	5,800.00
Martinsburg Light District	4,800.00
Martinsburg Water	5,666.58
Water/Sewer Relevies	12,749.89
Montague:	
Fire Protection	9,300.00
New Bremen:	
New Bremen Fire District	85,619.00
Beaver Falls Fire District	38,650.96
New Bremen Fire Protection Dist Lighting District	16,275.00
Water Relevy	10,799.36
	3,197.18
Osceola:	
Fire Protection District	45,500.00
Library	7,500.00

DECEMBER 17, 2020

Pinckney:		
	Fire Protection District & Ambulance	15,000.00
Turin:		
	Fire Protection	41,700.00
Watson:		
	Fire Protection	50,045.00
	Watson Light & Water District	11,010.53
West Turin:		
	Turin Fire Protection	16,241.00
	Constableville Fire Protection	39,828.00

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	\$ 706.86
Denmark	\$ 127.42
Diana	\$ 105.15
Greig	\$ 328.66
Harrisburg	(\$.08)
Lewis	\$ 307.12
Leyden	\$ 324.48
Lowville	\$ 509.05
Lyonsdale	\$ 573.27
Martinsburg	\$ 350.77
Montague	(\$.40)
New Bremen	\$ 354.80
Osceola	(\$.06)
Pinckney	\$ 0.22
Turin	(\$.15)
Watson	\$ 348.33
West Turin	\$ 127.25

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 Chartrand, seconded by Legislator Kulzer, and adopted on the 17th day of December, 2020.

PROCEEDINGS OF THE BOARD OF LEGISLATORS

OTHER BUSINESS:

At 10:57 a.m. Chairman Dolhof closed the public hearing with no other comments.

Casandra Buell, Planning Director, gave a brief presentation on revitalizing Lewis County in regard to branding. The current county seal doesn't represent Lewis County well, it should show that Lewis County is emerging as a regional leader in sustainability, financial responsibility, collaborative business development, and local government support. Now is the time to work on this because it can stimulate growth in our communities, which is needed. There has been research in what other locations are doing. There needs to be upgrades done to our county website to make it easier to navigate and for the general public to find information easily. Casandra Buell showed a few examples of good websites from other locations.

Ryan Piche pointed that there needs to be cohesiveness with Naturally Lewis and Tug Hill. It makes sense to spend some money to get something that fits our county better to attract businesses and visitors to our County. Some of the elements that Legislators suggested were wind towers, recreation, ATV/UTV, landscape, the four distinctive seasons. Legislator Gilbert suggested have something that has a minimalist look so it can be put on clothing and other objects. There was further discussion on images versus logo's. Legislator King suggested have a picture that could change with the season by altering the backdrop and also felt that it might be a good idea to get the public involved. Ryan suggested that once the designs are put together there could be an online vote for the best option, this would include the public.

At 11:19 a.m. Legislator Burns made am motion to enter executive session to discuss litigation matters after a brief 5-minute break, seconded by Legislator Osborne and carried.

At 11:56 a.m. Legislator Chartrand made a motion to enter regular session, seconded by Legislator King and carried.

There being no other business to come before the Board, Legislator Osborne made a motion to adjourn the meeting at 11:58 a.m., seconded by Legislator Chartrand and carried.